

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of an appeal under clause 14 of
the First Schedule of the Act

BETWEEN

WILLIAM FRANCIS CARLIN

ENV-2009-AKL-000312

AND

SEAN AND MICHAEL O'SHEA

ENV-2009-AKL-000232

Appellants

AND

**AUCKLAND COUNCIL
(FORMERLY AUCKLAND CITY
COUNCIL)**

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge L J Newhook, sitting alone under section 279 of the Act

IN CHAMBERS at Auckland

CONSENT ORDER

Introduction

1. The Court has read and considered the appeal and the memorandum of the parties in support of the draft consent order dated 10 November 2010.
2. Sean O'Shea gave notice of an intention to become an interested party to appeal ENV-2009-AKL-000312 and has signed the memorandum of the parties setting out the relief sought.



3. The Court is making this order under section 279(1)(b) of the Act, such order being by consent rather than representing a decision or determination on the merits pursuant to section 297. The Court understands that for the present purposes that:

- (a) All parties to the proceedings have executed the memorandum requesting this order; and
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Act, including Part 2 of the Act.

Orders

4. Therefore, this Court orders by consent that Sheet 49 Map 1 of the proposed Auckland City District Plan: Hauraki Gulf Islands Section 2006 (**district plan**) is amended (as set out in the amended Sheet 49 Map 1, referenced as "**A**", attached to this consent order) to:

- (a) reclassify part of the appellant's property at 375 Aotea Road, Great Barrier Island from landform 4 (wetland systems) to landform 3 (alluvial flats); and a further part of the property from landform 6 (regenerating slopes) to landform 5 (productive land).
- (b) remove a section of the significant ridgeline notation from Aotea Road.

5. There is no order as to costs in relation to this order.

DATED at Auckland this

18th

day of

January

2012



L J Newhook
Environment Judge



