

## Attachment A:

**RODNEY – Local Board Area**

<b>Appellant</b>	<b>Charles Stuart Wedd</b>	<b>Received</b>	<b>12 January 2017</b>
<b>References</b>	ENV–2017-AKL- to be allocated Council – LAN 59990 & LAN 60162		
<b>Site address</b>	782 Haruru Road, Wainui		
<b>Other parties</b>	n/a		
<b>Description</b>	Appeal under section 358 of the RMA against the Council’s decision on an objection to processing costs for resource consent applications.		
<b>Iwi comments</b>	The cost objection did not trigger any iwi issues.		
<b>Status</b>	<b><i>Mediation proceeded on 9 March 2017, from which an agreement was reached that involved the withdrawal of the appeal.</i></b>		

<b>Appellant</b>	<b>Armin Pierau</b>	<b>Received</b>	<b>17 August 2016</b>
<b>References</b>	ENV–2016-AKL-174 Council – L65819		
<b>Site address</b>	186 Atkins Road, Te Arai		
<b>Other parties</b>	s274 parties: GL, JB and MC Gravatt; WJ Bell; LN Chambers; Duthco Trustees (Bell) Ltd; Ngati Manuhiri Settlement Trust; North Sand Resources Ltd; Sandglass Corporation Ltd; Te Arai South Holdings Ltd; Te Arai South Partners Ltd; LG, MW and DN Fishlock; Mike Clifford Harris and Mike Clifford Harris as a Trustee of The Pioneer Trust; ;and The Greatest Show on Earth NZ Ltd		
<b>Description</b>	Appeal by the applicant to the decline of resource consents to hold a series of outdoor events, festivals weddings and corporate functions each year.		
<b>Iwi comments</b>	<p>The site is located outside the Te Uri o Hau Statutory Acknowledgment Area indicated in Council planning documents and notification of the application was sent to Te Uri O Hau. No comments or submission was received.</p> <p>Land adjoining the site was transferred to Ngati Manuhiri under the Ngati Manuhiri Claims Settlement Act but the application site is outside this land. The adjoining Spectacle Lake and nearby Slipper Lakes are within the statutory acknowledgment area. Ngati Manuhiri and its interests made submissions on the application.</p> <p>Manuhiri Kaitiaki Charitable Trust raised a concern with the lack of a timeframe for the application and state that as kaitiaki they require the ability to reassess any environmental impacts of these events, in particular on the lakes. A five year term of consent has been suggested as appropriate.</p> <p>The Ngati Manuhiri Settlement Trust submitted that the Mangawhai South Forest Lands were purchased with Treaty settlement monies for tribal long term commercial sustainability and that the Manu Whenua chapter of the Regional Policy Statement within the PAUP contained a policy direction that the use and development of Maori and Treaty Settlement land, including land intended for commercial redress, is to be enabled by the PAUP and that the Te Ara South Forest Precinct provisions stem from that chapter.</p> <p>The commissioners found that these effects on the adjacent Treaty Settlement land owned by Ngati Manuhiri and other parties, which include forestry and sand mining activities, would be sufficiently adverse to undermine the use and development of that land. The hearing commissioners considered the</p>		

	application against Part 2 of the RMA and found it did not meet the sustainable management purpose of the Act.
<b>Status</b>	Mediation held Thursday 10 November 2016. <b><i>A three day court hearing proceeded on 27 March 2017. Final submissions yet to be presented.</i></b>

