

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **AMBURY PROPERTIES LIMITED** pursuant to Clause 6 of Schedule 1 of the Act

**MEMORANDUM OF COUNSEL FOR AMBURY PROPERTIES LIMITED
BY WAY OF UPDATE FOR THE PANEL**

Introduction

1. This memorandum is filed on behalf of Ambury Properties Limited ("APL") in order to advise the Commissioners, as a courtesy, of recent developments relevant to the development of the Ohinewai Structure Plan area.

Resource consent applications for the Foam Factory

2. As previously advised¹, APL has made applications to the Waikato Regional Council ("WRC") and Waikato District Council ("WDC") for the resource consents (land use consent, air discharge permit, consents for earthworks) required to authorise The Comfort Group's proposed foam factory and associated earthworks given the need to progress that aspect of the development as soon as possible.
3. Both the WRC and WDC consents are progressing well through the respective processes.

Application to authorise foam factory and rail siding accepted for processing under the Fast Track Consenting process

4. In addition, on 31 August 2020, APL lodged an application with the Minister for the Environment requesting that the resource consents required to enable Stage 1 of the Ohinewai development, namely, the foam factory and the proposed rail siding be considered under the Covid-19 Recovery (Fast Track Consenting) Act 2020 ("FTCA").
5. APL has now received written confirmation from the Minister that the application has been accepted for referral under the FTCA. The letter from Hon David Parker to APL in that regard is attached as **Attachment A**.
6. The information requirements identified in the letter are in the process of being satisfied and APL has commenced pre-lodgement engagement with the

¹ Opening submissions of Counsel for APL dated 14 September 2020, paragraph 4.48; David Gaze evidence in chief, paragraph 6.7.

Environmental Protection Authority. An Expert Consenting Panel will be appointed under section 14 of the FTCA that will determine the applications.

7. While not strictly relevant to the Panel's decision in relation to zoning issues, APL considered it important that the Panel (and parties) be made aware of this development.
8. Counsel would be happy to provide further details if required.
9. Counsel is grateful to the Panel for its consideration of this memorandum.

Dated this 10th day of November 2020

A handwritten signature in blue ink, appearing to read 'S J Berry', with a stylized flourish at the end.

S J Berry
Counsel for Ambury Properties Limited

ATTACHMENT A

**LETTER FROM HON. DAVID PARKER TO AMBURY PROPERTIES LIMITED
DATED 5 NOVEMBER 2020**