

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

**AND**

**IN THE MATTER** of Private Plan Change 84 Mangawhai Hills Limited.

**DIRECTION (3) FROM THE HEARING PANEL**

**SECTION 42A REPORT – UPDATE.**

1. In Direction 1 – Hearing Process, Dates and Evidence Exchange<sup>1</sup>, the Hearing Panel directed that the section 42A hearing report be made available to the parties and on the Council’s website no later than **5.00 pm, 12 April 2024**. This occurred.
2. The Hearing Panel having reviewed the section 42A report has raised a concern with the Council that that report did not, other than in a very general sense, address the concerns raised by submitters in their submissions. Due to this, it is unclear to what extent the report had addressed the issues raised by submitters, and if the changes recommended to Plan Change 84 by the reporting planner related to the submissions or not.
3. To address this matter the Hearing Panel directs that an updated section 42A report be prepared which:
  - Contains a table at the end of each thematic section of the section 42A report with the submission points on that topic. This is to be a factual ‘repackage’ of the summary of decisions sought by the submissions i.e. a collation of all the submission points on a topic to be inserted at the end each topic section.
  - In the event that there are some submission points that have not been explicitly (or implicitly) addressed, include an addendum as a new appendix that again contains a table with any additional matters and a brief assessment on those matters.
  - That the updated section 42A report be to be made available to the parties on the Council’s website no later than **9.00 am, Tuesday 23 April 2024**.
4. As the updated section 42A report will largely contain ‘factual’ additions (as opposed to opinion), and that the evidence exchange time frames prescribed by section 41B of the RMA are still met, we do not think any party is prejudiced by the timing of the updated section 42A

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<sup>1</sup> Dated 4 April 2024

report. On this basis we do not think more time than that set out in Direction 1 is required by the Applicant or Submitters to provide their evidence, statements, or legal submissions.

5. Any enquiries regarding these Directions or related matters should be directed to the Council's Administrator, Meagan Walters [mwalters@kaipara.govt.nz](mailto:mwalters@kaipara.govt.nz)



Greg Hill Chairperson  
16 April 2024