

*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

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Dated: 7 October 2016

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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



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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.