

Form 33 Notice of person's wish to be party to proceedings

(Resource Management Act 1991, s 274)

IN THE ENVIRONMENT COURT AT CHRISTCHURCH

Court references:

ENV-[2025]-CHC-[###] Michael & Jean Schluter v Waimakariri District Council

ENV-[2025]-CHC-[###] Robert Paterson & RJ Paterson Family Trust v Waimakariri District Council

ENV-[2025]-CHC-[###] Woodwater v Waimakariri District Council
("the Proceedings")

Lodged with the Court electronically by email:

sophia.preston@justice.govt.nz

CVI Residential LIMITED ("CVI") wishes to be a party to the Proceedings.

1. CVI's interest

CVI is—

- (a) **a person who made a submission** on the subject matter of the Proceedings (Rachel Hobson and Bernard Whimp, submission no **179**, Further submission no 90) now referred to as **CVI Limited**; and
- (b) **a person who has an interest in the proceedings that is greater than the interest the general public has**, by reason that CVI is **developing land and has interests in land within the North East Rangiora ODP within the Waimakariri District** that is affected by the Development Area (**DEV**) provisions and associated Outline Development Plans (**ODPs**), and the overall zone provisions.

2. Parts of the Proceedings of interest

CVI is interested in the parts of the Proceedings that concern the **Development Area (DEV) rules** and the way the plan implements **ODPs**, including (without limitation) **DEV-NER-XX (North East Rangiora Development Area) provisions** and any other DEV area provisions that presently require development "**in accordance with**" an ODP or equivalent phrasing.

- 3. CVI is also interested in any proceedings on the relationship between the zone provisions and the development chapter/ODP provisions, including the symbology and mapping of ODPs generally.

2. Position

CVI **supports** the above parts of the Proceedings **to the extent they seek to amend DEV rules to require development to be “in general accordance with” an ODP.**

3. Reasons

- (a) “General accordance” provides **appropriate implementation flexibility** to achieve plan outcomes without undue rigidity arising from the provisions that implement ODPs. CVI does not consider that an automatic default to a discretionary activity status, is appropriate and that more flexibility is needed for minor deviations and changes.
- (b) It **better gives effect to higher-order planning instruments**, including responsive planning directions, by enabling alternative layouts that still deliver the same outcomes.
- (c) It **promotes efficient urban development**, proportional consenting, and avoids litigation risk from minor technical departures.
- (d) It remains **anchored to the ODP outcomes and performance standards**, preserving overall plan integrity, staging and infrastructure alignment, as well as consistency with current planning practice under the operative Waimakariri District Plan.

4. Additional matter of appeal sought by CVI

CVI also seeks that the following **new DEV rule** (or words to similar effect) be inserted:

4. New rule [DEV-GEN-Rx] – Speed management in residential ODP areas

“For any residential development within a Development Area implemented by an Outline Development Plan, **the Council will facilitate any required processes under the Land Transport Act 1998 (LTA)** (including speed management plans and rule changes) **to lower speed limits** on public roads **within or adjoining the ODP area**, as required to give effect to the rezoning and ODP and to ensure a safe and efficient transport network as recently rezoned areas receive more residential development.”

5. Reasons:

- (i) Enables the rezoning of land of interest to CVI to be given effect to.

- (ii) Supports **integrated land use and transport** outcomes anticipated by ODPs.
- (iii) Enables **safe residential street environments** through timely speed setting consistent with contemporary practice.
- (iv) Provides **clarity of process and responsibility**, avoiding delays to subdivision staging, vesting and occupation. Whilst the RMA and LTA processes are separate, the technical supporting information can be the same, cost and duplication should be removed.
- (v) Is an **administrative facilitation** provision and does not fetter Council's statutory decision-making under the Land Transport Act 1998.

5. **Relief sought**

CVI seeks that the Court:

- (a) **Allow the Proceedings in part** to amend all relevant DEV rules (including DEV-WR-R1 and equivalents) so development must be **“in general accordance with”** the applicable ODP;
- (b) **Insert** the new DEV rule in paragraph 5 (or words to like effect) and make any **consequential amendments** to the Plan; and
- (c) Grant such **further or other relief** as may be necessary or appropriate to give effect to the above.

6. **Position on the wider plan**

Except as set out above, **CVI otherwise supports the Proposed Waimakariri District Plan** and **wishes to continue working constructively with the Waimakariri District Council** to enable development in the District.

7. **ADR**

CVI **agrees to participate in mediation or other alternative dispute resolution** of the Proceedings.

Signature:

Signed for and on behalf of **CVI Residential Limited** by its authorised agent:



**Peter Wilson,
Consultant Planner for
CVI Residential**

Schedule 1 – Proceedings to which this notice applies

(1) **Michael & Jean Schluter v Waimakariri District Council** – ENV-[20xx]-CHC-[###]

Appellants' address for service: Anderson Lloyd, Floor 2, The Regent Building, 33 Cathedral Square, Christchurch 8011. PO Box 13831, Christchurch 8141. Email: sarah.eveleigh@al.nz; sarah.schulte@al.nz.

(2) **Robert Paterson & RJ Paterson Family Trust v Waimakariri District Council** – ENV-[2025]-CHC-[###]

Appellants' address for service: c/- Novo Group, Level 1, 279 Montreal Street, Christchurch 8011. PO Box 365, Christchurch 8140. Email: adele@novogroup.co.nz.

(3) **Woodwater v Waimakariri District Council** – ENV-[2025]-CHC-[###]

Appellant's address for service: Anthony Harper Lawyers, 62 Worcester Boulevard, Christchurch 8011. PO Box 2646, Christchurch 8140. Email: gerard.cleary@ah.co.nz.

Respondent: Waimakariri District Council – Address for service:

developmentplanning@wmk.govt.nz
