



**Date:** Tuesday 11 February 2014  
**Time:** 10.00am  
**Meeting Room:** Committee Meeting Room  
**Venue:** Civic 15  
1 Greys Avenue  
Auckland

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## **Hearings Committee**

# **OPEN MINUTE ITEM ATTACHMENTS**

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| <b>C4</b>   | <b>Resource Consents Appeals: Status Report 11 February 2014</b> |             |
| A.          | Resource Consents Appeals Status Report February 2014            | 3           |



Attachment A

| Reference no. & date received | Appellant | Address | Description |
|-------------------------------|-----------|---------|-------------|
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**RODNEY – PLANNING DISTRICT (0 APPEALS)**

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| No current appeals. |  |  |  |
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**NORTH SHORE –PLANNING DISTRICT (4 APPEALS)**

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| LN-2137275<br>ENV 2013-AKL-000131<br>17 September 2013                 | Hillman White Limited<br><br>21 residents and Pinehurst School as 274 parties.                       | 269 Rosedale Road Albany.           | Appeal to the decline of a 65 unit residential development and associated earthworks.   |
| LN-2137275<br>ENV 2013-AKL-000138<br>4 October 2013                    | Tony Paice   | 269 Rosedale Road Albany.           | Appeal to the decline of a 65 unit residential development and associated earthworks.   |
| SA-3022236/2<br>ENV-2013-AKL-91<br>30 May 2013                         | Third Fairway Development Limited<br><br>Residents' group and Forest & Bird Society as s274 parties. | 84 Laurel Oak Drive, Schnapper Rock | Appeal by applicant to the decline of a 34-lot residential subdivision and siteworks.   |
| LT-2072891, LT-2011881 & LH-2122995<br>ENV-2009-AKL-434<br>12 Oct 2010 | North Eastern Investments Ltd (NEIL)   | 56 Fairview Avenue, Albany          | Appeal to refusal of three separate but related applications by NEIL to construct an intensive residential development, twin tower residential development, and a mixed-use development. Twin Tower development separately heard and declined in December 2012. Other applications still being processed. |

**WAITAKERE- PLANNING DISTRICT (2 APPEALS)**

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| ENV-2013-AKL-000175  | <i>Ronald Atkins v Auckland Council</i>                                  | <i>Henderson Valley Primary School, 389 Henderson Valley Road, Henderson Valley</i> | <i>Appeal against Council decision to grant resource consent for community use of an existing multi-purpose sports surface and associated flood-lighting</i> |
| CIV-2011-404-2143 [2013] NZHC3566<br><br>SUB-2008-570 & SUB-2008-571 | London and Greenwich General Trading Company & Others<br>(P W Mawhinney) | 67-75 Anzac Valley Road, Waitakere.   | High Court Appeal against 21 conditions of subdivision consent granted for six additional lots and altering the boundaries of 15 lots                        |

**AUCKLAND CITY – ISTHMUS PLANNING DISTRICT (4 APPEALS)**

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| ENV-2013-AKL-000181  | <i>Arch Hill Residents Incorporated &amp; Ors v Auckland Council</i> | <i>272-276, 300 &amp; 302 Great North Road, Grey Lynn</i> | <i>Appeal against Council decision to grant resource consent for the establishment of a Bunning's Building Improvement Centre</i>   |
| ENV-2013-AKL-000182  | <i>Kindercare Learning Centres Limited v Auckland Council</i>        | <i>272-276, 300 &amp; 302 Great North Road, Grey Lynn</i> | <i>Appeal against Council decision to grant resource consent for the establishment of a Bunning's Building Improvement Centre</i>   |
| ENV-2013-AKL-0000123<br>13 August 2013   | Jayashree Limited v Auckland Council                                 | 153 White Swan Road, Mt Roskill                           | Appeal against Council decision to refuse consent to legalise the establishment of three existing residential units within an existing residential building.  |
| ENV-2006-AKL-000723 & ENV-2009-AKL-000216, 000474 & 000477<br>LUC/2008/4724<br>19-Nov-09 | Auckland Regional Authority<br>Applicant: TR Group Limited           | 791-793 Great South Road, Penrose.                        | Substantial earthworks application including roading, culverting, stormwater ponds. Joint Court hearing with rezoning and ecological overlay plan changes. Hearing in June and August lead to grant of a Stage 1 area |

