

**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**

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

Dated: 2 February 2024

Presented for filing by:
Chris Fowler
PO Box 18, Christchurch
T 021 311 784 / 027 227 2026
chris.fowler@saunders.co.nz

INTRODUCTION

- 1 My name is Michelle Raewyn Ruske-Anderson.
- 2 I hold the qualification of Masters of Environmental Policy and Bachelor of Environmental Management and Planning from Lincoln University, and am a Full Member of the NZ Planning Institute.
- 3 I have been employed by Aurecon since 2014 where I currently hold the position of Manager – Environment and Planning.
- 4 My previous work experience includes some nine years in the field of resource management. The majority of this has been in land development (residential and commercial), transport and infrastructure planning, involving the preparation and oversight of resource management applications.
- 5 My role in relation to the Waimakariri Proposed District Plan and Variation 1 is as an independent expert witness to Bellgrove Rangiora Limited (**Bellgrove Rangiora Limited** or **Bellgrove**) on planning matters. I have been involved with Bellgrove since 2020, preparing the Stage 1 resource consent application approved 29 June 2022 under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (**Stage 1 Consent**)¹, advising on the District Plan Review process and preparing submissions.
- 6 Although this is not an Environment Court proceeding, I have read the Environment Court's Code of Conduct and agree to comply with it. My qualifications as an expert are set out above. The matters addressed in my evidence are within my area of expertise, however where I make statements on issues that are not in my area of expertise, I will state whose evidence I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

SCOPE OF EVIDENCE

- 7 I have prepared evidence in relation to:
 - (a) the relief sought by Bellgrove;
 - (b) the appropriateness of the proposed Future Development Area (**FDA**) Overlay Provisions, including

¹ Subdivision Consent RC125579 and Land Use Consent RC225227 approved 29 June 2022. In October 2023 these were superseded by Subdivision Consent RC235154 and Land Use Consent RC235155.

- (i) the geographic extent of the South East Rangiora Development Area (**SER DA**); and
 - (ii) the proposed relevant Outline Development Plans (**ODP**); and
- (c) the s42A Report's recommended amendments in response to the relief sought by Bellgrove.

8 Specifically, my evidence addresses the following:

- (a) Amendments sought by Bellgrove to the North-East Rangiora Outline Development Plan (**NER ODP**);
- (b) The s42A Report's recommended Certification Consent Process;
- (c) Inclusion of the full extent of Bellgrove's landholding within the SER-DA; and
- (d) Amendments sought by Bellgrove to the SER ODP.

9 In preparing this statement of evidence I have considered the following documents:

- (a) the National Policy Statement on Urban Development 2020 (May 2022) (**NPS-UD**);
- (b) the Canterbury Regional Policy Statement (**CRPS**);
- (c) the operative Waimakariri District Plan (**WDP**) and the proposed Waimakariri District Plan (**PWDP**);
- (d) WDC's s42A Report on Development Areas prepared by Peter Wilson (**s42A Report**); and
- (e) The statement of evidence of Jason Trist for Bellgrove in respect of infrastructure matters.

10 To assist the Panel in its understanding and orientation of Bellgrove's landholding in the context of the PWDP and its submission, I have included a series of plans in Attachments 1-4 that I will refer to where these help reinforce my views and analysis.

SUMMARY OF MY EVIDENCE

- 11 Bellgrove's landholdings (refer Attachment 1) are largely located within the NER-DA and the SER-DA and subject to the relevant proposed ODP's contained within the PWDP (the NER ODP and SER ODP).
- 12 The relief sought by Bellgrove can best be summarised as ensuring that the PWDP provides for future residential development of the Bellgrove land holdings within South-East and North-East Rangiora; and associated provisions which will assist delivering sufficient, feasible, certain, plan-enabled land development capacity for residential use.
- 13 I generally agree with the assessment of Bellgrove's submission points in the s42A Report and acknowledge that many of the requested amendments have been accepted in full or in part. My evidence provides particular focus on minor, albeit important, amendments to improve the workability of the recommended certification consent process and relevant provisions; the inclusion of the full extent of Bellgrove's Lot 2 DP 452196 (hereafter referred to as the '**Additional Land**', refer Figure 4 below and Attachment 1) within the SER DA and associated ODP; and amendments sought to the SER ODP.
- 14 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. However, I have suggested some amendments to the recommended matters of discretion to improve the application of these provisions in practice.
- 15 I provide planning background relevant to the request to include the Additional Land within the SER DA and corresponding ODP, along with a planning assessment of the relevant overarching planning documentation, including the NPS-UD and the CRPS.
- 16 Based on the conclusions reached in the expert infrastructure evidence for Bellgrove, and from my own assessment, I consider that the requested amendments to the SER ODP provide the appropriate framework for future residential development of Bellgrove's landholding and integration with the balance of the SER DA.
- 17 My overall conclusion is that the amendments sought by Bellgrove to the PWDP and the certification consent provisions recommended within the s42A Report will ensure the most efficient, effective and appropriate provisions are

in place to achieve the objectives of the District Plan and the purpose of the Act.

RELIEF SOUGHT

- 18 The relief sought by Bellgrove can best be summarised as ensuring that the PWDP provides for future residential development of Bellgrove's land holdings within South-East and North-East Rangiora (refer Figure 1 below and Attachment 1 for location and legal descriptions); and that associated provisions assist in delivering sufficient, feasible, certain, plan-enabled land development capacity for residential use.

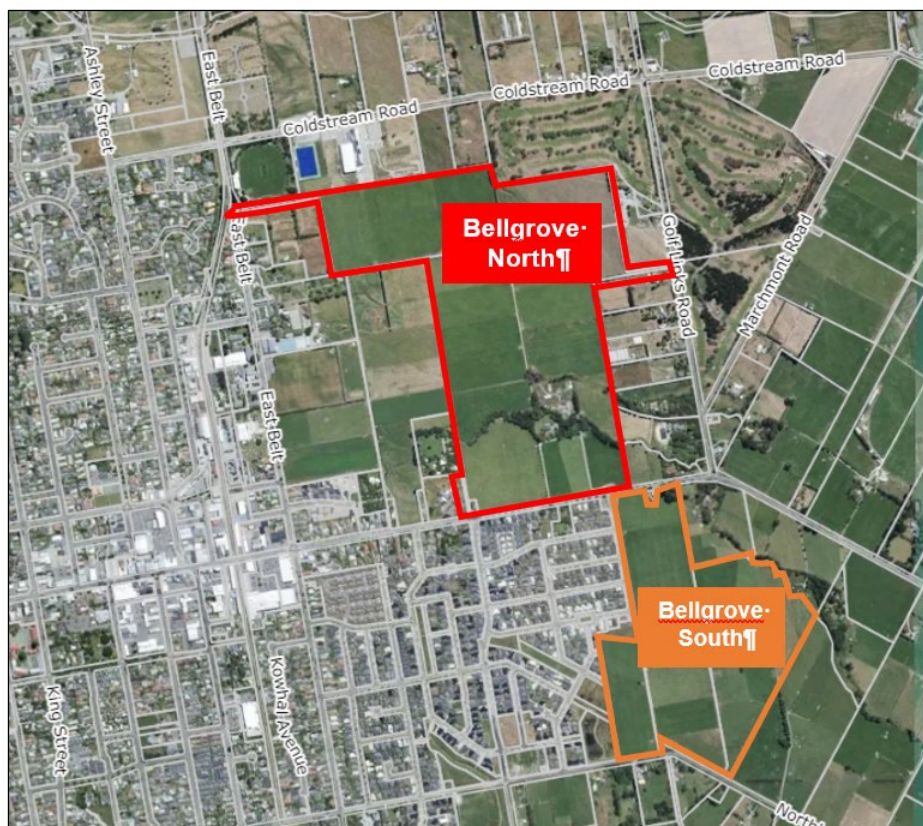


Figure 1. BRL Landholding, east Rangiora

- 19 In this regard, Bellgrove support the identification of their land within the NER DA and SER DA.
- 20 The s42A Report by and large accepts or accepts in part the relief sought by Bellgrove in respect of its individual submission points, namely by retaining a certification process for FDA's and through the recommendation to amend the NER-ODP to reflect Bellgrove's approved Stage 1 Consent (Figures 2I and 2L, Attachment 2).

21 I generally agree with the assessment in the s42A Report regarding these matters, however I suggest some minor changes to the recommended amendments for those submission points accepted in part, which I address in the remainder of this statement. For the reasons discussed below I disagree with the s42A Report's recommendation to reject the inclusion of the Additional Land within the SER DA and associated ODP and to reject some of the changes to the SER ODP proposed by the Bellgrove submission.

CONTEXT

22 Bellgrove's submission on the PWDP has a specific focus on the provisions for the New Development Areas. The submission expressed:

- a) broad support for the identification of the NER DA (relevant to Bellgrove North) and the SER DA (relevant to Bellgrove South) and provisions that enable the transition from the underlying proposed Rural Lifestyle Zone to residential development, subject to a prescribed certification process;
- b) general support for the provisions that are supportive of enabling residential growth;
- c) the need for additional flexibility and provision for residential development within the PWDP through the adoption of provisions that will deliver sufficient, feasible, certain, plan-enabled land development capacity for residential use; and
- d) changes to the NER ODP and SER ODP to reflect the proposed subdivision layout and additional work undertaken by Bellgrove following input into WDC's draft East Rangiora Structure Plan process, and inclusion of the Additional Land.

23 Bellgrove's subsequent submission (accepted late) on the PWDP sought its landholding be zoned for residential purposes rather than subject to the proposed certification process. The submission was made on the basis that the Resource Management (Enabling Housing Supply and Other Matters) Amendment legislation had been recently enacted (**the EHS Act**), which had the potential to delay the hearing and decisions on submissions, with a consequential delay in the certification provisions becoming operative and, in turn, the effective rezoning of Bellgrove's land.

- 24 Variation 1 as notified rezones Bellgrove North (located within the NER DA) from Rural Lifestyle Zone (**RLZ**, PWDP) to Medium Density Residential Zone (**MDRZ**). Bellgrove has also lodged a submission on Variation 1 to the PWDP, supporting the proposed rezoning of Bellgrove North, subject to minor amendments. I understand that Bellgrove's submission on Variation 1, and its late submission on the PWDP seeking immediate rezoning of the Bellgrove land, will be addressed in Hearing Stream 12 Rezoning of Land.

AMENDMENTS SOUGHT TO THE NER ODP

- 25 The zoning of the Bellgrove North landholding (including the proposed MDRZ notified as part of Variation 1 to the PWDP) will be considered as part of Stream 12 'Rezoning of Land'. However, the associated ODP layers (Movement Network, Open Space and Stormwater Reserves, and Water and Wastewater Network) will not be impacted by the outcomes of the zoning decision, and in my opinion the ODP layers can be appropriately addressed and considered within Stream 10A.
- 26 I note for completeness and consistency that Bellgrove's submission on Variation 1 sought the inclusion of the full extent of the Bellgrove North landholding in the Medium Density Residential Zone, noting an area of Bellgrove land adjacent to the golf course had been indiscriminately omitted from the Zone, despite being identified within the NER ODP. Assuming the omission is addressed through Hearing Stream 12, I consider it appropriate that consequential changes are made to the ODP to reflect the full extent of the Zone in respect of Bellgrove's land.



Figure 2: NER ODP (Option B), PWDP

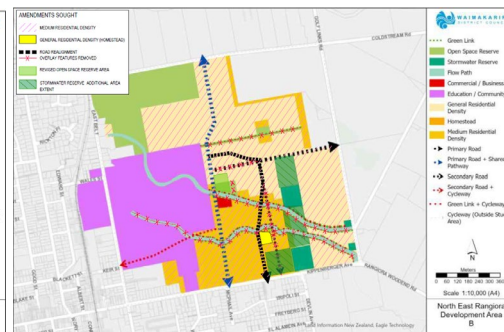


Figure 3: NER ODP, Bellgrove Submission

- 27 Figure 2 is an excerpt of the NER ODP from the PWDP, and Figure 3 illustrates the relief sought in Bellgrove's submission (larger versions at Figures 2G and 4C-1 in Attachments 2 and 4, respectively). The s42A Report recommends that

the changes to the NER ODP be accepted where these give effect to and recognise the Stage 1 Consent. I agree that this is appropriate in relation to area subject to the Stage 1 Consent, however note that Bellgrove's submission sought wider changes to the NER ODP that does not appear to have been considered by the s42A Report.

- 28 Bellgrove has also sought changes to the extent of stormwater reserve area and modifications to the alignment of the primary road movement network outside of the Stage 1 Consent area. Whilst the s42A Report supports changes to the NER ODP narrative text and maps to reflect the Stage 1 Consent (para 281 and 293, s42A Report), it does not appear to extend this recommendation to the balance of Bellgrove's land in the NER ODP (Figure 3 above and Figure 4C-1 in Attachment 4C).
- 29 Similarly, Appendix A 'Recommended Amendments to Development Areas' of the s42A report does not contain an updated NER ODP, simply noting that the ODP's are to be updated based on the approved Bellgrove subdivision consents RC225416 and RC215579². It is therefore unclear if the full extent of Bellgrove's requested amendments are recommended to be accepted.
- 30 Irrespective, I consider it appropriate that the NER ODP be amended to include all of the changes sought by Bellgrove, including those beyond the Stage 1 Consent area. These changes not only reflect the Stage 1 Consent, but the level of additional work and development undertaken since input into the draft East Rangiora Structure Plan process.
- 31 Lastly, the s42A Report recommends that Option A be deleted from the NER ODP text. I agree with this recommendation given Option A will not be realised in respect of the Bellgrove land. However, I consider in the interest of improved readability of the District Plan, it would be appropriate to consequently change all references to Option B to simply the NER ODP. For example, the text relating to the land use plan (p. 201 of the s42A Report) continues to reference Option B. I also note that some references to Option A are not proposed to be struck out (for example on page 202 within the summary paragraph on the NER ODP).

