

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

IN THE MATTER of Proposed Plan Change 7 to the
Canterbury Land and Water
Regional Plan

SUBMITTER **MULLIGAN, M E & KERSE, I J &
KINGSTON N S**

Submitter 384

**MEMORANDUM OF COUNSEL ON BEHALF OF SUBMITTER 384
REGARDING ALLOCATED TIME AT HEARING**

**GALLAWAY COOK ALLAN
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**MEMORANDUM OF COUNSEL ON BEHALF OF SUBMITTER 384
REGARDING ALLOCATED TIME AT HEARING**

May it please the Commissioners:

1. Counsel acts for Messrs Ian Kerse, Mulligan and Kingston (the **Submitters**) who filed original submission 384.
2. On 17 July the Submitters filed the following briefs of evidence:
 - (a) Mr Ian Kerse.
 - (b) Mr Mark Mulligan.
 - (c) Mr Neil Kingston.
 - (d) Mr Hayden Crow (Economics).
 - (e) Ms Keri Johnston (Planning and Consents).
 - (f) Mr Ian McIndoe (Hydrology).
 - (g) Mr Matt Hickey (Ecology and Hydrology).
3. By way of Minute 1 the Commission advised that submitters wishing to be heard were to advise the allocation of time they want for speaking to their submission and/or presenting evidence.¹
4. Following Minute 3 dated 24 March 2020 it was understood that the timeframes for advising the Council of requests for allocated times to be heard were suspended pending new hearing dates being fixed.² That understanding appears to have been in error in light of Minute 8 paragraph [4].³
5. The Commission has since released a hearing schedule allocating an undescribed amount time for the Submitters on Wednesday 21 October 2020 in Timaru. Six other parties are to be heard with the Submitters on the morning of the 21st and it is presumed that time will be allocated equally.

¹ Minute 1 of the Hearing Commissioners dated 3 March 2020 at [5].

² Minute 3 of the Hearing Commissioners dated 24 March 2020 at [4]-[5].

³ Minute 3 of the Hearing Commissioners dated 5 August 2020 at [4].

6. Counsel considers that given the number of experts involved and the fact that the submission is seeking a bespoke catchment-based approach to the management of Upper Coopers Creek that more time is required than what has been allocated. Counsel considers that at least a half day is required for its experts to talk to their evidence and answer questions from the Commissioners. The Submitters will also be in attendance to answer any questions.
7. Counsel cannot discern on the face of the timetable the time allocated to each submitter which makes it difficult to propose an appropriate new date for the Submitters to be heard. Given that Counsel advises the dates that cannot be accommodate by the Submitters, Counsel and its Experts as follows: 19 and 22 October and 4 November.
8. Counsel therefore requests an amended timetable that allocates the Submitters a half day for the hearing. The Submitters still wish to be heard in Timaru.
9. Contact details for Experts and/or Counsel who reside outside of Canterbury has been requested. Mr Hickey, Mr Craw and Counsel reside outside of the Canterbury Region. Contact details for these experts and Counsel is attached to this memorandum as **Appendix 1**.

Dated this 3rd day of September 2020

A handwritten signature in blue ink, appearing to be 'B Irving / S R Peirce', written in a cursive style.

B Irving / S R Peirce

Counsel for the Submitters

Appendix 1: Contact Details

Name	Email	Phone	City of Residence
Matt Hickey (Hydrology)	matt@wrm.co.nz	027 488 4034	Dunedin
Hayden Craw (Economics)	hayden@compassagri.com	027 201 6274	Dunedin
Bridget Irving (Counsel)	bridget.irving@gallowaycookallan.co.nz	027 361 6326	Dunedin
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