

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

Decision No. [2018] NZEnvC 168

IN THE MATTER of the Resource Management Act 1991  
AND of an application for enforcement orders  
under s 316 of the Act  
BETWEEN TARARUA DISTRICT COUNCIL  
(ENV-2018-WLG-000031)  
Applicant  
AND CAPITAL ALL SIGNS HOLDINGS  
LIMITED  
First Respondent  
DARREN DAVID EASTON  
Second Respondent

Court: Environment Judge J J M Hassan sitting alone under s 309 of the Act  
Hearing: in Chambers at Wellington  
Date of Decision: 7 September 2018  
Date of Issue: 7 September 2018

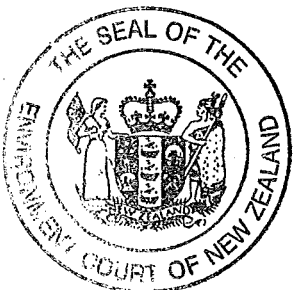
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**AMENDED ENFORCEMENT ORDERS**

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[1] The Environment Court makes the following amended orders in respect of 23 Fraser-Collin Crescent, Dannevirke, legally described as Lot 2 on Deposited Plan 379189 (the **Property**):

- (a) An order under section 314(1)(a)(i) of the Resource Management Act 1991 (**the Act**) requiring the Respondents to cease, by 1 October 2018, the storage of any shipping container on the Property and prohibiting the Respondents from using the Property for shipping container storage insofar as that is in contravention of the Act.



(b) An order under section 314(1)(b)(i) of the Act requiring the Respondents to remove all the shipping containers from the Property by 1 October 2018.

### General Provisions

(c) Pursuant to section 314(5) of the Act all provisions of these enforcement orders are to apply also to the Respondents' personal representatives, successors and assigns to the same extent that they apply to the Respondents.

(d) In the event that the Respondents have not complied with the enforcement orders by 1 October 2018, the Tararua District Council may comply with the enforcement orders on behalf of the Respondents and for this purpose may:

- (1) Enter by its employees and/or contractors (and bring and use any vehicle or machinery or equipment) upon the land at 23 Fraser-Collin Crescent, Dannevirke, legally described as Lot 2 on Deposited Plan 379189 (**the Property**) and any structure on the Property;
- (2) Sell or otherwise dispose of any structure or materials salvaged in complying with the enforcement orders; and
- (3) After allowing for any moneys received under paragraph (d)(2), if any, recover the costs and expenses of doing so as a debt from the Respondents.

### Costs

(e) Costs are reserved.



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J J M Hassan  
Environment Judge

