

BEFORE THE INDEPENDENT COMMISSIONER

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Notice of Requirement from the Palmerston North City Council for a designation of a new road connection between Abby Road and Johnstone Drive, Palmerston North

MEMORANDUM OF COUNSEL FOR THE REQUIRING AUTHORITY

Dated: 30 October 2020



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MEMORANDUM OF COUNSEL FOR THE REQUIRING AUTHORITY

MAY IT PLEASE THE COMMISSIONER:

- [1] The Council in its regulatory capacity has made a notification decision, dated 22 October 2020, in respect of a notice of requirement lodged on 10 September 2020. This notice of requirement effectively replaces, with modification, the notice of requirement dated 18 December 2019, linking Abby Road with Johnstone Drive in Palmerston North.
- [2] Notification of the 10 September 2020 notice of requirement will be affected as soon as possible in accordance with the requirements of the Resource Management Act 1991.
- [3] The 10 September 2020 notice of requirement now has interim legal effect pursuant to s 178 of the RMA.
- [4] This memorandum is formal notice that the Council withdraws the notice of requirement dated 18 December 2019.
- [5] The Council will submit a further progress report at the close of the notification period.
- [6] For the sake of clarity, parties who are submitters and involved in the current process can expect to be given notice of the 10 September 2020 notice of requirement.
- [7] If parties wish to submit on the 10 September 2020 notice of requirement, those persons will, as a matter of law, be required to lodge a submission within the notification period. Submissions cannot be 'carried through' automatically.

DATED 30 October 2020



Nicholas Jessen

Counsel for Palmerston North City Council