

Attachment A: List of outstanding appeals to the Auckland Unitary Plan 21 January 2019

Environment Court appeals

	ENV no	Appellant/Applicant	Decision/Consent Order/withdrawn
1	ENV-2016-AKL-000189	Cabra Rural Developments Rahopoara Farms SH16 Ltd Forest Habitats Ltd Rauhori Forest Ltd Monowai Properties Ltd Karepiro Investments Ltd	Environment Court Decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018 NB. Environment Court decision appealed by Auckland Council High Court Appeal: CIV-2018-404-001294
2	ENV-2016-AKL-000196	Weili Yang, Zhi Li & Jing Niu	Environment Court decision <i>Zhi Li, Jing Niu and Weili Yang and Okura Holdings Limited v Auckland Council</i> [2018]NZEnvC87, issued 6 June 2018. NB. Environment Court decision appealed by Okura Holdings Limited – 27 June 2018 High Court Appeal: CIV-2018-404-001236
3	ENV-2016-AKL-000206	Cato Bolam Consultants Ltd	Environment Court Decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018 NB. Environment Court decision appealed by Auckland Council High Court Appeal: CIV-2018-404-001294
4	ENV-2016-AKL-000207	Mason, David; Better Living Landscapes Ltd; Parallax Surveyors Ltd; Fluker Surveyors Ltd; Sayers in Trust Ltd	Environment Court Decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018 NB. Environment Court decision appealed by Auckland Council High Court Appeal: CIV-2018-404-001294
5	ENV-2016-AKL-000211	Okura Holdings Limited	Environment Court decision <i>Zhi Li, Jing Niu and Weili Yang and Okura Holdings Limited v Auckland Council</i> [2018]NZEnvC87 – 6 June 2018. NB. Environment Court decision appealed to High Court 27 June 2018

			High Court Appeal: CIV-2018-404-001236
6	ENV-2016-AKL-000212	Smithies Family Trust	<p>Environment Court Decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018</p> <p>NB. Environment Court decision appealed by Auckland Council</p> <p>High Court Appeal: CIV-2018-404-001294</p>
7	ENV-2016-AKL-000213	North Eastern Investments Limited and Heritage Land Ltd	<p>UNRESOLVED</p> <p>NB. This appeal is currently on hold pending the determination of the related High Court proceedings.</p>
8	ENV-2016-AKL-000216	Zakara Investments Ltd	<p>Environment Court Decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018</p> <p>NB. Environment Court decision appealed by Auckland Council</p> <p>High Court Appeal: CIV-2018-404-001294</p>
9	ENV-2016-AKL-000232	Bunnings Limited	<p>UNRESOLVED</p> <p>NB. Parties still in discussions</p>
10	ENV-2016-AKL-000234	Radiata Properties	<p>Environment Court Decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018</p> <p>NB. Environment Court decision appealed by Auckland Council</p> <p>High Court Appeal: CIV-2018-404-001294</p>
11	ENV-2016-AKL-000248	Terra Nova Planning Limited	<p>Withdrawn in part Appeal withdrawn as it related to Future Urban zone subdivision activity 19 June 2017, confirmed by Court 5 July 2017</p> <p>Environment Court Decision (final) <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90, issued 12 June 2018</p> <p>NB. Environment Court decision appealed by Auckland Council</p>

			High Court Appeal: CIV-2018-404-001294
12	ENV-2017-AKL-000155	National Trading Company of New Zealand	UNRESOLVED NB. Parties still in discussions
13	ENV-2017-AKL-000156	C N Barbour Family Trust 12 October 2017	UNRESOLVED NB. Parties still in discussions
14	ENV-2018-AKL-000150	Brookby Quarries Limited	UNRESOLVED

High Court appeals

15	CIV-2016-404-2333	Franco Belgiorno-Nettis	High Court decision [2017]NZHC 2387 decision dismissing High Court appeal NB. High Court decision has been appealed to Court of Appeal.
16	CIV-2016-404-2324	North Eastern Investments Ltd and Heritage Land Ltd	High Court decision <i>North Eastern Investments Limited v Auckland Council</i> [2018]NZHC918, 2 May 2018 NB. High Court decision has been appealed to CA NB. Court of Appeal Decision made: CA287/2018 [2018] NZCA 629
17	CIV-2018-404-000866	J and F Gock	High Court appeal against Environment Court decision: <i>Self Family Trust v Auckland Council</i> [2018]NZEnvC49
18	CIV-2018-404-000923	Self Family Trust	High Court appeal against Environment Court decision: <i>Self Family Trust v Auckland Council</i> [2018]NZEnvC49
19	CIV-2018-404-001236	Okura Holdings Limited	High Court appeal against Environment Court decision <i>Zhi Li, Jing Niu and Weili Yang and Okura Holdings Limited v Auckland Council</i> [2018]NZEnvC87
20	CIV-2018-404-001294	Auckland Council	High Court appeal against Environment Court decision <i>Cabra Rural Developments Limited & Ors v Auckland Council</i> [2018]NZEnvC90

Judicial Review proceedings

21	CIV-2016-404-2325	North Eastern Investments limited and Heritage Land Limited	<p>High Court decision [2018]NZHC916 Application for judicial review declined, 2 May 2018</p> <p>NB. High Court decision appealed to Court of Appeal.</p> <p>NB. Court of Appeal Decision made: CA287/2018 [2018] NZCA 629 (21 December 2018)</p>
22	CIV-2016-404-2335	Franco Belgiorno-Nettis	<p>High Court decision [2017]NZHC 2387 – appellants application for judicial review dismissed, 29 September 2017</p> <p>NB. High Court decision appealed to Court of Appeal. Appeal CA645/2017 has been adjourned pending the outcome of the application for leave to appeal in CA184/2018 (in accordance with the direction from Asher J following the Joint Memorandum of Counsel dated 23 March 2018).</p>

Court of Appeal appeals

23	<p>CA645/2017 (appeal)</p> <p>CA184/2018 – leave request</p>	Franco Belgiorno-Nettis	<p>NB. Appeal CA645/2017 has been adjourned pending the outcome of the application for leave to appeal in CA184/2018 (in accordance with the direction from Asher J following the Joint Memorandum of Counsel dated 23 March 2018).</p>
24	CA287/2018	North Eastern Investments Limited and Heritage Land Limited v Auckland Council and Housing New Zealand Corporation	<p>NB. Court of Appeal Decision made: CA287/2018 [2018] NZCA 629 (21 December 2018). This Decision referred the matter back to the Auckland Unitary Plan Independent Hearings Panel.</p>