

**IN THE ENVIRONMENT COURT  
WELLINGTON**

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**ENV-2016-WLG-000058**

**UNDER THE**

Resource Management Act 1991  
(the Act)

**AND**

**IN THE MATTER**

of a Notice of Motion under s87G  
requesting the granting of  
resource consents to  
**WELLINGTON INTERNATIONAL  
AIRPORT LIMITED** for the  
Wellington International Airport  
extension of runway; construction,  
operation and maintenance

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**MEMORANDUM OF COUNSEL FOR BOARD OF AIRLINE  
REPRESENTATIVES NEW ZEALAND INC**

**Dated 8 February 2017**

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**MAY IT PLEASE THE COURT:**

1. This memorandum is filed by Counsel for the BOARD OF AIRLINE REPRESENTATIVES NEW ZEALAND INC (“BARNZ”) further to the Court’s eighth minute dated 7 February 2017 (“the Court’s Eighth Minute”).
2. BARNZ has reviewed the memoranda filed by:
  - a) Counsel for Wellington International Airport Limited (“WIAL”) dated 19 December 2016;
  - b) Counsel for Wellington City Council and Greater Wellington Regional Council (“The Councils”) dated 13 January 2017; and
  - c) Counsel for Guardians of the Bays Incorporated (“GOTB”) Hue te Taka Incorporated and the Surfbreak Protection Society Incorporated dated 7 February 2017 (“the GOTB memorandum”).

**Timetabling**

3. BARNZ supports the timetable proposed in the GOTB memorandum. In particular it supports the four week exchange period for the s274 parties, (which includes Easter) as an appropriate timeframe to allow a considered response to any new information that will be included in the Applicant’s evidence.

**BARNZ’s witnesses**

4. Further to the directions in the Court’s Eighth Minute, BARNZ’s witnesses will be as follows:

John Beckett – Corporate

Oliver Lamb – Forecasting

John Ballingall / Peter Clough – Economics

5. The name of the witness providing economic evidence will be finalised subject to timing /availability.

### **Order of witnesses**

6. The GOTB memorandum raises the question of order of the witnesses and the potential for 'hot-tubbing' (para 9). As one of BARNZ's witnesses is travelling from overseas it strongly supports the grouping of the economic and forecasting witnesses as an efficient process for managing these witnesses and topics.
7. If those witnesses are to be grouped together then BARNZ would prefer that the forecasting evidence is heard in advance of the economic evidence as the economics depends very heavily on the forecasts. However, as this is a matter of detail, it may be appropriate to resolve this issue at a later date.

### **Item (j) of the Court's Eighth Minute - Service of documents**

8. Item (j) of the Court's Eighth Minute refers to "any other relevant matters on which arrangements should be made or directions given to ensure the fair, orderly and efficient hearing of the proceedings.". Counsel are invited to submit memoranda in relation to such issues. Counsel for BARNZ wishes to raise the issue of service of documents.
9. At paragraph [6] of its minute dated 2 December 2018 the Court advised that it "would be loading all material received in this proceeding on its website meaning that material will not need to be circulated between parties unless otherwise directed."
10. BARNZ respectfully submits that it would contribute to the efficient conduct of the hearing if all counsel and parties were to be served by email. The case manager already has an email circulation list that contains all of the parties' emails. Service by email will:
  - (a) avoid potential delays in uploading documents, especially when circulated after hours;
  - (b) avoid the need for repeated checking of the website by the parties;  
and

(c) generally ensure that key documents are circulated to parties in a timely manner, particularly when time is of the essence as regards the circulation of evidence.

11. If there are any parties without email Counsel respectfully proposes that service should be deemed to have been effected upon filing and subsequent loading on the Court's website.

A handwritten signature in blue ink, appearing to read 'G K Chappell', with a period at the end.

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**G K Chappell**  
Counsel for BARNZ

**Dated** this 8<sup>th</sup> day of February 2017