

Before the Expert Panel

FTAA-2504-1054

Under **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 Carter Group Limited

2 April 2026

Applicant's solicitors:

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**anderson
lloyd.**

May it please the Panel:

- 1 This memorandum is filed on behalf of Carter Group Limited (**Carter Group** or **Applicant**), the applicant for the substantive application for the Ryans Road Industrial Development (**Application**) under the Fast-track Approvals Act 2024 (**FTAA**).
- 2 On 26 March 2026, the Expert Panel (**Panel**) issued:
 - (a) the draft decision on the Application (**Decision**); and
 - (b) the draft conditions of consent including:
 - (i) draft Christchurch City Council (**CCC**) consent conditions (**CCC Draft Conditions**);
 - (ii) draft Canterbury Regional Council (**CRC**) consent conditions (**CRC Draft Conditions**); and
 - (iii) draft Wildlife Act approval conditions (**Wildlife Approval Draft Conditions**).

(collectively, the **Draft Conditions**)
 - (c) Minute 16 directing the Environmental Protection Agency (**EPA**) to invite:
 - (i) comments on the Draft Conditions from specified parties under section 70 of the FTAA (**Parties**); and
 - (ii) comments on the Decision and Draft Conditions from specified Ministers under section 72 of the FTAA.
- 3 At paragraph 10 of Minute 16, the Panel also invites the Applicant to:
 - (a) confirm that references to Management Plans are correct and provide a comprehensive list of Management Plans referred to in the Draft Conditions;
 - (b) offer a condition requiring a Construction Noise and Vibration Management Plan (**CNVMP**); and
 - (c) provide a schedule of appendices of the various Christchurch District Plan (**CDP**) rules that are intended to be attached to the land use consent as appendices.

- 4 The purpose of this memorandum is to provide the Applicant's initial comments on the Draft Conditions and to respond to the matters identified in paragraph 10 of Minute 16.
- 5 Each of those matters is addressed under the headings below and in the following documents provided with the Applicant's 70(1) response:
 - (a) Joint memorandum of **Mr Nick Fuller** (transport), **Ms Clare Dale** and **Mr Jeremy Phillips** (planning) (**Traffic and Planning Joint Memorandum**), together with:
 - (i) Updated CCC Draft conditions, incorporating the Applicant's responses to the matters requested by the Panel (**Updated CCC Draft Conditions**);
 - (ii) Appendix 1 to the CCC Conditions with a schedule of the CDP rules referred to in the conditions; and
 - (iii) Updated CRC Draft conditions, incorporating the Applicant's responses to the matters requested by the Panel (**Updated CRC Draft Conditions**);
 - (b) A list of Management Plans contained in the Draft Conditions; and
- 6 At the outset it is noted that the Applicant will have a further opportunity to respond to comments received under section 70(1) of the FTAA under section 70(4).
- 7 If necessary, the Applicant will provide a more comprehensive response on the Draft Conditions (including, for example, matters relating to the staging and transport conditions (i.e. subdivision condition 3 and conditions 79-83)) once it has had an opportunity to consider any comments from the other parties.

CCC Conditions

- 8 The points of clarification raised by the Panel in respect of the CCC Draft Conditions are addressed in the right-hand column of the Updated CCC Draft Conditions. Where required, the Applicant has also included tracked changes to the Updated CCC Draft Conditions to reflect those responses.

Subdivision Staging

- 9 The Applicant does not accept the proposed staging condition (subdivision condition 3) requiring further traffic modelling or intersection upgrades prior to the release of later stages of the subdivision.

- 10 The reasons for the Applicant's opposition to subdivision condition 3 are summarised in the Traffic and Planning Joint Memorandum.

Transport conditions

- 11 The Updated CCC Draft Conditions include amendments responding to the matters raised by the Panel in relation to transport.
- 12 The Applicant does not accept the proposed condition requiring footpaths to be provided on both sides of all internal roads. No adverse effects have been identified that would warrant the imposition of this requirement. Accordingly, the condition is unnecessary, is not a condition that can lawfully be imposed under the RMA and FTAA, and is more onerous than necessary.
- 13 The Applicant therefore requests that the proposed condition be deleted.

Conditions relating to aviation safety

- 14 The Applicant generally accepts the intent of the panel's changes to the conditions relating to aviation safety and will provide a final response on this condition that accounts for any comments that may be received by other parties on this condition.
- 15 As requested by the Panel, the Applicant has, in consultation with its technical expert, **Mr Geraint Bermingham**, also added further technical guidance to Advice Note A to improve awareness of, and compliance with, downwash hazard mitigation measures. Mr Bermingham has prepared a short memorandum, attached as **Appendix 1** to this memorandum, confirming that the proposed advice note is appropriate for the purpose requested by the Panel and that, in his opinion, it is not necessary for the advice note to apply to any other lots.

