

Decision No. A 110 /2002

**IN THE MATTER**

of the Resource Management Act  
1991

**AND**

**IN THE MATTER**

of an application for consent of the  
Court under clause 17(2) of the First  
Schedule to the Act by **THE**  
**NORTH SHORE CITY**  
**COUNCIL**

(RMA 175/02)

**BEFORE THE ENVIRONMENT COURT**

Environment Judge R J Bollard (presiding)

Environment Commissioners A H Hackett and I G McIntyre

**HEARING** at **AUCKLAND** ON 20 May 2002

**APPEARANCES**

Mr Loutit and Ms Embling for the North Shore City Council

Mr Allan for Housing New Zealand Corporation and (on behalf of Ms Simons) for  
B Jackson and P Simpson and Wickham Developments Limited

Mr Bartlett for Universal Homes Limited, Neil Construction Limited and Landco Long  
Bay Limited

Mrs O'Reilly for New Zealand Sugar Company Limited

Mr Hassall for National Trading Company of New Zealand Limited and  
Massey University

Ms Kirman for Westfield New Zealand Limited, St Lukes Group Limited, and  
Progressive Enterprises Limited

Ms Brown for Bayswater Marina Limited



**ORDER CONSENTING TO PART OF THE PROPOSED DISTRICT PLAN FOR  
THE NORTH SHORE DISTRICT BEING APPROVED AND MADE OPERATIVE**

**UPON READING** the application lodged on behalf of the North Shore City Council and the affidavits of Trevor Stewart Mackie sworn on 7 March 2002 and 17 May 2002 in support and a further affidavit sworn on 22 May 2002 lodged and served by way of additional clarification **AND UPON HEARING** from counsel for the applicant in support of the order sought **AND UPON HEARING** from counsel for other persons or bodies interested **AND UPON BEING SATISFIED** that the order sought is not opposed by any such person or body **AND UPON BEING FURTHER SATISFIED** that the order as below is appropriate **THIS COURT HEREBY ORDERS** that consent be given under clause 17(2) of the First Schedule to the Resource Management Act 1991 to the North Shore City Council approving part of its proposed district plan, namely, the whole plan **OTHER THAN** those parts of the plan that are affected by unresolved references, variations and designations as listed in Exhibit D to the second affidavit of Trevor Stewart Mackie, more particularly being the sites identified on the maps and the provisions of the proposed plan shown annotated in attachments forming part of Exhibit A to the first affidavit of Trevor Stewart Mackie (but amended as per Exhibit D of the second affidavit and as per Exhibit E to the third affidavit).

**ADDENDA**

- (i) Exhibit D to the second affidavit and Exhibit E to the third affidavit of Trevor Stewart Mackie are attached to this order. The detailed attachments to Exhibit A of the deponent's first affidavit are not attached, but may be inspected on the Court's file.
- (ii) A minute issued by the Court contemporaneously with this order is attached.

**DATED** at AUCKLAND this *23rd* day of *May*, 2002.



R J Bollard  
Environment Judge

