

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

AND

IN THE MATTER OF Two Notices of Requirement (NoR) for
the Takaanini Level Crossing project and
four Notices of Requirement for the South
Frequent Transit Network project by Te
Tupu Ngātahi – Supporting Growth
Alliance (Te Tupu Ngātahi)

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 – 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 six Notices of Requirement (NoR). It is also to deal with any procedural matters.
2. A summary of the 6 NoRs were included in the Hearing Panel's Direction #1 dated 9 February 2024.
3. The NoRs have been the subject of notification and submissions have been received. The hearing is scheduled to commence on **Monday 27 May 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. This late submission from Takanini Rentors Ltd was received on 31 January 2024 and was lodged in respect of Takaanini Level Crossing (NoR 1) Spartan Road, Manuia Road and Taka Street.
5. The Council has requested the Hearing Panel to either accept or reject this late submission. The Requiring Authority has advised in an email dated 29 February 2024 that they will leave the decision to accept or reject the late submission to the hearing panel.
6. 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
7. The Hearing Panel therefore directs, under section 37A of the RMA, that the late submission from Takanini Rentors Ltd that was lodged in respect of Takaanini Level Crossing NoR 1 be accepted as a late submission in accordance with section 37A(4)(b)(ii).
 8. This Direction is to be circulated to all the parties to the hearing by the Hearings Advisor, Mr Bevan Donovan.
 9. Any correspondence relating to this Direction and related matters should be sent to the Hearings Advisor, Mr Donovan via bevan.donovan@aucklandcouncil.govt.nz

A handwritten signature in black ink, appearing to read 'D Serjeant', written in a cursive style.

Dave Serjeant (Chair)
for the Hearing Panel

29 February 2024