

BEFORE THE HEARING COMMISSIONER

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by Horowhenua District Council to Manawatū-Whanganui Regional Council to discharge stormwater, construct attenuation structures, and undertake earthworks, in an unnamed tributary to the Koputaroa Stream.

JOINT MEMORANDUM OF COUNSEL

Dated: 14 May 2021



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MAY IT PLEASE THE HEARINGS COMMISSIONER


- [1] This Joint Memorandum is filed to provide further reporting on behalf of Manawatū-Whanganui Regional Council (**MWRC**) and Horowhenua District Council (**HDC**), on matters directed in Minute 4 of the Independent Hearing Panel dated 1 May 2021.
- [2] As signalled in the last memorandum filed by counsel for MWRC, and following discussions between the parties, a further section 92 request was issued to HDC on 5 May 2021. The parties met on 11 May 2021, with technical experts from both sides, and have agreed a way forward with respect to a response to the section 92 request, including expert conferencing on specific matters and proposed timeframes.

Proposed timeline

- [3] Counsel respectfully propose the following timeline, pursuant to s 103B of the RMA:
- (a) HDC to respond to MWRC's further section 92 request by **2 July 2021**, to allow time for expert conferencing or similar (in respect of methodology for obtaining the further information requested) to occur and for HDC to provide comprehensive responses to MWRC's further s 92 request.
 - (b) If any procedural issues relating to scope of the application and/or notification are identified as a result of HDC's response to MWRC's further s 92 request, these are to be raised with the Hearings Commissioner by **16 July 2021**. It is noted that if any such issues are identified, further timetabling amendments may be required.
 - (c) MWRC are to file and circulate an updated section 42A report, along with any other accompanying reports, by 1:00 PM on **23 July 2021**.
 - (d) HDC are to file and circulate any briefs of evidence by 1:00 PM on **30 July 2021**.

- (e) Any submitters wishing to call expert evidence are to file and circulate a written statement of that evidence by 1:00 PM on **6 August 2021**, with submitters wishing to file written submissions themselves, or have non-expert persons to appear on their behalf, strongly urged to provide written statements of that evidence also by that date.
- (f) If MWRC, HDC, or any submitter propose to have legal counsel present legal submissions, these are to be filed by 1:00 PM on **12 August 2021**.
- (g) The hearing to be held on an appropriate date during, or from, the week commencing **16 August 2021**.

Dated 14 May 2021



Shannon Johnston

Counsel for Manawatū-Whanganui Regional Council



Mark Mulholland

Counsel for Horowhenua District Council