

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

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

BETWEEN

STRAND HOLDINGS 1997
LIMITED

ENV-2009-AKL-000311

Appellant

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 7 October 2010.
2. Waiheke Island Community Planning Group Inc and Christopher Wragge have given notice of an intention to become parties under section 274 of the Act, and have 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 confirm to relevant requirements and objectives of the Act, including Part 2 of the Act.

Orders

4. Therefore, this Court orders by consent that:

- (a) The table 10c.2 'Development controls – commercial 1-7' building coverage row for the commercial 4 (visitor facilities) column, be amended to state: '15% of net site area, except 40% of net site area on Lot 2 DP 17037 only *'.
- (b) The key for table 10c.2 'Development controls – commercial 1-7' be amended to include: '* The 40% limit applies only to Lot 2 DP 17037 (29 The Strand, Onetangi, Waiheke Island).'
- (c) The appeal is otherwise dismissed.
- (d) There is no order as to costs.

DATED at Auckland this

3rd

day of

November

2010



L J Newhook
Environment Judge

