

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

AND

IN THE MATTER of **Private Plan Change 61** – Lomai Properties Limited for land in the area generally bounded by Jesmond Road and Future Urban Zoned land to the east, Oira Road to the west, Future Urban Zoned land to the north and Karaka Road/State Highway 22 to the south (Drury West) to the Auckland Unitary Plan – Operative in Part.

DIRECTIONS FROM THE HEARING PANEL¹

INTERIM HEARING DATES AND EVIDENCE EXCHANGE

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. Other commissioners may be appointed when a particular area of expertise is required. The Hearing Panel's function is to hear the application and submissions and make a decision on the Plan Change proposal.
2. This Hearing Panel has also been appointed to hear private plan changes 48, 49, 50, 51, 58 and 61 all of which are within the Papakura Drury area. The hearing schedule for all of these private plan changes, including evidence exchange dates, can be found on council's [website](#).
3. Plan Change 61 seeks, in summary to:

Rezone 56 hectares of Future Urban Zoned land in Drury West in the area generally bounded by Jesmond Road and Future Urban Zoned land to the east, Oira Road to the west, Future Urban Zoned land to the north and Karaka Road/State Highway 22 to the south. The proposed zoning includes 2.02 hectares of Business: Neighbourhood Centre zone, 27.52 hectares of Residential: Terrace Housing and Apartment Buildings zone, 21.2 hectares of Residential: Mixed Housing Urban zone and 4.79 hectares for the development of an open space network.
4. The hearing has been scheduled for **Monday 4 to Wednesday 6 October 2021** (with the 6 October 2021 as an 'overflow' hearing day if required). The hearing venue and times will be advised at a later date.
5. 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

¹ We note that the further submission period for this plan change has not yet closed. These Directions will be provided to any further submitters.

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.

6. Accordingly, the Hearing Panel direct as follows:
 - (a) Pursuant to section 42A of the RMA, the section 42A hearing report is to be made available to the parties and on the Council's website no later than **5.00 pm, Friday 10 September 2021**.
 - (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 Hearings Advisor no later than **midday, Friday 17 September 2021** and will be made available to the parties and on the Council's website no later than **5.00 pm, Friday 17 September 2021**.
 - (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 Hearings Advisor no later than **midday, Friday 24 September 2021** and will be made available to the parties and on the Council's website no later than **5.00 pm, Friday 24 September 2021**.
 - (d) Pursuant to sections 41B(1) and (2) of the RMA, any rebuttal evidence to be provided by the Applicant is to be provided to the Council's Hearings Advisor no later than **midday, Wednesday 29 September 2021** and will be made available to the parties and on the Council's website no later than **5.00 pm, Wednesday 29 September 2021**.
7. 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 Hearings Advisor no later than **midday, Friday 24 September 2021** and will be made available to the parties and on the Council's website no later than **5.00 pm, Friday 24 September 2021**.
8. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than **midday, Wednesday 29 September 2021**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
9. 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 Senior Hearings Advisor, Mr Sam Otter by email at sam.otter@aucklandcouncil.govt.nz.

A handwritten signature in black ink, appearing to read "Greg Hill", followed by a period.

Greg Hill Chairperson

31 March 2021