

**Before the Independent Hearings Panels**

**Under the** Resource Management Act 1991

**In the matter** of submissions on proposed Change 1 to the Natural Resources Plan for the Wellington Region

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**MEMORANDUM OF COUNSEL ON BEHALF OF PORIRUA CITY COUNCIL**

**Hearing Stream 2 (Objectives and Ecosystem health policies)**

**14 March 2025**

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## May it please the Panel

1. This memorandum is filed by counsel for Porirua City Council (**PCC**) in relation to Minute 5 issued by the Chair of the Freshwater Hearing Panel today, and is for the purpose of requesting a further amendment to the timetable for the filing of legal submissions by submitters on Change 1.
2. Minute 5 has amended the existing timetable so that (relevantly):
  - (d) Legal submissions presented on behalf of submitters is due by 4pm on 21 March 2025
  - (e) Council's rebuttal evidence is due by 4pm on 28 March 2025
  - (f) Hearings for HS2 start on 7 April 2025, and will finish by 5pm on 17 April.
3. PCC respectfully requests a further amendment to the timetable, so that legal submissions to be presented for submitters are filed after Greater Wellington's (**GW**) rebuttal evidence is filed.

## Discussion

PCC is seeking to achieve the most efficient approach to the presentation of its case (and that of other Change 1 submitters). PCC considers that this will best be achieved by providing submitters with an opportunity to consider the rebuttal evidence filed by GW, so that any legal submissions can be as focussed as possible for the Panel. For PCC, any legal submissions would ideally focus only on the issues that remain unresolved, in light of GW's rebuttal evidence position.

4. While counsel acknowledge that this amendment is being sought at a late stage, it is respectfully considered that there is time available to adjust the timetable in a way that will not cause prejudice to either GW or any submitters.

5. The amendments respectfully sought by PCC would involve reversing the sequence of rebuttal evidence and legal submissions, with a slight adjustment to GW's rebuttal date, so that the timetable would be:

~~(e)~~(d) Council's rebuttal evidence is due by 4pm on ~~28~~ 26 March 2025

~~(d)~~(e) Legal submissions presented on behalf of submitters is due by 4pm on  
1 April 2025

6. As submitters will have been working on the understanding that legal submissions were to be filed today, it is expected that for submitters their submissions are essentially complete (albeit based on the evidence due to be filed today). As a result, there would be no need for more than 1 or 2 days for updates to any draft submissions, after rebuttal has been filed.
7. If the Panel is not minded to amend the deadline for rebuttal evidence, the submitters' legal submissions could still be filed the following week. Even a short window of two to three days with the rebuttal evidence before legal submissions are filed would allow submitters to refine their submissions, and focus on the matters that are still in issue after the totality of the evidence has been filed.
8. While the specific proposals made in this memorandum would see the date for GW's rebuttal evidence brought forward by two days, PCC respectfully submits that this reduction in time would be proportionate to the efficiency gains overall.

**DATED** this 14<sup>th</sup> day of March 2025



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M Wakefield / H Harwood  
Counsel for Porirua City Council