

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2016-AKL-243

IN THE MATTER	of the Local Government (Auckland Transitional Provisions) Act 2010 (LGATPA) and the Resource Management Act 1991 (RMA)
BETWEEN	KEITH VERNON Initiator
AND	AUCKLAND COUNCIL Respondent
AND	NORTH EASTERN INVESTMENTS LIMITED Section 274 party

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Dated: 7 October 2016



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NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

To the Registrar
Environment Court
Auckland

I, North Eastern Investments Limited, wish to be a party to the following proceedings:

- (a) ENV-2016-AKL-000243, being an appeal against the Proposed Auckland Unitary Plan by Keith Vernon

I am a person who made a submission about the subject matter of the proceedings

I am not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

I am interested in part of the proceedings. The part of the proceedings I am interested in is:

- (a) Topic 013 Urban Growth
- (b) Topics 059-063 Residential Zones
- (c) Topic 065 Definitions

I am interested in the following particular issues:

- (a) *Topic 013 Urban Growth:*

- i. I oppose the request to remove Objectives and Policies (not stated in the appeal documents but assumed to be B2.2.1(2), B2.2.2(2) and (4)) included in the decision version of the Plan (appeal points 12, 16 and 17) and Appendix 1A. Urban Growth should be contained within the current urban limits as part of sustainable management.

(b) *Topic 059-063 Residential Zone:*

- i. In relation to appeal point 59 and relief sought point 74, I oppose the appellant's request to have the "across the road from" provision for the Height in Relation to boundaries standard H6.6.6 included in the Plan. Properties across the road from THAB sites would not be affected by shading from buildings due to the separation distance provided by the road corridor.
- ii. I oppose the relief sought (being to reinstate the AUPIHP wording for standard H6.6.6 on the basis that the additional wording is unnecessarily onerous.
- iii. In relation to appeal point 67, I oppose the appellant's request to remove the non-notification clause for activities that do not meet the fencing, minimum household unit size and alternative height to boundary requirements.
- iv. Such non-notification clauses are becoming more common in District Plans and can substantially streamline the consenting process for applications where effects on external parties can be considered to be no more than minor. Such clauses will still allow Council to grant or decline an application by way of a Restricted Discretionary or Discretionary Activity status, but will remove delays that can occur in attempting to contact and gain consent of parties who will not be significantly affected by minor breaches of the performance standards.

(c) *Topic 065 Definition of "Height":*

- i. In relation to appeal point 75, I oppose the request to reinstate the recommendations version of the definition. The decision version is more clearly stated and easier to understand. I also oppose the request to amend the term "Building" to contain the same inclusions/exclusion as "Height".

I agree to participate in mediation or other alternative dispute resolution of the proceedings.

7th October 2016



John Maassen

Solicitor and duly authorised agent of person wishing to be a party

This document is filed by JOHN WILLIAM MAASSEN, Solicitor for the abovenamed Interested Person of the firm CR LAW. The address for service of the abovenamed Interested Person is 227 Broadway Avenue, Palmerston North.

Documents for service on the abovenamed Interested Person may be left at that address for service or may be:

- (a) Posted to the Solicitor at PO Box 1945, Palmerston North 4440, or
- (b) Left for the Solicitor at a document exchange for direction to DX PP80001, Palmerston North, or
- (c) Transmitted to the Solicitor by email to jmaassen@crlaw.co.nz.