

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

Decision No. [2018] NZEnvC 189

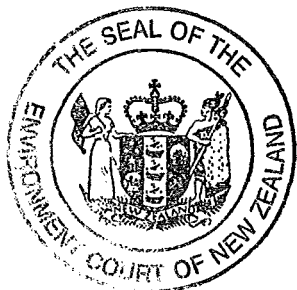
IN THE MATTER of the Resource Management Act 1991
AND of applications for stay of abatement notices
pursuant to s325(3B) of the Act
BETWEEN TIMBERGROW LIMITED
(ENV-2018-WLG-111)
ERNSLAW ONE LIMITED
(ENV-2018-WLG-112 and
ENV-2018-WLG-113)
Applicants
AND GISBORNE DISTRICT COUNCIL
Respondent

Court: Environment Judge J J M Hassan
Hearing: In Chambers at Christchurch
Appearances: L Burkhardt for Timbergrow Ltd and Ernslaw One Ltd
A Hopkinson for Gisborne District Council
Date of Decision: 2 October 2018
Date of Issue: 2 October 2018

**ERRATUM OF RECORD OF REASONS FOR GRANTING STAY OF
ABATEMENT NOTICES ON CONDITIONS**

[1] A telephone conference was held on 27 September 2018, and a Record of that conference was issued on 28 September 2018.¹

[2] At para [2], condition 1 of that Record I made the following decision:



¹ *Timbergrow Ltd & Ernslaw One Limited v Gisborne District Council* [2018] NZEnvC 184.

1. The applicants are to confer with the respondent and ensure the filing of a memorandum of counsel (preferably jointly with the respondent) reporting on progress, by Friday 30 October 2018.

[3] It has come to the court's attention that the date is in error, and it should be amended to read "Friday 2 November 2018".

[4] For the convenience of the parties and the avoidance of doubt, I set out below the now amended decision and conditions:

The applications for stay of the abatement notices by Ernslaw and Timbergrow are granted subject to the following conditions:

1. The applicants are to confer with the respondent and ensure the filing of a memorandum of counsel (preferably jointly with the respondent) reporting on progress, by Friday 2 November 2018.
2. The applicants are to ensure counsel is available at short notice for a teleconference to be arranged for shortly thereafter (probably in the week commencing 5 November 2018) for the purposes of determining whether the stays are to remain in force or cancelled or amended and for evidence timetabling and other arrangements for hearing if required to be made.

[5] Decision [2018] NZEnvC 184 is otherwise unchanged.


J J M Hassan
Environment Judge

