

Mike TASMAN-JONES (S358) - WRITTEN STATEMENT - PPC 28

Presented verbally on my behalf by Jennifer Duncan, 20 July 2022.

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MIHI

Tena koutou Commissioners, nga mihi nui ki a koutou katoa.

Ko Mike Tasman-Jones tōku ingoa.

Greetings Commissioners, my name is Mike Tasman-Jones.

Thank you for this opportunity to contribute to the hearing.

My apologies that I am unavailable to attend in person. Aroha mai.

MY BACKGROUND

1. I served as Community Partnerships Advisor at Tasman District Council for 18 years until 2019. (The role encompassed community recreation & community engagement.)
2. I am a Brook Sanctuary donor and field volunteer. I also volunteer at community tree plantings.
3. I run pest trapping operations on my own property.
4. I regularly use the Maitai Valley area for walking, biking and swimming.
5. I note that the petition data provided by Change.Org states that I live in Christchurch, yet I have been a Nelson resident and ratepayer since 1991. (I have also noticed a few other people whose addresses are incorrectly located – please see footnote) ⁱ

INTRODUCTION

This presentation has four parts.

Firstly I'll talk about aspects of the applicants' proposal that I support. Secondly, I'll discuss how the community has expressed its voice and how significant that is. Thirdly I'll identify what I see as weaknesses in the PPC, then to wrap up I'll comment on a potential way forward that maximises positive outcomes.

ⁱ Note: From a very brief glance at the petition, I have noticed a few other people, who I know live in Nelson, also have incorrect locations by their names, including these four: Malin Wahlgren - the petition says Christchurch. Sarah Thornton - the petition says Lincoln. Bruce Polkinghorne - the petition says Tauranga. Geoffrey Hayes - the petition says Witherlea.

PART 1: ASPECTS I SUPPORT

ASPIRATIONS OF NGĀTI KOATA

1. Increasing their connection to the land
2. Iwi housing
3. Kākā Hill in Ngāti Koata handsⁱⁱ
4. Restoration of biodiversity, and Planting on Kākā Hill and in Kākā valley to support flora and fauna biodiversity

I support these positive aspects, as outlined in the written statement of Mr Toia:

“...provide whanau with healthy homes, a secure home base for whanau social and economic development and a real opportunity for whanau home ownership”

“Ngāti Koata’s Taiao strategic responsibility and intent is to maintain, strengthen and develop their kaitiakitanga and relationship with their environment”

“A housing development and restoration of the biodiversity in the Kākā Valley would restore and strengthen ancestral ties to the awa and whenua, contribute to the kaitiakitanga of these taonga, enable more access to the taiao and its mātauranga, and therefore strengthen the cultural base and identity for Ngāti Koata whanau as well as the health of the whenua and awa”

There is a great opportunity here for Ngāti Koata to build their relationship with the wider community. It would be great to see some opportunities created for community dialogue involving all local iwi and the wider community, as to how to support Ngāti Koata to achieve these aims and work in partnership.

RIPARIAN PLANTING

I support riparian planting of sufficient width to support wildlife habitat, wetland health and hydrological health within the Kākā Valley (Nelson to Hira) biodiversity corridor.

ⁱⁱ The PPCR 28 land is owned by five different companies in three separate land packages totalling 287ha, as described and shown on the maps on pages 19-20 of the Plan Change Request (updated 24 August 2021).

[Bayview Nelson Limited](#) owns 230 ha. The remaining 66ha is owned by a consortium of 4 companies known as [CCKV Maitai Development Co.](#) (Ching Contracting, Coman Investment, GSV Vercoe, and Koata Ltd each holding equal shares). The return of the Kākā hill area into Koata ownership would increase their proportion of the land ownership within the PPC site, however I believe that PPC28 does not propose housing on Kaka Hill.

INCREASE IN RESERVE LAND

I support public access through Kākā valley by the addition of any reserve land. Mr. Greenaway has said the PPC would open up an area of inaccessible land.ⁱⁱⁱ

I note that the plan shows open space recreation areas in the South West (adjacent to Botanical Hill) and a strip along Kākā Stream. At the upper part of the stream, the strip joins with the proposed road that runs along the ridgeline of the Malvern Hills.

