

**BEFORE THE HEARINGS PANEL
FOR THE CANTERBURY REGIONAL COUNCIL**

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of Plan Change 5 to the
Canterbury Land and Water
Regional Plan

**MEMORANDUM OF COUNSEL ON BEHALF OF NGĀ RŪNANGA (TE RŪNANGA O
KAIKŌURA, TE NGĀI TŪĀHURIRI RŪNANGA, TE HAPŪ O NGĀTI WHEKE, TE RŪNANGA O
KOUKOURĀRATA, ŌNUKU RŪNANGA, WAIREWA RŪNANGA, TE TAUMUTU RŪNANGA,
TE RŪNANGA O AROWHENUA, TE RŪNANGA O WAIHAO AND TE RŪNANGA O
MOERAKI), NGĀI TAHU FARMING LIMITED, AND TE RŪNANGA O NGĀI TAHU**

30 September 2016



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MAY IT PLEASE THE PANEL

- 1.** This memorandum is filed on behalf of Ngā Rūnanga (Te Rūnanga o Kaikōura, Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourārata, Ōnuku Rūnanga, Wairewa Rūnanga, Te Taumutu Rūnanga, Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki), Ngāi Tahu Farming Limited, and Te Rūnanga o Ngāi Tahu in relation to Plan Change 5 to the Canterbury Land and Water Regional Plan.
- 2.** The purpose of this memorandum is to advise the Hearings Panel of the intended conduct of the case in support of Ngā Rūnanga's submission on PC5. We record Ngā Rūnanga's appreciation for the Panel's willingness to sit at Waihao Marae.
- 3.** We understand that Canterbury Regional Council staff have been in contact with the Marae regarding protocol matters. Nevertheless, to summarise what is proposed in terms of the timing and protocol, we are advised that the intended order is as follows:

 - 3.1** 9.15am - arrival and assembly by gates of Marae for Kaikaranga;
 - 3.2** 9.30am – welcome and powhiri;
 - 3.3** approximately 10.15am - commencement of hearing by Panel Chair.
- 4.** Following that, it is intended that legal submissions will be presented by Ngā Rūnanga's legal counsel, for approximately 45 minutes (excluding any questions from the Panel). It is presently intended that the legal submissions would be provided in advance of the hearing.
- 5.** In accordance with tikanga Ngāi Tahu, the cultural evidence to be presented for Ngā Rūnanga is proposed to be spoken to by the witnesses. The intended order and duration of that evidence is as follows (excluding any questions from the Panel):

 - 5.1** Tā Mark Solomon (30 mins); and
 - 5.2** David Higgins (50 mins); and
 - 5.3** Mandy Waaka-Home (50 mins).
- 6.** Following those witnesses, Ngā Rūnanga proposes to call its experts as follows:

 - 6.1** Dr Gail Tipa; and
 - 6.2** Ms Treena Davidson.

7. It is respectfully submitted that it would assist the Panel if both of those expert witnesses read a short written summary of their evidence before answering any questions from the Panel. The summary would not exceed 10 minutes in duration and would be made available to the Panel and attendees at the hearing.

8. It is understood and appreciated that the conduct of the hearing is entirely a matter for the Panel. Nevertheless, we have prepared and filed this memorandum so that it might assist the Panel with its administration of the day's hearing.

DATED this 30th day of September 2016



J G A Winchester / S J Scott
Counsel for Ngā Rūnanga (Te Rūnanga o Kaikōura,
Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke,
Te Rūnanga o Koukourārata, Ōnuku Rūnanga,
Wairewa Rūnanga, Te Taumutu Rūnanga, Te
Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te
Rūnanga o Moeraki), Ngāi Tahu Farming Limited and
Te Rūnanga o Ngāi Tahu