

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
APPOINTED BY THE WAIKATO DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991  
(**RMA**)

**AND**

**IN THE MATTER** of the Proposed Waikato District Plan

**BETWEEN** **OHINEWAI LANDS LIMITED**

Submitter [No. 428]

**AND** **WAIKATO DISTRICT COUNCIL**

Local Authority

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**MEMORANDUM OF COUNSEL FOR OHINEWAI LANDS LIMITED ON  
LATE NOTICE TO ATTEND AND SUMMARIES OF EVIDENCE FOR  
HEARING 25 – ZONE EXTENTS – REST OF DISTRICT**

Dated: 13 May 2021

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Solicitors on Record

**WYNN WILLIAMS LAWYERS**  
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**MAY IT PLEASE THE COMMISSIONERS:**

1. Counsel acts for Ohinewai Lands Limited (**OLL**) on the Proposed Waikato District Plan (**pWDP**).
2. The memorandum responds to an email from the Hearing Administrator, dated 30 April 2021, advising that:
  - (a) Submitters' wanting to be heard at any of the Zone Extent hearings needed to provide confirmation of attendance by return email by 28 April 2021; and
  - (b) Submitters' legal submissions and highlight packages for all Hearing 25 (Zone Extents) sub-topics must be filed by 12 May 2021
3. As outlined in a Memorandum of Counsel filed on 17 February 2021 for OLL:
  - (a) OLL is the owner of rural properties in the Ohinewai area and has consistently sought to have part of its land identified as a future growth area in the pWDP, to align with the recommendations in the Waikato 2070 growth strategy.
  - (b) Properties seeking rezoning at Ohinewai were assigned to Hearing 19 (Ohinewai), which was brought forward at the request of Ambury Properties Limited.
  - (c) Subsequent to Hearing 19, the Council issued a Zone Extents Section 42A Report – Future Urban Zone and Residential Medium Density Zone, dated 26 January 2020 (Zone Extents Report). The Zone Extents Report proposed for the first time the introduction of a Future Urban Zone (**FUZ**) into the pWDP, which had not been proposed at the time of Hearing 19.
4. OLL was given leave to file a Statement of Evidence of Matthew Twose on behalf of OLL (dated 17 February 2020) in support of the application of a FUZ to part of its land.
5. It has recently come to the attention of Counsel that – due to a change in the solicitor on record in mid-April – a response was not provided to the Hearing Administrator's emails of 16 April 2021 or 30 April 2021 confirming that OLL

wished to be heard in support of its FUZ relief. The OLL submission has been allocated to the “Rest of District” topic to be heard on 9 – 10 June 2021.

6. Counsel apologises for the error. OLL only intends to present brief legal submissions in support of planning evidence, and it is not anticipated that additional time would be required beyond the usual 20 minutes speaking time (for counsel and one witness).
7. Counsel respectfully seeks leave for OLL to:
  - (a) give late notice of its wish to attend the Zone Extents – Rest of District hearing to present in support of its FUZ relief; and
  - (b) file a highlights package (for Mr Twose) and legal submissions for Hearing 25 on next Tuesday, 18 May 2021.

**DATED** 13 May 2021



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**B.C. Parkinson**

**Counsel for Ohinewai Lands Limited**