

Submitter # 1823

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Plan Change 80

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Te Waipounamu Region

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281 Queen Street, Richmond | PO Box 647, Nelson 7040

Form 5

To: Tasman District Council

Name of submitter: National Public Health Service – Nelson Marlborough, Te Whatu Ora (NPHS-NM).

This submission is on:

- Plan Change 80

NPHS-NM could not gain an advantage in trade competition through this submission.

National Public Health Service – Nelson Marlborough (NPHS-NM) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NPHS-NM appreciates the opportunity to provide feedback from a public health perspective on Plan Change 80.

NPHS-NM makes this submission in recognition of its responsibility under:

The Pae Ora (Healthy Futures) Act 2022 to:

- a) protect, promote, and improve the health of all New Zealanders; and
- b) achieve equity in health outcomes among New Zealand's population groups, including by striving to eliminate health disparities, in particular for Māori; and
- c) build towards Pae Ora (Healthy Futures) for all New Zealanders.

Health Act 1956, to:

- a) improving, promoting, and protecting public health.

Under both sets of legislation public health means the health of:

- b) all the people of New Zealand; or
- c) population group, community, or section of people within New Zealand

NPHS-NM also makes this submission from a Health in All Policies (HiAP) perspective. HiAP is defined as “an approach to public policies across sectors that systematically takes into account the health implications of decisions, seeks synergies, and avoids harmful health impacts, in order to improve population health and health equity.”

The recommendation/decision we seek from the Council for each submission point is set out in the attached schedule together with details. NPHS-NM wishes to be heard in support of the Submission at any hearing but is not prepared to consider presenting a joint case with other submitters.

This submission is presented in the form of a 'Submission Table' with the addition of two appendices:

- Appendix 1 (A1) - Public Health and Wellbeing, offers background context on the link between health and wellbeing, and the built environment and,

- Appendix 2 (A2) - The Determinants of Health and Monitoring.

Submission Table:

The specific provisions of the Proposed Plan Change that our submission relates to are as follows:

Specific part to which submission relates	Position and submission	Decision requested
<p>2.2 Defined Words</p> <p>Integrated Transport Assessment</p>	<p>Support in part</p> <p>To reduce ambiguity, it is recommended that 'all modes of transport' is defined. For example, if not defined, it is unclear whether pedestrians and micromobility users are excluded. Including these users will ensure the needs of the whole community are considered.</p>	<p>Add</p> <p><i>Define 'all modes of transport'. E.g. state which modes fall under this.</i></p> <p>OR</p> <p><i>Define 'pedestrian' and 'micromobility'.</i></p>
<p>6.8.30 Principal Reasons and Explanation</p> <p>Figure 6.8A: Residential Housing Choices Compact</p>	<p>Support in full</p> <p>Evidence suggests the removal of minimum lot size has the potential to increase availability of affordable housing^{1,2}. Access to healthy and affordable housing contributes to positive health, education, economic, and social outcomes³. In addition, the increased flexibility allows a greater range of housing options to be explored which will better meet the needs</p>	<p>Approve</p>

¹ Weihsia, Z. (2022). The long-run effects of minimum lot size zoning on housing redevelopment. Journal of Housing Economics, 55. <https://doi.org/10.1016/j.jhe.2021.101806>.

² Greenaway-McGrevy, R., Pacheco, G., & Sorenson, K. (2018). Land Use Regulation, the Redevelopment Premium and House Prices. Economics Working Paper Series, Faculty of Business, Economics and Law, AUT. https://www.aut.ac.nz/__data/assets/pdf_file/0003/163542/AUT_wp_2018_02_updated.pdf

³ Office of the Auditor General. (2023). Leading New Zealand's approach to housing and urban development. <https://www.oag.parliament.nz/2023/hud-leadership/docs/hud-leadership.pdf>

	<p>of a diverse population. Reference to the growing adult population was mentioned in the section 32 report. It is important to note the population of tangata whaikaha (disabled people) is also increasing. Incorporating universal design principles (see TDCs Urban Design Guide) will further meet these populations needs through achieving a built environment that is fit for purpose, for all abilities, across the lifespan. In addition, building accessibilityⁱ in the first instance has been shown to save costs, as it reduces the need for housing modifications such as the installation of a wet area shower.</p>	
<p>6.9.3 Policies</p> <p>6.9.3.3A To require medium density development in the Motueka West Compact Density Residential Areas to achieve a high standard of residential amenity through design in accordance with the Urban Design Guide (Part 11, Appendix 2).</p>	<p>Support in full</p> <p>Given the 'highly productive' nature of this land, it is important that its conversion to housing is done efficiently to gain the desired benefits. Medium density development has the potential to enable more efficient, affordable and accessible housing. Intensification, if done well, has a positive public health impact. See Appendix 1: Public Health and Wellbeing.</p> <p>It is important that functionality of smaller dwellings and lot sizes are assessed. This is particularly important for older adults and tangata whaikaha who require houses that are fully accessible. Furthermore, where people have bulky items to support their activities of daily living, such as: walking frames, mobility scooters and bicycles, additional storage considerations may be required for example communal storage facilities.</p>	<p>Approve</p>

