

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

AND

IN THE MATTER of **Notice of Requirement** by Watercare Services Limited (**Applicant**) at 372 Glenbrook Beach Road, Glenbrook.

HEARING DIRECTIONS FROM 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 - Kitt Littlejohn (Chairperson), Mark Farnsworth and Helen Mellsop. The Hearing Panel's function is to hear the Notice of Requirement and submissions and make a recommendation on the proposal. It is also to deal with any procedural matters.
2. The Notice of Requirement seeks to designate land at 372 Glenbrook Beach Road to enable the construction, operation and maintenance of infrastructure for wastewater treatment purposes, including a wastewater treatment plant and the provision of an odour buffer area around the wastewater treatment plant.
3. The hearing has been set down for three days commencing on **Wednesday 7 February 2024** with an overflow on 12 February 2024. This is to enable the Requiring Authority to present its case and for the submitters to present their submissions to the Hearing Panel.
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 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 9.00am, **Wednesday 10 January 2024**.
 - (b) The section 42A hearing report will be on the Council's website no later than 5.00pm **Friday 12 January 2024**.

- (c) Pursuant to sections 41B(1) and (2) of the RMA, the Applicant's expert evidence is to be provided to the Council's Hearing Advisor no later than **midday, Friday 19 January 2024** and shall be made available on Council's website no later than 5.00pm that same day.
 - (d) Pursuant to sections 41B(3) and (4) of the RMA, any person 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 **midday, Friday 26 January 2024** and shall be made available on Council's website no later than 5.00pm that same day.
 - (e) Pursuant to sections 41B(1) and (2) and section 42A of the RMA, any rebuttal evidence and legal submissions by the Applicant are requested to be provided to the Council's Hearings Advisor no later than **midday, Thursday 1 February 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 Hearing Advisor no later than **midday, Thursday 1 February 2024**.
8. 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 to the Council's Hearing Advisor, by email at bevan.donovan@aucklandcouncil.govt.nz.



Kitt Littlejohn, Chairperson
20 December 2023