

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

AND

IN THE MATTER of **Private Plan Change 95** – 26 Golding Road and 52 Golding Road, Pukekohe, to the Auckland Unitary Plan

HEARING DIRECTION #3 FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed the Hearing Panel – Richard Blakey (Chairperson), Bridget Gilbert and Vaughan Smith. The Hearing Panel's function is to hear the application and submissions and make a decision on the Plan Change 95 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. On 20 May 2024 the Hearing Panel issued a Direction setting out the evidence exchange timetable for the Plan Change.
3. The Hearing Panel has been informed that due to personal reasons, the reporting planner is unable to meet the timeframe for completing the section 42A report. The timetable directed on 20 May 2024 had provided additional time from what the RMA stipulates. Because the section 42A report is not expected to be completed by 24 June 2024, the Hearing Panel has amended the evidence exchange timetable to bring it back in line with the RMA timeframes. In amending this timetable, the Hearing Panel has considered the interests of any persons who may be affected by the amended timetable and do not consider that any party will be prejudiced by this change.
4. The Hearing Panel accordingly directs the following:
 - (a) Pursuant to section 42A of the RMA, the hearing report is to be with the Council's Hearings Advisor, Chayla Walker by 9am on Thursday 4 July 2024 and shall be released to all parties no later than 5pm **Monday, 8 July 2024**.

Please note that 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 no later than **midday, Monday, 15 July 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) Should changes to the Plan Change be proposed by the Applicant the evidence provided in (b) must include a section 32AA report with reasons as to why the 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 no later than **midday, Monday, 22 July 2024** and will be made available to the parties and on the Council's website no later than 5.00pm the same day.
 - (e) Pursuant to section 42A of the RMA, the reporting planner shall provide an addendum section 42A hearing report to the Council's Hearings Advisor no later than **midday, Friday, 26 July 2024** and will be made available to the parties and on the Council's website no later than 5.00pm the same day.
 - (f) 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, 31 July 2024** and will be made available to the parties and on the Council's website no later than 5.00pm the same day.
 - (g) The hearing shall commence on **Monday, 5 August 2024** and has been set down for 1 day.
5. 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 in advance of the hearing.
 6. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than midday, **Wednesday, 31 July 2024**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
 7. 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 may be read out or the key points highlighted.
 8. 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.



Richard Blakey, Chairperson
21 June 2024