	<p>NPHS-NM encourages the use of the Urban Design Guide as a tool to achieving positive design outcomes that benefit public health and wellbeing. In addition, utilisation of the Urban Design Panel could further achieve a well-functioning urban environment.</p>	
<p>6.9.20 Methods of Implementation</p> <p>6.9.20.4 Traffic</p>	<p>Support in full</p> <p>Integrated Transport Assessments can bring together all parties with an interest in transport effects, including local and regional Councils, road controlling authorities and developers to discuss and resolve issues together. Transport connects us to healthcare services, education, whānau, community, shops and recreation.</p> <p>NPHS-NM supports transport networks that have good connectivity and integration into existing networks. For example; development of the road network needs to connect key growth areas with key public facilities such as the healthcare and education facilities, community hubs etc. It is important that the road network can accommodate public and active transport within these areas i.e. wide enough to have separated cycle lanes, bus lanes, room for mobility scooters etc.</p> <p>NPHS-NM encourages further expansion of the bus network, as development occurs, to enable people to get to where they need to go in and around Motueka itself.</p> <p>Given the proximity of the plan change to Motueka High School and the expected increase in traffic generated by future development in the plan change area, a safe route to the high school is recommended.</p> <p>Furthermore, this could strengthen the ‘improved pedestrian connectivity’</p>	<p>Consider</p> <p><i>A safe route to Motueka High School for example: A pedestrian/cycle crossing/median across Whakarewa St from the plan change area to Motueka High School.</i></p> <p><i>Expanding the public transport network.</i></p>

	desired from the proposed walkway in the plan change area to Whakarewa St.	
<p>16.3.3.3 (38) 17.1.3.3 (13) 17.1.3.4B (13)</p> <p>In the Motueka West Compact Density Residential Area south of Whakarewa Street the effects on sites of cultural significance to Māori.</p>	<p>Support in full</p> <p>As stated in the section 32 report, the plan change site is recognised as a site of cultural significance identified as Te Mara. Māori have a kinship relationship to the whenua (land) which is central to hauora (wellbeing). Due to colonisation, the commitments of Te Tiriti o Waitangi have not been honoured, rights to self-determining over taonga have not been upheld which has had major impacts on health outcomes for Māori. These processes continue to have negative intergenerational impacts on Māori equity and wellbeing. NPHS-NM supports the feedback from iwi to include this provision.</p>	Approve
<p>17.1 Residential Zone Rules</p> <p>17.1.2.3A Controlled Activities (Papakainga Development) - Specified Location: Motueka West Compact Density Residential Area</p>	<p>Support in full</p> <p>This provision for tangata whenua to have opportunities to manage their ancestral land and resources in a sustainable manner allows for Tino Rangatiratanga (self-determination, authority), encompassed in Article 2 of Te Tiriti o Waitangi. This is critical to support the decolonisation of our natural and built environment and work towards oritetanga (equity) and pae ora (healthy futures – see Appendix 1). Oritetanga is encompassed in Article 3 of Te Tiriti o Waitangi, and requires the Crown to commit to achieving equitable outcomes for Māori.</p> <p>Papakāinga have the ability to foster wellbeing through providing intergenerational housing that supports the continuation of Māori traditions</p>	Approve

	<p>and culture such as access to mahinga kai, māra, and mātauranga Māori⁴.</p> <p>The ability to pass down knowledge intergenerationally through collective participation in activities that connect whānau to their whenua is vital to a range of cultural outcomes, such as te reo Māori revitalisation⁵.</p>	
<p>17.1 Residential Zone Rules</p> <p>17.1.3.3 Controlled Activities (Building Construction or Alteration — Compact Density Development)</p> <p>Outdoor Living Space</p>	<p>Support in part</p> <p>A reduction in outdoor living space may limit households' ability to have their own gardens and grow kai. NPHS-NM noted the outcome in the Section 32 Report: <i>providing for increased reserve land area to offset the smaller private spaces generally associated with higher density living</i>. NPHS-NM fully supports increased reserve land. Integrating green spaces into urban development helps with: temperature and flood control, air quality and carbon sequestration⁶. In addition, green spaces support wellbeing, encourage social connection, play and recreation.</p> <p>NPHS-NM would support any exploration of how reserve land and other appropriate spaces could be utilised to support food security. This is especially relevant given the land is 'highly productive' and the potential impact of climate change on food resilience. The World Health Organisation defined food security as existing when: <i>all people have physical, social, and economic access to sufficient, safe, and nutritious food that meets their dietary needs and food preferences</i>. In 2018 it was reported that approximately 14% of the Aotearoa New Zealand population</p>	<p>Consider</p> <p><i>How is the 'highly productive land' being utilised to support food resilience for the community? For example through: mahinga kai, maara kai, community gardens, planting of edible trees etc.</i></p>

⁴ Public Health Agency. 2022. Principles for Healthy Urban Development. Wellington: Ministry of Health.

⁵ Stats, N. Z. (2021). *It's about wellbeing – people and place are important for Māori housing*. <https://www.stats.govt.nz/news/its-about-wellbeing-people-and-place-are-important-for-maori-housing/>

⁶ Chapter 4: Working with nature. (2022). In Emissions Reduction Plan. Ministry for the Environment - Manatū Mō Te Taiao.