<b>Appellant</b>	<b>Norsho Bulc Limited</b>	<b>Received</b>	<b>8 August 2016</b>
<b>References</b>	ENV-2016-AKL-168 Council – LAN-64858, REG-64859, REG-64860, REG-64861 and REG-65322		
<b>Site address</b>	Lot 4 DP 166787 and lot 2 DP 422009 Blackbridge Road, Pine Valley		
<b>Other parties</b>	<b><i>Blackbridge Road Environmental Protection Society</i></b>		
<b>Description</b>	Appeal by the applicant to the decline of resource consents to establish and carry out a managed fill operation with a 10 Year duration. The total fill volume of approx. 600,000 m <sup>3</sup> within a valley system will fill permanent streams and require consents for discharge of containments to water and land. The 6 day per week operation will see an average of 160 truck movement per day.		
<b>Iwi comments</b>	A kaitiaki assessment report by Ngati Manuhiri was provided by the applicant noting that landfills are not consistent with its values, but Ngati Manuhiri would not oppose the proposal subject to mitigation measures around wetland and bush protection and enhancement with covenants and indigenous species translocation. Council otherwise considered the application in accordance in particular with Part 2 of the RMA that address wider iwi values.		
<b>Status</b>	Mediation held 6 October. <b><i>Evidence in chief has now been exchanged for a hearing set down for 22 May 2017.</i></b>		

### HIBISCUS AND BAYS - Local Board Area

<b>Appellant</b>	<b>Metlifecare Ltd</b>	<b>Received</b>	<b>2 December 2016</b>
<b>References</b>	ENV-2016-AKL-282 Council – LAN67100		
<b>Site address</b>	65 Hibiscus Coast Highway, Silverdale		
<b>Other parties</b>	<b><i>Residents 274 party group have now joined.</i></b>		
<b>Description</b>	Appeal by applicant against refusal of a resource consent application to establish and operate a retirement village complex comprising 368 apartments in a six-storey building, 25 serviced apartments in a two-story building, a 68-bed two-storey care centre, 28 standalone villas, eight retail units, a swimming pool and gymnasium, a standalone park café/pavilion, and 501 car parking spaces, and associated earthworks		
<b>Iwi comments</b>	No comments received.		
<b>Status</b>	Reported to the Committee under urgency on 18 January 2016. Waiting mediation date from the Court. <b><i>Mediation has now been deferred with discussions likely between the parties.</i></b>		

<b>Appellant</b>	<b>Campbells Bay Community Preservation Society Incorporated v Auckland Council &amp; Peter and Anna Jacobi Trust v Auckland Council</b>	<b>Received</b>	<b>1 February 2017</b>
<b>References</b>	ENV-2017-AKL-011 & ENV-2017-AKL-012 Council – LN-2141566 & REG-2142023		
<b>Site address</b>	218-220 Beach Road, Campbells Bay		
<b>Other parties</b>	None		
<b>Description</b>	Appeals by submitters against the granting of consents for the establishment of a new childcare centre (150 children and 20 staff) and community facility involving additional alterations to a scheduled heritage building, the construction of new buildings and associated site works, tree removal and works within the road reserve		
<b>Iwi comments</b>	None. Publicly notified. No comments received.		
<b>Status</b>	New appeals. <i>Prehearing conference held 31 March 2017 from which a minute provides a timetable for the appellants to, determine the scope of their appeals, traffic caucusing and evidence exchange.</i>		

#### UPPER HARBOUR - Local Board Area

<b>Appellant</b>	<b>Stride Holdings Limited</b>	<b>Received</b>	<b>17 February 2017</b>
<b>References</b>	ENV-2017-AKL-000 Council – REG-2016-1032; REG-2016-1034; REG-2016-1036; REG-2016-1037; REG-2016-1037; REG-2142955; REG-2142959 and REG-2142965		
<b>Site address</b>	Multiple sites (Titirangi to Albany), including Maki Street, Rua Road, and Gunton Drive, Massey North		
<b>Other parties</b>	n/a		
<b>Description</b>	Appeal against Councils decision to grant resource consent to application by Watercare Services Limited to construct new infrastructure: The North Harbour 2 Watermain (NH2). The appellant is a landowner affected by the proposed location, construction and operation of the proposed watermain.		
<b>Iwi comments</b>	Cultural Impact Assessments were prepared for earlier stage of works and this was rolled over to this hearing. The hearing commissioners considered the application information in accordance with the requirements of the RMA and in particular Part 2 of the RMA. No comments were received from iwi or local board.		
<b>Status</b>	New appeal. <i>Parties have agreed that the appeal shall be placed on hold until the end of the related Notice of Requirement process to apply to the North Harbour 2 Watermain route.</i>		

<b>Appellant</b>	<b>Scanlon, New Kiwis Limited &amp; The Swim Centre Limited v Auckland Council</b>	<b>Received</b>	<b>27 January 2017</b>
<b>References</b>	ENV-2017-AKL-009 Council – SUB60032697		
<b>Site address</b>	364, 378, 382, 404 Upper Harbour Drive & 128 Albany Highway, Greenhithe		
<b>Other parties</b>	None.		

