

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 JOHN SUTTON

ENV-2009-AKL-000230

Appellant

AND 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 24 March 2010.
2. All parties have signed the memorandum 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.



**Order**

4. Therefore, this Court orders by consent that:

- (a) The decision of the Auckland City Council dated 4 May 2009 on the appellant's submissions to the proposed Auckland City District Plan: Hauraki Gulf Islands Proposed 2006 be amended to include part of the property at 37 Medlands Road, Tryphena, Great Barrier Island within the Tryphena Settlement Area as set out in the attached map, referenced "A" and the diagram referenced "B" attached to this consent order.
- (b) The appeal is otherwise dismissed.
- (c) There is no order as to costs.

DATED at Auckland this 31<sup>st</sup> day of March 2010



L J Newhook  
Environment Judge





Figure 10b.1 Tryphena settlement area

