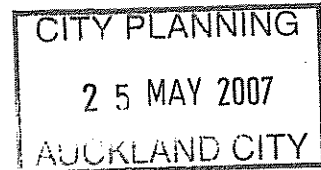


**FURTHER SUBMISSION IN OPPOSITION TO SUBMISSIONS ON A PUBLICLY NOTIFIED
PROPOSED PLAN UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE RESOURCE
MANAGEMENT ACT 1991 (RMA)**

TO: The Manager
City Planning
Auckland City Council
Private Bag 92516
Wellesley Street
Auckland 1036



**FURTHER SUBMISSION
ON:** Proposed Hauraki Gulf Islands Section of the
Auckland City District Plan

SUBMITTER NAME: Church Bay Farm Limited (**Church Bay Farm**)

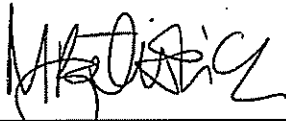
ADDRESS FOR SERVICE: c/- David McGregor/Marija Batistich
Bell Gully
Barristers and Solicitors
PO Box 4199
AUCKLAND

FURTHER SUBMISSIONS ON BEHALF OF CHURCH BAY FARM

- 1 This is a further submission in opposition to a submission on the Proposed Hauraki Gulf Islands Section of the Auckland District Plan (**Proposed Plan**)
- 2 Church Bay Farm opposes the submission of:

Pita Rikys, 4 Burrell Road, Surfdale, Waiheke Island, (Submission No: 2620/1)
- 3 The particular parts of the submission Church Bay Farm opposes are:
 - (a) The proposed investigation of the extent of the Urupa and of the location of other burials on Church Bay Farm; and
 - (b) The subsequent definition of the area as a Maori Heritage Area; and
 - (c) Any restriction on the use of Church Bay Farm.
- 4 The reasons for Church Bay Farm's opposition are:
 - (a) It would be inappropriate to allow for further investigation of the extent of the urupa and the location of other burial grounds on the Church Bay Farm property under the Proposed Plan. The submitter has previously met with representatives of the Iwi concerning the urupa and the communication channels remain open.

- (b) Church Bay Farm considers that such matters are more appropriately dealt with under the heritage protection provisions of the Resource Management Act 1991, the Historic Places Act 1993 or through direct consultation with Church Bay Farm, rather than through the district plan process.
 - (c) Church Bay Farm undertakes permitted rural activities on its property and considers that the amendments proposed by the submitter may unnecessarily restrict such activities without following the appropriate procedures as provided in legislation.
- 5 Church Bay Farm seek that the whole of the submission be disallowed.
 - 6 Church Bay Farm does wish to be heard in support of its submission.
 - 7 If others make a similar submission Church Bay Farm would be prepared to consider presenting a joint case with them at any hearing.



David McGregor/Marija Batistich

Senior Partner/Senior Associate
Counsel for Church Bay Farm

25 May 2007

Address for Service:

Church Bay Farm Limited
c/ David McGregor/Marija Batistich
Bell Gully
Barristers and Solicitors
PO Box 4199
Auckland
PH: (09) 916 8801
FAX: (09) 916 8800