<b>Description</b>	Appeal by submitters against the granting of subdivision consent for 44 residential lots.
<b>Iwi comments</b>	Ngati Whatua Orakei Iwi Authority – Neutral. Main reasons for concern were discharge of stormwater, removal of trees, and earthworks. Recommended cultural monitoring by NOW, use of Accidental Discovery Protocol (ADP), and cultural heritage induction for all contractors involved.
<b>Status</b>	New appeal.

### **DEVONPORT – TAKAPUNA - Local Board Area (2 APPEALS)**

<b>Appellant</b>	<b>Devonport Peninsula Precincts Society Incorporated</b>	<b>Received</b>	<b>8 February 2017</b>
<b>References</b>	ENV–2017-AKL-000 Council – LN -2142200, REG -2142201, REG -2142202, REG -2142203, REG -2142204, REG - 2142205 -		
<b>Site address</b>	7-37 Ngataringa Street, 1-88 Wakakura Crescent and 29 Lake Road, Devonport		
<b>Other parties</b>	Applicant: Rymans Health		
<b>Description</b>	Appeal by submitters against a grant of resource consent to construct, operate and maintain a retirement village for 120 care beds, 78 assisted living suites, 195 apartments and provision of 269 carparks. The appeal primarily notes concerns to the bulk and dominant character of the buildings.		
<b>Iwi comments</b>	<p>The applicant undertook consultation with Iwi with regard to the site and the proposed development. The site was returned to Ngati Whatua Orakei Trust under the Ngati Whatua Orakei Claims Settlement Act 2012 and is currently owned by Ngati Whatua Orakei Trust. Ryman Healthcare has acquired a leasehold interest in the site for a term of 150 years and had obtained the approval of the landowner and mana whenua of the site, being, Ngati Whatua Orakei Trust.</p> <p>The application material confirms that the construction works will not occur over identified archaeological sites of Maori origin (shell midden deposits), noted to be along the Mary Barrett Glade Track. Nonetheless, the applicant has proposed that construction activities will be managed in accordance with standard accidental discovery protocols.</p> <p>The hearing commissioners considered the application in accordance with the requirements of the RMA and in particular Part 2 of the RMA.</p>		
<b>Status</b>	New appeal. <b><i>Mediation proceeded on 30 March 2017.</i></b>		

<b>Appellant</b>	<b>Butterbee Childcare Limited</b>	<b>Received</b>	<b>16 September 2016</b>
<b>References</b>	ENV–2016-AKL-182 Council – LN-2142117		
<b>Site address</b>	159 Victoria Road, Devonport		
<b>Other parties</b>	Darcy McNicol; Upper Victoria Road Safety Preservation Group Inc.		
<b>Description</b>	Appeal by appellant against refusal to grant consent to establish and operate a childcare centre for up to 50 children within an existing residential house and proposed rear extension.		
<b>Iwi comments</b>	None. Publicly notified. No comments received.		

