

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
WAIMAKARIRI DISTRICT COUNCIL**

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on the Proposed Waimakariri
District Plan (**PWDP** or **the Proposed Plan**)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on Variations 1 and 2 to the
Proposed Waimakariri District Plan

AND

IN THE MATTER OF

Submissions and Further Submissions on the
Proposed Waimakariri District Plan and
Variation 1 by **Bellgrove Rangiora Limited**

**SUMMARY STATEMENT OF MICHELLE RUSKE-ANDERSON
ON BEHALF OF BELLGROVE RANGIORA LIMITED
REGARDING STREAM 10A FUTURE DEVELOPMENT AREAS**

Dated: 19 February 2024

Presented for filing by:
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INTRODUCTION

- 1 My name is Michelle Ruske-Anderson.
- 2 I prepared a statement of evidence dated 2 February 2024 in relation to the Future Development Areas (**FDA's**) of the Proposed Waimakariri District Plan (**PWDP**). My qualifications and experience are set out in that statement of evidence.
- 3 I repeat the confirmation given in that statement that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court.
- 4 I have been involved with Bellgrove Rangiora Limited (**Bellgrove**) since 2020, preparing the Stage 1 resource consent application (**Stage 1 Consent**) approved 29 June 2022 under the COVID-19 Recovery (Fast-track Consenting) Act 2020, advising on the District Plan Review process and preparing submissions.
- 5 My role in relation to Bellgrove's submission on the PWDP is an independent expert witness on planning matters.

SUMMARY

- 6 Bellgrove's landholdings (**Figure 1 at Attachment 1**) are largely located within the North East Rangiora Development Area (**NER-DA**) and the South East Rangiora Development Area (**SER-DA**) and subject to the relevant proposed ODP's contained within the PWDP (the **NER ODP** and **SER ODP**).
- 7 The relief sought by Bellgrove is best summarised as ensuring that the PWDP provides for the delivery of sufficient, feasible, certain, plan-enabled land development capacity for residential use.
- 8 My evidence provides particular focus on amendments to:
 - a. improve the application of the recommended certification consent process and relevant provisions;
 - b. include the full extent of Bellgrove's land (i.e. the balance of Lot 2 DP 452196 hereafter referred to as the '**Additional Land**') within the SER DA; and associated ODP; and
 - c. amendments sought to the SER ODP.

- 9 I agree with the s42A Report's recommendation that the NER ODP be amended to reflect the Stage 1 Consent, but I consider the full extent of Bellgrove's requested amendments to the NER ODP should be accepted (noting that these extend beyond the Stage 1 Consent area as shown on **Figure 2 at Attachment 1**).

THE S42A REPORT'S RECOMMENDED CERTIFICATION CONSENT PROCESS

- 10 I generally agree with the s42A Report's recommendation that the notified certification process for FDAs be revised to a restricted discretionary activity consent process, and have suggested the following amendments to improve the interpretation and application of these provisions in practice:
- a. Removal of the reference to land zoning in the certification rule provisions given the Development Area ODP's identify land use broadly as opposed to specific zones;
 - b. Amendments to the matters of discretion proposed for DEV-R1; and
 - c. Inclusion of a notification clause for a restricted discretionary certification consent.

INCLUSION OF THE ADDITIONAL LAND WITHIN THE SER DA

- 11 The situation faced by Bellgrove reflects the timing of different planning processes underway in Greater Christchurch. The Canterbury Regional Policy Statement (**CRPS**) has not yet been revised to give effect to the National Policy Statement on Urban Development 2020 (**NPS-UD**). To wait for the CRPS to address the current exclusion of the Additional Land (Figure 1 at Attachment 1) within the SER DA and corresponding ODP would be inefficient and seems contrary to the NPS-UD which directs and anticipates authorities to provide for urban development in a timely manner where it is appropriate.
- 12 Policy 8 of the NPS-UD provides for unanticipated and out-of-sequence developments or 'responsive planning'. I consider the inclusion of the Additional Land to be consistent with Policy 8 given it will add significant housing capacity, contribute to a well-functioning urban environment; and be well-connected along transport corridors. This is consistent with the NPS-UD objectives of achieving a well-functioning urban environment and consolidated urban form and ensuring that housing is provided for in an efficient manner for housing affordability.

