

Minute 4

Applicant:	The Wellington Company Limited
Location:	232, 264, 270 and 276 Shelly Bay Rd
Application Number:	Service Request 368659
Subject:	Response to Further Memorandum

The Commissioners wish to respond to the further memorandum received on 6 June 2019 from counsel for the Wellington Company Limited ('the Applicant').

Hearing

The reference, in our Minute 3, to a hearing was not intended to be meaning a standard hearing process under the Resource Management Act 1991, but rather to the desire of the Commissioners to have an opportunity to discuss the application with the applicant team and the s42A report with the Council team.

If we were not able to meet with the Applicant and officers, in this manner, this may leave the Commissioners in the difficult position of potentially having concerns or questions that cannot be answered in a practical and effective way.

Involvement of Enterprise Miramar

As noted above Enterprise Miramar will not be involved in any hearing.

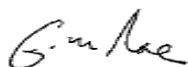
We can also confirm that there will be no involvement from Enterprise Miramar at all – no submissions or evidence will be requested or accepted. However, the Commissioners do have the material presented in the first round of the process, including the material in the Court of Appeal. We also note that additional information has been provided as part of the re-submitted application.

Legal principles

The Commissioners thank the Applicant for the submissions on these points. Overall, we accept your advice as to the procedural aspects.

Meeting with the Commissioners

However, we request that the Applicant responds to our intention to hold a 'hearing', limited as it is to the Applicant and WCC reporting officers, with the sole purpose on responding to questions the Commissioners may have on the application, specialist reports, and the section 42A Report.



Gary Rae
Chair of Hearings Panel, on behalf of
Commissioners Helen Atkins and Ray O'Callaghan

7 June 2019