

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV - 2021 - AKL - 000021

UNDER the Resource Management Act 1991

IN THE MATTER of an appeal under clause 14 of Schedule 1 of the Resource Management Act 1991 against the decision of the Auckland Council on **Plan Change 26** to the Auckland Unitary Plan

BETWEEN **THE ASCOT HOSPITAL AND CLINICS LTD**

Appellant

A N D **AUCKLAND COUNCIL**

Respondent

SECTION 274 NOTICE TO JOIN PROCEEDING

1 APRIL 2021

Instructing solicitor:
C E Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051
E: claire.kirman@kaingaora.govt.nz

Counsel instructed:
B J Matheson
Richmond Chambers
33 Shortland Street
PO Box 1008
Auckland 1140
E: matheson@richmondchambers.co.nz

To The Registrar
Environment Court
Auckland

KĀINGA ORA - HOMES AND COMMUNITIES successor to **HOUSING NEW ZEALAND COPORATION (Kāinga Ora)** wishes to be a party to this appeal against certain decisions of Auckland Council (**Council**) on Plan Change 26 to the Auckland Unitary Plan (**PC26**).

1. Kāinga Ora made a submission on the matters to which the appeal relates.
2. Kāinga Ora is not a trade competitor for the purposes of s 308C or s 308CA of the Resource Management Act 1991.
3. Kāinga Ora is interested in the entirety of the relief sought by the Appellant.
4. Kāinga Ora opposes the relief sought in the appeal because Kāinga Ora requested the deletion of PC26 for the reasons set out in its appeal. (In the event that Kāinga Ora's relief is not granted, Kāinga Ora is interested in any amendments to the provisions of PC26.)
5. By way of further reasons, Kāinga Ora does not oppose the inclusion of provisions within the Auckland Unitary Plan (**AUP**) to manage special character values, but rather seeks to ensure the appropriate management framework (in the context of section 7(c) of the RMA) is applied, and that appropriate plan provisions are only included where necessary to manage those special character areas, attributes and features which have been assessed and identified within Schedule 15 of the AUP.
6. Kāinga Ora agrees to participate in mediation or other alternative dispute resolution

KĀINGA ORA - HOMES AND COMMUNITIES by its counsel
Bal Matheson:



Signature: BJ Matheson
Date: 1 April 2021

Address for Service: Claire Kirman
Special Counsel
Kāinga Ora - Homes and Communities
PO Box 14594
Central Auckland 1051

Email: claire.kirman@kaingaora.govt.nz

Copy to counsel: Bal Matheson
Richmond Chambers
PO Box 1008
Shortland Street
Auckland 1140
Telephone: (09) 600 5510
Email: matheson@richmondchambers.co.nz

TO: The Registrar, Environment Court

TO RESPONDENT: Auckland Council - A Buchanan

TO APPELLANT: The Ascot Hospital and Clinics
Ltd - F Lupis/M Thomas (ENV -
2021 - AKL - 000021)

TO OTHER PARTIES: Somersby Trust - B Tree/ C
Woodward (ENV - 2021 - AKL -
000020)
St Mary's Bay Association - B Putt
(ENV - 2021 - AKL - 000023)

Advice

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