

**PROPOSED FAR NORTH DISTRICT PLAN
MINUTE 35 OF THE INDEPENDENT HEARINGS PANEL
REQUEST TO BE HEARD AT HEARING 17 AND FOR INFORMATION/EVIDENCE
FROM AND ON BEHALF OF VISION KERIKERI, OUR KERIKERI TRUST, CARBON NEUTRAL
TRUST, KAPIRO CONSERVATION TRUST TO BE CONSIDERED**

1. The purpose of this minute is to respond to a request dated 10 October 2025 from Rolf Mueller-Glodde on behalf of submitters Vision Kerikeri, Our Kerikeri Trust, Carbon Neutral Trust, Kapiro Conservation Trust ('the submitters') purporting to be a procedural request to be heard at Hearing 17 on Kerikeri/Waipapa intensification urban zoning matters. Further, that a memorandum of counsel dated 13 October 2025 be received and taken into consideration as part of the recently completed Hearing 15D or any preceding hearing.
2. In our view, the contents of the letter are more than procedural and are more akin to additional evidence being provided to the panel. Further, with regard to the parts of the letter that are procedural, the hearing relating to Kerikeri/Waipapa urban zoning has been completed and all the submitters and other parties wishing to be heard participated in the hearing. If the Panel was now to receive new material from the submitters as part of Hearing 15D (or any preceding hearing) or Hearing 17 would effectively give the submitters "another bite at the cherry" after the relevant hearing has been completed.
3. There is also the possibility that other submitters may wish to respond to any new material, but they would not have that opportunity and this then raises the principles of procedural fairness and natural justice. The general principle of procedural fairness requires that information is not introduced into the hearing process without other interested submitters having the opportunity to respond.
4. The decision of the Panel is that the submitters' letter dated 10 October 2025 and the memorandum of counsel dated 13 October 2025 should not be received and taken into consideration as part of Hearing 15D or any preceding hearing and that the submitters not be allowed to present a case at Hearing 17 in relation to Kerikeri/Waipapa urban zoning matters.
5. It is noted also that Hearing 17 (the last hearing) does not include any reports on intensification of the Kerikeri/Waipapa urban zoning.
6. The letter dated 10 October 2025 also refers to 'developing a community/hapu-led master plan and design guidelines etc' and refers to it being completed by April 2026 before the Panel makes its recommendations to the Council. The Panel considers it prudent to point out to the submitters that, if they sought that this master planning work be taken into account through the PDP process, that is procedurally problematic for the above reasons.
7. 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
20 October 2025