



## **THE ENVIRONMENT COURT OF NEW ZEALAND**

### **NOTICE OF EXPERT WITNESS CONFERENCES**

Expert witness conferencing has been arranged for expert witnesses giving evidence on valuations at the proceedings listed in the attached Schedule. The conferences will take place as follows:

**DATE:**           Monday 24 July 2023  
                      Wednesday 26 July 2023  
                      Thursday 27 July 2023  
                      Friday 28 July 2023

                      Monday 7 August 2023  
                      Tuesday 8 August 2023  
                      Wednesday 9 August 2023  
                      Thursday 10 August 2023  
                      Friday 11 August 2023

**TIME:**           Various. For topics and times please see the schedule included.

**VENUE:**        **Courtroom 5.03/5.04**  
                      **District Court Building**  
                      **5th Floor**  
                      **49 Ballance Street**  
                      **Wellington**  
                      **Ph: (04) 9188300; Fax: (04) 9188303**

The purpose of the expert witness conferencing is to enhance the efficiency of the Court hearing process by providing for expert witnesses to confer and identify the issues on which they agree, with reasons. They are also to clearly identify the issues on which they cannot agree, and give reasons for their disagreement. This will enable the Court to focus primarily on matters that remain in dispute while understanding the basis for agreed matters.

#### **DIRECTIONS**

Counsel are to provide their respective experts with a copy of the Environment Court's Expert Witnesses Code of Conduct (Part 7, Environment Court Practice Note 2014) and Protocol for Expert Witness Conferences (Appendix 3, Environment Court Practice Note 2014 ) and to brief them on their responsibilities under these<sup>1</sup>. Particular attention is to be drawn to those parts which require experts to express their views independent of counsel and the parties who have engaged them.

Counsel are to ensure if 'will say' statements are to be provided they are to be provided two working days prior to the relevant conference.

Experts are to be provided with all relevant documentation updated as appropriate, and pre-circulated evidence and reports necessary to enable them to thoroughly understand the issues.

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<sup>1</sup> Copies attached

Counsel are to ensure that all documentation referred to above is with the experts and the facilitator at least 5 working days prior to the conference.

Counsel are to liaise with the experts to prepare a conference agenda addressing the key issues identified, and pre-circulate it in electronic form to all conference participants, including the facilitator, at least 48 hours prior to the conference. Any relevant Joint Statements from related or prior expert conferences are to be provided in electronic form at that time.

The Court has a preference for all expert conferencing to be "face to face". Where exceptional circumstances make this difficult other formats may be used, such as telephone or video conferencing, with the approval of the facilitator.

Counsel are also to liaise on the provision of a suitable recorder to attend the conference for preparing the Joint Witness Statement under the direction of the experts. It is preferable that a non-participant is made available for this role. Recorders are to be supplied with the necessary technical equipment, including a laptop computer and preferably a projector and screen (or smart board) in order to ensure efficient recording of agreed wording for the Statement.

The Joint Witness Statement agreed from the conference will identify the issues, both agreed and not agreed, accompanied by the experts' reasoning set out as succinctly as the circumstances allow. The Joint Statement should be completed, signed and dated on the day or as soon as possible thereafter. Counsel are to arrange for one of their number to be responsible for circulation of the joint statement to the parties, the facilitator and the Court.

Participants are to be advised by counsel that expert witness conferencing is privileged except for the signed joint witness statement prepared by the experts following the conference, which will be part of the public record.

### **CORRESPONDENCE AND ENQUIRIES**

Information on the Environment Court and the Court's Practice Notes which serve as a guide, are available at [www.justice.govt.nz/courts/environment-court](http://www.justice.govt.nz/courts/environment-court). Please direct to me all correspondence or enquiries about this notice or the procedures at the conferencing. If you have any special requirements please advise me, preferably well in advance, so that they can be attended to.

