

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

AND

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

**HEARING DIRECTIONS FROM THE HEARING PANEL –
LEAVE FOR THE APPLICANT TO FILE SUPPLEMENTARY EVIDENCE**

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 Kurnow (as a Commissioner) to hear and determine submissions to Plan Change 78 to the Kaipara District Plan.
2. Following the adjournment of the hearing on the 25 November 2020 the Hearing Panel has received a Memorandum from Mr Gordon, counsel for Mangawhai Central Ltd¹ seeking leave to file supplementary evidence from the following expert witnesses:
 - Mr Jon Williamson (water supply);
 - Mr James Dufty (engineering);
 - Mr Ian Munro (urban design); and
 - Mr Mark Tollemache (planning).
3. We grant leave for this supplementary evidence to be filed. This evidence is to be provided no later than **Friday 18 December 2020**.
4. The purpose of the supplementary evidence as set out in the Memorandum, with which we agree, is “*..not for the purpose of providing new evidence. Rather, it is intended to provide further information regarding matters raised at the hearing, to assist the Panel and the parties to understand the conclusions reached by the above experts, and/or to clarify certain matters*”.
5. We note Mr Munro was not able to attend the hearing on the third day when Mr James Lunday, Mangawhai Matters expert urban designer, presented his evidence. We suggest Mr Munro listens to the audio recording of the presentation and questioning of Mr Lunday prior to completing his supplementary evidence.
6. The Hearing Panel is available to reconvene the hearing for one day either on the 1, 2 or 3 February 2021. The Council is checking the availability of a venue. Once this has been confirmed we will ask the Council to notify all parties of the confirmed hearing date.
7. The Council Officers have also confirmed that they will be in a position to provide their response at the reconvened hearing following the presentation of the supplementary expert evidence.

¹ Dated 26 November 2020

Mangawhai Central Ltd can then exercise its right of reply (at least in part) following the Council's response.

8. 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.



Greg Hill Chairperson
27 November 2020