

**BEFORE A HEARING PANEL
CONSTITUTED BY NELSON CITY COUNCIL**

IN THE MATTER

of an application by **CCKV Maitahi Development Co LP** and **Bayview Nelson Limited** for a change to the Nelson Resource Management Plan (Plan Change 28)

IN THE MATTER

of Part 5 and Schedule 1 of the Resource Management Act 1991

STATEMENT OF EVIDENCE OF RICHARD BENNISON

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Section A – Introduction and Scope of Evidence

Name, qualifications and experience

- [1] Richard Bennison Dip.Agr, B.Ag.Com, MNZIPIM (Reg), FNZIV, FPINZ
- [2] Registered Farm Management Consultant and Registered Valuer
- [3] I have a Bachelor of Agriculture Commerce from Lincoln University and a Diploma of Agriculture, likewise from Lincoln University.
- [4] I became a Registered Farm Management Consultant on 18 June 1984 and a Registered Valuer on 30 June 1984.
- [5] I am a Fellow of the New Zealand Institute of Valuers, a past chairman of the Nelson/Marlborough branch of the New Zealand Institute of Valuers, Fellow of the Property Institute of New Zealand. I am a member of the New Zealand Institute of Primary Industry Management.
- [6] I was appointed to the Marlborough Land Valuation Tribunal in September 2013 and reappointed on 28 November 2018 and am still a member of that Tribunal.
- [7] After I graduated from Lincoln University in December 1977, I worked as a Farm Management Consultant for the Nelson Farm Improvement Club for the period December 1977-March 1981.
- [8] For the period March 1981-October 1986 I was a self-employed Farm Management Consultant and Rural Valuer.
- [9] For the period October 1986 to the 31 March 2022, I have practiced with the Valuation Business of Duke & Cooke Limited. I was a director of that company and owned 25% of the shares in it. Duke & Cooke Limited is Nelson's longest established multi-discipline valuation practice. My primary specialisation is in rural valuation, farm management and property consultancy of rural properties throughout Nelson City and the Tasman District. I ceased to be a shareholder and director of Duke and Cooke on

31 March 2022 but continue to be retained by the company as an independent contractor.

- [10] I have undertaken valuations and farm management assessments of all types of rural properties, mainly in the Nelson/Marlborough region but extending throughout New Zealand
- [11] I have extensive experience in diverse land use options, trends and management and 43 years of analytical experience of land use and real estate trends in the Northern part of the South Island
- [12] I have given expert evidence in the Family Court, District Court, Environment Court, and the High Court.

Expert Code

- [13] While this is not an Environment Court hearing I have met the standards in that Court for giving expert evidence.
- [14] I have read the Code of Conduct for expert witnesses issued as part of the Environment Court Practice Note 2014 (Part 7). I agree to comply with the Code of Conduct. I am satisfied that the matters addressed in this statement of evidence are within my expertise. I am not aware of any material facts that have either been omitted or might alter or detract from the opinions expressed in this statement of evidence.

Role in Project

- [15] I was engaged to undertake an assessment of the productive capacity of the land involved in the plan change request to the Nelson City Council. The purpose of that assessment was to support the planning analysis of the environmental risks, opportunities and costs and benefits of the proposed plan change. Also to assist in the design of the proposed plan change to appropriately avoid remedy or mitigate any effects of the proposed change.
- [16] To my knowledge there has been no expert evidence put forward by the submitters nor the Nelson City Council and there has therefore been no opportunity nor requirement for conferencing.

Scope of Evidence

- [17] My investigations are based on an inspection of the site to assess the productive characteristics of the property. Also a review of the relevant literature in relation to the soils of the district and relevant comparative productivity assessment criteria. By its nature it is a subjective assessment based on comparative analysis rather than empirical data

Section B – Executive Summary

- [18] The subject land comprises predominantly steep north westerly and south easterly facing hill with easier contoured areas in the Kākā Valley floor.
- [19] The soils have low natural levels of fertility and have limited productive use beyond plantation forestry.
- [20] Part of the land has recently been cleared from woody weeds such as gorse and broom and established in pasture. The balance comprises regenerating native vegetation with a small area of pasture on flat land adjacent to the Kākā stream.
- [21] File The only productive activity over the past 50 years has been intermittent low intensity grazing on the areas of the land in pasture, predominantly around the flat areas in the Kākā Valley.
- [22] The parts of the land that have been recently cleared of weeds and established in pasture are being fenced and will be grazed in the short term. That grazing activity is however, directed at controlling regrowth vegetation to reduce fire risk and the fencing is as much to preclude the public from the land to meet health and safety requirements as it is to retain livestock.
- [23] The small area of the property that does have a slightly higher productivity, due to the gentle slopes, is zoned Rural Small Holdings where the minimum area for subdivision is 5000 m² with an average of 1 ha which largely precludes any productive use.

- [24] The only nearby available source of water for irrigation is from the Maitai/Mahihati River however irrigation from that water source is a prohibited activity.
- [25] Any productive potential in the areas to be rezoned Residential and Rural Small Holdings will cease upon development.
- [26] The loss of long-term productivity resulting from the proposed activities will be minor.

Section C – Evidence

- [27] A copy of the full productivity report is appendedⁱ to this statement and forms the body of my evidence and conclusions

Dated 30th May 2022



[Richard Bennison]

ⁱ Assessment of Productive Values (CCKV MAITAI DEV Co LP & BAYVIEW NELSON LTD) 20 May 2020.