

In the Matter

of the Resource Management
Act 1991(**Act**)

And

In the Matter

of hearing submissions and
further submissions on the
Proposed Waikato District Plan

Memorandum of Counsel on behalf of
Bathurst Resources Limited and **BT
Mining Limited** seeking extension to
submitter evidence timetable

Dated: 3 September 2020

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Introduction

1. This memorandum is filed by Counsel for Bathurst Resources Limited (**Bathurst**) and BT Mining Limited (**BT**) in order to seek an extension to the submitter evidence timetable for Hearing 18: Rural.
2. In the First Directions from Hearing Commissioners dated 21 May 2019 (**Directions**) the Hearing Commissioners directed that:¹

All evidence, whether it is lay evidence or expert evidence, to be prepared to any hearing of any topic **is required to be provided** to the Hearings Administrator, in writing, **at least 15 working days prior to the commencement of the hearing of that topic.**

3. Further, the Directions also provide that:²

Any submitter who wishes to present **late or supplementary evidence**, will only be permitted to do so **if the Hearing Panel considers it to be necessary and provided leave to do so has first been sought and granted by the Hearing Panel.**

4. In accordance with the above directions, Bathurst and BT respectfully seek leave to file company evidence as set out below.

Leave Sought

5. Bathurst and BT respectfully seek leave to file company evidence on 16 September 2020, rather than as scheduled on 8 September 2020.
6. Bathurst and BT seek the ability to file company evidence in order to respond to aspects raised in the section 42A report and to assist the Hearing Commissioners, particularly with regard to the application of the Coal Mining Area and proposed Extraction Resource Area.
7. The company evidence proposed is essentially lay evidence, and therefore will not prejudice any other parties.

¹ Directions, at [25].

² Above, at [30].

8. Counsel therefore seeks leave for Bathurst and BT to file company evidence on 16 September 2020 as outlined in this memorandum.

Dated this 3rd day of September 2020

A handwritten signature in blue ink, appearing to read 'Joshua Leckie'.

Joshua Leckie/Kelsey Ella Barry
Counsel for Bathurst Resources Limited and BT Mining Limited