

Robyn Harrison

From: Graeme Mathieson [graeme.mathieson@emslimited.co.nz]
Sent: Wednesday, 2 July 2008 12:49
To: Robyn Harrison
Cc: Donna Curtis; Brian Thom; Alec MacKay; Eoin Fitzpatrick
Subject: Proposed One Plan Hearing - Land
Importance: High

Dear Robyn

As discussed, I have reviewed the recommendations in the Horizon's Regional Council's Officers Report in relation to the Land hearing in terms of the relief sought in further submissions from my clients AgResearch Ltd (AgResearch) and Livestock Improvement Corporation Ltd (LIC). Both AgResearch and LIC lodged further submissions opposing the submission of Ngati Kahungunui Iwi Incorporated which sought that all resource consent applications under Rule 12-4 (Vegetation Clearance) and 12-5 (Vegetation Clearance and Land Disturbance on Coastal Foredues and near Waterbodies) be publicly notified (Submission No. 180, Points 60 and 61). AgResearch and LIC opposed the Ngati Kahungunui Iwi Incorporated submission on the basis that *"Not all resource consent applications need to be publicly notified. The Resource Management Act 1991 adequately addresses the need for public notification"*.

The Officers Report recommends that the Ngati Kahungunui Iwi Incorporated submission be rejected on the basis that:

The decision as to whether or not to publicly notify a resource consent application is best assessed at that time the application is made. The decision on whether or not to notify an application is pivotal on an assessment by the Council at the time as to whether the effects of the activity on the environment are likely to be more than minor. I consider that it would be inappropriate to pre-judge applications without considering the effects of those activities on a case by case basis."

My clients consider the recommendation in the Planners Report to be fair and reasonable and consistent with the relief sought in their further submissions, and on this basis support that recommendation.

On the basis of the Officers Report recommendation (or similar) being accepted, it is considered that my clients do not need to present evidence on this matter at the upcoming Land hearing. Could you please ensure that this email is tabled at the Hearing formally recording the agreement of AgResearch and LIC in relation to the recommendations in the Officers Report. My clients still wish to retain the right to lodge an Environment Court appeal against any Council decision on this matter that they are not happy with.

Please do not hesitate to contact me with any queries, or if you require additional information.

Yours sincerely

Graeme Mathieson
ENVIRONMENTAL CONSULTANT

Environmental Management Services Ltd
PO Box 73024, Auckland International Airport, Auckland 2150
Phone: 09-255-5127 or 027-220-2640
Fax: 09-255-5129
Website: www.emslimited.co.nz

This communication, including any attachments, is confidential. If you are not the intended recipient, you should not read it. Please contact me immediately, destroy it, and do not copy or use any part of this communication or disclose anything about it. Thankyou.

Scanned by [Bizo EmailFilter](#)

02/07/2008