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|  |  |  | covering small part of proposed development. Further decision on remainder (stage 2) released on 16th November 2011. Separate appeals by applicant and Council to High Court lodged. |
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**CBD – PLANNING AREA (0 APPEALS)**

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| No current appeals. |  |  |  |
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**HAURAKI GULF ISLANDS – PLANNING DISTRICT (4 APPEALS)**

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| ENV-2013-AKL-000100<br>3 July 2013                 | Coakley v Auckland Council  | 37 Junction Road, Waiheke Island                          | Appeal against the council's decision to refuse resource consent to remove a generally protected Pohutukawa tree  |
| ENV-2012 -AKL -000195<br>24 October 2012           | Auckland Council (Stoney Ridge Quarry) v Auckland Council.                  | 88 Onetangi Road, Waiheke, R/LUC/2010/659, c/37618, 38726 | Appeal against Council decision refusing consent to continue existing quarry operations and to expand onto the adjoining rural land.  |
| LUC/2007/6927 ENV-2010-AKL 0041<br>5-February-2010 | Man O'War Station Limited   | 725 Man O'War Bay Road (Cactus Bay), Waiheke Island       | Appeal from the applicant to the council's decision refusing consent to a new residential dwelling in Cactus Bay. Three section 274 parties.  |
|  | Auckland Regional Council v ACC<br>Applicant:<br>Man O' War Station Limited | 725 Man O'War Bay Road (Owhiti Bay), Waiheke Island.      | Appeal by then Auckland Regional Council to the Auckland City Council's decision granting consent to a proposed new residential dwelling and guest unit in Owhiti Bay. One section 274 party. Environment Court decision refusing consent on outstanding natural landscape grounds. Environment Court decision appealed to the High Court and since referred back to Environment Court for re hearing on two points of law. |

**MANUKAU – PLANNING DISTRICT (3 APPEALS)**

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| ENV-2013-AKL-000124<br>10 August 2013 | The Tree Council<br>(applicant: B & S Taylor)                               | 125 Macleans Road, Buckland Beach. | Appeal against a decision to allow the removal of a Norfolk Island pine tree.   |
| ENV-2013-AKL-000058                   | Fortis Cars Ltd and Herne Bay Trust Company 2009 Ltd / Eden Gyorgy Houlihan | 82 Great South Road, Papatoetoe    | Appeal against decision to refuse resource consent to remove a scheduled tree.  |
| P. 37959<br>9-September-2010          | East Park Trust   | 285 Murphy's Road, Flat Bush.      | Appeal against conditions of consent to a two-building complex of commercial, retail and 182 apartments at 285 Murphy's Road, Flat Bush. Oppose three conditions specifically and a general appeal against the Contribution conditions and wording of conditions. |

**PAPAKURA – PLANNING DISTRICT (4 APPEALS)**

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| ENV-2013-AKL-000129<br>9 September 2013    | Karaka Centre Ltd (KCL)<br><br>Applicant:<br>Summerset Group Holdings Limited | 67 Hingaia Rd                     | Appeal from submitter against decision to grant consent to establish a retirement village with a link road along the northern boundary.            |
| ENV-2013-AKL-000103                        | The Trustees of the BJ Wallace and SJ Wallace Family Trusts                   | 55 Takanini School Road, Takanini | Appeal against conditions of consent 79a and 51 that specifically relate to the location and alignment of a proposed access road through the site. |
| ENV-2013-AKL-040 26<br>March 2013          | Papakura Gospel Church Trust  | 221 Park Estate Road, Hingaia     | Appeal against decision to refuse resource consents to erect and use a church.   |
| LU8032 and 9081 ENV-2008-AKL-286, 285, 284 | Manukau Trail Riders (MTR) and  | 89R Ardmore Quarry Road,          | Appeals on an application for land use consent for an off-   |

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| 22-May-2009 | Murray Matthews and Concerned Residents Group Inc.(CRG) (three separate appeals) | Papakura. | road motorcycle park at 89R Ardmore Quarry Road, Papakura. |
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**FRANKLIN – PLANNING DISTRICT (0 APPEALS)**