	<p>are 'Food Insecure'⁷. Households in neighbourhoods with higher levels of deprivation were less likely to be food secure, as were Māori and Pacific households⁸. Motueka West is a high deprivation area (see figure 4 Appendix 2), and data shows that hardship assistance grants are increasing across the region (Figure 8: appendix 2) which may indicate a rise in food insecurity. Adequate open space for community projects such as growing food improves people's access to nutritious, locally grown food. This improves food security, reduces food miles, the need for health care and greenhouse gas emissions.</p> <p>Participation in gardening also enables integration within communities which can have a follow-on effect on social and cultural cohesion and a reduction in inequalities⁹. In addition, the provision of local composting food waste collection and disposal also reduces waste to landfill and can reduce carbon emissions.</p>	
<p>17.1 Residential Zone Rules</p> <p>17.1.3.3 Controlled Activities (Building Construction or Alteration — Compact Density Development)</p>	<p>Support in part</p> <p>NPHS-NM noted no mention of a minimum permeable surface area within the Tasman Resource Management Plan (TRMP).</p> <p>Adequate provision of permeable surface area is important, especially where density increases, and outdoor living space reduces. Permeable surfaces help reduce stormwater loads on the pipe infrastructure by absorbing or detaining rainwater. Urbanisation leads to increased</p>	<p>Add</p> <p><u>Permeable landscaped area:</u> <u>Buildings are permitted where at least 30% of the site is maintained as permeable landscaped area.</u></p>

⁷ FAO, IFAD, UNICEF, WFP, & WHO. (2019). The state of food security and nutrition in the world 2019. Rome: FAO. Retrieved from <https://www.unicef.org/reports/state-of-food-security-and-nutrition-2019>.

⁸ Ministry of Health. 2010. A Focus on Nutrition: Key Findings of the 2008/09 New Zealand Adult Nutrition Survey, page 259-273

⁹ Earle, M. D. (2011). Cultivating health: community gardening as a public health intervention (Thesis, Master of Public Health). University of Otago. Retrieved from <http://hdl.handle.net/10523/2078>

	<p>stormwater volumes and peak flows as vegetation is removed and soils are compacted or covered by impervious surfaces such as roofing, asphalt and concrete, which do not absorb water¹⁰. According to BRANZ, to be effective, permeable surfaces typically need <u>at least 30%</u> void space¹¹. Noted other councils are using 30% such as Waipa district council, Queenstown Lakes District Council and Invercargill City District Plan.</p>	
<p>Section 32 Report</p> <p>3.2.3 Seismic Risk</p>	<p>Support in part</p> <p>NPHS-NM noted seismic liquefaction is possible in the plan change area due to the underlying geology. This is important to note as liquefaction can impact health and wellbeing.</p> <p>NPHS-NM found no mention of further assessments being required or mention of liquefaction under the TRMP. This may be due to it being covered off under the building code consenting process. To mitigate liquefaction-related risk, NPHS recommends further liquefaction assessments as part of the planning and consenting process for any intensification of land use or buildings in this area. In addition, it is important to consider the wider health impacts of liquefaction beyond damage to the built environment. Liquefaction silt has the potential to cause health effects through contact with contaminated liquefaction silt</p>	<p>Add</p> <p>Additional liquefaction assessment as part of the planning and consenting process.</p>

¹⁰ The National Institute of Water and Atmospheric Research. (n.d.). Stormwater - an introduction. NIWA Taihoro Nukurangi. <https://niwa.co.nz/freshwater/stormwater-management/stormwater-an-introduction>

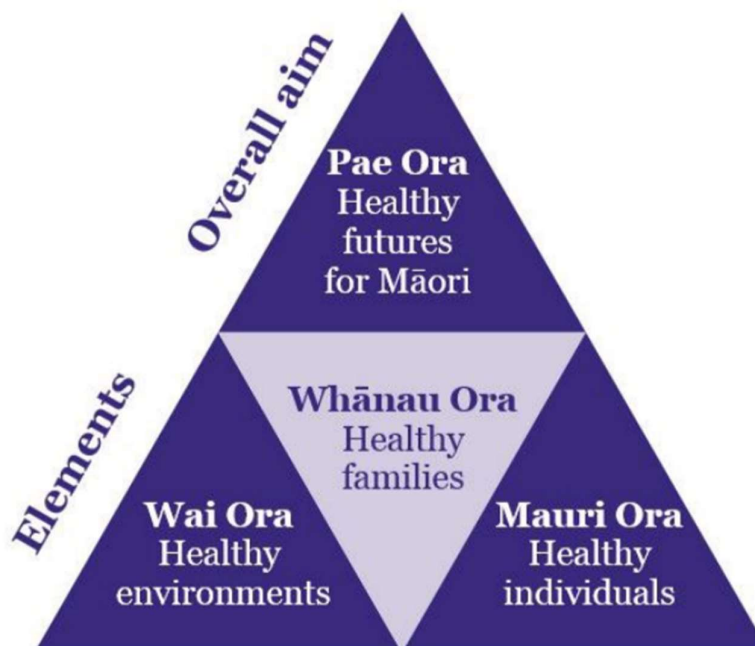
¹¹ Dunn, S., & Bailey, Katie (Registered NZILA Landscape Architects). (2010). PERMEABLE SURFACES. <https://www.buildmagazine.org.nz/assets/PDF/Build120-28-DesignRight-PermeableSurfaces.pdf>

	and from the inhalation of fine liquefaction silt dust ¹² . Refer to this document for guidelines Liquefaction Silt - Released (health.govt.nz) .	
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¹² The Institute of Environmental Science and Research (ESR). (2011). *Liquefaction silt: The Health Context*. https://www.health.govt.nz/system/files/documents/pages/liquefaction-silt_0.pdf

