

BEFORE THE ENVIRONMENT COURT

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an appeal pursuant to Clause 14 of
the First Schedule to the Act

BETWEEN G AND R ROBINSON
(ENV-2016-AKL-000089)

Appellants

AND THAMES-COROMANDEL DISTRICT
COUNCIL

Respondent

Environment Judge D A Kirkpatrick sitting alone under section 279 of the Act
In Chambers at Auckland

CONSENT ORDER

[A] Under s 279(1)(b) of the Resource Management Act 1991, the Environment
Court, by consent, orders that:

- (1) the appeal is allowed subject to the agreed amendments to the
proposed Thames-Coromandel District Plan set out in this order;
- (2) the appeal is otherwise dismissed.

[B] Under s 285 of the Resource Management Act 1991, there is no order as
to costs.



REASONS

Introduction

- [1] This appeal relates to the proposed Thames-Coromandel District Plan. The appellants appealed Planning Map 3 Overlay 'Onekura' and sought that its land inward of the Coastal Environment Line at 165, 185 and 225 Harriet Kings Road, Port Charles, be removed from the Outstanding Natural Features and Landscapes Overlay.
- [2] The parties have now reached an agreement that will resolve the relief sought by the appellants and this appeal in its entirety.
- [3] In making this order the Court has read and considered the appeal and the memorandum of the parties dated 4 September 2017.
- [4] Patricia Whiting-O'Keefe gave notice of intention to become a party under s274 of the Act. Patricia Whiting-O'Keefe has signed the memorandum of the parties seeking this order.
- [5] The Court is making this order under s 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:
- (a) All parties to the proceedings have executed the memorandum requesting this order.
 - (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act, including in particular Part 2.

Order

- [6] Therefore the Court orders, by consent, that the appeal is allowed to the extent that the Thames-Coromandel District Council is directed to amend



Planning Map 3 Overlays 'Onekura' of the proposed Thames-Coromandel District Plan as shown in Annexure "A".

[7] This Order resolves the appeal by Geoffrey and Reihana Robinson in its entirety.

[8] There is no order as to costs in relation to this order.

DATED at Auckland this *5th* day of *September* 2017



A Kirkpatrick
A Kirkpatrick
Environment Judge

ANNEXURE A

Revised Planning Map 3 Overlay 'Onekura'





ATTACHMENT 1: Robinson Appeal



area recommended for removal from ONL8

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