

BEFORE THE ENVIRONMENT COURT

RMA No. /

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of an application for
waiver under section
281 regarding the time
period for lodging
appeals on decisions on
submissions to Plan
Change 3 to the
Auckland Regional
Plan: Coastal, Plan
Change 4 to the
Auckland City District
Plan - Central Area
Section and related
changes

BETWEEN VIADUCT HARBOUR
HOLDINGS LIMITED

Applicant

AND AUCKLAND
REGIONAL COUNCIL

First Respondent

AND AUCKLAND CITY
COUNCIL

Second Respondent

ORDER

Environment Judge Newhook sitting alone under s 279 of the *Resource Management Act 1991* (RMA) in chambers.

The Court having read and considered the application by Viaduct Harbour Holdings Ltd, the affidavit of Peter Snelling in support, and the memoranda of counsel from the Applicant, the First Respondent and the Second Respondent, **the Court hereby:**

1. **Waives** the 30 working day time period specified in cl 14(4) of Schedule 1 of the RMA within which an appeal to the Environment Court against the

decisions of the Respondents on submissions regarding the Proposed Plan Modifications (listed below) must be lodged and hereby extends the expiry of the time period to **20 February 2009** (pursuant to s 281(1)(a)(ii)), namely:

- (a) Auckland Regional Plan: Coastal – Proposed Plan Change 3 – Wynyard Quarter (Plan Change 3);
- (b) Auckland City District Plan - Proposed Central Area Section 1997 - Proposed Variation No. 33 – Wynyard Quarter (Proposed Variation);
- (c) Auckland City District Plan – Operative Central Area Section 2004 – Plan Change No. 4 – Wynyard Quarter (Plan Change 4);
- (d) Amendments to the Auckland City District Plan – Central Area Section – Operative 2004 (Consequential Amendments);
- (e) Auckland Central Area Plan - Notice of Requirement 16 (NOR 16) – designation for public open space – North Park;
- (f) Auckland Central Area Plan - Notice of Requirement 17 (NOR 17) – designation for public open space – Daldy Street – Linear Park;
- (g) Auckland Central Area Plan - Notice of Requirement 18 (NOR 18) – designation for road and public open space – Madden Street and Pakenham Street;
- (h) Auckland Central Area Plan - Notice of Requirement 19 (NOR 19) – designation for road and public open space – Te Wero link;
- (i) Auckland Central Area Plan - Notice of Requirement 20 (NOR 20) – designation for public open space – Wynyard Plaza;
- (j) Auckland Central Area Plan - Notice of Requirement 21 (NOR 21) – designation for road and public open space – Julian Wall;
- (k) Auckland Central Area Plan - Notice of Requirement 22 (NOR 22) – designation for proposed building line for road widening purposes – Beaumont Street;

- (l) Auckland Central Area Plan - Notice of Requirement 23 (NOR 23) – designation for proposed building line for road widening purposes – Westhaven Drive;
 - (m) Auckland Central Area Plan - Notice of Requirement 24 (NOR 24) – designation for road, public open space and public space/water feature – western side of Wynyard Quarter;
 - (n) Auckland Central Area Plan - Notice of Requirement 25 (NOR 25) – designation for public open space – Central Park;
 - (o) Auckland Central Area Plan - Notice of Requirement 26 (NOR 26) – designation for proposed building line for road widening purposes – Halsey Street.
2. Waives the period specified in Form 5 of the Resource Management (Forms, Fees and Procedures) Regulations 2003 within which copies of any appeal must be served and hereby extends the time period for service of appeals to **27 February 2009** (pursuant to s 281(1)(a)(i)); and
3. Directs that a copy of this Order be served by the Respondents on every submitter and further submitter within 5 working days its date.

Dated at Auckland the ^{16th} day of December 2008



L J Newhook
Environment Judge