

**IN THE ENVIRONMENT COURT  
AT WELLINGTON**

**I TE KŌTI TAIAO O AOTEAROA  
KI TE WHANGANUI-A-TARA**

IN THE MATTER of a direct referral of applications for resource consents and notices of requirement under sections 87G and 198E of the Resource Management Act 1991 for the Ōtaki to North of Levin Project

BY NEW ZEALAND TRANSPORT  
AGENCY-WAKA KOTAHI  
  
(ENV-2023-WLG-000005)  
  
Applicant

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**MINUTE OF THE ENVIRONMENT COURT  
(14 SEPTEMBER 2023)**

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[1] In its Minute dated 12 September 2023 the Court responded to the Equestrian Groups' 12 September 2023 emailed application for a waiver for the late filing of its evidence noting that no specific late filing date was proposed. The reason given for the application was that the Equestrian Groups had not had any resolution from Waka Kotahi on the matters discussed between them at their mediation despite enquiries made to Waka Kotahi and they were therefore not able to prepare their evidence.

[2] In its memorandum dated 13 September 2023 Waka Kotahi advised that it had since been in contact with the Equestrian Groups and that matters between them remained unresolved.

[3] Waka Kotahi advised that it opposed the application for the reason that there was a relatively confined timetable through to the hearing with the evidence of the



Councils to be filed on 26 September and Waka Kotahi's reply evidence to be filed on 10 October.

[4] On the basis that the Equestrian Groups are likely to be relatively unfamiliar with the Court's processes in having decided to wait for a response from Waka Kotahi before preparing their evidence, we grant their request for late filing with this to be circulated no later than 21 September 2023. As this is a discrete issue, we do not see that this late filing should put Waka Kotahi or any other party at any significant disadvantage in terms of meeting the overall timetable for the preparation of evidence.

[5] If it has not already done so, we would encourage the Equestrian Groups to seek assistance of the Friend of Submitters on these matters.

[6] Leave is reserved for parties to seek additional or amended directions or clarification of any direction contained in this minute.

[7] Please note that Judge Dwyer is on leave returning to the office on 19 September. This Minute agreeing to the request has been prepared by Commissioner Bunting in his absence and has been approved by Chief Environment Judge D A Kirkpatrick.



**D J Bunting**  
Environment Commissioner



Approved:



**D A Kirkpatrick**  
Chief Environment Court Judge