Appendix 1: Public Health and Wellbeing:

The urban environment is a determinant of health and wellbeing, and well thought out urban design can protect and promote health, and improve health, equity and disability outcomes. The Ministry of Health's 2022 Principles for Healthy Urban Development sets Pae Ora (healthy futures for allⁱⁱ) as the vision for healthy urban development. Pae ora is a holistic concept that includes three interconnected elements: mauri ora (healthy individuals), whānau ora (healthy families) and wai ora (healthy environments) (Figure 1). These three elements are mutually reinforcing and strengthen improvements in health outcomes over time⁴.



Source: Ministry of Health (2019b)

Figure 1: He Korowai Oranga Framework.

The *Principles for Healthy Urban Development* outlines four inter-related principles to consider in urban development processes to achieve pae ora and thriving outcomes for our communities: The principles are:

- healthy, safe and resilient communities
- wai ora – healthy environments
- equity
- mitigating and adapting to climate change⁴.

When done well, the benefits of housing intensification and a more compact urban form on the public health and wellbeing of current and future generations are evident through a positive impact on the determinants of health (see Appendix 2) such as; equitable access to healthy, affordable and diverse housing, access of sunlight entering a home and outdoors space, access to open green spaces, food security, adequate privacy, noise mitigation, accessible design, increased connectivity to essential services like education, healthcare through good public and active transport infrastructure, promotes social cohesion and spatial equity.

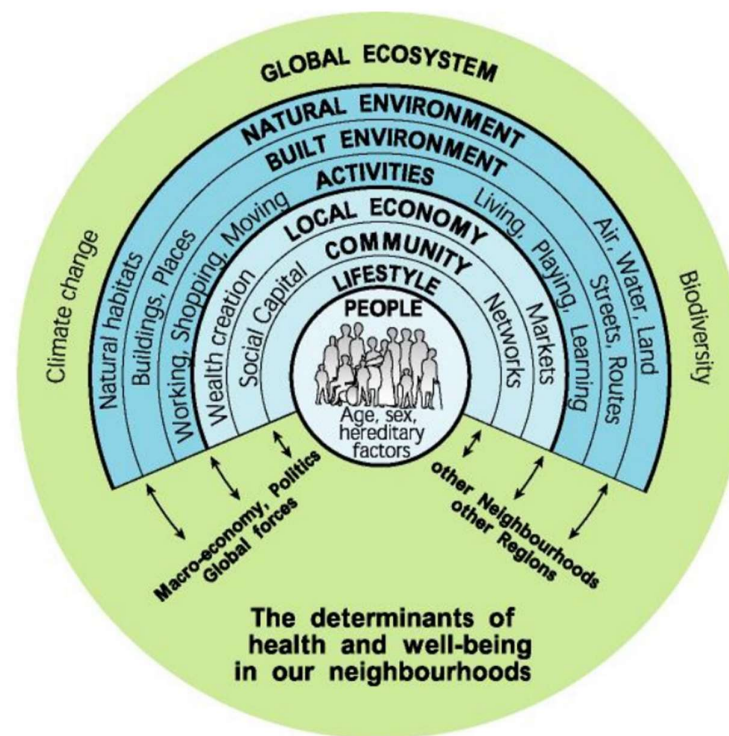
However, housing intensification that is not ‘done well’, could negatively impact the public health and wellbeing of current and future generations and increase inequities through a negative impact on the determinants of health such as; lack of affordable, accessible and diverse housing, lack of sunlight entering a home and outdoor space, reduction in open green spaces and biodiversity, food insecurity, inadequate privacy, harmful light and noise exposure, wind tunnelling, inaccessible design, lack of services and infrastructure, social isolation and spatial inequity.

Acclaimed global architect Buchan puts it simply, *‘People require a basic quality of life, which is access to outdoor spaces, sunlight, privacy and peace. If we forget those, we do that at our peril into the future. We need to think about designing apartments that have high amenity, flexibility and create vibrant communities urgently, before it’s too late*¹³.

¹³ Design critical to NZ housing intensification. (n.d.). ArchitectureNow. Retrieved October 19, 2023, from <https://architecturenow.co.nz/articles/design-critical-to-nz-housing-intensification/>

Appendix 2: The Determinants of Health and Monitoring:

The determinants of health are a range of personal, social, economic and environmental factors at different levels that influence health and wellbeing. 80% of these determinants sit outside our health system. Figure 2 below provides a broad overview of the determinants of health and wellbeing in our neighbourhoods.



Source: Barton and Grant (2006)

Figure 2: Determinants of health and wellbeing in our neighbourhoods.

