

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 (5) Further Evidence at the re-convened 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, and 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.

This Direction is in response to the Joint Memorandum from the Applicant, DoC and the Council¹ regarding filing further supplementary evidence for the re-convened hearing. We set out in our Directions dated 8 September and 20 October 2021:

Following the hearing adjournment, we directed expert conferencing. Arising from the conferencing will be a Joint Witness Statement(s) (JWS). Other than the JWS(s) we are not seeking further evidence from any party. If any party seeks to file additional evidence it will need to seek the approval of the Hearing Panel prior to the hearing. (underlining added for emphasis)

The Hearing Panel agrees with the Joint Memorandum; that further supplementary evidence of Mr Fuller (on behalf of TWP) and Dr Williams (on behalf of DOC) be provided and that it be limited to “...outlining the further baseline monitoring that has been undertaken during the spring adjournment period. For TWP, that further baseline monitoring relates to the Australasian Bittern and Long Tailed Bats. DOC has also undertaken further monitoring focussing on the matuku on public conservation land”.

We also agree that the further supplementary evidence be filed and exchanged by **5pm 19 January 2022**. This is given that the further monitoring data is still being analysed and collected, together with the intervening Christmas/New Year holiday period.

We also indicated in previous Directions that further legal submissions could be provided. We strongly encouraged those legal submissions (in relation to the outcome of expert conferencing and any further evidence that may be lodged) be filed no later than **21 January 2022**. We note the Joint Memorandum confirms agreement with this.

Any inquiries 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.

¹ Dated 22 November 2021

Greg Hill .

Greg Hill – Chair
22 November 2021