These are the aspects of PPC28 that I support.
I note that all the above aspects could happen without a plan change.

PART 2: THE COMMUNITY'S VOICE

I'll now move on to discuss the Community's Voice.

At this point, I would like to address a question by Commissioner Wratt to the effect of: How can commissioners know that "*the community*" doesn't want this subdivision?

EVIDENCE OF COMMUNITY OPINION

In the absence of scientific polling data, a suite of evidence must be gathered, as much evidence as possible, and check for consistency of results. That is, do all the pieces of evidence consistently point in the same direction? If so, then one can be confident in drawing conclusions from the evidence.

In the case of assessing the community's opinion on the issue of rezoning in the Maitai Valley, one can consider the results of consultations and petitions, the number of signatories to the Save the Maitai petition, submissions to and speakers at this RMA hearing, the numbers of members of the public who have attended council meetings or emailed Council to oppose development in the Maitai, the ability of Save the Maitai Inc to raise money to provide expert evidence and legal representation at this hearing (and thereby the willingness of many members of the community to donate), and so on.

It is crucial to note that in the case of this campaign all lines of evidence point to the same conclusion; i.e., **there is a widespread and deeply held view among the community that the Maitai Valley should be protected from urban development.**

ⁱⁱⁱ I hope Mr. Greenaway understands the community values the Maitai Valley because of its relatively undeveloped, tranquil, rural nature as a setting in which to run, swim, cycle, relax, or picnic. There are already other opportunities to recreate in urban environments. People go to the Maitai Valley specifically to escape what the applicants plan for the Kaka Valley; houses, roads, traffic, noise and the built environment. The existing peaceful rural setting is more highly-valued for quality recreation.

PEOPLE HAVE CHOSEN TO BE INVOLVED

I want to stress the **voluntary** nature of the campaign to Save the Maitai. My partner and I are simply two people in the community who have felt compelled to voice our concerns regarding permanent and significant changes that would occur as a result of this PPC, which we (and evidently many others) find unacceptable. We've both had to step out of our comfort zones to do this but it is something we both feel strongly about.

It is not enjoyable, in fact it is distressing, and could have been avoided if full community engagement had been invited from the start.¹

I would like to acknowledge the number and wide range of people who felt passionate enough about protecting the Maitai Valley from urbanisation to put their heads above the parapet.

HOW DO I IDENTIFY "THE COMMUNITY" IN THE CASE OF THIS CAMPAIGN?

This is no doubt not a comprehensive list, but I ask you to think about the answers to these questions:

Who has come forward to speak at this hearing? Who came to fill the chamber, the foyer, the downstairs room and the overflow room AND the street outside Nelson City Council to indicate their opposition to the proposed Plan Change? Who emailed Councillors? Who wrote the hundreds of submissions to Council at every opportunity in the last two years; the Whakamahere Whakatū Draft Nelson Plan, the LTP, the Nelson Spatial Plan, the 2022 FDS (also called the 2021 FDS), and now this RMA hearing? Who came to packed meetings at the Boathouse? at the Prince Albert? at Fairfield House? Who donated time, made the signs, displayed the signs on their fences? Who designed the graphics for the campaign? Who put stickers on their cars and letterboxes? Who are the people who wrote the flyers? Who delivered flyers? Who are the 1000 people who joined the facebook group? Who are the 1500 people who joined the mailing list? Who wrote the Newsletters, did the research, shared their photographs and stories, sent emails with offers of help? Who presented the petition to Council? Who promoted the fundraising? Who donated \$10, \$25, \$50, \$100, \$250, \$500, \$1000, \$10,000? Who are the people who contributed to building, writing, designing the website? Who donated prints, paintings, a rugby jersey, cycling gear, a SMAUG coin, signed books, or a percentage of their profits of other goods, as fundraisers? Who held picnics in the Maitai, held a cake stall? Who donated so many paintings that I lost count?

And what of supporters who couldn't participate because they became pregnant, or had a baby, had heart surgery, or experienced the death of a loved one.

What of supporters who couldn't participate publicly because they didn't have enough *time*, or *energy*?

What of supporters who couldn't participate publicly because they found it so stressful that they couldn't sleep at night?

