

ENVIRONMENT COURT OF NEW ZEALAND

12 June 2025

In reply, please quote reference
ENV-2025-CHC-000030

Bannockburn Responsible Development Inc.
c/o James Dicey
128 Cairnmuir Road, RD2, Cromwell, 9384

Dear Mr Dicey

Bannockburn Responsible Development Incorporated Society v Central Otago District Council

Applicant: DJ Jones & NR Searell Family Trusts

Topic(s): Appeal against decision of Central Otago District Council to grant resource consent for a 26-lot residential subdivision at 88 Terrace Street, Bannockburn.

I acknowledge receipt on 11 June 2025 of:

- Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
- filing fee of \$660.00
- notice of the name, address and date of service for each person served with the above application.

I have referred this file to Judge Steven who directs:

This matter is assigned to the standard track. The appellant (Bannockburn) must serve their appeal on the respondent and applicant before this matter can proceed. Bannockburn is to confirm with the court when this is completed.

*Counsel for the respondent must confer with the other parties and file a memorandum by **18 July 2025** setting out*

- a. *whether the parties seek mediation and/or time to undertake informal discussions (if so, setting out their reasons/positions and a time estimate);*
- b. *If mediation is not sought, counsel must propose an evidence timetable and an estimate of the hearing time required (and set out the list of witnesses to be called by each party. Please note that leave will be required to substitute any witnesses).*

*P A Steven
Environment Court Judge
12 June 2025*

Mediation

This case may be able to be resolved by negotiation or mediation, rather than by a full hearing and a decision by the court. Mediation can be directed by an Environment Judge or requested at any time by the parties. Mediation is an informal process, where an independent person meets with the parties to help them to reach agreement on all or some of the questions in dispute. Mediation is a process, which can be relatively quick and inexpensive. Parties and their advisers can talk openly about the dispute and their attitudes to it. Any technical or legal questions can be identified and discussed.

A mediator does not judge the case or impose a decision, but helps the parties to see if they can reach an outcome of their own.

An Environment Commissioner of the Environment Court may be asked to act as mediator, see section 268(1) of the Resource Management Act 1991. The parties are not asked to pay his/her expenses. An Environment Commissioner acting as mediator will not be involved in hearing the appeal if agreement cannot be reached, and the case on the appeal will not be prejudiced by the mediation if it is not successful.

If negotiation or mediation is not successful in resolving the case, the file is then returned to the control of the Case Manager and Judge.

The parties may agree to engage a private mediator instead of an Environment Commissioner. This would involve payment of the mediator's fees and expenses. A private mediator may be chosen because of special skills.

Further information about private mediators can be obtained from the Arbitrators' and Mediators' Institute, PO Box 1477, Wellington, or LEADR NZ (Inc), PO Box 10991, Wellington, email: leadrnz@xtra.co.nz or telephone: (04) 470 0110.

If the matter proceeds to hearing, you will be notified of any hearing date and time as well as the associated hearing and scheduling fees.

Case Management

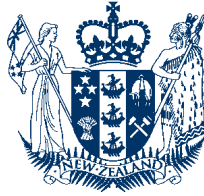
The Environment Court operates a caseflow management system for all proceedings filed with it. The Court will supervise or manage the time and events involved in the life of this case, from the time it is filed, to the time it is disposed of. Initially a copy of this appeal will be referred to an Environment Judge shortly after its filing for assignment to a case track.

What is a case track?

The Court specifically manages the flow of cases through a Case Tracking system, of which there are three distinct management tracks. They are:

Standard:

This management track will include most s.120 appeals, non-urgent enforcement proceedings and other miscellaneous proceedings. The Court will typically issue standard directions to the parties, with an emphasis on avoiding unnecessary court



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appearances at the interlocutory stage and a hearing within six months of commencement.

Priority:

This track is for the more urgent cases, such as urgent enforcement proceedings; also appeals that the Court considers require priority resolution, or matters for which more intense case management is required.

Parties On-Hold:

Cases will be placed onto this track (unless the managing Judge otherwise directs) in circumstances where parties advise that they are not actively seeking a hearing to (for example) negotiate or mediate.

Where your case has not already been assigned to a case track then the Managing Judge will allocate your case to a specific track and you will be notified of this by way of separate correspondence.

Information about the Environment Court and its procedures can be found on the Ministry of Justice web site (<http://www.justice.govt.nz>) and is also available from the Ministry for the Environment (<http://www.mfe.govt.nz>).

Please direct any correspondence or enquiries to myself as Case Manager for this matter and note the above Court reference.

Natalie Walsh
Hearing Manager

ENVIRONMENT COURT

E-mail address: Natalie.Walsh@justice.govt.nz

LIST OF PARTIES

<u>Lodgement:</u>	<u>ENV-2025-CHC-000030</u>	<u>Bannockburn Responsible Development Incorporated Society v Central Otago District Council</u>
Initiator	Bannockburn Responsible Development Incorporated Society	James Dicey 128 Cairnmuir Road, RD2, Cromwell, 9384
Respondent	Central Otago District Council	Central Otago District Council
Applicant	DJ Jones & NR Searell Family Trusts	Chris Fowler, Saunders & Co Lawyers, PO Box 18, Christchurch 8140