

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under section 120 of the Act

BETWEEN

DEPARTMENT OF CONSERVATION

(ENV-2006-WLG-000525)

Appellant

AND

WAITOMO DISTRICT COUNCIL

Respondent

AND

THE PROPRIETORS OF TAHAROA C

BLOCK

Applicant

BEFORE THE ENVIRONMENT COURT

Environment Judge B P Dwyer sitting alone pursuant to section 279 of the Act.

IN CHAMBERS

CONSENT ORDER

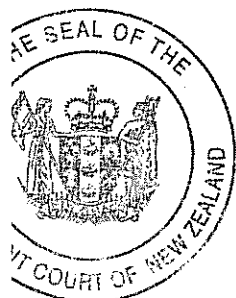
Introduction

[1] The Court has read and considered the notice of appeal and the memorandum of the parties dated 30 March 2009.

[2] No person has given notice of an intention to become a party under s274.

[3] The Court is making this order under s279(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 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 relevant requirements and objectives of the Resource Management Act, including in particular Part 2.



Order

[4] The Court orders, by consent, that the appeal be allowed to the extent that the land use consent and conditions of consent are amended to read as set out in Annexure 1 to this order.

[5] The appeal is otherwise dismissed.

[6] There is no order as to costs.

DATED at Wellington this 15th day of April 2009



B P Dwyer

Environment Judge