

In the Environment Court of New Zealand
At Christchurch

I mua i te Kōti Taiao o Aotearoa
I te rohe o Ōtautahi

ENV-2025-CHC-61

under: the Resource Management Act 1991

in the matter of: an appeal under clause 14 of Schedule 1 of the Resource
Management Act 1991

between: **Michael Patrick Schluter and Jean Margaret Shirley Schluter**
Appellant

and: **Waimakariri District Council**
Respondent

**Notice of person's wish to be party to proceedings by Robert
Paterson and RJ Paterson Family Trust against Waimakariri District
Council's decision on the Proposed Waimakariri District Plan**

11 September 2025

Reference: A Radburnd (Adele@novogroup.co.nz)



Form 33

NOTICE OF PERSON'S WISH TO BE PART TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
Christchurch

Robert Paterson and RJ Paterson Family Trust wish to be a part to the following proceedings:

ENV-2025-CHC-61 Schultzer & Schluter v Waimakariri District Council

Parties' interests in these proceedings

1. **Robert Paterson and RJ Paterson Family Trust** (the s274 Parties),
 - made a submission on the subject matter of the proceedings¹; and
 - are persons with an interest in the proceedings that is greater than the interest that the general public has, due to being an owner of land in the West Rangiora Development Area that would be impacted by the relief sought to the district provisions as sought by these appellants.
 - are not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

Parts of the proceedings of interest

2. The s274 parties are interested in all aspects of the proceedings, including relief seeking to:
 - Remove the Open Space Zone zoning from the southern part of the Property, and zone the entire Property Medium Density Residential Zone;
 - Remove the Open Space Reserve notation from the southern part of the Property in the West Rangiora Development Plan ODP; and

¹ PDP Submission #340 dated 26 November 2021; Further submission to Variation 1#19 dated 18 November 2022.



- Such other additional, alternative or consequential relief to address the matters raised in the appeal.

Position on relief sought

3. The s274 Parties support the relief sought by the Appellant because:
 - It is consistent with the matters contained in the Trust's submissions and further submissions.
 - That it is unclear from recommendation Report 36 whether the recommendation (which the Council accepted) recommends the zoning of the southern part of the Property to OSZ, or identification of the southern part of the Land as an Open Space Reserve in the ODP.
 - There was no submission, and therefore no scope, to rezone part of the Land to Open Space Zone.
 - There was insufficient s32 or s32AA evaluation to support a decision to zone the Land Open Space.
 - The decision to zone the Land Open Space zone for the purposes of addressing flood risk is inconsistent with the objectives and policies for Open Space zones, which are not zones with the purpose of managing flood risk, but rather to provide for a range of passive and active recreational activities.
 - The property has been identified in the Canterbury Regional Policy Statement as an appropriate location for future residential development.
 - Any development constraints relating to flood hazards are more appropriately dealt with in the ODP, ODP provisions or generally rules, including those rules which apply to the Urban Flood Assessment Area. Applying limitations on development through zoning unnecessarily restricts development and prevents efficient use of the land.
 - Rezoning the entire Property MRZ is a more appropriate method for giving effect to the Resource Management Act and higher order planning documents.
4. Further, the s274 Parties support the relief sought by the Appellants because they consider that the Decision:
 - Will not assist the Council in carrying out its statutory duties under the RMA including the integrated management of the effects of the use and development of the land.
 - Will not give effect to the National Policy Statement for Urban Development 2020.
 - Will not give effect to the Canterbury Regional Policy Statement.
 - Will not meet the requirements of section 32 of the RMA; or
 - Will not promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA.

Mediation

5. The s274 Parties agree to participate in mediation or other alternative dispute resolution of the proceedings.



Signed for and on behalf of Robert Paterson and R J Paterson Family Trust Limited by its authorised agents Novo Group.

Adele Radburnd
Senior Planner
11 September 2025

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