

**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 by
Bellgrove Rangiora Limited

**SUPPLEMENTARY EVIDENCE OF TONY DOUGLAS MILNE
IN RESPONSE TO OFFICER REPORT
ON BEHALF OF BELLGROVE RANGIORA LIMITED
REGARDING HEARING STREAM 12E**

DATED: 2 August 2024

Presented for filing by:
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INTRODUCTION

- 1 My name is Tony Douglas Milne.
- 2 I have prepared a statement of evidence regarding Hearing Stream 12E in support of the submissions of Bellgrove Rangiora Limited (**Bellgrove** or **BRL**). Bellgrove seeks to rezone approximately 36 ha of land south of Kippenberger located largely within the South East Rangiora Development Area (**SER DA**), known as Bellgrove South.
- 3 Bellgrove seek to rezone the land from Rural Lifestyle Zone (**RLZ**) to Medium Density Residential Zone (**MRZ**) subject to an Outline Development Plan (**ODP**) through the Proposed Waimakariri District Plan (**PWDP**) and Variation 1 to the PWDP.
- 4 My qualifications and experience are set out in that statement. I confirm that this supplementary statement of evidence is also prepared in accordance with the Environment Court's Code of Conduct.
- 5 On 22 July 2024 the Waimakariri District Council (**Council**) released an Officer Report for Hearing Stream 12E prepared under section 42A of the RMA containing an analysis of submissions seeking residential rezoning and recommendations in response to those submissions (**Officer Report**).
- 6 The Officer Report recommends that the Bellgrove rezoning submission be accepted. My supplementary evidence is filed in response to that Report.

SCOPE OF SUPPLEMENTARY EVIDENCE

- 7 In my supplementary evidence I address the following matters:
 - (a) those parts of the Officer Report that address matters within scope of my expertise, with particular emphasis on matters where there is a difference of view between myself and the Officer Report.
- 8 In preparing my supplementary evidence I have:
 - (a) Reviewed the Officer Report by Mr Peter Wilson and the Appendices¹ to that Report relevant to my area of expertise;

¹ Appendix F – Council Internal Experts' Evidence (Mr Jon Read – Green Space) and Appendix G – Urban Design Expert Evidence (Mr Ed Jolly)

- (b) Reviewed my evidence in chief (**EIC**) filed earlier on behalf of the Submitters; and
- (c) Reviewed other materials specifically mentioned in my supplementary evidence discussed below.

CONTEXT AND APPROACH

- 9 As mentioned, the Officer Report recommends acceptance of the Bellgrove rezoning submission. A range of reasons are given for this recommendation, some of which relate to my area of expertise.
- 10 The approach I have adopted in this supplementary statement of evidence is to identify those parts of the Officer Report (including Appendices attached to that Report) where I either disagree with the Officer Report and to explain my reasons for disagreement, and/or simply seek to provide clarification.

RESPONSE TO OFFICER REPORT

Green Space and Green Linkages

- 11 Under the heading 'Greenspace', at [566], the Officer Report simply re-states the wording from Mr Jon Reads' (Greenspace and Communities Facilities Planner) memo. Overall Council Greenspace advocates for and supports "*The proposed green linkages, cycleway and esplanade reserve provision in this proposed residential development area...*". Furthermore, Mr Read determines "*The indicative Open Space Reserve is appropriately located for wider community access.*" And he also comments "*The accessibility distance is fully achieved across the ODP area, but the size of the park space is to be determined*".
- 12 It is worthy to recognise that the location of the neighbourhood park is supported by Mr Read. Further to that, and typical of land development of this ilk, the size of this open space reserve will need to comply with Council's Park Levels of Service guidelines. I am confident that following the rezoning, and through the ensuing resourcing consenting process that this can be achieved. Furthermore, the exact provision will be determined at subdivision stage where Council reserves control over such matters.

- 13 As per my EIC at [69] I consider that the green links as shown on the Revised SER-ODP² (as put forward by Bellgrove) provide opportunity for landscape development, and I am still of the opinion a comprehensive landscape framework for the Site should be developed as part of subdivision consent, to ensure appropriate landscape character is achieved and existing landscape values enhanced.



Figure 1: Sketch Plan of Potential ODP – Mr Ed Jolly Recommendations.

