

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

AND

IN THE MATTER of **Private Plan Change 94** – Wairaka Precinct in
Carrington Road, Mt Albert to the Auckland Unitary Plan

HEARING DIRECTION #1 FROM THE HEARING PANEL

HEARING AND EVIDENCE EXCHANGE DATES

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed the chair of the Hearing Panel – Greg Hill. 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. It is also to deal with any procedural matters.
2. Plan Change 94, in summary, proposes the following:
 - a) Parts of the current Special Purpose - Tertiary Education Zone no longer to be occupied by Unitec are proposed to be rezoned to the adjoining Business - Mixed Use Zone.
 - b) A further strip of land is to be rezoned from Special Purpose -Tertiary Education to Residential - Mixed Housing Urban, adjoining existing land with that zoning in the southern part of the precinct.
 - c) A revised precinct plan and revised precinct provisions are also proposed, with the principal change sought being to allow for greater height for residential buildings.
 - d) The precinct is proposed to be renamed Te Auaunga Precinct.
3. The hearing will commence on **Monday 18 November 2024**. At this stage it has been set down for 5 days.
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. The Chairperson has considered whether any directions are appropriate under either or both of sections 41B and 42A.
6. Accordingly, the Chairperson directs the following:
 - (a) Pursuant to section 42A of the RMA, the S42A hearing report is to be with the Council’s Hearings Advisor, Chayla Walker no later than 9am on **Friday, 4**

October 2024 and shall be released to all parties no later than 5pm **Monday 7 October 2024**.

- (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, **Thursday 17 October 2024** and will be made available to the parties and on the Council's website no later than **5.00 pm the same day**.
 - (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, **Tuesday 29 October 2024** and will be made available to the parties and on the Council's website no later than **5.00 pm the same day**.
 - (d) Pursuant to section 42A of the RMA, the reporting planner shall provide an addendum S42A hearing report to the Council's Hearings Advisor no later than midday, **Wednesday 6 November 2024** 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 or Submitters is to be provided to the Council's Hearings Advisor no later than midday, **Wednesday 13 November 2024** and will be made available to the parties and on the Council's website no later than **5.00 pm the same day**.
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, **Wednesday 13 November 2024** and will be made available to the parties and on the Council's website no later than **5.00 pm the same day**.
8. The Hearing Panel also encourages parties to pre-circulate any legal submissions in advance of the hearing, and these shall be provided to the Council's Hearings Advisor no later than midday **Wednesday 13 November 2024** and will be made available to the parties and on the Council's website no later than **5.00 pm the same day**. Additional legal submissions maybe filed at the hearing in relation to any non-expert statements/evidence or rebuttal evidence as set out in paragraphs 6 (e) and 7.
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.

10. Any enquiries regarding these Directions or related matters should be directed to the Council's Hearings Advisor, Chayla Walker, by email at Chayla.walker@aucklandcouncil.govt.nz



Greg Hill - Chairman

29 July 2024