



**THE ENVIRONMENT COURT OF NEW ZEALAND
NOTICE OF EXPERT WITNESS CONFERENCE**

Expert witness conferencing has been arranged for planning witnesses giving evidence on the proposed Southland Water and Land Plan. The conferences will take place via Microsoft Teams and as follows:

DATE:	Wednesday, 21 September 2022 – Thursday, 22 September 2022
TIME:	10:00 AM

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 do not 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.

General Directions

All parties calling expert¹ evidence on the scheduled conference topic 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. 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.

Experts are to be provided with or directed to where they can access all relevant documentation updated as appropriate, including evidence and reports necessary to enable them to thoroughly understand the issues in the proceeding.

¹ Refer Environment Court's Expert Witnesses Code of Conduct Appendix 3 at [1] (c) for description of the term expert witness.

Counsel are to ensure that all documentation referred to above is with or accessible to the experts and the facilitator at least 3 working days prior to the conference.

Counsel are to liaise on the provision of a suitable recorder to attend the conference and prepare the Joint Witness Statement under the direction of the experts. For small conferences (2 - 3 experts) this may be one of the experts, but it is preferable that a non-participant is made available for all conferences.

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 Witness Statement should be completed, signed and dated on completion of the conference or by such other date directed by the facilitator.

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

General information on the Environment Court is available here: <https://environmentcourt.govt.nz/>. The Environment Court's Practice Note 2014, which serves as a guide to the court's processes (including expert conferencing) is available here: <https://environmentcourt.govt.nz/about/practice-note/>

Please direct all correspondence or enquiries about this Notice or the procedures for the conferencing to me, Mediation Manager, Karina Kelly (Karina.Kelly@justice.govt.nz).

If you have any special requirements please advise me, preferably well in advance, so that they can be attended to.

Dated at Christchurch Environment Court Registry on 12 September 2022



Karina Kelly
Mediation Manager
Email address: Karina.Kelly@justice.govt.nz
PO Box 2069, WX 11113
Christchurch

Attachment A – List of Witnesses

Party	Witness	Contact details
Southland Regional Council	Matthew McCallum-Clark	Matthew@incite.co.nz
Aratiatia Livestock Ltd	Claire Jordan	jordanclaire20@gmail.com
Director-General of Conservation	Linda Kirk	lkirk@doc.govt.nz
Southland Fish and Game Council	Ben Farrell	ben@cuee.nz
Meridian Energy Ltd	Margaret Jane Whyte	jane@responseplanning.co.nz
Ngā Rūnanga	Treena Davidson	treenadavidson@aecltd.co.nz
Royal Forest and Bird Protection Society of NZ Inc	Natasha Sitarz	N.Sitarz@forestandbird.org.nz