

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
APPOINTED BY THE CANTERBURY REGIONAL COUNCIL**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** of Proposed Plan Change 7 to the Canterbury Land and  
Water Regional Plan – Section 14: Orari-Temuka-Opihi-  
Pareora

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**JOINT MEMORANDUM OF COUNSEL REGARDING PLANNING EXPERT  
WITNESS CONFERENCING  
3 September 2020**

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**MAY IT PLEASE THE HEARING COMMISSIONERS**

- 1 This Joint Memorandum of Counsel is filed on behalf of the Canterbury Regional Council (**Council**), the Adaptive Management Working Group (**AMWG**), the Opihi Flow and Allocation Working Party (**OFAWP**) and Opuha Water Limited (**OWL**) (collectively **the Parties**).
- 2 Expert witness caucusing in respect of hydrology and freshwater quality/ecology took place on 7 August 2020 and 18 August 2020 respectively. Joint Witness Statements have been prepared and filed in accordance with the direction of the Hearing Commissioners in Minute 6.
- 3 In that Minute, the weeks of 24 August 2020 to 4 September 2020 were reserved for planning caucusing in the event that it was required following the caucusing of technical experts.
- 4 While the AMWG, OFAWP and OWL were open to planning caucusing proceeding on discrete issues in accordance with those directions, Council remains of the view that there is no utility in planning experts caucusing at this time, for the following reasons:
  - (a) There are a wide diversity of views expressed in the planning evidence and the section 42A report; and
  - (b) While a few matters of detail could be caucused, the Hearing Commissioners' consideration of higher-level issues, such as the application of the National Policy Statement for Freshwater Management 2020 (**NPSFM 2020**), could make caucusing of those matters redundant.
- 5 The AMWG, OFAWP and OWL accept Council's position on the matter.
- 6 The Parties acknowledge that provision has been made within Minute 8 for the pre-circulation of material any submitter wishes to table at the hearing at least 3 working days prior to the submitters' scheduled appearance at the hearing. The Parties see this as an opportunity for the AMWG, OFAWP and OWL (and other submitters) to address the extent to which the matters addressed in the Joint Witness Statements and the NPSFM 2020 impact on the primary evidence filed to date in their presentations to the Hearing Commissioners.

Dated this 3<sup>rd</sup> day of September 2020



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P A C Maw / I F Edwards  
Counsel for Canterbury Regional Council



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G C Hamilton  
Counsel for the Adaptive Management Working Group,  
the Opihi Flow and Allocation Working Party and Opuha Water Limited