

WELLINGTON CITY COUNCIL

SR 471670

RESOURCE CONSENT: PROPOSAL TO ESTABLISH A COMPREHENSIVE CARE RETIREMENT VILLAGE, 26 DONALD STREET AND 37 CAMPBELL STREET, KARORI

MINUTE 8 OF INDEPENDENT HEARING PANEL

1. This purpose of this Minute is to update the parties in relation to various matters of correspondence and to formally close the hearing.
2. On 14 October 2022 Mr Cooper, a submitter, wrote to us with the following comment:

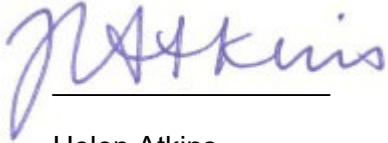
We previously submitted the attached comments on Ryman's proposed conditions but have received no response to these from either Council or Ryman and there is no indication that these have been taken into account in the document just issued.

Can you please request a response from both Ryman and Council on RDK's proposed consent updates.

3. We did not specifically respond to this matter as we expected that the Applicant would address these points in its written Reply as it had covered them off in its oral reply at the end of the hearing. The Applicant has now submitted its written reply.
4. At the end of the hearing, Mr King, a submitter, sought leave to address us after the Applicant's Reply was received to comment on any new matters arising in that Reply. We noted that a reply can only be a reply and not raise new matters. However, we reserved the point as set out in Minute 7 we deal with the issue of Mr King's comments.
5. As is required by natural justice we asked the Applicant to confirm its position regarding Mr King's further comments and it responded on 31 October as follows:

Ryman considers Mr King's comments address matters that were live at the hearing and were not raised for the first time in Ryman's reply. Accordingly, it is not clear that there is any basis for Mr King to seek an opportunity to comment on Ryman's reply. Ryman also wishes to record that it does not agree with Mr King's comments for the reasons set out at the hearing and in its reply submissions. Nevertheless, Ryman does not wish to seek a further right of reply and requests that the Commissioners proceed with closing the hearing.
6. With this confirmation from the Applicant we are now in a position to confirm that we have all the information we require to make a decision and we formally close the hearing as at the date of this Minute.
7. In accordance with the timeframes set out in the Resource Management Act we have 15 working days in which to issue our decision unless we extend that time under s37 of the Act. At this stage we anticipate being able to issue our decision within the statutory timeframes on or before – 28 November 2022.

DATED this 4 November 2022



Helen Atkins
Chair – Independent Hearings Panel

For and on behalf of:
Commissioner Angela Jones
Commissioner DJ McMahon