

## AK Taihia

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**From:** nzavocados@gmail.com  
**Sent:** Friday, 1 November 2024 12:35 pm  
**To:** AK Taihia  
**Subject:** Hearing 8 - Timetable Response  
**Attachments:** Environment Court Consent Order of 15 January 2007.pdf

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Good afternoon Alicia-Kate

My relevant details

Further submission number: FS124 - Hearing 8  
Name: David Brett King  
Daytime phone number: 021 124 5346

I will not be attending the hearing now.

My main concern is that the attached Environment Court Consent Order dated 15 January 2007, resulting from the previous District Plan submission process, is placed before the Hearings Panel to make sure it is taken into consideration. This has not been acknowledged in the current Mineral Extraction Overlay at the Puketona quarry.

Regards  
Brett King

IN THE MATTER

of the Resource Management Act  
1991

AND

IN THE MATTER

of appeals under Clause 14 of the  
First Schedule to the Act

BETWEEN

DAVID BRETT KING &  
WENDY MAXINE KING

ENV-2006-AKL-000144  
(formerly RMA 0607/03)

AND

DAVID BRETT KING

ENV-2006-AKL-000165  
(formerly RMA 0602/03)

AND

MCBREEN JENKINS  
CONSTRUCTION LIMITED

ENV-2006-AKL-000164  
(formerly RMA 0652/03)

Appellants

AND

FAR NORTH DISTRICT  
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

**HAVING CONSIDERED** the appellants' notices of appeal and the respondent's notices of reply, **AND UPON READING** the memorandum of the parties filed herein, **THIS COURT ORDERS BY CONSENT THAT:**

1. The Far North District Council is to amend its Proposed District Plan by replacing map 35 with the map attached to this consent order. For the avoidance of doubt, it is recorded that the amendment to map 35 reduces the minerals zone boundary for



Puketona quarry to exclude the land indicated as "Area A" on the attached SO Plan 348598. Consequently, "Area A" changes its zoning to Rural Production.

2. It is recorded that the Far North District Council has resolved to initiate a plan change or variation process, at the request of McBreen Jenkins Limited, in respect of the extension of the minerals zone to include all or part of Lot 1 DP 164802 and to remove the Outstanding Landscape overlay from that site, PROVIDED THAT before the plan change or variation process is commenced, a management plan which includes rehabilitation for all parts of the minerals zone which are no longer actively quarried (on both Pt 6 DP 39381 and Lot 1 DP 164802) is prepared by McBreen Jenkins and approved by Council. It is recorded that Council has resolved to consult with and obtain agreement of all parties to these appeals before approving the management plan.
3. It is also recorded that any plan change/variation to extend the minerals zone shall not include the land indicated on the attached SO Plan 348598 as "Area B". This tract of land is intended to operate as a buffer area for neighbouring properties Lots 1 and 2 DP 195714.
4. It is recorded that the parties to these appeals agree not to oppose the variation or plan change referred to in order 2 herein (either directly or through another party), PROVIDED THAT the variation or plan change does not enable activity beyond that which is otherwise provided by the matters the subject of these appeals.
5. The following call-over ID numbers are otherwise dismissed:
  - King v FNDC ENV-2006-AKL-000165 (formerly RMA 0602/03): call over ID numbers 119 and 126, 575, 576, 608 and 615;
  - King v FNDC ENV-2006-AKL-000144 (formerly RMA 607/03): call over number 691; and,
  - McBreen Jenkins Limited v FNDC ENV-2006-AKL-000164 (formerly RMA 0652/03): call over ID 690 and 693.
6. There is no order for costs.

