

COPY

IN THE HIGH COURT OF NEW ZEALAND
DUNEDIN REGISTRY

CIV-2011-412-000269

BETWEEN	ANZIDE PROPERTIES LIMITED First Plaintiff
AND	HALL BROTHERS TRANSPORT LIMITED Second Plaintiff
AND	DUNEDIN CRANE HIRE (2005) LIMITED Third Plaintiff
AND	DUNEDIN CITY COUNCIL Defendant

Dealt with on the papers

Minute: 24 October 2011

MINUTE OF CHISHOLM J

- [1] I have read the joint memorandum of counsel dated today.
- [2] The fixture is vacated.
- [3] The following orders are made by consent:
 - (a) The decision of the independent commissioner dated 30 June 2010 altering the designation is declared to be invalid and is quashed accordingly.
 - (b) The parties are to meet to see whether the remaining design issues can be resolved.

(c) Until agreement or further order of the Court the existing temporary access arrangements are to remain in place subject to:

- (i) The enhancements proposed by Mr Gamble in his affidavit of 20 October 2011;
- (ii) The closing off of the Ward Street overbridge where the current barricades are situated and also at the top of the Ward Street ramp;
- (iii) The limit lines on Frederick Street are to be brought forward by 12 metres.

[4] Counsel has requested a further hearing of one and a half days in approximately six weeks time. In due course the registrar will allocate a further fixture.

[5] Leave is reserved to counsel to request a telephone conference if this minute does not accurately reflect the interim arrangements that have been arrived at.

A handwritten signature in dark ink, appearing to be 'J. B. F. J.', is written on the right side of the page.

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