What of supporters who couldn't participate publicly in the campaign because of a conflict of interest?

Ms Gepp made it clear on Monday 18 July that no assumptions can be made about people who have not participated in the process - we will never know if they support or oppose the

PPC. What is clear is that the community has made its voice and stance clearly heard during this RMA Hearing.

LARGE NUMBER OF SUBMITTERS IN NELSON CONTEXT

There has been discussion at this hearing about whether the 715 submissions represents a *large* number of submissions; i.e., is this issue of concern to the community? Ms Tepania suggested that 1000 submissions might be considered a large number, but let's be careful to compare apples with apples.

For valid comparison I would seek comparison with a similar type of plan change request in a council area with a similar population. Fortunately, there is a very good comparison to draw upon: the Plan Change request to enable construction of 600 houses in the Marsden Valley, which is within the Nelson City Council area and just a few valleys south of the Maitai Valley. In the Marsden case, the RMA hearing attracted 19 submissions, with 5 at the *Further Submissions* stage.

This comparison tells us three things:

1. Firstly, there is a great deal of community concern about urban development in the Maitai Valley
2. Secondly, the 628 submitters opposing the Maitai subdivision are not anti-housing or anti-residential development in valleys in general, otherwise they would have objected to the Marsden development
3. Thirdly, opposition to PPC28 is based on the **unique qualities** of the Maitai Valley and the **amenity value of the valley** to the community

PART 3: WHAT HAS THE COMMUNITY SAID?

The overwhelming key message is simply that:

KAKA VALLEY IS THE WRONG PLACE FOR HOUSING

There is a clearly-known and long-held community expectation that the Maitai Valley should be protected from urban development. This is consistent with its current rural zoning. There are multiple reasons for that, which I will briefly outline seven of them.

1. SITE DOES NOT HAVE ABSORPTION CAPACITY

Mr Lile said the site has '*significant absorption capacity*'.

I disagree, because:

- a) The **rural** landscape would become suburban.
- b) Urbanisation does not enhance natural character.
- c) The values associated with the Maitai River would not be enhanced by urbanisation.

2. AREA IS UNIQUE

Mr Lile said: *It's no different to many of the Stoke Valleys and Brook Valley that have been urbanised. Development has had to move into the Valleys.*

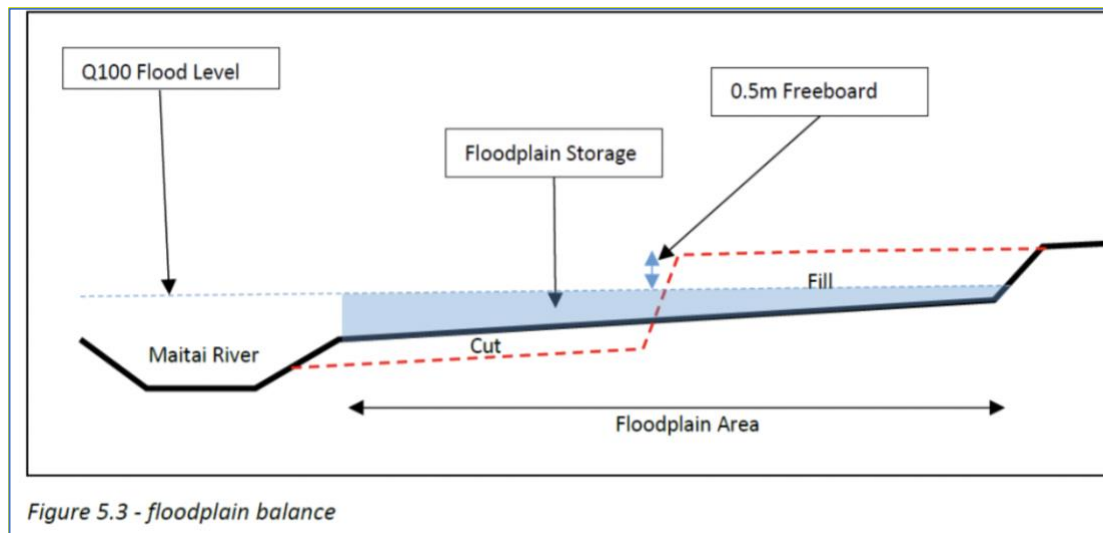
The Maitai Valley is totally different to Stoke Valleys and Brook valley, none of which have sizable rivers with large swimming holes, or the same number and mix of popular recreational destinations within them.

