

BEFORE THE EXPERT PANEL

FTAA-2504-1054

Under the Fast-track Approvals Act 2024

In the matter of an application for approvals in relation to the Ryans Road Industrial Development

By **Carter Group Limited**
Applicant

**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH INTERNATIONAL
AIRPORT LIMITED IN RESPONSE TO MINUTE 13 DIRECTIONS**

Dated 12 March 2026

Christchurch International Airport Limited
PO Box 14001
Christchurch 8544
Solicitor: Simon Inder
Email: [REDACTED]

Counsel Acting: Alanya Limmer KC
Email: [REDACTED]
Telephone: [REDACTED]
P O Box 3180
Christchurch 8140

MAY IT PLEASE THE PANEL

- 1 This Memorandum is filed on behalf of Christchurch International Airport Limited (**CIAL**) in respect of the Ryans Road Industrial Development (**the Project**), Fast-Track Approvals Act (**FTAA**) application.¹
- 2 CIAL files this memorandum in accordance with paragraphs 11(a)-(c) of Minute 13, where the Panel sought the following:
 - 2.1 legal submissions from CIAL, responding to the matters raised in the legal submissions filed by Carter Group Limited (**the Applicant**) on 23 February and 9 March 2026;
 - 2.2 technical memorandums or statements (if any) prepared by suitably qualified and experienced people on behalf of CIAL addressing the effects raised in the Applicant's Package;² and
 - 2.3 any consent conditions which, in CIAL's view, better address concerns regarding potential impacts on aircraft safety and/or the operation of the airport.
- 3 Under cover of this Memorandum, CIAL files Statements from:
 - (a) John Kyle – planning expert;
 - (b) Jeff Balchin – economic expert; and
 - (c) Ford Robertson – Manager: Aviation Safety and Security at Christchurch International Airport.
- 4 As well as responding to issues raised by the Applicant's 23 February and 10 March packages of information, Mr Robertson's evidence engages with the Panel's request for further information at paragraphs [24] to [29] of Minute 13.

Practical limitations to CIAL's response

- 5 As recorded in the joint memorandum of counsel filed by CIAL and Airways on 3 March 2026, the material filed by the Applicant on 23 February 2026 was extensive relative to the limited time remaining before the Panel's decision. A further tranche of material was filed by the Applicant on 9 March 2026. Taken together, the Applicant's recent filings include over 100 pages of legal submissions (including appendices) together with additional evidence.

¹ Application no. FTAA-2504-1054.

² The 'Applicant's Package' includes material filed by it in accordance with the Panel's Minute 9, and paragraph [9] of the Panel's Minute 13.

- 6 The practical effect has been that, since the commencement of this process, the Applicant has had substantial periods of time to prepare and expand its case, whereas CIAL has had comparatively very short periods within which to review that material and respond. The procedural asymmetry is obvious. To an extent this is inherent in the FTAA, but:
- 6.1 It nevertheless affects the practical ability of CIAL to review and respond to the Applicant's evolving case within the limited time available; and
- 6.2 The imbalance is accentuated by the nature and scale of material filed by the Applicant, including the progressive filing of additional affidavits and legal submissions expanding the Applicant's case, and the short windows afforded for response.
- 7 In the present instance, CIAL has had four working days (including today) to review and respond to the two most recent tranche of submissions and evidence while also preparing further technical evidence to respond to the Requests for Further Information contained in Minute 13. In the circumstances:
- 7.1 CIAL and Airways have coordinated their responses as far as possible in order to avoid duplication, noting there has not been sufficient time to exchange draft submissions or evidence in advance of filing; and
- 7.2 Despite this, CIAL's reply is necessarily selective. There are a number of matters raised in the Applicant's submissions which CIAL has not been able to address fully within the time available.
- 8 CIAL records these practical constraints so the Panel is aware the reply material (both evidence and submissions) represents the response that could be prepared within the time available; but is not comprehensive.
- 9 CIAL understands the Applicant is considering whether to seek a further suspension of time (see the email chain - **Attachment A**). If such an application is made after the present material is filed, CIAL respectfully requests the opportunity to be heard on that request.
- 10 If the Panel were inclined to grant a further suspension, CIAL would likely seek additional time to supplement and further develop its reply material, rather than having the suspension period used (wholly or in part) for the filing of further evidence or submissions by the Applicant. CIAL would respectfully submit the purpose of any suspension should be to enable existing material to be properly addressed, rather than to facilitate further expansion of the evidential record.
- 11 While the FTAA regime necessarily limits participation by other parties, it does not dispense with the need for procedural fairness. The practical limitations described above are noted so the Panel is aware of the context in which this reply has been prepared.

