

BEFORE THE MANAWATŪ WHANGANUI REGIONAL COUNCIL

Under the Resource Management Act 1991

In the matter of applications for resource consents under section 88 of the Act relating to a stormwater management project in North-East Levin

**MEMORANDUM OF COUNSEL ON BEHALF OF HOROWHENUA DISTRICT
COUNCIL**

8 October 2021

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

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MAY IT PLEASE THE COMMISSIONER:

1. This memorandum is filed on behalf of Horowhenua District Council (**Applicant**).
2. In accordance with Minute 7, the Applicant's evidence was due at 1pm today (8 October). Two of the four evidence briefs have been filed, these being the evidence of Mr Brent Maguire and Mr David Arseneau.
3. Unfortunately, due to illness, it will not be possible to file ecological evidence on behalf of the Applicant today. Planning evidence on behalf of the Applicant is contingent on the ecological evidence, and so is similarly unable to be filed today.
4. In these circumstances, the Applicant respectfully requests that the Commissioner grants a short extension to the filing deadline for the Applicant's evidence, along with consequential amendments to the rest of the timetable as follows (amendments to the timetable set out in Minute 7 are shown in strikethrough and underline):
 - (a) HDC is to file and circulate any briefs of evidence on or before 1pm on ~~Friday 8~~ Wednesday 13 October 2021;
 - (b) Any submitters wishing to call expert evidence are to file a written statement of that expert evidence on or before 1pm on ~~Friday 15~~ Wednesday 20 October 2021;
 - (c) Any submitters wishing to file written submissions themselves, or have non-expert persons to appear on their behalf, are requested and strongly urged to provide written statements of that evidence on or before 1pm on ~~Friday 22~~ Wednesday 27 October 2021;
 - (d) If MWRC, HDC, or any submitter propose to have legal counsel present legal submissions, these are to be filed by 1 PM on ~~Wednesday 27~~ Friday 29 October 2021.
5. If the Commissioner is minded to grant the above request, the timetable would still leave 7 working days after the filing of any legal submissions before the opening of the hearing on 10 November 2021.

6. I have conferred with Counsel for Manawatu Whanganui Regional Council, who has confirmed the Regional Council's agreement with the proposed amended timetable above.

DATED this 8th day of October 2021



Mark Mulholland
Counsel for Horowhenua District
Council