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**DIRECTIONS OF THE HEARINGS PANEL****MINUTE 2<sup>1</sup>****Plan Change 21 – Matters of Scope**

- [1] We have received the Section 42A Report for Plan Change 21 - Implementation of the Spatial Plans. Section 8 of that Report is titled "Scope Assessment" and sets out in tabular form the submissions/submission points that the Report authors considered to be outside the scope of PC21 and are therefore not assessed in the Report.
- [2] We understand the Section 42A Report authors' assessment applied the principles set out in the "Legal submissions on behalf of Mackenzie District Council" dated 15 February 2023. Those legal submissions provided an outline of the law on whether a submission and further submission is within the scope of a plan change.
- [3] We are aware that a finding that a submission or part thereof is 'out of scope' has the consequence of denying the submitter an opportunity to participate further in the PC21 process with regard to the particular matter found to be 'out of scope'.
- [4] Accordingly, we invite any submitter listed in Section 8 of the Section 42A Report for Plan Change 21 who disagrees with the 'Scope Assessment' for their submission or submission point to advise the Hearing Panel (preferably but not necessarily supported by either legal submissions or expert planning evidence) on or before **Friday 3 March 2023** why they consider their submission or part thereof is 'in scope'.
- [5] Any such advice must be provided to the Council in accordance with Section 9 of Minute 1 for PC21.
- [6] The Hearing Panel will consider any such advice and issue a further Minute on or before **Friday 10 March 2023** setting out their findings on any contested scope matters.



Rob van Voorthuysen

**Independent Commissioner – Chair - on behalf of the DPR Hearings Panel members**

22 February 2023

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<sup>1</sup> For the sake of clarity we note that we have previously issued 'Minute 2 – PC 21 and 22' dated 30 January 2023. This 21 February 2023 Minute is the second Minute that only addresses PC21.