

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submission on **Proposed Plan Change 1** to the Waikato Regional Plan

HEARING TOPIC 2

BY **FEDERATED FARMERS OF NEW ZEALAND INC,
FEDERATED FARMERS OF NEW ZEALAND
(WAIKATO REGION) 1999 INCORPORATED,
FEDERATED FARMERS OF NEW ZEALAND –
ROTORUA TAUPO PROVINCE INCORPORATED,
FEDERATED FARMERS OF NEW ZEALAND
(AUCKLAND PROVINCE) INCORPORATED**

(“FEDERATED FARMERS”)

Submitter with ID: 74191

To **WAIKATO REGIONAL COUNCIL**

(“WRC”)

**MEMORANDUM OF COUNSEL FOR FEDERATED FARMERS IN
REGARDS TO EVIDENCE CIRCULTATION FOR TOPIC 2 HEARINGS**

9 April 2019



**FEDERATED
FARMERS
OF NEW ZEALAND**

169 London Street
PO Box 447
Hamilton
Telephone: 021 110 3554
Email: mmeier@fedfarm.org.nz

MEMORANDUM OF COUNSEL FOR FEDERATED FARMERS

MAY IT PLEASE THE HEARING PANEL:

1. This memorandum is prepared in support of a direction sought from the Hearing Panel for an extension for Federated Farmers to file their evidence on Topic 2.

Background

2. Federated Farmers will call expert evidence on Topic 2. By way of summary the expert evidence is expected to touch on:
 - a. Farm practices that cause discharge of the four contaminants, critical source areas, means of intervening, preventing and remediating discharges, Overseer® and monitoring and measuring contaminants. Also evidence on farm practices and economic impact of stock exclusion, cultivations and setback.
 - b. Planning evidence on the above and Nitrogen Reference Point, flexibility for low emitters, 75th Percentile , Land use change and point source provisions.
3. The Section 42A Report for Block 2 Hearings discusses and refers to a number of matters that would require further evidence from our experts than anticipated above. As an example the s42A report traversed Farm Environment Plans and Federated Farmers would wish to respond to part of the S42A report on FEPs.¹
4. Federated Farmers engaged Grant Eccles of T+T to prepare its alternative framework in its Variation 1 submission and present evidence on planning matters. Unfortunately Mr Eccles has a pre booked trip abroad leaving 12 April and returning on 6 May 2019.

¹ Federated Farmers in Variation 1 advocated for tailored actions in FEPs as one of its three levels of intervention and sought extensive changes to the notified PC1 provisions on FEPs and its integration into the Plan. For example it proposed dispute resolution provision and provisions for council initiated reviews.

5. Mr Eccles planning evidence is interrelated with the farm practice evidence and the experts will need to coordinate with each other.

Extension sought

6. In light of the above, Federated Farmers respectfully seeks the following directions:
 - a. Federated Farmers is granted leave to file its evidence on Topic 2 on or before 14 May 2019; and
 - b. Any rebuttal evidence on the Federated Farmers evidence being circulated one week later on 21 May 2019.
7. Federated Farmers is scheduled to be heard on Topic 2 on 18 June 2019.²

Date: 9 April 2019



M J Meier

Counsel for Federated Farmers

² Accordingly the Hearing Panel will have any rebuttal evidence for 18 working days prior to Federated Farmers are to be heard on the matter.