

[4] The applicant also seeks a direction to enable service to be carried out by notifying the submitters via a letter which would direct them to the Council's website where they can download the documents (since the affidavit is 402 pages long).

[5] I consider both requests are appropriate so will grant them as sought but will also make additional directions for any submitters wishing to join (and extending the reporting memorandum date).

Directions

[6] Accordingly, I direct:

- (a) the applicant must serve the notice of motion and supporting affidavit on each of the submitters;
- (b) service can be effected by sending a letter (and a copy of this Minute) to each of the submitters (within three working days) referring them to a page on the Council's website where the notice of motion and affidavit can be downloaded;
- (c) any submitter who wishes to join the proceeding should lodge with the court, and serve on the parties, a form 33 (found on the Environment Court's website) by **Friday 18 September 2020**;
- (d) the appellant is to confer with parties and file a memorandum by **Friday 25 September 2020** setting out:
 - (i) a list of the issues; and
 - (ii) whether the parties seek mediation (and if so setting out their reasons/positions, timetabling arrangements and a time estimate); or
 - (iii) if mediation is not sought, then the parties should propose an evidence timetable (setting out the potential witnesses to be called and an estimate of the hearing time required).

[7] Leave is reserved for any party to apply for further (or other) directions.



J J M Hassan
Environment Judge

Issued: 28 August 2020

