

UNDER THE Resource Management Act 1991 ("**RMA**") and the
Local Government (Auckland Transitional
Provisions) Act 2010 ("**LGATPA**")

IN THE MATTER of an appeal under section 156(1) of the LGATPA

AND

IN THE MATTER of section 274 of the RMA

AND

IN THE MATTER of hearing Topics 059 - 063 Residential Zones of
the Proposed Auckland Unitary Plan

BETWEEN **RYMAN HEALTHCARE LIMITED AND THE
RETIREMENT VILLAGES ASSOCIATION OF
NEW ZEALAND INCORPORATED**

Appellants

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF THE KNOX HOME TRUST BOARD'S WISH TO BE PARTY TO
PROCEEDINGS**

3 OCTOBER 2016

RUSSELL McVEAGH

B S Carruthers | J A Riddell
Phone +64 9 367 8000
Fax +64 9 367 8163
PO Box 8
DX CX10085
Auckland 1140

To: the Registrar of the Environment Court at Auckland

And to: the Appellants

And to: Auckland Council

THE KNOX HOME TRUST BOARD ("Knox") wishes to be a party to an appeal by Ryman Healthcare Limited and the Retirement Villages Association of New Zealand Incorporated ("**Appellants**") against part of a decision by Auckland Council ("**Council**") to reject a recommendation by the Independent Hearings Panel ("**Panel**") in relation to the Proposed Auckland Unitary Plan ("**Unitary Plan**").

Nature of interest

1. Knox is a Charitable Trust located at 10 Ranfurly Road, Epsom, Auckland. Knox provides a facility for residential care across the age spectrum, including older people and physically disabled adults through short and long-term stays, and day care. It is a comprehensive, integrated residential care centre serving more vulnerable members of the Auckland community.
2. Knox was a submitter on Topics 059 - 063 Residential Zones.¹
3. Knox is not a trade competitor for the purposes of section 308C of the RMA.

Extent of interest and reasons

4. Knox is interested in the part of the proceedings that relate to:
 - (a) the permitted activity thresholds for the number of dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones;
 - (b) the Height in Relation to Boundary controls in the Mixed Housing Suburban and Mixed Housing Urban zones;
 - (c) the front, side and rear fence and wall controls in the Mixed Housing Suburban and Mixed Housing Urban zones; and
 - (d) any consequential relief to the zone descriptions, policies, notification rules, matters of discretion and assessment criteria.
5. Knox supports the Appellants' appeal for the following reasons:
 - (a) the provisions of the Residential Zones do not adequately provide for the functional and operational requirements of retirement villages, whereas the Appellants' relief does;
 - (b) Auckland's population is ageing and a lack of appropriate provisions that provide for and support retirement villages will not enable the social, economic and cultural well-being of the community in the Auckland region or contribute to meeting the reasonably foreseeable needs of future generations;

¹ Recorded as Elizabeth Knox Home and Hospital.

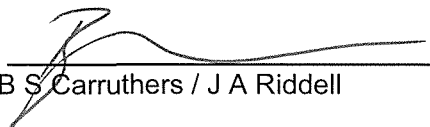
- (c) the Residential Zone provisions do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, or discharge the Council's duty under section 32 of the RMA, whereas the Appellants' relief does.

Relief sought

6. Knox supports the relief sought by the Appellants and in particular, seeks that:
- (a) the Panel's recommendations on Topics 059 - 063 Residential Zones be adopted (in particular, the amendments set out in Appendix 1 to the Appellants' appeal); and
- (b) any consequential relief which may be required as a result of allowing all or any aspects of the appeal.

THE KNOX HOME TRUST BOARD by its solicitors and authorised agents Russell McVeagh:

Signature:


B S Carruthers / J A Riddell

Date:

3 October 2016

Address for Service:

C/- J A Riddell
Russell McVeagh
Barristers and Solicitors
Level 30
Vero Centre
48 Shortland Street
PO Box 8/DX CX10085
AUCKLAND 1140

Telephone:

+64 9 367 8000

Facsimile:

+64 9 367 8163

Advice

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