

Notice of Appeal under the First Schedule of the Resource Management Act 1991- against a decision on a proposed plan, Clause 14(1)

To: The Registrar,
Environment Court
Department of Justice
P.O. Box 7174
Wellesley St,
Auckland.

**Re: Decisions on submissions to the Proposed HGI District Plan 2006,
specific to Waiheke Island.**

1. The **Waiheke Island Community Planning Group Inc** P.O.Box 49, Oneroa, Waiheke Island, Auckland, being a party that made a submission in regard to the decision that is the subject of this Appeal.
2. In regard to the **Decision Report 19, Land Units Rural 1 (rural amenity) and Rural 2 (western landscape)**, of the Proposed Hauraki Gulf Islands District Plan, Group file ref 314/274020. The decision report is dated 27th March 2009.
3. Written notice of the decision was received by the Appellant on the 5th of May 2009. Council extended the time for lodging appeals to 60 working days from the date of receipt of the said decision.
4. The nature of the Planning matter, the decision on which is the subject of this Appeal, is set out in the heading above.
5. The Planning matter concerned are the provisions in the said Proposed Plan, for these Land Units, in particular the Rural 1 LU which replaces Land Unit 20 Landscape Protection in the HGI Operative Plan and submissions thereon by the Appellant reference 3061/ 101 and 102 and further submissions 2885 in opposition and support.
6. This Appeal is based on the following grounds. That the decisions taken do not adequately comply with the relevant provisions of the Resource Management Act 1991, Part 2 in particular, and the Hauraki Gulf Marine Park Act 2000. Without mitigating from the generality of the above grounds, the specific issues that this conclusion is based on the unjustified move away from the previous strategic focus for this Land Unit and the Catchment Management framework it integrated with.
7. The Appellant seeks that this appeal be allowed and that the decision in question be overturned.

Signed: Waiheke Island Community Planning Group Inc

..... [Mr Pita Rikys]
Chairman

..... [Mr Christopher Wragge]
Secretary

Dated: 27th July 2009

Address for Service of Appellant: P.O.Box 49, Oneroa, Waiheke Island,
Auckland. Telephone 372 6414. E-mail: c/- pitarikys@yahoo.com

Annexure: List of persons served with a copy of this Notice of Appeal

1. Auckland City Council
2. All submitters at the hearing.

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1. The **Waiheke Island Community Planning Group Inc** P.O.Box 49, Oneroa, Waiheke Island, Auckland, being a party that made a submission in regard to the decision that is the subject of this Appeal.
2. In regard to **Decision Report 1, 'Whole Plan' Group file ref 314/274002**, of the Proposed Hauraki Gulf Islands District Plan. The decision report is dated 12th October 2007.
3. Written notice of the decision was received by the Appellant on the 5th of May 2009. Council extended the time for lodging appeals to 60 working days from the date of receipt of the said decision.
4. The nature of the Planning matter, the decision on which is the subject of this Appeal, is set out in the heading above.
5. The Planning matter concerned is Whole Plan, specifically and the submission thereon by the Appellant reference 3061/1 rejected in the said decision report, and the other submissions and further submissions by the Appellant on the Plan.
6. This Appeal is based on the following grounds. That the decisions taken do not adequately comply with the relevant provisions of the Resource Management Act 1991, Part 2 in particular, and the Hauraki Gulf Marine Park Act 2000. Without mitigating from the generality of the above grounds, the specific issues that this conclusion is based on are the lack of an integrated Transport Strategy / Plan and Economic Development Strategy / Plan for the island, the failure to provide for integrated Catchment Management in the Plan, the move away from a strategic role and focus for the Rural 1 [Rural amenity] land unit and the failure to make adequate provision for the Hauraki Gulf Marine Park Act 2000.
7. The Appellant seeks that this appeal be allowed, that the Whole Plan be rejected and the Respondent be required to start the Plan Review process afresh taking full account of the matters referenced in this Appeal.