<b>Status</b>	Mediation held on Friday 11 November. Court reporting date of 28 February 2017. <b><i>Pre-hearing conference held on 29 March with a minute setting out a timetable for evidence exchange &amp; expert conferencing between April and July for a hearing likely in the second week of August. The minute notes that evidence will be based on a revised centre for 40 children, re-siting of the villa and reduced parking and scale of additions.</i></b>
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**WAITEMATA - Local Board Area**

<b>Appellant</b>	<b>Cowie Street Residents Association Incorporated &amp; Others</b>	<b>Received</b>	<b>1 July 2016</b>
<b>References</b>	ENV-2016-AKL-000158 Council – R/LUC/2015/3627, R/REG/2015/3629 and R/REG/2015/3633 (associated with Proposed Plan Modification 380 – Notice of Requirement for Newmarket Rail Level Crossing Project)		
<b>Site address</b>	Sarawia Street, Laxon Terrace and Cowie Street, Newmarket		
<b>Other parties</b>	None registered.		
<b>Description</b>	Appeal by the submitters against the Council decision to grant resource consents associated with the Notice of Requirement to enable the construction, operation and maintenance of a new road connecting Laxon Terrace to Cowie Street, including the construction of a bridge over the existing Newmarket Branch Railway Line and the closure of the existing grade connections between Sarawia Street and Laxon Terrace Newmarket.		
<b>Iwi comments</b>	The applicant, Auckland Transport (AT) consulted with Mana Whenua throughout the project including six hui and two site visits between September 2014 and May 2015. The Cultural Impact Assessment undertaken by Ngati Maru Runanga included recommendations of continued consultation and recognition with respect to Ngati Maru's relationship with their land, traditions and waahi tapu, the opportunity to be involved in a cultural arts design for the project, enable Ngati Maru to undertake monitoring of construction activities and consultation with regards to any human remains during construction. AT has proposed in their application that a Kaitiaki Mana Whenua forum will be established to provide for ongoing role for Mana Whenua to be involved in the design and construction of the project and input into management plans and future stages of the project. Council considered the application in accordance with the requirements of the RMA and in particular Part 2 of the RMA and has imposed conditions that also address the concerns of iwi.		
<b>Status</b>	<i>Mediation session held 26 October 2016. The parties have reached a settlement agreement. <b>Consent order documents have been agreed, and signed by the Court 30 March 2017. File Closed.</b></i>		

**ALBERT-EDEN –Local Board Area**

<b>Appellant</b>	<b>Qambi Properties Limited v Auckland Council</b>	<b>Received</b>	<b>9 December 2016</b>
<b>References</b>	(ENV-2016-AKL-000283) Council – R/LUC/2016/1890, R/REG/2016/1892, R/REG/2016/1895, R/REG/2016/1896, R/REG/2016/1897, R/REG/2016/1898, R/REG/2016/1899, R/REG/2016/2038, R/REG/2016/1900		
<b>Site address</b>	Aotea Station to North Auckland Line section of the City Rail Link		
<b>Other parties</b>	CB Trustees 2012 Limited, Autotrans Limited and Cairns Property, Millar Samson Limited.		
<b>Description</b>	Appeal against a decision granting regional consents for a discretionary activity relating to the Aotea Station to North Auckland Line section of the City Rail Link. The appeal from Qambi Properties is specifically about the removal of a grade separated vehicle crossing at Porters Avenue, Mt Eden. The relief sought in the appeal is that the Court to make a direction that the appeal is placed on hold pending release of the decision on the Notice of Requirement amending the current designation notified on 2 February 2017 or for the resource consent to be declined.		
<b>Iwi comments</b>	AT has undertaken a consultation process with iwi for the CRL project which will be ongoing. A Maori values assessment and cultural values assessment were undertaken as part of the original Notices of Requirements. A Mana Whenua forum commenced in 2014 and is an ongoing requirement of the designation conditions. Matters raised by iwi as part of this process related to water quality and discharges, groundwater, contaminated land, earthworks and air quality which were addressed in the officers' reports. The Hearing Commissioners considered the application in accordance with the requirements of the RMA 1991 and in particular Part 2 of the RMA and has imposed conditions that also address the concerns of iwi.		
<b>Status</b>	<b><i>A prehearing conference was held at the Environment Court on 22 February 2017. Court to make further directions on the appeal and the related Notice of Requirement for the designation amendments.</i></b>		

<b>Appellant</b>	<b>Mitchell v Auckland Council</b>	<b>Received</b>	<b>17 May 2016</b>
<b>References</b>	ENV-2016-AKL-000075 Council – R/LUC/2015/4794		
<b>Site address</b>	14 Himikera Avenue, Avondale		
<b>Other parties</b>	Nil		
<b>Description</b>	Appeal against a decision granting retrospective resource consent for a two-storey residential addition with infringements to a height in relation to boundary rule, front yard landscaping rule and a shortfall of one carparking space. Concerns include impact on residential amenity, neighbourhood character, height, dominance, loss of privacy and conditions imposed.		