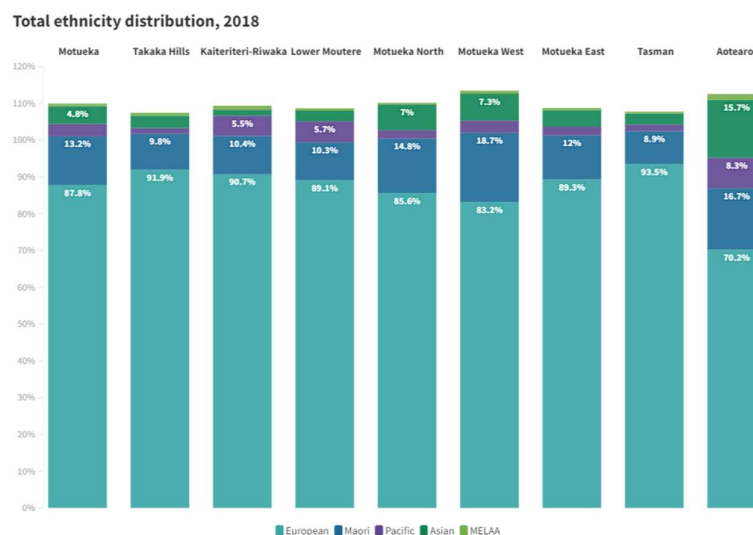
The [‘Greater Motueka Community Profile’](#), created by a Nelson Marlborough Te Whatu Ora data analyst contains data on some of the wider determinant's health in Motueka relevant to this plan change such as: population demographics and projections, levels of deprivation, rurality and social vulnerability indicators (housing, social connectedness, hazard and economic resilience). The link above takes you to the interactive profile – by hovering your mouse over the graphs you can change the graphs by population group, location etc. The figures below are screenshots from this profile showing some of the graphs.

Monitoring this data overtime (like the ‘monitoring’ section under 6.9.20) can help us to see patterns relating to our relationship with the environment we live in. Additional indicators could be added to the Tasman Resource Management Plan such as those outlined in the ‘Greater Motueka Community Profile’ which align to the purpose of the RMA: ‘to *enable people and communities to provide for their wellbeing and for their health and safety*’. This could strengthen monitoring by providing a more holistic picture. Contact NPHS-NM if you would like our input to explore this further.

Total ethnicity

Greater Motueka has more ethnic diversity than other regions in Tasman. In 2018, 88% identified as European and 13% identified as Māori.

In fact, Motueka West had a higher proportion of Māori residents (19%) compared to the national average (17%).



Source: StatsNZ 2018 Census • Total ethnicity means a person may select more than one ethnicity.

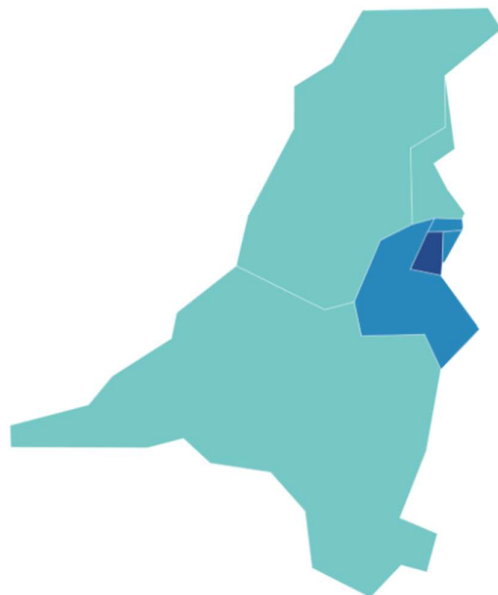
Figure 3: Total ethnicity

Deprivation

Greater Motueka NZ Deprivation Index 2018

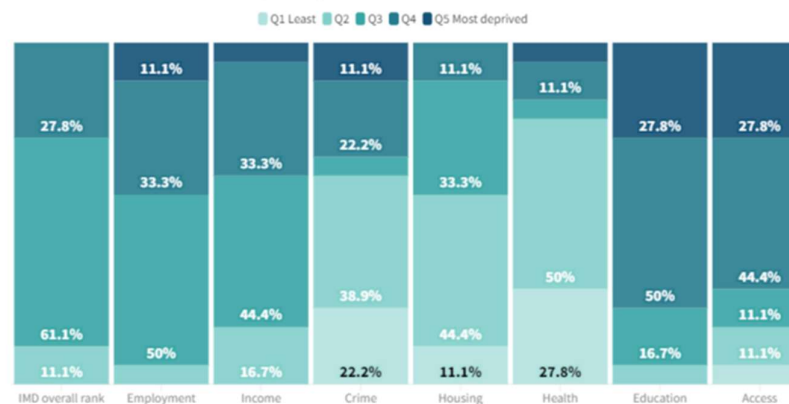
SA2 regions by NZDeprivation Index 2018 Decile. 10 = most deprived.

< 5 5-6 6-8 ≥ 8



Map: Te Whatu Ora Nelson Marlborough • Source: NZ Deprivation Index 2018 • Map data: Stats NZ • Get the data • Embed
Created with Datawrapper

2018 New Zealand Index of Multiple Deprivation (IMD18)



Source: 2018 New Zealand Index of Multiple Deprivation (IMD18); Indicators for social and health research in NZ

The New Zealand Index of Multiple Deprivation (IMD) measures deprivation at the neighbourhood level using custom-designed data zones (on average a data zone has a population of 761 people). The IMD consists of seven domains of deprivation (income, employment, crime, housing, health, education, and access to services) and includes 28 indicators which have been created using routinely-collected data from government agencies, as well as census data.

