

Form 33

Notice of person's wish to be party to proceedings

*Section 274, Resource Management Act 1991*

To the Registrar  
Environment Court  
Auckland, Wellington, and Christchurch

I, Mark Thomson Mitchell, wish to be a party to the following proceedings:

- ENV-2024-CHC-076, being an appeal by Brian De Geest against the decision of Central Otago District Council on Plan Change 19 to the operative Central Otago District Plan.

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 parts of the proceedings.

The parts of the proceedings that I am interested in are:

- The matters related to the relief sought in paragraph 25.1 of the Notice of Appeal
- The matters related to the relief sought in paragraph 25.2 of the Notice of Appeal
- The matters related to the relief sought in paragraph 25.4 of the Notice of Appeal

I am interested in the following particular issues:

1. With respect to my ownership of 3A Scott Terrace, Cromwell, the application of the Plan Change 19 LLRZ (Precinct 1) zoning and provisions addressed in the above parts, particularly to ensure outcomes are logical and practical.
2. Avoidance of any inconsistency or inapplicability between (or with) the Plan Change 19 provisions addressed in the above parts, particularly with respect to minimum and average areas.

I conditionally support the relief sought in the above parts because—

1. With respect to the relief sought in paragraph 25.1, the Plan Change 19 Decision wording of Policy LLRZ-P6 is “*Provide for development within Precinct 1 at a density consistent with the existing character of the precinct*”, and it is unclear what “existing character” means in the context of the undeveloped sites to which LLRZ (Precinct 1) zoning has been applied in the North Cromwell area.
2. With respect to the relief sought in paragraph 25.2, the wording in Policy LLRZ-P9 for Comprehensive Development does need to be flexible given the different sites (including unique character and context) to which LLRZ (Precinct 1) zoning applies in the North Cromwell area.

3. With respect to the relief sought in paragraph 25.4, the wording (particularly the density/area references) in Rules LLRZ-R12 and SUB-R5 does appear to require modification given the 1000m<sup>2</sup> minimum allotment size for LLRZ (Precinct 1) in Standard SUB-S1, as any 'Comprehensive Residential Development' in LLRZ (Precinct 1) is otherwise likely to trigger non-complying activity status given the 1500m<sup>2</sup> average area requirement.

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



Signature of person wishing to be a party

28 August 2024

Date

Address for service of person wishing to be a party:

Telephone: 0204 160 1180

Fax/email: [campbell@coterra.co.nz](mailto:campbell@coterra.co.nz)

Contact person: Campbell Hills

### **Note to person wishing to be a party**

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38).

### *Advice*

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

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 33: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).