DATED at Auckland this 15<sup>th</sup> day of January 2007



L J Newhook  
Environment Judge



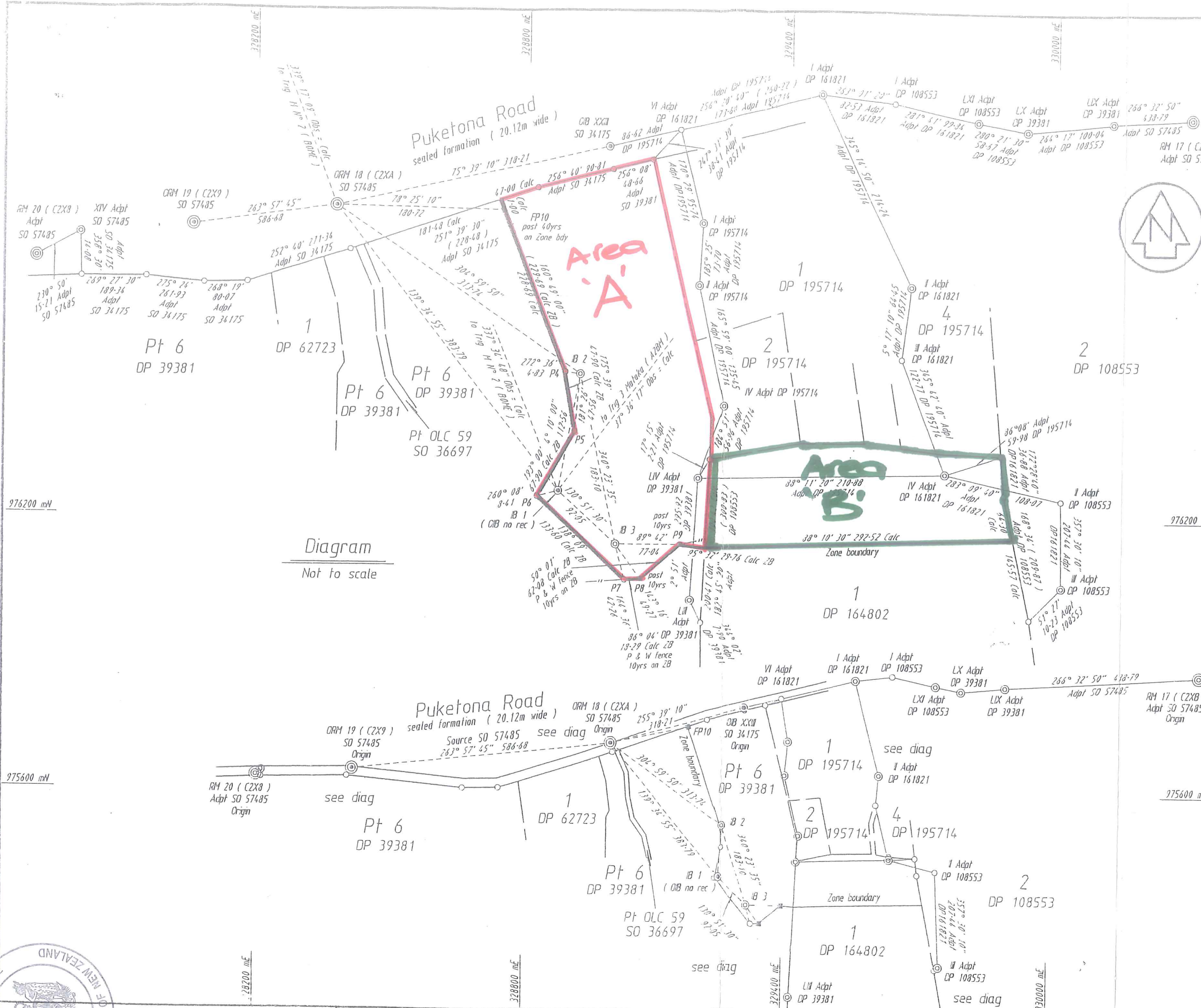


Diagram  
Not to scale

Geodetic Datum 2000  
 Meridional Circuit Mt Eden 2000  
 False Origin : 800,000 mN 400,000 mE  
 Source of Coordinates : Geodetic Database

	mN	mE
ORM 18 (C2XA) SO 57485	975706.16	329002.61
ORM 19 (C2X9) SO 57485	975644.46	328419.21
RM 17 (C2X8) SO 57485	975862.05	330338.63
RM 20 (C2X8) SO 57485	975630.47	328205.66

Origins  
 ZB = zone boundary  
 Zone boundaries are not fenced unless otherwise shown  
 Bearings adopted from DP 39381 & SO 34175 have been adjusted by +0.1' to be in terms of Geodetic 2000 datum. (see DP 194229)

Class of Survey : III

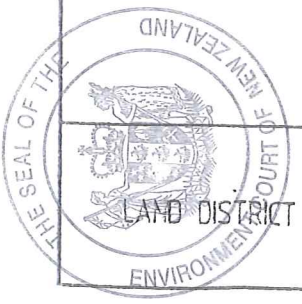
I, Robert John Donaldson of Xeriker, being a person entitled to practise as a licensed cadastral surveyor, certify that -  
 a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor - General's Rules for Cadastral Survey 2002/2  
 b) This dataset is accurate, and has been created in accordance with that Act and those Rules.

Signed \_\_\_\_\_ Dated \_\_\_\_\_

Field Book ..... p ..... Traverse Book ..... p .....  
 Reference Plans DP's 195714 194229 161821 108553 62723 39381 36697 SO's 57485 & 34175

Record purposes only  
 ...../...../.....

