

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

**AND**

**IN THE MATTER** of **Private Plan Change 78** -Estuary Estates - by Mangawhai Central Limited to the Operative Kaipara District Plan 2013.

#### **HEARING DIRECTIONS FROM THE HEARING PANEL**

1. Pursuant to section 34A of the RMA, Kaipara District Council (the Council) has appointed a Hearings Panel consisting of two independent hearing commissioners -Greg Hill (Chairperson) and David Hill, and Councillor Anna Curnow (as a Commissioner). Their function is to hear the application and submissions to Plan Change 78 to the Kaipara District Plan and make a recommendation to the Council on the Plan Change proposal.
2. Plan Change 78 seeks to: Change the existing zoning and planning provisions of the land (approximately 130 hectares) contained within the Estuary Estates Structure Plan of the Kaipara District Plan 2013.
3. The hearing has been set down for three days commencing on the **23 November 2020**. This is to enable the Applicant to present its case and for the submitters to present their submissions to the Hearing Panel.
4. In terms of procedural matters, section 41B of the RMA provides that the Council may direct that evidence from any expert be provided to the parties before the hearing. Section 42A of the RMA provides that the Council may prepare a report on the matters to be considered and be provided prior to the hearing. The Hearing Panel is aware that a section 42A report is being prepared by the Council.
5. Accordingly, the Hearing Panel directs as follows:
  - (a) Pursuant to section 42A of the RMA, the section 42A hearing report shall be provided to the Council's Planning Technical Support Officer no later than 12:00 noon, **30 October 2020**. That section 42A report shall be provided to the parties no later than 5.00 pm, **30 October 2020**.
  - (b) Pursuant to sections 41B(1) and (2) of the RMA, the Applicant's expert evidence (evidence given by a professional with specialist qualifications and experience) is to be provided to the Council's Planning Technical Support Officer no later than 12:00 noon, **6 November 2020**. The Applicant's expert evidence is to be provided to the parties no later than 5.00 pm, **6 November 2020**.
  - (c) Pursuant to sections 41B (3) and (4) of the RMA, any submitter who intends to call expert evidence at the hearing (evidence given by a professional with specialist qualifications and experience) is to provide that evidence to the Council's Planning Technical Support Officer

no later than 12:00 noon, **13 November 2020**. That expert evidence is to be provided to the parties no later than 5.00 pm, **13 November 2020**.

6. While these Directions do not apply to lay or non-expert statements/evidence, the Hearing Panel would appreciate any written statements to be presented at the hearing by submitters to be provided to the Council's Planning Technical Support Officer no later than 5.00 pm, **18 November 2020**.
7. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than the **18 November 2020**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
8. The purpose of these Directions is to provide the opportunity for the Hearing Panel and the other parties to have read and considered any legal submissions, evidence or statements in advance of the hearing to assist in understanding the case being presented. As the Hearing Panel will have read all the pre-circulated material before the hearing, there will be no need for it to be read out. An executive summary maybe read out or the key points highlighted.

Any enquiries regarding these Directions or related matters should be directed to the Council's Planning Technical Support Officer, by email at [ppc78@kaipara.govt.nz](mailto:ppc78@kaipara.govt.nz).



Greg Hill Chairperson  
08 September 2020