

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

AND

IN THE MATTER of **Private Plan Change 63** – 911-975 New North Road, Mount Albert and **Private Plan Change 64** – 953 New North Road, Mt Albert to the Auckland Unitary Plan

HEARING DIRECTION #2 FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed the chair of the Hearing Panel– Dr Lee Beattie (Chairperson). The hearing panel members will be appointed shortly. 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. On 21 March 2022 the hearing panel directed the applicant to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions. The applicant filed the memorandum on 24 March 2022. Both documents are attached to this Direction.
3. The hearing panel have considered the applicants memorandum and accordingly directs the following:
 - (a) Pursuant to section 42A of the RMA, the S42A hearing report is to be with the Council's Hearings Advisor (Mr Bevan Donovan) by 9am on Wednesday 27 April 2022 and shall be released to all parties no later than 5pm **29 April 2022**.

The hearing panel is not able to direct the section 42A hearing report to include an assessment of the revised provisions as that would be contrary to Part 2 of Schedule 1 of the RMA.

- (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 (Mr Bevan Donovan) no later than midday, **Friday 6 May 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day.
 - (c) Should changes to the Plan Change be proposed by the applicant the evidence provided in (b) must include a s.32AA report and reasons why any proposed changes are in scope.

- (d) 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 (Mr Bevan Donovan) no later than midday, **Friday 13 May 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day.
 - (e) 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 (Mr Bevan Donovan) no later than midday, **Wednesday 18 May 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day.
 - (f) The hearing shall commence on **Monday 23 and Tuesday 24 May 2022** and has been set down for one day, with an overflow day on Wednesday 25 May 2022.
4. 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 (Mr Bevan Donovan) no later than midday, **Wednesday 18 May 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day
 5. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than midday, **Monday 23 May 2022**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
 6. 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.
 7. Any enquiries regarding these Directions or related matters should be directed to the Council's Hearings Advisor, Bevan Donovan, by email at bevan.donovan@aucklandcouncil.govt.nz.

A handwritten signature in purple ink, appearing to be 'L. Beattie', written in a cursive style.

Dr Lee Beattie, Chairperson
30 March 2022