

IN THE MATTER OF the Resource Management Act 1991
AND
IN THE MATTER OF 24 applications by the Aupouri Aquifer
Water User Group to the Northland
Regional Council to take groundwater
from the deep shell bed aquifer of the
Aupouri Peninsula (REQ.596300).

SECTION 41C RESOURCE MANAGEMENT ACT 1991
DIRECTION #3
HEARINGS COMMISSIONERS

1. The hearing on the above applications commenced on Tuesday, 1 September 2020 at the Te Ahu Centre, Matthews Avenue, Kaitaia, and was adjourned on Thursday, 3 September 2020.
2. On 7 September 2020 Minute and Direction #2 was issued requesting and directing further information, some of which has now been provided and some remains outstanding.
3. On 15 September 2020 Mr Williamson filed, by email, a request for further directions relating to the wetland analysis. In summary, he sought a direction for hydrogeological caucusing on the updated wetland data / analysis (including DoC's response of 14 September 2020) in order to prepare a Joint Statement of agreement, disagreement and reasons. Mr Williamson also indicated his intention to provide supplementary evidence on the other matters sought under Minute and Direction #2.
4. We note that further caucusing around areas of agreement and disagreement may be necessary as part of the process, but that is not the end point that is now required. The Panel requires the parties' relevant experts to agree an overall plan for resolving this issue and then to be advised whether that plan is sufficient in itself for incorporation as an adaptive management condition (if granted) or, alternately, could be implemented and completed within a reasonable time period and the results confirmed before final decisions are made on the applications.
5. Having considered that request we make the following directions:
 - (a) The hydrogeologists for the Applicant, NRC and DoC, together with DoC's ecologist and, as necessary the Applicant's and NRC's ecologists, are to confer with the intention of developing an agreed plan to address the wetland issue.
 - (b) When that plan is sufficiently developed, planners for those parties are to confer to determine whether, in their opinion, the plan is sufficient for the purpose outlined in paragraph 4 above, or could be with further indicated refinement, and advise the Panel accordingly.
 - (c) Progress toward that end should be advised as part of the jointly agreed schedule of tasks and timeline required by paragraph 6 of Minute and Direction #2 due 28 September 2020.
6. The hearing remains adjourned in the meantime.

7. Any correspondence relating to this Direction is to be sent through Ms Alissa Sluys, Hearing Administrator, Northland Regional Council, alissas@nrc.govt.nz .

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill
Chair, Hearings Panel
16 September 2020