

**BEFORE THE WAIPĀ DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of Proposed Private Plan Change 20 – Airport  
Northern Precinct Extension to the Operative  
Waipā District Plan

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**JOINT MEMORANDUM OF COUNSEL FOR TITANIUM PARK LIMITED AND  
RUKUHIA PROPERTIES LIMITED AND WAIPĀ DISTRICT COUNCIL ON PLAN  
CHANGE 20 HEARING**

**20 March 2023**

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## MAY IT PLEASE THE PANEL:

### INTRODUCTION

1. This Joint Memorandum of Counsel on behalf of Titanium Park Limited and Rukuhia Properties Limited (“Applicants”) and Waipā District Council has been filed in respect of the adjourned hearing of the Plan Change 20 (“PC20”) and sets out the suggested directions as outlined to the Panel by Mr Welsh on 17 March 2023. The Joint Memorandum responds to Commissioner Withy’s request of 16 March for a response from counsel on an appropriate and fair process for addressing:
  - (a) a raft of expert evidence; and
  - (b) the need to integrate any changes into the existing planning instrument.
2. In the following paragraphs, reference to the “Grala rebuttal version of the provisions” refers to Annexure 1 to the Rebuttal statement of evidence of Nicholas Grala dated 10 March 2023.

### DIRECTIONS SOUGHT

3. Prior to the adjournment of the hearing, Counsel for the Applicants and the Council conferred and sought the following directions:
  - (a) Counsel for the Applicants and Hamilton City Council may file a Joint Memorandum of Counsel updating the Panel of any agreed changes to the Grala rebuttal version of the provisions by **28 March**;
  - (b) Counsel for the Applicants is to provide written submissions in reply, accompanied by a final set of provisions by **6 April**;
  - (c) The s42A officer is to confirm whether any further changes are recommended to the amended provisions arising from paragraphs 2(a) and/or (2)(b) by **19 April**;
  - (d) The Panel may advise, by Minute, whether they require written evidence to be provided to clarify any matters of detail from a specified party or parties on the final set of provisions provided under paragraph 2(b) or any recommendation under paragraph 2(c). Such evidence to be strictly limited to the matters contained within the Minute;

- (e) Any party whose submission related to matters addressed in further written evidence under paragraph 2(d), may provide further evidence but only in response to matters contained in the written evidence filed under paragraph 2(d), with the Applicants then having a final reply to any evidence in response.
  - (f) The Hearing Panel will then, by Minute, formally close the hearing.
4. Directions 2(d) and 2(e) will require the Panel to set timeframes. As noted by Counsel for the Applicants on 17 March, those timeframes are requested to be kept as tight as possible and the closing the hearing occur in a timely manner.
  5. If the Panel decides it does not require any written evidence to be provided to clarify any matters of detail from a specified party on the final set of provisions provided under paragraph 2(b) or recommendation under paragraph 2(c), then it shall proceed to close the hearing at that stage.

**Dated** 20 March 2023



**JR Welsh**  
**Counsel for Titanium Park Limited and Rukuhia Properties Limited**



**W Embling**  
**Counsel for Waipa District Council**