

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO
KI TĀMAKI MAKĀURAU**

IN THE MATTER OF the Resource Management Act 1991 and
in the matter of 23 appeals under clause
14 of Schedule 1 to the Act in relation to
Plan Change 1 to the Waikato Regional
Plan

(ENV-2020-313-014)

MINUTE OF THE ENVIRONMENT COURT

(14 July 2021)

[1] Further to my minute dated 12 July 2021, the Court has now received a memorandum dated 13 July 2021 from counsel for Wairakei Pastoral Ltd, one of the appellants in these proceedings. That memorandum sets out that party's background information which adds to and tends to corroborate the complaint of Mr Pinnell. That memorandum also seeks further directions by the Court as to the information that the Council should include in the reports that I have directed it to file.

[2] At least in the first instance, parties should not conduct this process by means of separate memoranda which are addressed to the Court but are really directed at getting the Council to provide information. Particularly in plan proceedings involving a large number of parties, that approach carries a real risk of swamping the Court with such requests. The Court would almost always prefer that parties attempt to deal with such issues directly and only raise them with the Court where direct communication is unsuccessful. I remind counsel that they have duties to the Court and to one another to behave with respect and courtesy, which includes protection of the Court's processes.

[3] Nothing in this minute is intended to derogate from the right of any party to

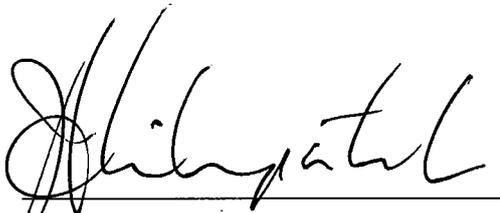


communicate with the Court at any time where that party considers it necessary or desirable to do so. I do ask that before contacting the Court, a party consider whether it can resolve an issue by direct communication with other parties. Where resolution is not likely, parties should also bear in mind that the Court is better assisted by joint memoranda which gather all relevant information in one document than by a series of separate memoranda.

[4] Having said that, the suggestions of counsel for Wairakei Pastoral Ltd appear to me to be generally sensible and likely to assist all parties and the Court in advancing the resolution of these proceedings. Without making specific directions, I ask the Council to include these requests in the preparation of its reports.

[5] If any other party has any similar suggestion, I ask that they direct that to the Council in the first instance.

[6] I had envisaged that a pre-hearing conference would likely be required, but that the scheduling of it should await the Court's consideration of the information directed to be provided by the Council. With 23 appeals and a number of s 274 parties, the conference may be relatively lengthy; it may also be desirable for it to be split into sessions which may need to be on separate days. For those reasons I will not direct that a conference be scheduled at this stage, but parties should expect that one will be scheduled as soon as practicable.



D A Kirkpatrick
Chief Environment Judge

