

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE WAIKATO DISTRICT COUNCIL**

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

AND

IN THE MATTER of the Proposed Waikato District Plan

BETWEEN **NZTE OPERATIONS LIMITED**

Submitter [No. 823]

AND **WAIKATO DISTRICT COUNCIL**

Local Authority

**MEMORANDUM OF COUNSEL ON RECONVENED HEARING
HEARING 17 – TE KOWHAI AIRPARK ZONE**

Dated: 13 April 2021

Solicitors on Record

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INTRODUCTION

1. Counsel acts for NZTE Operations Limited (**NZTE**) on the Proposed Waikato District Plan (**pWDP**). This memorandum seeks leave to delay the start time for the reconvened Te Kowhai Airpark Zone hearing on Friday, 7 May 2021 from the scheduled time of 9am to 10am.
2. Counsel confirms that NZTE wishes to attend the resumed hearing on 7 May 2021 to present evidence in support of its submission, and answer questions from the Commissioners.
3. However, NZTE's planning witness Mr Dave Serjeant has advised that he has an existing commitment on the 7 May 2021 as the convenor of the NZPI Expert Witness training course commencing at 9.30am and running until approximately 1.00pm. Mr Serjeant advises that he has been able to arrange a change in the order of presentations so that he presents as the first speaker of three, and he will be finished by approximately 11.00am.
4. The Hearing Administrator has confirmed that the other submitter who was unable to present at Day 1 of Hearing 17, Mr Lloyd Davis, will present in advance of NZTE. If Mr Davis speaks for his allocated time it is likely that NZTE's presentation will start before Mr Serjeant is in attendance. While NZTE intends to call Mr Serjeant last, it would be preferable if Mr Serjeant could be present to hear NZTE's other expert witnesses and questions from Commissioners.
5. NZTE respectfully requests that the start time of the reconvened hearing scheduled for 9am on 7 May 2021 be delayed by one hour to 10am to allow its planner to be in attendance for the presentation of NZTE's evidence.

Dated 13th day of April 2021



Dr R A Makgill / B C Parkinson
Counsel for NZTE Operations Limited