- 14 Regarding the recommended updates to green space and green linkages to the SER-ODP³ as per Mr Jolly's recommendations, and adopted by the Officer Report, I understand these include the following and are shown on Figure 1 above:
- a. A widening of the riparian corridor setback from the Cam/Ruataniwha River to be 40m either side within the ODP area to enable habitat creation and restoration, stormwater management and recreation

² Note BRL put forward a 'Revised SER-ODP', as attached to my EIC. An 'Amended Revised SER-ODP' was then attached to my Supplementary Evidence Statement #1 dated 27 June showing an amendment to correct the legal extent of the eastern boundary of Bellgrove South.

³ Section 42A Report – Figure 41, Page 149

opportunities with walking and cycling links (*note the Council Officers report recommends only 20m for the Bellgrove site – refer [605]*).

- b. Extension of east-west green links across the extent of the Bellgrove site to connect up (*sic*) with potential pedestrian and cycle links within the riparian corridor; and
- c. Provide two open space parks (approx. 1.0 – 1.5ha in size) to provide amenities such as play, parks, social gathering spaces and informal recreation spaces for future residents.

15 Having reviewed these recommendations, I am of the opinion that the open space approach as shown on the Amended Revised SER-ODP is preferable in comparison to Mr Jolly’s recommendations. Refer to Figure 2 below which is the Updated SER-ODP (*the Amended Revised SER-ODP updated with the dimensions of the open space strip now shown along with narrative text as discussed in paragraph 20 below*).

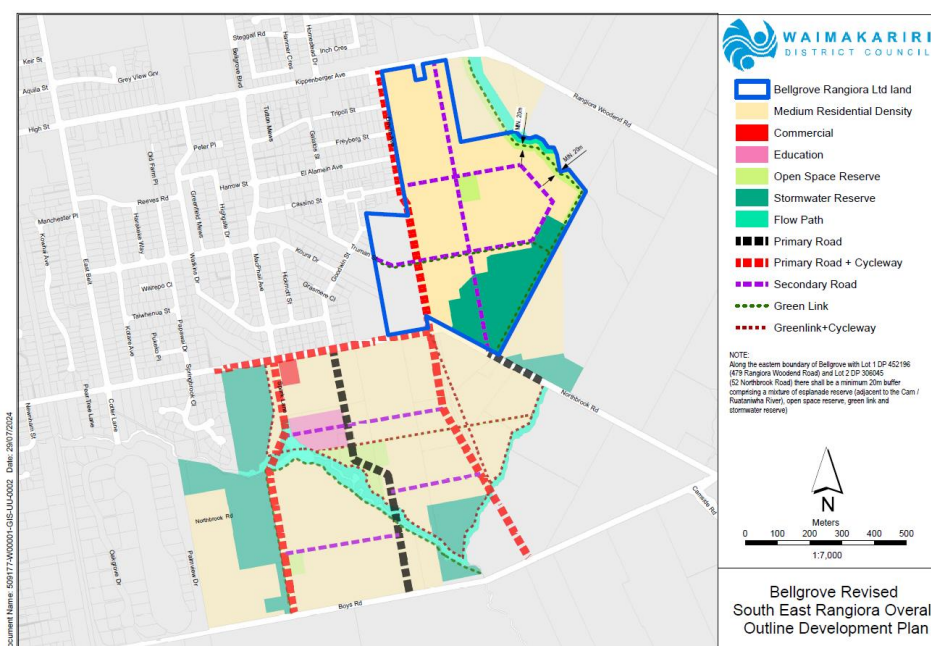


Figure 2: Bellgrove Amended Revised SER-ODP including clarification of the eastern boundary 20m green buffer width minimum (referred to as the **‘Updated SER-ODP’** in the SE of Michelle Ruske-Anderson dated 2 August 2024).

