

IN THE MATTER of the Resource  
Management Act 1991

AND

IN THE MATTER of applications for  
resource consent to redevelop Fank  
Kitts Park(SR558695) and to construct  
an operate a Fale within the Park  
(SR558706), Jervois Quay Wellington.

**Minute #2 of Independent Commissioner Hearing Commissioner  
Frank Kitts Park Redevelopment and Proposed Fale  
Council Reference Numbers SR558695 and SR558706**

I have today received a joint memorandum of Counsel on behalf of Wellington City Council and Fale Malae Trust.

This memorandum:

- (a) addresses the Applicants' proposed approach to case presentation at the hearing, in light of the integrated nature of the joint applications;
- (b) provides an indicative list of the Applicants' witnesses (and batting order); and
- (c) seeks directions from me in relation to:
  - (i) the Consent Authority's and submitters' respective witnesses; and
  - (ii) witness attendance.

In respect of (a) and (b) the information is useful and assists in programming the hearing. It is noted that proposed evidence at this time is confined to:

- Project overview and corporate evidence:
- Architecture and design;
- Traffic/transportation; and
- Planning.

In respect of (c) it is acknowledged that based on initial discussions between the Applicants' planners and the consenting officer, and the low number of submissions in opposition to the Project, that a relatively limited set of issues remaining in contention.

Counsel for the applicants consider that subject to any new issues being raised, it is not envisaged that any of the Applicants' other technical experts will be required to prepare evidence or attend the hearing.

I agree with this approach and make the following directions as sought.

1. That the Council (in its consent authority capacity) and any submitters intending to speak at the hearing, provide a list of witnesses to be called by **2 October 2025**; and
2. Grant leave to the Applicants to file a further memorandum, within five working days after receipt of any lists pursuant to paragraph [8(a)], formally seeking to have the attendance of witnesses that are not required for the hearing excused.

Any further correspondence with me should be directed through Surabhi Deshmukh via [busplanningadmin@wcc.govt.nz](mailto:busplanningadmin@wcc.govt.nz).

A handwritten signature in black ink, appearing to read 'L Daysh', with a long horizontal flourish extending to the right.

**Lindsay Daysh**  
Independent Commissioner

25 September 2025