² s42 Report 'Stream 10A – FUDA), p. 227. NB. Mr Ian Carstens, Team Leader Resource Consents at WDC has confirmed via email 1 February 2024 that RCC225416 is not a consent associated with Bellgrove and is referenced in error.

APPROPRIATENESS OF THE CERTIFICATION CONSENTING PROCESS FOR FUTURE DEVELOPMENT AREAS

- 32 The s42A Report recommends that the proposed certification provisions for FDA's be replaced with a resource consent certification process (para 83, s42A Report). I agree with the recommendation that the equivalent land use conversion be delivered via a restricted discretionary activity status 'certification consent' process. This process will provide greater certainty on how a certification request would be processed (including timeframes which are prescribed by the RMA), whilst retaining a more streamlined, efficient and cost-effective process to realise residential land use than a plan change. I consider the use of a restricted discretionary consent process appropriate for land such as Bellgrove's which higher order planning documents have, for close to 20 years, consistently identified as appropriate for future urban development (Figures 2A to 2L in Attachment 2 present a visual chronological summary of the planning history relating to the Bellgrove land).
- 33 From my review of the recommended certification provisions contained within Appendix A of the s42A Report, and considering the rationale of how these would apply in practice, I consider there are several amendments that could be made to improve the provisions from a planning perspective. These can be summarised as:
- 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.
- 34 The s42A Report recommends several new overall DEV provisions to the PWDP. I have reproduced the recommended provisions below and shown my suggested amendments in red text.

DEV-R1	Certification of land for residential and commercial development within a Development Area	
DEV overlay	Activity status: RDIS	Activity status

	<p>Where:</p> <ol style="list-style-type: none"> 1. Land is within the rural lifestyle zone; and 2. Land is within the DEV overlay; and 3. An ODP exists for that land within the plan; and 4. Zoning Proposed land use within the land is in accordance with that ODP <p>Matters of discretion are restricted to:</p> <p><u>RES-MD12 Certification of land in Development Areas</u></p> <ol style="list-style-type: none"> 1. The extent to which development will provide additional residential capacity to help achieve or exceed the projected total residential demand as identified in UFD-O1 (for the medium term) as indicated by the most recent analysis undertaken by Council in accordance with the NPSUD and published on the District Council website; and 2. Consistency with the ODP zone land use locations; and 3. The extent to which development will meet the following criteria: <ol style="list-style-type: none"> a. firefighting flows within the piped treated water network servicing 95% of the Development Area will meet the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice components; b. on-demand water schemes will have to capacity to deliver greater than 2000 litre connections per day at peak demand; c. water pressure within the piped treated water network servicing the Development Area is maintained at greater than 250kpa 100% of the time, and greater than 350kpa 95% of the time; d. surcharge of pipes and flooding out of manholes will not occur during a design rainfall event (20% AEP) within the stormwater network necessary for the servicing of potential development that is being released; 4. The provision of a geotechnical assessment and flood assessment for the area has been prepared for this area and the extent to which risks contained within the assessments can be avoided, or otherwise mitigated as part of subdivision design and consent; 5. The provision of a stormwater assessment and the extent to which any identified risks contained within the assessments can be avoided, or otherwise mitigated as part of subdivision design and consent; 6. The provision of a transport effects assessment and the extent to which recommendations contained within the assessment can be mitigated as part of subdivision design and consent; 7. The extent to which sufficient capacity is available within either the Rangiora or Kaiapoi Wastewater Treatment Plants for the development; 8. The provision of a staging plan including: <ol style="list-style-type: none"> a. the amount of new residential sites created in the development subject to the application for certification; b. number of stages for the development; and c. how many sites will be created per stage; 	<p>when compliance not achieved: DIS</p>
--	--	---

	<p>9. The provision of an agreement between the District Council and the developer on the method, timing and funding of any necessary infrastructure and open space requirements is in place.</p> <p>10. Effects on landowners and occupiers within and adjacent to the ODP area <u>associated with RES-MD12.1-7.</u></p> <p><u>Advice Notes</u></p> <p><u>Limited Notification</u></p> <p><u>Any application arising from this rule shall not be publicly notified and shall only be limited notified to any affected landowner and occupier identified in accordance with RES-MD12.10 (absent their written approval).</u></p> <p><i>Lapse of consent:</i></p> <p><i>If a s223 certificate under the RMA has not been granted <u>for any stage within the certification consent</u> by the District Council within five years of the date of approval of the certification consent, the consent will lapse.</i></p> <p><u>Bundling:</u></p> <p><u>This consent may be bundled with subdivision consent under the subdivision provisions.</u></p>	
--	--	--

- 35 My first amendment relates to the applicability of this new provision. Clause (4) refers to 'zoning of land' which raises interpretation issues given I understand that land subject to an approved certification consent will continue to retain its underlying Rural Lifestyle Zone (with further provisions in the plan triggering the relevant zone rules to apply to parts of an ODP following such time as certification has been obtained). At no point will a certification consent 'rezone' land, with this being required to be undertaken as part of a future plan change process. On this basis, I consider 'intended zoning' or 'proposed land use' would be the more appropriate terminology. A similar rationale sits behind my suggested wording amendment to the 2nd matter of discretion. The proposed ODP's do not show zoning, they simply show generic land use (for example the notified NER ODP shows 'commercial / business land' as opposed to a prescribed Commercial Zone and 'education/community land use' is shown as opposed to a specific zone.
- 36 Matter of Discretion (8) regarding staging also requires some additional comment. I note that there is nothing in the proposed DEV-R1 provision to prevent the staged certification of land within a FDA. I consider this appropriate given the FDA's comprise multiple landowners, and that some landowners (such as Bellgrove) have substantial land holdings and may wish to seek certification of their land in stages. Matter of Discretion (8) acknowledges this staged approach and enables a certification consent to

detail substages within a stage. Due to its size and single ownership, Bellgrove has to date been, and will continue to be, developed in stages.

- 37 Regarding the recommended matter of discretion (10), I consider "effects" to be unnecessarily broad and lacking the certainty required for a matter of discretion. Given higher order documents identify FDA's for residential development, the consideration of effects associated with the certification process should be limited to the technical matters expressed in matters of discretion (1) to (7).
- 38 As explanation for recommended matter of discretion (10), the s42A Report observes that the notified certification provisions do not provide for affected party and / or public interests to be considered. However, my concern is that as worded, matter of discretion (10) would enable any effect on adjacent landowners and occupiers to be considered, leading to uncertainty as to potentially affected parties, an increased risk of notification, and associated costs and delays in delivering anticipated residential growth in identified areas.
- 39 I consider such an unfettered consideration of effects is inappropriate for a certification process that is effectively focussed on verifying the suitability of the land from a technical / serviceability perspective. Discretion should therefore be limited to any effects associated with the matters addressed in (1) to (7), and the determination of affected parties determined accordingly. Any other effects associated with development of certified land are best managed by the corresponding zone provisions (e.g. subdivision standards, bulk and location standards) as part of the subsequent subdivision and land use consent process, which will ensure an acceptable and integrated development outcome
- 40 Given the recommended 'lapse of consent' and 'bundling' text effectively duplicates standard RMA provision, I do not consider it necessary or of any real value. If the Panel is of a mind to retain the recommended text, I consider it more appropriate that these are titled 'Interpretation Notes' or 'Advice Notes' to make it clear that they have no other status in terms of the DEV-R1 provision. Regarding the lapse advice note, I agree that it is appropriate to have a timeframe for the lapse of a certification consent to ensure that land that is approved for certification consent is development ready as is intended

by that process. I also agree that five years is an appropriate timeframe (as is standard for a land use consent³).

- 41 The recommended wording does not preclude or require that the entire area of land subject to a certification consent obtain s223 within five years, which I consider is appropriate. Development of the scale such as that contained within Bellgrove North or South may seek certification of multiple stages and that at such a large scale (Stages 2-5 of Bellgrove North will deliver approximately 600 residential lots) a five-year timeframe for s223 to be obtained would not be feasible for the entire development. My suggested amendment provides added clarity on this point.
- 42 Regarding the 'bundling' advice note I consider this unnecessary given the RMA already provides for the bundling of consents. Irrespective, I agree that in practice a landowner may seek certification for their entire landholding concurrent with associated subdivision and land use consents, or certification for multiple stages with subdivision consent subsequently sought for a single stage.
- 43 Lastly, I consider it appropriate that the restricted discretionary certification consent process justifies a notification clause, and have suggested wording to this effect. For the same reasons I have suggested limiting the consideration of "effects" under matter of discretion (10), it is also appropriate that any notification clause is similarly limited to any corresponding affected parties (where written approval is not obtained).
- 44 The certification process prescribed in the PWDP does not anticipate or require the involvement of adjacent properties. The PWDP must give effect to the CRPS which has identified the FDA's as suitable for residential growth and development. The certification consent process has the purpose of ensuring that the appropriate technical information has been provided to confirm the suitability of the land for its intended future residential purpose.
- 45 The certification consent process is very much a technical exercise, and it is therefore appropriate that any consideration of effects be limited to the findings of supporting technical analysis required by the process. It is only when that technical analysis identifies an associated effect on an adjacent property that a determination of potentially affected party status should be

³ RMA, s125

made. And in the event written approval is not forthcoming, notification should only be limited to that party.

- 46 I note that my suggested notification clause would only be apply to the restricted discretionary certification process, and would not restrict notification where certification is a full discretionary activity on account of not meeting any of recommended DEV-R1.1-4. Further, and as discussed above, the subsequent subdivision and land use consent process following certification of land provides the appropriate mechanism to consider "other" effects at the boundary interface based on the activity rules and built form standards applicable to the assumed zone.
- 47 Overall, the amendments I have suggested to recommended DEV-R1 are for the purpose of improving the readability, clarity, efficiency and implementation of the provisions relating to the certification consent process.
- 48 I support the intent of the DEV-R2 'General development and subdivision of land in Development Area where certification consent has been obtained' as recommended by the s42A Report, however consider the corresponding ODP's should clearly identify what the subsequent zoning provisions would be. As outlined above, the notified ODP's do not identify zoning per se, rather generic land use. For example, the NER ODP identifies Commercial / Business land instead of 'Local Centre Zone' or 'Neighbourhood Centre Zone'.
- 49 A simple amendment would be to clarify the corresponding zone provisions that would apply within the relevant ODP land use areas in the corresponding ODP text.
- 50 Similarly, I also support the intent of DEV-R4 'Subdivision Activities in the Development Area if certification consent has been obtained' as recommended by the s42A Report, which would enable the specific subdivision activity status, rules and standards to apply to the identified zones and areas within ODP's and supersede the underlying Rural Lifestyle Zone provisions. However, once again I raise concerns with how this will be interpreted given the notified ODP's do not clearly identify which zones should apply.
- 51 Lastly, I note that recommended DEV-R3 appears to be missing from Appendix A in the s42A Report. Regardless, based on the discussion in para 87 of the s42A Report, I support the intent of this provision to clarify that where

land within a Development Area has not yet been certified that the Rural Lifestyle Zone will continue to apply.

- 52 For completeness, I note that I support the recommended objectives and policies contained at Appendix A (DEV-O1, DEV-P1 and DEV-P2).

INCLUSION OF THE ADDITIONAL LAND WITHIN THE SER DA

- 53 Lot 2 DP 452196 is a 14.2ha lot owned by Bellgrove (Record of Title 577722). The title was issued 13 July 2012, following the parent 20.10 ha allotment (Lot 2 DP 80275, CB45D/1257), which extended north to Rangiora Woodend Road, being split in two at the Ruataniwha / Cam River boundary as demonstrated in Figures 3A and 3B at Attachment 3. I understand that the full extent of Lot 2 DP 452196 has historically been farmed for rural land use purposes alongside the other Bellgrove South land holdings (Lot 2 DP 394668 at 15 Kippenberger Avenue and Lot 2 DP 12090).
- 54 The PWDP excludes the full extent of Lot 2 DP 452196 from the SER DA and consequentially the SER ODP, as does Map A in the CRPS (Figure 2F, Attachment 2), leaving approximately 4ha of the lot (the Additional Land) in the Rural Lifestyle Zone. Bellgrove's submission seeks the inclusion of the Additional Land in the SER ODP (as shown in Figure 4 below and Attachment 1).

