

**BEFORE THE NORTHLAND REGIONAL COUNCIL**

**IN THE MATTER OF** the Resource Management Act 1991  
**AND**

**IN THE MATTER OF** 24 resource consent applications for new Water Permits for the taking and use of groundwater and 2 applications for changes to consent conditions of current Water Permits from the Waihopo, Houhora, Other, Motutangi, Waiparera, Paparore, Waipapakauri, Ahipara, and Sweetwater aquifer management sub-units of the Aupōuri Aquifer, Northland

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**JOINT MEMORANDUM OF NORTHLAND REGIONAL COUNCIL, (WILLIAMSON WATER & LAND ADVISORY LTD ON BEHALF OF) THE APPLICANTS AND THE DIRECTOR-GENERAL OF CONSERVATION**

**DATED 13 April 2021**

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**FOR NORTHLAND REGIONAL COUNCIL**

STEPHANIE KANE  
LANDS AND SURVEY WHANGĀREI LIMITED  
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1. This memorandum is filed on behalf of Northland Regional Council (**NRC**), Williamson Water & Land Advisory Ltd on behalf of the Applicants, and the Department of Conservation on behalf of the Director-General of Conservation (**the Department**) to provide the Hearing Commissioners with an update on progress made following the issue of Minute #5 on 24 March 2021.
2. Minute #5 directed NRC (at paragraph 6) to arrange facilitated expert planning conferencing with those parties who have provided planning evidence on behalf of NRC, the Applicants and the Department. These parties are Ms Kane, Ms Letica and Mr Christie, respectively. The scope of the conferencing and format of the outputs are clearly directed by the Commissioners.
3. The Department has sought leave from the Commissioners for the involvement of another planner, Mr Herb Familton, in the planning conferencing. Whilst it is acknowledged that Mr Familton was not present at the hearing and did not give evidence, he has been involved in conversations and correspondence regarding the applications following the adjournment of the hearing. Both NRC and the Applicants have agreed to Mr Familton's participation in planning conferencing, on the understanding his experience is sufficient and relevant and he will abide by the Code of Conduct for Expert Witnesses.
4. NRC proposes the following process and programme for planning conferencing, in general accordance with that directed by the Commissioners:
  - a. An updated set of proposed draft conditions and Groundwater Monitoring and Contingency Plans (**GMCPs**) are to be provided by Ms Letica on behalf of the Applicants to NRC and the Department by 5pm Tuesday 13 April 2021;
  - b. Review comments from NRC and the Department are to be circulated amongst all three parties by 5pm Monday 19 April 2021; and
  - c. Facilitated planning conferencing is to occur on Wednesday 21 April 2021 (time to be confirmed).
5. On the basis of concerns expressed regarding facilitation of previous conferencing sessions, the Department has stated that it does not except Ms Oliver's continued involvement as facilitator in forthcoming conferencing sessions. To address this matter, NRC has engaged Mr Alister Hartstone to facilitate the planning conferencing. The scope of the matters to be canvassed in planning conferencing are sufficiently focused to prevent conflation of the conferencing with separate technical and legal matters, and it is anticipated that Mr

Hartstone's involvement will consist primarily of witnessing and recording progress rather than directing conversations.

6. The output of the planning conferencing is to comprise a set (or sets) of annotated draft conditions and GMCPs, along with a joint statement noting matters of agreement and disagreement and reasons for the latter. These are to be provided to the Commissioners on the conclusion of planning conferencing.




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S Kane  
for Northland Regional Council



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M Leticia  
for Applicants



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T Christie  
for the Department of Conservation



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H Familton