

# **WHANGAREI DISTRICT COUNCIL**

## **HURUPAKI HOLDINGS APPLICATION**

**Council Reference SL2100046**

### **MINUTE No 3 OF COMMISSIONER ALAN WITHY**

**Dated 26 May 2022**

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1. The purpose of this MINUTE is to make administrative directions.
2. The HEARING took place on Thursday 12 May 2022 by electronic means and facilitated by Ms Willson (Team Leader – RMA Support) and MicroSoft TEAMS.
3. Ms Willson managed the process under direction from the Commissioner and any queries should be directed to or through her.
4. Her contact details are: (09) 4304211 (021) 628 413 [Mary.Willson@wdc.govt.nz](mailto:Mary.Willson@wdc.govt.nz)
5. Since the Hearing was adjourned on 12 May, Counsel for the Applicant has provided a written Right-of-Reply (RoR) that may be accessed on the Council Website.
6. The Commissioner has carefully considered all submissions and evidence and come to a conclusion that the proposal is worthy of consent, subject to suitable conditions.
7. Full reasoning for that conclusion will be contained in the Decision in due course; it is sufficient to indicate at this point:

- a) The Commissioner accepts that he has authority in terms of s104, 104B, 104D, 108, 108AAA, 108A and 109 to grant consent to the proposal subject to appropriate conditions
  - b) He also accepts the expertise and experience of the expert witnesses who gave contrary opinions, but chooses on balance in this instance, to favour that of the experts called for the Applicant.
  - c) He also accepts and applies in the circumstances of this proposal, the following submission of Counsel for the Applicant: *"Residential expansion of Whangārei beyond the existing urban area is inevitable as the city grows. Endorsing applications on the fringes of existing residential neighbourhoods that provide for significant long term environmental and community benefits, in favour of those that do not, will ensure that the inevitable growth will occur in a responsible and sustainable way."* (RoR s6.5.)
8. The s42A Reporting Officer is now invited to consult with appropriate witnesses, formulate a suite of conditions and submit that through Ms Willson.
9. On receipt of that suite of conditions (including any indications of dissenting opinions between Ms McGrath and himself), the Commissioner will formally close the Hearing and proceed to a written Decision.



Alan Withy

Independent RMA Commissioner