

**Before an Independent Hearings Panel**

**The Proposed Waikato District Plan (Stage 1)**

**IN THE MATTER OF**     the Resource Management Act 1991 (**RMA**)

**IN THE MATTER OF**     hearing submissions and further submissions on the Proposed  
Waikato District Plan (Stage 1)

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**MEMORANDUM OF COUNSEL ON BEHALF OF HAVELOCK VILLAGE LIMITED AND  
TATA VALLEY LIMITED REGARDING TOPIC 25: ZONE EXTENTS**

**15 February 2021**

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**BUDDLE FINDLAY**

Barristers and Solicitors  
Auckland

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## MAY IT PLEASE THE COMMISSIONERS

- 1.1 As the Panel will be aware, we act for Havelock Village Limited<sup>1</sup> (**HVL**) and TaTa Valley Limited<sup>2</sup> (**TVL**) who are original and further submitters on the Proposed Waikato District Plan (Stage 1) (**Proposed Plan**).
- 1.2 HVL and TVL are seeking to rezone two separate land holdings near Pokeno and are currently preparing their primary evidence in relation to Topic 25: Zone Extents, which is due to be lodged with the Panel this Wednesday 17 February.
- 1.3 In accordance with the Hearings Panel Minute and Directions of 12 May 2020, this evidence includes expert assessments on a range of matters including transport, landscape and urban design, geotechnical stability, provision of three waters infrastructure and strategic growth planning issues. The submitters and their advisors have been working with multiple technical experts to prepare the evidence packages and requisite s32AA assessments to support the rezoning submissions for some time.
- 1.4 Counsel, corporate witnesses and experts are all based in Auckland and due to the Government's sudden and unforeseen announcement of a Level 3 lockdown in Auckland last night are now required to work from home. This has understandably created some disruption for our expert team and gives rise to a number of logistical constraints given the unique nature of a Level 3 lockdown and its competing commitments on the home front. Given the number of witnesses involved, these constraints may mean that some experts are unable to complete their evidence on time which may affect the anticipated timeframes for finalisation and lodging of the evidence packages and associated s32AA assessments.
- 1.5 HVL and TVL and its experts are continuing to work towards the current deadline of Wednesday 17 February and will endeavour to file as much of their evidence as possible by this time. However, in advance of this deadline, if any of its experts require additional time to complete their evidence, HVL and TVL respectfully request a short two-day extension of time to the current filing deadline to **5pm Friday 19 February 2021**.
- 1.6 HVL and TVL do not consider that any party will be unduly prejudiced by such a minor delay as any submitter evidence in opposition is not due until 10 March 2021 and the Council's subsequent Section 42A report on 16 April 2021. If the Panel

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<sup>1</sup> Submitter 862.

<sup>2</sup> Submitter 574.

consider it necessary, further short reciprocal time extensions to the timetable for evidence exchange could be accommodated by HVL and TVL.

- 1.7 Counsel will provide the Panel with a progress update together with the evidence it files on behalf of TVL and HVL on Wednesday 17 February.

**DATED** this 15<sup>th</sup> day of February 2021

A handwritten signature in black ink, appearing to read 'V S Evitt'.

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**V S Evitt / M G Gribben**

Counsel for Havelock Village Limited and TaTa  
Valley Limited