

If you are unsure, you are advised to contact immediately your:-

- **Lawyer** or
- **Citizens Advice Bureau** or
- **Environmental Services Department of Council**

## *Citizens Advice Bureaux*

Kerikeri Office            09 4079829

Kaitaia Office            09 4083378

Or

General number which will contact you with your nearest office.

**0800 367 222**



## Local Offices Here to Help

Kaikohe Service Centre  
Memorial Avenue  
**KAIKOHE**

Kawakawa Service Centre  
Gillies Street  
**KAWAKAWA**

Procter Library & Service Centre  
Cobham Road  
**KERIKERI**

Development Consents -  
John Butler Centre  
Kerikeri Road  
**KERIKERI**

Kaero Service Centre  
Main Road  
**KAEO**

Kaitaia Service Centre  
Redan Road  
**KAITAIA**

Rawene Service Centre  
Parnell Street  
**RAWENE**

### **SPECIALIST STAFF**

**Specialist staff are available by appointment.**

Dialing **0800 920029** will connect you with a Customer Service Officer who will assist in making an appointment with the appropriate person.

### **Would you like to know more?**

**This publication has been provided as a guide only.**

***Far North District Council staff will be happy to assist you if you have any further queries.***



**Far North  
District Council**

[www.fndc.govt.nz](http://www.fndc.govt.nz)

March 09  
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mentnoticeinformation

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Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)



**Far North  
District Council**

*Te Kaunihera o Tai Tokerau Ki Te Raki*  
*Frontier of opportunity*

## **ABATEMENT NOTICES**

**In the Far North District**

## **Useful Information**

A guide to your options when issued with an Abatement Notice under the Resource Management Act

## *"Why have I been issued with an abatement notice?"*

A staff member from the Far North District Council has contacted you previously and requested you to take action/cease an action within a certain time frame.

As the Council is not satisfied that this has been carried out, you have now been formally requested to take a particular action by a specific date.



## *"What are my options?"*

Your options are :

1. **Comply** with the Abatement Notice by the date specified.
2. **Appeal** the Notice by advising the Environment Court and the Council of your intention (using Form 27) within 15 working days of service of the Abatement Notice  
You may wish to consult a lawyer to discuss whether or not to appeal.
3. **Ignore** the abatement notice.  
If you do ignore the notice, the Council will hand all information onto its solicitor for prosecution under the Resource Management Act 1991

## *"What happens if I appeal?"*

If you appeal the Notice you will be advised of a date and time when you will be required to appear in the Environment Court where you may be represented by your lawyer to argue your case. The lodgement of an appeal does NOT automatically put a stay on the notice. Any stay will come into effect if it is granted by the Environment Court or (in some cases) if you have complied with the Abatement Notice.

Council will be represented by a lawyer and you may be questioned by him/her. The Judge will consider all the facts and give a decision, either immediately or at a later date.

## *"What happens if I ignore the Notice?"*

The Council will hand all the information to its solicitor for prosecution under the Resource Management Act 1991.



## *"If I am found guilty after appealing the Notice, or if I ignore it, what could it cost me?"*

The maximum fine under the Resource Management Act is \$200,000 or 2 years imprisonment and if the offence is a continuing one, to a further fine for every day or part of a day during which the offence continues.

You could also be required to pay costs (the Council's legal costs and other out of pocket expenses incurred by the Council).

The judge could also direct you to take a specific action by a certain date e.g. Remove the offending article or tidy up the property.

Failure to do as directed would leave you in contempt of court and further action would be in the hands of the Court.

