

BEFORE THE Waikato District Council Hearing Commissioners

UNDER the Resource Management Act 1991

IN THE MATTER of the Proposed Waikato District Plan

MEMORANDUM OF COUNSEL – LEAVE TO FILE LATE

28 OCTOBER 2020



Counsel M M E Wikaira
P 027 646 7797
E maia@whaialegal.co.nz
PO Box 910
WELLINGTON 6140
www.whaialegal.co.nz

MAY IT PLEASE THE COURT

1. By this memorandum, counsel for Waikato-Tainui seeks leave to file the legal submissions for Waikato-Tainui in respect of the landscapes topic late.
2. Counsel is in a small firm, and for the last two months has faced a convergence of counsel's colleague and resource management practitioner being tied up in an eight-week long hearing (the Edwards priority application that was heard by the High Court under the Takutai Moana Act 2011: CIV-2011-485-817) requiring support in respect of the balance of her client work; a delayed departure from a legal advisory role that involved significant demands on counsel's time, as well as the general demands of counsel's own practice and the firm's practice management as Managing Director. In short, the combination of those factors have made for a rather impossible workload which is only now ebbing, and which made engagement with submissions in a meaningful and helpful way to the Panel, a challenge.
3. While not preferred, counsel submits that no prejudice arises from late filing. Rather, the legal submissions provide a framework for, and aid in understanding, the material already filed by Waikato-Tainui in evidence.
4. The legal submissions, which are signposted to draw the Panel's attention to key points, focus primarily on the law in respect of the landscape issues that present themselves; and the question of scope. Very briefly and for completeness, the submissions deal with residual matters arising in the S42A Rebuttal Evidence.

DATED at Wellington this 28th day of October 2020



Maia Wikaira

Counsel for Waikato-Tainui