

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by **Tararua Wind Power Ltd** (RM200234) to construct, operate and maintain up to 19 wind turbines within a defined project envelope on the property at 379 Maitahi Road, Omamari legally described as Lot 1 DP 201886.

Direction (3) regarding the reconvening of the hearing

Pursuant to sections 34 and 34A of the Resource Management Act 1991 (RMA), the Kaipara District Council has appointed independent hearing commissioners Greg Hill (Chair) and Sheena Tepania as well as Councillor Victoria del la Varis-Woodcock (as a Commissioner) to hear and decide this resource consent application. The appointment includes dealing with any procedural matters.

Reconvening of the Hearing

The hearing of this application commenced on the 17th August 2021 and was adjourned at the end of that day. This was due to the Government's announcement of the level 4 'lock down' at 11.59 on the 17th August 2021 due to the positive Covid-19 case discovered in Auckland. As set out in an earlier Direction¹ the hearing was then re-scheduled for the 19th and 20th October 2021.

The Hearing Panel has now received a request (email²) from the Council's counsel setting out that the Applicant, with the agreement of the Council and the Department of Conservation, wishes to vacate the 19th and 20th October 2021 hearing dates. The reasons for this are set out in the email. It has also been established that all parties agree to a re-convened hearing in the week commencing the 24th January 2022.

The Hearing Panel agrees to vacate the 19th and 20th October 2021 hearing dates for the reasons in the email. We confirm that we would be available to hear this application in the week commencing 24th January 2022. We also agree that given the on-going uncertainty in relation to Covid-19 and the possibility of restrictions still being in place in January 2022 that the revised hearing dates will be firm dates – with the hearing proceeding face to face if possible (and preferred) and, if not possible, then heard virtually.

The purpose of the Direction is to vacate the current hearing dates and advise the 'window' for the re-convened hearing dates. No specific dates have been provided at this stage as the Council is investigating hearing venues in Mangawhai. Once this is known the Hearing Panel and the Council will inform the parties.

We also set out in the 8 September 2021 Direction that any further legal submissions to be presented at the re-convened hearing needed to be provided no later than 13 October 2021. This

¹ 8th September 2021.

² 10 October 2021

date is clearly no longer relevant. Once the actual re-convened hearing dates are confirmed, any further procedural matters, such as the provisions of any further legal submissions, will be set out in another Direction.

Any enquiries regarding this Memorandum or any related matters should be directed to the Council's Planning Technical Support Officer, by email at rmanotified@kaipara.govt.nz.

A handwritten signature in black ink, appearing to read 'Greg Hill', followed by a period.

Greg Hill – Chair
11 October 2021