

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-000243**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of an appeal under section 156 of the Local  
Government (Auckland) Transitional Provisions  
Act 2010 and the Resource Management Act  
1991

**BETWEEN** **K VERNON**  
  
**Appellant**

**AND** **AUCKLAND COUNCIL**  
  
**Respondent**

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**NOTICE OF CITY LIFE DEVELOPMENTS LTD'S WISH TO BECOME A PARTY TO  
PROCEEDINGS**

**3 October 2016**

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**CITY LIFE  
DEVELOPMENTS LTD**

5 Ruhanui Lane  
Pakuranga Heights  
AUCKLAND 2010  
[c.hebditch@vfemail.net](mailto:c.hebditch@vfemail.net)

TO: The Registrar  
Environment Court  
AUCKLAND

1. City Life Developments Ltd (“CLDL”), gives notice under section 274 of the Resource Management Act 1991 (“RMA”) that it wishes to be a party to **ENV-2016-AKL-000243** being an appeal by K Vernon (“Appellant”) against Auckland Council’s decision on the Proposed Auckland Unitary Plan (“PAUP”).
2. CLDL has an interest in the proceedings that is greater than the interest that the general public has. CLDL is a property development company who owns (by virtue of unconditional sale and purchase agreement) a property at 490-492 Manukau Rd Epsom for which the Appellant seeks to be rezoned as relief to their appeal.
3. CLDL made no submissions on the PAUP.
4. CLDL is not a trade competitor for the purposes of section 308C of the RMA.
5. CLDL is directly affected by an effect of the subject of the appeal that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
6. CLDL is interested in all parts of the proceedings pertaining to:
  - 6.1. Appeal Points 12 -14 in so far as it relates to focusing growth in existing metropolitan areas and along existing transport routes.
  - 6.2. Appeal Points 26-35 in so far as it relates to rules in the Mixed Use Zone (H13) specifically height in relation to boundary and maximum height.
  - 6.3. Appeal Points 36-41 in so far as it relates to minimum dwelling size and internal built dimensions.
  - 6.4. Any appeal points related to pre-1944 Special Character and Heritage
7. CLDL is interested in the particular issues raised by the above parts of the proceedings.
8. CLDL opposes the relief sought in relation to the above appeal points for the following reasons:
  - 8.1. The relief sought by the Appellant is not the most appropriate way to achieve the purpose of the RMA or the most appropriate way to achieve the objectives of the PAUP under section 32 of the RMA.

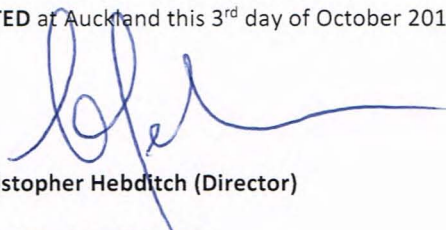
- 8.2. Encouragement of intensification through rule flexibilities along main transport routes supports the creation of buildings with mixed uses which in turn encourages early adoption of public transport initiatives designed to reduce on-site parking requirements and on street parking overflows.
- 8.3. Maximum Height and Height in Relation to Boundary controls, as adopted by the Council and as proposed at the interface with Residential Zones and Business - Mixed Use Zone, will maintain appropriate levels of amenity between residential and business zones.
- 8.4. Down zoning the Manukau Road properties to Single House Zone reduces the Business – Mixed Use zoned land in this part of the City as well as the potential housing stock of the PAUP as this zone is important for housing intensification in Auckland.
- 8.5. Down zoning the Manukau Road properties to Single House Zone is contrary to all versions of the PAUP in particular the Independent Hearings Panel recommended version, which is the version the appellant appears to support.
- 8.6. No Special Character collectively exists on properties where relief is sought for down zoning to Single House Zone because Auckland Council has issued a resource consent for the demolition of existing buildings at 490-492 Manukau Road. Further, the buildings on this site have been modified so as to detract from the buildings original character. Many buildings in the vicinity have been similarly modified and/or run down. Also a number of the subject buildings are not of pre 1944 origin or exhibit any special characteristics.
- 8.7. Minimum building size and dimensions of housing are controlled under the Building Act 2004 and as such it is appropriate that the Independent Hearings Panel rejected the proposed inclusion of building size and dimension standards in the PAUP.
- 8.8. The relief sought by the Appellant does not have particular regard to other matters under section 7 of the RMA including:
- efficient development of natural and physical resources.
  - any finite characteristics of the natural and physical resources.
  - maintenance and enhancement of the quality of the environment

8.9. The relief sought by the Appellant does not recognise and provide for matters of national importance under section 6 of the RMA, including the proposed National Policy Statement on Urban Development Capacity where the purpose of the proposed National Policy Statement on Urban Development Capacity is to ensure regional and district plans provide adequately for the development of business and housing.

8.10. The relief sought by the Appellant does not promote the sustainable management of natural and physical resources under section 5 of the RMA.

9. CLDL agrees to participate in mediation or other alternative dispute resolution.

**DATED** at Auckland this 3<sup>rd</sup> day of October 2016



**Christopher Hebditch (Director)**

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**Advice to recipients:** If you have any questions about this notice, contact the Environment Court in Auckland.