

IN THE MATTER OF the Resource Management Act 1991
AND
IN THE MATTER OF Proposed Plan Change 37 - Nukuhau
(private) by AN Rajasingham LPT
Trustees No 124 Limited anors to the
Taupo District Council to rezone
c.78ha of land in the Nukuhau area
from Rural Environment to a mix of
General Residential and Mixed
Density Residential with a
Neighbourhood Shopping Centre
overlay.

SECTION 41 RESOURCE MANAGEMENT ACT 1991
DIRECTION #5
HEARINGS COMMISSIONERS

1. By email dated 5 October 2021, Counsel for the PC37 requestors, Mr Lachlan Muldowney, has:
 - (a) sought the Panels' directions for expert conferencing;
 - (b) at this stage, and until the reporting officer's s42A report has been considered, recommended that conferencing should be conducted between the expert transport engineers and planning witnesses;
 - (c) suggested that those sessions need not be formally facilitated but organised and reported by the participants themselves in the interest of time; and
 - (d) that conferencing should commence as soon as is practicable.
2. The Panel agrees with Mr Muldowney, noting that the initial evidence exchange is due Wednesday 20 October 2021 and any Joint Witness Statement(s) should be available, preferably, in advance of that deadline.
3. We therefore direct as follows:
 - (a) Expert conferencing is to occur between all parties' traffic/transportation and planning witnesses.
 - (b) Any party intending to produce expert evidence on those matters should advise Ms Carrie Robinson (below) of the name, qualifications and contact details of their expert(s) no later than noon, Friday 8 October 2021 for the purpose of determining the participant list for conferencing.
 - (c) Conferencing will be initiated by Council with the assistance of Mr Muldowney.
 - (d) Conferencing is to be conducted in accordance with the Environment Court Practice Note 2014 (section 7 [Expert Witnesses] and Appendix 3 [Protocol for Expert Witness Conferences]) – to the extent necessary.
 - (e) A signed Joint Witness Statement (JWS) is to be produced at the end of any conference outlining the matters required (above) and is to be provided to the Hearing Panel through Ms Robinson for distribution to all parties no later than noon, Monday 18 October 2021.
 - (f) The conference is to determine who is responsible for producing the JWS required.

- (g) Conferencing may be conducted on either a face-to-face or virtual basis as circumstances warrant.
 - (h) Further topical expert conferencing may be directed in the near future on the advice of any party.
4. For the avoidance of doubt, an “expert” for this purpose is as described in the Environment Court Practice Note 2014. In the event of any dispute over that status, the Hearing Panel will decide the matter on application.
 5. Any correspondence relating to this Direction is to be sent through Ms Carrie Robinson, Senior Administrator (Policy), Taupo District Council, crobinson@taupo.govt.nz .

A handwritten signature in black ink, appearing to read 'David Hill', with a large, sweeping flourish above the first few letters.

David Hill
Chair, Hearings Panel

6 October 2021