

**ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

**I MUA I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHI**

ENV-2022-CHC-007

Under the the Resource Management Act 1991 ("Act")
In the matter of an appeal under s 120 of the Act
Between **FRIENDS OF CONICAL HILL INCORPORATED**
 Appellant
And **HURUNUI DISTRICT COUNCIL**
 Respondent
And **HANMER SPRINGS THERMAL POOLS & SPA**
 Applicant

**MEMORANDUM OF COUNSEL FOR THE RESPONDENT
REGARDING MEDIATION**

14 April 2022

BUDDLE FINDLAY

Barristers and Solicitors
Christchurch

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MAY IT PLEASE THE COURT:

1. This memorandum is filed on behalf of the Respondent in accordance with the Minute of the Environment Court dated 8 April 2022.
2. Counsel for the Respondent has conferred with counsel for the Appellant and counsel for the Applicant in preparing this memorandum.

Number of persons

3. The number of people anticipated to attend mediation is a maximum of 18 in total as follows:
 - (a) The Appellant will have four to seven people attend.
 - (b) The Applicant will have four to six people attend.
 - (c) The Respondent will have four to five people attend.

Availability

4. The parties are available for mediation on Monday 16 May 2022 or Friday 20 May 2022.

Time estimate for mediation

5. The parties request that one full day be set aside for mediation.

Location and facilities

6. The parties consider that mediation for this appeal is best facilitated if held in-person. The Appellant has expressed a preference that in-person mediation be held in Hanmer Springs as that is where the majority of its members reside. The Applicant has expressed a preference for in-person mediation to occur in Christchurch but is happy to be flexible in terms of location. The Respondent is also flexible in terms of location. Accordingly, it is suggested that in-person mediation takes place in Hanmer Springs.
7. It is suggested that a projector and screen for projecting images and documents from a laptop be made available at the mediation venue.
8. The Applicant objects to remote mediation and submits that given the number of parties attending mediation, logistical difficulties are likely to arise through remote mediation and it is in the interests of justice for mediation to take place in-person. All of the parties' participants attending

in-person will have vaccine passes and will be briefed on the requirements and expectations of parties and representatives for in-person mediations as contained in the Environment Court's Practice Note: COVID-19: Protection Framework dated 5 April 2022.

9. While the Appellant and the Respondent agree that mediation for this appeal is best facilitated if held in-person, neither would object to remote mediation.

Dated 14 April 2022



Cedric Carranceja
Counsel for the Respondent