

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

AND

IN THE MATTER OF Nineteen Notices of Requirement (NoRs) and one Resource Consent application for the North-West project by Te Tupu Ngātahi Supporting Growth Alliance, a partnership between Auckland Transport and Waka Kotahi NZ Transport Agency

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), Vaughan Smith and Mark Farnsworth. The Hearing Panel’s function is to hear the applications and submissions and make recommendations to the Requiring Authority on its 19 NoRs and hear the application and submissions and make a decision on one Resource Consent application. It is also to deal with any procedural matters.
2. A summary of the 19 NoRs and Resource Consent application were included in the Hearing Panel’s Direction #1 dated 29 June 2023.
3. The NoRs and Resource Consent have been the subject of notification, and submissions for the NoRs have been received. Submissions for the Resource Consent application closed on 19 July 2023. The hearing is scheduled to commence on 18 September 2023.
4. The Panel notes the following comments (or comments to similar effect) in the four section 42A reports prepared on behalf of the Council in respect of the 19 NoRs:¹

Upon request from the Hearing Commissioners, the Council can provide a list of existing land use and focused regional consents (e.g., groundwater takes, network discharges) within and immediately adjoining the project footprint. Due to the large spatial extent of these NoRs, and as consent processing is a continually evolving situation, this information has not been appended to this report.

5. The Panel considers that it would be assisted by such information, and with respect to additional related matters, being available prior to the hearing. It therefore requests that the following information be provided by the Council:

¹ E.g., Hearing Report Strategic Network at page 43

- (a) A list of any new existing land use and focused regional consents (e.g., groundwater takes, network discharges etc) within and/or adjoining the project footprints that have been issued since notification of the NoRs (and have not already been considered in the section 42A reports), and which NoR they are relevant to;
 - (b) A list of any new relevant plan changes or updates to existing plan changes in the vicinity of the projects, including Plan Changes 78 (Intensification) and 86 (41-43 Brigham Creek Road) and any relevant changes arising from the decision version of Plan Change 83 (Notable Trees Schedule);
 - (c) A list of any relevant resource consents issued under the Covid-19 Recovery (Fast Track Consenting) Act 2020 that affects land within and/or adjoining the project footprints; and
 - (d) The timeline and status of the Council's 'Auckland Future Development Strategy 2023-2053' (Consultation Draft).
6. A memorandum in response to this Direction is requested to be provided by 12pm, 6th September 2023.
7. This Direction is to be circulated to all the parties to the hearing by the Hearings Advisor, Mr Patrice Baillargeon.
8. Any correspondence relating to this Direction and related matters should be sent to the Hearings Advisor, Mr Baillargeon via patrice.baillargeon@aucklandcouncil.govt.nz



Richard Blakey (Chairperson)
for the Hearing Panel

22 August 2023