Response to Legal Submissions

- 12 The Applicant's legal submissions advance several propositions which CIAL addresses in reply. The primary contentions responded to in this Memorandum are:
- 12.1 The Applicant's evidence on aviation safety is unchallenged;
 - 12.2 Adverse effects/impacts on aviation safety are "acceptable";
 - 12.3 The planning framework adequately manages aviation safety effects through existing controls;
 - 12.4 The Project remains regionally significant even if some adverse impacts arise; and
 - 12.5 Any remaining issues can be addressed through proposed consent conditions .
- 13 CIAL submits:
- 13.1 CIAL's case is not based on expert disagreement about the type and extent of safety risks or operational constraints that may arise. CIAL's case is that the Panel does not have adequate information to decide:
 - (a) What the safety risks are;
 - (b) The extent of those risks;
 - (c) The costs of those risks – either in terms of safety or the costs of ensuring safety is not compromised; and
 - (d) Ultimately, whether the adverse impacts of the proposal are sufficiently significant to be out of proportion to the project's benefits.
 - 13.2 The Applicant's assertions around a lack of evidence from CIAL and Airways are founded in RMA case law, not FTAA processes. The FTAA establishes its own rules around evidence which is appropriately more liberal than the RMA one. In any event, CIAL and Airways are filing technical statements that address the key concerns;
 - 13.3 The relevant planning instruments establish a very low tolerance for adverse effects, with heavy reliance on avoidance of adverse effects;
 - 13.4 Compliance with selected District Plan controls does not equate to acceptability of effects or adequacy of information. In any event, this is a non-complying activity – it does not comply with the District Planning framework and nor is it anticipated by that activity status;³

³ *Rodney District Council v Gould* [2006] 11 ELRNZ 182 (HC), at [64], and *Charter Coalition Inc V Auckland Council* [2025] 26 ELRNZ 592, at [120].

- 13.5 The Applicant's most recent economic evidence focuses on whether the Project remains regionally significant after unquantified costs are taken into account. CIAL's economic evidence discusses the speculative nature of the Applicant's conclusion of regional significance to begin with, but even if that is put to one side, the Applicant's focus on whether or not the project remains regionally significant does not answer the statutory comparison required by s85(3);
- 13.6 CIAL's expert economic evidence notes inadequate information affects the assessment of both adverse impacts and benefits; and
- 13.7 The Applicant's reliance on conditions of consent to make up for shortcomings in the application, is misplaced. The proposed conditions defer the core assessment until after consent is granted. This is inappropriate and unlawful.
- 14 Airways addresses the detailed civil aviation regulatory and technical matters raised by the Applicant, including issues relating to the Civil Aviation Act, Civil Aviation Rules, Part 77 processes, and the distinction between safeguarding assessments and operational aviation risk assessments.

The dispute

- 15 To be clear from the outset, neither CIAL nor Airways have engaged with this application on the basis of competing conclusions about aviation safety. Rather, their consistent position has been that the Panel does not presently have sufficient information to determine what the potential aviation safety effects of the proposal may be, or how any such effects might appropriately be managed. In those circumstances, the adverse aviation impacts of the proposal cannot presently be identified (and therefore quantified) with any confidence. Nor does the process or timeframe available allow for the necessary information to be obtained before the Panel is required to determine the application.
- 16 CIAL has previously submitted inadequacy of information is, in itself, a relevant adverse impact for the purposes of the Panel's assessment.⁴ CIAL maintains that submission. The issue is particularly significant in the present case because the potential effects concern:
- 16.1 Aviation safety; and
- 16.2 The operation of nationally significant infrastructure.
- 17 If aviation safety risks associated with the proposal are not identified until after consent is granted, those risks will need to be addressed by CIAL and/or Airways as the operators responsible for maintaining safe aviation operations. If they are identified before they manifest as a safety event, the consequence will likely be operational restrictions or

⁴ Memorandum of Counsel for CIAL dated 23 February 2026, in response to Minute 9, at [20] and [21.2].

procedural changes, with associated economic impacts. In either case, the absence of adequate information at the consent stage does not avoid the consequences of the risk; it merely defers knowledge of them.

