

**ENVIRONMENT COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY  
I TE KŌTI MATUA O AOTEAROA  
ŌTAUTAHĪ ROHE**

Under the	<b>RESOURCE MANAGEMENT ACT 1991</b>
In the matter	of appeals against the Waimakariri Partially Operative District Plan under clause 14(1) of the First Schedule of the Act
Between	<b>THE BROKEN RIVER TRUST</b>  (ENV-2025-CHC-49)  (and other appellants as listed in Appendix A attached to this memorandum)  Appellants
Between	<b>WAIMAKARIRI DISTRICT COUNCIL</b>  Respondent

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**MEMORANDUM OF COUNSEL FOR WAIMAKARIRI DISTRICT COUNCIL  
REGARDING INITIAL CASE MANAGEMENT MATTERS**

Dated 26 September 2025

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**BUDDLE FINDLAY**

Barristers and Solicitors  
Christchurch

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## **MAY IT PLEASE THE COURT:**

### **1. INTRODUCTION**

- 1.1 This memorandum is filed on behalf of the Waimakariri District Council (**Council**) in response to the 5 September 2025 Minute of the Environment Court (**Minute**).
- 1.2 The Minute makes directions in respect of case management matters for the 21 appeals lodged on the Waimakariri Partially Operative District Plan (**PODP**), including a direction for the Council to file an initial case management memorandum by Friday 3 October 2025.
- 1.3 This memorandum:
  - (a) Provides the Court with an update on the matters that have been completed in respect of the Court's directions at paragraph [3], [4] and [9] of the Minute;
  - (b) Updates the Court on the progress the Council has made in respect of the initial case management matters set out at paragraph [6] of the Minute; and
  - (c) Respectfully seeks an extension to the filing date for a case management memorandum.

### **2. CONFIRMATION OF COMPLETED MATTERS**

- 2.1 Counsel can advise the Court that the following directions have now been completed / will continue to be complied with:
  - (a) Appeals website – in accordance with paragraph [3] and [4](a) of the Minute, the Council is maintaining an appeals website where all appeals, supporting documents and s274 notices are available. The appeals website is available at [District Plan Review | Waimakariri District Council](#). The appeals website will continue to be updated as appeal documents are served on the Council.
  - (b) Public notice – in accordance with paragraph [4](c) of the Minute, the Council has given public notice of the existence of the 21 appeals of the PODP, including the address for the appeals website. The public notice was included in The

Press<sup>1</sup> and the North Canterbury News<sup>2</sup> and is annexed as **Appendix B** to this memorandum.<sup>3</sup>

- (c) Further Council directions – in accordance with paragraph [9], the Council has uploaded a copy of the Court's Minute to its appeals website<sup>4</sup> and served a copy of the Minute on all submitters who provided an address for service on 9 September 2025 via email.<sup>5</sup>

### **3. PROGRESS ON INITIAL CASE MANAGEMENT MATTERS**

- 3.1 In respect of the initial case management matters, the Council has been working through the 21 appeals in order to address the Court's directions and ensure efficient and effective management of the appeals.
- 3.2 The Council has commenced engagement with various appellants to identify any preliminary issues and whether these issues can be refined prior to appeals being set down for mediations and/or hearings. These discussions are also informing other case management matters including priority issues, grouping of appeals and sequencing.
- 3.3 The Council considers that it would assist in the efficient management of the appeals if it had further time to engage with appellants regarding the Court's directions before finalising its position on initial case management matters and filing the case management memorandum in accordance with the Court's directions. The Council are also conscious that there are availability constraints for some parties due to the Term 3 school holidays, which end on 3 October 2025.

### **4. DIRECTIONS SOUGHT**

- 4.1 Accordingly, to allow sufficient time to engage with the appellants and refine any preliminary issues, the Council respectfully seeks a short extension of time to file the initial case management memorandum by one week from 3 October 2025 to **10 October 2025**.

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<sup>1</sup> Issued Saturday 30 August 2025.

<sup>2</sup> Issued Thursday 4 September 2025.

<sup>3</sup> The Public Notice has also been uploaded to the Council's appeal website found [here](#).

<sup>4</sup> Copy of the Court's Minute of the Council's website found [here](#).

<sup>5</sup> The Environment Court Registrar was copied into those emails for confirmation, as requested.

Dated 26 September 2025

Two handwritten signatures in blue ink. The first signature on the left is 'Jenna Silcock' and the second signature on the right is 'Cedric Carranceja'.

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**Jenna Silcock / Cedric Carranceja**  
Counsel for the Respondent

## **APPENDIX A – LIST OF ALL APPELLANTS**

- (ENV-2025-CHC-49) The Broken River Trust
- (ENV-2025-CHC-50) North Canterbury Clay Target Association
- (ENV-2025-CHC-51) Black
- (ENV-2025-CHC-54) Godfrey & Godfrey
- (ENV-2025-CHC-55) Prosser & Prosser
- (ENV-2025-CHC-56) McCormick
- (ENV-2025-CHC-57) Allaway & Larsen
- (ENV-2025-CHC-58) Survus Consultants
- (ENV-2025-CHC-59) Wyatt & Wyatt
- (ENV-2025-CHC-60) Waller
- (ENV-2025-CHC-61) Schluter & Schluter
- (ENV-2025-CHC-62) Transpower New Zealand Limited
- (ENV-2025-CHC-63) Mainpower NZ Limited
- (ENV-2025-CHC-64) Rolleston Industrial Developments Limited & Ors
- (ENV-2025-CHC-65) Dairy Holdings Limited
- (ENV-2025-CHC-66) Christchurch International Airport Limited
- (ENV-2025-CHC-67) DEXIN Investment Limited
- (ENV-2025-CHC-68) Paterson & Ors
- (ENV-2025-CHC-69) Woodwater
- (ENV-2025-CHC-71) McAllister & Ors
- (ENV-2025-CHC-72) Horticulture New Zealand

## APPENDIX B – PUBLIC NOTICE



**WAIMAKARIRI**  
DISTRICT COUNCIL

### **Appeals on the Waimakariri Partially Operative District Plan**

This public notice notifies you that 21 appeals have been lodged on the Waimakariri Partially Operative District Plan. The period for lodging a notice of appeal ended on 22 August 2025.

The Council maintains a website for the appeals at <https://www.waimakariri.govt.nz/council/district-development/district-plan-review>. The website includes copies of all of the appeals lodged and other appeal documents, including Minutes from the Environment Court and s274 notices of persons wishing to be a party to appeals, as they are served on the Council.

The Court has waived the requirement for appellants to serve a copy of each notice of appeal (including the 'advice to recipients' and any attachments) on submitters who did not provide an address for service.

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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.

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 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).