

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

**Decision No. [2020] NZEnvC 171**

IN THE MATTER of the Resource Management Act 1991  
AND

IN THE MATTER of an of an ex parte application for  
interim enforcement orders pursuant to  
sections 314 and 320 of the Act

BETWEEN **NORTHLAND REGIONAL COUNCIL**  
ENV-2020 – AKL - 000161  
Applicant

AND **CRAIG McDONALD MAISEY**  
Respondent

Court: Judge MJL Dickey sitting alone under ss 309(2) and 320 of the Act

Appearances: K de Silva for the Applicant  
Craig M Maisey in person

Date of Decision: 9 October 2020

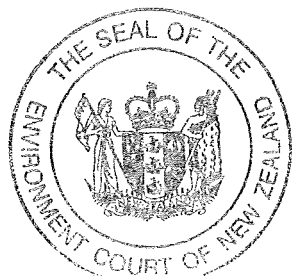
Date of Issue: 9 October 2020

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**INTERIM ENFORCEMENT ORDERS**

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**To:** Craig McDonald Maisey  
68 Okahu Downs Drive  
Kaitaia



### The Prohibition Orders

1. Pursuant to ss 320(1), 314(1)(a)(i) and 314(1)(a)(ii) of the Resource Management Act 1991 (**RMA**), Craig McDonald Maisey (**Respondent**) is prohibited from commencing:
  - a. bringing any solid waste and contaminants from solid waste onto the property at 68 Okahu Downs Drive, Kaitaia, comprising approximately 4.5576 hectares being Lot 2, Deposited Plan 541655, Record of Title Identifier 910619, North Auckland Land Registry District (**Property**).
  - b. any outdoor burning of solid waste and contaminants from solid waste at the Property.
  
2. Pursuant to ss 320(1), 314(1)(a)(i) and 314(1)(a)(ii) of the RMA, the Respondent is prohibited from commencing:
  - a. any burial of the solid waste and contaminants from solid waste at the Property; and
  - b. any other soil disturbance works on the Property within 50 metres of the solid waste piles until further investigations and any remedial work that may be required confirm that it is safe to undertake other soil disturbance works at the Property.

### Terms and conditions

3. Pursuant to ss 320(1) and 314(5) of the RMA, these Orders apply to the personal representatives, successors and assigns of the Respondent to the same extent as they apply to the Respondent.

### Service

4. These Orders shall take effect from when these Orders are served on the Respondent.

### Costs

5. Costs are reserved.



**REASONS**

[1] The Court's reasons for making these orders will follow in due course.

[2] Further orders seem likely following receipt of advice from the parties as to the timing of the proposed remediation of asbestos located on the Property.

For the Court:



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**MJL Dickey**  
**Environment Judge**

