

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe

ENV-2025-CHC-68

Under	the Resource Management Act 1991 (the Act)
In the matter of	an appeal under clause 14(1) of the First Schedule of the Act in relation to the proposed Waimakariri District Plan
Between	Robert Paterson and RJ Paterson Family Trust Appellants Waimakariri District Council Respondent

**Notice of wish to be party to proceedings pursuant to section 274 Resource
Management Act 1991**

12 September 2025

Section 274 party's solicitors:

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**anderson
lloyd.**

To: The Registrar
Environment Court
Christchurch

- 1 Michael Patrick Schluter and Jean Margaret Shirley Schluter (**the Schluters**) wish to be a party pursuant to section 274 of the Resource Management Act 1991 (**RMA**) to the following proceedings:

ENV-2025-CHC-68 Robert Paterson and RJ Paterson Family Trust v Waimakariri District Council (the Appeal) being an appeal against a decision on the proposed Waimakariri District Plan in relation to the Decision to rezone part of the West Rangiora Development Area (specifically as relates to land at 205, 217 and 237 Johns Road, Rangiora, **the Land**) as Open Space Zone; and include provisions in the West Rangiora Development Area Outline Development Plan (**ODP**) that unnecessarily constrain the ability to develop the Land for medium density residential activity (**the Decision**).

- 2 The Schluters made a submission (Submission #407) and further submission (Further Submission #89) about the subject matter of the proceedings. The Schluters also made a submission on Variation 1 to the PDP (Submission #76).
- 3 The Schluters have an interest in the proceedings that is greater than the interest that the general public has because:
 - (a) the Schluters own land located at 237 Johns Road, Rangiora, legally described as Lot 3 DP 341829, subject to the Decision;
 - (b) the relief sought in the Appeal could modify the Decision and affect the Schluter's interests.
- 4 The Schluters are not a trade competitor for the purposes of section 308C or 308CA of the RMA.
- 5 The Schluters are interested in all of the proceedings, including the relief seeking that:
 - (a) That the Land be rezoned from Open Space Zone to Medium Density residential Zone so that the whole of the West Rangiora Development Area has a consistent Medium Density Residential zoning;
 - (b) That the ODP for the West Rangiora Development Plan is amended to remove references to general and medium density residential areas that are inconsistent with the underlying Medium Density Residential zoning; and

- (c) That Rule DEV-WR-R1 that requires development to be in accordance with the ODP, is amended to read “to be in general accordance with” the ODP.

6 The Schluters support the relief sought for the following reasons:

- (a) The Decision to rezone Land Open Space and include prescriptive ODP provisions, without providing sufficient scope for development while appropriately managing any stormwater or flood risk effects, unreasonably limits the development potential of the Land.
- (b) The Decision wrongly concludes that the most appropriate zoning of the southern part the West Rangiora Development Area in respect of the Land is Open Space zoning.
- (c) The Decision wrongly and without proper evaluation under section 32AA concludes that Open Space zoning is the most appropriate method for achieving the objectives and policies of the proposed Waimakariri District Plan, the provisions of higher order documents and the purpose of the RMA.
- (d) The Decision fails to adequately consider other reasonably practicable options for achieving plan objectives to enable the Land for housing whilst appropriately managing any environmental effects including stormwater management and flood risk. This includes the option to rezone all of the Land Medium Density Residential Zone in conjunction with the use of plan rules and ODP provisions to manage stormwater and flood risk.
- (e) The Decision includes ODP provisions that seek to limit density in certain parts of the Development Area which are inconsistent with the underlying Medium Density Residential zone and are contrary to the requirements of the RMA which precludes the imposition of controls that limit residential density below those enabled by the Medium Density Residential Standards.
- (f) The requirement in Rule DEV-WR-R1 that development be 'in accordance with the ODP' is inconsistent with the relevant subdivision policy, does not provide sufficient flexibility for detailed subdivision design, and has the potential to give rise to unnecessary consenting requirements.
- (g) The Decision:
 - (i) will not assist the Council in carrying out its statutory duties under RMA including the integrated management of the effects of the use and development of land;
 - (ii) will not give effect to the National Policy Statement for Urban Development 2020;

- (iii) will not give effect to the Canterbury Regional Policy Statement;
- (iv) will not meet the requirements of section 32 of the RMA; or
- (v) will not promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA.

7 The Schluters agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 12 September 2025

A handwritten signature in black ink, appearing to read 'S Eveleigh', written over a horizontal line.

Sarah Eveleigh / Sarah Schulte
Counsel for the Section 274 party

Address for service of person wishing to be a party

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Advice

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