

**Before the Bay of Plenty Regional Council
Independent Hearing Commissioners**

Under the Resource Management Act 1991 (the Act)

In the matter of Lake Rotorua Nutrient Management – Proposed Plan Change 10 to the Bay of Plenty Regional Water and Land Plan under Clause 8B of Schedule 1 to the Resource Management Act 1991.

And in the matter of Directions regarding evidence and hearing procedure

**Memorandum to: Chair of the Hearing Panel,
from Greg Sneath, Fertiliser Association of New Zealand,
concerning Memorandum No 9 - Relating to late filing of expert
evidence and the question of scope**

15th March 2017

MEMORANDUM TO THE HEARING COMMISSIONERS

- 1 I write in response to Memo 9 which identifies at bullet 2 (c) that my submission to the Hearing Panel, lodged on 6th March, in response to Minute 4, paragraph (11) has been deemed inadmissible, as it is identified by Council as evidence of an 'Expert Witness filed out of time'.
- 2 I request leave that my evidence is accepted as non-expert evidence, or a representation, for and on behalf of the Fertiliser Association of New Zealand, presented as a submitter to Plan Change 10.

- 3 Ten printed copies of my evidence were lodged in response to Memo 4, paragraph 11, which requires that: *“...all submitters making a representation/submission to the panel shall supply ten (10) printed copies of their representation/submission to the Committee Advisor by 6 March 2017 and may address them at the hearing.”*
- 4 The Fertiliser Association of New Zealand, is a submitter on the Plan Change 10 and has engaged the services of independent expert witness, Bethany Bennie, Planner, Boffa Miskell.
- 5 The expert planning evidence of Bethany Bennie was lodged on 22 February 2017 in accordance with Memo 1 (16 October 2016), paragraph 16 (a).
- 6 Ten printed copies of this expert witness evidence were also lodged, along with 10 copies of my evidence in accordance with Memo 4.
- 7 The intention of my evidence is to provide wider background and context to the role and approach of the Fertiliser Association of New Zealand in representing industry good interests in the management of nutrients and in supporting a productive primary industry within environmental limits.
- 8 The evidence is generic and not necessarily specific to Plan Change 10. It discusses the Fertiliser Association’s position on Certified Nutrient Management Advisers, the use of OVERSEER Nutrient Budgets in regulation, the Code of Practice for Nutrient Management and the Fertiliser Association’s philosophy and approach to nutrient management. It provides context for the expert planning evidence and, as such, I believe there is no undue prejudice introduced into the Hearing process.
- 9 I seek please, that this representation is accepted to assist the Hearing Panel with background and context to the Fertiliser Association’s submissions and not be deemed as evidence of an expert witness.



Greg Sneath
Executive Manager
The Fertiliser Association of New Zealand

15 March 2017