3. PPC 28 DOES NOT UPHOLD TE MANA O TE WAI

The sizable flood-plain should be restored, not re-designed.

- 1) The flood plain diagram indicates the applicants intend to cut into the north bank of the Maitai River, which I find unacceptable.
- 2) The sedimentation risk is very high, for all receiving environments, Kaka Stream, Maitai River and Nelson Haven.
- 3) Stormwater and urban-run-off would be discharged directly into Dennes Hole
- 4) Large scale earthworks would extremely and permanently damage the landscape values as described in the evidence of Daniel Levy.

Flood Plain diagram:



Note: this diagram was mentioned by Dr Stallard in evidence on Tues 19 July.

Source: Tonkin & Taylor Ltd, Private Plan Change Request - Infrastructure and Flooding Report, CCKL Maitai Dev Co LP & Bayview Nelson Ltd - March 2021, p11.

4. PREFERENCE FOR INTENSIFICATION

According to the Nelson City Council, fewer than 100 people live in the city and 1500 live within a kilometre or two.^{iv} This is despite repeated requests from myself and others in the community for NCC to prioritise intensification.

It cannot be denied that PPC28 constitutes urban sprawl, which is the opposite. Mr Nicholson said the term **urban sprawl** generally refers to expansion on the periphery of cities but that he “*doesn’t think that [the PPC] meets this*”. I disagree. Expansion on the periphery of Nelson is exactly what this PPC proposes.

Mr Nicholson said “*It’s an increase in the urban area.*” According to the rules of geometry **it is impossible to increase area without expansion on the periphery.**

Mr Nicholson said “*it’s ‘surprisingly close’ to the central city.*” I disagree. The TIR (p25) say’s it’s 7kms from the centre of PPC site to Nelson CBD. Google Maps verify that it’s at least 3.5 kms to the end of Ralphine Way to Nelson CBD, therefore most people in the PPC site would have to travel further than 3.5kms.

5. LOSS OF NIGHT SKY

Urban Sprawl would destroy the night sky amenity value of the area

^{iv} According to the Nelson City Council, fewer than 100 people live in the city and 1500 live within a kilometre or two. <https://www.stuff.co.nz/life-style/homed/real-estate/122268533/close-to-home-the-push-to-get-more-people-living-in-the-central-city>

6. NOISE POLLUTION

Ms Milligan described suburban noise well in her presentation.

Commissioner Hill^v mooted that if the swimming holes get very busy, surely they are noisy and that the proposed PPC28 might only generate comparable noise levels.

While it's true that the swimming holes DO get crowded on very hot days, the sound of a two or three dozen excited and happy children and teenagers splashing in the water and squealing in delight, - while their adult companions grab the opportunity for impromptu catch-ups whilst floating in the river or sitting on the banks, - is confined to the swimming hole area.

Human voices are certainly not audible through-out the entire valley as would be the sounds of motorbikes, cars, trucks, lawn-mowers and other machinery, dogs barking, or any of the other suburban noises Ms Milligan described.

7. IT'S FREEZING

The area is renowned for being cold in winter with limited sunshine hours.^{vi}

^v It was erroneously stated in the verbal presentation that this question had been raised by Commissioner Wratt. This has been corrected in the text above.

^{vi} Please see Appendix 1 - opinion piece by Real Estate Agent Jeremy Mathews questioning the appropriateness of the site for residential housing.

WRAP UP

During this hearing we have all heard many valid points and perspectives from the applicants, from Ngāti Koata, Save the Maitai, and other submitters. There appear to be areas of agreement, including the desire to enhance the natural environment, meet housing needs, protect wildlife, provide for iwi aspirations, improve natural habitats, protect tranquility, provide access to recreation, promote mental and physical wellbeing, to meet community expectations, and for community values to be embodied in the final decision of the commissioners.

The question then is, how to accommodate as many of these widely-supported aspects as possible? How to maximise the benefits while minimising the negatives?