Te Whatu Ora
Health New Zealand
Nelson Marlborough

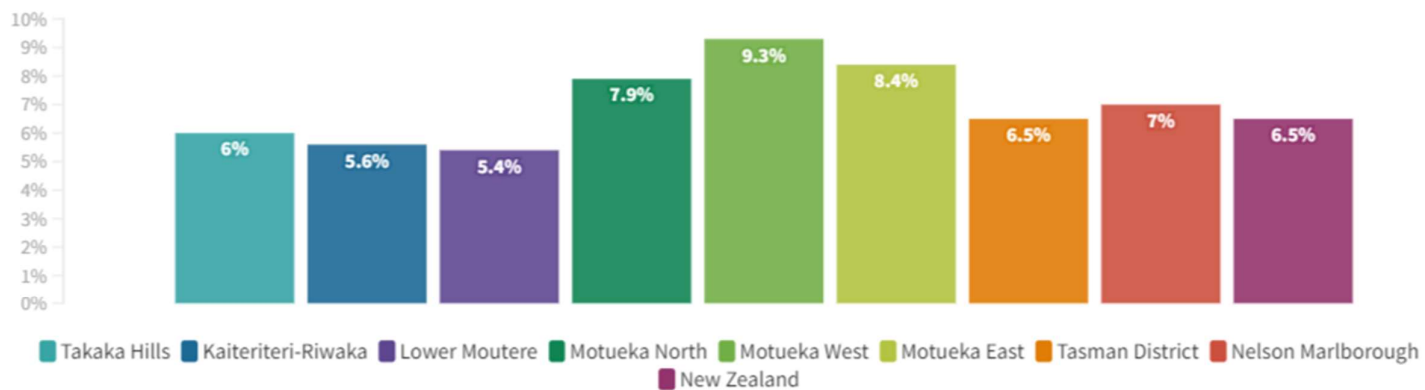
Figure 4: Deprivation - Motueka West is the dark blue area on the left-hand map indicating it is a high deprivation area. Higher levels of socioeconomic deprivation are associated with worse health¹⁴.

¹⁴ Socioeconomic deprivation profile. (n.d.). Environmental Health Intelligence New Zealand. <https://www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/>

Populations of interest

Social vulnerability indicators (2018) - Populations

% population aged 0-4 years	% population aged 0-14 years	% population aged 5-14 years	Households with at least one child aged 0-4 years
Households with at least one child aged 0-14 years	% population pregnant (proxy)	% population aged 65+ years	
% population aged 75+ years	% population aged 85+ years	Households with an older adult (65+ years) living alone	
% population with a disability			

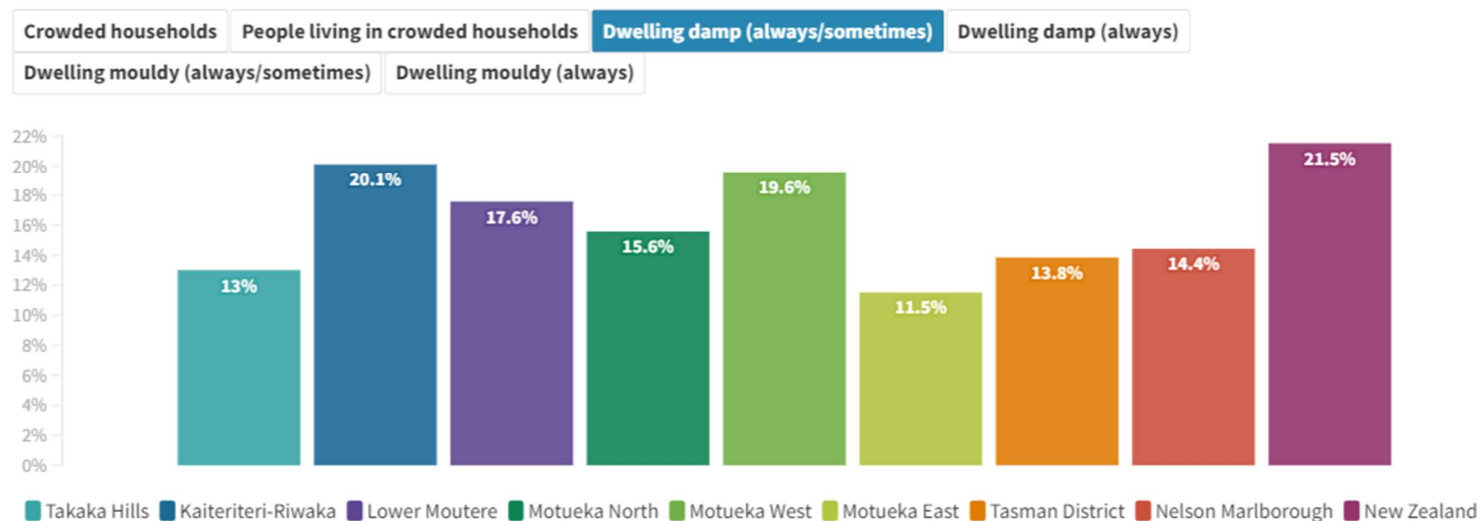


Source: [StatsNZ 2018 Census](#) • Total ethnicity means a person may select more than one ethnicity.