<b>Iwi comments</b>	The application did not trigger a requirement for iwi comments. The council considered the application in accordance with the requirements of the RMA and in particular Part 2 of the RMA
<b>Status</b>	The council is currently waiting for the filed consent order documents to be approved by the Environment Court. <b>Consent order now signed by the Court. File Closed.</b>

### PUKETAPAPA - Local Board Area

<b>Appellant</b>	<b>Juneja v Auckland Council</b>	<b>Received</b>	<b>2 December 2016</b>
<b>References</b>	ENV-2016-AKL-0000 Council – R/LUC/2015/4794		
<b>Site address</b>	89 Kinross Street, Blockhouse Bay		
<b>Other parties</b>	Several parties, including non-submitters have joined the appeal under section 274 of the RMA.		
<b>Description</b>	Appeal against a decision refusing consent to a limited notified resource consent application to establish and operate a childcare centre for up to 70 children, involving potential overlooking/privacy, noise, traffic, site over-intensification and objectives and policies issues.		
<b>Iwi comments</b>	The application did not trigger a requirement for iwi comments. The council considered the application in accordance with the requirements of the RMA and in particular Part 2 of the RMA		
<b>Status</b>	Court-assisted mediation was held on 9 February 2017 however the parties could not agree to settle the matter. <b>An evidence exchange timetable has been set for an Environment Court hearing date of 22 June 2017.</b>		

### FRANKLIN – Local Board Area

<b>Appellant</b>	<b>Pine Harbour Holdings Limited</b>	<b>Received</b>	<b>2 February 2017</b>
<b>References</b>	ENV-2017-AKL-010 Council – 48758		
<b>Site address</b>	96 Karaka Road, Beachlands		
<b>Applicant</b>	Pine Harbour Holdings Limited		
<b>Description</b>	Appeal against several conditions of the council decision to grant subdivision and landuse consent to create 27 lots and 27 dwellings.		
<b>Iwi comments</b>	The application was publicly notified and there were no submissions by iwi. Ngai Tai Ki Tamaki advised during the processing of the proposal that they were happy for the development to proceed based on their longstanding relationship with the applicant. No iwi group indicated a need for a cultural impact assessment. The Hearing Commissioners considered the application in accordance with the requirements of the RMA 1991 and in particular Part 2 of the RMA.		
<b>Status</b>	Appeal reported to the Regulatory Committee under urgency on 1 March 2017 as the Court had directed a reporting date of 1 March 2017 to identify whether mediation is appropriate and/or agree a hearing timetable. <b>Mediation has been set down for 19 April.</b>		

<b>Appellant</b>	<b>Kauri Bay Farm Limited</b>	<b>Received</b>	<b>22 December 2016</b>
<b>References</b>	ENV-2016-AKL-289 Council – 50502		
<b>Site address</b>	777 Clevedon Kawakawa Road, Clevedon		
<b>Applicant</b>	Kauri Bay Farm Limited		
<b>Description</b>	Appeal against the council decision to refuse for subdivision of a site to create nine new lots (7 additional lots).		
<b>Iwi comments</b>	The application was non-notified and there have been no iwi comments received. The applicant had undertaken consultation with several iwi prior to lodging the application. No iwi group indicated a need for a cultural impact assessment. The Hearing Commissioner considered the application in accordance with the requirements of the RMA 1991 and in particular Part 2 of the RMA.		
<b>Status</b>	Appeal reported to the Regulatory Committee on 9 February 2017. The consent was refused on policy grounds, with effects being minor. The Court has directed a reporting date of 3 March 2017 to identify whether mediation is appropriate and/or agree a hearing timetable. <b>Still awaiting directions from the Court.</b>		

