

PALMERSTON NORTH CITY COUNCIL
NEW NOTICE OF REQUIREMENT: ROAD CONNECTION BETWEEN ABBY
ROAD AND JOHNSTONE DRIVE, PALMERSTON NORTH
MINUTE 2 OF INDEPENDENT HEARING COMMISSIONER

Introduction

1. Further to my previous minute of 3 March 2021, the hearing of submissions on this matter was held on 31 March, and has been adjourned since that time.
2. During the hearing, I verbally requested information from several parties to assist my understanding of the proposal, and set out a sequence for that information to be received and exchanged.
3. The general function of this minute is to report back to all parties on the information exchange that has followed the hearing, and to formally close the hearing.

Information exchange following the hearing

4. During the course of the hearing, I requested three pieces of information to be provided following the hearing adjournment, being:
 - (a) an updated version of the conditions proposed by the Council's reporting officer, Mr O'Leary;
 - (b) a written copy of the legal submissions given orally by counsel for Aokautere Land Holdings Ltd, Mr Woollaston; and
 - (c) the Requiring Authority's right of reply in writing.
5. Mr O'Leary provided the updated conditions to the Requiring Authority shortly after the hearing, and these were subsequently attached to the Requiring Authority's written reply.
6. Mr Woollaston was to provide his further information by 8 April, and counsel for the Requiring Authority, Mr Jessen, was to provide the right of reply by 12 April.
7. Mr Jessen sought an extension to his deadline, which I granted until 19 April. Mr Jessen's reply was received by that later date along with several pieces of additional information that I requested at the hearing.
8. Having not heard from Mr Woollaston as at last week, I asked the Council Hearing administrator, Ms Figlioli, to contact Mr Woollaston in an effort to understand when his further information would be provided. On 29 April, Mr Woollaston responded that he had been unable to address the matter due to being unwell, and requested an extension of time (to 4 May) to provide the further information. I granted that request and provided Mr Woollaston until the 5th of May to respond.
9. Having received no material from Mr Woollaston by lunchtime on 6 April, I again asked Ms Figlioli to contact Mr Woollaston for an update. Shortly thereafter, Mr Woollaston confirmed to Ms Figlioli that he would not be providing the information requested.

10. I therefore have all information I have requested apart from that sought by Mr Woollaston. All the information described above is now on the Council's web page for this application. The link is [here](#) In the absence of any further assistance from Mr Woollaston, I will make my decision based on the balance of the information presented before, during and after the hearing.

Hearing closure

11. The hearing is formally **closed as at 5pm today**.
12. I will commence my deliberations on Monday 10 May, and deliver my decision to the Council within the statutory timeframes set out under the RMA.
13. If any party requires clarification in relation to the above, questions should be directed to Ms Figlioli in the first instance at susana.figlioli@pncc.govt.nz

DATED this 7th day of May 2021



DJ McMahon
Independent Hearings Commissioner