

**BEFORE THE HEARINGS COMMISSIONERS FOR WAIKATO DISTRICT COUNCIL**

**IN THE MATTER OF**

The Resource Management Act 1991 (“the Act”)

**AND**

**IN THE MATTER OF**

of Hearing Submissions and Further Submissions on the Proposed Waikato District Plan (Stage 1)

**Hearing 25 – Zoning**

For Submitter:

**Mercer Airport Limited (#921)**

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**Memorandum of Counsel Requesting Amendment to Timetable Directions**

**DATED** 27<sup>th</sup> April 2021

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**Julian  
Dawson**  
**BARRISTER**

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**MAY IT PLEASE THE COMMISSIONERS:**

1. This memorandum is filed on behalf of Mercer Airport Limited.
2. This topic and submission (Meremere and Mercer) is set down for hearing on 23 June 2021 (9am – 12.30pm). My client wishes to be heard.
3. I write to request an amendment to the timetable directions applying to this submission.
4. The Council's s42A Report was released on 16 April 2021. The remainder of the timetable was directed from that date, rather than recognising the hearing dates that have now been scheduled. The current timetable is as follows<sup>1</sup>:
  - (a) Submitter's rebuttal evidence is due to be filed no later than 3 May 2021;
  - (b) Council is to prepare Reply s42A reports no later than 10 May 2021;
  - (c) Any legal submissions and a written summary of the evidence to be filed no later than 12 May 2021.
5. The s42A Report raises several issues which my client did not expect. It is observed also, that Ms Legarth, who prepared the s42A Report, is third consulting planner my clients were advised would be reporting on their submission and who was briefed and undertook a site visit with them.
6. In order to address the s42A Report, my client is now preparing comprehensive rebuttal evidence. This will include evidence from an Economist – Dr Tim Heath, who has not been previously engaged. Dr Heath's commitments are such that despite best endeavours, he is unable to meet the current timetable. Other of my client's experts face similar difficulties.
7. Given the time now available until the scheduled hearing, I respectfully request that the current timetable be amended as follows:
  - (a) Submitter's rebuttal evidence is due to be filed no later than **31 May 2021**;
  - (b) Council is to prepare Reply s42A reports no later than **7 June 2021**;

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<sup>1</sup> Memorandum by Council of 5 November 2020

(c) Any legal submissions and a written summary of the evidence to be filed no later than **14 June 2021**.

(d) Hearing **23 June 2021**.

8. Thank you for attention.

A handwritten signature in blue ink, appearing to read 'J.C. Dawson', with a stylized flourish underneath.

J.C Dawson – Counsel for Mercer Airport Limited (#921)