

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

ENV-2024-CHC-048

Under The Resource Management Act
1991 (the **Act**)

In the Matter of an appeal pursuant to clause
14 of schedule 1 of the Act,
concerning the Central Otago
District Plan – Plan Change 19

Between **LINDSAY AND ROBYN
CROOKS**
Appellant

And **CENTRAL OTAGO DISTRICT
COUNCIL**
Respondent

And **KEITH AND JEAN
MACKENZIE**
s 274 Party

SECTION 274 NOTICE ON BEHALF OF KEITH AND JEAN MACKENZIE



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SECTION 274 NOTICE

To: The Registrar

Environment Court

Christchurch Registry

1. Keith and Jean Mackenzie (**the Mackenzies**) wish to be a party to the following proceeding: *Crooks v Central Otago District Council*, ENV-2024-CHC-048.
2. The Mackenzies made a submission on Plan Change 19 (**PC19**); OS49.
3. The Mackenzies have an interest in the proceedings that is greater than the public generally on the basis that they own the property at 9 Roberts Drive in Cromwell (**Site**) which is adjacent to the appeal site.
4. The Mackenzies are not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
5. The Mackenzies are interested in all of the proceedings.
6. The Mackenzies are interested in the following particular issues:
 - (a) The minimum site density in Large Lot Residential Zone (**LLRZ**) being amended to 1000m² and the associated LLRZ and SUB rules and standards being amended to reflect a minimum site density of 1000m² within the LLRZ.
 - (b) The Mackenzies are also interested in the alternative relief the Crooks have sought. This being that the land in North Cromwell being identified as Large Lot Residential Zone Precinct 1.
7. The Mackenzies support the relief sought because:
 - (a) The Central Otago District is experiencing rapid growth. To meet expected demand and give effect to the National Policy Statement for Urban Development 2020 (**NPSUD**), PC19 should efficiently use residential zoned land.

- (b) The current LLRZ minimum site density leads to inefficient outcomes for the use of land. Subdividing the Site (currently 4381m²) consistent with the LLRZ subdivision rules in the PC19 Decision would result in two 2190m² lots. If the Site were subdivided into three lots, the average lot size would be 1460m² but would require a non-complying resource consent application. There are greater efficiencies to be gained by enabling a three lot subdivision on the Site, including the appeal site.
 - (c) The 1500m² minimum lot size is unnecessary to achieve the outcomes sought by LLRZ. A minimum site density of 1000m² would be consistent with the LLRZ objectives and policies.
 - (d) The Mackenzies agree with the Appellant's reasoning that the decision erred in concluding that a lower minimum density would adversely affect amenity values. Such an approach is inconsistent with the NPSUD.
 - (e) Allowing a reduction in lot size would neither diminish amenity nor privacy.
 - (f) Increasing the density of LLRZ is consistent with the Council's function and the purpose of the Act.
8. The Mackenzies agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 28 August 2024



Hannah Perkin/Bridget Irving

Solicitor for Keith and Jean Mackenzie

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Advice

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