

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991

AND of appeals under cl 14 of the First Schedule to the Act

BETWEEN MASTERTON DISTRICT COUNCIL
(ENV-2019-WLG-000110)

AND CARTERTON DISTRICT COUNCIL
(ENV-2019-WLG-000112)

AND PORIRUA CITY COUNCIL
(ENV-2019-WLG-000116)

AND WELLINGTON WATER LIMITED
(ENV-2019-WLG-000123)

AND SOUTH WAIRARAPA DISTRICT COUNCIL
(ENV-2019-WLG-000127)
Appellants

AND WELLINGTON REGIONAL COUNCIL
Respondent

**MINUTE OF THE ENVIRONMENT COURT
(31 AUGUST 2020)**

[1] The Court acknowledges receipt of the joint memorandum of counsel for various parties (local bodies and Wellington Water) having an interest in Topic 45, complaining about parties who/which did not attend earlier mediation (Forest & Bird and A and J Boyne) giving notice of attendance at the reconvened mediation.

[2] I note with concern the apparent failure of the non attending parties to comply with the Court's clear directions. I have considered application of the Court's strike out powers in



instances of abuse of process but have ultimately determined that is too draconian a measure in a situation where the remaining parties had not achieved finality.

[3] The non attending parties may attend the reconvened mediation but are reminded of their obligations to actively and constructively participate in good faith and to comply with the Court's directions.



B P Dwyer
Environment Judge

Issued: 31/8/2020

