

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT WHANGĀREI**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKÉ
KI WHANGĀREI**

**IN THE MATTER
AND**

of the Resource Management Act 1991

IN THE MATTER

**of the hearing of submissions on applications by
the Northport Ltd – Port Expansion project at
Marsden Point**

**MEMORANDUM OF COUNSEL FOR PATUHARAKEKE TE IWĪ TRUST REQUESTING
COMMENSURATE EXTENSION OF EVIDENCE DEADLINES**

24 AUGUST 2023

RICHMOND
CHAMBERS

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MAY IT PLEASE THE COMMISSIONERS:

1. I am instructed on this matter for the Patuharakeke Te Iwi Trust (Patuharakeke).
2. I have reviewed the proposed evidence exchange timetable and the proposed expert conferencing timetable. I note that there is no expert conferencing proposed for cultural matters, and I assume that is because the Applicant does not appear to be calling any cultural evidence.
3. Direction 3 has extended the time for the Applicant to file its evidence from 24 August to 28 August 2023. Paragraph 3 of Direction 3 noted:

While we do not expect this extension to affect the on-time lodgment of expert submitter evidence (given Direction 1 provided 14 days for the filing of submitter evidence after the Applicant's expert evidence – substantially longer than the required minimum), the Hearing Panel will, upon application, contemplate a similar extension for submitters should that be required.

4. My client requests a commensurate extension of 2 working days to file its expert submitter evidence, on the following basis:
 - a. Northport is the only potentially affected party, and their counsel's memorandum seeking an extension appropriately acknowledged that Northport would be willing to agree to a similar extension for submitter evidence.
 - b. Patuharakeke staff have been extremely busy with evidence deadlines for the various Marine and Coastal Area claims, due to be heard in the High Court in early 2025.
 - c. Patuharakeke's expert witnesses and counsel have also have a very heavy workload of other matters.
5. I would be happy to elaborate further as required.



B J Matheson
Counsel for Patuharakeke Te Iwi Trust