

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

applications for resource consents to take and use
water in the Upper Waitaki Catchments

**MEMORANDUM OF COUNSEL ON BEHALF OF KILLERMONT STATION
LIMITED**

20 SEPTEMBER 2010

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MAY IT PLEASE THE COMMISSIONERS:

1. This memorandum is filed on behalf of Killermont Station Limited ("Killermont"). Following the submission by Killermont of its final conditions of consent the purpose of this memorandum is to reiterate matters with the Committee that relate solely to Killermont Station (as opposed to the other applicants also represented by Russell McVeagh).
2. Firstly, I wish to reiterate that the Killermont Station applications are a standalone proposal, and fall to be assessed on that basis.
3. Secondly, I want to take this opportunity to remind the Committee that Killermont Station has committed to robust measures that will reduce its impact substantially.
4. A vivid example of the extent of Killermont Station's commitment was provided to you in the visual produced as Appendix B to the Closing Submissions dated 29 April 2010. While that visual was produced for comparative processes, it showed the large decrease that Killermont Station will make from a non-fanciful permitted baseline to the Nutrient Discharge Allowance under their Farm Environmental Management Plan ("FEMP"). For nitrogen this visual demonstrated a change from an estimated 8.8kg N/ha/yr to 3.7kg N/ha/yr.
5. Killermont Station has committed to best practice through their FEMP and you can be confident that the environmental impacts of their proposal will managed and mitigated appropriately.
6. Finally, Killermont Station would like it noted that they are suffering emotional, financial and physical hardship in trying to keep our applications alive. The continued extension of the set timeframes has placed a large amount of pressure on Killermont Station as an individual applicant. Accordingly, Killermont Station requests that its applications be determined as soon as practicable.

Dated 20 September 2010

C N Whata

Counsel for Killermont Station Limited