

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

AND

IN THE MATTER of **Private Plan Changes 48** (Kiwi Property No. 2), **49** (Fulton Hogan Land Development Limited) and **50** (Oyster Capital Limited) to the Auckland Unitary Plan – Operative in Part.

DIRECTION FROM THE HEARING PANEL

HEARING DATES (FACE-TO-FACE OR BY REMOTE ACCESS)

1. Pursuant to section 34 and 34A of the RMA, Auckland Council has appointed a Hearing Panel consisting of independent hearing commissioners - Greg Hill (Chairperson), Mark Farnsworth and Karyn Kurzeja¹. The Hearing Panel has been delegated the authority to hear the plan change requests and submissions, and make decisions on these plan changes. It is also to address any procedural issues.
2. In the Hearing Panel’s Direction dated 6 September 2021 titled - **Reconvened hearings dates, process and evidence exchange (to hear traffic and planning related matters for private plan changes 48, 49 and 50)**, we stated:

*“..that the reconvened combined hearings dates for Plan Changes 48, 49 and 50 will be **6 - 15 December 2021**. The hearing venue and times will be advised at a later date, but it is likely that the hearing will be held in the Central Business District, and not Manukau.*
3. The hearing dates have been ‘refined’ and will be **6 – 10 December 2021, and the 16 December 2021** should that day be required.
4. Given the current Covid alert level 3 in Auckland and that this is likely to remain until Auckland moves to the Covid-19 Protection Framework (Traffic Light System), it is currently not certain whether a face-to face hearing will be able to be held. However, if the hearing is not able to proceed face-to –face, it will proceed on the dates specified using “remote access facilities” (Teams) pursuant to s39AA(2) of the RMA.
5. The Hearing Panel has taken s39AA(4) of the RMA into account in making this Direction. Any party who does not have access to internet will be able to participate via a telephone connection. Should the hearing proceed on a remote access basis, the Council’s Senior Hearings Advisor, Mr Sam Otter, will provide the necessary details for on-line access to the hearing.
6. If Auckland is in the Traffic Light System at the time of the hearing, it may be possible for the hearing to proceed face-to-face, while observing any necessary protocols. If this is the case a further Direction will be issued closer to the hearing. However the Hearing Panel anticipates some people may be reluctant to attend a face-to-face hearing, or that those who are not fully

¹ Ms Kurzeja in relation to Plan changes 48 and 50.

vaccinated may not be able to attend. Whatever the circumstance, participation via remote access will be available to those persons not able to attend the hearing in person. If the meeting is face-to face, the Council will advise its location.

7. Any enquiries regarding this Direction, or any related matters, should be directed to Mr Sam Otter, the Council's Senior Hearing Advisor, by email at sam.otter@aucklandcouncil.govt.nz



Greg Hill - Chairperson
28 October 2021