

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

ENV-2023-

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under Clause 14 of Schedule 1 of the Act

BETWEEN **LIVINGSTON PROPERTIES LIMITED**

Appellant

AND **CENTRAL HAWKE'S BAY DISTRICT COUNCIL**

Respondent

**NOTICE OF JAMES WILLIAM BRIDGE'S WISH TO BE PARTY TO PROCEEDINGS
Dated this 18th day of July 2023**

**GASCOIGNE WICKS
LAWYERS
BLLENHEIM**

Solicitor: Joshua S Marshall
(jmarshall@gwlaw.co.nz)

James Bridge's Solicitor
79 High Street
PO Box 2
BLLENHEIM 7240
Tel: 03 578 4229
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NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
Wellington

Name of Person who wishes to be Party

- 1 I, James William Bridge, wish to be a party to the following proceedings: the appeal of Livingston Properties Limited dated 4 July 2023 against the decision of the Central Hawke's Bay District Council on its proposed district plan.
- 2 I am a person who made a submission about the subject matter of the proceedings.

Trade competition

- 3 I am not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Proceedings

- 4 I am interested in part of the proceedings.
- 5 The part of the proceedings I am interested in is:
 - (a) Part B – Setback from Neighbours

Particular Issues

- 6 I am interested in the following particular issues:
 - (a) Rule GRUZ-S5 as notified provides for a 5m setback for residential buildings on sites created before 28 May 2021 and less than 4000m². Livingston Properties Limited have requested that rule GRUZ-S5 be amended to refer to 'Sites created before 25 May 2023 and greater than 4000m² net site area'.

Relief sought

- 7 I support the relief sought in respect of amending the date to 25 May 2023.

8 I oppose the relief sought in respect of amending the rule to apply only to lots of greater than 4000m² net site area:

- (a) This provision was introduced specifically because the hearings panel considered that “a reduced setback would be appropriate for those sites less than 4000m² created before 28 May 2021 given the substantial change from the 5m setback in the Operative District Plan and the potential for significant development constraint”.
- (b) There are many lots smaller than 4000m² net site area in the new General Rural Zone, created as either a controlled activity, where the gross site area is 4000m² or greater, or as a Discretionary Activity.
- (c) If the requested amendment is made, the required setback for any existing lot less than 4000m² net site area would revert to 15m regardless of when it was created.

Dispute resolution

9 Agree to participate in mediation or other alternative dispute resolution of the proceedings.



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Joshua S Marshall

Solicitor on behalf of James William Bridge

Date: 18 July 2023

Address for service of Person wishing to be a Party

Gascoigne Wicks

79 High Street, Blenheim 7201

PO Box 2

BLENHEIM 7240

Telephone: 03 578 4229

Fax: 03 578 4080

Contact person: Joshua S Marshall

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.