File Received Instructions SO. 348598



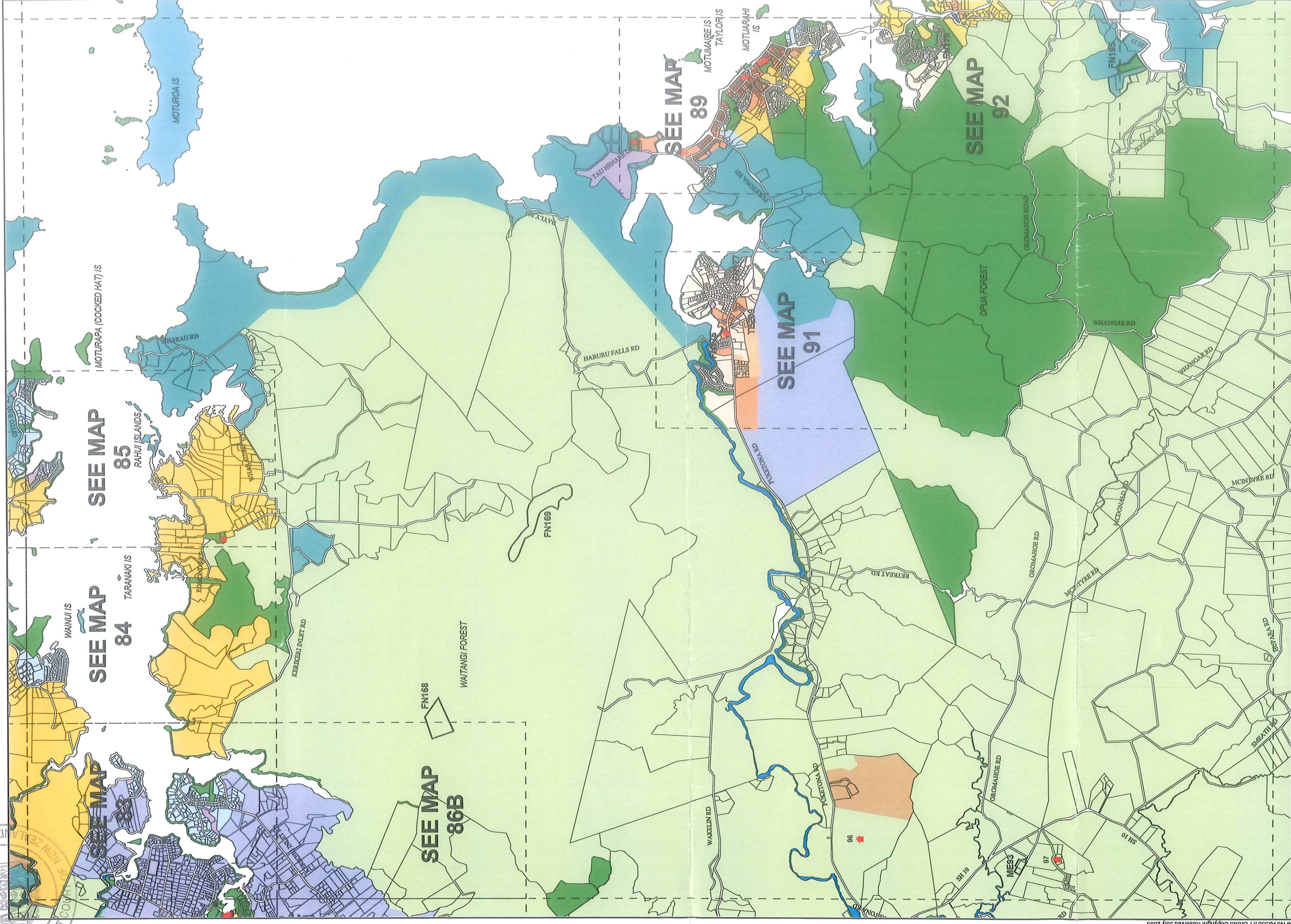
NORTH AUCKLAND

Plan of Zone Boundary

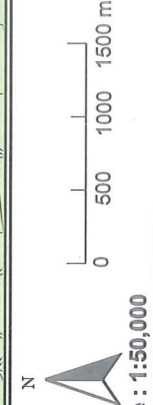
TERRITORIAL AUTHORITY Far North District

Surveyed by R. J. DONALDSON & ASSOCIATES Ref. 4664

Scale 1 : 6000 Date Aug 2004



FAR NORTH DISTRICT COUNCIL  
**REVISED PROPOSED DISTRICT PLAN**  
REVISED ZONING MAPS - PUKETONA QUARRY



26	27
34	35
43	44
45	

REVISIONS TO OCTOBER 2006  
**Map 35**

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