

COMMISSIONERS FOR THE KAIPARA DISTRICT COUNCIL

Resource Consent Hearing Under Sections 34A, 41A, 41B and 41C of the Resource Management Act 1991

Proposed Private Plan Change Application 82: Moonlight Heights

Direction 3

1. The Kaipara District Council (the Council) has appointed Commissioners Dr Lee Beattie (Chair) Deputy Mayor Cr Jonathan Larsen and Ms. Melean Absolum as hearings commissioners (Hearing Panel) to hear submissions and make a recommendation to Council on proposed Private Plan Change 82 – Moonlight Heights (PC 82).
2. In our first direction dated 29 June 2023 we set aside three days (8 to 10 August 2023) to hear all the evidence and submissions for PC 82, beginning on Tuesday 8 August 2023. We have now been advised by the Council that following discussion between the Council and the applicant there is a desire to reduce the hearing time from three to two days, with the hearing now beginning Wednesday 9 August 2023, in order to reduce likely costs to all the parties.
3. These discussions arose following the hearing timetable circulated by the Council staff to all the parties on the 29th of June 2023. While we accept there is a general duty under s.17 of the RMA to reduce delays, we are concerned that the timetable as now proposed may impact our ability to test the evidence and come to a detailed understanding of the issues before us.
4. As a result, while agreeing to the reduction in hearing time from three to two days, we wish to signal that the times allocated to each party set out in the amended hearing timetable are indicative and should not be seen as set in stone. We also wish to signal that we may be required to sit until 6.00pm on the final day (Thursday) and/or we may have to adjourn and reconvene at another date if two days proves to be insufficient to ensure we have sufficient time to test the application and come to a detailed understanding of the issues before us.
5. We would also like to signal now that we would expect any right of reply, apart from a simple summation on the day, to be in a written form, with the appropriate agreed timeframes for this addressed towards the end of Thursday 10 August 2023.
6. Apart from these issues all other aspects of our first direction remain in place, including the location and nature of the hearing process.
7. All communications to the Hearing Panel and all material required by any direction of the Hearing Panel are to be provided to the Hearing Administrator via the following email address: planchanges@kaipara.govt.nz.

A handwritten signature in purple ink, appearing to be 'L. Beattie', is located at the top left of the page.

Dr Lee Beattie (Chair)

For Commissioners Dr Lee Beattie, Deputy Mayor Cr Jonathan Larsen and Ms Melean Absolum

31 July 2023