

Southland Regional Council (Environment Southland)

Proposed Southland Water and Land Plan

MINUTE AND DIRECTIONS OF HEARING COMMISSIONERS

Minute 5

INTRODUCTION

1. The purpose of this Minute is to respond to a memorandum that the Hearing Panel received from counsel for Ngāi Tahu. This memorandum related to the format of cultural evidence to be presented at the hearing.

The members of the hearing panel are:

- Rob van Voorthuysen (chair)
- Edward Ellison (independent commissioner)
- Councillor Lloyd McCallum
- Councillor Eric Roy
- Councillor Maurice Rodway

Four previous minutes have been issued by the hearing panel. A list of these Minutes is attached in Appendix 1.

MEMORANDUM FROM NGĀI TAHU

2. On 21 March 2017 the hearing panel received a memorandum from counsel for Ngāi Tahu outlining the proposed format of cultural evidence to be presented by Ngāi Tahu at the hearing for the Proposed Plan. Ngāi Tahu requested that their representatives present their cultural evidence in the following way:
 - presentation of a single piece of written cultural evidence; and
 - video recordings of interviews with Mana Whenua outlining their views on cultural matters relating to the Proposed Plan.
3. The above has been requested by counsel for Ngāi Tahu because a number of people who would be the best to talk about the cultural concerns on behalf of Papatipu Rūnanga are unwell; are not experienced in the hearing process and are uncomfortable about presenting and a number will be exercising their customary rights by going to the Titi Islands during May. Counsel proposed that the cultural evidence is presented by a mandated person who would be able to answer the questions of the panel.

DIRECTIONS

4. The panel has considered the memorandum and considers that the approach proposed by counsel for Ngāi Tahu will be an efficient way to present the cultural evidence. The panel

has therefore agreed to Ngāi Tahu presenting their cultural evidence in the way outlined in paragraph 2.

5. This does not apply to any planning or technical evidence (evidence in chief) to be produced by Ngāi Tahu, which the panel understands will be presented in accordance with the timetabling directions to be set out in Minute 6.
6. The videos and the single piece of written cultural evidence are to be submitted along with Ngāi Tahu's evidence in chief.
7. The panel considers it is appropriate for the videos to be made available on the website for other parties to view at this address:

<http://www.es.govt.nz/waterandland>
8. In order to operate in a timely way the panel will have watched the videos outside of the hearing days and will ask the Ngāi Tahu mandated representative present at the hearing any questions arising.



Rob van Voorthuysen (Chair) for and on behalf of the Hearing Commissioners

28 March 2017

Appendix 1 – Record of Minutes Issued

Minute Number	Date Issued	Purpose
1	10 October 2016	Late submissions
2	15 December 2016	Transpower waiver application
3	16 February 2017	Late further submissions
4	10 March 2017	Hearing panel conflict of interest
5	28 March 2017	Response to memorandum of Counsel for Ngāi Tahu about cultural evidence