

IN THE MATTER OF the Resource Management Act 1991 (the RMA)

AND

IN THE MATTER OF Thirteen Notices of Requirement (NoRs) for the North Project by Te Tupu Ngātahi Supporting Growth Alliance (SGA), a partnership between Auckland Transport (AT) and Waka Kotahi NZ Transport Agency (Waka Kotahi)

DIRECTION #5 OF THE HEARING PANEL

1. Pursuant to sections 34 and 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of three independent hearing commissioners – Richard Blakey (Chairperson), Mark Farnsworth and Vaughan Smith. The Hearing Panel’s function is to hear the applications and submissions and make recommendations to the Requiring Authorities on the 13 Notices of Requirement (NoRs). It is also to deal with any procedural matters.
2. A summary of the 13 NoRs were included in the Hearing Panel’s Direction #1 dated 20 February 2024.
3. The NoRs have been the subject of notification and submissions have been received. Submissions closed on 14 December 2023. The hearing was held from 17 June to 3 July 2024, and is currently adjourned pending receipt of the Council’s written responses to the evidence heard and the Requiring Authorities’ written reply.
4. Following the adjournment of the hearing the Panel has received a memorandum from the Requiring Authorities (dated 8 July 2024) seeking directions in respect of the written response from Lee Te on behalf of the Council/Healthy Waters which was due to be provided on or about today’s date. In particular, the Requiring Authorities have sought that additional time is provided to enable Ms Te to be appraised of the amended version of the Flood Hazard condition presented by Mr Scrafton during the verbal reply provided on 3 July 2024, as *“the Requiring Authorities and the Council’s reporting team are in agreement that it would add more value to the Council’s written reply if Ms [Te’s] report reflected the latest version of the conditions”*.¹ The Panel agrees with that approach.
5. Following the provision of further clarification as to proposed dates for the above to be undertaken, the Panel directs as follows:

¹ Memorandum 8 July 2024, at [4]

- (a) That a meeting between the Requiring Authorities' experts in respect of stormwater/flooding hazards and associated conditions be convened by 17 July 2024; and
 - (b) That Ms Te's memorandum regarding stormwater/flood hazard effects be provided by 5pm on 19 July 2024.
8. We also direct that (as a revision of the timetable indicated at the end of the hearing):
- (a) The response memorandum (and Council version of recommended conditions) to be prepared by the Council's planner, Andrew Wilkinson be provided by 5pm on 27 July 2024; and
 - (b) The Requiring Authorities' written reply be provided by 5pm on 9 August 2024.
10. This Direction is to be circulated to all the parties to the hearing by the Hearings Advisor, Ms Chayla Walker.
11. Any correspondence relating to this Direction and related matters should be sent to Ms Walker via chayla.walker@aucklandcouncil.govt.nz



Richard Blakey (Chairperson)
for the Hearing Panel

8 July 2024