

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2018-CHC-18

UNDER the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of an appeal under clause 14, Schedule 1 of the
RMA

AND

IN THE MATTER of section 274 of the RMA

BETWEEN **LAKEFIELD ESTATE UNINCORPORATED
GROUP**

Appellant

AND **CENTRAL OTAGO DISTRICT COUNCIL**

Respondent

WOOING TREE HOLDINGS LIMITED

Applicant

**NOTICE OF INTENTION BY THE NEW ZEALAND TRANSPORT AGENCY TO
BE A PARTY TO THE PROCEEDINGS UNDER SECTION 274**

Dated: 2nd May 2018

BUDDLEFINDLAY
NEW ZEALAND LAWYERS
Barristers and Solicitors
Christchurch

Solicitor Acting: **Cedric Carranceja**
Email: cedric/carranceja@buddlefindlay.com
Tel 64 3 03 379 1747 Fax 64 3 379 5659 PO Box 322 DX WX11135 Christchurch 8140

TO: The Registrar
Environment Court
CHRISTCHURCH

1. The New Zealand Transport Agency (**Transport Agency**) wishes to be a party to the following proceedings:
 - *Lakefield Estate Unincorporated Group v Central Otago District Council* (ENV-2018-CHC-18)
2. The proceedings concern an appeal by Lakefield Estate Unincorporated Group against a decision by the Central Otago District Council (**CODC**) on Plan Change 12: Wooing Tree, Cromwell (**PC12**). PC12 was requested by Wooing Tree Holdings Limited (**Applicant**) on 13 March 2017 to change the zoning of land under the Central Otago District Plan from Residential Resource Area (6) to a variety of different Resource Area (zone) provisions that allow higher density development, and to list a Monterey Pine (*pinus radiata*) as a Notable Tree.

Nature of interest in the proceedings

3. The Transport Agency made a submission and a further submission on PC12.
4. The Transport Agency also has an interest in the proceeding greater than the interest that the general public has because the land that is the subject of PC12 has frontage to State Highway 8B and State Highway 6, which the Transport Agency is responsible for managing.
5. The Transport Agency is not a trade competitor for the purposes of sections 308C or 308CA of the RMA.

Extent of interest in the proceedings

6. The Transport Agency is interested in all of the proceedings.
7. The Transport Agency is interested in the following particular issues:
 - (a) issues relevant to the effective, efficient and safe operation of the State Highways including matters relating to:
 - (i) reverse sensitivity;
 - (ii) staging of development;
 - (iii) traffic generation;

- (iv) traffic connectivity; and
 - (v) pedestrian, cycle and vehicular access.
8. The Transport Agency is neutral regarding the majority of the relief sought by the Appellant which generally seeks to amend zonings and rules to reduce the density of development. However:
- (a) The Transport Agency supports any changes to PC12 which provides for the implementation and protection of the buffer zone along the State Highway.
 - (b) The relief sought may involve consequential or other changes that impact on the effective, efficient and safe operation of the State Highways. The Transport Agency wishes to be involved to ensure that any changes do not impact on the effective, efficient and safe operation of the State Highways.

Alternative Dispute Resolution

9. The Transport Agency agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 2nd day of May 2018

New Zealand Transport Agency by their
duly authorised solicitors and agents
Buddle Findlay, per:



Cedric Carranceja

Address for service of the section 274 party:

The address for service of the New Zealand Transport Agency is at the offices of Buddle Findlay, at Level 4, 83 Victoria Street, Christchurch (attention: **Cedric Carranceja**). Documents for service on the New Zealand Transport Agency may be left at the above addresses or may be:

- (a) Posted to the solicitor at PO Box 322, Christchurch 8140 (attention Cedric Carranceja); or

- (b) Left for the solicitor at a document exchange for direction DX WX11135, Christchurch; or
- (c) Transmitted to the solicitor by facsimile to 03 379 5659; or
- (d) Emailed to the solicitor at cedric.carranceja@buddlefindlay.com.

Names and addresses of persons to be served with a copy of this notice:

Lakefield Estate Unincorporated Group
C/- Bridget Irving / Derek McLachlan
Bridget.Irving@gcalegal.co.nz / Derek.McLachlan@gallowaycookallan.co.nz
Galloway Cook Allan
Lawyers
123 Vogel Street
PO Box 143
DX YP80023
Dunedin 9054

Wooring Tree Holdings Limited
C/- Jan Caunter
jan@jancaunter.co.nz
Jan Caunter Limited
PO Box 64
Albert Town
Otago 9344

Central Otago District Council
C/- Jayne Elizabeth MacDonald
jmacdonald@mactodd.co.nz
Macalister Todd Phillips
Queenstown
PO Box 653
DX ZP95001
Queenstown

Note to person wishing to be a party

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

- (b) the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- (c) the decision to hold an inquiry, if the proceedings are an inquiry; or
- (d) 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.