<b>Appellant</b>	<b>Ahuareka Trustees (No. 2) Ltd</b>	<b>Received</b>	<b>19 November 2015</b>
<b>References</b>	ENV-2015-AKL-000147 Council – 42081		
<b>Site address</b>	650-680 Whitford Maraetai Road, Whitford		
<b>Other parties</b>	Whitford Residents and Ratepayers Association		
<b>Description</b>	Appeal against Council's decision to refuse consent to establish a hamlet of 186 households and ancillary buildings, a country pub and restaurant, retail and commercial units and carpark in the Whitford Rural B zone.		
<b>Iwi comments</b>	No iwi submissions		
<b>Status</b>	Appeal reported to the Committee in December 2015. Mediation held 11 February 2016. Appeal reported to the Regulatory Committee on 1 December 2016. Evidence exchange occurred in February/March 2017 although no hearing date has been set. <b>Judicial teleconference held 30 March. Rebuttal evidence due 28 April with hearing possible in July.</b>		

<b>Appellant</b>	<b>Allen</b>	<b>Received</b>	<b>1 February 2017</b>
<b>References</b>	ENV-2016-AKL-008 Council – R/LUC/2016/557		
<b>Site address</b>	1974 Great South Road, Bombay		
<b>Other parties</b>	None currently		
<b>Applicant</b>	Steven and Rosemary Allen		
<b>Description</b>	Appeal against the council decision to refuse consent for a self-storage facility. The commissioners' decision notes the main issues for refusal relate to the scale and locational impact on rural character and amenity values and being contrary to the objectives of the rural zone.		
<b>Iwi comments</b>	The application was publicly notified and there have been no iwi submissions received. The applicant had contacted all iwi with an interest in the area prior to lodging the application. No iwi group indicated a need for a cultural impact		



	assessment or provided any comment. The Hearing Commissioner considered the application in accordance with the requirements of the RMA 1991 and in particular Part 2 of the RMA.
<b>Status</b>	Appeal reported to the Regulatory Committee under urgency on 1 March 2017 as the Court had directed a reporting date of 1 March 2017 to identify whether mediation is appropriate and/or agree a hearing timetable. <b>Mediation likely to be early May.</b>

<b>Appellant</b>	<b>Pukekohe East Community Society Incorporated (superseding Chambers &amp; others)</b>	<b>Received</b>	<b>3 August 2016</b>
<b>References</b>	ENV-2016-AKL-00164 Council – R/LUC2015/4178, R/REG/2015/4182, R/REG/2015/4343, R/REG/2015/4183 and NOR ref FPA049		
<b>Site address</b>	108 Runciman Road, Pukekohe East		
<b>Applicant</b>	Watercare Services Ltd		
<b>Description</b>	Joint appeal by submitters against council grant of consents and NOR for water reservoirs.		
<b>Iwi comments</b>	Watercare focussed their consultation with the following iwi who expressed they had an interest in the works: <ul style="list-style-type: none"> <li>• Ngāti Tamaoho</li> <li>• Ngāti Maru</li> <li>• Ngāti Whanaunga</li> <li>• Te Akitai Waiohua</li> <li>• Waikato-Tainui</li> </ul> As a result of this consultation, no iwi submitted on the proposal.		
<b>Status</b>	An appeal by submitters reported to the Committee on 23 August 2016. The appellant has formed an incorporated society which has taken over the appeal. All parties agree that mediation is very unlikely to resolve the concerns of the appellants. A hearing has been scheduled for the week commencing 12 December 2016 and parties are currently in the process of evidence exchange. Hearing held in December 2016. Currently awaiting the decision of the Court. <b>Interim decision granting NOR and consents issued 1 March 2017 with comment required from all parties regarding proposed conditions. Awaiting the final decision.</b>		