

Dear Consent Team

The applicant agreed on 29th September to provide the information sought. The applicant understands that it has satisfactorily provided the information sought in paragraphs 1, 2, 3, 4 and 6 of the section 92 request. The only outstanding matter is the provision of a Cultural Impact Assessment (**CIA**), as outlined in paragraph 5 of the section 92 request. We advise that the applicant has been actively pursuing the commissioning of a suitable CIA to address the issues set out in the section 92 request. Regrettably, despite considerable effort by the applicant, the suitably qualified persons approached have declined to agree to the commissioning of such a report and have withdrawn their offer of services.

Given that the applicant has exhausted options with regard to the commissioning and preparation of a CIA, in accordance with section 92A(3) of the Resource Management Act 1991 (**RMA**), the applicant now advises that while it had agreed to provide the CIA, it now cannot do so. It therefore requests that the Council proceed to make a decision on notification and proceed towards determination of the application under section 104 of the RMA. The applicant understands that the consequence of being unable to provide a CIA may be that the application needs to be publicly notified.

Finally, while it is not intended to satisfy paragraph 5 of the section 92 request, it is noted that the section 92 request stated:

*The report addresses cultural values by referring to the consultation undertaken with representatives of the Kohupatiki Marae and Te Taiwhenua O Heretaunga relating to the proposal and notes their general comments regarding the proposal. **No minutes of meetings have been provided to support this basis, nor has the assessment gone into detail regarding cultural values and the associated impact of the proposal on those values.** (our emphasis)*

The minutes of relevant meetings referred to in the application are attached for the Council's consideration.

In light of our advice above, we look forward to hearing from you as to the next steps towards a notification decision and determination of the application, and would be keen to get further clarity around the possible process and timeframes."

Regards,
Harry Donnelly
Project Engineer