

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

AND

IN THE MATTER of **Private Plan Change 28** – CCKV Maitai Dev Co LP& Bayview Nelson Limited) (Bayview) - 7 Ralphine Way, Maitai Valley and Bayview Road to the Nelson Resource Management Plan.

DIRECTION (3) FROM THE HEARING PANEL

FACILITATED EXPERT CONFERENCING AND MEETINGS

1. Pursuant to sections 34 and 34A of the RMA, Nelson City Council (the Council) has appointed a Hearing Panel consisting of independent hearing commissioners - Greg Hill (Chairperson), Sheena Tepania, Gillian Wratt and Nigel Mark-Brown. The Hearing Panel's function is to hear the application and submissions and make a recommendation to the Council on those submissions and the Plan Change. Our delegations also include addressing any procedural issues.
2. On the 10 March 2022 the Hearing Panel issued Direction (2) – Facilitated Expert Conferencing and Meetings. Expert conferencing and meetings have occurred, and number of Joint Witness Statements (JWS) have been filed and are available on the Council's web site.
3. Paragraph 7 of Direction (2) set out that the "*conferencing sessions ought to be completed no later than the 20 May 2022*". This is to enable the section 42A report to be completed and reflect the outcome of any expert conferencing contained in a Joint Witness Statement(s) (JWS). However, Paragraph 8 of Direction (2) set out that "*Further conferencing, or other alternative dispute resolution processes, may also occur at later stages*".
4. The Hearing Panel has reviewed the JWS in relation to: Flooding(2) and Stormwater (2) dated 6 May 2022 which stated (among other things):

Note (from the Facilitator to the Hearing Panel): the Hearing Panel's Direction 2 identifies in paragraph 8 that further expert conferencing may occur at later stages (i.e. after the initial conferencing to be completed on the 20th of May 2022). It is recommended that the Hearing Panel issue further directions confirming that further expert conferencing can occur after the 20th of May 2022 under the same terms and conditions as set out in Direction 2.

5. It appears to the Hearing Panel that useful progress is being made though expert conferencing, and that the experts agree to further expert conferencing. We therefore confirm that further expert conferencing can occur after the 20th of May 2022 under the same terms and conditions as set out in Direction (2).
6. Any enquiries regarding this Direction, or related matters, should be directed to the Council's Senior Administrator, Ms Dowling at Administration@ncc.govt.nz.

A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill Chairperson

10 May 2022