

Attachment 7 – Table of statutory events since first abatement.

Date	Event
31 October 2019	Council inspection of property records that development of the property had occurred. Soil and grass stripped and sections of the property levelled. Gravel installed. Dirt drains excavated and property divided into 12 separate fenced sections. Signs erected advertising 'industrial fenced yards for lease'.
3 March 2020	Abatement notices issued to Barry Daniel and Beth Daniel to cease development of the property for industrial or business activities.
2020	Council continues to receive complaints about development at the property, LGOIMA requests made to Council about what enforcement action it is taking to enforce provisions of District Plan in relation to Te Puna Business Park.
Late 2020	Stratum engaged to assist with preparation of land use consent to carry out non-complying activities at the site. ¹
December 2020	Council issues abatement notices to the appellant, Barry Daniel and Beth Daniel, and AJ Demolition Limited requiring them to cease carrying out concrete crushing at the property.
9 June 2021	Resource consent application RC12979L lodged by Tinex Group Limited for property seeking consent to vary specified requirements of Structure Plan to allow development to proceed as a non-complying activity (First Resource Consent Application) .
24 June 2021	Resource consent application placed on hold pending submission of retrospective resource consent application for unlawful earthworks in a floodable zone at the property and confirmation of whether regional consents required.
31 March 2022	Further inspection of property by Council enforcement officers notes establishment of a number of businesses on site, including relocatable homes, earthmoving tyres, swimming pools and demolition equipment and skip bins.
7 April 2022	Tinex lodges a retrospective resource consent application for earthworks in a floodable zone at the property (RC13474L) (Second Resource Consent Application)
18 May 2022	Abatement notices issued to the appellant and Barry Daniel and Beth Daniel.
9 June 2022	Expiry of 15 working day appeal period for abatement notices.

¹ Refer to the affidavit of Shae Crossan dated 18 October 2022 at [11].

Date	Event
10 June 2022	Section 92 request issued by Council for First Resource Consent Application and Second Resource Consent Application
6 September 2022	Council writes to owners about outstanding infrastructure requirements from statement of agreed facts
7 October 2022	Request received from Project Manager, James Gardner-Hopkins, to vary abatement notice under s 325A(4) RMA.
18 October 2022	Appeal documents are served on the Council.
25 October 2022	Council issues decision to James Gardner-Hopkins declining to change abatement notice under s 325A(4) RMA.
7 November 2022	Replacement notice of appeal lodged by Appellant under s 325A RMA.
February 2023	Tinex lodges resource consent application for non-complying consent to enable continuation of current industrial activities for period of two years (Third or Subject Resource Consent Application).
29 March 2023	Council issues s92 request for Third Resource Consent Application.
6 April 2023	Applicant requests public notification.
18 April 2023	Applicant agrees to provide some s 92 information.
9 June 2023	Applicant provides agreed s 92 information.
20 June 2023	Council issues 13 working day s37A extension to timeframe based on special circumstances.
23 June 2023	Section 92 response deemed complete (for the parts the applicant agreed to provide). Public notification occurs.
31 July – 4 th August 2023	Abatement hearing held in Environment Court, Tauranga (GI Findlay Trustees Limited versus Western Bay of Plenty District Council). Decision is currently pending.