

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

AND

IN THE MATTER OF Nine Notices of Requirement (NoR) for the Pukekohe Transport Network project by Te Tupu Ngātahi – Supporting Growth Alliance (Te Tupu Ngātahi)

**DIRECTION OF THE HEARING PANEL
DIRECTION #3**

1. Pursuant to sections 34 and 34A of the RMA, Auckland Council and Waikato District Council (the Councils) have both appointed a Hearing Panel consisting of three independent hearing commissioners – Dave Serjeant (Chair), Nigel Mark-Brown and Basil Morrison. The Hearing Panel's function is to hear the applications and submissions and make recommendations to the Requiring Authority on the nine Notices of Requirement (NoR). It is also to deal with any procedural matters.
2. A summary of the 9 NoRs was included in the Hearing Panel's Direction #1 dated 30 November 2023.
3. The hearing is currently adjourned, pending receipt of the written reply from the Requiring Authority, Te Tupu Ngātahi – Supporting Growth Alliance.
4. The purpose of this direction is to seek clarification on two matters relating to effects on streams and stormwater.
5. With reference to Pukekohe Transport Network Assessment of Effects on the Environment September 2023, para 11.9.5 states:

A recommended measure to avoid, remedy or mitigate potential construction adverse effects on streams included in the AEE is:

Where possible during detailed design, the alignment of the corridor should minimise effects on streams and the extent of earthworks and vegetation removal. In particular of mature and native vegetation.

We note that this measure is not included as an objective in the CEMP.

A ULDMP is recommended as a condition on all transport projects to mitigate operational effects of the Pukekohe Transport Network. The AEE states that the proposed ULDMP condition incorporates the below measures to avoid, remedy or mitigate operational effects related to stormwater:

- *Configure stormwater wetlands to a naturalised appearance (avoiding a purely engineered design/ form), conforming and integrating with the adjacent landform and*

future urban context. Provide planting of appropriate indigenous plant species for long term sustainability, maintenance and hydrological and ecological function.

- *Where it is anticipated that a bridge is required to span a vegetated gully or stream catchment, a construction methodology should be prepared to minimise vegetation loss within the corridor. Any vegetation removed should be offset through future planting works.*
- *Landscape design and planting design details should be prepared for the Project that demonstrate (but are not limited to) the following:*
 - *Retains existing vegetation where possible*
 - *The species selected should be appropriate for use within stormwater treatment areas and berms. Species and tree stature should be selected to correspond with adjacent land uses and to provide ecological enhancement, in accordance with the nine key principles outlined in the Auckland's Urban Ngahere (Forest) Strategy*
 - *Stormwater wetland design and planting*

We note that the proposed ULDMP condition does not include the above-described measures to avoid, remedy or mitigate operational effects related to stormwater.

6. We request that Te Tupu Ngātahi – Supporting Growth Alliance provide clarification on this matter as soon as possible or at the latest part of its written reply.
7. Should an extension be required to the current deadline of 12 April 2024 for providing the written reply, please communicate this to the Hearings Advisor Mr Donovan as soon as possible.
8. This Direction is to be circulated to all the parties to the hearing by the Hearings Advisor, Mr Bevan Donovan.
9. The correspondence relating to this Direction and related matters should be sent to the Hearings Advisor, Mr Donovan via bevan.donovan@aucklandcouncil.govt.nz.

Dave Serjeant (Chair)
for the Hearing Panel



11 April 2024