Figure 5: Populations of interest - Motueka West has the highest number of people with a disability in the greater Motueka area.

Housing

Social vulnerability indicators (2018) - Safe, secure and healthy housing



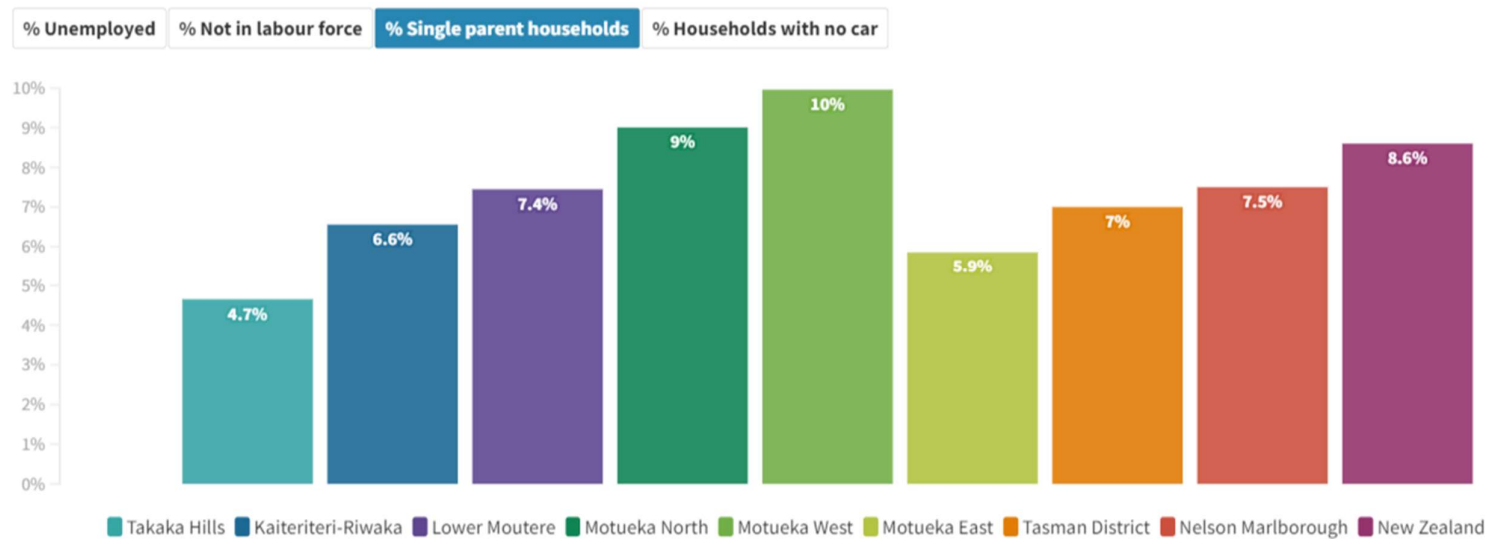
Source: [StatsNZ 2018 Census](#) • Total ethnicity means a person may select more than one ethnicity.

Figure 6: Housing - 19.6% of people living in the Motueka West area live in a dwelling that is always/sometimes damp. Damp housing is linked to the onset and worsening of respiratory issues (asthma, respiratory tract infections, chronic respiratory disease etc)¹⁵.

¹⁵ About the indoor environment and health. (n.d.). Environmental Health Intelligence New Zealand. <https://www.ehinz.ac.nz/indicators/indoor-environment/about-the-indoor-environment-and-health/>

Economic resilience

Social vulnerability indicators (2018) - Having enough money to cope with crises and losses



Source: [StatsNZ 2018 Census](#) • Total ethnicity means a person may select more than one ethnicity.

Figure 7: Economic Resilience – 10% of households in Motueka West are single parent households, this is greater than the national average (8.6%). Evidence suggests that sole parents experience higher rates of poor health outcomes¹⁶.

¹⁶ Krassoi Peach, E. and J. Cording, (2018), Multiple disadvantage among sole parents in New Zealand, Social Policy Evaluation and Research Unit, Wellington.

Food security

The greater Nelson region for MSD covers the entire Top of the South region, including Motueka. The latest available benefits factsheets show that the COVID-19 lockdown had a massive impact on food security. In the past year, hardship assistance grants for food have increased across the Nelson region. This may indicate a once again rising food insecurity issue within the region.

Hardship assistance grants - Food



Source: MSD Benefits Factsheets

Figure 8: Food Security - hardship assistance grants are increasing across the region which may indicate a rise in food insecurity.

