



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: **Wednesday 9 September 2009**

TIME: **9.00 AM**

VENUE: **WAIARIKI MAORI LAND COURT
GROUND FLOOR COURTROOM
HAUORA HOUSE
HAUPAPA STREET
ROTORUA
PH (07) 921 7402**

PLEASE NOTE: It is important parties are ready to begin at 9.00 am on Wednesday 9th September. As the Environment Court will be partially through another matter beginning on Monday 7th September 2009 (Court Reference : ENV-2008-AKL-000329 / ENV-2008-AKL-000331).

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 28 July 2009



Sophia Moore
Hearing Manager

Direct dial phone: (09) 916 9369

E-mail address: Sophia.Moore@justice.govt.nz

ENVIRONMENT COURT

Box 7147

Wellesley Street

Auckland

Telephone: (09) 916 9091

Facsimile: (09) 916 9090

SCHEDULE OF PROCEEDINGS

1. **Topic:** Enforcement order requiring trimming of 10 trees on property at 628 Te Ngae Road, Rotorua to avoid, remedy or mitigate adverse effects on the Rotorua Airport

Topic Number: ENV-2009-334-000003

i Rotorua Regional Airport Limited v Fischer

Application For Enforcement Order pursuant to Section 316 of the Resource Management Act 1991

Court Reference: ENV-2009-AKL-000304