What constitutes evidence?

- 18 The Applicant submits that the Panel must determine the application primarily on the basis of the evidence of its aviation experts and that the absence of conflicting expert evidence means the Panel should accept those conclusions. With respect, that submission mischaracterises both the process that has occurred in this application and the role of the Panel under the FTAA.
- 19 First, the procedural context in which the material before the Panel has been produced differs markedly from the conventional Resource Management Act process. As recorded in the joint memorandum of counsel filed on 2 March 2026, the Applicant filed a substantial new package of aviation material in response to the Panel's Minute 9, including extensive legal submissions and multiple new expert statements.
- 20 That material was filed at a relatively advanced stage of the process and without any procedural mechanism enabling orderly exchange of evidence, testing of expert views, or cross-examination of witnesses. The FTAA process has therefore not provided the type of evidential testing that typically occurs in a hearing under the RMA.
- 21 More broadly, the ability of other parties to tender evidence under the FTAA is constrained by the structure of the regime itself. For example:
- 21.1 the FTAA does not provide for public notification or general submissions, which means members of the public cannot simply lodge comments unless they are invited;
- 21.2 for those invited to comment, the FTAA prescribes a maximum 20 working days within which parties must provide their comments.⁵ The FTAA bars parties from seeking a waiver of this maximum time limit;⁶ and
- 21.3 commenters do not have an automatic right to be heard under the FTAA,⁷ which in the ordinary course of the traditional RMA process, is when evidence exchange would be triggered.
- 22 The timeframes within which material must be prepared further compound these constraints. A "party" has little control over the time available to review new information and assemble responsive evidence, particularly when compared with the position of an applicant who has had substantial time to prepare its case prior to lodgement.

⁵ Section 54(1) FTAA.

⁶ Section 54(4) FTAA.

⁷ Section 56 FTAA.

23 In the circumstances, it cannot be correct or fair to treat the Applicant's expert opinions as determinative merely because other parties (including CIAL) have not had the opportunity – let alone an equivalent opportunity - to file a fully developed suite of corresponding expert evidence.

24 The FTAA regime recognises this reality and tempers it somewhat through s58(3), which provides an Expert Panel may receive as evidence:

any statement, document, information, or matter that in its opinion may assist it to deal effectively with an application for an approval, whether or not it would be admissible in a court of law.

25 The breadth of s 58(3) is notable. Although s276 of the RMA might be considered liberal, the FTAA provision is framed even more expansively. The breadth of s 58(3) reflects the procedural context in which Expert Panels operate under the FTAA and the Panel is at liberty to rely on information that may not otherwise be afforded material weight in an RMA or other Court process.

26 In any event, CIAL's latest response is accompanied by three Statements of Evidence. Airways' response is similarly supported by evidence. The evidence does not introduce new material or new grounds of opposition. It confirms the reliability of comments made since September 2025 relating to aviation safety concerns, including especially the December 2025 material of CIAL and Airways.

What is the evidential dispute?

27 The Applicant's submissions claim four aviation experts have concluded any aviation safety or operational effects associated with the proposal will be "acceptable". On that basis, the Applicant submits the Panel should accept those conclusions in the absence of conflicting expert evidence

28 With respect, the case for CIAL and Airways has never been that the Applicant's experts have reached the wrong conclusions. Rather, the consistent submission has been that the material before the Panel does not enable a proper understanding of the potential aviation effects of the proposal. In particular, the information presently available does not enable the Panel to determine:

28.1 What aviation safety or operational effects may arise;

28.2 The scale of any such effects; and

28.3 How those effects might appropriately be managed.

29 In this sense, the present issue is not a conventional dispute between competing experts. The more fundamental difficulty is that the evidential record does not enable the Panel to

identify and assess the potential aviation implications of the proposal with sufficient confidence to undertake the assessment required by section 85 of the FTAA.

