

**BEFORE THE ENVIRONMENT COURT**  
**I MUA I TE KOOTI TAIAO O AOTEAROA**

**IN THE MATTER**

of the Resource Management Act  
1991 (RMA)

**AND**

**IN THE MATTER**

of a direct referral application under  
section 87G of the RMA for resource  
consents for the necessary  
infrastructure and related activities  
associated with holding the America's  
Cup in Auckland

**BETWEEN**

**PANUKU DEVELOPMENT  
AUCKLAND**

(ENV-2018-AKL-000078)

Applicant

**AND**

**AUCKLAND COUNCIL**

Regulatory Authority

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**MEMORANDUM OF COUNSEL FOR AUCKLAND COUNCIL  
REGARDING THE COURT'S QUESTIONS DATED 4 SEPTEMBER 2018 CONCERNING  
STORMWATER AND ECOLOGICAL MONITORING**

**Dated: 5 September 2018**

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**BROOKFIELDS  
LAWYERS**

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## MAY IT PLEASE THE COURT

1. The Council has seen the Court's questions dated 4 September 2018 directed to the Applicant's experts Stephen Priestley and Paul Kennedy regarding stormwater and ecological monitoring.
2. Mr Priestley's rebuttal evidence<sup>1</sup> and Mr Kennedy's supplementary evidence<sup>2</sup> provide responses to the Court's questions. The Council's experts Dr Kala Sivaguru, Sam Morgan and Gemma Chuah have considered the Court's questions, reviewed the Applicant's experts' responses, and advised that they agree with the answers provided by Mr Priestley and Mr Kennedy.
3. In response to paragraph 5.7 of Mr Priestley's rebuttal evidence<sup>3</sup>, the Council confirms that Healthy Waters have a proposal to relocate the Daldy Street stormwater outfall as part of their water quality improvement project for the area, with an application for resource consent expected to be lodged in the near future.

**DATED** the 5<sup>th</sup> day of September 2018



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Matthew Allan / Claire Adams  
Counsel for Auckland Council

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<sup>1</sup> E95, page 2965 onwards, section 5.  
<sup>2</sup> E97A, page 3108D onwards, section 4.  
<sup>3</sup> E95, page 2966.