



# STAFF REPORT

**TO:** Resource Management Policy Committee

**FROM:** Steve Markham, Manager Policy

**REFERENCE:** R700

**SUBJECT:** **TRMP LIVE APPEALS RESOLUTION PROGRESS - REPORT EP07/02/02 - Report Prepared for 7 February Meeting**

## 1. PURPOSE OF REPORT

The purpose of this report is to update the Committee with progress in resolving Plan appeals since reporting in July 2006.

## 2. CURRENT PROGRESS

The table below shows the current state of play as at 24 January 2006 compared with previous checkpoint dates.

Category	27 Nov 2001	21 Feb 2002	4 Apr 2002	13 May 2002	19 Jun 2002	31 Jul 2002	8 Nov 2002	9 Apr 2003	21 May 2003	10 Dec 2003	16 July 2004	19 July 2006	24 Jan 07
For hearing by Environment Court	13	16	15	11	13	11	8	7	7	7	6	3	4
For mediation by Environment Court	13	10	14	14	11	12	10	10	10	5	17	5	5
Meetings with staff in progress	43	35	22	26	25	25	23	22	22	14	13	7	3
Consent order in progress	40	44	45	44	41	39	32	28	24	16	10	22	20
Possible withdrawal	3	3	3	3	3	2	2	2	2	0	0	2	2
Deferred pending consent decision or variation	16	14	14	14	14	14	12	9	9	8	8	7	0
<b>Total live appeals</b>	<b>128</b>	<b>122</b>	<b>113</b>	<b>112</b>	<b>107</b>	<b>103</b>	<b>87</b>	<b>77</b>	<b>73</b>	<b>50</b>	<b>54</b>	<b>46</b>	<b>34</b>

Resolutions between the last report and the present one are:

- The cluster of appeals concerning network utility issues
- The Marahau indicative road appeals
- Most items in the Yachting NZ appeal on the coastal provisions concerning craft issues
- Two consent orders concerning minor coastal issues from Minister of Conservation and Friends of Nelson Haven & Tasman Bay.

Between the last progress report and the present one, the Environment Court has held a pre-hearing conference at which directions were given regarding all live appeals. A number of mediation processes in train were left to run their course; a number of consent memoranda in train were also noted, with timeframes for resolution; and several unresolved appeals were set down for hearing timeframe with evidence exchange timelines.

Those appeals set down for hearing are:

- K Thoma concerning Rural 1 zone subdivision restrictions
- Friends of Steeplands concerning grazing on erosion risk land
- Grey concerning the zoning of a parcel of land at Brightwater
- Inglis concerning the zoning of land in the northeast of Motueka.

Those appeals currently under mediation cover:

- Friends of Nelson Haven & Tasman Bay concerning reinstatement of coastal environment landscape priority areas (reported on separately in the agenda)
- Frielich concerning the zoning of land north of SH 60 at Mapua
- Horticulture NZ concerning the scope of landscape provisions in Variation 32 (CTA)

Those appeals currently under a consent memorandum signing process cover:

- The cluster of eight appeals concerning natural areas, riparian management, land disturbance, discharges, wetlands and karst matters (reported on in September 2006 to the Committee) in which agreement has been reached on all issues and substantially within the positions previously determined by the Committee. This has been a significant success in dispute resolution
- The cluster of nine iwi appeals concerning water allocation in relation to Maori perpetual lease lands (reported on in November 2006)
- Two remaining appeals from Variation 32 coastal Tasman area.

Three appeals from iwi concerning the reinstatement of the cultural heritage area remain in an informal meeting process, where the common position is that a plan changer to show archaeological sites and precincts is in the course of preparation. The Court has allowed until mid 2007 for this to be developed.

### **3. RECOMMENDATION**

**It is recommended that the Committee receive this report.**

Steve Markham  
**Manager Policy**