

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 #2 OF THE HEARING PANEL – LATE SUBMISSION

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 is scheduled to commence on **Monday 17 June 2024**.
4. Since the close of submissions on the NoRs, a submission has been received within 20 working days of the close date of 14 December 2023 and has been accepted by the Council under section 37A(4) of the RMA.
5. An additional submission was received 20 working days or more after the submission period closed on 14 December 2023. This late submission from Pioneer Corporate Trustees Ltd was received on 20 February 2024 and was lodged in respect of NoR 8 – North: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat.
6. The Council has requested the Hearing Panel to either accept or reject this late submission. The Requiring Authority has advised in an email dated 21 February 2024 that it supports accepting the submission.
7. The Hearing Panel has considered the request to waive the timeframes and to accept or reject the late submission and has determined that:

- (a) No persons' interests will be adversely affected by the waiver as it does not result in any time delay or additional steps in the notices of requirement.
 - (b) The interests of the community in achieving adequate assessment of the effects of the notices of requirement will be achieved as the submitters raise valid concerns arising from the notices of requirement; and
 - (c) Accepting the submission will not interfere with the Council's duty to avoid unreasonable delay, and the Hearing Panel is advised that the Requiring Authority does not oppose the inclusion.
8. The Hearing Panel therefore directs, under section 37A of the RMA, that the late submission from Pioneer Corporate Trustees Ltd that was lodged in respect of NoR 8 be accepted as a late submission in accordance with section 37A(4)(b)(ii).
9. This Direction is to be circulated to all the parties to the hearing by the Hearings Manager, Ms Julie McKee.
10. Any correspondence relating to this Direction and related matters should be sent to the Hearings Manager, Ms McKee via julie.mckee@aucklandcouncil.govt.nz.



Richard Blakey (Chair)
for the Hearing Panel

23 February 2024