

**Before a Board of Inquiry
Northern Corridor Improvements Project**

Under of the Resource Management Act 1991 ("**RMA**")
In the matter of a Board of Inquiry appointed under section 149J
of the RMA to consider notices of requirement for
designations and resource consents applications
by the New Zealand Transport Agency for the
Northern Corridor Improvements Project

Memorandum of counsel for Watercare Services Limited

13 July 2017

 **Simpson Grierson**
Barristers & Solicitors

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MAY IT PLEASE THE BOARD:

1. We act for Watercare Services Limited (**Watercare**) in the above matter.
2. We refer to the correspondence from the Environmental Protection Agency dated 12 July 2017 indicating that certain witnesses may be excused from attending the hearing if:
 - (a) They are not seeking to update their briefs of evidence; and
 - (b) There are no objections from counsel.
3. These witnesses include Dr Mitchell (Planning) and Mr Bourne (Corporate) for Watercare.
4. Watercare confirms that:
 - (a) Mr Bourne will not be making any changes to his brief of evidence; and
 - (b) In regards to Dr Mitchell, as outlined in Watercare's memorandum to the Board of Inquiry dated 14 June 2017, an agreed set of conditions were prepared in consultation with Mr McGahan (on behalf of the New Zealand Transport Agency (**NZTA**)) which superseded the conditions proposed in Dr Mitchell's evidence. Following the planning conferencing, NZTA has initiated further discussions with Watercare, that may result in changes to the conditions attached to the memorandum. These are expected to primarily be clarifications, rather than substantive changes. Any further agreed changes to conditions could be provided to the Board by Counsel at the hearing, with the Planning witness (Mr McGahan) for NZTA available to answer any questions. In light of the above, Watercare seeks confirmation of whether the Board is likely to have any questions for Dr Mitchell, or whether he is excused from the hearing.



Warren Bangma

Counsel for Watercare Services Limited