

Notice of Appeal to the Environment Court

In the Matter of an Appeal to the Environment Court under the provisions of the Resource Management Act 1991.

Orama Christian Fellowship Trust ("the Trust")

Appellant:

The Auckland City Council

Respondent:

To: The Registrar
The Environment Court
P O Box 7147
Wellesley Street
Auckland.

- 1.0 We, Orama Christian Fellowship Trust ("the Trust") 300 Karaka Bay Road Karaka Bay Great Barrier Island hereby appeal the decision of the respondent Council to not uphold a submission (2846) lodged by the Trust to the Auckland City District Plan – Proposed Hauraki Gulf Islands Section 2006.
- 2.0 The notice of decision was received at the appellant's address for service Graham Parfitt & Associates, 13 Westbourne Road Murrays Bay on Friday 1st May 2009.
- 3.0 The decision was made by the Auckland City Council, Private Bag 92516 Wellesley Street Auckland 1141.
- 4.0 The part of the decision we are appealing against is to not uphold the submission.
- 5.0 The site to which this appeal refers to is:
300 Karaka Bay Road Karaka Bay Great Barrier Island. The land is identified as:
Lot 1 DP 13669 CT NZ 35B/1156
Lot 11 DP 78692 CT NZ 34C/1310
Lot 12 DP 78692 CT NZ 35C/1311

6.0 The reasons for the appeal are:

- 1) The relief in the original submission sought either a settlement area or a scheduled activity notation or the equivalent or similar for the Trust's land at 300 Karaka Bay Road Karaka Bay Great Barrier Island. This was in recognition of the range of existing and future activities that are and could be carried out on the land as the property is subject to four (4) land forms (land forms 1, 2, 3 and 5) whose boundaries are not able to be defined and where the range of activities and structures provided for varies enormously. The Council partially upheld the submission by proposing a concept plan that would be an overlay over the four (4) land forms; and
- 2) The appellants are not necessarily opposed to the concept plan approach. However the Council's decision provides no detail at all as to what this plan will contain. As a consequence the Trust is unable to accept this decision as it stands. It is quite possible that once developed the concept plan may be agreeable to the Trust; and
- 3) At Karaka Bay the Trust has established a retreat, family camp and outdoor recreation base including sleeping, eating and recreation facilities along with maintenance facilities, a wharf and agricultural activities. In short, there is an identifiable community. In the future the Trust proposes to upgrade and expand these facilities and wishes to have a land use strategy including provision for appropriate facilities and uses to meet the Trust's objectives while protecting and enhancing the natural environment. The Trust believes with appropriate land use controls this outcome can be achieved. The Trust believes that the district plan needs to recognize this site as being a cohesive settlement of sufficient size and economic value to Great Barrier Island's economy and provide for it and its future growth. A settlement area would certainly provide that while a concept plan may also do so; and
- 4) The Trust believes that there is good will on both sides to hopefully negotiate an outcome that can achieve the goals and needs of both sides. The Trust is keen to negotiate with representatives of the Auckland City Council to achieve an outcome agreeable to both sides. There are no other parties to this appeal; and
- 5) That the proposed settlement area concept is, with modifications, consistent with:
 - a) Part II of the Resource Management Act 1991; and
 - b) will have no adverse effects on the environment that are more than minor; and
 - c) Part II of the second schedule to the Act.

7.0 We seek the following relief:

- 1) That either the "Orama Settlement Area" generally as set out in the submission but modified to exclude natural areas; or
- 2) A concept plan incorporating much of the proposed Orama Settlement Area proposed in the submission as is appropriate; or
- 3) Such other outcome as will achieve the above.



.....
(Signature of Graham Parfitt of Graham Parfitt & Associates authorized to sign on behalf of the appellant)

Dated at Murrays Bay this 29th day of May 2009.

Address for Service: Graham Parfitt & Associates
13 Westbourne Road
Murrays Bay
North Shore City
Telephone/Fax: (09) 478 8971
Email: parfitt.associates@xtra.co.nz
Contact Person: Graham Parfitt

Annexures:

Annexure 1 Original submission
Annexure 2 Respondent's decision
Annexure 3 List of parties notified of the appeal