

BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA

Decision No. [2018] NZEnvC 125

IN THE MATTER of the Resource Management Act 1991
AND of an application to change enforcement orders pursuant to s 316 and s 321 of the Act
BETWEEN WEST COAST REGIONAL COUNCIL
(ENV-2015-CHC-67)
Appellant
AND WESTLAND DISTRICT COUNCIL
Respondent

Court: Environment Judge J E Borthwick

Hearing: In Chambers at Christchurch

Date of Decision: 3 August 2018

Date of Issue: 3 August 2018

ERRATUM OF THE ENVIRONMENT COURT

[1] On 27 July 2018, the court issued decision [2018] NZEnvC 119 (“the decision”), making changes to enforcement orders, by consent, made against the Westland District Council on 18 November 2016.¹

[2] Mr Logan, for the West Coast Regional Council, has emailed the Registrar and advised that counsel had anticipated that Orders A(a) and A(b) of the decision would specify the date of the decision.

[3] While I am not convinced this is necessary, given the date of the decision and the date of issue are identical and clearly recorded above the Orders, I do not wish to leave any room for confusion which may extend the date for the commissioning of a new treatment plant any further.

¹ [2016] NZEnvC 223.



[4] I am prepared to utilise rule 11.10 District Court Rules 2014² to add the date of the decision to Orders A(a) and A(b).

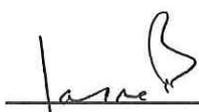
Outcome

[5] Pursuant to section 278 of the Resource Management Act 1991 and rule 11.10 District Court Rules 2014, for the avoidance of doubt, the Environment Court inserts the date of the decision into the Orders of decision [2018] NZEnvC 119.

[6] The wording of the changed Orders is set out below:

- A. Pursuant to sections 279(1)(b), 314(1)(b), 319 and 321 of the Resource Management Act 1991, the Environment Court orders that Westland District Council must:
- (a) from **27 July 2018**, undertake fortnightly sampling of the influent flow and load characterisation, including trucked septage inputs, and determine the Final Design criteria for the pond and any potential aeration requirement. Westland District Council will provide copies of all sampling data to West Coast Regional Council if requested. Sampling may cease once sufficient data is obtained to appropriately inform the determination of the Final Design;
 - (b) every six weeks from **27 July 2018**, provide the West Coast Regional Council and copy to the Court, a written report on the completion of Key Milestones for the Project Works.

[7] Decision [2018] NZEnvC 119 is otherwise unchanged.



J E Borthwick
Environment Judge



² Section 278 RMA provides that Environment Judges have the same powers as the District Court in the exercise of its civil jurisdiction.