



Auckland
Regional Council
TE RAUHIKANGA TAIAO

**NOTICE OF APPEAL UNDER CLAUSE 14(1) OF THE
FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

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TO: The Registrar
Environment Court
P O Box 7147
Wellesley St
Auckland

FROM: Auckland Regional Council
Private Bag 92 012
Auckland

- 1 The Auckland Regional Council appeals a decision on the following matter:

Auckland City District Plan – Proposed Hauraki Gulf Islands Section 2006 (the Proposed Plan)

- 2 The appeal relates to the decisions of the Auckland City Council (ACC) on the Proposed Plan, in particular Decision Report 10 (Topic: Part 7 – Heritage)
- 3 The Auckland Regional Council (ARC) lodged a submission to the Proposed Plan, as notified, seeking an amendment to Part 7.2 Resource management issues to clarify that the current state of formal identification, including location, and evaluation of cultural heritage resources on the Hauraki Gulf Islands outside of Waiheke Island is very incomplete, and for this reason a precautionary approach should be taken
- 4 The ARC received notice of the Auckland City Council decision on 29 April 2009

Auckland City Council decision

- 5 Decision Report 10 responded to the concern raised by the ARC by referring to section 7.4.4 of the Proposed Plan, which outlines that it was not possible to identify and assess the heritage items for all the islands at the time of notification of the Proposed Plan.

Reasons for appeal

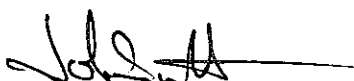
- 6 The current state of the formal identification and evaluation of historic heritage resources on the Hauraki Gulf Islands outside Waiheke Island is incomplete
- 7 The Auckland Regional Policy Statement (ARPS) Objective 6.3.3 aims to protect and restore ecosystems and other heritage resources, whose heritage value and/or viability is threatened
- 8 It is considered that the incomplete state of identification and evaluation of cultural heritage resources outside Waiheke Island has the potential to lead to the destruction of cultural heritage resources that have not yet been formally identified and located. The lack of identification and evaluation does not achieve the purpose and principles of the Resource Management Act 1991, particularly Part 2 matters relating to historic heritage, and does not give effect to the relevant objectives and policies of the ARPS

Relief sought

- 9 The Auckland Regional Council seeks the following relief:
 - (i) Part 7.2 of the Proposed Plan is amended to state that the current state of formal identification and evaluation of cultural heritage resources on the Hauraki Gulf Islands outside Waiheke Island is very incomplete and for this reason a precautionary approach should be taken.
 - (ii) Such other or further consequential relief as appropriate
- 10 The following documents are attached:
 - (a) A copy of the Auckland Regional Council's submission,
 - (b) A copy of the Auckland City Council decision report,
 - (c) A list of the names and addresses of those persons to be served a copy of this notice

The other parties may request a copy of the above documents from the appellant

Signed for and on behalf of the
AUCKLAND REGIONAL COUNCIL

A handwritten signature in black ink, appearing to read 'John Smith', with a long horizontal stroke extending to the right.

John Smith
General Manager
Transport and Urban Development

Dated on the 23rd day of July 2009.

Address for Service:

H D Jarvis
Manager Policy Implementation
Auckland Regional Council
Private Bag 92 012
Auckland

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in Form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see Form 38)

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission and the part of the decision appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court Unit of the Department for Courts in Auckland, Wellington, or Christchurch