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Resource Consent Appeals: Status Report 14 March 2018

File No.:

Purpose

1. To provide an update of all current resource consent appeals lodged with the Environment Court.

Executive summary

2. This report provides a summary of current resource consent appeals to which the Auckland Council is a party. It updates our report of 1 February 2018 to the Regulatory Committee.
3. If committee members have detailed questions concerning specific appeals, it would be helpful if they could raise them prior to the meeting with Robert Andrews (phone: 353-9254) or email: robert.andrews@aucklandcouncil.govt.nz) in the first instance.

Recommendation/s

That the Regulatory Committee:

- a) receive the Resource Consents Appeals: Status Report 14 March 2019.

Comments

4. As at 4 March 2019, there are 22 resource consent appeals to which Auckland Council is a party. These are grouped by Local Board Area geographically from north to south as set out in **Attachment A**. Changes since the last report and new appeals received are shown in bold italic text.
5. The principal specialist planners - resource consents, continue to resolve these appeals expeditiously. In the period since preparing the previous status report, there has been one new appeal and four appeals resolved.
6. The appeal by Clevedon North limited is against council's decision to refuse an application for subdivision and land use consents to subdivide a 9.04ha site into 68 residential lots with associated earthworks, new roading and infrastructure. The proposal was found to fall short of the precinct's intent of development set in spacious grounds reflecting a rural residential character as approximately half of the lots were less than 500m². In terms of section 104D the gateways tests were not passed. The consent was publically notified, with 43 submissions all in opposition received.

Local board views and implications

7. Not applicable.

Māori impact statement

8. The decision requested of the Regulatory Committee is to receive this progress report rather than to decide each appeal.
9. The Resource Management Act 1991 includes a number of matters under Part 2, which relate to the relationship of Tangata Whenua to the management of air, land and water resources. Maori values associated with the land, air and freshwater bodies of the Auckland Region are based on whakapapa and stem from the long social, economic and cultural associations and experiences with such taonga.

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Implementation

10. Environment Court appeal hearings can generate significant costs in terms of commissioning legal counsel and expert witnesses and informal mediation and negotiation processes seek to limit these costs. Although it can have budget implications, it is important that Auckland Council, when necessary, ensure that resource consents maintain appropriate environmental outcomes and remain consistent with the statutory plan policy framework through the appeal process.

Attachments

No.	Title	Page
A	Current Resource Consent Appeals as at 4 March 2019	

Signatories

Authors	Robert Andrews – Principal Specialist Planner
Authorisers	Ian Smallburn - General Manager Resource Consents James Hassall – Acting Director Regulatory Services