

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

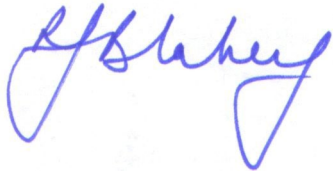
DIRECTION #7 OF THE HEARING PANEL

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 and the hearing commenced on 18 September 2023.
4. The Panel notes that it has received a Joint Witness Statement (Planning – Conditions) dated 20 September 2023 (**JWS**) signed by planning witnesses for various submitters on the NoRs that suggests “*a site-specific schedule be appended to the NORs, referenced in the SCEMP¹ condition, to set a clear agenda and to act as a transparent record of issues that have been raised through the NOR process*”.² A proposed schedule format has been proposed within the JWS along with other amendments to the SCEMP condition. The Panel has since heard from a number of planning witnesses, some of whom have provided summary statements that include proposed text (as to site-specific issues) that is sought to be included in the schedule. Others have presented suggested wording that seek site-specific outcomes which the Panel notes is not the purpose of the schedule.
5. The Panel will need to reach a finding as to whether it will recommend that the proposed SCEMP condition amendments and inclusion of a site-specific schedule (incorporating site-specific issues relevant to each NoR) should be included in its recommendation report.

¹ Stakeholder and Communication and Engagement Management Plan

² JWS at [22]

6. However, at this stage, and as has been advised to witnesses who have attended the hearing, the Panel notes that any witnesses who require a property(s) and associated site-specific issues to be identified in the schedule will need to provide a supplementary statement setting out the issue wording sought in respect of that property, including the associated information (i.e., NoR reference, property address, relevant party and the site-specific issue). The Panel wishes to emphasise that it will not be developing that wording on behalf of any party (in the event that it includes the proposed condition amendments and associated schedule).
7. An example of supplementary evidence in respect of this matter can be seen in the online submitter evidence hearing file (e.g., EV106, at paragraph 21).
8. The Hearing Panel therefore directs that any witnesses who seek the inclusion of a site-specific issue(s) relevant for consideration under the SCEMP condition, as sought to be amended by the JWS, will need to provide a supplementary evidence statement to this effect by 12pm Friday 6th October 2023.
9. 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

3 October 2023