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| No current appeals. |  |  |  |
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**REGIONAL PLAN ( 9 APPEALS)**

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| <i>R/LUC/2012/2846 &amp; 2846/1<br/>PRC40962 ,PRC40963,<br/>and consents 4083 to 40850 inclusive.<br/><br/>18 December 2013</i> | <i>Foodstuffs North Island Limited<br/><br/>Applicant:<br/>Watercare Services Limited</i>   | <i>Central interceptor – Western Springs to Mangere Waste water Treatment plant</i> | <i>Appeal against the grant of various land use, water, air and coastal resource consents for the construction, operation and maintenance of the Central Interceptor - Main Project works.</i> |
| <i>R/LUC/2012/2846 &amp; 2846/1<br/>PRC40846 and ,PRC40850.<br/><br/>14 January 2014</i>  | <i>Mangere Bridge Residents &amp; Ratepayers Association Inc. &amp; The Manukau Harbour Restoration Society Inc &amp; The Onehunga Enhancement Society Inc.</i> | <i>Central interceptor – Western Springs to Mangere Waste water Treatment plant</i> | <i>Appeal against the grant of various land use, water, air and coastal resource consents for the construction, operation and maintenance of the Central Interceptor - Main Project works.</i> |
| <i>R/LUC/2012/2846 &amp; 2846/1<br/>PRC40962, PRC40963,<br/>and consents 4083 to 40850 inclusive.</i>                           | <i>Body Corporate 346086- St Lukes Gardens Progressive Society Inc.</i>   | <i>Central interceptor – Western Springs to Mangere Waste water Treatment plant</i> | <i>As above</i>  |
| <i>R/LUC/2012/2846 &amp; 2846/1<br/>PRC40962, PRC40963,<br/>and consents 4083 to 40850 inclusive.</i>                           | <i>St Lukes Gardens Apartments Progressive Society Inc</i>  | <i>Central interceptor – Western Springs to Mangere Waste water Treatment plant</i> | <i>As above</i>  |
| <i>R/LUC/2012/2846 &amp; 2846/1<br/>PRC40962, PRC40963,<br/>and consents 4083 to 40850 inclusive.</i>                           | <i>St Lukes Environmental Protection Society Inc</i>  | <i>Central interceptor – Western Springs to Mangere Waste water Treatment plant</i> | <i>As above</i>  |
| 21 October 2013<br><br>ENV-2013-AKL-000143<br><br>ENV-2-13-AKL-000142   | B P Doyle & C H Smith v Auckland Council  | 36 Westmere Park Avenue, Westmere (Weona Walkway)                                   | Appeal against application by Auckland Council – Parks to construct a 1.4km walkway from Westmere Park Reserve to Lemington  |

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|  |   |   | Reserve, known as Weona Walkway.   |
| 21 October 2013<br><br>ENV-2-13-AKL-000142 | David Keefe v<br>Auckland Council                   | 36 Westmere<br>Park Avenue,<br>Westmere<br>(Weona Walkway)                                    | Appeal against application by Auckland Council – Parks to construct a 1.4km walkway from Westmere Park Reserve to Lemington Reserve, known as Weona Walkway.   |
| 1015<br>6-Apr-10                           | Horticulture NZ<br>Applicant: Franklin<br>Catchment | Catchments of the<br>Mauku, Waitangi,<br>Ngakaroa,<br>Whangamarie,<br>Hingaia,<br>Whangapouri | Applications for consents within the catchments of the Mauku, Waitangi, Ngakaroa, Whangamarie, Hingaia, Whangapouri, to take water from streams, dam water by both on and off stream dams and to take water from dams. ARC Decision: Granted: 105 applications. Declined: 9 applications   |
| 1041<br>19-Nov-09                          | TR Group Limited                                    | 791 Great South<br>Road, Penrose.   | Application for stream works, earthworks, and the discharge of storm water and contaminants associated with clean filling, metalling and potential paving of a truck stop site, creating an internal road and storm water wetland/pond at 791 Great South Road, Penrose. ARC Decision: Declined. Hearing proceeded in June and August 2011. Decisions granting stage 1 and part grant of stage 2 released. Under appeal to High Court. |