

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Notice of Requirement to alter a designation for the
HCC Central City Reservoir – Ruakiwi Road

**MEMORANDUM OF COUNSEL ON BEHALF OF HAMILTON CITY COUNCIL AS
THE REQUIRING AUTHORITY**

Dated 10 February 2026

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MAY IT PLEASE THE HEARING PANEL

1. This memorandum of counsel is filed on behalf of Hamilton City Council (**HCC**) as the Requiring Authority (**RA**) for the HCC Central City Reservoir - Ruakiwi Road Notice of Requirement (**NOR**). It responds to the Panel's Direction #2.
2. In Direction #2, the Panel grants the RA's request that Mr McKensey be excused from the hearing, subject to confirmation that Mr Granese accepts Mr McKensey's final position on the two matters of disagreement set out in paragraphs 33-34 of his evidence, and that he does not intend to contest them.
3. The RA understands that, by email to the Panel dated 10 February 2026, the s 42A officer, Ms Galt, has confirmed on behalf of Mr Granese his acceptance of the matters identified by the Panel and that he has no intention of contesting them. Accordingly, the RA confirms that there are no remaining issues of contention in relation to lighting matters.
4. In light of the confirmation above, the RA acknowledges the Panel's direction that Mr McKensey may be excused from attending the hearing.

Dated 10 February 2026



L Muldowney / S Thomas

Counsel for the Requiring Authority