

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
ŌTAUTAHI ROHE**

ENV-2020-CHC-099

**IN THE MATTER OF THE
RESOURCE MANAGEMENT
ACT AND OF AN APPLICATION
FOR DECLARATIONS UNDER
s310 OF THE ACT**

**ENVIRONMENTAL DEFENCE
SOCIETY INCORPORATED**

Applicant

v

**NEW ZEALAND ALUMINIUM
SMELTERS LIMITED**

Respondent

Date of Minute: 12 November 2020

**MINUTE OF ALTERNATE ENVIRONMENT
JUDGE NEWHOOK**

(Intended as a media release)

[1] I have today (12 November) conducted a follow-up confidential settlement conference to the one I conducted in Invercargill on 9 September and 5 others held electronically on 28 September, 9 October, 16 October and 30 October.

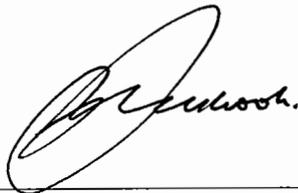
[2] I regret that finality has not been reached yet, a further complication having arisen in what has been a very complex situation. Having said that, constructive progress continues on all fronts for removal of the ouvea pre-mix from Matura to an industrial site. Finalisation of the several necessary contracts is closer, considerable progress having been made in the last week.

[3] Logistical arrangements for the removal activities are now in hand.



[4] The parties remain focussed on the urgency of the situation and are continuing to act constructively and with expedition. The aim remains to complete it by Christmas (possibly weather-dependent), subject to the remaining issues being finalised urgently.

[5] There is something I need to stress. As occurs in most Courts, the type of proceeding I am leading is called a Judicial Settlement Conference and is akin to mediation. Both are conducted in a confidential atmosphere to encourage openness and co-operation among parties and lead to cost-effective resolution of the proceedings (in comparison to hearings in open Court). The reason that I have taken the most unusual step of releasing Minutes to the media with the consent of the parties, is to allow the affected residents of Mataura to be made aware in an objective and neutral fashion about progress towards resolution of the problem on their doorstep. I have the agreement of the parties that there will be no further communications from them or from me than in this fashion.



L J Newhook
Alternate Environment Judge

