

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

AND

IN THE MATTER of **Private Plan Change 58** – Greg and Nicky Hayhow - 470 and 476 Great South Road and 2 and 8 Gatland Road (Papakura) to the Auckland Unitary Plan – Operative in Part.

DIRECTION OF THE HEARING PANEL

EXPERT CONFERENCING

1. Pursuant to section 34 and 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of independent hearing commissioners - Greg Hill (Chairperson), Mark Farnsworth and Karyn Kurzeja. The Hearing Panel has been delegated the authority to hear the application and submissions and make a decision on the Plan Change proposal.
2. Plan Change 58 seeks, in summary to:
 - Rezone 6.1ha of land at 470 and 476 Great South Road and 2 and 8 Gatland Road, Papakura from Future Urban zone to Residential Mixed Housing Suburban and Business Neighbourhood Centre zone.
3. Clause 8AA – Resolution of Disputes of the First Schedule of the RMA enables a process to resolve disputes between parties. Accordingly, in terms of this Plan Change the Hearing Panel directs expert conferencing¹.
4. The purpose of the conferencing is for the parties' experts to identify, discuss and potentially resolve (or not) the issues in contention between them. This may enable all parties to reduce the scope and length of the section 42A report and expert evidence; and to focus on those matters that remain in contention.
5. The Hearing Panel directs there be expert conferencing on three separate topics (if required) – being:
 - Stormwater;
 - Traffic and transportation; and
 - Planning.
6. Any conferencing session shall occur after the expert evidence exchange period (submitter expert evidence is due no later than 10 September 2021), unless the parties agree otherwise.
7. The conferencing sessions on stormwater and traffic/transportation may also be attended by the planners presenting expert evidence.

¹ Noting the Applicant sought expert conferencing – email to Mr Otter on the 31 August 2021.

8. Nothing in this Direction prevents the parties from initiating direct discussions with each other ahead of any formal expert conferencing sessions. In fact, this is to be encouraged.
9. Ms Marlene Oliver has been appointed as the independent facilitator. She is authorised to:
 - Organise sessions, times and venue (likely to be on-line) for conferencing;
 - Supervising the preparation and circulation of documents; and
 - Report to the Chair of the Hearing Panel on an as required basis on progress with the conferencing sessions and progress on a Joint Witness Statement(s) setting out the matters agreed and not agreed.
10. The Hearing Panel directs that conferencing is undertaken in accordance with the Environment Court Practice Note 2014 and in particular - Appendix 3 - Protocol for Expert Witness Conferences. This includes section 3 of that Appendix - The Role of Counsel in expert conferencing. Also, those experts participating in the conferencing are to make themselves available to appear at the hearing in person if required to do so by the Hearing Panel.
11. Any enquiries regarding these Directions or related matters should be directed to the Council's Senior Hearings Advisor, Mr Sam Otter by email at sam.otter@aucklandcouncil.govt.nz.



Greg Hill - Chairperson

6 September 2021