

8 August 2023



Dear sir / madam

NOTICE OF HEARING FOR PUBLICLY NOTIFIED RESOURCE CONSENT APPLICATION BY TAUMATATOTARA WIND FARM LIMITED

In accordance with section 101 of the Resource Management Act 1991, notice is hereby given for the hearing of the application by Taumatotara Wind Farm Limited to vary conditions of land use consents for the Taumatotara Wind Farm (TWF) that was originally granted consent in 2008 from a site (Section 12 and Section 22 Block V Kawhia South Survey District; Section 1 Survey Office Plan 58558; and Section 2 Block V Kawhia South Survey District) located at Taumatotara West Road, Te Anga.

To hear and decide the application by Independent Hearing Commissioner, a hearing commencement date has been set as follows:

Date: 13th and 14th November 2023
Time: 9.00am
Venue: Les Munro Centre, 8 King Street East, Te Kuiti

The Direction of the Hearing Commissioner, Stephen Daysh is enclosed with this notice.

Prior to the commencement of the hearing, you will be contacted by the Committee Advisor to schedule an approximate hearing time for you to speak.

The Hearing Procedure

The procedure for a Hearing is:

- The applicant will be called upon to present their case. The applicant may be represented by legal counsel and may call expert witnesses in support of the application.
- Submitters (for and against the application) will then be given the opportunity to present their respective cases. Submitters may also be represented by legal counsel and may call expert witnesses on their behalf whose written evidence will also have been made available to other parties prior to the hearing. Each speaker may then be questioned in turn by the Hearing Commissioner.
- Only the Hearing Commissioner may ask questions in respect of submissions or evidence presented at the hearing or which has been previously made available. However, the Hearing Commissioner may, at his sole discretion, allow questions of clarification "through the chair" in respect of technical or other factual matters. No cross-examination – either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the Hearing Commissioner will give the Council planner who prepared the hearing report on the application (and which will have been made available to the parties prior to the hearing) the opportunity to present supplementary evidence and/or amend any part of the report, including the recommendation. Other technical experts who provided advice to the Council planner may also be given the opportunity to comment on any matters of fact or clarification relating to issues which have arisen during the course of the hearing.

- When all those who lodged submissions and who wish to be heard have completed their presentations, the applicant or his/her representative has the right of reply to matters raised during the course of the hearing and to close the applicant's case. The Hearing Commissioner may ask further questions of the applicant at this stage.
- The Hearing Commissioner will then adjourn or close the hearing and will reserve its decision which in the normal course of events will be released within 15 working days of the hearing closure.
- The applicant and submitters who intend to present supplementary evidence or non-expert evidence at the hearing that has not been pre-circulated in accordance with Directions of the Hearing Commissioner shall bring 20 copies of the evidence to the hearing.
- If any party intends to give written or spoken evidence in Maori, the Committee Advisor must be informed of this at least five working days prior to the Hearing so that a qualified interpreter can be provided. Please contact Kayla Hemara, Planning Administrator at kayla.hemara@waitomo.govt.nz or phone 07 878 0800.

Yours faithfully,



Alex Bell
**GENERAL MANAGER,
STRATEGY & ENVIRONMENT**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by Taumatotara Wind Farm Limited to vary conditions of a land use consent for the Taumatotara Wind Farm (TWF) that was originally granted consent in 2008 from a site (Section 12 and Section 22 Block V Kawhia South Survey District; Section 1 Survey Office Plan 58558; and Section 2 Block V Kawhia South Survey District) located at Taumatotara West Road, Te Anga.

Hearing directions and process under sections 41B, 41C and 103B of the RMA in relation to the application by Ventus Energy (NZ) Limited.

Pursuant to section 34A of the Resource Management Act 1991 (RMA), I have been appointed by the Waitomo District Council to hear and decide this resource consent application. The appointment includes dealing with any procedural issues prior to delivering the decision.

On the 8 August 2023 the Council issued the Notice of Hearing for this application. The hearing is to be held on the **13 and 14 November 2023**.

In terms of sections 41B and 103B of the RMA, the following dates apply to the provision of the section 42A report and evidence:

- The Council's section 42A report is due no later than **4pm on Friday 6 October 2023**.
- The applicant's evidence is due no later than **4pm on Friday 20 October 2020**.
- The submitter's expert evidence is due no later than **4pm on Friday 3 November 2023**.
- It is requested that any submitter not calling expert evidence, provide any written material they wish to present to support their submission no later than **4pm on Friday 10 November 2020**.
- Any party proposing to present opening submissions, including legal submissions, is to pre-circulate them in advance of the hearing, and no later than **4pm on Friday 10 November 2020**.

In terms of sections 41C of the RMA the following will apply:

I will have pre-read the section 42A report and all of the evidence and other material pre-circulated in advance of the hearing. Accordingly, there is no need for witnesses or anyone appearing at the hearing to read their evidence or statements. However, all expert witnesses shall prepare a summary statement of their key points. 20 hard copies of this summary statement shall be provided on the day that evidence is presented. This will ensure a more efficient hearings process.

All expert evidence, further written material, legal submissions and correspondence regarding this hearing shall be sent to Kayla Hemara, Planning Administrator at Waitomo District Council (kayla.hemara@waitomo.govt.nz) or 07 878 0800).



Stephen Daysh
INDEPENDENT HEARING COMMISSIONER

8 August 2023