

BEFORE THE ENVIRONMENT COURT

IN THE MATTER of the Resource Management Act
1991 ("RMA")

AND

IN THE MATTER of an appeal under section 156(1) of
the Local Government (Auckland
Transitional Provisions) Act 2010

BETWEEN VECTOR LIMITED
ENV-2016-AKL-000226
Appellant

AND AUCKLAND COUNCIL
Respondent

Principal Environment Judge L J Newhook sitting alone under s 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 amendments set out in Appendix
1 to this order; and
- (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 order relates to the resolution of the appeal by Vector Limited against the decision of Auckland Council on permitted activity standard E26.2.5.1(4) in Topic 042 - Infrastructure of the Auckland Unitary Plan.
- [2] In making this appeal the Court has read and considered the appeal and the memorandum of the parties dated 29 March 2017.
- [3] Keith Vernon gave notice to become an interested party to this appeal under s 274 of the RMA, but has since withdrawn his interest.
- [4] The Court is making this order under s 279(1)(b) of the RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297.
- [5] The Court understands for present purposes that:
- (a) The parties to the proceedings have executed the memorandum requesting this order.
 - (b) The parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction and conform to the relevant requirement and objectives of the RMA, including in particular Part 2.
 - (c) The parties are aware that the consent order is in settlement of all aspects of the appeal.

Order

- [6] The Court orders, by consent of the parties, that permitted activity standard E26.2.5.1(4) be amended as shown by underline and strike out in **Appendix 1**.
- [7] The appeal is otherwise dismissed.



[8] There is no order as to costs.

DATED at Auckland this *13th* day of *April* 2017



L J Newhook
Principal Environment Judge



Appendix 1

- (4) Electric vehicle charging stations:
- (a) maximum height of 1.8m;
 - (b) maximum area of 1.5m²;
 - (c) either have a socket connection, or a fitted cable management accessory;
 - (d) must not be located on an arterial road; and
- ~~(e)~~ (d) the equipment must be removed by the owner when the equipment becomes obsolete; and
- (e) in addition to the above, where the electric vehicle charging station is located on an arterial road:
- (i) it must be located adjacent to part of a road on which car parking is authorised by Auckland Transport for a time period of at least 30 minutes for either general vehicle use or reserved for electric vehicles;
 - (ii) the equipment must be removed by the owner (at the owner's sole cost) at least 30 days prior to the adjacent car parking space being permanently removed; and
 - (iii) written notice of any proposed installation of the equipment must be given to Auckland Transport at least 2 months prior to the lodgement of any request to access the road corridor.

