



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

SPORTWAYS UNITED LIMITED

ENV-2009-AKL-000322

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 25 July 2011.
2. No person has given notice to become an interested party to this matter under section 274 of the Act.
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 the following sheets of the proposed Auckland Council District Plan (Auckland City Hauraki Gulf Islands Section) (**district plan**) is amended as set out below:
- (a) insert new Sheet 54, Map 1, (referenced as "**A**" attached to this consent order) to reclassify part of the appellant's property at 255 Gray Road, Great Barrier Island from landform 4 (wetland systems) to landform 3 (alluvial flats).
  - (b) insert new Sheet 54, Map 2 (referenced as "**B**" attached to this consent order) to realign the site of ecological significant with the amended landform classification boundaries on Sheet 54, Map1.
  - (c) Insert new sheet 55, Map 1 (referenced as "**C**" attached to this consent order) to reclassify part of the appellant's property at 320 Gray Road, Great Barrier Island from landform 6 (regenerating slopes) to landform 5 (productive land) and reclassify another part of the property from landform 2 (dune systems) to landform 6 (regenerating slopes).
5. The appeal is otherwise dismissed.
6. There is no order as to costs.

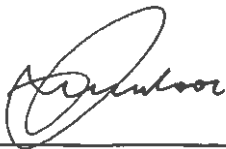
DATED at Auckland this

20<sup>th</sup>

day of

August

2011



L J Newhook  
Environment Judge



# LIST OF PARTIES

**TOPIC: HGI - Reclassification of land -landforms - site-specific**

<b><u>Lodgement:</u></b>	<b><u>ENV-2009-AKL-000322</u></b>	<b><u>Sportsways United Limited v Auckland Council (formerly Auckland City Council)</u></b>
Initiator	Sportsways United Limited	Martin Green, Green Group Limited, PO Box 105153, Auckland
Respondent	Auckland Council (formerly Auckland City Council)	Shaun McAuley, Auckland Council, CX 10032, Auckland