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HEAD**

ENVIRONMENTAL LAW SPECIALISTS

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## **SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN**

Clause 6, First Schedule of the Resource Management Act 1991

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To: The Waimakariri District Council  
Private Bag 1005  
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Submitter: Bellgrove Rangiora Ltd

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Proposal: The Proposed Waimakariri District Plan

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## SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN

### Name of submitter

- 1 Bellgrove Rangiora Ltd (the **BRL** or the **submitter**).

### Proposal to which submission relates

- 2 This submission relates to the following parts of the Proposed Waimakariri District Plan (the **WPDP**) in its entirety and particularly those provisions which apply or affect the following property in eastern Rangiora owned by BRL:
- (a) Lot 2 Deposited Plan 24808, Part Lot 2 Deposited Plan 9976 and Part Rural Section 267 (52 Kippenberger Avenue); Lot 1 DP 22674 (76 Kippenberger Avenue); and a portion of Lot 1 Deposited Plan 79128 (the access leg of 78 Kippenberger Avenue) (collectively referred to herein as **Bellgrove North**); and
  - (b) Lot 2 394668 and Lot 2 DP 452196 held within Record of Title 577722, Lot 2 DP 12090 held within Record of Title CB474/29, and Lot 4 DP 25508 held within Record of Title CB7A/1261; (collectively referred to herein as **Bellgrove South**).
- 3 Refer to the attached image appended at **Attachment 1** showing the locations of BRL's landholdings as described above.
- 4 The land referred to above and depicted in Attachment 1 is collectively referred to herein as the **Bellgrove Land**.
- 5 The submitter could not gain advantage in trade competition through this submission.

### Details of submission

- 6 BRL's submission relates to the WPDP as a whole but has a specific focus on:
- (a) the provisions of the WPDP referred to in paragraph 4(a)-(f) and elsewhere in the First submission on the WPDP filed by BRL dated 26 November 2021 (the **First BRL submission**);
  - (b) RESZ - General Objectives and Policies for all Residential Zones;
  - (c) the North Rangiora Development Area, including the North Rangiora Development Plan (the **North Rangiora ODP**);
  - (d) the South Rangiora Development Area, including the South Rangiora Development Plan (the **South Rangiora ODP**); and
  - (e) the planning maps of the WPDP that provide for the zoning of the Bellgrove Land.

## Background

- 7 BRL repeats the matters discussed at paragraphs 5-10 of the First BRL submission.
- 8 Since the First BRL submission, the following matters have occurred which have prompted this late submission by BRL:
  - (a) the application under COVID-19 Recovery (Fast-track Consenting) Act 2020 (**FTCA**) for Stage 1 of BRL's proposed residential development within Bellgrove North has to date taken considerably longer to progress than reasonably anticipated by BRL due to matters outside BRL's control, and BRL anticipates further delays. This has potential to delay FTCA consenting and subsequent development of not just the Stage 1 land but also Stages 2-4 and other future stages of the BRL Land;
  - (b) the Resource Management (Enabling Housing Supply and Other Matters) Amendment legislation that has recently been enacted (the **EHS Act**). The EHS has potential to delay the hearing and decisions on submission on the PDP. This has potential to delay the certification provisions of the PDP having legal effect and becoming operative, which in turn delays any rezoning of the BRL Land;
  - (c) in combination, the above matters have caused BRL to realise that the certification process proposed in the WPDP will not enable timely subdivision and development of the BRL Land. Consequently, BRL considers it is more appropriate that the BRL Land be zoned for residential development rather than be subject to the proposed certification process; and
  - (d) BRL has recently secured agreement to purchase part of the land at 78 Kippenberger Avenue which will enable access to the Bellgrove North land from Kippenberger Avenue (the **Accessway Land**).

## Late submission

- 9 It is acknowledged that this submission is filed after the closing date for submissions on the WPDP.
- 10 BRL considers that the submission should nonetheless be accepted by the Council on the grounds that:
  - (a) circumstances have altered since the First BRL submission was lodged by BRL, which have a bearing on the matters that BRL wishes to raise in its submission on the WPDP;
  - (b) the rezoning proposed in this submission will help the Council respond to the residential housing crisis;
  - (c) the summary of submissions has yet to be notified by the Council and there are no persons that will be prejudiced by accepting this submission; and
  - (d) overall, accepting the submission is consistent with the purpose and principles of the RMA.

