

**BEFORE HAWKES BAY REGIONAL COUNCIL AND HASTINGS DISTRICT
COUNCIL**

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Application by Hastings District Council and Napier City
Council (**Applicants**) to Hawkes Bay Regional Council for
resource consents authorising the operation of Area B at
Ōmarunui Landfill

AND

IN THE MATTER OF a notice of requirement by Hastings District Council to
Hastings District Council for alteration of designation for
the Ōmarunui Regional Landfill

**MEMORANDUM OF COUNSEL FOR BEARSLEY FARMS LIMITED IN
RELATION TO HEARING ARRANGEMENTS**

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NAPIER

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May it please the Commissioners

- 1 In a memorandum of yesterday's date, the applicant requested that all participants in the hearing join via AVL, rather than a hybrid arrangement.
- 2 It would appear from the memorandum filed by the Applicant that only two people, Counsel for the Applicant and Ms Brabant are unable to attend the hearing in person due to Covid restrictions.
- 3 Requiring the submitter to attend by AVL creates additional costs and practical issues for the submitter. It is proposed that the hearing proceed by way of attendance, with Ms Brabant and Counsel for the Applicant attending by AVL. Other than simply stating that it is not fair and appropriate, no genuine reason has been given as to why a part person part remote access hearing could not take place.
- 4 The proposed directions set out in paragraph 4 of the memorandum are not opposed.

Dated 20 October 2021



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Alison McEwan
Counsel for the Submitter