

**In the Environment Court
Christchurch
I Mua I Te Kooti Taiao
I Ōtautahi Rohe**

Under the Resource Management Act 1991 (**Act**)

In the matter of an appeal under clause 14 to the First Schedule of the
Resource Management Act 1991

Between **Bidwill Trust Hospital**

Appellant

ENV-2026-CHC-044

And **Timaru District Council**

Respondent

Notice of withdrawal of appeal

Dated: 6 October 2026

Andrew Schulte (andrew.schulte@cavell.co.nz) Counsel for appellant

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May it please the Court

1. This notice is given on behalf of the appellant, Bidwill Trust Hospital (**Bidwill**).
2. Bidwill advises that it's appeal, challenging the decision on scope by the Independent Hearing Panel, that was subject to the Court's decision dated 31 July 2026¹, is hereby withdrawn.
3. Bidwill also refers to the memorandum of counsel on behalf of Timaru District Council dated 25 September 2026, in which counsel for the Council (Mr Garbett) confirmed that the Council had no issues as to costs.
4. Accordingly, Bidwill respectfully requests that its withdrawal be noted and the Courts file closed, with costs to lie where they fall.



A J Schulte

Counsel for Bidwill Trust Hospital

¹ [2026] NZEnvC 198