

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

**AND**

**IN THE MATTER** of **Private Plan Change 46** –Drury South - Maketu Road, Quarry Road and Fitzgerald Road, Drury to the Auckland Unitary Plan – Operative in Part.

#### **HEARING DIRECTIONS 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 -Greg Hill (Chairperson), Mark Farnsworth and Gavin Lister. The Hearing Panel’s function is to hear the application and submissions and make a decision on the Plan Change proposal.
2. Plan Change 46 seeks to: rezone land at Maketu Road, Quarry Road and Fitzgerald Road, Drury and to amend the provisions and spatial extent of the operative Drury South Industrial Precinct in the Auckland Unitary Plan (Operative in Part). Specifically, the plan change request seeks to:
  - Reduce the extent of the Drury South Industrial Precinct: Sub-precinct C from 21ha to 10ha, and rezone the land from Business - Light Industry to Business – Mixed Use;
  - Rezone approximately 20ha of land from Business – Heavy Industry to Business – Light Industry
  - Amend the Drury South Industrial Precinct provisions to enable a greater scale of commercial activity and greater building height in Sub-precinct C, remove bespoke landscaping provisions, provide for trade suppliers, amongst other amendments to the precinct provisions; and
  - Realign the boundaries of Precinct Plan 1 in the Drury South Industrial Precinct as depicted in Precinct Plan 1 to align with the extent shown on the Unitary Plan Viewer and exclude the land that now falls within the Drury South Residential Precinct.
3. The hearing has been set down for two days commencing on the **3 December 2020**. This is to enable the Applicant to present its case and for the submitters to present their submissions to the Hearing Panel.
4. In terms of procedural matters, section 41B of the RMA provides that the Council may direct that evidence from any expert be provided to the parties before the hearing. Section 42A of the RMA provides that the Council may prepare a report on the matters to be considered and be provided prior to the hearing. The Hearing Panel is aware that a section 42A report is being prepared by the Council.
5. Accordingly, the Hearing Panel directs as follows:

- (a) Pursuant to section 42A of the RMA, the section 42A hearing report shall be provided to the Council's Hearing Advisor no later than 5.00 pm, **11 November 2020**.
  - (b) Pursuant to sections 41B(1) and (2) of the RMA, the Applicant's expert evidence (evidence given by a professional with specialist qualifications and experience) is to be provided to the Council's Hearing Advisor no later than 5.00 pm, **18 November 2020**.
  - (c) Pursuant to sections 41B(3) and (4) of the RMA, any submitter who intends to call expert evidence at the hearing (evidence given by a professional with specialist qualifications and experience) is to provide that evidence to the Council's Hearing Advisor no later than 5.00 pm, **25 November 2020**.
6. While these Directions do not apply to lay or non-expert statements/evidence, the Hearing Panel would appreciate any written statements to be presented at the hearing by submitters to be provided to the Council's Hearing Advisor no later than 5.00 pm, **30 November 2020**.
7. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than the **30 November 2020**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
8. The purpose of these Directions is to provide the opportunity for the Hearing Panel and the other parties to have read and considered any legal submissions, evidence or statements in advance of the hearing to assist in understanding the case being presented. As the Hearing Panel will have read all the pre-circulated material before the hearing, there will be no need for it to be read out. An executive summary maybe read out or the key points highlighted.

Any enquiries regarding these Directions or related matters should be directed to the Council's Hearing Advisor, by email at [bevan.donovan@aucklandcouncil.govt.nz](mailto:bevan.donovan@aucklandcouncil.govt.nz).



Greg Hill Chairperson  
2 November 2020