## **Submission**

### Accessway Land

- 11 BRL requests that the submission points referred to in the First BRL submission also apply to the Accessway Land which forms part of 78 Kippenberger, to the extent that those submission points are relevant to the Accessway Land.

### Rezoning of the BRL Land

- 12 This submission seeks to rezone the BRL Land from (proposed) Rural Lifestyle Zone to:
- (a) a mix of Residential General Density Zone and Residential Medium Density Zone generally as shown on the North East Rangiora ODP and the South East Rangiora ODP; or
  - (b) to Residential Zone, as detailed in the First BRL submission at Attachment 3a and 3b, and Attachment 4a and 4b; and
  - (c) Commercial / Business Zone as detailed in the First BRL submission at Attachment 3a and 3b, and Attachment 4a and 4b.
- 13 The above Zone(s) is considered appropriate for the BRL Land:
- (a) for the reasons described in the First BRL submission and in particular (but not limited to) paragraphs 11-17 of that submission, and further because;
  - (b) the BRL Land is identified as suitable for future greenfield residential development in the Canterbury Regional Policy Statement;
  - (c) greenfield residential development of the BRL Land will provide additional residential capacity to help achieve or exceed the projected residential demand for Rangiora and the district;
  - (d) the BRL land is already identified for residential development in the North East Rangiora ODP and the South East Rangiora ODP;
  - (e) the BRL Land is adjacent to the Stage 1 land that has been accepted under the CFTA process for referral to the Environmental Protection Authority, with physical connections available for transportation and infrastructure routes;
  - (f) the proposed rezoning will enable a logical extension of the urban form that will be established by development of the Stage 1 land; and
  - (g) the zoning proposed will help the Council respond to the residential housing crisis.

## **Decision sought**

- 14 BRL seeks the following decision:
- (a) that the WPDP be rejected in its current form; or
  - (b) that the provisions be amended to reflect the issues raised in this submission and in particular that:

- (i) the submission points referred to in the First BRL submission also apply to the Accessway Land, which forms part of 78 Kippenberger, to the extent that those submission points are relevant to the Accessway Land;
- (ii) the planning maps are amended so that the BRL Land is zoned in advance of the certification process proposed to;
  - (A) a mix of Residential General Density Zone and Residential Medium Density Zone generally as shown on the North East Rangiora ODP and the South East Rangiora ODP; or
  - (B) to Residential Zone, as detailed in the First BRL submission at Attachment 3a and 3b, and Attachment 4a and 4b; and
  - (C) Commercial / Business Zone as shown in the First BRL submission at Attachment 3a and 3b, and Attachment 4a and 4b.
- (iii) the North East Rangiora ODP and the South East Rangiora ODP are amended as may be required to give effect to this submission; and/or
- (iv) such other relief as may be required to give effect to this submission, including alternative, consequential or necessary amendments to the WPDP that address the matters raised by BRL.

