



## 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:

DATE: Monday, 21 September 2009

TIME: 10.00 AM

VENUE: Hearing Room 8.1, Environment Court  
District Court Building  
8th Floor  
3 Kingston Street  
Auckland  
Ph: (09) 9169091; Fax: (09) 9169090

#### 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 all 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**

All correspondence or enquiries about this notice or the hearing procedures are to be directed to the undersigned.

**Dated at Auckland Environment Court Registry on 19 August 2009**

**Janice King  
Hearing Manager**

Direct dial phone: (09) 916 9285

E-mail address: Janice.King@justice.govt.nz

### **ENVIRONMENT COURT**

Box 7147

Wellesley Street

Auckland

Telephone: (09) 916 9091

Facsimile: (09) 916 9090

## SCHEDULE OF PROCEEDINGS

1. **Topic:** Application for a land use consent to add 24 units to the existing Retirement Village at 37 Natzka Road, Waiheke Island  
**Topic Number:** ENV-2006-304-000185

i

Waiheke Retirement Village Limited v Auckland Regional Council  
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991  
Court Reference: ENV-2006-AKL-000323

2. **Topic:** Appeal against resource consent decision re removal of oak tree at 114 Terry Street Blockhouse Bay  
**Topic Number:** ENV-2008-304-000134

i

Butterworth v Auckland City Council  
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991  
Court Reference: ENV-2008-AKL-000248

3. **Topic:** Subdivide property at 3265 Kaipara Coast, Glorit, into seven rural allotments and one legal access lot.  
**Topic Number:** ENV-2009-304-000065

i

MacBur Holdings No 8 Ltd v Rodney District Council  
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991  
Court Reference: ENV-2009-AKL-000064

4. **Topic:** Declaration re 35 Hawkes Access Road  
**Topic Number:** ENV-2009-304-000082

i

P Perrott v Rodney District Council  
Application For Declaration pursuant to Section 311 of the Resource Management Act 1991  
Court Reference: ENV-2009-AKL-000147