Draft CNVMP

- 16 As requested by the Panel, the Applicant has prepared a new condition 8A, with advice from the Applicant's acoustic engineer, Mr Mark Lewthwaite, which requires the preparation of a CNVMP.

CDP rules

- 17 As requested by the Panel, the Applicant has prepared an appendix to be attached to the CCC Conditions setting out the CDP rules referred to in those conditions.

- 18 The Updated Draft CCC Conditions have also been amended to align with the correct numbering of the relevant CDP rules within that appendix.

CRC Draft Conditions

- 19 The Applicant confirms that:
- (a) Plan CRC254900 on page 10 of the CRC Draft Conditions is correct;
 - (b) Plan CRC254897A on page 12 of the CRC Draft Conditions is correct;
 - (c) Plan CRC254897B on page 12 of the CRC Draft Conditions is correct;
 - (d) Plan CRC254898A on page 19 of the CRC Draft Conditions is correct;
 - (e) Plan CRC254898B at page 20 of the CRC Draft Conditions requires updating to reference plan RC-EW205 Rev C.¹ The Updated CRC Draft Conditions have been amended accordingly and, for ease of reference, are attached as **Appendix 2** to this memorandum;
 - (f) Plan CRC254899A on page 26-27 of the CRC Draft Conditions is correct;
 - (g) Plan CRC254899B on page 26-27 of the CRC Draft Conditions requires updating to Capture plan 'RC-SW400 Rev D.² The Updated CRC Draft Conditions have been amended accordingly and, for ease of reference, are attached as **Appendix 3** to this memorandum; and
 - (h) Plan CRC254899C on page 26-27 of the CRC Draft Conditions requires updating to Capture plan 'RC-SW420 Rev D.³ The Updated CRC Draft Conditions have been amended accordingly and, for ease of reference, are attached as **Appendix 4** to this memorandum.
- 20 The Applicant has made an amendment to conditions 12–15 of the Updated CRC Draft Conditions relating to the Paparua Water Race Network. This amendment reflects feedback received from CRC and is intended to ensure the condition is workable and capable of compliance.
- 21 The Updated CRC Draft Conditions also includes other minor amendments and corrections of a consequential or clarification nature.

¹ [Appendix 5](#) to the Applicants s 55 Response dated 28 November 2025, at page 22.

² [Appendix 5](#) to the Applicants s 55 Response dated 28 November 2025, at page 46.

³ [Appendix 5](#) to the Applicants s 55 Response dated 28 November 2025, at page 47.

- 22 The Applicant has also provided Appendix 1 to the Updated CCC Draft Conditions, being Schedule 3 to the Canterbury Land and Water Regional Plan, which is referred in Part 5, condition 11.
- 23 The Applicant does not otherwise seek any amendment to, and accepts, the Draft CRC Conditions as proposed.


Draft Wildlife Approval Conditions

- 24 For completeness, the Applicant acknowledges that this process does not provide an opportunity for the Applicant or Parties to comment on the Panel's draft decision and is confined to comments on the draft conditions.
- 25 Notwithstanding that, the Applicant wishes to draw to the Panel's attention what appears to be a factual error in the draft decision. At paragraph 580, and again at paragraph 880, the decision states that "lizard habitat was identified across the site, but no lizards were observed".
- 26 Those statements were accurate at the time the Application was originally lodged. However, when the Application was amended and resubmitted in April 2024, lizard surveys were undertaken and included as Appendix 7, which confirmed the presence of southern grass skinks on the site.
- 27 The subsequent reports prepared and discussions held with the Department of Conservation have proceeded on the basis of those confirmed survey results.
- 28 While the Applicant does not consider that this factual correction alters the Panel's conclusions or the Draft Wildlife Approval Conditions, it raises the matter for the Panel's information should it wish to correct the relevant statements when issuing its final decision. The Applicant does not otherwise seek any amendment to, and accepts, the Draft Wildlife Approval Conditions as proposed.

Management Plans

29 The Applicant confirms that references within the conditions to the various Management Plans are correct and as requested, a list of Management Plans is attached as **Appendix 5**.

Dated this 2nd day of April 2026

A handwritten signature in black ink, appearing to read 'J M Appleyard', is written over a horizontal line.