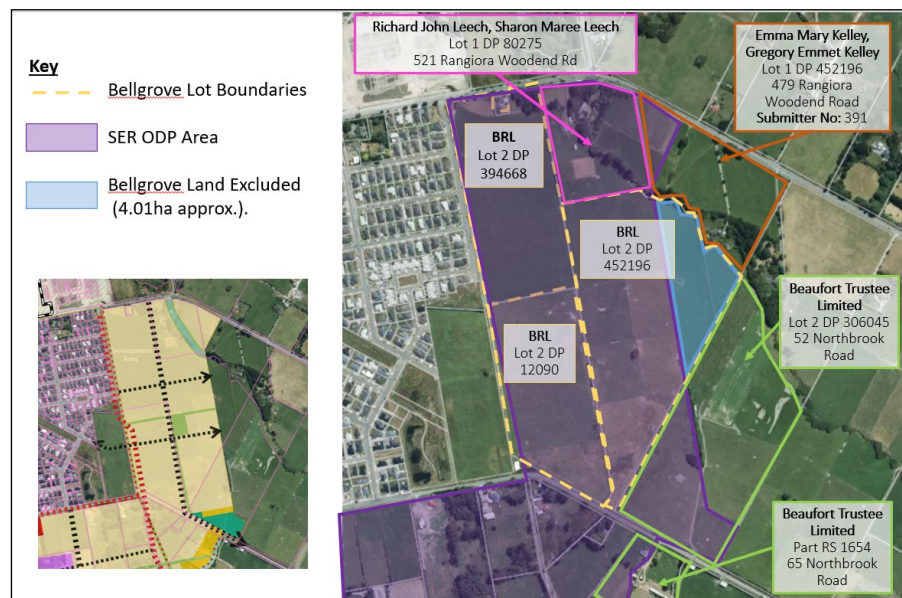


Figure 4. Additional Land (blue) excluded from the SER DA and SER ODP

- 55 The s42A Report notes in para 327 '*For the request to add all of Lot 2 DP 452196, I note that Map A in the CRPS bisects this parcel of land, with a small western portion of it within the development area, and most of the eastern portion outside of it. As the PDP must give effect to Map A insofar as it determines the extent of the development areas within the district, I consider that to adjust the development area boundary to include all of this parcel would result in the PDP being inconsistent with the CRPS. I cannot support this relief.*
- 56 This effectively severs the 14 ha lot, rendering approximately 4ha outside of the FDA. To this end, the s42A Report is incorrect when it says a small western portion of Lot 2 DP 452196 is within the development area and most of the eastern portion is outside of it – the reality is the exact opposite. Irrespective, this appears to my observation to be a unique situation and it is appropriate to firstly look at the contextual planning history behind this mapping outcome.
- 57 I understand the Bellgrove landholding has been earmarked for future residential development as early as 2007 when it was identified as an Indicative Growth Area in the Greater Christchurch Urban Development Strategy and Action Plan (**UDS**). Since then, progressive updates to the relevant planning frameworks of both WDC and ECan have further supported and reinforced the anticipated future urbanisation of the area in response to earthquake recovery initiatives and housing supply shortages. Most recently, the PWDP has generally included the land within two FDA's for greenfield residential growth in accordance with an ODP and a certification process that will, for development purposes, effectively convert the land from a Rural Lifestyle Zone to a Residential Zone.
- 58 In 2007 the UDS established the broad settlement pattern for Greater Christchurch for the next 35 years, identifying future growth opportunities, with East Rangiora identified as an Indicative Growth Area (Figure 2A, Attachment 2). The UDS area did not include a specific growth boundary, simply identifying the Indicative Growth Area in East Rangiora as a dot on the plan.

59 To implement the UDS, Proposed Change 1 to the CRPS (1998) was notified in July 2007, amending the CRPS to reflect the settlement pattern promoted by the UDS. This formally identified urban limits proposed for Rangiora (refer Figure 2B, Attachment 2) and introduced the Projected Infrastructure Boundary (**PIB**) line to Greater Christchurch (via Map 1). Whilst the rationale is not clear, this appears to be at the point that the land in question was 'severed' by a mapping representation that did not follow the existing cadastral boundaries. This is despite text included under Policy 1 'Urban Limits' of the notified PC1 (2007) stating that *the urban limits shown on Map 1 have been defined at property boundary scale although changes may occur through the ODP and change of zoning in the district plan processes as set out in Policy 8⁴*.

60 I consider that the severance of a property through a mapping exercise is not defining urban limits "at property boundary scale", and remain unsure why the cadastral boundaries were not followed in the preparation of Map 1 and the PIB, or how the dot in the UDS became a fixed urban limit at East Rangiora.

61 Policy 8 (PC1, 2007) outlined the mechanism for introducing Outline Development Plans for these areas and what these needed to cover, with the following explanatory text:

Outline Development Plans...also provide the mechanism for achieving the type and form of development necessary to accommodate urban growth in a sustainable way. In addition these plans help to provide certainty for the community, developers, networks utilities providers and territorial authorities and that all constraints associated with the development of an area are investigated, addressed or protected at the time of initial urban zoning.

62 It appears from this text that the intent was that the urban limits, whilst intended to be a hard line for statutory planning and growth policies, were to have their finer grain detail worked through later when ODP's were developed through district plan processes. It would therefore follow that it is appropriate that this detail be considered in the development of the SER ODP and as part of the PWDP.

⁴ Proposed Change No.1 to the Regional Policy Statement (July 2007), p. 10

- 63 The East Rangiora Structure Plan prepared in 2009 (Figure 2C, Attachment 2) simply adopted the PIB already set out by proposed PC1 to the CRPS with the document noting that the area *reflects the urban limits outlined in Proposed Change 1 to the Regional Policy Statement. Proposed Change 1 was publicly notified by Environment Canterbury (ECan) in July 2007*⁵. Again, no explanatory text is provided within the Structure Plan as to why cadastral boundaries were not followed.
- 64 It is worth noting that the East Rangiora Structure Plan explains that *an adopted structure plan is not intended to be a blueprint for development. The structure plan retains flexibility. The Waimakariri District council acknowledges that in the likely course of time and specific design studies, differing and improved alternatives are likely to become available that may result development proposals that differ from the adopted structure plan. It is expected that any structure plan will be reviewed as necessary to take account of any relevant policy initiatives, community aspirations and changes to infrastructure provision*.⁶
- 65 I note that no such review of the Structure Plan appears to have taken place (except for the creation of the notified ODP's in the PWDP which effectively supersede the former Structure Plans) and it is therefore appropriate that the Additional Land be considered as part of this District Plan Review.
- 66 In 2013 the Land Use Recovery Plan (**LURP**) was prepared under the Canterbury Earthquake Recovery Act 2011 to provide for residential and business land use to support recovery and rebuilding to 2028. The LURP identified greenfield land to ensure sufficient provision for urban development through to 2028 and took effect December 2013. Given the LURP focused on land development outcomes to 2028 (and not the longer term 2041 settlement pattern envisaged as part of the earlier Proposed Change 1 to the CRPS process), the Bellgrove landholdings were not included within a Greenfield Priority Area in Map A. The LURP did, however, identify the general Bellgrove landholdings and wider NER DA and SER DA areas within the PIB, which indicated the planned extent of urban development at Rangiora from 2028 to 2041(Figure 2D, Attachment 2).

⁵ Completed East Rangiora Structure Plan (August 2009), p. 2

⁶ East Rangiora Structure Plan, WDC, p. 7

- 67 Substantial changes were then made to the CRPS in December 2013 to give effect to the LURP. The changes included the insertion of a new Chapter 6 'Recovery and Rebuilding of Greater Christchurch' and Map A 'Greenfield Priority Areas'. Map A illustrated the LURP settlement pattern for Greater Christchurch to 2028, identifying Greenfield Priority Areas for business and residential development. Consistent with the LURP, the NER DA and SER DA were included within the PIB of Rangiora.
- 68 The 2019 Our Space 2018-2048 Greater Christchurch Settlement Pattern Update (Our Space) built on the UDS of 2007, noting the land use changes which occurred following the Canterbury earthquake sequence, and identifying how Greater Christchurch could accommodate a further 150,000 people by 2048. Our Space was prepared to satisfy the requirement to produce a future development strategy, outlined in the National Policy Statement on Urban Development Capacity 2016.
- 69 Our Space identifies Greater Christchurch Future Development Areas (FDA's), and includes Eastern Rangiora (Figure 2E, Attachment 2). It requires FDA's to be incorporated into the CRPS and rezoned for urban development in the respective district plans where there is a projected shortfall in housing development capacity, enabling the territorial authorities to respond to changes in the sufficiency of development capacity over the medium term. Our Space directs WDC to undertake structure planning for the FDA's as part of the review of its district plan.
- 70 The Hearings Panel Recommendations Report on Our Space confirms that the Bellgrove Family Trust submitted on Our Space and sought to change the Projected Infrastructure Boundary to follow cadastral boundaries at the time⁷. The response was that "*Officers have generally recommended that additional land is best considered as part of subsequent RMA planning processes, including review of the Canterbury Regional Policy Statement and district plans, and relevant LGA process, including structure planning. It is proposed that a change to Chapter 6 of the Canterbury Regional Policy Statement be progressed using the streamlined planning process under the RMA, to ensure that future development areas necessary to meet development capacity needs*

⁷ <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-Hearings/Hearings-Panel-Recommendations-Report-FINAL-COLLATED-5-June-2019.pdf>, p. 64

can be rezoned as part of the upcoming district plan reviews.” Once again, this indicates that it is within a District Plan Review process that this detail be best considered or through a review of the CRPS (noting that this has been unable to take place given delays to the scheduled notification of changes to the CRPS). Overall, my understanding is that since the original 2007 PIB was notified there has been no opportunity to modify the boundary line of the SER DA to reflect cadastral boundaries as originally intended and to address the anomaly where 4ha of Bellgrove’s almost 100ha total landholding is excluded from a long-established urban growth pattern in East Rangiora.

- 71 Change 1 to Chapter 6 of the CRPS was made operative July 2021. It implements Our Space. It identifies the Future Development Areas on Map A (consistent with Our Space, including the NER and SER), inserted associated policy provisions through Policy 6.3.12, and made consequential changes to objectives, policies, text and definitions within Chapter 6 (Figure 2F, Attachment 2).
- 72 Subsequent to this, the PWDP was notified in September 2021 identifying the NER DA and SER DA (Figures 2G and 2H, respectively, Attachment 2).
- 73 Since the notification of the PWDP Bellgrove has continued to show commitment to meeting the demand for housing in the Waimakariri District. Noting the delays to the District Plan Review process and the increasing need for additional housing supply, Bellgrove sought approval for 198 residential lots within Stage 1 of Bellgrove North under the COVID-19 Recovery (Fast-track Consenting) Act 2020, which was approved 29 June 2022 (Figures 2I and 2L, Attachment 2). This land lies within Bellgrove North immediately above (north of) Kippenberger Avenue. Work has subsequently continued with titles issued for Stages 1A and Stage 1B. Titles are currently being worked through for Stage 1C (all civil works complete) and the civil works for Stage 1D are nearing completion. In addition, the roading upgrade to Kippenberger Avenue has been completed with the new Kippenberger Avenue roundabout almost complete. I understand that it is also Bellgrove’s intention to apply for subdivision consent for Stages 2-5 (the remainder of Bellgrove North) with WDC during Quarter 2 of 2024.
- 74 Bellgrove’s commitment is further demonstrated by the funding agreements secured under the Government’s Infrastructure Acceleration Fund (**IAF**)

initiative as part of the Housing Acceleration Fund (announced in March 2021). The IAF agreements for the Bellgrove development (copies attached at Attachment 5) are:

- (a) IAF Funding Agreement between Kainga Ora and WDC (11 October 2022); and
- (b) IAF Housing Outcomes Agreement between Kainga Ora, WDC and Bellgrove (11 October 2022)

- 75 The Funding Agreement commits Kainga Ora to pay \$5.7 million to WDC for transport and three waters projects that have the capacity and can enable the delivery of 1,300 affordable and market homes within the Bellgrove development.
- 76 The Housing Outcomes Agreement commits Bellgrove to provide a total of 1,300 dwellings in aggregate across the entire Bellgrove North and Bellgrove South landholdings. The Description of Developer's Land within Item 3 (page 3) includes "RTs 577722", which relates to Lot 2 DP 452196 and, therefore, the Additional Land. Figure 2K in Attachment 2 is the "Land map" from the Agreement (Attachment B), which shows the Additional Land included as part of the entire Bellgrove development.
- 77 The situation faced by Bellgrove reflects the timing of different planning processes underway in Greater Christchurch. The CRPS has not yet been revised to give effect to the NPS-UD and I understand is currently subject to review with changes anticipated to be notified at the end of this year (noting that this was previously intended to occur in 2022⁸). To wait for the CRPS to address this mapping anomaly 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.
- 78 The inclusion of the Additional Land within the SER DA would address the mapping anomaly that, for the reasons outlined below, would not undermine the CRPS. From the planning background outlined above the District Plan Review is an appropriate RMA process to look at the cadastral boundary

⁸ Officers considered that the appropriate process to consider the merits of such a policy change is during the review of the Canterbury Regional Policy Statement scheduled for 2022⁸. Our Space Hearings Panel Report, p. 113

mapping at a finer grain and the overall merits of the development area boundary.

