

BEFORE THE CANTERBURY REGIONAL COUNCIL

UNDER THE Resource Management Act 1991

AND

IN THE MATTER of application CRC190445 by the Christchurch City Council for a comprehensive resource consent to discharge stormwater from within the Christchurch City area and Banks Peninsula settlements on or into land, into water and into coastal environments.

**MEMORANDUM OF COUNSEL FOR THE CHRISTCHURCH CITY COUNCIL
REGARDING HEARING PROCESS AND TIMETABLE**

1 March 2019

CHRISTCHURCH CITY COUNCIL
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MAY IT PLEASE THE COMMISSIONERS:

1. The applicant has prepared its written right of reply and final proposed conditions for lodging today in accordance with the Commissioners' timetabling directions.
2. As part of that process counsel was intending to seek leave to lodge supplementary evidence from Mr Harrington that, for the sake of completeness, was addressing some relatively minor matters that were raised by submitters for the first time in the hearing or in responses on 22 February.
3. However, Mr Harrington has advised counsel that new water quantity modelling information became available yesterday. That information concerns the potential effects of weed growth in rivers on flooding in the Brooklands area.
4. The applicant respectfully seeks leave to adduce supplementary evidence from Mr Harrington that produces that new information. That draft supplementary evidence is submitted with this memorandum.
5. Counsel understands from Mr Harrington that this new information does not result in any substantive change to his evidence regarding effects and conditions. The applicant therefore considers that no substantive issues arise from this new information.
6. Fairness of process necessitates that other parties have the opportunity to also make that assessment.
7. The applicant wishes to give the experts for the parties a reasonable opportunity to consider the new information and, if they wish, produce a new joint statement. Following that step, the other parties may wish to make a submission. The applicant would then lodge its right of reply before the hearing is closed.
8. The applicant has this morning consulted with the Canterbury Regional Council regarding the time needed for Mr Laws to consider a joint statement regarding this new information. Mr Harrington and Mr Laws consider that two weeks is sufficient for them to produce that statement for distribution to the parties.

9. Mr Harrington has endeavoured this morning to contact Mr Potts to discuss that timetable but he has not made contact.
10. I am instructed that the applicant will distribute that joint statement to the other parties as soon as it is available.
11. Accordingly, the applicant hereby requests, under section 91A of the Resource Management Act 1991, the consent authority to suspend the processing of the application until Thursday 21 March 2019, with timetabling directions that:
 - 11.1. Friday 22 March 2019: submitters file any responses, with those responses confined to the new information in Mr Harrington's supplementary evidence regarding the weed growth modelling and in the water quantity experts' new joint statement;
 - 11.2. Wednesday 27 March: The applicant files its right of reply, final proposed consent conditions and Environmental Monitoring Programme.
12. If it appears that the experts need more than two weeks to produce a joint statement then the applicant will seek further timetabling directions.



BK Pizzey

1 March 2019