Acceptability of adverse effects

The planning documents

- 30 In its submissions dated 10 March, the Applicant places considerable weight on the conclusion reached by its aviation experts that any aviation effects arising from the proposal will be “minor and acceptable”. However, the relevant planning framework does not frame the issue in terms of whether some level of aviation effect may be considered acceptable.
- 31 The Canterbury Regional Policy Statement (**CRPS**) includes directive policies that require adverse effects on the safe and efficient operation of strategic infrastructure, such as Christchurch International Airport, to be avoided. As a higher-order planning instrument under the RMA, the CRPS policies sit above the Christchurch District Plan in the planning hierarchy and are therefore central to assessing proposals that may affect airport operations, including this Project.
- 32 While the relevant higher-order CRPS provisions use an explicit ‘avoidance’ directive regarding the safe and efficient operation of strategic infrastructure, the Applicant’s submissions, relying on its own expert evidence, describe the aviation effects as ‘acceptable’. The evidence does not indicate what this means and with respect, the terms ‘avoid’ and ‘acceptable’ represent distinct thresholds and operate at different levels.
- 33 The meaning of ‘avoid’ has been clarified in the RMA context in *King Salmon*,⁸ where the Supreme Court held that under the New Zealand Coastal Policy Statement, ‘avoid’ means to ‘not allow’ or to ‘prevent the occurrence of’ adverse effects.⁹ CIAL submits that the Supreme Court’s interpretation of ‘avoid’ in *King Salmon* equally applies to the relevant CRPS policy here (5.3.9).
- 34 The Christchurch District Plan reflects the same approach. Objective 6.7.2.1 seeks to ensure aircraft are able to safely and efficiently approach, land, take off and depart from airports. Associated policies require decision-makers to avoid or mitigate activities that could interfere with the safe navigation and control of aircraft, including activities that may affect visibility or increase birdstrike risk.
- 35 The National Policy Statement for Infrastructure reinforces that approach. It reflects a national expectation that nationally and regionally significant infrastructure be protected

⁸ *Environmental Defence Society Inc v The New Zealand King Salmon Company Ltd* (2014) 17 ELRNZ 442.

⁹ At [93].

from incompatible land uses. Mr Kyle considers that policy context relevant when assessing potential effects on Christchurch International Airport.

- 36 As Mr Kyle explains, the policy framework reflects the prudently cautious approach typically adopted in relation to aviation safety, recognising the potentially significant consequences if safe navigation or aircraft control is compromised.

What are “acceptable” effects?

- 37 The Applicant’s submissions proceed on the basis that effects will be “acceptable”. However, neither the Applicant’s submissions nor expert evidence explain what benchmark is being applied when that term is used. For example, it is not explained whether “acceptable” means acceptable from a safety perspective, acceptable in terms of operational constraints on the airport, acceptable in economic terms, or acceptable when measured against the directive policy framework that seeks to avoid development which constrains strategic infrastructure. Without that explanation, the conclusion that effects will be “acceptable” is difficult for the Panel to evaluate.
- 38 As Mr Kyle explains, conclusions about “acceptable” effects necessarily depend on the risks that have been identified through the technical analysis undertaken for the proposal. Where those risks have not been fully identified or quantified, the ability to conclude that effects are acceptable is correspondingly limited.
- 39 In addition, the Applicant’s experts do not explain what level of effect equates to “acceptable”. It is therefore unclear how the conclusions engage with, or satisfy, the planning thresholds established by the NPS-I, CRPS and Christchurch District Plan.

