

PROPOSED FAR NORTH DISTRICT PLAN
MINUTE 36 OF THE INDEPENDENT HEARINGS PANEL
REQUEST ON BEHALF OF OROMAHOE LANDOWNERS TO BE HEARD AT HEARING 16 AND
COMMENTS ON POSSIBLE PROCEDURAL FAIRNESS AT THE HEARING

1. The purpose of this minute is to respond to a request dated 17 October 2025 from Andrew McPhee on behalf of submitter Oromahoe Landowners ('the submitter') requesting to be heard at Hearing 16 and raising a possible procedural issue that could arise at Hearing 16 in relation to the evidence to be presented on behalf of Top Energy regarding subdivision Rule SUB-R10.
2. The contents of the letter are self-explanatory and relate to the possibility of Top Energy 'having two bites of the cherry' and procedural fairness in relation to Rule SUB-R10.
3. Rule SUB-R10 (subdivision of a site within 32m of the centre line of a critical electricity line overlay) was the subject of detailed evidence during Hearing 11- Infrastructure. The submitter presented evidence at that hearing, which included evidence from Mr McPhee.
4. The Panel notes that the s42A Report for Hearing 16 does include comments on SUB-R10 at paragraph 625 on page 126 where the Reporting Officer (at this stage) supports the recommendations from the Reporting Officer for Hearing 11.
5. Top Energy is a submitter on SUB-R10 and has taken the opportunity (as it is entitled to) to provide evidence in support of its original submission. The Oromahoe Landowners will have the same opportunity of providing evidence in support of its submission if it chooses to, and as is now sought by Mr McPhee.
6. The decision of the Panel is that the submitter's letter dated 17 October 2025 can be received and taken into consideration as part of Hearing 16 and that the submitter can be heard on the issue at the hearing.
7. Mr McPhee raises specific concerns in the conclusion to his letter regarding the activity status of Rule SUB-R10, it essentially being debated twice, during both Hearing 11 - Infrastructure and now at Hearing 16 - Subdivision. The Panel's view is that some overlap can be expected in the process of hearing the many submissions to the Proposed District Plan ('PDP') but that can and is being handled by the Panel. The Panel is content in this case, to allow Mr McPhee and the submitter to present again and/or to attend Hearing 16. In this respect, the Panel is seeking to ensure that parties wishing to be heard in support of their submissions are indeed heard and have the opportunity to hear other submitters with concerns regarding the same or similar provisions in the PDP.
8. How the Panel will run Hearing 16 will be determined on the day by the Chair and Panel members and as matters relating to SUB-R10 were considered in Hearing 11 this will be taken into account during the hearing. However, the Panel's current view is that matters relating to SUB-R10 have been considered earlier and evidence relating to that provision should not be heard again.
9. If you have any questions regarding this Minute, please contact the Hearings Administrator Alicia-Kate (AK) Taihia - Submissions & Hearings Administrator District Plan: alicia-kate.taihia@fndc.govt.nz or (09) 4015247



William (Bill) Smith
Hearings Panel Deputy Chairperson
22 October 2025