

**BEFORE THE INDEPENDENT HEARINGS PANEL
OF KAIPARA DISTRICT COUNCIL**

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER OF the proposed Kaipara District Plan

MEMORANDUM OF COUNSEL ON BEHALF OF FONTERRA LIMITED

17 FEBRUARY 2026

**Russell
McLeagh**

D J Minhinnick / M R Anderson
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

MAY IT PLEASE THE PANEL:

1. This memorandum is filed on behalf of Fonterra Limited ("**Fonterra**") to update the Hearing Panel in relation to Fonterra's intended approach to evidence and hearing attendance at the various hearings for the Kaipara Proposed District Plan ("**PDP**").
2. Fonterra has filed submissions and further submissions on the PDP. Fonterra's submission points have been allocated into 11 hearing streams for the PDP.¹ The extent and range of Fonterra's submission points on each hearing stream varies significantly. In order to be efficient and to ensure the Panel has clarity as to Fonterra's position and evidential basis for its submission points, its proposed approach is as follows:
 - (a) Where its interest in a hearing topic is substantial, Fonterra will attend the hearing in person and provide comprehensive statements of evidence and legal submissions. At this stage, Fonterra intends to attend the following hearings in person for the PDP:
 - (i) Hearing 16: Noise;
 - (ii) Hearing 25: Heavy industrial zone; and
 - (iii) Hearing 39: Rezoning – Maungatūroto.
 - (b) Where its interest is more limited, Fonterra intends to provide brief statements of evidence or letters outlining Fonterra's position for hearings (relying on the context contained in evidence provided for other hearing streams) and will make its experts available online to answer any questions, should they arise.

DATED 17 February 2026



Daniel Minhinnick / Meg Anderson
Counsel for Fonterra Limited

¹ PDP hearings 6, 16, 20, 24, 25, 27, 30, 31, 33, 35 and 39.