J M Appleyard / M E Davidson

APPENDIX 1: MEMORANDUM OF GERAINT BERMINGHAM

Under **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 Geraint Bermingham regarding Lot 121 Helicopter Downwash Hazard - Advice Note

1 April 2026

Applicant's solicitors:

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Memorandum of Geraint Bermingham regarding Lot 121 Helicopter Downwash Hazard - Advice Note

- 1 My name is Geraint Bermingham.
- 2 I have been asked by the Applicant to prepare this memorandum to assist in responding to the draft condition for the Ryans Road Industrial Development Project.
- 3 I understand that the Expert Panel (**Panel**) has requested the Applicant to include additional technical guidance within Advice Note A to improve awareness of, and compliance with, helicopter downwash hazard mitigation associated with Lot 121.
- 4 I have been asked by the Applicant to assist with the drafting of an amended advice note for the purpose requested by the Panel. In drafting the amended advice note, I have sought to make it practical for a subsequent owner or occupier of the lot or associated building to effectively mitigate any downwash hazard and so ensure ongoing health and safety.
- 5 As reflected in the Updated CCC Draft Conditions, which incorporate the Applicant's responses to the Panel's queries, I propose that Advice Note A be redrafted as follows:

Lot 121 Helicopter Downwash Hazard, Advice Note

The consent holder's attention is drawn to a potential helicopter downwash hazard that may affect a portion of Lot 121, arising from helicopters operating to and from the Garden City Helicopters (GCH) heliport.

Assessment undertaken by Navigatus Consulting (Aviation Safeguarding Assessment, 28 November 2025 – Section 9) indicates that, during helicopter approach or departure, transient downwash effects may occur when aircraft pass at relatively low height over a portion of Lot 121. While the extent and strength of downwash will depend on the flight profile of helicopters and may not always be evident, awareness of this potential hazard and appropriate management is recommended.

Within the northern portion of Lot 121 that lies beneath the published southern approach / departure path to / from the GCH heliport, the following practical measures may assist in managing downwash effects to a safe level, as appropriate:

- (i) **Identification of the extent of potential downwash hazard and communication of this risk to workers** — at ground level extending approximately 130 metres south from the northern boundary of the lot, (corresponding to the point at which a helicopter would be approximately three rotor widths above ground level if flying at the OLS height) — and about 35 metres to each side of the published approach/take-off-climb path.
- (ii) **Building construction:** Management of downwash risks through a Construction Management Plan, including controls on the storage and handling of lightweight and sheet materials.
- (iii) **Engineered measures:** Building design responses, such as a covered rear yard or sheltered outdoor areas, to isolate workers from any downwash effects.
- (iv) **Postconstruction / ongoing use of lot:** Inclusion of helicopter downwash as a site-specific hazard within owner and occupier health and safety planning, particularly for any open yard to the north of any building on the lot and if accessing the roof of for any building on the lot. The mitigation being a general awareness of the hazard and that lightweight objects (e.g. loose materials, tarpaulins, polystyrene or sheet products) should be managed or otherwise secured to reduce the potential of these becoming airborne under the influence of helicopter downwash.

6 The proposed advice note is consistent with the evidence I have prepared regarding the Ryans Road Industrial Development. I confirm that, in my opinion, the advice note is appropriate for the purpose requested by the Panel.

