

**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 plan 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 ANDREW GEORGE SPITTAL
DATED 6 JULY 2022**

Applicant's Consultant:

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— BARRISTER —

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[1] My name is Andrew George Spittal. I am a resident of the Nelson / Tasman district, where I have lived all my life. I am a shareholder and director of Ching Contracting Limited, a Nelson based civil contracting business with extensive experience in multi-disciplinary civil works contracting. Ching has particular expertise in earthworks, stormwater, sewer, potable water main infrastructure and pavement construction, and undertakes contracts for local government, commercial and private clients.

[2] My family has interests in the Maitahi /Bayview Consortium through “CCKV Maitai Dev Co LP” which is a limited partnership of local families that live in the Nelson region, who’s forebears for generations also lived in the Nelson region. The CCKV team have considerable development experience. My family interests have also been involved in a range of residential development in the Tasman and Nelson districts over a long period of time resulting in the release of many residential units for new home buyers in the last decade.

[3] The Kākā Valley represents an excellent opportunity for residential development, and it is being promoted for that purpose in various urban growth strategies issued by the Nelson City Council.

[4] We are pleased to have an agreement with Ngāti Koata and a combined vision to produce houses creating a community with a distinctive New Zealand/Aotearoa flavour. The Maitahi/Bayview Consortium has signed a Memorandum of Understanding for the transfer of Kākā Hill to Ngāti Koata Trust. We are excited for Ngāti Koata to have this rare opportunity for stewardship of land for which they can realise their own vision that will be for the greater good of the region.

[5] We want to create a community with a wide demographic, catered for with a variety of homes, living in a pleasing, well thought out, comprehensively-planned environment that is conducive to a well-functioning and healthy society.

[6] I have a good relationship with Mr Richard (Richie) Pollock who is a shareholder of Bayview Nelson Limited, along with the Harley family. Richie is leading the development of the Bayview subdivision. That development has provided an excellent contribution to the total housing stock of Nelson.

[7] Because of my association with Richie we have been able to knit together a consortium to link the development of the two land areas (the Malvern/Botanical Hills) and Kākā Valley into a single coherent planning unit for the purpose of PPC 28. That has significant advantages in terms of undertaking a comprehensive and fully integrated development, creating connectivity and access to a landscape for the wider community to enjoy.

[8] I am proud of the overall project conception and development and am very grateful to the mainly local expert team that have brought this package together. It has not been without its challenges and costs, all of which add to the marginal cost of land development. That is of concern since we have always tried to pitch the Kākā Valley component of the development for the ordinary members of the community and I am particularly concerned at the lack of available choice in Nelson for young families. Without affordable housing Nelson risks a property market which excludes the necessary talent that is created by young family formation in a region. In my experience, delivering ‘supply’ to the housing market is the key to the issue of affordability, particularly with accelerating costs of land, construction materials, and consent processes.

[9] The Maitahi/Bayview Consortium made a presentation to Nelson City Council late in 2019, sharing a vision for the land. The presentation was well received with positive response. Nelson City Council welcomed that the consortium engaged early and were enthusiastic about the PPC 28 proposal. There was some discussion of it adopting the plan change. However, a group called “Save the Maitai” established itself and claimed to have significant local clout that made us decide that their strategy was to politicise the issue and therefore we did not want a political body controlling the plan change application and process.

[10] Early in 2020 we held a master-planning meeting with a full contingent of staff from NCC.. From memory this was attended by traffic engineers, policy planners, ecologists, and infrastructure engineers. This was to share ideas and gather some initial feedback. We also invited the staff to provide further feedback in future if they considered our proposal could be improved. Their feedback was, at a high level, supportive and positive. Over the course of the last 2 years we have also consulted very genuinely with Iwi in recognition of their statutory interests and out treaty obligations. We also directly communicated with many other local

interested entities. That has subsequently led to a lot of support for this proposal which we consider has arisen from a genuine and professional willingness to consider the merits and significant opportunities of this proposal.

[11] As soon as the first version of a plan was prepared the Maitahi/Bayview team met with the Ralphine Way neighbours. Mr Haddon who resides on Ralphine Way, was an instigator of Save the Maitai. He expressed a desire for no housing in the Kākā Valley and made it known Save the Maitai were not negotiators or compromisers (refer appendix B). His primary concern was transportation. I infer that the loss of amenity that he was concerned about was the increase in traffic along Ralphine Way. He was also concerned at the loss of recreational opportunities, however since the land is private and controlled as a working farm it is hard to understand what opportunities of a recreational nature are lost by development of the Site. By contrast, the extensive network of walkways and open reserves proposed by PPC 28 will open the Site for public use and the enjoyment of the views across Tasman Bay.

[12] Save the Maitai has claimed that it is “Saving the Maitai” but it is not clear what it is saving the Maitai from. The group once claimed to have had 10,000 signatures in opposition to the plan change. The Maitahi/Bayview Consortium undertook careful analysis of those signatures and found that only about 2,400 were from local residents. The rest were from tourists residing outside the region or country following a campaign for signature collection in the Nelson CBD by Save the Maitai representatives. The petition was presented to Nelson City Council some 5 months prior to the lodgement of the PPC 28 application. See Appendix A for analysis of the petition. Importantly, given the social media campaign being instigated, and the pressure NCC staff and politicians were placed under, we made the decision to not share any draft documentation until we were ready. I make this point here as no information was available in the public forum at the time the petition was signed.