Signed: Waiheke Island Community Planning Group Inc

..... **Chairman**

..... **Secretary**

Dated: 27th July 2009

Address for Service of Appellant: P.O Box 49, Oneroa, Waiheke Island, Auckland. Telephone 372 6414. E-mail: c/- pitarikys@yahoo.com

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1. The **Waiheke Island Community Planning Group Inc** P.O.Box 49, Oneroa, Waiheke Island, Auckland, being a party that made a submission in regard to the decision that is the subject of this Appeal.
2. In regard to **Decision Report 30, Part 11, Assessment Matters, Group file ref 314/274029**, of the Proposed Hauraki Gulf Islands District Plan. The decision report is dated 27th March 2009.
3. Written notice of the decision was received by the Appellant on the 5th of May 2009. Council extended the time for lodging appeals to 60 working days from the date of receipt of the said decision.
4. The nature of the Planning matter, the decision on which is the subject of this Appeal, is set out in the heading above.
5. The Planning matter concerned is provision within the Assessment framework of the Plan for the Hauraki Gulf Marine Park Act 2000, and the submissions thereon by the Appellant reference 3061/108, 109 rejected in the said decision report, and related submissions [such as 3061/155,156 and 160 and further submissions by the Appellant.
6. This Appeal is based on the following grounds. That the decisions taken do not adequately comply with the relevant provisions of the Resource Management Act 1991, Part 2 in particular, and the Hauraki Gulf Marine Park Act 2000. Without mitigating from the generality of the above grounds, the conclusion is based on the lack of adequate provision for the Hauraki Gulf Marine Park Act 2000 as noted, in comparison with specific guidelines provided by the Hauraki Gulf Forum for such provisions and related benchmarks.
7. The Appellant seeks that this appeal be allowed, that these and related provisions in the Plan be amended accordingly

Signed: Waiheke Island Community Planning Group Inc

..... **Chairman**

..... **Secretary**

Dated: 27th July 2009

Address for Service of Appellant: P.O Box 49, Oneroa, Waiheke Island, Auckland. Telephone 372 6414. E-mail: c/- pitarikys@yahoo.com

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Re: Decisions on submissions to the Proposed HGI District Plan 2006, specific to Waiheke Island.

1. **Gulf District Plan Association Inc** P.O.Box 106057, Auckland, being a party that made a submission in regard to the decision that is the subject of this Appeal.
2. In regard to the **Decision Report 10, Part 7 Heritage**, of the Proposed Hauraki Gulf Islands District Plan. The decision report is dated 27th March 2009.
3. Written notice of the decision was received by the Appellant on the 5th of May 2009. Council extended the time for lodging appeals to 60 working days from the date of receipt of the said decision.
4. The nature of the Planning matter, the decision on which is the subject of this Appeal, is set out in the heading above.
5. The Planning matter concerned is the Heritage provisions in the said Proposed Plan, specifically Part 7 and submissions thereon by the Appellant reference 1135/1 & 2, and 1152/1,2,4 – 8 rejected in the said decision report, and submissions 1139/2 and 1154/1 accepted in part in the said decision report.
6. This Appeal is based on the following grounds. That the decisions taken do not adequately comply with the relevant provisions of the Resource Management Act 1991, Part 2 in particular, and the Hauraki Gulf Marine Park Act 2000. Without mitigating from the generality of the above grounds, the specific issues that this conclusion is based on are the scale, accuracy and adequacy of the heritage provisions concerned and the socio-economic effects of these limitations and inadequacies on the essential character of the island. In relation to Part 7 Heritage, Ecological sites specifically the Appellant seeks to have SES 10, Map ref 9.19 expanded to include the Te Toki and Okahuiti Reserve areas, generally as set out in the HGI Operative Plan.
7. The Appellant seeks that this appeal be allowed and that the decision in question be overturned.

Signed: Gulf District Plan Association Inc

**Pp [Mr Pita Rikys]
Hearings and Appeals Manager**

Dated: 27th July 2009

Address for Service of Appellant: P.O.Box 106057, Auckland.
Telephone 372 6414. E-mail: c/- pitarikys@yahoo.com

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