

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

**AND**

**IN THE MATTER** 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  
RE: EVIDENCE IN SUPPORT OF FUTURE URBAN ZONE**

**Dated: 17 February 2021**

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Solicitors on Record

**GREENWOOD ROCHE**  
SOLICITOR — *FRANCELLE LUPIS*

PO Box 106006, Auckland 1143  
P 09 306 0495 F 04 494 8501 E francelle@greenwoodroche.com

Counsel

**Dr R A MAKGILL**  
BARRISTER

PO Box 77-037, Mt Albert, Auckland 1350  
P 09 815 6750 E robert@robertmakgill.com

**MAY IT PLEASE THE COMMISSIONERS:**

1. Counsel acts for Ohinewai Lands Limited (*OLL*), a submitter and further submitter on the Proposed Waikato District Plan (*pWDP*).
2. *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.
3. Properties seeking rezoning at Ohinewai were assigned to Hearing 19 (Ohinewai), which was brought forward at the request of Ambury Properties Limited to accord with development timeframes for its Sleepyhead proposal.
4. 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*.
5. At the time of Hearing 19, the inclusion of a *FUZ* in the *pWDP* had not been proposed and was not therefore addressed by *OLL* or other submitters in evidence or legal submissions.
6. *OLL* seeks the application of a *FUZ* to part of its land and attaches the following to this memorandum in support of that relief:
  - (a) Statement of Primary Evidence of Matthew Twose on behalf of *OLL*, dated 17 February 2020.
  - (b) Section 32AA Report prepared by Harrison Grierson on behalf of *OLL*, dated 5 December 2020.

**Dated** 17 February 2021



**Dr R A Makgill / F Lupis**  
**Counsel for Ohinewai Lands Limited**