

MANAWATU-WANGANUI REGIONAL COUNCIL
PLAN CHANGE 2 (PC2) – EXISTING INTENSIVE FARMING LAND USES
MINUTE 7 OF THE INDEPENDENT HEARING PANEL

Purpose

1. This is the seventh minute of the independent hearing panel.
2. It sets out a series of questions we pose to the Council's chief s42A reporting officer, Ms Christine Foster, to assist us in our deliberations.
3. The questions are limited to matters of clarification associated with the mechanics of PC2 as notified, and as subsequently amended as a result of requests, suggestions or recommendations by parties in the lead-up to and during the course of the hearing.

Our Questions

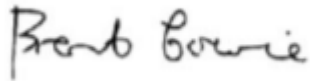
4. Our questions are as follows:
 - a) Rule 14-1 contains provisions on both timelines and GMP [Good Management Practices] in both the conditions/standards/terms column and matters of control column for the different activities. What is the reasoning for this? Do either of these fall naturally into one column as opposed to the other?
 - b) In Rule 14-1(d)(ii) and (iii) why are there different compliance timelines for CVG [Commercial Vegetable Growing] versus dairying in the Controlled Activity column. What is the evidential basis for the difference?
 - c) It appears that insertion of condition (a) into Rule 14-1 has interrupted the sequential numbering of the following clauses. What amendments are necessary to resolve this?
 - d) Is Rule 14-1(d)(ii)a. trying to achieve the same as control matter (c)? If so, in your professional opinion is it better expressed as a standard or as a matter of control?
 - e) What is the intention with respect to the default for the CA [Controlled Activity] alternative pathways - an RDA [Restricted Discretionary Activity] or a DA [Discretionary Activity]? It appears that it was intended to be a DA but we are not convinced that the drafting delivers that.
 - f) Is the intention that the activities that meet Table 14-2 and the activities that do not (but which meet the exception thresholds) both need to be lodged by the end of 2022? If so, what is the rationale for that, and in your professional opinion do you consider that to be fair and reasonable?
 - g) Is it necessary to specify a maximum duration in the reserved matter (g) in Rule 14-1 and also in discretionary matter (k) in Rule 14-2?

5. We also request an updated version of the PC2 provisions in track change format to take account of the above clarifications being sought.

[Process from here](#)

6. We are now awaiting Ms Foster's response to the questions posed above, before closing the hearing, completing deliberations and finalising our recommendation report.

For the Hearing Panel



Dr Brent Cowie
(Chair)

On Behalf of Commissioners David McMahon and Elizabeth Burge.

4 December 2020