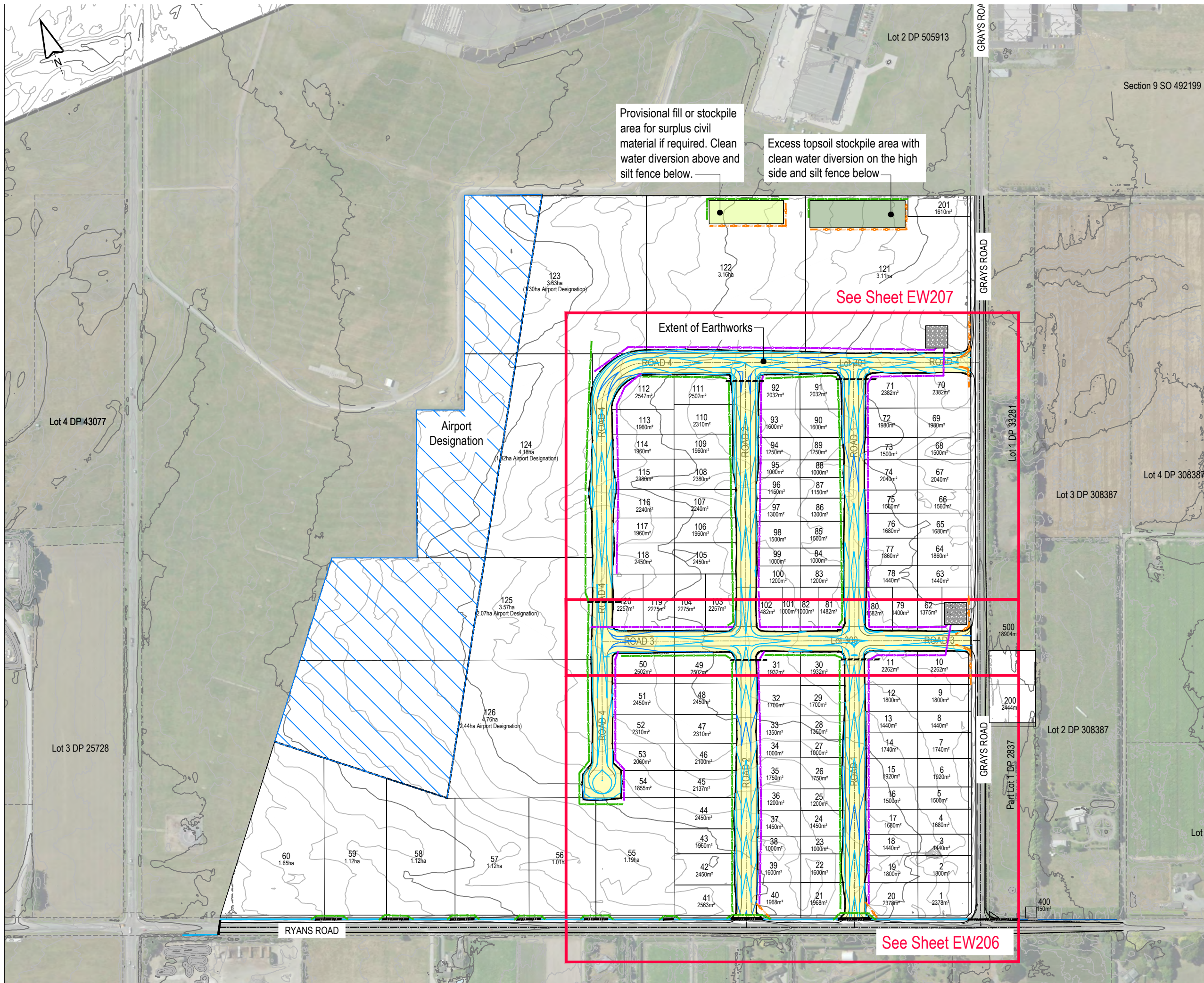
7 In addition, based on my knowledge of the aviation sector and associated regulations and rules, I confirm that it is my opinion that there is no technical basis to require the imposition of the covenant, on any other lots to alert landowners to helicopter downwash hazards.

