



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 3 November 2009

TIME: 10.00 AM

VENUE: Marlborough Room, Heartland Hotel Marlborough
Cnr Alfred & Henry Streets
Blenheim
Phone: (03) 578 5079; Fax: (03) 578 0337

RESUMING: Monday 23 November-Friday 27 November 2009
Monday 30 November-Friday 4 December 2009
Monday 7 December-Friday 11 December 2009.

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

SCHEDULE OF PROCEEDINGS

1. Topic: **Appeals against consent decision regarding an application to build, operate and maintain a hydro-electricity scheme on the Wairau River**

Topic Number: **ENV-2008-305-00026**

- i New Zealand and Nelson Marlborough Fish & Game Councils v Marlborough District Council
Applicant: TrustPower Limited
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2007-CHC-000166
- ii Ormond Aquaculture Limited & New Zealand Clearwater Crayfish (Koura) Limited v Marlborough District Council
Applicant: TrustPower Limited
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2007-CHC-000167
- iii TrustPower Limited v Marlborough District Council
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2008-CHC-000217
- iv Director-General of Conservation v Marlborough District Council
Applicant: TrustPower Limited
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2008-CHC-000218
- v Save the Wairau River Incorporated v Marlborough District Council
Applicant: TrustPower Limited
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2008-CHC-000222
- vi Jet Boating New Zealand Incorporated v Marlborough District Council
Applicant: TrustPower Limited
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2008-CHC-000223