

Southland Regional Council (Environment Southland)

Proposed Southland Water and Land Plan

MINUTE AND DIRECTIONS OF HEARING COMMISSIONERS

Minute 8

INTRODUCTION

1. This Minute contains the hearing panel's decision on a request for an extension to the timeframes for lodging evidence-in-chief and rebuttal evidence by Ngāi Tahu.
2. Seven previous Minutes have been issued by the hearing panel. A list of these Minutes is attached in Appendix 1.

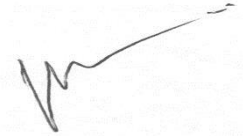
REQUEST BY NGĀI TAHU

3. In Minute 6, the hearing panel directed a timetable for the lodging of evidence-in-chief and rebuttal evidence for all submitters before the hearing of the submissions.
4. On 12 April 2017 the hearing panel received a memorandum from Ngāi Tahu outlining their request for an extension to the timeframes directed by the hearing panel in Minute 6 for lodging evidence-in-chief and rebuttal evidence, specifically their cultural and technical evidence.
5. The request does not relate to their planning evidence. Instead it relates to cultural and technical evidence from:
 - a. Ailsa Cain
 - b. Dean Whaanga
 - c. Dr Gail Tipa
 - d. Dr Jane Kitson
6. Ngāi Tahu has requested an extension as follows:
 - a. Ngāi Tahu cultural and technical evidence-in-chief to be filed by 26 May 2017.
 - b. Ngāi Tahu rebuttal cultural and technical evidence to be filed by 2 June 2017.
 - c. Any evidence for other submitters in rebuttal of the evidence in chief for Ngāi Tahu to be filed by 2 June 2017.
7. Ngāi Tahu has set out the following reasons for the request:
 - a. Mana Whenua who will be providing cultural and technical evidence are about to exercise their customary rights and travel to the Titi Islands. They will be away until mid to late May.
 - b. The ability for Papatipu Rūnanga to exercise customary rights, granted by the Crown is of great significance and the time period during which these rights can be

exercised is directed by tikangas. There is a conflict between the timetable and the ability to exercise this longstanding customary right.

DIRECTIONS

8. The panel has considered the request and agrees to grant the extension as requested.
9. The extension has been granted because the panel agrees with the reasons outlined by Ngāi Tahu in their legal submission.



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

13 April 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
6	6 April 2017	Notice of hearing and procedural matters
7	13 April 2017	Decision on extension request from Fish & Game
8	13 April 2017	Decision on extension request from Ngāi Tahu
9	13 April 2017	Decision on extension request from Beef + Lamb
10	13 April 2017	Decision on extension for all submitters