

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

AND

IN THE MATTER of **Private Plan Changes 48** (Kiwi Property No. 2), **49** (Fulton Hogan Land Development Limited) and **50** (Oyster Capital Limited) to the Auckland Unitary Plan – Operative in Part.

DIRECTION OF THE HEARING PANEL

EXPERT CONFERENCING ON THE PLAN CHANGES – STORMWATER/FLOODING PROVISIONS

1. Pursuant to section 34 and 34A of the RMA, Auckland Council has appointed a Hearing Panel consisting of independent hearing commissioners - Greg Hill (Chairperson), Mark Farnsworth and Karyn Kurzeja¹. The Hearing Panel has been delegated the authority to hear the plan change requests and submissions, and make decisions on those plan changes.
2. In accordance with section 41C of RMA the Hearing Panel has previously issued Directions for Expert Conferencing in relation stormwater; the latest being 20 August 2021 having heard the stormwater related evidence for plan changes 48 and 49 where there remained issues in contention on the appropriate precinct stormwater provisions. As agreed at those plan change hearings (and also agreed by counsel for plan change 50) further expert conferencing was considered to be beneficial.
3. We have received the Joint Witness Statement (JWS) for the conferencing that occurred on the 17 September 2021. It is clear that progress is being made, and additional conferencing sessions scheduled. We support and authorise that further expert conferencing sessions be held. We also authorise that the content, dates and time for any additional expert conferencing sessions be delegated to Ms Marlene Oliver, the appointed independent facilitator, to arrange.
4. In our 20 August 2021 Direction we stated:

With respect to timing of the conferencing and a JWS, the reconvened hearings for plan change 48, 49 and 50 will be in early December, with the Applicant's evidence exchange date being 30 September 2021. We would expect any JWS to be completed either before or as part of that evidence exchange. However, given the current 'lock down' restrictions due to the covid outbreak in New Zealand, we accept this timing may need to be revisited.
5. The Hearing Panel advises the parties that should any expert stormwater evidence (other than a JWS(s)) be necessary, the evidence exchange dates set out above and in our 20 August 2021 Direction do not apply. Once the Hearing Panel is advised if additional expert stormwater evidence is to be prepared following the expert conferencing sessions, it will then issue a further Direction setting out the evidence exchange dates.

¹ Ms Kurzeja in relation to Plan changes 48 and 50

6. Any enquiries regarding this Direction or related matters should be directed to Mr Sam Otter, the Council's Senior Hearing Advisor, by email at sam.otter@aucklandcouncil.govt.nz



Greg Hill - Chairperson

23 September 2021