Statutory Planning Framework

- 79 The NPS-UD aims to remove barriers to the supply of land and infrastructure and make room for growth in a structured and integrated way. It applies to all planning decisions that affect an urban environment (i.e., any area of land that is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people). It requires WDC, as a Tier 1 local authority, to:

*provide at least sufficient development capacity to meet expected demand for housing and for business land over the short-term, medium-term, and long-term."*⁹

This is directly applicable to the future urban environment of Rangiora, and the Bellgrove landholding, including the Additional Land.

- 80 The NPS-UD places emphasis on urban growth for Greater Christchurch (including within Waimakariri District) and the PWDP must be prepared in accordance with the NPS-UD. Greater Christchurch is the only Tier 1 urban environment in the South Island identified in the NPS-UD. Tier 1 areas being those subject to the most directive policies which have been targeted towards the largest and fastest growing urban centres, where the greatest benefits will be realised.
- 81 The NPS-UD represents the Government's latest thinking on how to encourage plan-enabled, well-functioning and liveable urban environments that meet the diverse needs of their communities. It is the key planning instrument specifically designed to manage urban growth in New Zealand's fastest growing urban areas, with Rangiora no exception.
- 82 Enabling MDRZ on the Additional Land through the amendment to the SER ODP proposed by Bellgrove would be generally in accordance with the NPS-UD because the Additional Land is a natural extension of the SER ODP and Mr Trist's evidence demonstrates that it is infrastructure-enabled and can be provided with appropriate roading connections.

⁹ Policy 2, NPS-UD

- 83 The CRPS does not yet give effect to the NPS-UD 2020.
- 84 Specifically, Objective 6.6.1 (3) Recovery Framework' of the CRPS looks to ensure that development within Greater Christchurch

avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS.

- 85 The explanatory text noting that

the purpose of this objective is to provide for an outcome where appropriate urban development is enabled within specified spatial areas around Greater Christchurch, so that resources can be focused on rebuilding, and delivering growth and recovery to those priority areas. This provides certainty to all resource users as to locations for development, enabling long-term planning and funding for strategic, network and social infrastructure (such as schooling and healthcare), and protection of Greater Christchurch's natural and physical resources¹⁰.

- 86 Objective 6.2.2 of the CRPS 'Urban form and settlement pattern' outlines a similar sentiment that:

urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas....

- 87 The intent behind Map A's inclusion relates to certainty and efficiency of infrastructure delivery for appropriately located greenfield residential development. This is further confirmed by the Hearings Panel Recommendations Report on Our Space which (p. 113) notes that

'Map A was inserted into the Canterbury Regional Policy Statement through the Land Use Recovery Plan, having previously been included in Plan Change 1 to the Canterbury Regional Policy Statement. They said that the projected infrastructure boundary gives infrastructure

¹⁰ CRPS, July 2021, p71

*providers certainty around where growth will be focused, for forward planning and infrastructure planning purposes. Officers consider this remains an appropriate mechanism to ensure the strategic integration of infrastructure with urban activities and the attainment of the intensification and consolidation objectives of Chapter 6 in the Canterbury Regional Policy Statement.*¹¹

- 88 In this regard, I refer to Mr Trist's evidence which confirms that that the Additional Land can be readily and logically developed in conjunction with the balance of Bellgrove's landholding in the SER DA. It is infrastructure enabled, can be provided with roading connections and all services that are necessary to enable it to be developed, and has no geotechnical issues preventing it from development as part of the wider Bellgrove development.
- 89 Further the inclusion of the Additional Land will ensure the protection, maintenance and enhancement of the Cam/Ruataniwha River whilst enabling the river to form the natural boundary between rural and residential land use in South-East Rangiora. In addition, it will provide opportunities for ecological and amenity enhancement to be captured within the SER ODP (as shown in the requested amendments sought to the SER ODP in Attachment 4B), contributing to a well-functioning urban environment that would also meet the intent of the CRPS Recovery Framework Objective 6.2.1 (4) and (6) by protecting, maintaining and improving the natural surface waterbody.
- 90 Inclusion of the Additional Land within the SER ODP is generally consistent with the outcomes anticipated by the CRPS objectives and policies within Chapter 6 and the only point of inconsistency appears to be in relation to Objective 6.6.1(3). Given the relatively small size of the land, its location adjacent to land already within the SER ODP, and the provision already made for servicing this area through the IAF Agreement, I do not consider any material harm arises from the inclusion of the Additional Land. Further, inclusion of the Additional Land would appear to be consistent with the outcomes for urban development anticipated by the NSP-UD.

¹¹ <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-Hearings/Hearings-Panel-Recommendations-Report-FINAL-COLLATED-5-June-2019.pdf>, p. 113

- 91 There are a number of other matters relevant to the consideration of the Additional Land that distinguish it from other land at the periphery of urban areas, and provide comfort 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. These are outlined below:

Creation of a non-complying balance lot

- 92 The Additional Land is approximately 4ha (Figure 5).



Figure 5. 4.01 ha extent of Lot 2 DP 452196 excluded from the SER DA

- 93 Subdivision and development of the SER DA as notified would leave a 4 ha balance block. Given the Additional Land shares some 103m of its northeast boundary with the Cam/Ruataniwha River, a minimum 20m wide esplanade reserve or strip would be required to be provided in accordance with SUB-S17 'Esplanade Reserves or Strips' (noting that the Cam/Ruataniwha River is a water body listed in Table SUB-2 for the purpose of conservation and natural hazard mitigation). This would result in a total esplanade provision of approximately 2,060m², reducing the area of the resultant rural allotment to approximately 3.8ha, contrary to the 4ha minimum lot size for subdivision and residential activity in the Rural Lifestyle Zone (non-complying activity). This does not represent a good planning outcome or efficient use for this block, especially noting Mr Trist's evidence that the Additional Land can be readily developed to provide for a well-functioning urban environment in conjunction with the wider Bellgrove South.

- 94 The Kelley block to the north (Lot 1 DP 452196) is the only other block which could be similarly impacted by this provision. From my analysis approximately 5ha of this block is located outside the SER DA, i.e. similarly severed by the SER DA boundary. Despite being larger than 4 ha, its subdivision would also trigger the esplanade reserve requirement which, based on approximately 295m of the Cam / Ruataniwha River, equates to 9740m². It is therefore possible that subdivision of the Kelley block would retain a compliant balance lot in the Rural Lifestyle Zone. To this end, the Additional Land is the only land that will result in a non-complying lot having to be created in the Rural Lifestyle Zone on account of the severance caused by the SER DA as notified.

Additional Land would be land locked

- 95 The Additional Land would effectively be land locked, required to be accessed through an area of Medium Density Residential development. Whilst this may not have any practical issues, it is at the very least an unusual and unique situation with no direct access enabled from either Northbrook Road or Rangiora Woodend Road. I note that for 479 Rangiora Woodend Road (Lot 1 DP 452196) and 52 Northbrook Road (Lot 2 DP 306045), their balance land outside the SER DA would continue to have direct access from the existing road network (and not be required to navigate a newly established built-up urban environment). The SER-ODP even anticipates vehicle access for the remaining portion of 52 Northbrook Road with the ODP leaving a small access strip with no land use identified (Figure 6).

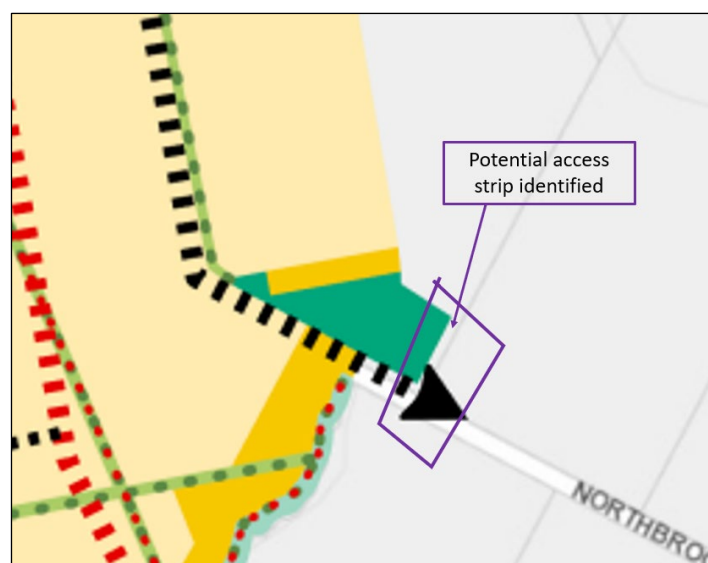


Figure 6. SER ODP showing a strip of no land use activity indicating a potential access location for the remaining Rural Lifestyle zoned portion of 52 Northbrook Road (Lot 2 DP 306045)

Movement Patterns East Identified

- 96 The SER ODP indicates two road connections into the Additional Land from the balance of the Bellgrove land (refer Figures 4A-1 and 4A-3, Attachment 4).

Additional Land Development Ready

- 97 The Additional Land is part of Bellgrove's wider substantial adjacent land holding with all master planning and development considerations for Bellgrove South accommodating its inclusion. It is on this basis that its inclusion can be well integrated and result in the establishment of a well-functioning urban environment.

No Further Submissions

- 98 There are no further submissions opposing Bellgrove's request to include the Additional Land in the SER DA.

Infrastructure Enabled and integrated with Bellgrove South

- 99 Mr Trist's evidence demonstrates that the Additional Land can be readily and logically developed in conjunction with the balance of Bellgrove South. It is infrastructure enabled and can be provided with roading connections and all services that are necessary to enable it to be developed, with no geotechnical issues preventing it from development as part of the wider Bellgrove development.

IAF Agreement

- 100 As mentioned above, the Additional Land is subject to the IAF Agreements that 1) commit WDC to the specified Enabling Infrastructure Projects that will accelerate 1,300 new dwellings in the Bellgrove development, and 2) commit Bellgrove to the delivery of those 1,300 dwellings. I consider the IAF Agreements set the Additional Land apart from other Records of Title that may straddle the boundary of an ODP in the PWDP and the boundary of an FDA on Map A of the CRPS.
- 101 In summary to this point, the NPS-UD directs WDC to provide for more housing in places close to jobs, community services, public transport and to respond to market demand. Assessing the CRPS in isolation of this higher-order document would not present an appropriately balanced or considered

view of the environment or context of the Additional Land. For the foregoing reasons, I consider the inclusion of the Additional Land within the SER DA would meet the intent behind the inclusion of Map A in the CRPS, and that it is appropriate that a finer grain cadastral boundary analysis be taken to determine the practical, logical and efficient delineation of the SER DA in the PWDP as it concerns Bellgrove's land.

102 In the alternative, should the Panel not be attracted to the approach outlined above, I note that there is scope to do so through the concept of responsive planning provided by Policy 8 of the NPS-UD.

103 Policy 8 provides:

Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

(a) unanticipated by RMA planning documents; or

(b) out-of-sequence with planned land release.

104 Policy 8 is supported by implementation clause 3.8 of the NPS-UD which provides that:

3.8 Unanticipated or out-of-sequence developments

(1) This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.

(2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:

(a) would contribute to a well-functioning urban environment; and

(b) is well-connected along transport corridors; and

(c) meets the criteria set under subclause (3).

(3) National Policy Statement on Urban Development 2020 – updated May 2022 17 Every regional council must include criteria in its regional policy statement for determining what plan changes will be

treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.

- 105 Inclusion of the Additional Land within the SER DA would provide an additional development capacity of approximately 57 households (based on an indicative yield of 15 hh/ha as referred to in Mr Trist's evidence, which accounts for approximately 2,060m² set aside as esplanade reserve). Whilst this may not be considered 'significant' in the context of the housing requirements for Greater Christchurch, or possibly even in the context of the Waimakariri District, I do consider it to be significant in the context of Bellgrove South and the SER DA. Further, its inclusion within the SER DA in an area which is infrastructure-enabled with good transportation connections 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.

AMENDMENTS SOUGHT TO THE SER ODP

- 106 Regardless of the outcome regarding the Additional Land, I disagree with the s42A Report that the ODP changes requested by Bellgrove cannot be supported *unless they are similarly considered by the other primary developer (Spark), para 327.*
- 107 The changes sought by Bellgrove to the SER ODP are appropriate, necessary and will not impede future development within the SER ODP area (including that within the Spark land further south). 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.
- 108 As outlined in Mr Trist's evidence the proposed changes sought to the SER ODP (Figures 4B-1 to 4B-5, Attachment 4) represent a more practical and efficient framework for the development of Bellgrove South, and do not in any way compromise or restrict the development potential of other properties within the remainder of the SER ODP.
- 109 I acknowledge that the s42A Report recommends the change showing the relocated pump station be accepted (para 327) and agree that the SER ODP should be amended to reflect this.