Compliance with aspects of the District Plan framework

- 40 The Applicant’s evidence places weight on the proposition that the proposal complies with aspects of the aviation-related provisions of the Christchurch District Plan, including the aircraft protection framework. However, as Mr Kyle explains, reliance on rules designed for different land-use assumptions does not demonstrate that the potential aviation effects of this development are adequately understood or managed.
- 41 In particular, the application site is located in the Rural Urban Fringe Zone, where the planning framework anticipates a very different range and scale of land uses than the industrial subdivision proposed. Compliance with selected technical controls within that framework does not establish that the aviation implications of development of this scale in this location have been properly assessed.
- 42 In addition, the proposal is a non-complying activity. This status reflects the fact development of this nature is not anticipated by the planning framework in this location. In those circumstances, scrutiny of the proposal and input from affected infrastructure

operators is both appropriate and necessary to enable the Panel to understand the potential impacts of the activity.

The significance of the Project

43 The Applicant's submissions proceed on the evidential conclusion that, whatever the potential costs associated with aviation effects, the Project would remain "regionally significant". That proposition is problematic for several reasons:

43.1 Mr Balchin's evidence is sceptical as to whether the economic benefits attributed to the Project would reach the level of regional significance at all. He deposes the estimates relied upon by the Applicant assume activity facilitated by the development represents new economic activity, rather than activity displaced from elsewhere in the Region and are based on speculative assumptions about the ultimate occupants of the site.

43.2 The Applicant's assertion the Project would remain regionally significant regardless of potential aviation impacts cannot be maintained when the costs of those impacts remain unknown. As Mr Balchin explains, the economic assessment relied upon by the Applicant applies a far more demanding standard before potential costs are recognised than is applied to the claimed benefits, requiring a level of certainty that is not consistent with economic principles. In circumstances where the potential operational or economic consequences for airport operations have not yet been identified or quantified, it is not possible to conclude those costs would be immaterial to the overall economic balance.

43.3 In any event, whether the Project could be characterised as regionally significant, despite its costs, does not answer the statutory test the Panel must apply under the FTAA. Rather, the Panel, under 85(3) of the FTAA, must assess whether the relevant impacts are *sufficiently significant* to be *out of proportion* to the *project's regional or national benefit*. The FTAA requires a comparative evaluation, not simply an assessment of the scale of claimed benefits in isolation.

Consent Conditions

44 Counsel acknowledges the Panel's directions at paragraph [11](c) of its Minute 13:

(c) *Should these parties choose to, consent conditions that would appropriately address their concerns regarding the potential impacts that the proposal may have on the aircraft safety and operational efficiency of Christchurch International Airport (the Airport). **The Panel acknowledges that both parties have indicated that they consider that, at this time, there is insufficient information to develop such conditions.** Nonetheless, the opportunity to provide such is left open by the Panel.*

[Our emphasis added in **bold**]

45 CIAL does not respond to the detail of the updated draft condition package. Instead, it reiterates its concerns with the underlying philosophy of the conditions advanced by the Applicant – in particular, the premise consent can be granted now and crucial safety assessments undertaken later.

46 Mr Kyle discusses this in his evidence at paragraphs [10], [15] and [17]:¹⁰

*Mr. Phillips (which relies on a range of technical statements insofar as aviation matters are concerned) does not provide sufficient assurance that matters relating to aviation safety and efficiency have been fully addressed. **As such it is my opinion that any assertion at this stage that effects on aviation safety and efficiency are adequately identified or addressed lacks sufficient certainty.***

The necessary work has therefore not been completed and instead the Applicant relies on desktop analysis and an extensive suite of consent conditions, to reverse-engineer a suitable risk management approach. In my opinion, the Applicant's approach fails to properly address the potential risk to aviation operations and safety.

*I understand that **a full aeronautical assessment is a structured, collaborative evaluation of the operational implications arising from a proposed change to land use activities (in this case).** It typically includes detailed modelling of obstacle limitation surfaces, instrument flight procedures, navigation aid performance, airspace design, lighting and visual cues, helicopter operations, and cumulative effects. It requires engagement and collaboration with aerodrome operators, Airways, and users to ensure operational data, aircraft performance, and system interactions are accurately understood. **The desktop analysis undertaken by the aviation experts engaged by the applicant is materially narrower than this and does not provide the depth or specificity required to understand aviation risks near an operating aerodrome.***

(our emphasis added in **bold**).

