

**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 20 (Topic: Land unit – Rural 1 (rural amenity) and land unit – Rural 2 (western landscape))
- 3 The Auckland Regional Council (ARC) lodged a submission to the Proposed Plan in relation to Part 10a.20.3 – Objective for the Rural 2 (western landscape) land unit, seeking that the objective includes consideration of the ecological values of the land unit
- 4 The ARC received notice of the Auckland City Council decision on 29 April 2009.

Auckland City Council decision

- 5 Decision Report 20 retains Objective 10a.20.3 as notified. The relief sought by the ARC was rejected by the ACC hearing panel for the reason that the ecological areas within the Rural 2 land unit are confined to small, defined areas and that it was therefore not appropriate to include reference to the ecological values of the land unit in the objectives and policies.

Reasons for appeal

6. Part 10a 20.1 – Introduction for the Rural 2 land unit describes the land unit as being characterised by a number of features, including *“Large areas of environmental significance, in particular wetland areas and areas of native vegetation”*. The Proposed Plan identifies a number of Sites of Ecological Significance (SES) in the Rural 2 land unit.
7. The Auckland Regional Policy Statement (ARPS) seeks to protect a representative range of the Region’s heritage resources and to avoid significant adverse effects on regionally significant environmental values. The lack of consideration of the ecological values of the land unit does not achieve the Purpose and Principles of the Resource Management Act 1991 and does not give effect to the relevant objectives and policies of the ARPS.

Relief sought

8. The Auckland Regional Council seeks the following relief:
 - (i) Amend Part 10a 20.3 – Objective of the Proposed Plan and its related policies to include consideration of the ecological values of the Rural 2 land unit.
 - (ii) Such other or further consequential relief as appropriate.
9. 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



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

List of names and addresses of parties served a copy of this notice

Name	Address 1	Address 2	Address 3	Address 4
Auckland City Council	Private Bag 92516	Wellesley St	Auckland 1141	
NZ Winegrowers	C/- D McGregor & M Bastistich	Bell Gully	PO Box 4199	Auckland
Ross D Macrae	PO Box 47	Oneroa	Waiheke Island	