

Under the Resource Management Act 1991 (the Act)

In the matter of a direct referral of an application for resource consent for the necessary infrastructure and related activities associated with holding the America's Cup in Auckland

Between **Panuku Development Auckland Limited**  
Applicant

And **Auckland Council**  
Regulatory Authority

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**Memorandum of Counsel for Auckland Theatre Company Limited**

Dated 6 September 2018

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**To:** The Registrar  
Environment Court  
Auckland

- 1 Auckland Theatre Company Limited ('**ATC**') made a submission to Auckland Council (dated 14 March 2018), filed a section 274 notice (dated 16 July 2018), and subsequently filed traffic and corporate evidence (dated 21 August 2018) on the Environment Court proceeding between Panuku Development Auckland Limited ('**Panuku**') and Auckland Council in relation to the America's Cup Wynyard Hobson proposal ('**the Proposal**').
- 2 ATC wishes to record that it has now reached agreement with Panuku, which resolves ATC's outstanding concerns associated with carparking.
- 3 As such, ATC wishes to record that all of its concerns with the Proposal have now been resolved, and ATC wishes to take no further part in the proceedings and seeks leave not to appear at the Environment Court hearing.
- 4 ATC will abide by the decision of the Court.

Dated this 6<sup>th</sup> day of September 2018



**Marija Batistich**  
*Partner*

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