

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2025-CHC-60

IN THE MATTER OF the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER OF an appeal under clause 14(1) of Schedule 1 of the RMA
against a decision of the Waimakariri District Council in
relation to the Proposed Waimakariri District Plan

BETWEEN

JOHN WALLER

Appellant

AND

WAIMAKARIRI DISTRICT COUNCIL

Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Date: 12 September 2025

Saunders & Co

Solicitor: Chris Fowler

PO Box 18, Christchurch 8140

03 379 7690

chris.fowler@saunders.co.nz

TO: The Registrar
Environment Court
DX:WX11113 Christchurch

Name of party giving notice

- 1 Scott Larson, Terence Davis, John Bassett, Gerard Bassett, Herman and Julie Wezenberg, Roel Wobben, Andrew Mehrtens, Lloyd Williams, Greg Newell, Andrew Olorenshaw, Paul and Julie Wyatt, Sue Sullivan, Yvonne and Mark Webb, Robin and Denise Illingworth, Patricia and Roger Robinson, Brian and Rita Pilbrow (collectively known as the **Landowner Group**).

The relevant proceedings

- 2 The Environment Court's reference number for the proceedings is ENV-2023-CHC- ENV-2025-CHC-60.
- 3 The Parties to the proceeding are John Waller (**Mr Waller**) and the Waimakariri District Council (**Council**).
- 4 The nature of the proceedings is an appeal of the Council's decision that declined the submission by Mr Waller on the rural subdivision provisions and the rural land use rules notified in the Waimakariri Proposed District Plan (**Proposed Plan**).
- 5 Mr Waller's submission related to rural subdivision consent applications that were filed prior to notification of Proposed Plan and which were extant or otherwise undetermined at the time of notification of the Proposed Plan.

Status of party giving notice

- 6 Each person within the Landowner Group is a person who has an interest in the proceedings that is greater than the interest that the general public has because they will be directly affected by the relief sought by Mr Waller's appeal.
- 7 In particular, each person within the Landowner Group filed an application for rural subdivision consent under the Operative District Plan (**Operative Plan**) that was accepted by the Council prior to notification of the Proposed Plan but

which was extant or otherwise undetermined at the time of notification of the Proposed Plan (**extant applications**).

Trade competition

- 8 Each person within the Landowner Group is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

Interest in proceedings

- 9 Each person within the Landowner Group is interested in all of the proceedings.

Issues

- 10 Each person within the Landowner Group is interested in the following particular issues:
- (a) Whether the extant applications have been 'caught' by the timing of the new rules having immediate legal effect pursuant to section 86D RMA;
 - (b) Whether persons within the Landowner Group have been significantly and adversely affected by the new rules in the Proposed Plan, and whether this is recognised by the legacy provisions of the Proposed Plan;
 - (c) Whether the Proposed Plan should include a new legacy provision that allows the extant applications to be processed and determined under the Operative Plan rural subdivision and land use rules rather than the new rules in the Proposed Plan; and
 - (d) Whether the relief requested by Mr Waller's appeal will better achieve and implement the objectives and policies of the Proposed Plan, the Canterbury Regional Policy Statement, any relevant National Policy Statements, and better address the statutory tests at section 32 and Part 2 of the Act.

Relief sought

- 11 Each person within the Landowner Group supports the relief sought by Mr Waller's appeal because such relief would amend the Proposed Plan by, among other matters, inserting a 'grandfather clause' to allow the extant applications to be processed and determined under the Operative Plan rural subdivision and land use rules rather than the new rules in the Proposed Plan.

Dispute resolution

- 12 Each person within the Landowner Group agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 12th day of September 2025



Chris Fowler
Counsel for persons within the Landowner Group

Address for service:

Saunders & Co	
Postal address:	P O Box 18, Christchurch 8140
Telephone:	021 311 784 or (03) 288 2192
Email:	chris.fowler@saunders.co.nz
Contact Person:	Chris Fowler

Please note that:

- This notice has been served upon the Environment Court within 15 working days after the period for lodging a notice of appeal;
- A copy of this notice has also been served on the Waimakariri District Council and the appellant within the same 15 working day period;
- A copy of this notice will be served on all other parties within 5 working days after that period ends.