Dated this 1st day of April 2026



Geraint Bermingham

APPENDIX 2: PLAN CRC254898B



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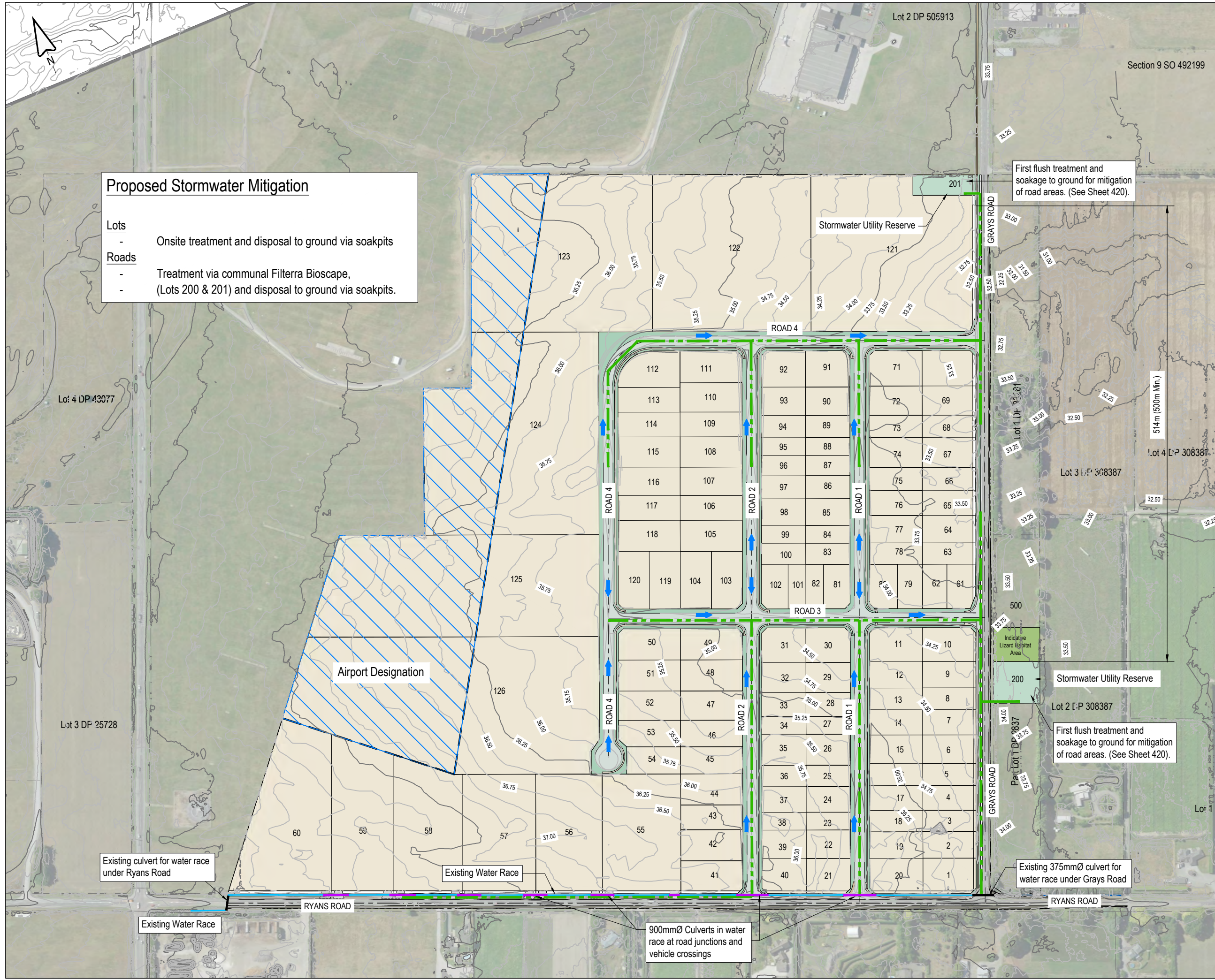
- NOTES:**
1. TOPSOIL STOCKPILES ARE CONCEPTUAL ONLY.
 2. EROSION & SEDIMENT CONTROL MEASURES SHALL BE INSTALLED & INSPECTED BY THE ENGINEER AND/OR LOCAL AUTHORITY REPRESENTATIVE PRIOR TO COMMENCING EARTHWORKS.
 3. ALL SURFACES SHALL BE STABILISED ONCE EARTHWORKS ARE COMPLETE.
 4. ANY STOCKPILE OF MATERIAL ON SITE SHOULD BE COVERED OR STABILISED TO MINIMISE LOSSES AND SHALL NOT BE LOCATED IN OVERLAND FLOW PATHS OR SITE LOW POINTS.
 5. ALL RUBBISH, VEGETATION, DEBRIS ETC SHOULD BE REMOVED FROM THE EARTHWORKS AREA AND REMOVED FROM THE SITE BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF TOPSOIL STRIPPING.
 6. ALL EROSION AND SEDIMENT CONTROL MEASURES MUST BE OPERATIONAL PRIOR TO ANY OTHER WORK COMMENCING ON SITE. THE CONTRACTOR SHALL ARRANGE FOR AND ATTEND A PRELIMINARY SEDIMENT CONTROL MEETING ON-SITE WITH THE ENGINEER AND ECAN AND COUNCIL REPRESENTATIVES.
 7. THE CONTRACTOR SHALL ENSURE COUNCIL BEST MANAGEMENT PRACTICES ARE IN PLACE DURING THE CONSTRUCTION PERIOD OF DEVELOPMENT, INCLUDING AT SITE ENTRANCES AND EXITS, TO CONTROL DUST, SILT, MUD AND DISCHARGE FROM SITE ENTERING A WATER BODY.
 8. FURTHER SEDIMENT CONTROL MAYBE REQUIRED BY THE ENGINEER AS THE PROJECT ADVANCES. THESE WILL BE INSTALLED AS AND WHERE DIRECTED BY THE ENGINEER. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ENSURING THAT THE SITE HAS EFFECTIVE SILT DETENTION FACILITIES OPERATING AT ALL TIMES.
 9. ALL SEDIMENT AND EROSION CONTROL FEATURES SHALL BE IN ACCORDANCE WITH ENVIRONMENT CANTERBURY'S EROSION AND SEDIMENT CONTROL TOOLBOX.

