
To: Hearings Panel **Ref:** LU/0145/20

From: Aidan Kirkby-McLeod

Date: 6 September 2021

Subject: **CORRECTION TO SECTION 42A REPORT**

The purpose of this memo is to clarify the status of Waka Kotahi NZ Transport Agency (“Waka Kotahi”) as a submitter to the Festival One application, in contrast to having provided their written approval to the Festival One application.

Festival One Limited’s application included a letter from Waka Kotahi setting out that Waka Kotahi would not be opposition to the proposal subject to specific conditions of consent being imposed. The letter from Waka Kotahi was included in Appendix F “Written Approvals” of the application.

The Council’s original and updated s.42A Hearing Report subsequently made reference to the letter from Waka Kotahi when discussing the written approvals that were received as part of the application.

Council understands that the letter from Waka Kotahi cannot be considered as their written approval as it is not ‘unconditional’.

While reference is made in the Section 42A reports to Waka Kotahi providing written approval, in the processing of the application Waka Kotahi has been treated as a submitter to the proposal, being notified of the proposal and afforded the ability to make a submission.

The submission from Waka Kotahi confirms their position set out in their original letter that accompanied the original application, being that they are unopposed to the proposal subject to conditions of consent (which have been adopted by the applicant).

Yours sincerely



Aidan Kirkby-McLeod
PROJECT PLANNER