

**BEFORE THE HEARING PANEL**

**UNDER**

the Resource Management Act 1991  
(RMA)

**IN THE MATTER**

of the Proposed Far North District  
Plan, pursuant to Schedule 1, Part 1  
RMA

**AND**

**IN THE MATTER**

of a submission and further  
submission on behalf of  
Haititaimarangai Marae Kaitiaki Trust  
regarding the Carrington Estate Zone

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**MEMORANDUM OF COUNSEL REQUESTING PARTIAL STAY OF  
PROCEEDINGS - CARRINGTON ESTATE ZONE**

17 JULY 2025

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## MAY IT PLEASE THE PANEL

1. This memorandum of counsel is filed on behalf of the Haititaimarangai Marae Kaitiaki Trust (**Haititaimarangai Marae**).
2. Pursuant to section 43C RMA, Haititaimarangai Marae seeks directions to stay the hearing weeks relating to the Carrington Estate Zone (**CEZ**) of the Proposed Far North District Plan (**Proposed Plan**).
3. The CEZ provisions are based on resource consents for large scale development, granted in 1999 (the **Consents**). A substantial portion of the works authorised by the Consent remain incomplete.<sup>1</sup>
4. Haititaimarangai Marae applied for an Environment Court declaration that the Consents had lapsed.
5. The Environment Court hearing was held on 28 January 2025. During the hearing, Shanghai CRED, Carrington Estate Jade LP and Carrington Farm Jade LP (**Carrington**) sought a declaration that the Consents had been given effect.
6. The Environment Court declined to make any declaration, in its decision of 17 April 2025.<sup>2</sup>
7. Haititaimarangai Marae appealed the decision of the Environment Court to the High Court on 12 May 2025.
8. The High Court has not yet scheduled a hearing date. We had hoped to have had a case management conference by now and will employ our best endeavours to secure a priority hearing.
9. The outcome of the appeal to the High Court will be directly relevant to matters at issue in this plan change – particularly whether it is appropriate to classify large-scale activities as permitted on the basis of the Consents.

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<sup>1</sup> Haititaimarangai Marae Submission dated 21 October 2021, Further Submission dated 3 September 2023, concerning the CEZ.

<sup>2</sup> *Haititaimarangai Marae Kaitiaki Trust v Far North District Council* [2025] NZEnvC 134 at [113].

10. Given the potential for the High Court's findings to materially affect the substance of the issues that this Panel will consider, it would be prudent and efficient to stay the hearing week until such time as the High Court has issued a decision on the appeal.
11. We appreciate that the Panel and parties will want to progress matters. The CEZ is a discrete issue that will not prevent progression of other parts of the Proposed Plan.
12. Accordingly, Haititaimarangai Marae respectfully requests that that this panel stay the CEZ hearing, with updates on the progress of the appeal to be provided as they become available.

**Dated** 17 July 2025



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Jason Pou

**Counsel for Haititaimarangai Marae**