

**IN THE ENVIRONMENT COURT
AT WELLINGTON**

**I TE KŌTI TAIAO O AOTEAROA
KI TE WHANGANUI-A-TARA**

IN THE MATTER of a direct referral of applications for resource consents and notices of requirement under sections 87G and 198E of the Resource Management Act 1991 for the Ōtaki to North of Levin Project



BY

NEW ZEALAND TRANSPORT
AGENCY-WAKA KOTAHI

(ENV-2023-WLG-000005)

Applicant

MINUTE OF THE ENVIRONMENT COURT

(7 JULY 2023)

[1] The Court acknowledges receipt of the New Zealand Transport Agency-Waka Kotahi (Waka Kotahi) memorandum dated 5 July 2023 setting out its proposed timetable in these proceedings. The memorandum has been posted on the Court's website.

[2] Commissioner Buchanan who is managing expert witness conferencing and mediation has discussed the proposed timetable with counsel for Waka Kotahi who has filed an amended timetable reflecting those discussions (the amended timetable). A copy of the amended timetable is appended to this minute and will also be posted on the Court's website.

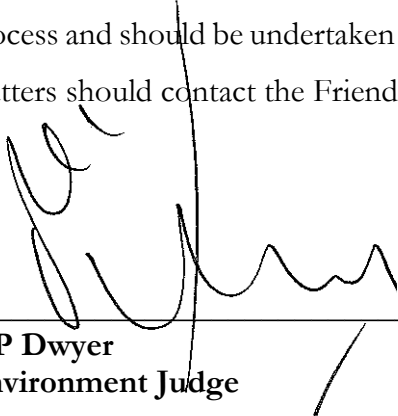
[3] Any party seeking change or refinement of the amended timetable is to advise in writing by midday Wednesday 12 July 2023. The Court's present intention is to

make directions generally as proposed by Waka Kotahi in the amended timetable but subject to consideration of parties' comments.

[4] Appendix A of the Waka Kotahi memorandum of 5 July is a list of witnesses which has been compiled by Waka Kotahi. I note with that a number of parties have identified the topics on which they will be calling expert witnesses but have not identified who those witnesses are. At para [4] of the Court's minute of 20 June 2023 (prior to the pre hearing conference) parties were advised that they would be required to identify all witnesses at the conference. I also note that the Court's minute of 27 June 2023 (post conference) simply stated that parties were to advise as to the number of witnesses they would call at hearing without repeating the earlier requirement to identify those witnesses so any confusion regarding what was required is the responsibility of the Court.

[5] For the sake of clarity I confirm that all parties intending to call expert witnesses must identify who those witnesses are and provide in writing full contact details for them (phone and email) to the Court by 5.00 p.m on Wednesday 12 July next. As was explained at the pre hearing conference this information is vital to enable organisation of expert witness conferencing.

[6] Parties calling expert witnesses should urgently forward a copy of this minute including the proposed amended timetable to their expert witnesses so that they are aware of their timetabling obligations. Expert witnesses will be required to establish their specific areas of expertise and be familiar with the requirements of clause 9 of the Environment Court Practice Note 2023. These are important steps in the Court process and should be undertaken urgently. Any party who has queries regarding these matters should contact the Friend of Submitters or take legal advice urgently.


B P Dwyer
Environment Judge

