

**IN THE ENVIRONMENT COURT  
AUCKLAND**

**ENV**

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of Clause 14(1) of the First Schedule of  
the Act

**BETWEEN**

Waiheke Golf Club Inc  
Appellant

**AND**

AUCKLAND CITY COUNCIL  
Respondent

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**NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST THE DECISION OF  
THE AUCKLAND CITY COUNCIL PROPOSED HAURAKI GULF ISLANDS  
DISTRICT PLAN 2006**

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Haiheke Golf Club Inc. (“**The Club** ”) appeals against the decision of the Auckland City Council (“**Council**”) on the Proposed Hauraki Gulf Islands District Plan 2006 (“**the Plan**”).

## **1. INTRODUCTION AND GENERAL MATTERS**

### **Submission**

- 1.1 **The Club** made a submission on the Plan on 5<sup>th</sup> December 2006. The submission was referenced by the Council as Submission 1326.

### **Decision**

- 1.2 A notice of the decision by the Council (“**Decision**”) was received on 4<sup>th</sup> May 2009. The Decision approved the Plan and declined the submissions made by The Club.

### **Mediation**

- 1.3 The Club is willing to engage in mediation or other alternate dispute resolution to seek to address their concerns.

### **Attachments**

- 1.4 The following documents are attached to this notice of appeal:
- (a) a copy of The Club’s original submission
  - (b) a copy of the relevant decision; and
  - (c) a list of names and addresses of persons to be served with a copy of this notice.

## **2. GENERAL SUBMISSION: PRINCIPAL OUTCOMES**

- 2.1 This appeal relates to the whole of the Decision.

- 2.2 The specific aspects of the decisions to which this appeal relates and the provisions they address are set out below. The appeal also relates to all consequential and related aspects of the plan, which may affect, or be affected by, this appeal.

### **3.0 Reasons for appeal**

- 3.1 The Club is concerned that the provisions of the proposed Plan (‘the Plan’) fail to recognise or provide for the reasonable use and expansion of the Club’s activities.

- 3.2 The Club has been developing the notion of an 18-hole golf course for some time and the provisions of the Plan as proposed undermine that intended use and development.

- 3.3 The Club seeks that the use and development of the golf course including necessary vegetative maintenance and removal, and earthworks be **permitted activities** and the subject of a **development plan** for the site overall.
- 3.4 Activities that conflict with the established activity of a golf course (bridle paths, passive recreational activities and walkways) should be removed from the planning provisions as these pertain to the course and relocated to more appropriate locations elsewhere on the Park.

**We seek the following decision from the Auckland City Council:**

**3.0 Relief Sought**

3.1 **The Club** seeks the following relief:

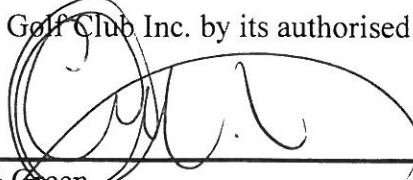
3.2 That the Plan be amended such that:

- 3.2.1 That the provisions of Rule 10a.24.5 of the Proposed Plan be amended to provide for the construction of buildings for the use of the Golf Course, where these are nominated in the development plan for the course as a permitted activity and shall not be further restricted by the constraints on development in Part 10c.
- 3.2.2 That the activity of a Golf Course be provided for as a permitted activity in Areas A, D and E of rule 10a.24.5 where this accords with the development plan for the course.
- 3.2.3 That earthworks, and vegetative management and clearance associated with activities of the Golf Course including turf management and development of the course in accordance with the development plan shall be permitted activities, subject to the standards in 10c.5.6.2 of the Plan.
- 3.2.4 By adding a sentence to Objective 10a.24.3.5 to para.2 to state that all walkways and bridle paths shall be located in such a way so as to ensure that no conflict or threat to public safety arises between adjacent land uses.
- 3.2.5 That the bridle paths and public walkways shown on “Figure 10a.3 Rangihoua Park”, be deleted from that part of the Park that is leased to and occupied by the Waiheke Golf Club Inc. to avoid conflicts between users and threat to public safety consistent with (amended) Objective 10a.24.3.5.
- 3.2.6 That the course development plan and planting plans prepared by LA4 including the document “Waiheke Golf Course – Planting Regime” be adopted and included in the Plan as comprising the plan for the future use and development of the Golf Course. (Refer attached), and that these be included in the Plan at 10a.24.5.1 as “Development Plan Waiheke Island Golf Course”

3.3 Such further or consequential relief as may be necessary to fully give effect to the relief sought.

3.4 Costs

Waiheke Golf Club Inc. by its authorised agents Green Group Limited



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**O:** The Registrar of the Environment Court

**AND TO:** Submitters and Further Submitters

**AND TO:** Respondent