

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

AND

IN THE MATTER of Private Plan Change 55.

HEARING DIRECTIONS FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of three independent hearing commissioners -Barry kaye (Chairperson), Basil Morrison and Hugh Leersnyder. The Hearing Panel's function is to hear the application and submissions and make a decision on the Plan Change proposal.
2. A private plan change, Plan Change 55, is requested to enable rezoning of land to provide for the future growth of Patumahoe, a rural village located 9km west of Pukekohe, pursuant to Section 73 and the First Schedule of the Resource Management Act 1991 ("RMA"). The Private Plan Change ("PPC") relates to a 34.98ha area of land owned by multiple parties ("the subject land"), comprising:
 - *Western section:* 3.5ha of land immediately southwest of the Patumahoe Domain, bounded by Mauku Road to the west.
 - *Central section:* 22.4ha of land southeast of the Patumahoe Domain, bounded by Patumahoe Road to the east and the Paerata-Waiuku railway line to the south.
 - *Eastern section:* 9.0ha of land east of Patumahoe Road and bounded by a natural escarpment and Hunter Road.
3. The subject land is predominately zoned Rural Production, with small portions zoned as Residential Single House and Strategic Transport Corridor. The Plan Change seeks rezoning of the subject land for urban purposes as follows;
 - a) Rezone land within the Central section as Single House, Light Industrial and Open Space;
 - b) Rezone the Western section as Single House zone;
 - c) Apply a new sub-precinct, Sub-precinct E within the Patumahoe Precinct (section I403 of the AUP) to all of the rezoned land containing a new Precinct Plan, activity rules, standards and assessment criteria.
 - d) Rezone the 9ha Eastern section as Future Urban.
4. The hearing has been set down for three days commencing on the **2nd August 2021**. This is to enable the Applicant to present its case and for the submitters to present their submissions to the Hearing Panel.
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 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 directs as follows:
 - (a) Pursuant to section 42A of the RMA, the section 42A hearing report shall be provided to the Council's Hearing Advisor no later than 5.00 pm, **Friday 9 July 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 Hearing Advisor no later than 12.00 pm, **Friday 16 July 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 Hearing Advisor no later than 12.00 pm, **Friday 23 July 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 Hearing Advisor no later than 9.00 am, **Wednesday 28 July 2021.**
8. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than the **Wednesday 28 July 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 by email to the Council's Hearing Advisor bevan.donovan@aucklandcouncil.govt.nz.



Barry Kaye
Chairperson
28 April 2021