

BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

I MUA I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

Decision No. [2020] NZEnvC 144

IN THE MATTER of the Resource Management Act 1991
AND of an application for declarations under s 310
of the Act
BETWEEN ENVIRONMENTAL DEFENCE SOCIETY
INCORPORATED
(ENV-2020-CHC-99)
Applicant
AND NEW ZEALAND ALUMINIUM SMELTERS
LIMITED
Respondent

Court: Environment Judge J E Borthwick
Sitting alone under section 279 of the Act

Hearing: In Chambers at Christchurch

Date of Amended
Order: 3 September 2020

Date of Issue: 3 September 2020

**AMENDMENT TO DISCOVERY ORDER AND CONFIDENTIALITY ORDER
OF THE ENVIRONMENT COURT**

A: Pursuant to sections 279(1)(b), 278(2), and 279(3)(c) of the Resource Management Act 1991 ("RMA"), Part 8 of the District Court Rules 2014, and Rule 6(a) of the District Court (Access to documents) Rules 2017, the Environment Court orders an amendment to:



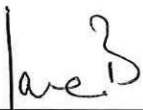
- (a) the Discovery Order of the Environment Court dated 25 August 2020;¹ and
- (b) the Confidentiality Order of the Environment Court dated 21 August 2020.²

B: Leave is reserved for any party to make an application to amend these orders (if necessary).

REASONS

[1] By consent of the parties I amend the above orders of the court and substitute amended Schedule 1 and amended Annexure 1 on the basis that additional names are included as listed.

[2] The reasons and requirements of the above previous orders otherwise remain unchanged.



J E Borthwick
Environment Judge



¹ *Environmental Defence Society Incorporated v New Zealand Aluminium Smelters Limited* [2020] NZEnvC 136.

² *Environmental Defence Society Incorporated v New Zealand Aluminium Smelters Limited* [2020] NZEnvC 132.

Amended Schedule 1 to the Discovery Order – List of recipients

- Rob Enright
- Cordelia Woodhouse
- Shay Schlaepfer
- Karenza deSilva
- Stuart Ryan
- Michael Garbett
- Shelley Chadwick
- Gary Taylor, EDS
- Louise Wickham, Emission Impossible (for EDS)
- Stephen Parry, CEO Gore District Council
- Vin Smith, General Manager Policy, Planning and Regulatory Services, Southland Regional Council
- Chris Jenkins, Team Leader Hydrological Response, Southland Regional Council
- Simon Mapp, Compliance Manager, Southland Regional Council
- Eleanor Jamieson
- Rebecca Elvin
- Shaun Lewis, Ministry for the Environment
- Ben Williams
- Lucy Forrester
- Stewart Hamilton (for NZAS)
- Shaun O'Neill (for NZAS)
- Craig Scarlett, Superintendent Health, Safety Environment, New Zealand Aluminium Smelters Limited
- Joseph Carey, Corporate Counsel, Rio Tinto
- Vicky Robertson, Secretary for the Environment
- Sam Buckle, Deputy Secretary, Resource Efficiency, Ministry for the Environment
- John Dixon QC
- Francesca Bakker, Senior Solicitor, Ministry for the Environment.



Amended Annexure 1 to the Confidentiality Order – List of Recipients

- Rob Enright
- Cordelia Woodhouse
- Shay Schlaepfer
- Karenza de Silva
- Stuart Ryan
- Michael Garbett
- Shelley Chadwick
- Gary Taylor, EDS
- Louise Wickham, Emission Impossible
- Stephen Parry, CEO Gore District Council
- Vin Smith (General Manager Policy, Planning and Regulatory Services, Southland Regional Council)
- Chris Jenkins (Team Leader Hydrological Response, Southland Regional Council)
- Simon Mapp (Compliance Manager, Southland Regional Council)
- Eleanor Jamieson
- Rebecca Elvin
- Shaun Lewis (Director, Systems Change and Investments, Ministry for the Environment)
- Vicky Robertson, Secretary for the Environment
- Sam Buckle, Deputy Secretary, Resource Efficiency, Ministry for the Environment)
- John Dixon QC and
- Francesca Bakker, Senior Solicitor, Ministry for the Environment.

