

**BEFORE THE MANAWATŪ DISTRICT COUNCIL**

**IN THE MATTER OF**

**Resource Consent application** for a 16 lot fee simple subdivision and land use consent at 443 Makino Road, Feilding.

**APPLICANT**

**Clinton Brown**

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**7<sup>th</sup> MINUTE OF HEARINGS PANEL - HEARING PROCEDURES AND  
COMMISSIONER DIRECTIONS  
DATED 12 MAY 2020**

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**Minute of Hearings Panel #7  
Clinton Brown Application  
SB9144 and LC9145**

**Deferment of Hearing**

1. On 20 March 2020, the Panel deferred the hearing to consider and decide the resource consent application set out above.
2. The Panel has subsequently sought more certainty on a likely date for the hearing to be rescheduled to and confirmation on how a hearing may occur.
3. In response to Minute 5, the applicant and Council sought a further six weeks from 17<sup>th</sup> April 2020 to provide an updated timetable for the hearing.
4. On 21 April 2020, the Panel queried all hearing participants on their ability to participate in an online hearing.

**Response**

5. On 4 May 2020, the applicant requested that the application be adjourned for four months. The applicant subsequently clarified that they sought that the application be placed on hold pursuant to section 91A of the RMA.
6. Under s91A, a consent authority must suspend the processing of a notified application when a request is received in accordance with this section. Under s91A(3)(c), a request must not be made if a total of 130 or more working days have been excluded from time limits under s88B in relation to the application. The Council's Principal Planner has confirmed that no dates have been excluded from the time limits under this section and the full time allocation under s91A appears to be available.
7. As such, the Panel has no option but to accept the suspension of the processing of the application for four months as of 4 May 2020.
8. Some of the submitters also advised their preference to have a hearing held in person, rather than on an on-line platform.

**Next steps:**

9. The application will remain on hold until Friday 4 September 2020. The applicant is requested to report back on or before that date of how it intends to progress with the application and timing of a hearing, the latter which it is to discuss with the Council.

**Correspondence**

10. Any correspondence with the Hearings Panel should be directed through Allie Dunn, at

Allie.Dunn@mdc.govt.nz.



Gina Sweetman  
**Chair of Hearings Panel**