**Dated at Wellington Environment Court Registry on 18 July 2023**



**(Jennifer Gerritsen**

**Case Manager - Mediation**

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### **ENVIRONMENT COURT**

SX10044

Wellington

Telephone: (04) 918 8300

Facsimile: (04) 918 8303

<b>Topic</b>	<b>Date</b>	<b>Proposed attendees</b>
<b>Transport</b>	<b>24 July (9 am)</b>	<ul style="list-style-type: none"> <li>- Phil Peet (Waka Kotahi)</li> <li>- Tim Kelly (HDC)</li> <li>- David Dunlop (KCDC)</li> <li>- David Wanty (JML)</li> </ul>
<b>Social impact</b> <i>Conference to be held virtually</i>	<b>24 July (1.30pm)</b>	<ul style="list-style-type: none"> <li>- Jo Healy (Waka Kotahi)</li> <li>- Michala Lander (District Councils)</li> </ul>
	<b>25 July</b>	<ul style="list-style-type: none"> <li>- <i>No Conferencing, Commissioner Buchanan unavailable</i></li> </ul>
<b>Hydrogeology and groundwater</b>	<b>26 July (9 am)</b>	<ul style="list-style-type: none"> <li>- Jack McConchie (Waka Kotahi)</li> <li>- Jon Williamson (Regional Councils)</li> </ul>
<b>Water abstraction</b>	<b>26 July (1.30pm)</b>	<ul style="list-style-type: none"> <li>- Jack McConchie</li> <li>- Mike Thompson (GWRC)</li> <li>- Michaela Stout (Horizons)</li> <li>- Logan Brown (Regional Councils)</li> <li>- Alex James (Waka Kotahi)</li> <li>- Siobhan Karaitiana (Muaūpoko Tribal Authority)</li> </ul> <p><i>-Ngāti Raukawa witness (TBC)</i></p>
<b>Noise and vibration</b>	<b>27 July (9am)</b>	<ul style="list-style-type: none"> <li>- Michael Smith (Waka Kotahi)</li> <li>- Siiri Wilkening (District Councils)</li> <li>- Jon Styles (Kainga Ora)</li> <li>- Rhys Hegley (JML)</li> </ul>
<b>Landscape, visual, natural character</b>	<b>27 July (1.30pm)</b>	<ul style="list-style-type: none"> <li>- Gavin Lister (Waka Kotahi)</li> <li>- Julia Williams (District Councils)</li> <li>- Siobhan Karaitiana (Muaūpoko Tribal Authority)</li> </ul> <p><i>-Ngāti Raukawa witness (TBC)</i></p>

<b>Urban Design</b>		<ul style="list-style-type: none"> <li>- Gavin Lister (Waka Kotahi)</li> <li>- Graeme McIndoe (Regional Councils)</li> <li>- Paul Edmond (JML)</li> </ul>
<b>Air quality</b>	<b>28 July (9am)</b>	<ul style="list-style-type: none"> <li>- Andrew Curtis (Waka Kotahi)</li> <li>- Peter Stacey (Regional and District Councils)</li> </ul>
	<b>28 July (pm)</b>	<ul style="list-style-type: none"> <li>- <i>No conferencing scheduled / reserve.</i></li> </ul>
<b>Terrestrial ecology</b>	<b>7 Aug (9am)</b>	<ul style="list-style-type: none"> <li>- Nick Goldwater (Waka Kotahi)</li> <li>- James Lambie (Regional Councils)</li> <li>- Bryn Hickson-Rowden (District Councils)</li> <li>- Prouse Trust witness</li> <li>- Siobhan Karaitiana (Muaūpoko Tribal Authority)</li> </ul> <p><i>-Ngāti Raukawa witness (TBC)</i></p>
<b>Freshwater ecology</b>	<b>7 Aug (1.30pm)</b>	<ul style="list-style-type: none"> <li>- Alex James (Waka Kotahi)</li> <li>- Logan Brown (Regional Councils)</li> <li>- Bryn Hickson-Rowden (District Councils)</li> <li>- Siobhan Karaitiana (Muaūpoko Tribal Authority)</li> </ul> <p><i>-Ngāti Raukawa witness (TBC)</i></p>

<b>Erosion and sediment control</b>	<b>8 August (9am start)</b>	<ul style="list-style-type: none"> <li>- Gregor McLean (Waka Kotahi)</li> <li>- Kerry Pearce (Regional Councils)</li> <li>- Keith Hamill (Waka Kotahi)</li> <li>- Logan Brown (Regional Councils)</li> <li>- Justine Bennett (District Councils)</li> <li>- Siobhan Karaitiana (Muaūpoko Tribal Authority)</li> </ul> <p><i>-Ngāti Raukawa witness (TBC)</i></p>
<b>Water quality</b> <i>Ms Bennett to attend remotely</i>		
<b>Stormwater</b>	<b>8 August (after ESC and Water Quality)</b>	<ul style="list-style-type: none"> <li>- Nick Keenan (Waka Kotahi)</li> <li>- Stu Farrant (Regional Councils)</li> <li>- Justine Bennett (District Councils)</li> <li>- Keith Hamill (Waka Kotahi)</li> <li>- Logan Brown (Regional Councils)</li> <li>- Phil Jaggard (Kainga Ora)</li> <li>-</li> </ul>
<b>Hydrology and flooding</b>	<b>9 August (9am)</b>	<ul style="list-style-type: none"> <li>- Jack McConchie (Waka Kotahi)</li> <li>- Peter Kinley (Regional Councils)</li> <li>- John McArthur (District Councils)</li> <li>- Phil Jaggard (Kainga Ora)</li> <li>-</li> </ul>

<b>Planning</b>	<b>10 and 11 August</b>	<ul style="list-style-type: none"> <li>- Grant Eccles (Waka Kotahi)</li> <li>- Ainsley McLeod (Waka Kotahi)</li> <li>- Mark St Clair (Regional Councils)</li> <li>- Helen Anderson (District Councils)</li> <li>- Kay Panther Knight (Kainga Ora)</li> <li>- Tom Anderson (Spark / Connexa)</li> <li>- Anna Carter (Prouse Family Trust)</li> <li>- Karl Cook (JML)</li> <li>- Michelle Grinlinton-Hancock (KiwiRail)</li> <li>- Siobhan Karaitiana (Muaūpoko Tribal Authority)</li> </ul> <p><i>-Ngāti Raukawa witness (TBC)</i></p>
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