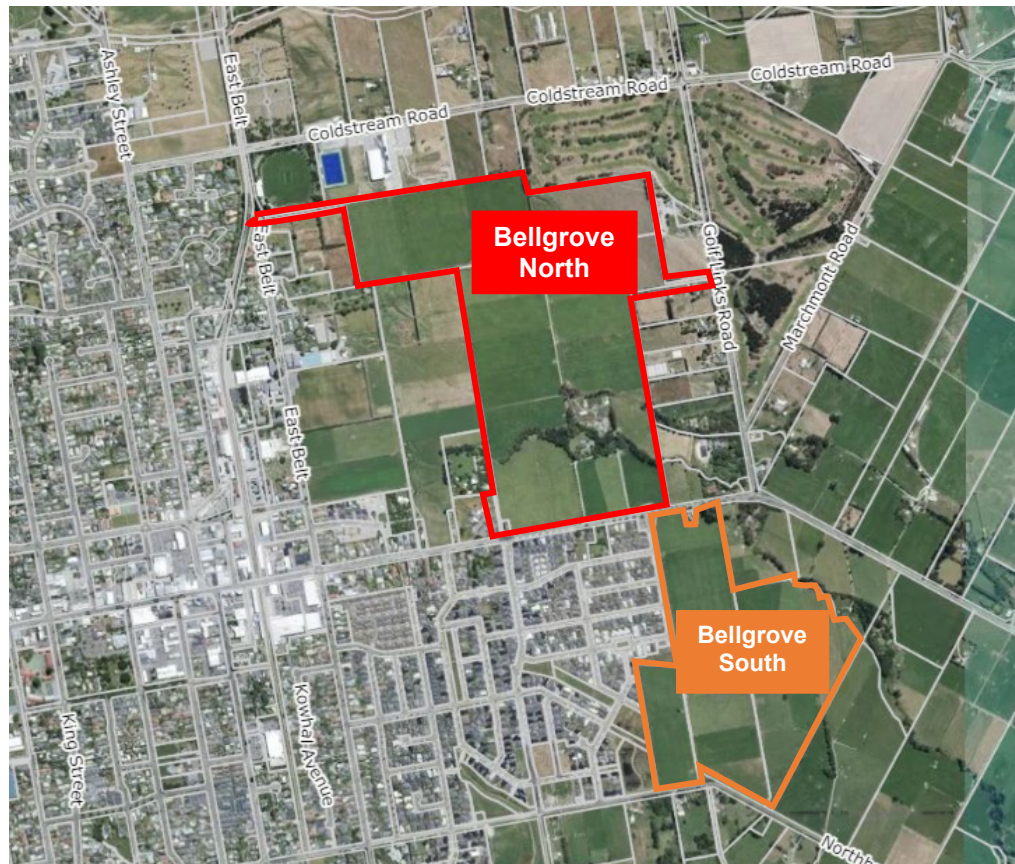
- 110 Noting specifically the comment about the request to update the roading and cycleway network on the Devlin Avenue extension, this has been addressed in Mr Trist's evidence. To avoid repetition, I simply note that as I understand it the changes sought could be considered at this stage and would not impede the potential for development on other landholdings within the SER ODP.
- 111 In response to the s42A Report's query regarding the location of the 'neighbourhood centre' referred to in the Bellgrove submission, I confirm that this reference was an error (a carry-over from an earlier reference made in relation to the NER ODP), that there is no commercial / business land use identified or sought within the Bellgrove land on the SER-ODP.
- 112 I have also reflected on the scenario whereby the Panel adopted the s42A Report's recommended certification consent process but did not accept Bellgrove's requested amendments. In this event, any application by Bellgrove for certification consent that did not satisfy the prerequisites for restricted discretionary activity status under DEV-R1, e.g., the Additional Land not being within the SER ODP (sub-clause 3) or a proposed road alignment or stormwater management location not being in accordance with the ODP (sub-clause 4), the application would fall to be a full discretionary activity. The additional complexity, uncertainty and delay this would potentially entail would make it difficult for Bellgrove to deliver on its housing intentions for the entire Bellgrove landholding, as it is committed to under the Housing Outcomes Agreement it has with Kainga Ora and WDC.

CONCLUSION

- 113 Overall, 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.

Michelle Raewyn Ruske-Anderson
2 February 2024

**ATTACHMENT 1: BELLGROVE RANGIORA LIMITED PROPERTY
LOCATION PLAN**

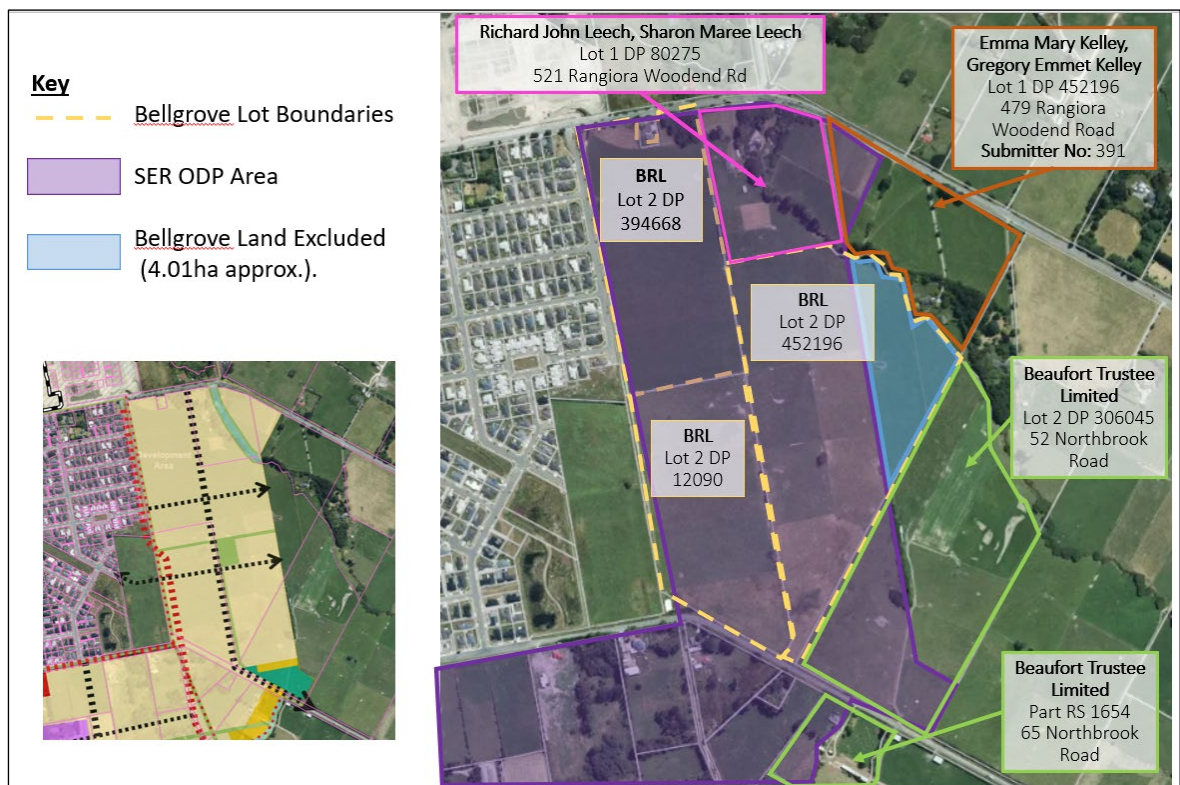


Address	Legal Description	Record of Title	Owner	Area (ha)
Bellgrove North				
Bellgrove Stage 1	Lot 5000 DP 589492	1134969	BRL	14.98
	<i>Recently created residential allotments (Stage 1A and 1B of Subdivision Consent RC125579).</i>			
174 East Belt	Lot 2 DP 583905	1096755	BRL	42.01
78 Kippenberger Avenue	Lot 1 DP 79128	CB45B/1204	Mark Darryn Hawker, Neil Ivan Hawker, Patricia Mary Hawker	0.0789*
73-77 Golf Links Road	Lot 1 DP 24808	CB8B/1426	Rangiora Golf Club Incorporated	0.1764**
<i>Total Bellgrove North Area</i>				63.27
Bellgrove South				
15 Kippenberger Avenue	Lot 2 DP 394668	577722	BRL	8.79
74 Northbrook Road	Lot 2 DP 452196		BRL	14.21

N/A	Lot 2 DP 12090	CB474/29	BRL	8.20
100 Northbrook Road	Lot 4 DP 25508	CB7A/1261	BRL	4.59
<i>Total Bellgrove South Area</i>				35.79
Total BRL Landholding				99.06

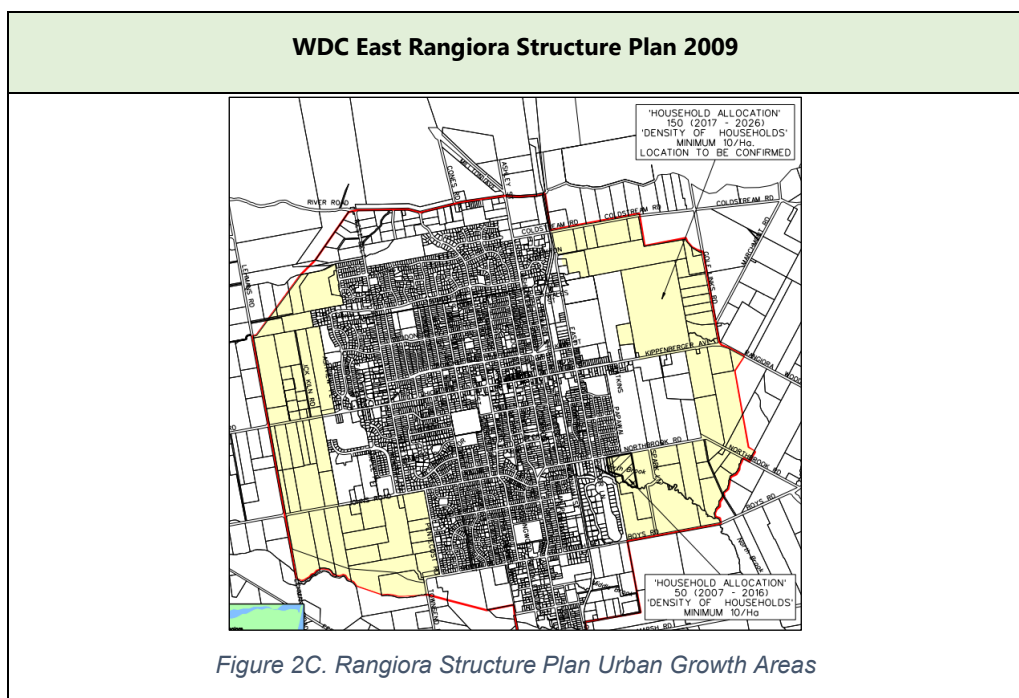
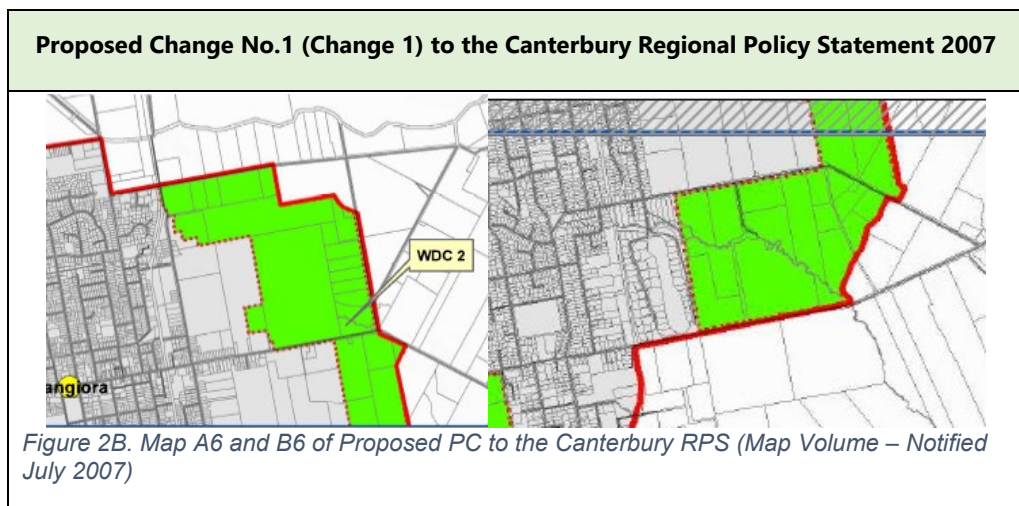
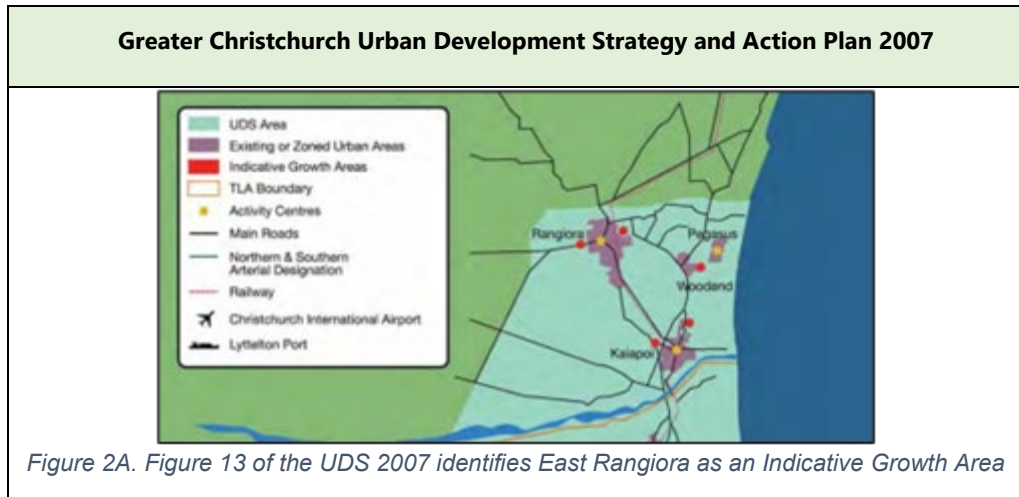
*BRL have purchased approximately 789 m² of Lot 1 DP 79128 (total site area of 2.53 ha) being the accessway for the lot which facilitates the construction of the Road 1 / Kippenberger Avenue / MacPhail Avenue Roundabout. A Caveat by BRL (Ref 12342731.1) is listed on the Record of Title (CB45B/1204) giving effect to this.

