

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

**AND**

**IN THE MATTER** of **Private Plan Change 51** – Karaka and Drury Limited - land generally bounded by Drury Creek to the east, Future Urban Zoned land to the west and Karaka Road/State Highway 22 to the south and south east (Drury West) to the Auckland Unitary Plan – Operative in Part.

### **DIRECTIONS 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 (the Council) has appointed a Hearing Panel consisting of independent hearing commissioners - Greg Hill (Chairperson), Mark Farnsworth and Karyn Kurzeja. The Hearing Panel’s function is to hear the application and submissions and make a decision on the Plan Change proposal. It is also to address any procedural issues.
2. The hearing of this Plan Change was scheduled for the 6 - 10 September 2021. However, due to Auckland being in ‘Covid alert level 4 lock down’ the hearing was postponed, and rescheduled for **Thursday 4, Friday 5, Monday 8 and Tuesday 9 November 2021**<sup>1</sup>. If a face-to-face hearing is possible the venue is the- **Conference Centre - 12-16 Nicholas Lane, Parnell**.
3. However, given the current Covid alert level 3 in Auckland, and that this is likely to remain for some time, the hearing will, if not able to proceed face-to-face, proceed on the dates specified using “remote access facilities” (Teams) pursuant to s39AA(2) of the RMA.
4. 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.
5. The Council’s Senior Hearings Advisor, Mr Sam Otter, will be providing the necessary details for on-line access to the hearing.
6. As set out in the 9 September 2021 Direction, we stated:

*“At the time the hearing was postponed, the evidence exchange had been completed<sup>2</sup> (as set out in our Direction dated 31 March 2021). In this respect, we set out in our 2 September 2021 Direction:*

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<sup>1</sup> Direction dated 9 September 2021

<sup>2</sup> The evidence for Plan Change 51 is on the Council’s Website.

*The Applicant has now filed its reply evidence. On this basis the evidence exchange process for PC51 is completed. The only further material we are expecting/accepting from parties prior to the re-convened hearing is the Applicant's and any Submitters' legal submissions.*

*Accordingly, we are not seeking further evidence from any party. If any party seeks to file additional evidence, a waiver will need to be sought from the Hearing Panel addressing the matters set out in section 37 and 37A of the RMA.*

*The Hearing Panel encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than Friday **29 October 2021**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.*

7. The Hearing Panel re-confirms the matters set out above.
8. Any enquiries regarding this Direction or related matters should be directed to the Council's Senior Hearings Advisor, Mr Sam Otter by email at [sam.otter@aucklandcouncil.govt.nz](mailto:sam.otter@aucklandcouncil.govt.nz).



Greg Hill Chairperson  
14 October 2021