

**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  
REQUESTING ADDITIONAL HEARING TIME**

**3 May 2021**

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**BUDDLE FINDLAY**

Barristers and Solicitors  
Auckland

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## MAY IT PLEASE THE COMMISSIONERS

1. We refer to our memoranda of 26 February and 27 April 2021 filed on behalf of Havelock Village Limited<sup>1</sup> (**HVL**) and TaTa Valley Limited<sup>2</sup> (**TVL**) and subsequent discussions between the Hearings Administrator and Counsel on Friday 30 April 2021.
2. As signalled in those earlier memoranda both HVL and TVL consider that the default time allowed to present each of their cases would prejudice their ability to present fully their submissions and evidence, given that:
  - (a) HVL's case involves a significant rezoning of land and extension to Pokeno that is supported by a full suite of technical reports and evidence. The rezoning is opposed by submitters who have filed a range of evidence in opposition. Key issues involve reverse sensitivity and provision of additional housing supply, as highlighted in the relevant parts of the section 42A Report on Pokeno. HVL's hearing presentation will include highlights packages for thirteen witnesses and presentation of legal submissions which needs to canvas a number of outstanding matters on National Policy Statement on Urban Development 2020 growth matters and a range of reverse sensitivity legal issues.
  - (b) TVL's case involves a request for a bespoke zone in the rural environment and is also supported by a full suite of technical reports and evidence. TVL's hearing presentation will include highlights packages for eight witnesses and presentation of legal submissions. A full hearing day has been set aside for the hearing of submissions related to the requested TaTa Valley Zone.
3. HVL and TVL therefore seeks leave in accordance with the directions of the hearings commissioners<sup>3</sup> to amend the TVL and HVL's time limits as follows:
  - (a) HVL be allowed 6 hours hearing time as part of the Pokeno sub-topic; and
  - (b) TVL be allowed 3 hours hearing time as part of the TaTa Valley sub-topic.
4. HVL and TVL consider that the time extensions they seek are reasonable in the circumstances given the standard time allocations would not allow full consideration of their submissions and evidence:

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<sup>1</sup> Submitter 862.

<sup>2</sup> Submitter 574.

<sup>3</sup> As outlined in Paragraph 29 of the first Directions from Hearing Commissioners dated 21 May 2019.

**Pokeno hearings schedule - witness availability**

5. Due to witness availability constraints, HVL respectfully requests to present its submissions and evidence on Thursday 17 June if that can be accommodated in the schedule.

**DATED:** 3 May 2021



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**V S Evitt / M G Gribben**

Counsel for Havelock Village Limited and TaTa  
Valley Limited