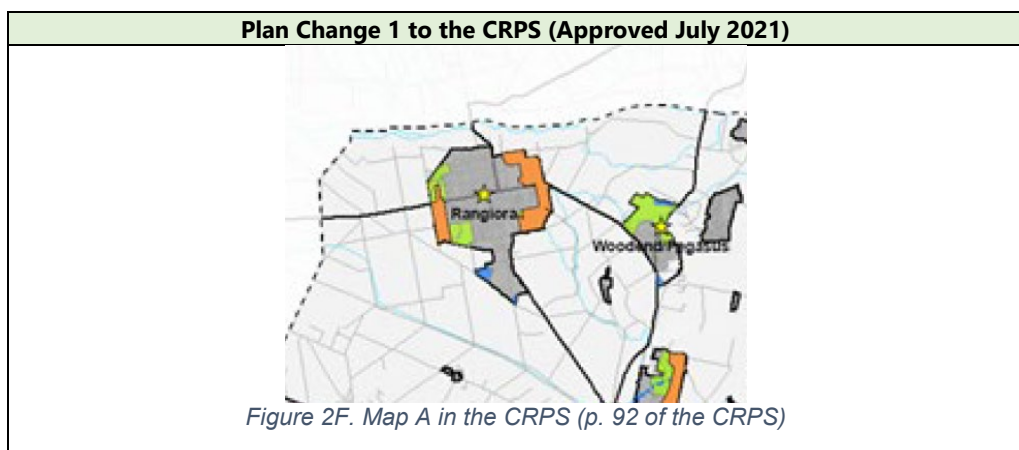
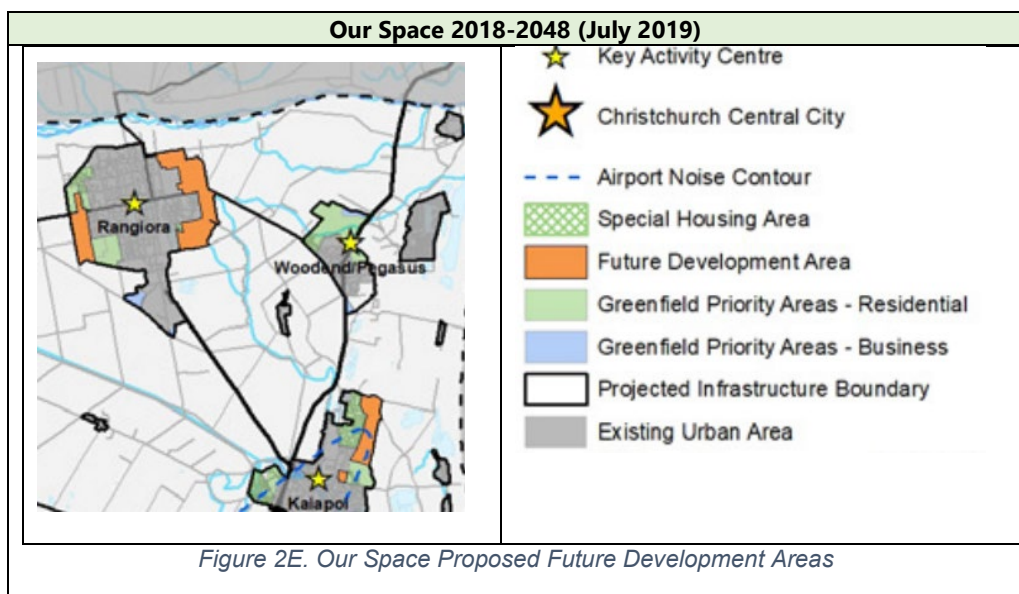
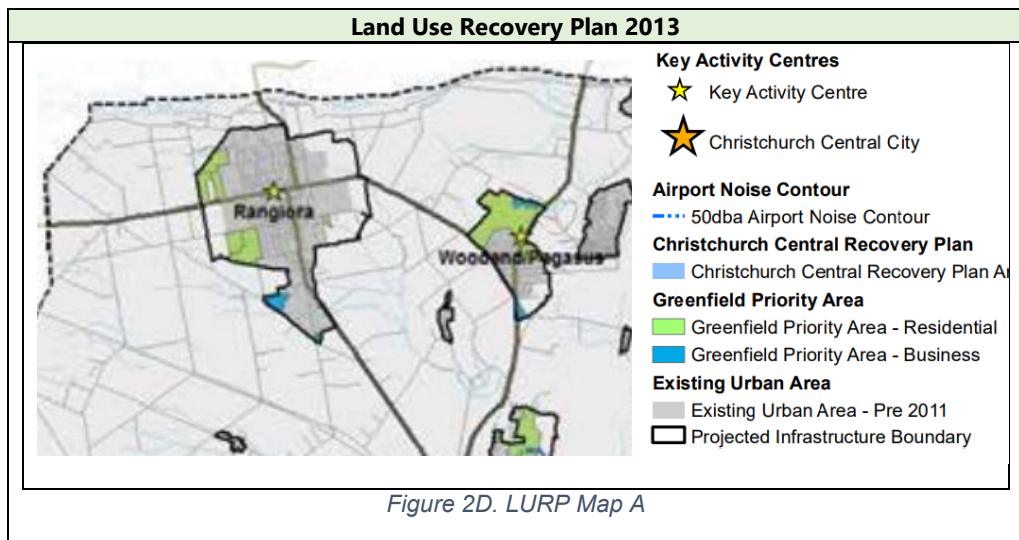
**BRL will enter an agreement with the Rangiora Golf Club to acquire a 12m-wide strip of land (approximately 0.1764 ha of the Club's 3.26 ha site) to enable the establishment of a 22m-wide East –West Collector Road in accordance with the NER ODP. This will require a realignment and alteration to the existing Golf Course boundary, the exact area of which is to be determined.

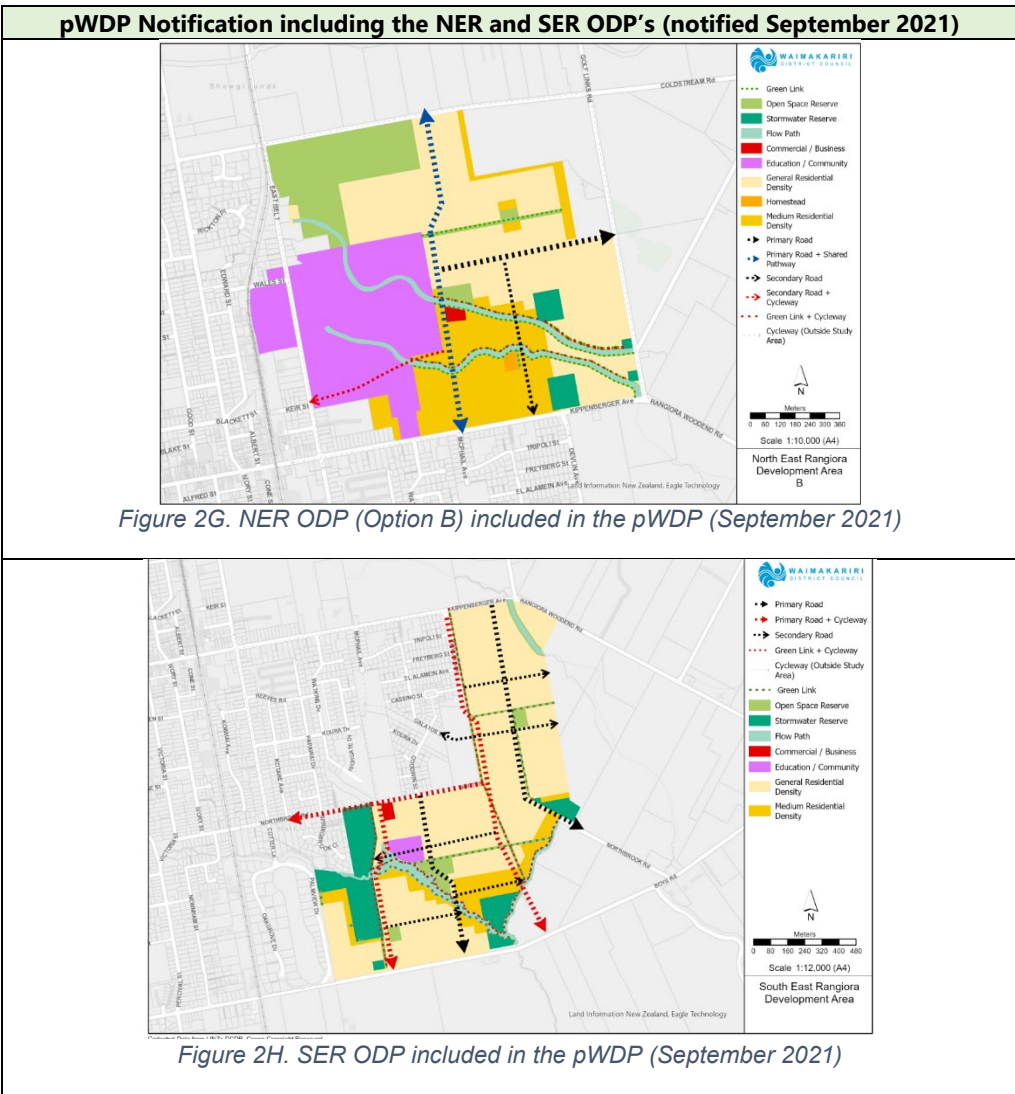


Additional Land (blue) excluded from the SER DA and SER ODP in the PWDP

ATTACHMENT 2 RELEVANT PLANNING HISTORY FIGURES AND MAPS







Subdivision and Land Use Consent: Stage 1 Bellgrove North (approved 29 June 2022) under the COVID-19 Recovery (Fast-track Consenting) Act 2020

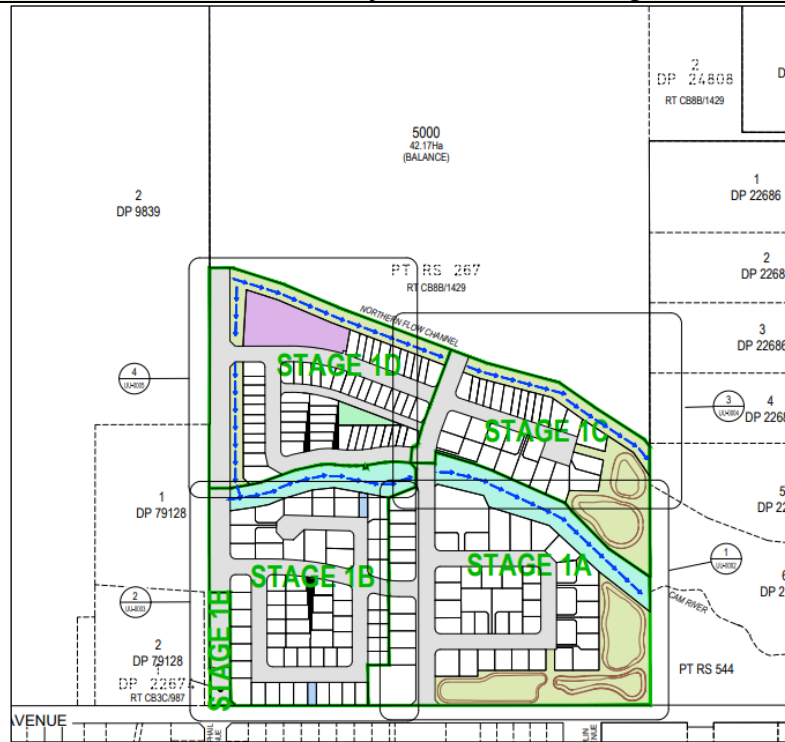


Figure 2I. Approved Subdivision Scheme Plan (RC125579 – approved 29 June 2022)

Variation 1 ‘Housing Intensification’ to the pWDP (notified 13 August 2022)

