

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

A N D

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

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

First Direction of the Hearing Panel

1. Pursuant to section 34A of the Resource Management Act 1991 (RMA), the Kaipara District Council (the Council) has appointed Mark Farnsworth to chair a hearing panel tasked with hearing submissions on the Proposed Kaipara District Plan (PDP), and making recommendations on submissions. Other panel members will be appointed after the council elections in October 2025.
2. The hearings on the PDP commenced on 25 August 2025. Submitters attended both online and in person. The hearing comprised of planning evidence, legal submissions, a hearing report and an overview of relief sought by some submitters.
3. Ms Carolyn Wratt, author of the hearing report¹, presented at the opening hearing and addressed the matter of late submissions.
4. The PDP was publicly notified on 28 April 2025, with a closing date for lodging submissions being 30 June 2025. 365 submissions were received in total. Five submissions were received after 30 June 2025 namely:
 - a. [357] Catholic Diocese of Auckland on 4 July 2025.
 - b. [358] J Wintle on 8 July 2025.
 - c. [359] M Calder on 3 July 2025.
 - d. [360] D & J Patel on 4 July 2025.
 - e. [361] Disabled Persons Assembly NZ on 3 July 2025.
5. Sections 37 and 37A of the RMA deal with the power and requirements of a waiver and extension of time limits. The Council has delegated to the Chair the power under section 37 to make determination on the acceptance of late submissions.
6. The hearing report recommended that, taking into account the matters set out in section 37A(1) of the RMA, the Chair accept all five late submissions. Acceptance of the late submissions will enable Council to notify them along with the submissions lodged within time.

¹ Carolyn Wratt Report to Hearings Panel - Late Submissions and Trade Competition – 18 August 2025

Interested parties have the opportunity to lodge further submissions in support or opposition. The issues raised can then be considered in the appropriate hearing(s).

7. I accept the recommendations of the hearing report and have determined, under section 37 of RMA, that the late submissions of: the Catholic Diocese of Auckland; J Wintle; M Calder; D & J Patel and Disable Persons Assembly of New Zealand be accepted for the following reasons²:
- There is no prejudice to any person directly affected by the Hearings Panel accepting the late submissions (the submissions vary between 3 and 6 working days late).
 - The interests of the community will be best represented by accepting the submissions and allowing further submissions.
 - Accepting the late submissions will not create any delays to the PDP process.
 - The late submissions raise matters that are within the scope of the PDP.

Questions

8. Any questions regarding this First Direction should be directed to Meagan Walters, Planning Administrator at Council via email mwalters@kaipara.govt.nz



Mark C Farnsworth MNZM
Panel Chair

26 August 2025

² As set out in the hearings report.