

**In the Environment Court
Auckland Registry**

**I Te Kōti Matua O Aotearoa
Tāmaki Makaurau Rohe**

ENV-2018-AKL-000078

In the matter of the Resource Management Act 1991

And

In the matter of a direct referral of an application for resource consents for the necessary infrastructure and related activities associated with the holding of the America's Cup in Auckland

Between **Panuku Development Auckland Limited**
Applicant

And **Auckland Council**
Regulatory Authority

Memorandum of counsel for Firth Industries, a division of Fletcher Concrete and Infrastructure

7 September 2018

**MEREDITH
CONNELL**

K Fraser | L Bielby
PO Box 90750, Victoria Street West, Auckland 1142
DX CP24063
T: +64 9 336 7500
katia.fraser@mc.co.nz |
laura.bielby@mc.co.nz

Memorandum of counsel for Firth Industries, a division of Fletcher Concrete and Infrastructure

May it please the Court:

- 1 Firth Industries, a division of Fletcher Concrete and Infrastructure (**Firth**) is a section 274 party to Panuku Development Auckland Limited's (**the Applicant**) application for resource consents associated with the Wynyard Hobson Proposal for accommodating the 36th America's Cup Regatta (**the Application**).
- 2 Firth is New Zealand's largest manufacturer of concrete products, systems and solutions. It operates a concrete batching plant at 58-108 Hamer Street (**Plant**) and its concerns with the Application related to the potential effects on Plant operations. In particular, Firth was concerned to ensure that any conditions of consent ensure the safety of pedestrians in Hamer and Beaumont Streets and that Firth maintains 24 hour access to the Plant via Hamer and Beaumont Streets.
- 3 Firth was represented at the mediation and has also been involved in discussions with the Applicant.
- 4 Firth is now comfortable that its concerns with the Application are appropriately addressed in the proposed conditions of consent in Attachment A to the rebuttal evidence of Vijay Lala and Karl Cook dated 4 September 2018.
- 5 Firth does not wish to file legal submissions or be heard in respect of the proceedings and seeks leave to be excused from the upcoming hearing.
- 6 Firth will abide by the decision of the Court.

Date: 7 September 2018



.....
K Fraser/ L Bielby

Counsel for Firth Industries, a division of Fletcher Concrete and Infrastructure Limited