15 BRL wishes to be heard in support of this submission.

Dated 22 December 2021



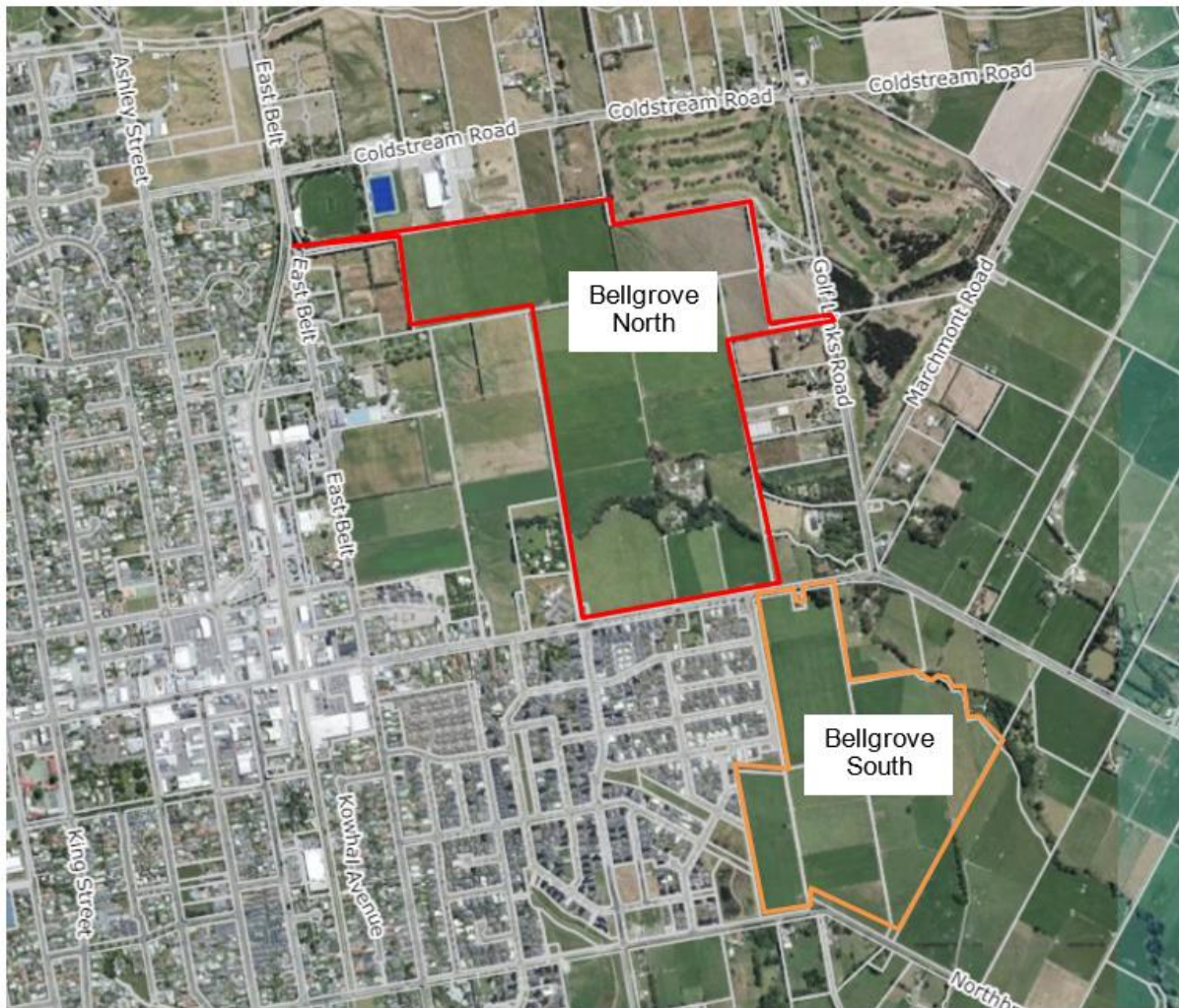
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## Attachment 1: BRL Property Location Plan



Address	Legal Description	Record of Title	Area (ha)
<b>Bellgrove North</b>			
52 Kippenberger Avenue	Part RS 267	CB8B/1429	40.59
	Lot 2 DP 24808		1.86
N/A	Part Lot 2 DP 9976		20.46
76 Kippenberger Avenue	Lot 1 DP 22674	CB3C/987	0.10
A portion of 78 Kippenberger Avenue	Lot 1 Deposited Plan 79128	CB45B/1204	0.08
<i>Total Bellgrove North Area</i>			63.09

Bellgrove South			
N/A	Lot 2 DP 394668	577722	8.79
N/A	Lot 2 DP 452196		14.21
N/A	Lot 2 DP 12090	CB474/29	8.20
100 Northbrook Road	Lot 4 DP 25508	CB7A/1261	4.59
<i>Total Bellgrove South Area</i>			35.79
<i>Total BRL Landholding</i>			98.8