



ENVIRONMENT COURT OF NEW ZEALAND

17 June 2016

In reply, please quote reference  
ENV-2016-AKL-000139

Douglas Birt  
PO Box 830  
Whangaparaoa  
Auckland 0943

Dear Douglas

**ENV-2016-AKL-000139 P W Bennett v Thames-Coromandel District Council**

**Topic(s): Thames-Coromandel Proposed District Plan - Master topic**

I acknowledge receipt on 13 June 2016 of:

- Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991
- filing fee of \$511.11

I look forward to receiving from you written notice to the Court of the name, address and date of service for each party served with the application. Please note that service of the application cannot be waived.

The Court has accepted your application subject to the following:

- Receipt of one additional copy of the appeal
- A copy of your submission on the proposed Plan.  
A copy of the Council's decision on your submission.  
Please include the following advice to the submitters when you serve your appeal on the other parties.

**Advice to recipients of copy of notice of appeal**

*How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in [form 33](#)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

You may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see [form 38](#)).

*\*How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the appellant's submission and (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

These proceedings will not progress until you have attended to the above. After that the matter will be referred to an Environment Judge for their initial consideration.

### **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 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.**



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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 Alice McIntosh as Case Manager for this matter and note the above Court reference.

Brooke Burnett  
On behalf of Alice McIntosh  
Hearing Manager  
**ENVIRONMENT COURT**  
Direct dial phone: (09) 916 9034  
E-mail address: [Alice.McIntosh@justice.govt.nz](mailto:Alice.McIntosh@justice.govt.nz)

# **LIST OF PARTIES**

|            | <b><u>ENV-2016-AKL-000139</u></b>  | <b><u>P W Bennett v Thames-Coromandel District Council</u></b>                                       |
|------------|------------------------------------|--|
| Appellant  | Bennett, Peter                     | K Birt, PO Box 830, Whangaparaoa, Auckland 0943  |
| Respondent | Thames-Coromandel District Council | Andrew Green, Brookfields, P O Box 240 / DX CP24134, Shortland Street, Auckland 1140                 |
| Respondent | Thames-Coromandel District Council | Brenda Milo, Brookfields Lawyers - Auckland, PO Box 240, Shortland Street, DX CP24134, Auckland 1010 |
| Respondent | Thames-Coromandel District Council | Jen Vella, Berry Simons, PO Box 3144, Auckland 1140  |
| Respondent | Thames-Coromandel District Council | Kate Storer, BerrySimons, PO Box 3144, Auckland 1140   |
| Respondent | Thames-Coromandel District Council | Lisa Madgwick, Thames-Coromandel District Council, Private Bag 1001, Thames                          |
| Respondent | Thames-Coromandel District Council | Mr Simon Berry, PO Box 3144, Shortland Street, AUCKLAND  |