

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of **Private Plan Change 44** – 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket to the Auckland Unitary Plan

HEARING DIRECTION #3 FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of three independent hearing commissioners – David Wren (Chairperson), Trevor Mackie and Sheena Tepania. The Hearing Panel's function is to hear the application and submissions and make a decision on the Plan Change proposal, including any changes to it that are within scope of the notified Plan Change.
2. Plan Change 44, in summary, aims to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket that:
 - (a) enables mixed use development
 - (b) introduces building height up to 65 metres above ground level
 - (c) provides a publicly accessible plaza, pedestrian connections and vehicular and pedestrian access to and from George, Morgan and Clayton Streets
 - (d) removes the 27 metre Height Variation Control).
3. Hearing dates were confirmed to commence on Tuesday 28 September 2021 and timeframes for the filing of evidence were set.
4. On 13 July 2021 the Applicant advised they wished to vacate the hearing dates stating:

'Following the recommendations within Auckland Council's hearing report, the applicant is exploring their options further and have requested a temporary suspension of processing of the private plan change'.
5. While the requested plan change process cannot officially be suspended and being mindful of the Council's statutory obligation to complete processing of the requested plan change within two years of notification, the Hearing Panel has considered the Applicant's request and agrees to the postponement of the hearing that was set to commence on Tuesday 28 September 2021.
6. However, the Panel also directs the Applicant to report back to the Senior Hearings Adviser, Ms Ager, by **12 midday Wednesday 13 October 2021** informing the hearing panel if they wish to reschedule a new hearing date or withdraw the Plan Change request.

7. Accordingly, the evidence exchange programme set out in the previous Direction #2 is also suspended. A new programme will be established should a new hearing date be required.
8. Any enquiries regarding these Directions or related matters should be directed to the Council's Senior Hearings Advisor, Ms Ager, by email at laura.ager@aucklandcouncil.govt.nz.



David Wren, Chairperson
14 July 2021