REV	DATE	REVISION DETAILS	ISSUED
A	25/02/25	FOR APPROVAL	TL
B	12/08/25	MINOR REVISIONS	TL
C	06/11/25	SW RESERVES REVISED	TL



CLIENT		
CARTER GROUP LIMITED		
PROJECT		
104 RYANS ROAD, HAREWOOD		
DRAWING TITLE		
EROSION & SEDIMENT CONTROL PLAN - OVERALL		
STATUS	SCALE	SIZE
FOR APPROVAL	1:4000	A3
PROJECT	DRAWING NO	REVISION
1252	RC-EW205	C

APPENDIX 3: PLAN CRC254899B



Proposed Stormwater Mitigation

- Lots**
- Onsite treatment and disposal to ground via soakpits
- Roads**
- Treatment via communal Filterra Bioscape, (Lots 200 & 201) and disposal to ground via soakpits.

First flush treatment and soakage to ground for mitigation of road areas. (See Sheet 420).

Stormwater Utility Reserve

Airport Designation

Stormwater Utility Reserve

First flush treatment and soakage to ground for mitigation of road areas. (See Sheet 420).

Existing culvert for water race under Ryans Road

Existing Water Race

Existing 375mmØ culvert for water race under Grays Road

Existing Water Race

900mmØ Culverts in water race at road junctions and vehicle crossings

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NOTES: STORMWATER

1. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH CCC IDS AND CSS PARTS 1-7.
2. MINIMUM CLEARANCE TO OTHER SERVICES TO BE AS PER IDS PART 9: UTILITIES TABLE 1.
3. PIPE SIZES AND DEVICES TO BE CONFIRMED AT DETAILED DESIGN STAGE.
4. PIPE MATERIALS AS PER CCC SUBDIVISION BULLETIN 25. 225Ø-300Ø TO BE uPVC, 375Ø UPWARDS TO BE CONCRETE RCRRJ C4 UNLESS OTHERWISE STATED.
5. LOCATION OF EXISTING SERVICES TO BE CONFIRMED BY RELEVANT SERVICE PROVIDERS ON SITE, PRIOR TO UNDERTAKING ANY EXCAVATIONS.
6. BACKFILLING AND BEDDING REQUIREMENTS AS PER CCC CODE OF PRACTICE.

LEGEND:

- WATER RACE CULVERT
- INDICATIVE STORMWATER LINES
- DIRECTION OF OVERLAND FLOW

REV	DATE	REVISION DETAILS	ISSUED
A	25/02/25	FOR APPROVAL	TL
B	06/08/25	SW REVISIONS	TL
C	07/08/25	MINOR REVISION	TL
D	06/11/25	SW RESERVES REVISED	TL