16 It also appears to me that Mr Jolly may not have fully appreciated the extent of the green space and green linkages as shown on the Bellgrove South ODP and the SER-ODP. For clarity I outline the following:

Supplementary evidence of Tony Douglas Milne in response to Officer Report on behalf of Bellgrove dated 2 August July 2024

- a. The Bellgrove South ODP and Revised SER-ODP includes the provision of a stormwater management area (**SMA**) and associated reserve within the southern portion and south-eastern corner of Bellgrove South (approximately 6.5 ha in size) along with the extension of reserve space along the eastern boundary;
 - b. The Bellgrove South ODP proposes a green link to an eastern boundary green link/ reserve that leads to the Cam/Ruataniwha River and associated esplanade reserve. This link also connects with the proposed SMA and at its western end provides a connection with Truman Road and the associated stormwater reserves and co-located walkway. This provides for walking and cycling opportunities.
 - c. Additional cycleway connections will likely be established as part of subdivision consent (for example an east/west cycleway connection as part of the Cassino Street extension).
 - d. The indicative Open Space Reserve (neighbourhood park) is shown on the Bellgrove South ODP directly south of the intersection of two secondary roads. In this location it complements the extent of stormwater reserve provided in the south of the Site and is more equitable in distance for future users. I note Mr Read supports this location, as he does the provision of the one neighbourhood park, having taken into account the recreation opportunity and amenity provided by the SMA.
 - e. While the SMA, green links and the Cam/Ruataniwha River and associated esplanade reserve are not specifically considered neighbourhood reserve, they be used by residents for walking and catching up with friends, and by children for play, therefore covering all aspects of amenity and functionally that a neighbourhood reserve would/could provide.
- 17 In combination, future green space and green links as shown on the Bellgrove South ODP, will be equally distributed throughout the Site. These will provide a high level of accessibility, connection, recreation opportunity and amenity. Therefore, it is for these reasons that from a landscape values perspective I am still of the opinion that the Updated SER-ODP provides a better outcome than the ODP as recommended by Mr Jolly and adopted by the Officer Report.

- 18 The Updated SER-ODP provides a blue green / open space reserve network that offers the opportunity to improve physical values through habitat creation, associative values through site identity and site narratives, and perceptual values through site experience i.e. recreating and prospect over these spaces.

Esplanade Reserve Setbacks

- 19 Further to [14.a] above and [605] of the Officer Report, I have considered the matter of a greater esplanade reserve setback. This is also addressed within the supplementary ecological evidence of Dr Della Bennet which I am cognisant of.
- 20 I note that while Mr Jolly has recommended a 40m buffer to both sides of the Cam/Ruataniwha River (*refer Figure 1 above*), the Officer Report at [605] recommends *"At least a 20m open space strip between any urban development on Bellgrove South and their property boundary, irrespective of a relationship with the Cam"*.
- 21 I can confirm that the 20m open space strip as shown on the Updated SER-ODP is at least 20m in width. Given this, there is no need to update, by way of increasing the width of the open space strip, the Revised SER-ODP to reflect this. However, I draw the Commissioners attention to Figure 2 above which is the Updated SER-ODP with the dimensions of the open space strip now shown along with narrative text. For ease of reference, I have included the Updated SER-ODP in Attachment 1.
- 22 The narrative text with a '20m minimum wide' notation has been added to clarify that along the eastern boundary of Bellgrove South with Lot 1 DP 452196 (479 Rangiora Woodend Road) and Lot 2 DP 306045 (52 Northbrook Road) there shall be a minimum 20m buffer comprising a mixture of esplanade reserve (adjacent to the Cam / Ruataniwha River), open space reserve, green link and stormwater reserve. In my opinion this clarifies this matter.
- 23 In regard to the width of the open space strip, it is my experience that 20m in this context, provides sufficient space alongside the Cam/Ruataniwha River for future pedestrian and cycle connections coupled with the protection, restoration and enhancement of the Cam/Ruataniwha's natural (ecological and habitat opportunities) and associative (cultural) values.

CONCLUSION

- 24 Overall, the Officer Report indicates that Council generally supports the evidence relating to landscape and urban design matters regarding Hearing Stream 12E in support of the BRL submission on the PWDP to rezone the Site from RLZ to MRZ.
- 25 Aside from the relatively minor matters in relation to the ODP, that have each been addressed above, the Officer Report raised no other matters of concern in relation to landscape, visual amenity and urban design.
- 26 Thank you for the opportunity to present my evidence and I am happy to answer any questions.

Tony Douglas Milne
2 August 2024

ATTACHMENT 1: REVISED AMENDMENTS SOUGHT BY BRL TO THE SER ODP (UPDATED SER-ODP)

