

**Before the Masterton District Council**

**In the matter of**

The Resource Management Act  
1991

**And**

An application for resource  
consent for the demolition of  
the Masterton Town Hall  
located at 64 Chapel Street,  
Masterton

Application Number: RM240135

**Applicant**

Masterton District Council

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Memorandum of Counsel for Masterton District Council

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**HAZELTON** | LAW

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## Memorandum of Counsel for Masterton District Council

1. The Applicant has filed briefs of expert evidence of the following expert witnesses today, in line with the timetable set out in Minute #1 of the Independent Hearing Commissioner dated 6 March 2025.
2. Expert evidence has been filed from the following witnesses:
  - (a) Russell Hooper (Planning)
  - (b) Stephen Geuse (Architectural)
  - (c) Alistair Cattanach (Structural Engineering)
3. One further statement of evidence is currently being finalised, from Mr Daniel Butterick of RPS Group on Quantity Surveying and will not be available for filing until Monday (31 March).
4. The Applicant seeks a brief extension to the timetable to accommodate the late filing of this expert evidence and apologises to the Commissioner and submitters for any inconvenience caused. Unfortunately, provision of Mr Butterick's statement has been delayed as he is based in Sydney, Australia and has recently taken this matter from Mr Schulze, who is in the process of retiring from RPS.
5. Mr Butterick's statement of evidence will directly address the matters raised by Mr Byrne (Submitter 58) and Ms Riley on behalf of the Masterton Ratepayers and Residents Association (Submitter 33) as directed in Minute #2 dated 25 March 2025. Mr Butterick can address any further questions relating to this from the Hearing Commissioner during the hearing as necessary.
6. In the interim, the Applicant has filed a revised Cost Plan Report dated 28 March 2025. The revised report addresses the accuracy issues raised by the submitters (as outlined in Minute #2), which were the result of two figures being incorrectly transposed. This will be further addressed in Mr Butterick's statement of evidence.
7. Mr Butterick will attend the hearing remotely, via Teams link. Counsel will liaise with the Planning Technical Support Officer to ensure that appropriate arrangements are made for this to occur.
8. All of the above expert witnesses will be called by the Applicant at the hearing and will be available to answer any questions from the Hearing Commissioner.
9. At this time, the Applicant does not intend to call evidence on Historic Heritage at the hearing. There are two reasons for this:

- (a) the authors of the Heritage Effects Assessment (the HEA report) dated 28 November 2024 (Appendix B to the Resource Consent application) are not available to attend the hearing in April; and
  - (b) the Applicant accepts the conclusions reached by WSP within the HEA report regarding the historic heritage value of the Town Hall buildings and does not seek to challenge those findings. The conclusions reached by Mr Knott in the peer review circulated as an appendix to the section 42A report are largely consistent with this.
10. If the Hearing Commissioner's preference would be to hear or receive evidence from the Applicant on historic heritage matters, Counsel is happy to make enquiries as to whether someone at WSP could be made available to attend the hearing and present expert evidence.
  11. Alternatively, Ms Chessa Stevens, who was involved in preparing the HEA Report and is currently overseas, has indicated that she is available to answer any questions put to her in writing and could do so in prompt fashion.
  12. Finally, the Applicant advises that evidence will be called from two further witnesses, Ms Maseina Koneferenisi and Mr David Paris of Masterton District Council. The evidence prepared by these witnesses will be evidence of fact (they will not be called as expert witnesses).
  13. The Applicant is currently working to finalise this evidence of fact with a view to pre-circulating it ahead of the hearing and will do so as soon as possible.

Dated this 28th day of March 2025



Counsel for the Applicant  
Rachel Conner