



THE ENVIRONMENT COURT OF NEW ZEALAND

NOTICE OF RESUMED 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 details for these proceedings are as follows

COMMENCING: **Monday, 13 July 2020**

TIME: **10:00 AM**

VENUE: **Courtroom, Maori Land Court**
BNZ Centre
Level 2, 354-358 Victoria Street
Hamilton
Ph: (07) 957 7880

Time Allocated: 1.5 day

1 PROCEDURES

At the start of the hearing, 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 hearing.

Parties must advise the Court **immediately** if they want to:

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

Parties should notify the Court of the settlement and/or withdrawal of proceedings as soon as possible as this will enable the Court to reallocate the hearing time if necessary.

The Court will only grant a request for adjournment if there is a good reason for doing so, even if all the 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

then the Court may order the party or parties to pay any costs and expenses incurred by the Crown or another party. This may happen where 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 before the date of hearing - all of the 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

<https://www.justice.govt.nz/courts/going-to-court/pre/interpreters-language-and-disability-access/>

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 Auckland Environment Court Registry on 26 June 2020



Frida Cho

Hearing Manager

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ENVIRONMENT COURT

CX10086

PO Box 7147

Auckland

Telephone: (09) 916 9091

SCHEDULE OF PROCEEDINGS

- 1. Topic:** **An application for enforcement orders requiring the cessation of activities in breach of noise rule at a metal recycling facility at 203 Ellis Street, Frankton, Hamilton**

Topic Number: **ENV-2019-313-000013**

- i. Hamilton City Council v Global Metal Solutions Limited and C Tuhoro
Application For Enforcement Order pursuant to Section 316 of the Resource Management Act 1991
Court Reference: ENV-2019-AKL-000319

LIST OF PARTIES

TOPIC: An application for enforcement orders requiring the cessation of activities in breach of noise rule at a metal recycling facility at 203 Ellis Street, Frankton, Hamilton

<u>Lodgement:</u>	<u>ENV-2019-AKL-000319</u>	<u>Hamilton City Council v Global Metal Solutions Limited and C Tuhoro</u>
Initiator	Hamilton City Council	Lachlan Muldowney, PO Box 9169, Waikato Mail Centre, Hamilton 3240, lachlan@muldowney.co.nz
Initiator	Hamilton City Council	Shaye Thomas, PO Box 9169, Waikato Mail Centre, Hamilton 3240, shayethomas@muldowney.co.nz
Respondent	Global Metal Solutions Limited	Kevin Bond, Braun Bond & Lomas Limited, PO Box 928, Hamilton 3240, Kevin.Bond@bblawyers.nz
Respondent	Global Metal Solutions Limited	Tobias Braun, BBL Lawyers Limited, PO Box 928, Hamilton 3240, toby.braun@bblawyers.nz
Respondent	Tuhoro, Craig	Kevin Bond, Braun Bond & Lomas Limited, PO Box 928, Hamilton 3240, Kevin.Bond@bblawyers.nz
Respondent	Tuhoro, Craig	Tobias Braun, BBL Lawyers Limited, PO Box 928, Hamilton 3240, toby.braun@bblawyers.nz