

**Minute #3 of Independent Commissioner Hearing Panel**  
**114 Adelaide Road**  
**Reference (SR) No. 464277 & 490717**

**Draft Consent Conditions**

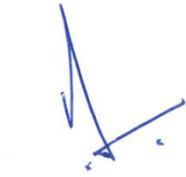
1. Having read the evidence of Mr Ian Leary for the Applicant, received on Friday 12 November 2021, the Hearing Panel noted the following comment under the heading "Comments of Officer's S42A Report":

*8.3 I have been able to review conditions recommended by the Urban Designer, the traffic and earthworks engineer.*

*8.4 The officer has not actually provided his recommended conditions. Whilst I accept the officer has recommended decline for both proposals, it is my view that the officer should be asked to provide a set of draft conditions should the commissioners elect to not accept the officer's recommendation. The draft conditions should be provided before the hearing to allow appropriate timely responses.*

2. It is our view that Mr Leary makes a valid point.
3. We have also noted that the Council's heritage advisor (Ms Chessa Stevens) in her evidence has put forward some recommendations for consent conditions and advice notes.
4. Accordingly, we direct that the s42A Reporting Officer, Mr Peter Daly, prepare a list of recommended consent conditions in relation to both applications.
5. The recommended consent conditions should be circulated to the parties by Ms Krystle Leen, the Council's Hearing Administration Officer, no later than **5.00pm on Friday 19 November 2021**.
6. It would be preferable if the recommended consent conditions were in a Microsoft Word format so that the parties, if they wish, can table at the hearing any amendments in a 'track change' format.
7. All parties will have the opportunity to address the Hearing Panel on the recommended consent conditions at the hearing.
8. In making this direction, the Hearing Panel stresses that it should not in any way be seen as an indication of any pre-determination by the Hearing Panel on the appropriateness of resource consent being granted to either application.
9. Rather, it is aimed at ensuring that all parties have an opportunity to comment on consent conditions recommended by the Council officers, if, following the scrutiny of the hearing process, the Hearing Panel was to form the view that resource consent for either application was an appropriate outcome.

10. It is also the Hearing Panel's view that being able to consider recommended consent conditions as part of the hearing process will enable a more transparent and efficient hearing process.



**Alistair Aburn**

Chair Independent Commissioner Hearing Panel

15 November 2021