



Environmental Management Services

8 April 2009

H300/H485

Proposed One Plan
Horizons Regional Council
Private Bag 11025
PALMERSTON NORTH

Attention : Robyn Harrison

Dear Robyn

AGRESEARCH & LIC – PROPOSED ONE PLAN HEARING (AIR)

As discussed, I have reviewed the recommendations in the Horizon's Regional Council's Officers Report in relation to *Air* in terms of the relief sought in submissions from my clients AgResearch Ltd (AgResearch) and Livestock Improvement Corporation Ltd (LIC).

Both AgResearch and LIC were concerned that the use of the term "productive land" in Rule 14-5 (Open Burning) and Rule 14-7 (Prohibited Burning Activities) could unnecessarily restrict activities undertaken on "agricultural research farms". The term "production land" has been used as a defining parameter in the Rules, but no definition has been provided. The definition of "production land" in the Resource Management Act 1991 is as follows:

- (a) *Means any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products):*
- (b) *Does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals...-*

If for example the land is being used primarily for an "agricultural research farm", not to produce primary products that are then sold to consumers, Council may consider that the "agricultural research" activity does not fall within the parameters of the definition of "production land". In terms of Rules 14-5 and 14-7, this could result in the open burning of the listed materials on land being used for an "agricultural research farm" requiring resource consent. AgResearch and LIC consider that the same set of rules should apply

to land used for "production" and for an "agricultural research farm". The various conditions/standards/terms attached to the Rule would ensure that any adverse environmental effects would be no more than minor.

The Officers Report recommends the removal of the term "production land" from both Rules to ensure the rules are not unnecessarily restrictive in terms of "agricultural research farms". AgResearch and LIC consider the recommendations in the Officers Report to be fair and reasonable and consistent with the relief sought in their submissions, and on this basis support that recommendation.

On the basis of the Officers Report recommendations (or similar) being accepted as detailed above, it is considered that my clients do not need to present evidence on this matter at the upcoming *Air* Hearing. Could you please ensure that this letter 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



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ENVIRONMENTAL CONSULTANT

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