

**IN THE ENVIRONMENT COURT
AUCKLAND**

ENV

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of Clause 14(1) of the First Schedule of
the Act

BETWEEN

Waiheke Retirement Village
Appellant

AND

AUCKLAND CITY COUNCIL
Respondent

**NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST THE DECISION OF
THE AUCKLAND CITY COUNCIL PROPOSED HAURAKI GULF ISLANDS
DISTRICT PLAN 2006**

Green Group Limited

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Waiheke Retirement Village (“WRV ”) appeals against the decision of the Auckland City Council (“Council”) on the Proposed Hauraki Gulf Islands District Plan 2006 (“the Plan”).

1. INTRODUCTION AND GENERAL MATTERS

Submission

- 1.1 WRV made a submission on the Plan on 9th December 2006. The submission was referenced by the Council as Submission 1328.

Decision

- 1.2 A notice of the decision by the Council (“Decision”) was received on 4th May 2009. The Decision approved the Plan and declined the submissions made by WRV.

Mediation

- 1.3 WRV is willing to engage in mediation or other alternate dispute resolution to seek to address their concerns.

Attachments

- 1.4 The following documents are attached to this notice of appeal:
- (a) a copy of WRV’s original submission
 - (b) a copy of the relevant decision; and
 - (c) a list of names and addresses of persons to be served with a copy of this notice.

2. GENERAL SUBMISSION: PRINCIPAL OUTCOMES

- 2.1 This appeal relates to the whole of the Decision.
- 2.2 The specific aspects of the decisions to which this appeal relates and the provisions they address are set out below. The appeal also relates to all consequential and related aspects of the plan, which may affect, or be affected by, this appeal.

Reasons for appeal

- 2.3 WRV sought that the Waiheke Retirement Village which is a large homogenous site containing a single activity be identified as such on the district planning maps as a development plan and that activities legitimately associated with that established activity be accorded the status of permitted activities and be recorded in a schedule to the Plan to that effect.
- 2.4 The Council declined the submission for the reasons that “*it is considered appropriate that further development be assessed through the resource consent process*” and; “*it would require considerable time and resources to work through*

with the owners and it could be done as a plan change at some point. At this time, it is recommended that the submission is rejected as it relates to changes in the Plan."

3.0 **Relief Sought**

3.1 **WRV** seeks the following relief:

3.2 That the Plan be amended such that:

3.2.1 The Waiheke Retirement Village be identified on Planning Map Sheet 10 as a development plan and that a schedule of activities be identified and recorded in the Plan associated with that use by way of permitted activities.

3.3 Such further or consequential relief as may be necessary to fully give effect to the relief sought.

3.4 Costs

Waiheke Retirement Village by its authorised agents Green Group Limited



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