

in the matter of: the Local Government (Auckland Transitional Provisions) Act 2010 (*LGATPA*) and the Resource Management Act 1991 (*RMA*)

and:

in the matter of: an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel (*Hearings Panel*) on the Proposed Auckland Unitary Plan (*Proposed Plan*)

and:

in the matter of: Proposed Plan Hearing Topics 050 – 054 City Centre and Business Zones and Hearing Topics 059 – 063 Residential Zones

between: **K Vernon**
Appellant

and: **Auckland Council**
Respondent

Notice of Ryman Healthcare Limited and the Retirement Villages Association of New Zealand's wish to be party to proceedings

Dated: 7 October 2016

REFERENCE: Luke Hinchey (Luke.Hinchey@chapmantripp.com)
Nicola de Wit (Nicola.deWit@chapmantripp.com)

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

- To** The Registrar
Environment Court
Auckland
- 1 Ryman Healthcare Limited (*Ryman*) and the Retirement Villages Association of New Zealand (*RVA*) wish to be a party to the following proceedings: *ENV-2016-AKL-000243 K Vernon v Auckland Council*.
 - 2 Ryman and the RVA are persons who made a submission and further submissions about the subject matter of the proceedings (submission numbers 6106 and 6103, further submission numbers 2602 and 2599).
 - 3 Ryman and the RVA are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991.
 - 4 Ryman and the RVA are interested in the parts of the proceedings relating to:
 - 4.1 Topics 050 – 054 City Centre and Business Zones; and
 - 4.2 Topics 059 – 063 Residential Zones.
 - 5 Ryman and the RVA are particularly interested in the following issues:
 - 5.1 The activity status for Integrated Residential Developments in the Single House zone;
 - 5.2 Minimum dwelling size standard;
 - 5.3 Minimum floor to ceiling height standard;
 - 5.4 Height in Relation to Boundary standard; and
 - 5.5 Non-notification rules.
 - 6 Ryman and the RVA have lodged a notice of appeal against Auckland Council's decision in respect of Hearing Topics 059 – 063 Residential Zones.
 - 7 Ryman and the RVA oppose the relief sought in paragraphs 44 – 50 and 67 – 74 of the appeal for the following reasons:

7.1 Ryman and the RVA consider the relief sought does not accord with the relevant requirements of the RMA and is contrary to Part 2 of the RMA. In particular, the relief sought:

- (a) Does not promote the sustainable management of natural and physical resources;
- (b) Does not enable social, economic and cultural well being;
- (c) Does not meet the reasonably foreseeable needs of future generations;
- (d) Does not promote the efficient use and development of natural and physical resources;
- (e) Does not result in the most appropriate plan provisions in terms of section 32 of the RMA;
- (f) Does not give effect to the objectives and policies of the Regional Policy Statement contained in the Proposed Plan; and
- (g) Is contrary to good resource management practice.

7.2 The specific reasons listed in paragraph 7.2 of Ryman and the RVA's notice of appeal on the Proposed Plan.

7.3 Further, non-notification rules provide certainty for applicants and Council, and reduce administrative costs. Notification should not be required where a proposal meets development controls, which manage effects on the external environment.

8 Ryman and the RVA agree to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of Ryman and the RVA by their solicitors and authorised agents Chapman Tripp



Luke Hinchey
Partner
7 October 2016

Address for service of person:

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Advice

If you have any questions about this notice, contact the Environment Court
in Auckland, Wellington, or Christchurch.