CLIENT
CARTER GROUP LIMITED

PROJECT
104 RYANS ROAD, HAREWOOD

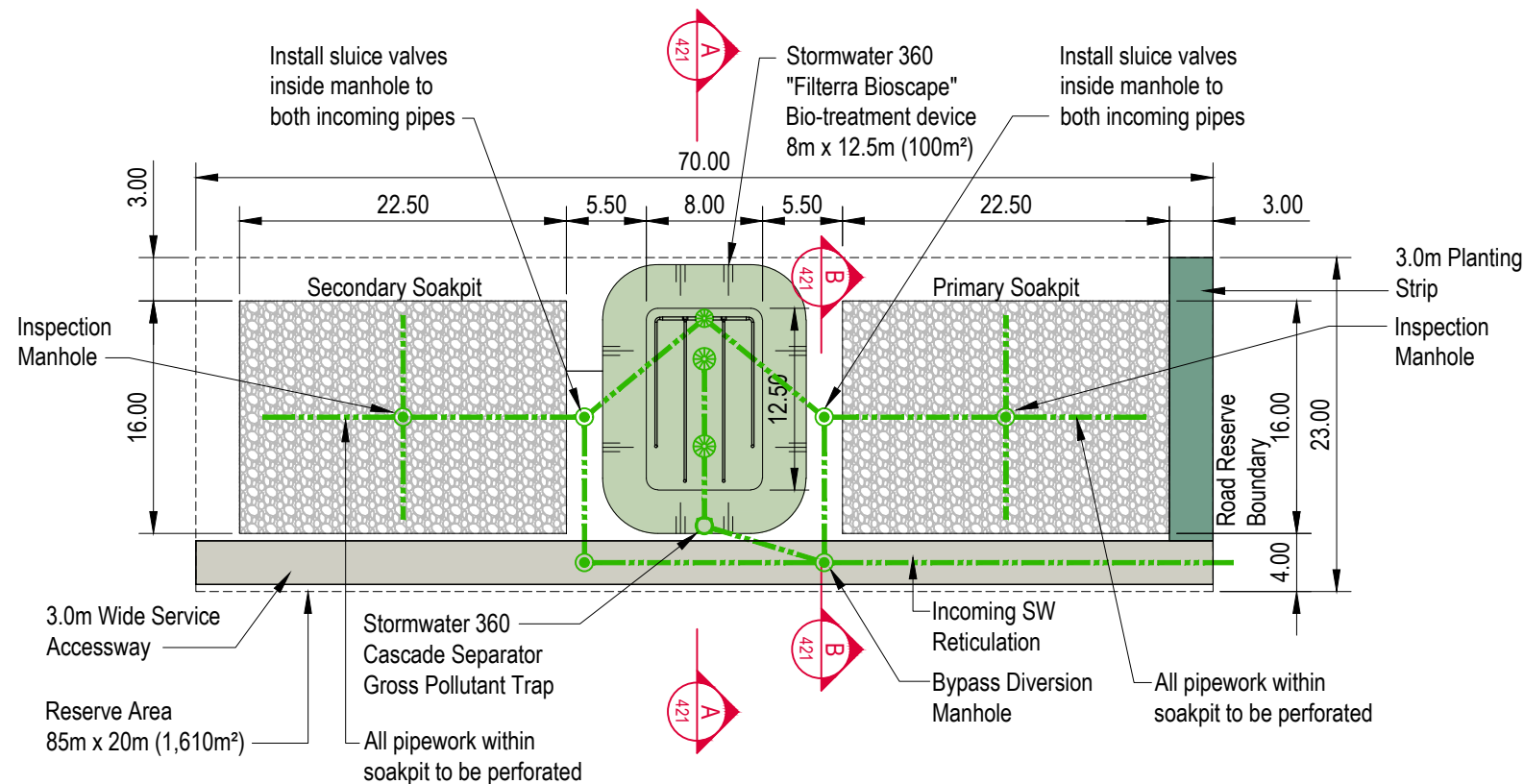
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PROPOSED STORMWATER SERVICING

STATUS FOR APPROVAL **SCALE** 1:4000 **SIZE** A3

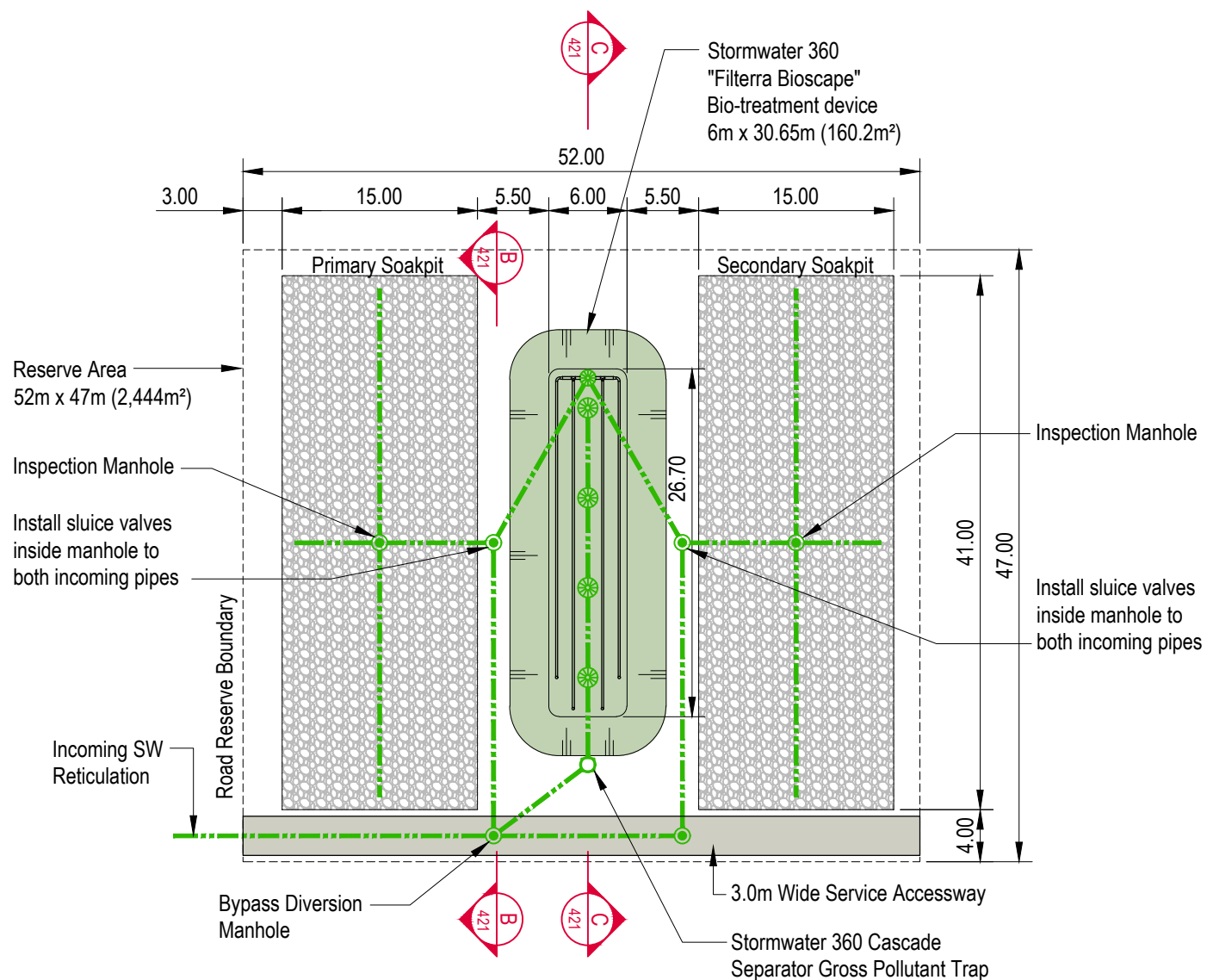
PROJECT 1252 **DRAWING NO** RC-SW400 **REVISION** D

