

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of an appeal under Clause 14 of
the First Schedule to the Act

BETWEEN

**WAIHEKE ISLAND AIRPARK
RESORT LIMITED**

ENV-2009-AKL-000346

Appellant

AND

**AUCKLAND COUNCIL (as
successor to Auckland City
Council)**

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge L J Newhook sitting alone under section 279 of the Act
IN CHAMBERS at Auckland.

ADDENDUM TO CONSENT ORDER

Introduction

- [1] The Court has read and considered the notice of appeal and the memorandum of the parties dated 5 September 2011.
- [2] This addendum to Consent Order relates to the Consent Order issued on this matter dated 20 August 2011.
- [3] Waiheke Island Community Planning Group Incorporated and Inga Muller gave notice of an intention to become interested parties to this matter under section 274 and have signed the memorandum of the parties requesting this addendum to the Consent Order issued on 20 August 2011.



[4] The Court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The Court understands for present purposes that:

- (a) All relevant parties to the proceedings have executed the memorandum requesting this order;
- (b) All relevant parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Resource Management Act 1991, including in particular Part 2.

Order

[5] Therefore, the Court orders, by consent, that:

- (a) The Auckland Council District Plan (Auckland City Hauraki Gulf Islands Section) be amended as set out in Schedule 1; and
- (b) The appeal is otherwise dismissed.
- (c) There is no order for costs.

DATED at Auckland this 14th day of September 2011



L J Newhook
Environment Judge



SCHEDULE 1

Part 13.2.3 of the plan be amended by inserting the new paragraph (shown as underlined):

13.2.3 Airstrips and helipads

The council owns and operates two airstrips on Great Barrier. The Plan acknowledges that air travel to Great Barrier is of increasing importance and that Claris airfield in particular plays a significant role in moving people and goods and helps enable the people and communities of Great Barrier to provide for their social and economic wellbeing.

The Plan also recognises the importance of air transport on Waiheke Island serving domestic, commercial and tourism interest. The airfield located at Carsons Road, Waiheke Island is identified on the planning maps.

There are also smaller airstrips and helipads in the islands. Some of these airstrips and helipads provide access to remote locations, or are used in the landform land units for farming operations.

While most visitors and residents access the inner gulf islands through the ferry services, in recent years there has been an increasing demand for tourist and private access via air travel, often helicopter. These sites are often easily accessed by other modes of transport, however, air travel can offer even greater convenience and accessibility. This has led to a proliferation of helipads, particularly in the rural land units, and concerns about the impact on amenity values. Air travel has different effects to land based transport, particularly noise.

Principal issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for the effective and efficient operation of airfields used for passenger transport purposes so they can serve the wider community, both now and in the future.
2. How to provide for continued private air access to remote locations.
3. How to ensure that the adverse effects of air travel are mitigated or avoided, where necessary.
4. How to balance the increasing demand for private and commercial air travel to, from and around the gulf islands, whilst protecting amenity values.



Part 13.3.2 of the plan be amended by inserting the new sentence to Policy 2 relating to Objective 13.3.2 (shown as underlined):

13.3.2 Objective - airstrips and helipads

To sustainably manage the use of the islands' airstrips and helipads and associated infrastructure, while protecting the character and amenity values of the islands.

Policies

1. By recognising and providing for the use and development of airstrips used for passenger and goods transport purposes and their associated infrastructure at appropriate locations.
2. By avoiding the location of activities sensitive to aircraft noise within the Claris and Okiwi airfield noise contours, unless the adverse effects can be adequately mitigated. At the airfield on Waiheke, adverse effects to the north of the airfield are managed by controlling the number of flight movements.
3. By recognising the need for helipads in remote locations, which may be difficult to access by other modes of transport.
4. By recognising that airstrips or helipads may be required for farming activities in the landform and rural land units.
5. By acknowledging that the gulf islands are a popular tourist destination and that air travel to, from and around the gulf islands is a recognised component of the tourist industry.
6. By not providing for helipads in locations that can adversely affect the amenity of surrounding residents.

