

BEFORE THE NORTHLAND REGIONAL COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER 22 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

MEMORANDUM OF COUNSEL ON BEHALF OF THE APPLICANTS

DATED 11 March 2021

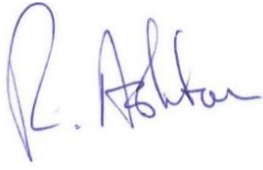
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May it please the Hearings Panel:

1. Counsel for the Applicants refer to their memorandum of 2 March 2020.
2. Arrangements to progress witness conferencing have not been able to be promptly agreed between the parties. As signaled in the memorandum of 2 March 2020, this is in essence due to a difference of position as between the Applicants, the Council and the Department of Conservation over the hydrogeological basis for the tasks which are required to be completed, as well as the necessary nexus between the actual and potential effects of the water takes with the proposed monitoring regime. These issues will require determination by the Hearing Panel.
3. The Applicants consider that the expert conferencing to date has been helpful in identifying the wetland areas of interest and crystallising areas of remaining disagreement, as set out in the joint witness statements filed with the Hearing Panel.
4. The output of the conferencing process to date is in no small measure due to the assistance of Ms Oliver in facilitating dialogue between the experts engaged by the parties. Ms Oliver is a highly experienced independent resource management consultant and is well briefed on the background to the applications and the issues between the parties. Accordingly, the Applicants wish to retain her services to facilitate expert witness conferencing as between the planners for the parties. This approach will ensure the timely production of a joint witness statement which will refine the differences between the parties, and the reasons for these, to inform the Hearing Panel's determination.
5. Accordingly, directions are sought that:
 - a) The parties' planners are directed to conference in accordance with the protocol annexed to the Environment Court's 2014 practice note and produce a joint witness statement by **31 March 2021**.
 - b) A joint memorandum of the parties is to be lodged by **31 March 2021** proposing an appropriate process for the close of the hearing. If a joint process cannot be agreed, then separate memoranda are to be filed.
6. This memorandum has been provided to NRC who agree with the directions that are sought.

DATED this 11th day of March 2021

A handwritten signature in blue ink, appearing to read 'R. Ashton', written in a cursive style.

Andrew Green / Rowan Ashton
Counsel for the Applicant