47 At paragraphs [113] – [126] of its legal submissions dated 23 February 2026, the Applicant relies on two cases as justification for the “condition precedent” type of conditions proposed:

47.1 *Taheke Geothermal* approval¹¹ granted under the Covid-19 Recovery (Fast-track Consenting) Act 2020.¹² The Applicant has neglected to mention the proposed power station in that case was situated 11km away from Rotorua airport.

47.2 The *Smooth Hill Landfill* decision¹³ granted under the RMA, where the site subject to the proposal was 4.5km away from Dunedin airport.

48 With respect, the factual circumstances of those two cases are so different to that before the Panel, they are of no real assistance.

¹⁰ At [10].

¹¹ Carters legal submissions at [114].

¹² Decision of the Expert Panel for the Taheke Geothermal Project (6 November 2024).

¹³ Smooth Hill Landfill Combined Decision Report of Dunedin City Council and Otago Regional Council (9 September 2022).

49 CIAL's position on the Applicant's approach to conditions was addressed in its December memorandum.¹⁴ Its December submission remain relevant to the approach now taken. In addition, paragraphs [19] – [30] of Mr Kyle's evidence support the legal submissions made, which are to the effect:

49.1 aviation safety is not a matter of implementation detail, to be assessed and determined after consents are granted. Aviation safety should be foundational to this Project, due to the potential (but unknown) risk of a high impact event occurring (i.e. is injury or loss of human life) in the event that safety effects cannot be appropriately addressed through consent conditions;

49.2 the conditions contemplate further aviation analysis occurring after consent has been granted, which postpones the resolution of matters that go to the heart of the proposal's acceptability. In essence, CIAL submits this reverses the usual sequence of environmental assessments which is required first before the Panel can complete its final evaluation and weighting exercise under 85(3)(b) FTAA;

49.3 in doing so, the approach embeds uncertainty into the consent as to whether development is acceptable at all and if it is, to what extent, on what terms and at what cost to CIAL (and others); and

49.4 the approach by the Applicant to include, and continue to advance, condition precedents to deal with the gap of information clarifying potential safety effects is not legally available to it.¹⁵

50 CIAL also refers the Panel to the recent *Taranaki VTM* draft decision.¹⁶ In its draft decision, the Panel recognised the importance of not leaving substantive decisions to be decided after a Project is granted. It said:

[1787] We consider that, while well-structured and drafted, the proposed conditions do not represent best practice. At a fundamental level, and of greatest concern to us is that they seek to enable substantive decisions to be made following the approval of any consents. This is a consequence of the conditions seeking to address the short comings in the information that is available to us. Such data and information are needed to both understand the existing environment and to enable the actual and potential effects of the project to be accurately and confidently predicted.

[1791] TTRL's approach for this application relied substantially on historic engagement undertaken for earlier processes, supplemented by targeted pre-lodgement correspondence inviting responses within short timeframes, with no new programme of hui.⁸⁴⁶ Evidence and comments from iwi evidence noted late,

¹⁴ Refer to paragraphs [45] – [45.4].

¹⁵ Refer to paragraph [45.4], citing *Director-General of Conservation v Marlborough District Council* (2005) 11 ELRNZ 15 (High Court) at [27] to [29] and [31].

¹⁶ Draft decision for the Taranaki VTM application, dated 4 February 2026.

correspondence-heavy engagement, but an absence of the information actually needed, such as fine-scale cultural mapping, agreement on baselines and indicators, and informed input into conditions and management plans.

[1793] In the absence of agreed baselines, indicators, or governance arrangements, the Panel is not satisfied that conditions could reliably address these impacts.

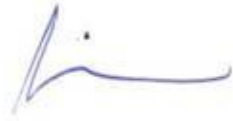
(our emphasis added in **bold**).

- 51 The expert panel in *Taranaki VTM* decided the Proposal should be declined, finding overall the adverse impacts were sufficiently significant to outweigh the project's regional or national benefits. CIAL's concerns regarding the lack of information and adequacy of consent conditions closely mirror those addressed by the Panel in the *Taranaki VTM* draft decision.

