

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Changes 82A&B, 88A-J, 109, 115, 136, 143, 144, 145, 147 & 148 - Urban and Services, as Adopted for notification by Whangarei District Council on 18 April 2019.

**SECTION 41B RESOURCE MANAGEMENT ACT 1991
DIRECTION #1 – PROVISION OF EVIDENCE**

1. Whangarei District Council notified Proposed Plan Changes 82A&B, 88A-J, 109, 115, 136, 143, 144, 145, 147 & 148 - Urban and Services on 8 May 2019, with Submissions closing on 3 July 2019 and Further Submissions closing on 28 August 2019.
2. Pursuant to section 34A of the Resource Management Act 1991 (RMA), Whangarei District Council (“Council”) has delegated to Richard Knott (Chair), Rachel Dimery and Bill Smith, Independent Hearing Commissioners, the power to hear and make recommendations on Plan Changes 82A&B, 88A-J, 109, 115, 136, 143, 144, 145, 147 & 148.
3. A hearing on the matter commenced on the 25 November 2019 (days as required).
4. Section 41B of the RMA provides for directions regarding the provision of evidence. We previously directed that expert witness evidence from submitters (generally being evidence given by a professional with specialist qualifications and experience) be provided no later than 4pm on Thursday, 7 November 2019.
5. Kāinga Ora - Homes and Communities requested by way of a memo from their Legal Counsel, that they be granted an extension of time to provide their evidence by 4pm Thursday 14 November 2019.
6. Whilst Kāinga Ora - Homes and Communities provided some of their evidence by this deadline, the last of their evidence was not provided to the Council until late morning 19 November 2019.
7. We have heard from submitters appearing before us that the late arrival of this evidence has put them at a disadvantage, as they have not had an opportunity to fully consider the contents and implications of the Kāinga Ora - Homes and Communities expert evidence.
8. We have sympathy for those submitters. We therefore propose the following:
 - (a) We will provide an opportunity on Tuesday 10 December 2019 for participants who have provided submissions on the Kāinga Ora - Homes and Communities submissions to have a further opportunity to appear before us and to provide comment on the Kāinga Ora - Homes and Communities evidence.
 - (b) This opportunity will be strictly limited to eligible further submitters to provide comment on the Kāinga Ora - Homes and Communities evidence and should not include comment on other submissions or the Council’s S42A report.

- (c) Further Submitters who are eligible and wish to attend should confirm by making contact with Eden Edwardson, Support Assistant, District Plan Department, Whangarei District Council, eden.edwardson@wdc.govt.nz.
 - (d) Further Submitters who wish to provide expert evidence regarding this matter are encouraged to provide this to us prior to the 10 December 2019, but given the limited time available we are not requiring this.
 - (e) Further details of venue and timing will be provided by the Council.
9. Any correspondence and/or material relating to this Direction is to be sent through Eden Edwardson, Support Assistant, District Plan Department, Whangarei District Council, eden.edwardson@wdc.govt.nz.



Richard Knott
Chair, Hearings Panel
02 December 2019