



ENVIRONMENT COURT OF NEW ZEALAND

12 December 2016

**BY EMAIL ONLY**, as per the **attached** case party list.

Dear Parties

**ENV-2016-AKL-000282 – Metlifecare Limited v Auckland Council**

Topic: An appeal against a decision refusing an application for consent to construct and operate a retirement village at 65 Hibiscus Coast Highway, Red Beach, Auckland

The above-mentioned proceedings, being an appeal under section 120 of the Resource Management Act 1991, were lodged with the Environment Court on 5 December 2016.

An Environment Judge has reviewed this matter and has made the following **directions**:

1. This appeal is assigned to the Court's **standard** case management track.
2. The parties shall file with the Court, and serve on one another, **by 5:00pm on 25 January 2017**, a memorandum or memoranda advising as to whether or not they are agreeable to the proceedings being referred to Court-assisted mediation. Where a party has filed and served a notice under section 274 of the Act and the notice confirms whether or not the party is agreeable to mediation, a separate memorandum as to mediation is not required.
3. If all parties agree to Court-assisted mediation:
  - (a) the Registry will schedule a mediation and will advise you of the details in due course;
  - (b) the appeal will be reassigned to the Court's "parties' hold track" until 24 March 2017;
  - (c) Auckland Council, after consulting with all parties, shall file with the Court and serve on all parties, **by 5:00pm on 24 March 2017**, a memorandum advising as to progress if consent documents resolving the entire appeal have not been filed with the Court by then or the appeal has not otherwise been withdrawn by then; and
  - (d) the memorandum referred to in paragraph 3(c) above shall be referred to an Environment Judge for directions.
4. In the event that one or more of the parties is not agreeable to Court-assisted mediation, a judicial telephone conference will be scheduled for as soon as possible **after 25 January 2017** so the Court can make directions to timetable the proceedings to a hearing.

Please do not hesitate to contact me if you have any questions.

Yours faithfully



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Case Manager  
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## **LIST OF PARTIES - EMAIL**

<b><u>Lodgement:</u></b>	<b><u>ENV-2016-AKL-000282</u></b>	<b><u>Metlifecare Limited v Auckland Council</u></b>
Initiator	Metlifecare Limited	Michael Savage, Park Chambers, PO Box 5844, Wellesley Street, Auckland 1141, michael.savage@parkchambers.co.nz
Respondent	Auckland Council	Christian Brown, Private Bag 92300, Victoria Street, AUCKLAND, christian.brown@aucklandcouncil.govt.nz
Respondent	Auckland Council	Robert Andrews, Auckland Council, Private Bag 92300, AUCKLAND, robert.andrews@aucklandcouncil.govt.nz