- 13 Further the Additional Land can be distinguished from other land at the periphery of urban areas because of the following circumstances:
- a. Excluding the Additional Land would result in the creation of a non-complying rural balance lot (less than 4 ha in area);
 - b. The Additional Land would effectively be land locked, required to be accessed through an area of Medium Density Residential development;
 - c. The SER ODP identifies two road connections to the Additional Land from Bellgrove's landholding within the SER DA, presumably in anticipation of future residential development of the Additional Land;
 - d. No submissions have opposed the inclusion of the Additional Land;
 - e. The IAF Agreements (Attachment 5 of my statement of evidence) relate to Bellgrove's entire landholdings, including the Additional Land, as demonstrated by the 'Land Map' in **Figure 1, Attachment 1**; and
 - f. The Additional Land is development ready, infrastructure enabled and readily integrated with Bellgrove South.
- 14 These distinguishing factors provide confidence that the inclusion of the Additional Land within the SER DA would not set a precedent for widespread changes to the FDA's that are inconsistent with Map A of the CRPS.

AMENDMENTS SOUGHT TO THE SER ODP

- 15 The changes sought to the SER ODP are limited to the primary roading elements, the location and extent of open space and stormwater reserves and the water and wastewater network. I consider the changes are appropriate in terms of articulating the fundamental elements to guide development of Bellgrove's land, and they do not compromise the ability of other land within the SER DA to be developed in accordance with the SER ODP area. I consider that it is appropriate for these changes to be considered now given the knowledge Bellgrove has about how its land will be developed to ensure the most streamlined certification and subdivision consent process.

CONCLUSION

- 16 I consider the s42A Report's recommended amendments, subject to my suggested changes, will deliver a more efficient and effective planning framework that provides for future residential development of the Bellgrove

land holdings within South-East and North-East Rangiora as anticipated by higher order planning documents.

Michelle Ruske-Anderson
19 February 2024

ATTACHMENT 1: RELEVANT FIGURES



Figure 1. ‘Land Map’ from Attachment A of the IAF Housing Outcomes Agreement between Kainga Ora, WDC and Bellgrove - dated October 2022, showing the approximate 4.01ha area of ‘Additional Land’

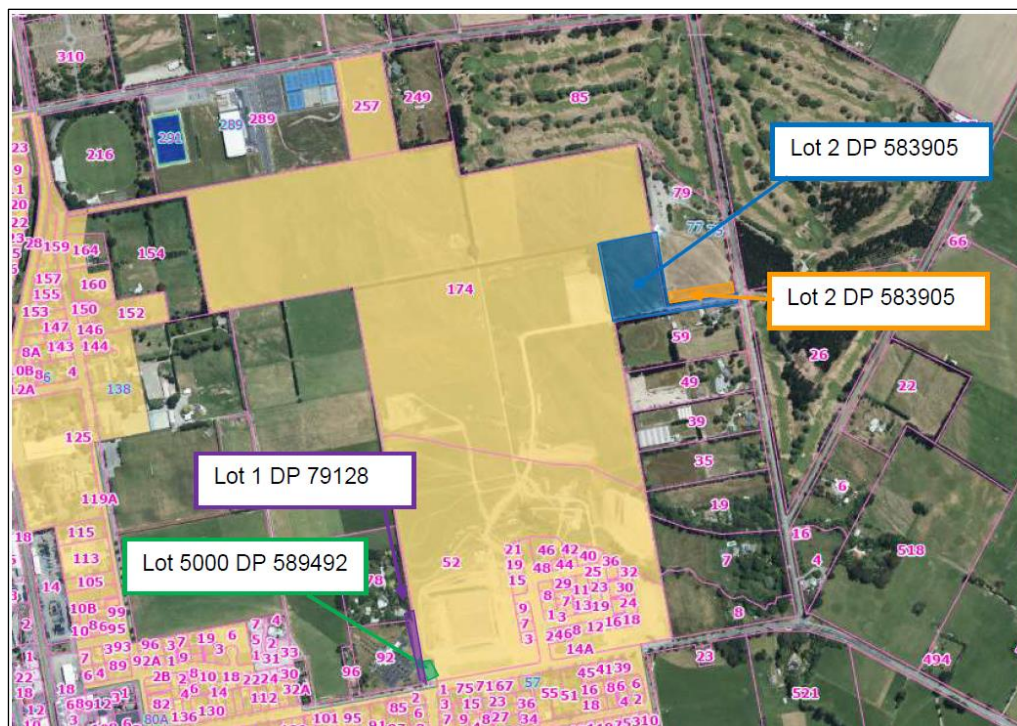


Figure 2. Area of Land Omitted from the proposed Medium Density Residential Zone in the NER-DA