Conclusion

- 52 CIAL submits that, as in *Taranaki VTM*, this Panel should decline consent because it cannot be satisfied the proposed conditions could reliably mitigate the potential impacts of concern to CIAL. As a consequence, it is open to the Panel to find the adverse impacts are sufficiently significant to be out of proportion to the Project's regional or national benefits.
- 53 In the context of this Project and given the type of effect under consideration as well as the relevant planning provisions, the "acceptability" threshold for effects is very low. Whilst the RMA may not be a "zero-risk" regime, nor is it a "one size fits all" statute. In this particular case the level of tolerance is very low because it involves:
- 53.1 Safety of people; and
 - 53.2 Constraints on nationally significant infrastructure.
- 54 In circumstances where the potential aviation safety and operational effects of the Project remain uncertain, where the relevant planning provisions require effects on the safe and efficient operation of nationally significant infrastructure to be avoided, and where the consequences of error may involve risks to human safety, the Panel cannot be satisfied the Proposal is acceptable. The application should therefore be declined.

DATED this 12th day of March 2026



A C Limmer KC
Counsel for Christchurch International Airport Limited

"A"

Denise Hamlin

From: Meg Davidson <[REDACTED]>
Sent: Thursday, 12 March 2026 12:33 pm
To: Alanya Limmer KC
Cc: Jo Appleyard; Lauren Rapley; Louise Espin
Subject: RE: Ryans Road development

Hi Alanya

We don't act for Carter Group in relation to the purchase contract and are not involved in any discussions regarding it, so we're unable to comment on those details.

My earlier email reflects our instructions, and I can't really take things any further.

Thanks,

Meg Davidson | Solicitor | **Anderson Lloyd** | d [REDACTED] | m [REDACTED]

From: Alanya Limmer KC <[REDACTED]>
Sent: Thursday, 12 March 2026 11:10 AM
To: Meg Davidson <[REDACTED]>
Cc: Jo Appleyard <[REDACTED]>; Lauren Rapley <[REDACTED]>; Louise Espin <[REDACTED]>
Subject: RE: Ryans Road development

Thanks Meg.

Just to clarify – has your client been given the ability to extend its conditional date under its purchase contract? So what it is doing right now is deciding whether or not to convert that into a suspension of the FTAA process? I just want to ensure I understand what is meant by your response below.

Happy for you to call if that would be easier.

A

Alanya Limmer KC
Barrister



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From: Meg Davidson <[REDACTED]>
Sent: Thursday, 12 March 2026 10:57 am
To: Alanya Limmer KC <[REDACTED]>
Cc: Jo Appleyard <[REDACTED]>; Lauren Rapley <[REDACTED]>; Louise Espin <[REDACTED]>
Subject: RE: Ryans Road development

Hi Alanya,

The Applicant is actively considering its options regarding a potential further suspension. While the situation remains under review, we do not have instructions to seek a suspension.

Kind regards,

Meg

Meg Davidson

Solicitor

Anderson Lloyd

d [redacted] | m [redacted] | al.nz



Gold Supporter of Pride Pledge

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From: Alanya Limmer KC <[redacted]>
Sent: Thursday, 12 March 2026 9:53 AM
To: Meg Davidson <[redacted]>
Cc: Jo Appleyard <[redacted]>; Lauren Rapley <[redacted]>; Louise Espin <[redacted]>
Subject: FW: Ryans Road development
Importance: High

Hi Meg

I have received Jo's out of office response to the below email.

Can you provide the information sought, please? This is urgent given it is Fast Track and given CIAL and Airways are due to file substantial material today (with only 4 working days to prepare it).

Thanks

Alanya Limmer KC
Barrister



Email: [redacted] | Mobile: [redacted]
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From: Alanya Limmer KC
Sent: Thursday, 12 March 2026 9:46 am
To: 'Jo Appleyard' <[redacted]>
Cc: Lauren Rapley <[redacted]>; Louise Espin <[redacted]>
Subject: Ryans Road development
Importance: High

Morning Jo

Can you confirm please whether the Applicant is still pursuing an extension to the conditional contract such that it might actually end up suspending the FTAA process after today?

Your prompt advice on this would be appreciated.

Thank you.

Alanya Limmer KC
Barrister



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