Firstly, I believe most submitters appreciate the need for housing. Under the existing zoning it may be possible to provide limited housing while upholding the community's priority to retain and protect **the unique open space qualities of the valley and to protect and restore the environment**. Many of the negative impacts of the proposed subdivision scale directly with the number of houses to be built, so the impacts could be mitigated to an acceptable level by scaling back the number of houses from that proposed. What might a solution look like?

A workable way forward would include: revegetation and riparian planting, wildlife corridors, natural skylines, a healthy Maitai River and peaceful recreation areas free of urban noise. It would preserve the urban-rural boundary, open space. It would meet iwi aspirations for healthy homes and a secure home base for whanau social and economic development through ownership of Kaka Valley under the current zoning that provides for housing while ensuring the rural qualities of the valley are maintained.

This is a vision that I could support and that hopefully all or most members and groups of the community could support.

With regard to what is actually on the table before us, the fact that so many of the positive and well-supported ideas presented by the applicants at this hearing are **tied to a large urban development** that would see many hundreds of houses built in a sensitive and highly valued rural landscape means that I cannot support PPC28.

From what has been heard from other submitters, it seems that many others feel the same way. I hope our community will find a solution that meets the needs of iwi and the aspirations of the many members of the community who feel so strongly about maintaining the tranquil rural nature of the Maitai Valley, while enhancing the river, wildlife habitat and ecosystems that we all value so highly.

Please decline PPC28.

Thank you.

APPENDIX 1

OPINION PIECE: NELSON'S 'CENTRAL PARK' MUST BE PRESERVED AS RECREATIONAL AREA

Source: <https://www.stuff.co.nz/nelson-mail/opinion/300262651/nelsons-central-park-must-be-preserved-as-recreational-area>

Jeremy Matthews

05:00, Mar 27 2021

OPINION: The Maitai Valley must remain Nelson city's recreational precinct.

"Plans to site 700 new houses in the Maitai's Kaka Valley will wound this city and forever besmirch council worthies backing it.

Fact 1: The Maitai Valley is to Nelson city what Hagley Park is to Christchurch and Central Park is to New York City. It is of inestimable recreational value encompassing clean-river swimming, picnicking, walking, cycling, golf, dog play areas etc.

Save the Maitai group members protest against the proposed development in the Kaka Valley during a Nelson City Council meeting last year. Where else in New Zealand can one step out of an office or front door, togs and towel in hand, and walk to a tree-lined swimming hole? Or play nine-holes in a morning five minutes from the CBD? And make no mistake, Nelson City's townhouse-fringe is filling up fast with new arrivals looking for exactly these amenities close to the CBD. The Maitai Valley is a peerless recreational wonder right on the city's doorstep.

Fact 2: The Maitai Valley, Washington Valley, and Toi Toi Valley run east-west, their south-facing slopes are in shadow for half the autumn, all of winter, and half of spring. Months of shadow, dramatically impacting those properties worthiness and market appeal for any housing plan, affordable or otherwise. No matter how modern the build, humans need sunlight and studiously avoid properties without it. South-facing slopes never work well. They are the bottom of the pile, remaining there while the sun shines on everyone else.

Fact 3: Unlike Washington Valley and Toi Toi St, the Maitai Valley is a lung, one way in, one way out. Every vehicle in any new subdivision up there must travel down Nile St to reach the city. No, they won't go over Atawhai into town, why would they when the city is just around the corner? Nile St will become a frantic feeder-road, daily pushing 700 new families past Central School, squeezing them through the Tasman St roundabout. There is no room for widening, cycle lanes, and parking in either of these streets. This will not be a legacy any council member today will be proud of or want to be associated with, especially when closer affordable housing land is available on the sunny green slopes of Princes Drive opposite Bishopdale....with sea views!

Councillors, and property developers, do not imagine Nelsonians will suffer the destruction of this priceless public asset to your bottom line or your agenda. Develop Atawhai all you like, that's the city's housing future, but Nelson's Maitai Valley is not for sale, not to you or anyone else."

Note: Jeremy Matthews of Bayley's is not to be confused with Submitter #313, Doug McKee, also of Bayley's Real Estate.

<https://www.bayleys.co.nz/jeremy-matthews> Screenshot :

