

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

A N D

IN THE MATTER of hearings on submissions on the Proposed Kaipara District Plan

BEFORE Independent Commissioner: Mark Farnsworth (Chair)
for Kaipara District Council.

Fourth Direction of the Hearing Panel: Panel Expectations

A Guidance for Lay Submitters

1. Pursuant to section 34A of the RMA, Kaipara District Council (the Council) has appointed independent hearing commissioner – Mark Farnsworth to chair a Hearing Panel (Panel_ tasked with hearing submissions to the Council’s Proposed District Pan 2025. Other Panel members are in the process of being appointed. It is the task of the Panel to hear submissions and make recommendations on the submissions to the Council. The Council will then decide whether to accept the recommendations made by the Panel.
2. This Fouth Direction:
 - Has been specifically drafted to provide advice to lay submitters on how they can make the most of their time before the Panel.
 - Supports the advice provided to all submitters in the Panel’s Third Direction of 23 September 2025.
3. What does the Panel want to Hear from Lay Submitters? Submitters need to understand that all Panel members will have read their submissions prior to the hearing. Therefore submitters will not be asked to read their submission points rather, they will be asked to:
 - Highlight their key concerns with specific reference to individual proposed plan provisions. Submitters should explain why the notified wording does not work and how the problem can be overcome. If you have suggested text changes or deletions, please identify these.
 - Highlight any gaps and omissions in the proposed plan provisions and the additions they want made to rectify their concern(s).

- Provide (as best as they can) an RMA section 32AA type justification¹ for their changes² or deletions using KDC's Simplified s32AA Evaluation Template.
- 4. Prior to the hearing they are attending, submitters are encouraged to read the section 42A Hearing Report prepared on behalf of Council. This report will identify whether the report author recommends each submission relevant to the hearing be accepted or rejected. If the report author recommends the submission be accepted, the submitter should still attend in support of their submission as the Panel may have a different view to the report author.
- 5. The hearings will be conducted in accordance with RMA section 39(2):
39(2) In determining an appropriate procedure for the purposes of subsection (1) the authority shall—
 - (a) avoid unnecessary formality; and*
 - (b) recognise tikanga Maori where appropriate, and receive evidence written or spoken in Maori and [Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016](#) shall apply accordingly; and*
 - (c) not permit any person other than the chairperson or other member of the hearing body to question any party or witness; and*
 - (d) not permit cross-examination.*
- 6. Submitters are reminded that all communications to the Hearing Panel, including the formal service of all documents, are to be provided in writing to the Hearings Administrator, Ms Meagan Walters, at the email address set out below.

Questions

- 7. Any questions regarding this Fourth Direction should be directed to Ms Meagan Walters, Hearings Administrator at (Email address) mwalters@kaipara.govt.nz



Mark C Farnsworth MNZM
Panel Chair

28 November 2025

¹ See *Direction 3* dated 23 September 2025

² RMA Section 32AA is attached to this Direction

RMA Section 32AA

32AA Requirements for undertaking and publishing further evaluations

- (1) A further evaluation required under this Act—
 - (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and
 - (b) must be undertaken in accordance with [section 32\(1\) to \(4\)](#); and
 - (c) must, despite paragraph (b) and [section 32\(1\)\(c\)](#), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and
 - (d) must—
 - (i) be published in an evaluation report that is made available for public inspection at the same time as the decision on the proposal is notified; or
 - (ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.
- (2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).
- (3) In this section, proposal means a proposed regional policy statement, plan, or change for which a further evaluation must be undertaken under this Act.