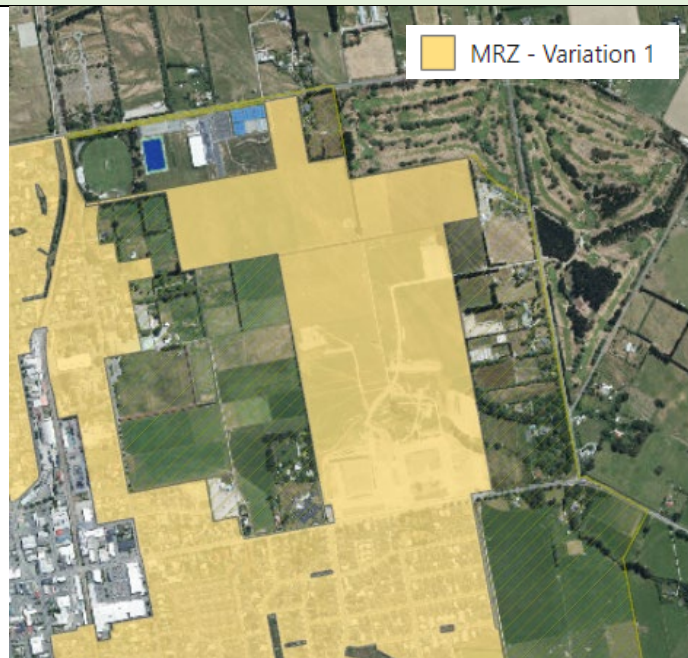
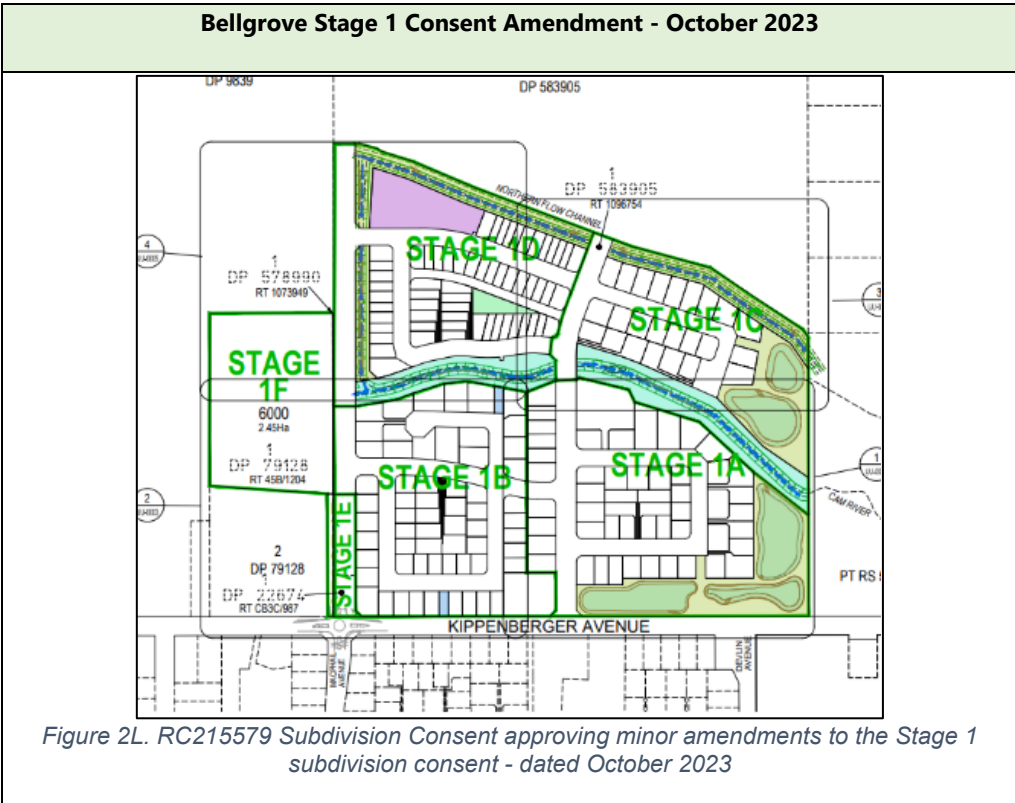


Figure 2J. Extent of Bellgrove North proposed to be zoned Medium Density Residential Zone as part of Variation 1 to the pWDP



ATTACHMENT 3: BELLGROVE SOUTH LAND HOLDING HISTORY

Lot 2 DP 452196 is a 14-ha lot held by BRL (Figure 3A), contained within Record of Title 577722. Title was issued for the lot 13 July 2012. It has access to Northbrook Road, Rangiora.



Figure 3A. Lot 2 DP 452196 geographical extent

Lot 2 DP 452196 was previously held within Record of Title CB45D/1257 (Lot 2 DP 80275) as a 20.10 ha allotment, issued 6 July 1999 (Figure 3B). The lot extended from Northbrook Road in the South through to Rangiora Woodend Road in the North.

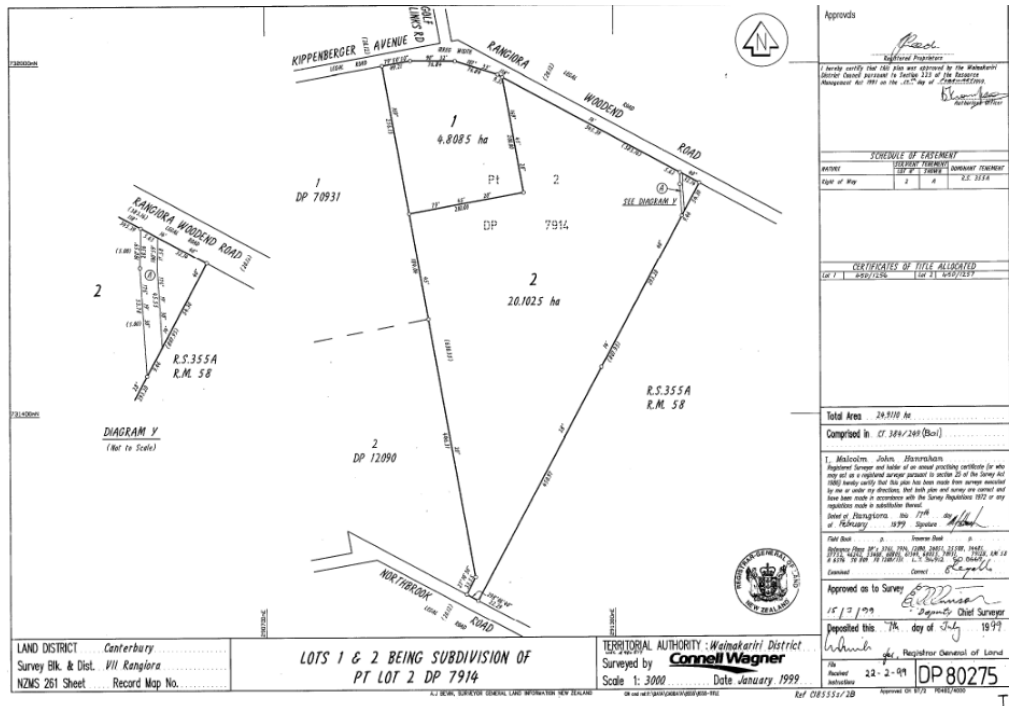


Figure 3B. Survey Plan of the former Lot 2 DP 80275

Prior, the land was held within title CB384/249 issued 31 December 1869.

ATTACHMENT 4: SOUTH-EAST RANGIORA OUTLINE DEVELOPMENT PLAN

4A: PWDP NOTIFIED SOUTH-EAST RANGIORA OUTLINE DEVELOPMENT PLAN

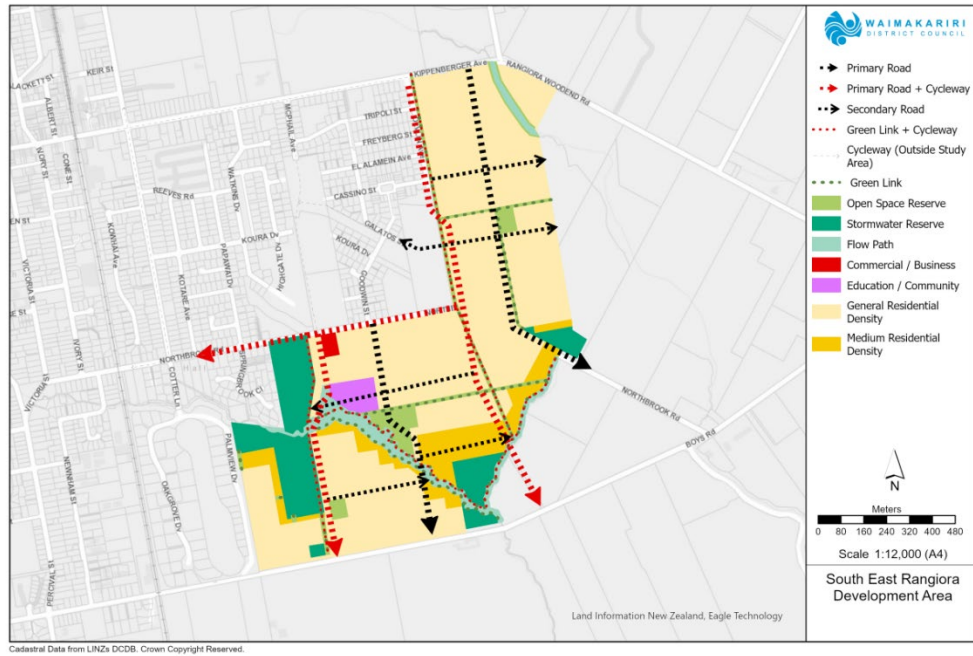


Figure 4A-1. South East Rangiora Overall Outline Development Plan (as notified in the pWDP 18 September 2021)

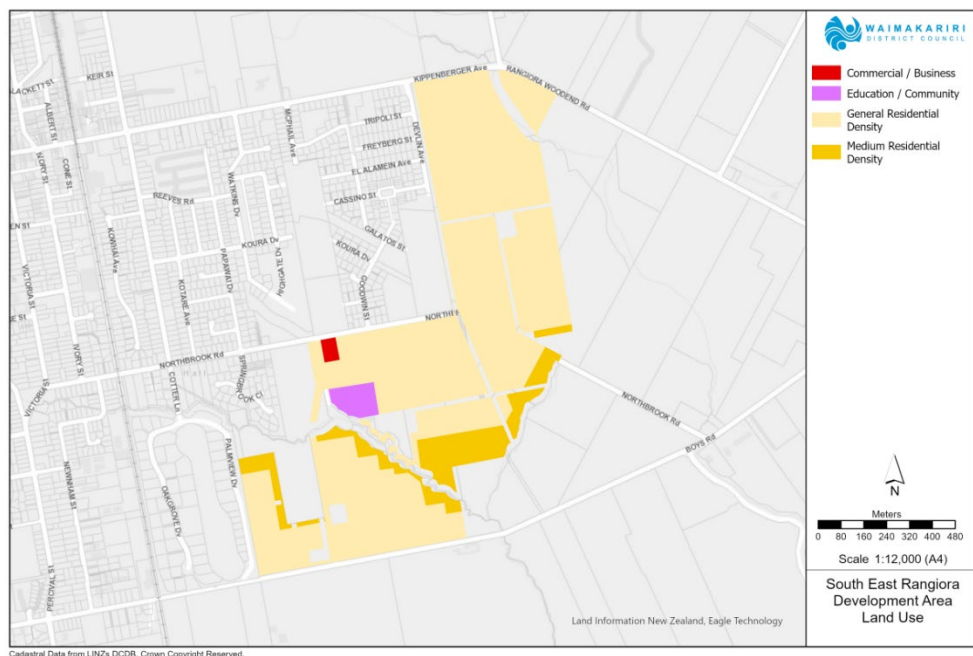


Figure 4A-2. South East Rangiora Land Use Outline Development Plan (as notified in the PWDP 18 September 2021)

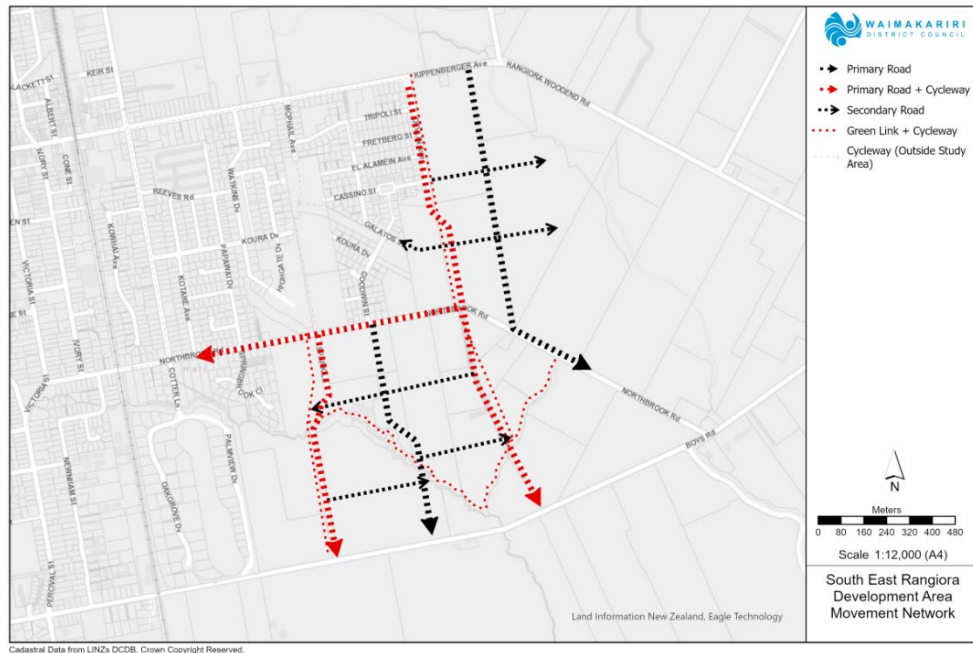


Figure 4A-3. South East Rangiora Movement Network Outline Development Plan (as notified in the PWDP 18 September 2021)



