

BEFORE THE ENVIRONMENT COURT

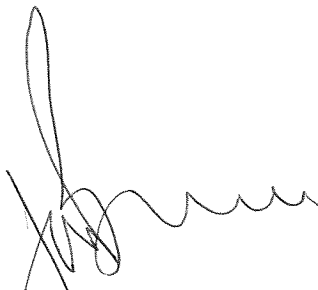
IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of appeals under clause 14 of the first
schedule to the Act
ON **THE PROPOSED AUCKLAND
REGIONAL PLAN – AIR, LAND AND
WATER**


MEMORANDUM OF COUNSEL FOR THE RESPONDENT

1. This memorandum addresses the Group Three (Management Areas) appeals on the plan.
2. The appeals in this group have been the subject of previous reports to the Court by the respondent in Memoranda of Counsel, most recently on 30 June 2009.
3. An Appeal Summary schedule showing the status of each point of appeal is attached to this memorandum. The schedule shows that agreement has been reached on almost all issues raised by these appeals, and identifies the few issues that are still outstanding.
4. The respondent expects that many of these outstanding issues will be resolved by the parties following certain site visits, and the completion of mapping work to better define the wetland management area boundaries.
5. Following notification of revised provisions under s293, Watercare Services Ltd and the respondent are continuing discussions over the inclusion of and provisions for new Water Supply Management Areas. A Joint Memorandum of Counsel was lodged with the Court on 5 October 2009 and the Court has approved a further reporting date of 5 November 2009.

6. The respondent accordingly proposes that the appeals relating to the mapping of Wetland Management Areas remain on the Court's hold track for a further progress report by the respondent on 26 February 2010.
7. A copy of this memorandum has been sent to each of the appellants and the parties with a section 274 interest to this group of appeals.

Dated at Auckland this 30th day of October 2009.





Counsel for Respondent