

## **NEW PLYMOUTH DISTRICT COUNCIL**

### **MATTERS RELATED TO THE RIGHT OF REPLY- GREENSILL RESOURCE CONSENT HEARING**

#### **COMMISSIONER MINUTE: No 1**

The abovementioned hearing was conducted by me on Friday 1 July 2022, which was undertaken in the Council offices.

At the conclusion of the hearing, I proposed that the parties undertake on a 'without prejudice' basis, discussions in respect of the potential mitigation proposed particularly on the two proposed lots adjacent to the Hart property, and further clarity and information to Ms Ruttley in respect of any proposed mitigations regarding her concerns regarding the Right of Way. This approach is intended to see if any agreement on mitigations can be reached if I was of a mind to grant consent to the application. The parties indicated their agreement with the proposed 'without prejudice' discussions.

Ms Marner has undertaken part of the applicant's right of reply verbally but noting as agreed, that the right of reply would be provided in writing. I requested that the parties consider and provide to me, appropriate draft conditions that could be imposed if consent were granted.

On that basis, the right of reply is not completed and therefore the timeframe for closure of the hearing after the right of reply does not yet apply as the hearing is currently adjourned.

Given the above, the following process and timetable will apply to finalise this matter:

- That the parties undertake the discussions outlined above, and that such discussions, and if any agreement is reached on any mitigations, be documented, and provided to the Council by noon Friday 22 July 2022.
- Ms Marner to provide the right of reply by 5pm Wednesday 27 July 2022. As part of the reply, draft agreed conditions (and if not agreed, highlighting any conditions where there is disagreement and any alternative wording).
- The Council is to provide to me the draft conditions and the right of reply as noted in the preceding paragraph by 12 noon, Thursday 28 July 2022.
- I will then consider the draft conditions and right of reply, and if I have any questions regarding any matters contained therein, I will provide written questions to the Council for circulation to Ms Marner by 12 noon, Monday 1 August 2022. Responses to any questions are to be received by me via the Council by 5pm, Wednesday 3 August 2022.
- If no questions are posed by me, the right of reply will be deemed to have been completed on 1 August 2022. The relevant legislative timeframes for closure of the hearing and issuing a decision will commence from that date.

- Any questions posed by me, and subsequent responses will be circulated by the Council. The circulation of all information is to be by email.

**Bill Wasley**

A handwritten signature in black ink, appearing to read "Bill Wasley". The signature is written in a cursive style with a large initial "W".

**Commissioner**

6 July 2022