

PALMERSTON NORTH CITY COUNCIL
RC LU 5331
ALL SAINTS CHURCH – 338 CHURCH STREET
MINUTE 6 OF HEARING PANEL

Introduction

1. On 3 February of this year, we issued Minute 5, which (among other matters) summarised a procedural issue arising at the hearing on this application, and set out a process for addressing that issue.
2. The general function of this Minute is to:
 - (a) update all parties on the process we set out in Minute 5; and
 - (b) outline the process for completing the hearing from here.
3. As discussed further below, we will issue additional minutes at further milestones in the coming weeks.

Update on legal review process

4. The parties will recall that we formally requested independent legal advice from an experienced RMA practitioner to address a procedural issue raised by the Applicant at the hearing.
5. We are now in receipt of that advice, from Mr James Winchester of Simpson Grierson. We have asked that the advice be available to all parties on the Council website.
6. We also sought responses from the Council and Applicant to Mr Winchester's advice. The Council has advised it has no comment, and the Applicant has tabled a brief response for our consideration – which we have also asked to be made available on the Council website.
7. The Panel has all of the information it requires in relation to the procedural issue, so our focus will now shift to the remaining steps necessary to complete the hearing process.

Process for completing the hearing

8. The hearing is currently adjourned. Broadly speaking, there are three remaining steps for completing the hearing.
9. Firstly, we invite the Applicant to provide its written reply in response to all matters raised at the hearing and since that time. We ask the reply to be provided to Ms Figlioli by **5pm on Monday 22 March 2021**. The reply will then be made available to all parties on the Council website as soon as practicable.
10. Secondly, upon receipt of the Applicant's written reply, we will commence our deliberations. If we are satisfied that we have all information necessary to make

our decision on the application, we will complete the deliberations and formally close the hearing by way of further minute.

11. Should we find that we require any further information from any party, we will set out a process for receiving that information, concluding our deliberations and closing the hearing.
12. Thirdly, we will deliver our decision to the Council once we have completed our deliberations and formally closed the hearing. The decision will be delivered within the statutory timeframes required under the RMA.

Next Steps

13. As set out above, we now ask the Applicant to provide its written reply.
14. For any questions of clarification regarding the above, we ask that parties email Ms Susana Figlioli at susana.figlioli@pncc.govt.nz in the first instance.
15. While we have the opportunity, we wish to signal our thanks to Mr Winchester for his prompt attention and his advice. We also thank the Council and Applicant for their prompt and constructive participation in the process to date.

5 March 2021



DJ McMahon
Hearing Panel Chair

For and on behalf of:
Commissioner J Black
Commissioner H Lutz
Commissioner DJ McMahon