



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: Tuesday, 4 August 2009

TIME: To be advised.

VENUE: Court Room, Whangarei District Court
107-109 Bank Street
Whangarei
Ph: (09) 983 5460 Fax (09) 983 5461

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 08 July 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:** **Subdivison - Whangarei Heads Road, McLeods Bay**
Topic Number: **ENV-2006-349-000016**

i Dudin v Whangarei District Council
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2006-AKL-000218

- 2. Topic:** **Appeal against resource consent for Dental Centre Facility at 2 Puriri Park Road, Whangarei**
Topic Number: **ENV-2008-303-000032**

i McNaughton v Whangarei District Council
Applicant: Blue Sky Maunu Ltd
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2008-AKL-000290

- 3. Topic:** **Resource consent to subdivide their property at Martin Road, Bland Bay, into 3 allotments (Lot 3 being proposed esplanade reserve to vest in Whangarei District Council**
Topic Number: **ENV-2008-349-000008**

i Rapana v Whangarei District Council
Appeal Against Decision Of Consent Authority pursuant to Section 120 of the Resource Management Act 1991
Court Reference: ENV-2008-AKL-000189

LIST OF PARTIES

TOPIC: Resource consent to subdivide their property at Martin Road, Bland Bay, into 3 allotments (Lot 3 being proposed esplanade reserve to vest in Whangarei District Council

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| <u>Lodgement:</u> | <u>ENV-2008-AKL-000189</u> | <u>Rapana v Whangarei District Council</u> |
| Initiator | Rapana, D | K R M Littlejohn, Quay Chambers, Po Box 106 215, Auckland |
| Respondent | Whangarei District Council | Julian Dawson, Thomson Wilson, Po Box 1042, Dx Ap24512, Whangarei |

TOPIC: Subdivison - Whangarei Heads Road, McLeods Bay

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| <u>Lodgement:</u> | <u>ENV-2006-AKL-000218</u> | <u>Dudin v Whangarei District Council</u> |
| Initiator | Dudin, C | Roger Bell, Webb Ross, Private Bag 9012, Dx Ap24506, Whangarei |
| Initiator | Dudin, J | Roger Bell, Webb Ross, Private Bag 9012, Dx Ap24506, Whangarei |
| Respondent | Whangarei District Council | Graeme Mathias, Thomson Wilson, Po Box 1042, Dx Ap24512, Whangarei |
| Respondent | Whangarei District Council | Whangarei District Council, Private Bag 9023, Whangarei |

TOPIC: Appeal against resource consent for Dental Centre Facility at 2 Puriri Park Road, Whangarei

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| <u>Lodgement</u> | <u>ENV-2008-AKL-000290</u> | <u>McNaughton v Whangarei District Council</u> |
| Initiator | Mcnaughton, Mr Kenneth | Colleen Prendergast, Henderson Reeves, P O Box 11, Dx Ap24505, Whangarei |
| Respondent | Whangarei District Council | Julian Dawson, Thomson Wilson, Po Box 1042, Dx Ap24512, Whangarei |
| Applicant | Blue Sky Maunu Ltd | Roger Bell, Webb Ross, Private Bag 9012, Dx Ap24506, Whangarei |
| Interested Party S274 | Cunningham, Tim | Tim Cunningham, 11 Puriri Park Road, Maunu, Whangarei |
| Interested Party S274 | Doar, Derrick | Derrick Doar, 134 Puriri Park Road, Maunu, Whangarei |
| Interested Party S274 | Dunn, Lynn | Lynn Dunn, 1 Puriri Park Road, Maunu, Whangarei |
| Interested Party | Percy, Jim | Jim Percy, 41 Puriri Park Road, Whangarei |

S274

Interested Party Stallworthy, Lynda
S274

Colleen Prendergast, Henderson Reeves, P O Box 11, Dx
Ap24505, Whangarei

Interested Party Walls, Claire
S274

Claire Walls, 3 Kotare Crescent, Whangarei, Northland

Interested Party Wilkins, Robin
S274

Robin Wilkins, 86 Puriri Park Road, Maunu, Whangarei