

**IN THE MATTER** of the Resource Management Act 1991 (**RMA**)  
**AND**  
**IN THE MATTER** of the Proposed Waikato District Plan  
**BETWEEN** **RANGITAHU LIMITED**  
Submitter [No. 343]  
**AND** **WAIKATO DISTRICT COUNCIL**  
Local Authority

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**MEMORANDUM OF COUNSEL  
ON SUBMISSIONS AND SUMMARIES OF EVIDENCE FOR  
HEARING 25 – ZONE EXTENTS - RAGLAN**

**Dated:** 6 May 2021

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Solicitors on Record

**BURTON PARTNERS**  
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**MAY IT PLEASE THE COMMISSIONERS:**

1. Counsel acts for Rangitahi Limited (**Rangitahi**) on the Proposed Waikato District Plan (**pWDP**).
2. This memorandum responds to an email from the Hearing Administrator, dated 30 April 2021, advising that submitters' legal submissions and highlight packages for all Hearing 25 (**Zone Extents**) sub-topics must be filed by 12 May 2021.
3. The Raglan sub-topic is scheduled to be heard on 1 June 2021. Rangitahi has prepared for hearing in reliance on the Panel's directions, dated 21 May 2019 (paras. [28] and [31]), which direct legal submissions and highlight packages to be filed no later than 3 working days prior to hearing (i.e. 26 May 2021)
4. Rangitahi has filed evidence-in-chief (**EIC**) and evidence-in-reply (**EIR**) in support of its Zone Extents submissions on the pWDP. The landowner/submitter, six expert witnesses, and legal counsel will appear for Rangitahi at hearing.
5. Rangitahi's legal counsel and experts have pre-existing commitments which mean that they are unable to file legal submissions or a highlight package on 12 May 2021. Counsel's immediate commitments include:
  - (a) Dr Makgill is appearing for NZTE Operations Limited during Hearing 17 (Te Kowhai Airpark) on 7 May 2021;
  - (b) Ms Parkison is filing legal submissions and highlight packages on behalf of Rangitahi and Ohinewai Land Limited (**OLL**) for Hearing 27 (Natural Hazards) on 7 May 2021;
  - (c) Dr Makgill has an Environment Court conference for a large multi-party appeal set down for 12 May 2021;
  - (d) Ms Parkison is appearing for Rangitahi and OLL during Hearing 27 (Natural Hazards) on 12 May 2021; and
  - (e) Counsel will be filing EIR to Dr Mark Davey's s.42A Supplementary Framework Report (released on 28 April 2021) at the Panel's directions (dated 30 April 2021) on 13 May 2021.

6. It is submitted that the change in timetable directions has left counsel with insufficient time to prepare and file legal submissions and highlight packages for Hearing 25 (Zone Extents) on 12 May 2021. Moreover, in respect of para. [5](e), counsel cannot file legal submissions in advance of its client's evidence.
  
7. Counsel respectfully seeks leave for Rangitahi to file legal submissions and highlight packages for Hearing 25 (Zone Extents) on 21 May 2021, being:
  - (a) 6 working days after filing Rangitahi's s.42A Framework Report EIR;  
and
  - (b) 6 working days prior to the hearing set down for 1 June 2021.

**Dated** 6<sup>th</sup> May 2021



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**Dr R.A. Makgill / B.C. Parkinson**  
**Counsel for Rangitahi Limited**