

Wednesday 6 July 2022

Direct Dial: 09 890 4021

To the Submitters

Tēnā koe

NOTICE OF REQUIREMENT APPLICATION – NOTICE OF HEARING

Address	56 Middlefield Drive, Flatbush
Requiring Authority	Ministry of Education
Proposed activity	for an alteration to a designation for a primary school and early childhood education centre to alter the purpose and conditions of the designation (relating to roll cap and transport/traffic)

The safety and wellbeing of our customers, team members and communities in Auckland is always our utmost priority. We want to assure you that we're taking the necessary precautions to prevent the spread of COVID-19. Please ensure you read the COVID-19 requirements for hearings at the bottom of this letter.

The above application will be heard by Hearing Commissioners **Janine Bell (Chairperson) and Trevor Mackie** at a hearing to be held as follows:

Date: **Tuesday 2 August 2022**

Time: **9.30am**

Venue: **Council Chambers**
Ground Floor, Auckland Town Hall
301 Queen Street, Auckland

The chair has directed that evidence is to be pre-circulated for this hearing. See the attached Direction. In accordance with the Direction, evidence is due to be received by the Hearings Advisor as follows:

Key Dates for this hearing (for more information, see below)	
Council S42a report available	Friday 8 July 2022, 5pm
Requiring Authority's evidence due	Monday 18 July 2022, by 12 noon
Submitters expert evidence due	Monday 25 July 2022, by 12 noon
Requiring Authority's supplementary evidence and legal submissions requested	Friday 29 July 2022, by 12 noon
Submitter's non-expert evidence requested	Friday 29 July 2022, by 12 noon

Appearance forms returned	Monday 25 July 2022, by 12 noon
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You are invited to attend the hearing where the Hearing Commissioners will consider submissions in support of/or opposing the application. Attendance via MSTEams is available on request, by contacting the hearings advisor by 12 noon Monday 25 July 2022.

Please note the commissioners may carry out a site visit, individually or together, either before, during or after the hearing which may involve them going on to the application site and, if necessary, submitters' sites. During the site visit, the commissioners will not speak to any of the parties directly about the application's merits.

The officer's report and accompanying information will be made available within 24 hours of receipt or as soon as is practicable and this can be found:

<https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-auckland-unitary-plan-hearing.aspx>

The following apply:

- (a) **The council** report will be available on the council website no later than 5pm on **Friday 8 July 2022**.
- (b) **The Requiring Authority** is required to provide all its briefs of evidence by **Monday 18 July 2022**. You will be advised once the evidence is available.
- (c) **Any submitter** proposing to call expert witnesses is required to provide briefs of evidence from those experts at least five working days before the hearing. An expert is a professional such as a planner, traffic engineer or similar.

To ensure this evidence is available on council's website at least 5 working days prior to the hearing, it is required by midday, **Monday 25 July 2022**.

The expert witness is required to provide:

- **5** hard copy of the evidence at the hearing
- 1 soft copy - briefs of evidence to be provided via email or on a data stick, each file should be less than 10Mb.

Any submitter who is providing a personal statement to read at the hearing, are encouraged to provide these electronically to the Hearings Advisor by midday, two working days prior to the hearing as well as bringing 5 copy to the hearing. This will allow for contactless exchange of evidence and enable parties, whether in attendance or participating virtually to view the material prior to the hearing. If you have not provided the statement in advance of the hearing, please bring 5 hard copies with you.

- (d) A short-written summary for briefs of evidence in excess of 10 pages is helpful. It is likely the commissioners will request that this at least is read at the hearing.
- (e) The council will make available all reports and evidence on its website within 24 hours of receipt or as soon as is practicable. The link to the website is:

<https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-auckland-unitary-plan-hearing.aspx>

- (f) Email will be the address for service for the applicant and submitters, unless advised otherwise.

- (g) If the hearing is held virtually, or you plan to attend virtually, please ensure your evidence is provided to the Hearings Advisor electronically before the hearing commences. The panel members will have already read your original submission and they will have that in front of them at the hearing.

Electronic copies of evidence can be sent to the Hearings Advisor at DS-Hearings@aucklandcouncil.govt.nz, Attn: Laura Ager

Please fill in the attached appearance form and return it to me by Monday 25 July 2022 if you would like to appear at the hearing, so that we can schedule your appearance and inform you of your approximate speaking time.

We're dedicated to protecting against COVID-19. For the most up to date information on COVID-19 please visit www.covid19.govt.nz. For the most up to date information about council's services please visit www.aucklandcouncil.govt.nz.

At the date of this letter Auckland is in the orange setting of the COVID-19 Protection Framework. There are restrictions with face-to-face hearings at this level that include:

- 1m social distancing required in public spaces such as the hearing room and foyer area. This is an Auckland Council requirement. This may mean there is a possible restriction on the number of people who can attend the hearing in person to ensure social distancing is adhered to. The Hearings Advisor will discuss this with the parties before the hearing to ensure these requirements are adhered to
- use of a face-covering is mandatory at some indoor venues including premises operated by local government agencies. This includes the hearing venue
- no participants are to attend who have COVID-19 symptoms or who need to be in isolation/quarantine for any reason.

For those participants who cannot attend in person or who wish to attend virtually, please let the Hearings Advisor know by Monday 25 July 2022 (or as soon as possible before the hearing) and they will send you a MSTeams link prior to the hearing.

Should it be determined at any time that it is not safe to hold the hearing face-to-face, the Hearings Advisor will contact you about how we will proceed with the hearing, which could be virtually via MSTeams.

Please do not hesitate to contact me on 09 890 4021 if you have any questions in relation to this hearing.

Ngā mihi

Laura Ager
Kaitohutohu Mataamua Whakawā
Senior Hearings Advisor