

PROPOSED FAR NORTH DISTRICT PLAN

MINUTE 24 OF THE INDEPENDENT HEARINGS PANEL

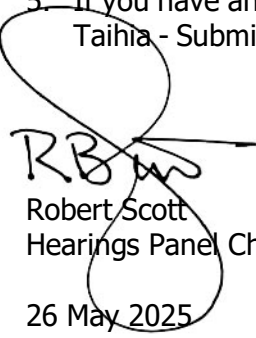
PROTECTION OF SENSITIVE INFORMATION – HEARING 12

1. On 27 and 28 May 2025, Hearing 12 - Historic and Cultural Values will commence at Waitangi. The Hearing Panel (the '**Panel**') will be the following commissioners: Robert Scott (Chairperson), Hilda Halkyard-Harawira, Peter Kensington and Siani Walker.
2. The Panel has received a request from Te Aupōuri Commercial Development Limited (submitter S339, '**Te Aupōuri**') requesting that details pertaining to their sites and areas of significance attached to their evidence statement be kept in strict confidence and not circulated via Council's website, or circulated beyond the Panel and Council Officers unless otherwise agreed by Te Aupōuri.
3. Section 42 of the Resource Management Act 1991 refers to the protection of sensitive information and sections 42(1) and 42(2) state:

42 Protection of sensitive information

- (1) *A local authority may, on its own motion or on the application of any party to any proceedings or class of proceedings, make an order described in subsection (2) where it is satisfied that the order is necessary—*
 - (a) *to avoid serious offence to tikanga Maori or to avoid the disclosure of the location of waahi tapu; or*
 - (b) *to avoid the disclosure of a trade secret or unreasonable prejudice to the commercial position of the person who supplied, or is the subject of, the information,—**and, in the circumstances of the particular case, the importance of avoiding such offence, disclosure, or prejudice outweighs the public interest in making that information available.*
- (2) *A local authority may make an order for the purpose of subsection (1)—*
 - (a) *that the whole or part of any hearing or class of hearing at which the information is likely to be referred to, shall be held with the public excluded (which order shall, for the purposes of subsections (3) to (5) of section 48 of the Local Government Official Information and Meetings Act 1987, be deemed to be a resolution passed under that section):*
 - (b) *prohibiting or restricting the publication or communication of any information supplied to it, or obtained by it, in the course of any proceedings, whether or not the information may be material to any proposal, application, or requirement.*

4. Having regard to the matters under section 42(1) the Panel is satisfied that an order is appropriate in order to avoid serious offence to tikanga Māori or to avoid the disclosure of the location of waahi tapu. Having regard to our powers under section 42(2) the Panel has resolved the following to make the following order:
- a) That only a redacted version of the Te Aupōuri evidence (approved by Te Aupōuri) containing the culturally sensitive information be placed on the Council hearing evidence website;
 - b) That all those present at the hearing to hear the Te Aupōuri evidence are restricted from publishing or communicating of any of the sensitive information presented.
 - c) This order shall remain in place indefinitely or until such date as the Panel or Council considers it appropriate.
5. 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.



Robert Scott
Hearings Panel Chairperson

26 May 2025