

BEFORE THE COMMISSIONER PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Private Plan Change 20: Titanium Park Limited and Rukuhia Properties Limited - Airport Northern Precinct Extension

MEMORANDUM OF COUNSEL ON BEHALF OF HAMILTON CITY COUNCIL

Dated 10 January 2023

LACHLAN MULDOWNEY
BARRISTER

P +64 7 834 4336 **M** +64 21 471 490

Office Panama Square, 14 Garden Place, Hamilton

Postal PO Box 9169, Waikato Mail Centre, Hamilton 3240

www.lachlanmuldowney.co.nz

MAY IT PLEASE THE PANEL

1. This memorandum is filed on behalf of Hamilton City Council (**HCC**). HCC made a submission (No. 23) and a further submission (No.10) on Private Plan Change 20: Titanium Park Limited and Rukuhia Properties Limited – Airport Northern Precinct Extension (**PC20**).
2. On 12 December 2022, the Commissioner Panel made directions in respect of the hearing and various procedural matters, including issues of scope (**Minute #1**).
3. Minute #1 records that the submissions made by Submitter No.15 (Tabby Tiger Ltd) and Submitter No.24 (Salvador and Maryline Morales) seek relief that is “potentially out of scope as they seek to rezone additional land that was not included in the as-notified plan change”.¹ The Panel directs that these submitters provide written submissions addressing whether the submissions are within the scope of PC20 by 16 January 2023. It will then issue a decision on scope issues.²
4. HCC’s submission point 23.7 seeks that the extent of PC20 be amended to include the wedge of land bounded by the proposed north-western boundary of the Northern Precinct Airport Business Zone and the Southern Links designation identified in Appendix 4 of HCC’s submission as Future Growth Area – Northern Precinct B. The area is comprised of 19 lifestyle blocks all in the Rural Zone covering approximately 42.3ha.
5. Notably, the land that Submitter No.24 (Morales) seeks to be included in the PC20 area (114 Narrows Road) is located within the Future Growth Area – Northern Precinct B. HCC is therefore in the same position as Submitter No.24 concerning the issue of scope.

¹ Direction 9.

² Directions 10-11.

6. Accordingly, HCC also seeks to be heard on the issue of scope, and requests a direction that it is to file written submissions addressing whether submission point 23.7 is within the scope of PC20 by 16 January 2023.

Dated this 10th day of January 2023



L F Muldowney / S K Thomas
Counsel for Hamilton City Council