

**IN THE MATTER OF
AND**

the Resource Management Act 1991

IN THE MATTER OF

Proposed Private Plan Change 85
to the Kaipara District Operative
District Plan: Mangawhai East

SECTION 41B RESOURCE MANAGEMENT ACT 1991

DIRECTION #1

HEARING PANEL

PRELIMINARIES

1. Under section 34A of the Resource Management Act 1991 (RMA), Kaipara District Council (Council) has delegated to Dr Lee Beattie (Chair), Mr William (Bill) Smith and Cr Gordon Lambeth as hearings commissioners (Hearing Panel) with the power to hear submissions and make a recommendation to Council on proposed Private Plan Change 85 – Mangawhai East (PPC 85).
2. Cabra Mangawhai Limited and Pro Land Matters Company Limited (CML) lodged their private plan change request on 12 December 2024. PPC 85 was accepted by Council on 22 June 2025 and notified on 14 July 2025 with submissions closed on 18 August 2025. Further submissions were notified on 22 Sept 2025 and closed on 7 Oct 2025.
3. The purpose of Direction #1 is to set out directions for the hearing of PPC 85 and to establish a timetable for the exchange of evidence.

HEARING

4. The hearing will be held on Tuesday 17 February and Wednesday 18 Feb 2026, with a reserve day, should that be required on Thursday 19 February 2026, at the Kaipara District Council meeting room at 1C Molesworth Drive, Mangawhai (across the road from the Kaipara District Council office). A hearing notice advising parties about the venue and times will be issued in due course.
5. After liaising with all parties/submitters in advance of the hearing, the Hearing Administrator (Mrs Meagan Walters) will prepare a hearing schedule which will show the hearing sequence and time allocated to each party/submitter that seeks to be heard by the Hearing Panel. However, it should be noted that there may be some variation to that schedule during the hearing due to any circumstances that may arise.

EXCHANGE OF EVIDENCE

6. Section 41B of the RMA sets out the minimum timeframes for the provision of evidence prior to the commencement of a hearing. Consistent with s41B and in the interest of facilitating an efficient and effective hearing, the Hearing Panel sets the following

timetable for the exchange of evidence:

- (a) The Council's s42A Hearing Report shall be provided to the Hearing Administrator no later than 4pm Monday, 1 December 2025;
- (b) The proponent's expert evidence-in-chief shall be provided to the Hearing Administrator no later than 4.00pm Monday, 15 December 2025;
- (c) Any submitter expert evidence shall be provided to the Hearing Administrator no later than 4.00pm Monday, 19 January 2026;
- (d) Rebuttal (if any) evidence shall be provided to the Hearing Administrator no later than 4.00pm Monday, 2 February 2026;
- (e) Any party intending to present legal submissions shall provide a copy of the written legal submissions to the Hearing Administrator no later than 4.00pm, Thursday 12 February 2026; and
- (f) Hearing will commence at 9:30 am on 17 February 2026.

HEARING PROTOCOL

- 7. Unless otherwise advised by the Hearing Panel, all pre-circulated evidence will be taken as read by the Hearing Panel. Accordingly, witnesses will not be required to read their pre-circulated evidence in full at the hearing. Instead, witnesses should present a written summary of their evidence, which may include any evidence prepared in rebuttal – noting that rebuttal is not an opportunity to advance new material nor to repeat points already made in primary evidence. On the day of the hearing, and prior to their presentation to the Hearing Panel, witnesses are requested to hand in 10 hard copies of any written summary to the Hearing Administrator.

PROVISION OF MATERIAL AND COMMUNICATIONS TO THE PANEL

- 8. 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.
- 9. Upon receipt of required documents, the Hearing Administrator will work with Council staff to upload them promptly to the PPC85 Mangawhai East webpage. All parties will be notified once the documents due by a specific date have been made available online. You can access the webpage here: www.kaipara.govt.nz/mangawhaieast



Dr Lee Beattie (Chairperson)
For the Hearing Panel

28 Nov 2025