[13] The Council and the Maitahi/Bayview Consortium have done much preparatory work on the provision of required infrastructure to service the development. That has been led by the Tonkin + Taylor team who also undertake work on behalf of Nelson City Council, along with other local engineering companies. There was never any question from Tonkin and Taylor or Nelson City

Council that the land couldn't be serviced. After considerable work, it was agreed between the Council and the Maitahi/Bayview Consortium that there was no point providing for this infrastructure in the current Long Term Plan until the plan change application had been decided. That also had a logical benefit for Nelson City Council in removing what could be treated as a contentious political issue from the Long Term Plan hearings. Despite that, there is a high level of confidence that the infrastructure can be delivered and will be delivered.

[14] One of the themes that Save the Maitai advanced for a period was that intensification should be the solution. Initially, Save the Maitai indicated they would call an expert on the matter although that expert was later withdrawn. My experience tells me that there are significant problems with creating intensification including problems with aggregation of land appropriate to construct desirable intensive housing formats. While intensification will provide part of the solution, I see no prospect that it will provide the entire solution to meet the housing demand in Nelson.

[15] Finally, the Maitahi / Bayview Consortium have worked hard to ensure the PPC 28 provisions deliver an appropriate planning framework that achieves the various statutory requirements and objectives. We have made changes along the way in response to feedback and will continue to make changes that improve the total package.

[16] Thank you for your time.



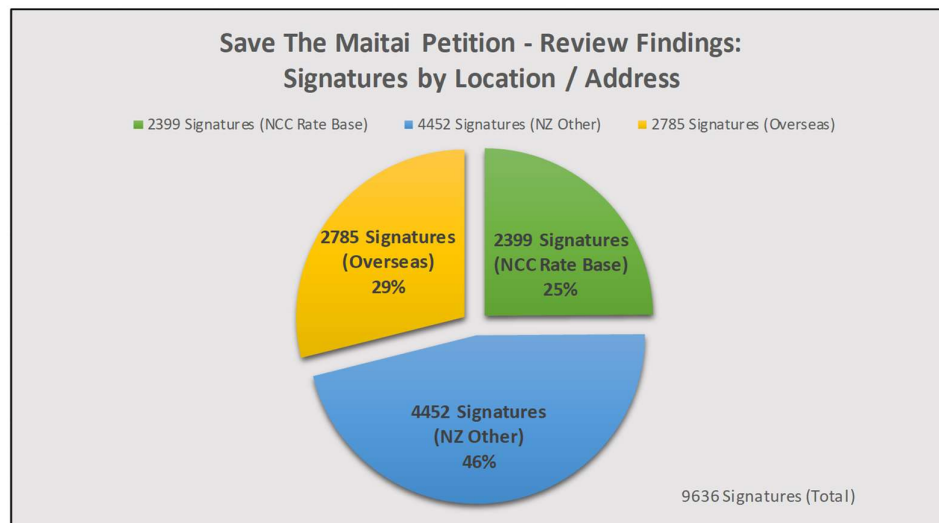
Andrew Spittal

Appendix A – Petition

Save The Maitai Petition - Review Findings

Reviewed: 30/04/2021 & 03/05/2021
 Location: Nelson City Council, Civic House
 110 Trafalgar Street, Nelson

Reviewers: Neil Donaldson (Maitahi/Bayview)
 Andrew Spittal (Maitahi/Bayview)
 Kylee Taylor (Independent)
 Sarah Boulton (Independent)
 Tia Mytton (Isherwood Le Gros Law)

**Timing:**

STM [presented the Petition](#) to Nelson City Council on the [12th November 2020](#)

[Private Plan Change Application](#) was made to Nelson City Council on the [16th April 2021](#)

Basis of the Petition: Say No to residential housing in the Kaka / Maitai Valley

Please only sign this petition if you know the Maitai Valley area.

An impending private application to change the land zoning from rural to residential, to add 500-700 houses in the Kaka Valley, Maitai, will completely erode the rural environment, build unnecessary public infrastructure, vastly increase traffic movement, and spoil this walking, cycling, swimming and picnicking destination that so many people enjoy.

Appendix B – Save the Maitai

The screenshot shows a web browser window with the Facebook URL `facebook.com/groups/610138579607814`. The page is for a Facebook group named "SAVE THE MAITAI".

Post by Tony Haddon:

Tony Haddon updated the description.
10 July 2020 · 🌐

We are now known as Save the Maitai.
This is to simplify the name, and remove confusion, make it easier to find
The campaign will be known as "Campaign to Save the Maitai"
We apologise for the chopping and changes, we're trying to simplify and fine tune, realising that we will probably be here for a while.
Please go to www.KAKA.NZ for full description. Work has started on a Campaign to Save the Maitai website.
This group is for people who oppose the proposed subdivision full stop.
We are not negotiators or compromisers .

1 Like Comment Share

About

Welcome folks to the home of Save the Maitai Inc. We are dedicated to stopping the residential subdivision of the Kaka stream area of the Maitai Valley.
Please go to www.savethemaitai.nz for location, background info and links.
Whilst we welcome conversations for people to gain an understanding of the issues, we do not seek compromise on our vision of Maitai, Kaka Valley.

Public
Anyone can see who's in the group and what they post.

Visible
Anyone can find this group.

Nelson, New Zealand

General