APPENDIX 4: PLAN CRC254899C

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BIOFILTRATION SYSTEM LOT 201 PLAN



REV	DATE	REVISION DETAILS	ISSUED
A	25/02/25	FOR APPROVAL	TL
B	06/08/25	SOAKPIT REVISIONS	TL
C	09/09/25	SOAKPIT REVISIONS	TL
D	05/11/25	GENERAL REVISIONS	TL



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CARTER GROUP LIMITED

PROJECT
104 RYANS ROAD, HAREWOOD

DRAWING TITLE
TYPICAL STORMWATER BASIN DETAILS (SHEET 1 OF 2)

STATUS FOR APPROVAL SCALE 1:500 SIZE A3

PROJECT 1252 DRAWING NO RC-SW420 REVISION D

APPENDIX 5: LIST OF MANAGEMENT PLANS



Ryans Road Industrial [FTAA-2504-1054] List of Management Plans Contained in Consent Conditions:

CCC Land Use and Subdivision Conditions

Management Plan	Abbreviation	Condition #
Construction Noise and Vibration Management	CNVMP	8A Land Use
Temporary Works Management Plan (Construction Lighting)	TWMP	10 Land Use 84 Subdivision
Construction Management Plan (Helicopter Downwash Hazards)	CMP	Advice Note A: Land Use
Traffic Management Plan	TMP	14 Subdivision
<p>Environmental Management Plan</p> <p><i>Umbrella document containing the following:</i></p> <ul style="list-style-type: none"> - Earthworks Management Plan - Construction Management Plan - Erosion and Sediment Control Plan 	<p>EMP</p> <p>EWMP</p> <p>CMP</p> <p>ESCP</p>	Conditions 23 – 27 Subdivision
Remedial Action Plan (soil contamination)	RAP	37 - 39 Subdivision
Site Validation Report	SVR	39 – 40 Subdivision
Landscape Concept, Maintenance and Management Plan	LCMMP	85 - 86 Subdivision
Fish Management Plan	FMP	106 Subdivision
Wildlife Hazard Management Plan	WHMP	109 – 112 Subdivision



CRC Conditions

Management Plan	Abbreviation	Condition #
Remedial Action Plan (site contamination)	RAP	4 Land Use
Site Environmental Management Plan <i>(differs from CCC EMP and only relates to earthworks and contamination)</i>	SEMP	4 Land Use
Erosion and Sediment Control Plan	ESCP	9 Land Use 2, 4, 6 – 10 Discharge Permit Construction Phase
Fish Management Plan	FMP	32 Land Use

DOC Conditions

Management Plan	Abbreviation	Condition #
Lizard Management Plan	LMP	1