

**RESOURCE MANAGEMENT ACT 1991**  
**NORTHLAND REGIONAL COUNCIL**

**HEARING OF RESOURCE CONSENT APPLICATIONS BY D.C. SCHMUCK FOR ACTIVITIES**  
**ASSOCIATED WITH DOUG'S OPUA BOATYARD, WALLS BAY, OPUA**

**APP.039650.01.01**

**MINUTE #5 OF THE HEARING COMMITTEE**

1. The hearing of the above resource consent applications was adjourned on 18 May 2018 to enable Mr Doug Schmuck ('the Applicant') to provide written details of the amendments to the applications made verbally at the hearing and to provide further information.
2. The Applicant provided the final versions of two reports addressing further information on 16 July 2018.
3. We have reviewed the information provided by the Applicant since the adjournment of the hearing and consider it is necessary to reconvene the hearing to enable submitters to comment on the amendments to the applications and the further information; and for the Northland Regional Council's (NRC) reporting officer to provide an addendum to the Staff Report assessing the evidence presented at the hearing, the amended applications and Applicant's further information<sup>1</sup>.
4. The purpose of this Minute is to give notice of the reconvening of the hearing **at 9.30am on Thursday 16 August 2018** at the Cophthorne Hotel and Resort Bay of Islands, Waitangi.
5. We have been informed by Counsel for the Applicant that no further expert evidence will be called in support of the applications at the reconvened hearing. We therefore direct the provision of and pre-circulation of the following evidence prior to the reconvened hearing:

<b>Date</b>	<b>Action</b>
<b>1 August 2018 by 4pm</b>	NRC addendum to the section 42A Staff Report circulated to the Applicant and submitters.
<b>8 August 2018 by 4pm</b>	All submitters to provide briefs of <u>expert evidence</u> (if intending to call).
<b>16 August 2018</b>	Hearing commences 9.30am

6. We understand that the NRC will collate any pre-circulated evidence and make it available on the NRC's website.
7. We confirm that there is no need for any further legal submissions or further written statements by submitters to be pre-circulated prior to the hearing, and these will be presented during the hearing.
8. We remind submitters that any further comments made in relation to the amendments to the applications, the Applicant's further information and/or the addendum to the section 42A Staff Report must be within the scope of the matters raised in their original submission.

---

<sup>1</sup> We note that we did not have the opportunity to hear from the NRC's reporting officer at the hearing on 17-18 May 2018 given the time taken to hear from the Applicant and submitters.

9. We confirm It is not necessary for submitters to reappear at the reconvened hearing if their submissions remain unchanged or if they have no further comments. Submitters may choose to not attend the hearing and/or to provide further comments in writing. We wish to assure all the parties who appeared at the initial hearing that their submissions and evidence will be taken into account, regardless of any further participation in the hearing process. We request that submitters avoid repeating the submissions made at the initial hearing.
10. We request that any submitters wishing to be heard at the reconvened hearing contact Ms Sluys to arrange a time by **4pm on Wednesday 8 August 2018**.
11. If any party wishes to seek further clarification in relation to this Minute or the hearing process, please contact Ms Sluys in the first instance by email to [alissas@nrc.govt.nz](mailto:alissas@nrc.govt.nz) or by phone on 0800 002 004.

**DATED** this 27<sup>th</sup> July 2018

A handwritten signature in cursive script, appearing to read 'S. McGarry', is displayed on a light green rectangular background.

Sharon McGarry  
Hearing Committee (Chair)