

**BEFORE THE INDEPENDENT HEARINGS PANEL**  
**THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)**

**UNDER** the Resource Management Act 1991 ("**RMA**")

**IN THE MATTER OF** hearing submissions and further submissions on the  
Proposed Waikato District Plan (Stage 1)  
**Topic 25: Rezoning**

**BY** **WATERCARE SERVICES LIMITED**  
Submitter

---

**MEMORANDUM ON BEHALF OF WATERCARE SERVICES LIMITED**  
**REGARDING RE-ZONING REQUESTED IN SUBMISSION NO. 394**

**Dated: 5 March 2021**

---

 **Simpson Grierson**  
Barristers & Solicitors

P M S McNamara / W M Bangma  
Telephone: +64-9-358 2222  
Facsimile: +64-9-307 0331  
Email: [padraig.mcnamara@simpsongrierson.com](mailto:padraig.mcnamara@simpsongrierson.com)  
DX CX10092  
Private Bag 92518  
Auckland

**MAY IT PLEASE THE HEARINGS PANEL:**

1. This memorandum is filed on behalf of Watercare Services Limited (**Watercare**).
2. Watercare is a submitter and further submitter on the Proposed Waikato District Plan (**Proposed District Plan**).
3. Watercare's further submission opposes the rezoning of land adjacent to the Pukekohe Wastewater Treatment Plant (**Pukekohe WWTP**) sought by Gwenith Sophie Francis (submitter no. 394) on the basis that rezoning of this land (from rural to country living) has the potential to adversely affect the Pukekohe WWTP.
4. Submitters seeking rezoning were required to lodge evidence and a section 32AA assessment in support of their rezoning requests by 17 February 2021.
5. As far as Watercare is aware, no evidence or section 32AA assessment has been provided in support of the rezoning sought in Ms Francis's submission.
6. In the absence of any evidence or section 32AA assessment in support of the proposed rezoning, in Watercare's submission there is no basis for the Hearings Panel to accept the rezoning request.
7. Accordingly, Watercare does not intend, at this stage, to lodge any evidence in chief opposing the rezoning (due 10 March 2021).
8. However, Watercare wishes to record that it remains interested in this topic and would seek to lodge rebuttal evidence in relation to the rezoning request, if either:
  - (a) any evidence in support of the rezoning request was lodged late, and accepted by the Hearings Panel; or
  - (b) the section 42A Report (due 16 April 2021) contained a positive recommendation in respect of the proposed re-zoning.



---

P M S McNamara/W M Bangma  
Counsel for Watercare Services Limited