

BEFORE THE WAIKATO INDEPENDENT HEARINGS PANEL

In the Matter of the Resource Management Act 1991 (**Act**)

And

In the Matter Hearing 25: Zone Extents for the Proposed District Plan

**Memorandum of Counsel on behalf of Thorntree Orchards, Cindy and Tony Young
and Parkmere Farms**

Dated 9 March 2021

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May it Please the Commissioners:

Introduction

1. I act for Thorntree Orchards,¹ Cindy and Tony Young,² and Parkmere Farms³ (collectively **TYP**), who are submitters on the Proposed Waikato District Plan (**Plan**) Stage 1.
2. This memorandum follows Mr Fuller's memorandum dated 4 March 2021 and the Hearing Panel's subsequent Minute and Directions dated 5 March 2021. I have also had the benefit of reading the memorandum lodged by Counsel for Havelock Village Limited and TaTa Valley Limited (**HVL and TVL**) dated 9 March 2021.
3. Counsel apologises for the delay in filing this memorandum.

Submitters' Position


4. TYP **support** the position set out in paragraph 10 of the HVL and TVL memorandum, namely:
 - a. TYP do not consider that compliance with Lens 1 should be adhered to in the manner currently proposed by the Framework Report (s 42A report); and
 - b. TYP agree with the suggestion that Appendix 1 to the Opening Legal Submissions on behalf of Waikato District Council dated 23 September 2019 present a more fulsome checklist for authors of s 42A reports.
5. Accordingly, TYP are largely **supportive** of the legal and procedural approach Mr Fuller has taken in his memorandum.

¹ Submitter reference 54, Further Submission reference 1054

² Submitter Reference 735, Further Submission Reference 1221

³ Submitter Reference 696, Further Submission Reference 1283

6. Counsel confirms his availability to attend the conference on 12 March 2021.



Jeremy Brabant

Counsel for Thorntree Orchards, Cindy and Tony Young and Parkmere Farms

9 March 2021