Figure 4A-4. South East Rangiora Open Space and Stormwater Reserves Outline Development Plan (as notified in the PWDP 18 September 2021)



Figure 4A-5. South East Rangiora Water and Wastewater Outline Development Plan (as notified in the PWDP 18 September 2021)

4B: CHANGES SOUGHT BY BELLGROVE TO THE PWDP NOTIFIED SOUTH-EAST RANGIORA OUTLINE DEVELOPMENT PLAN (AS PER VARIATION 1 SUBMISSION DATED 9 SEPTEMBER 2022)

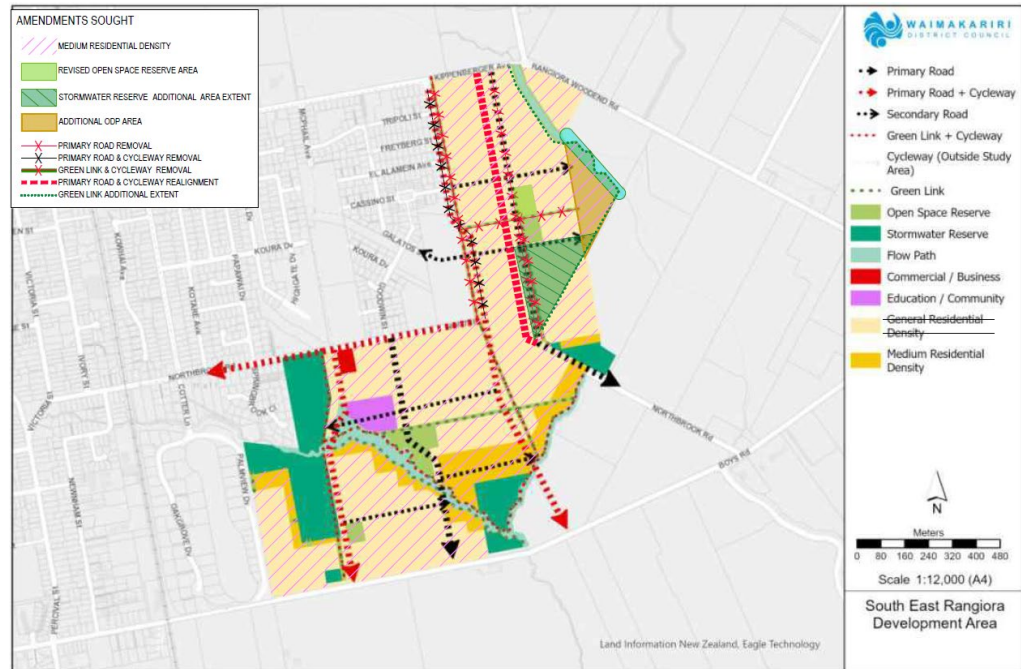


Figure 4B-1. Bellgrove Changes Sought to the South East Rangiora Overall Outline Development Plan

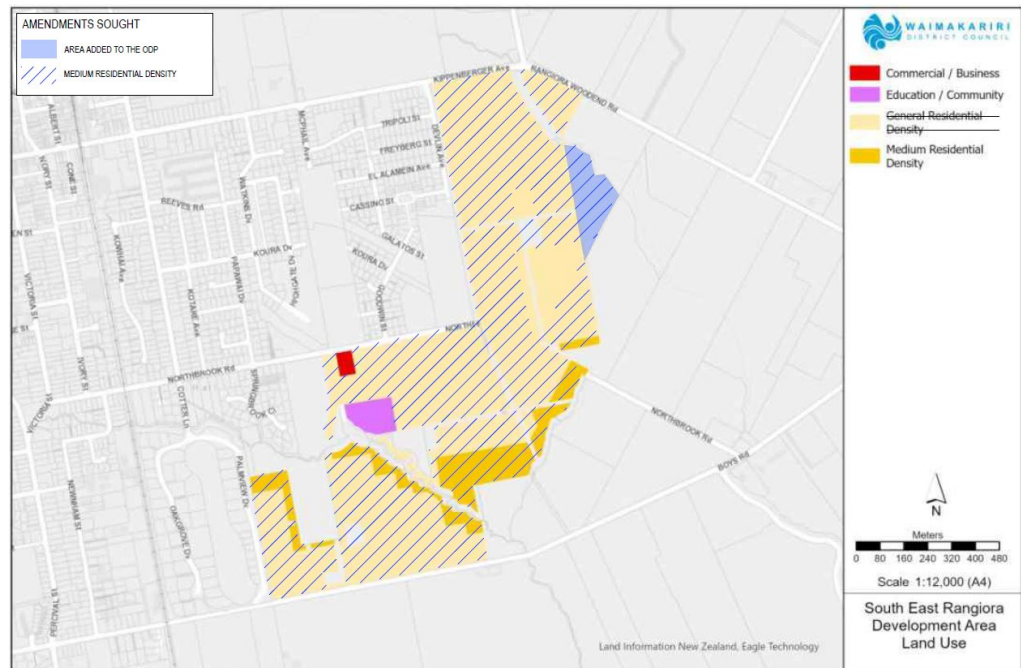


Figure 4B-2. Bellgrove Changes Sought to the South East Rangiora Land Use Outline Development Plan

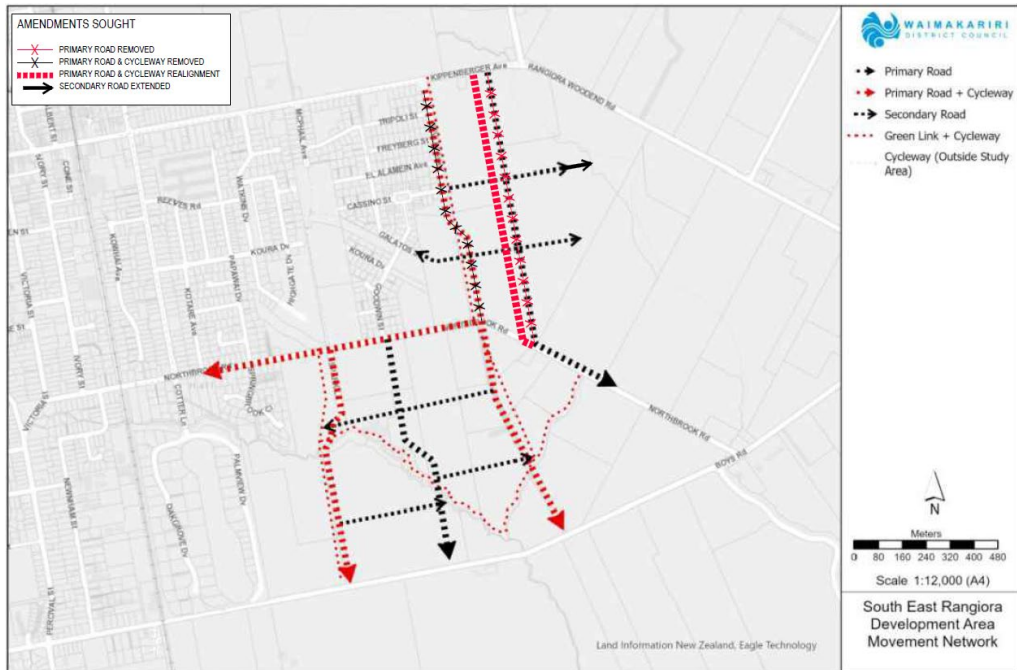


Figure 4B-3. Bellgrove Changes Sought to the South East Rangiora Movement Network Outline Development Plan



Figure 4B-4. Bellgrove Changes Sought to the South East Rangiora Open Space and Stormwater Reserves Outline Development Plan



Figure 4B-5. Bellgrove Changes Sought to the South East Rangiora Water and Wastewater Outline Development Plan

4C: CHANGES SOUGHT BY BELLGROVE TO THE PWDP NOTIFIED NORTH-EAST RANGIORA OUTLINE DEVELOPMENT PLAN (AS PER VARIATION 1 SUBMISSION DATED 9 SEPTEMBER 2022)



Figure 4C-1. Bellgrove Changes Sought to the North East Rangiora Overall Outline Development Plan Option B

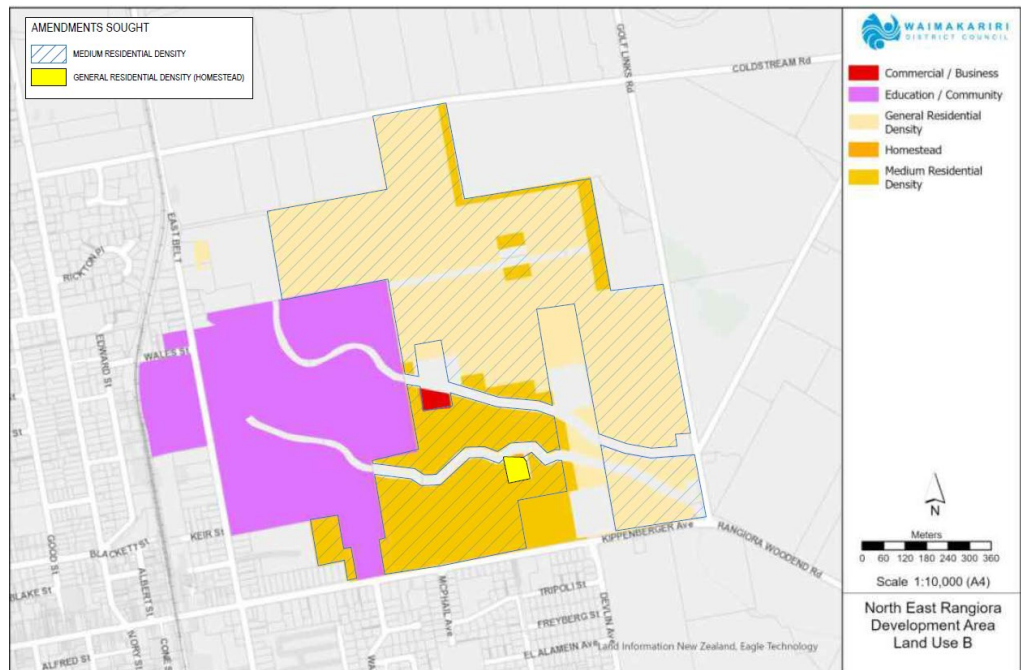


Figure 4C-2. Bellgrove Changes Sought to the North East Rangiora Land Use Outline Development Plan Option B

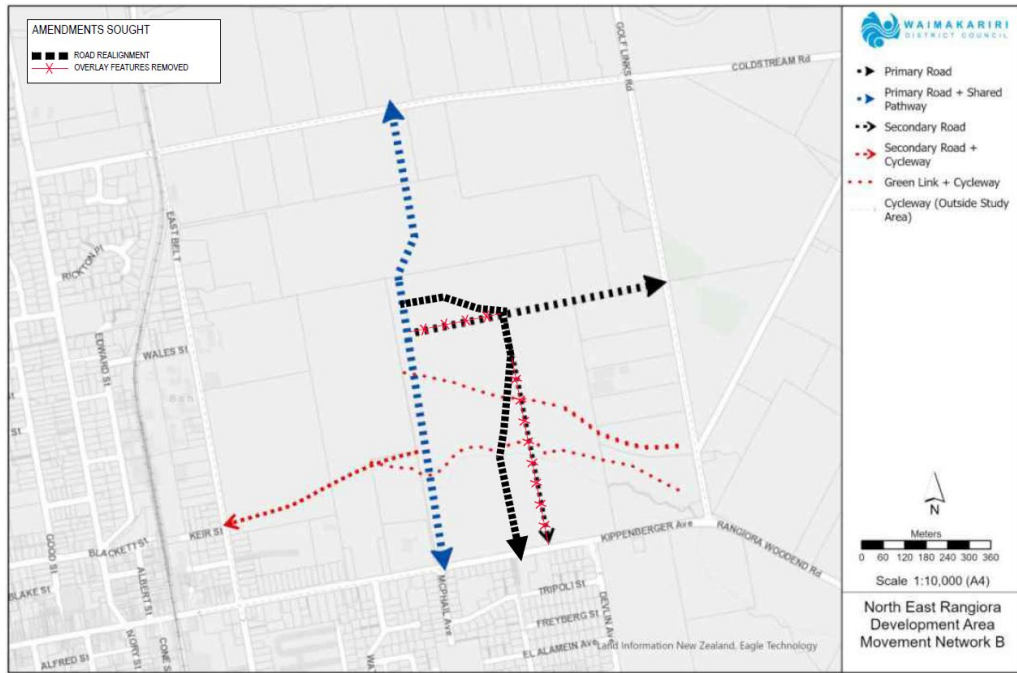


Figure 4C-3. Bellgrove Changes Sought to the North East Rangiora Movement Network Outline Development Plan Option B



Figure 4C-4. Bellgrove Changes Sought to the North East Rangiora Open Space and Stormwater Reserves Outline Development Plan Option B



Figure 4C-5. Bellgrove Changes Sought to the North East Rangiora Water and Wastewater Outline Development Plan Option B

**ATTACHMENT 5: INFRASTRUCTURE ACCELERATION FUND
AGREEMENTS**