



THE ENVIRONMENT COURT OF NEW ZEALAND

NOTICE OF HEARING

TAKE NOTICE that there is to be a sitting of the Environment Court as detailed below to hear the proceedings listed in the attached schedule.

The hearing will be held:

COMMENCING: Tuesday, 6 April 2010

TIME: 10.00 AM

VENUE: Courtroom 5.01
District Court Building
5th Floor
49 Ballance Street
Wellington
Ph: (04) 9188300; Fax: (04) 9188480

1. PROCEDURES

At the beginning of the sitting, the Court will consider any requests to:

- (a) Withdraw proceedings
- (b) Adjourn (postpone) hearings to a later date
- (c) Approve settlements agreed to all by the parties

The Court will then decide the order in which the proceedings will be heard during the sitting.

Parties must however advise the Court **immediately** if they wish to:

- a) settle and/or withdraw proceedings in whole or in part, or
- b) request an adjournment, that is postponing the hearing of proceedings, until a later sitting of the Court.

Timely notice to the Court of the settlement and/or withdrawal of proceedings will enable the Court to reallocate its hearing time if necessary.

However, the Court will only grant a request for adjournment if there is good reason for doing so, even if all parties have agreed to it.

If any party fails to:

- a) be ready to proceed with a hearing at the time arranged for it by the Court
- or**
- b) give adequate notice of withdrawal or settlement of proceedings

the Court may order the party or parties to pay any costs and expenses incurred by the Crown or another party. This may particularly be the case if the hearing time allocated by the Court is not used.

2. EVIDENCE

The parties must (subject to any existing timetable order or direction of the Court):

Exchange no later than 10 working days from the date of hearing - all statements and evidence that will be produced to the Court at the hearing.

3. MĀORI LANGUAGE AND SPECIAL REQUIREMENTS

If any party or witness:

1. wishes to speak Māori at the hearing under the Māori Language Act 1987, or
2. has special needs (for example in relation to disability and access, deafness, difficulties with the English language), or
3. has any special arrangements for the hearing are required, e.g. transport for site visits, storage space for bulky exhibits, video playback

they are to advise the Court in writing of this not later than 10 working days from the date of hearing so that appropriate arrangements can be considered.

4. CORRESPONDENCE AND ENQUIRIES

Information on the Environment Court and the Court's Practice Notes which serve as a guide, are available at www.justice.govt.nz/courts/environment-court. All correspondence or enquiries about this notice or the hearing procedures are to be directed to the undersigned.

Dated at Wellington Environment Court Registry on 09 March 2010



**Debra Gainey
Hearing Manager**

Direct dial phone: (04) 918 8330

E-mail address: Debra.Gainey@justice.govt.nz

ENVIRONMENT COURT

Box 5027

Lambton Quay

Wellington

Telephone: (04) 918 8300

Facsimile: (04) 918 8480

SCHEDULE OF PROCEEDINGS

1. **Topic:** **Declaration Revoking Pedestrian Status of Manners Mall**
Topic Number: **ENV-2009-346-000039**

- i The City Is Ours Incorporated v Wellington City Council
Appeal against a Declaration for a Pedestrian Mall pursuant to Section 336 of the Local Government Act 1974
Court Reference: ENV-2009-WLG-000231

LIST OF PARTIES

TOPIC: Declaration Revoking Pedestrian Status of Manners Mall

<u>Lodgement:</u>	<u>ENV-2009-WLG-000231</u>	<u>The City Is Ours Incorporated v Wellington City Council</u>
Initiator	The City Is Ours Incorporated	Maria van der Meel, The City Is Ours Incorporated, Box 24415, Manners Street, Wellington
Respondent	Wellington City Council	Kerry Anderson, DLA Phillips Fox - Wellington, PO Box 2791, Wellington
Party To Be Heard Under S291	Corlett, Brent	Brent Corlett, C/- The City is Ours, P O Box 24415, Manners Street, Wellington
Party To Be Heard Under S291	Drysdale, Ian	Ian Drysdale, C/- The City is Ours, P O Box 24415, Manners Street, Wellington
Party To Be Heard Under S291	Easton, Benjamin	Benjamin Easton, Box 24415, Manners Sreet, Wellington
Party To Be Heard Under S291	Linton, James	James Linton, C/- The City is Ours, P O Box 24415, Manners Street, Wellington
Party To Be Heard Under S291	O'Shaughnessy, Bernard	Bernard O'Shaughnessy, Apt 239, 320 Mansfield Street, Newtown Park Mews, Newtown, Wellington
Party To Be Heard Under S291	Tingey, Murray	Murray Tingey, 56 Kings Drive, Levin
Party To Be Heard Under S291	van der Meel, Maria	Maria van der Meel, Box 24415, Manners Street, Wellington