

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO
TĀMAKI MAKAURAU ROHE**

ENV-2021-AKL-000096

UNDER of the Resource Management Act 1991 ("the Act")

IN THE MATTER of an appeal under s 120 of the Act

BETWEEN **3MS OF CAMBRIDGE LIMITED PARTNERSHIP**

Applicant/Appellant

A N D **WAIPA DISTRICT COUNCIL**

Respondent

**NOTICE OF TE AWA LIFECARE VILLAGE LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS**

9 August 2021

**ELLIS GOULD
LAWYERS
AUCKLAND**

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AUCKLAND**

REF: Douglas Allan / Alex Devine

**NOTICE OF TE AWA LIFECARE VILLAGE LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS**

To: The Registrar
Environment Court
Auckland

TE AWA LIFECARE VILLAGE LIMITED (“**TAVL**”) gives notice of its wish to be a party to the appeal by 3MS Of Cambridge Ltd Partnership (“**3MS**”) against the decision of the Respondent to refuse an application for subdivision consent (SP/0179/20) (“**Decision**”) at 1865, 1863, 1871, 1881 Cambridge Rd, Cambridge (“**3MS Site**”).

1. TAVL is a person who has an interest in the proceedings that is greater than the interest that the general public has on the grounds that:
 - (a) TAVL will be directly affected by the relief sought in the appeal as the owner of the site at 1866 Cambridge Road, Cambridge, (SA397/240 and SA434/183) (“**TAVL Site**”).
 - (b) The C1 and C2/C3 Structure Plan in the Respondent’s Operative District Plan identifies a collector road along the northernmost part of the TAVL Site’s western boundary. Implementation of the collector road would require land take from TAVL (the extent of which would be determined by detailed design).
 - (c) The subdivision consent sought in the Appeal in effect relocates the collector road shown on the Structure Plan. If approved, that relief would likely mean that the road and intersection would no longer be located along the TAVL boundary.
2. TAVL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
3. TAVL is interested in all aspects of the appeal relief, in particular those aspects that relate to the realignment of the collector road.
4. TAVL supports the relief sought in paragraph 10(a) of the Appeal Notice. In particular it supports the realignment of the collector road to the west that would result if that relief is granted, on the basis that it will:

- (a) Enable the residential development of land by a ready, willing and able developer and therefore accelerate the delivery of housing, consistent with the National Policy Statement on Urban Development 2020;
 - (b) Ensure that existing urban development (such as the TAVL Site) within the structure plan area is not compromised by delivery of the collector road in the current alignment;
 - (c) Not compromise the ultimate delivery of the collector road and other infrastructure; and
 - (d) Result in the provision of the collector road and other infrastructure within the C2/C3 growth cells in a more efficient and logical manner.
5. TAVL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Auckland this 9th day of August 2021

TE AWA LIFECARE VILLAGE LIMITED by its solicitors and duly authorised agents Ellis Gould



Douglas Allan / Alex Devine

Address for service: Douglas Allan / Alex Devine, The offices of Ellis Gould Solicitors, level 17 Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP 22003, Auckland, Telephone: (09) 307 – 2172, Facsimile: (09) 358 – 5215. Email: dallan@ellisgould.co.nz; adevine@ellisgould.co.nz

Copy to: The Appellant
And to: The Respondent
And to: All other parties to the appeal

Appendix 1 – Map showing Te Awa Lifecare Village Limited Site

Site and Locality Map - 3MS and TAVL Sites

Print Date: 4/08/2021
Print Time: 2:45 PM



Scale: 1:13212
Original Sheet Size A4

Projection: NZGD2000 / New Zealand Transverse Mercator 2000
Bounds: 1814218.44804304,5802256.99743029
1816647.91752136,5805280.72562991

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