

IN THE MATTER the Resource Management Act 1991 (“the Act”)

AND

IN THE MATTER of an appeal under Clause 14(1) of Schedule 1 of the Act

BETWEEN **HERITAGE NEW ZEALAND POUHERE TAONGA**

Appellant

AND **SOUTHLAND REGIONAL COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL FOR HERITAGE NEW ZEALAND POUHERE TAONGA
SEEKING LEAVE TO FILE LATE EXPERT EVIDENCE**

22 February 2019

MAY IT PLEASE THE COURT

1. This memorandum is filed on behalf of Heritage New Zealand Pouhere Taonga (Heritage New Zealand) and respectfully seeks leave from the Court to file late expert evidence in support of its appeal on the Proposed Southland Water and Land Plan.
2. Heritage New Zealand filed an appeal that included matters that have been set out in Topic A, namely Objective 9 and Objective 13.
3. The Court directed in its Minute dated 19 October 2018 that for Topic A evidence-in-chief for the appellants was to be filed and served by Friday 15 February 2019.
4. Heritage New Zealand regrettably overlooked this date and did not file its evidence-in-chief on or before 15 February 2019. Heritage New Zealand acknowledges this mistake and unreservedly apologises for this oversight.
5. Heritage New Zealand would like to file planning evidence of Ms Denise Anderson in support of its appeal.
6. Heritage New Zealand submits that there is no prejudice to the other parties from this late filing as the matters contained in the evidence-in-chief are the same as those canvassed in the appeal itself.
7. Heritage New Zealand respectfully requests that the Court accept its apology and grants leave to file late expert evidence from Ms Anderson. If leave is granted, this evidence will be filed by 5.00pm on Monday 25 February 2019.

Dated 22 February 2019



Melanie Russell

For and on behalf of Heritage New Zealand Pouhere Taonga