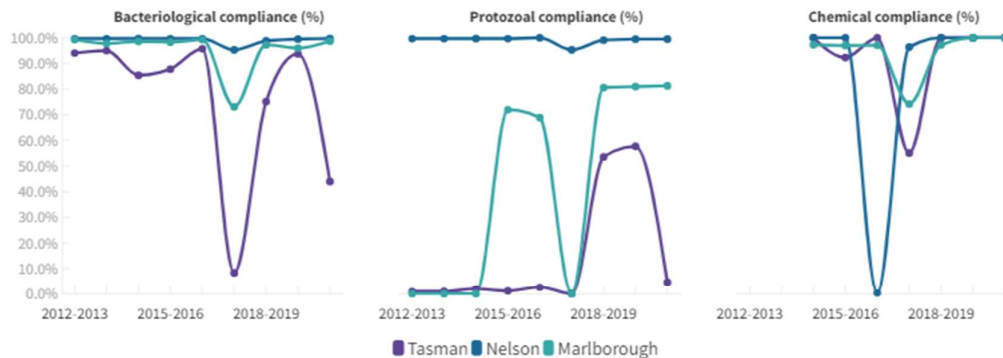
Water

The greater Tasman district has lower compliance to Ministry of Health's access to safe drinking water than neighbouring Nelson City and Marlborough District.

The groundwater quality in Tasman appears to be improving overall, with the exception of dissolved reactive phosphorous contamination, which shows that one-third of the regions monitored in the district are very likely degrading.

Access to safe drinking water

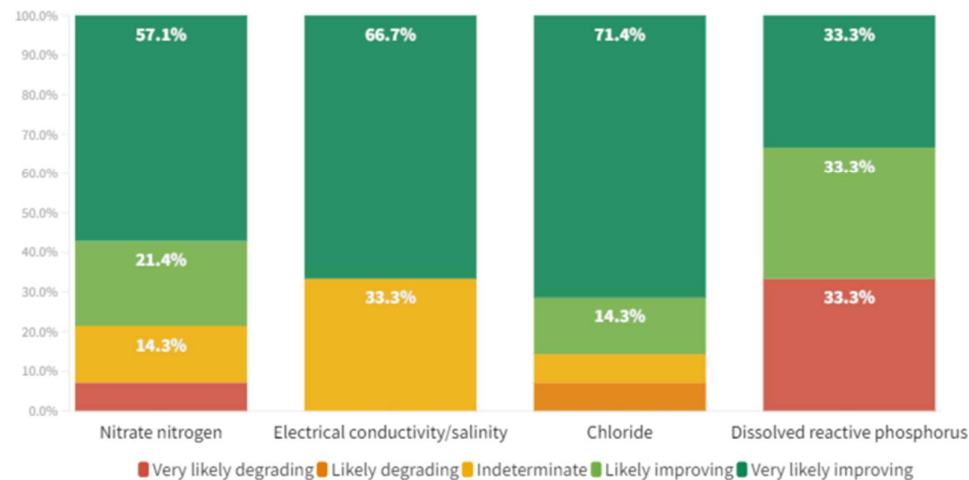
Proportion of the population whose drinking water met the Ministry of Health's compliance for safe drinking water over time.



Source: [EHINZ & NIWA](#) • 2012-2021

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Health Marlborough

Groundwater quality



Source: [LAWA](#) • 2021

Te Whatu Ora
Health New Zealand
Health Marlborough

Figure 9: Water

Conclusion

NPHS-NM thanks Tasman District Council for the opportunity to comment on Plan Change 80.

Ngā mihi,



Vince Barry

Regional Director Public Health Te Waipounamu
National Public Health Service

ⁱ An accessible building is one which people with disabilities can use in the same way as anyone else.

ⁱⁱ All¹ includes Māori, Pacific peoples and all other ethnicities, women, children, parents and caregivers, older people and people with disabilities and the LGBTQ community.

Submission on a Change to the Tasman Resource Management Plan (TRMP)

Return your submission by the advertised closing date to:

Environmental Policy
Tasman District Council
Private Bag 4, Richmond 7050 OR
189 Queen Street, Richmond OR
Fax 03 543 9524 OR
Email: tasmanrmp@tasman.govt.nz

OFFICE USE

Date received stamp:

Note:

1. This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
2. It is not mandatory to use either the cover or content sheet of this form, however your submission must be in writing and provide the necessary information as indicated on the form, e.g., what is supported or opposed, the reason why and the decision sought, contact details, etc.
3. Council cannot accept a submission that does not clearly indicate what a submitter wishes Council to do (i.e. Council makes a decision to refuse, amend or accept the changes). Please include specific recommendations if amendments are sought. Council also cannot accept a submission that does not relate specifically to the Plan Change. In these cases, the submission may be considered 'Out of Scope' and may not be considered further.

Initials: _____

Submitter No. _____

Submitter Name: Wakatū Incorporation

(organisation/individual)

Representative/Contact: c/o Hayden Taylor, Planscapes (NZ) Ltd

(if different from above)

Postal Address:

Planscapes (NZ) Ltd
PO Box 99 Nelson 7040

Phone: 0210712209

Fax: _____

Email: hayden@planscapes.co.nz

Date: 5/2/2024

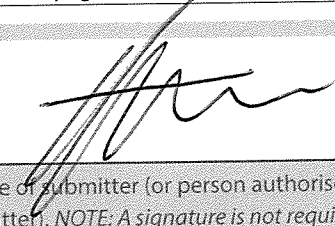
Postal address for service of person making submission:

(if different from above)

Wakatū House
28 Montgomery Square
PO Box 440
NELSON

Total number of pages submitted (including this page): 6

Signed:


Signature of submitter (or person authorised to sign on behalf of submitter). NOTE: A signature is not required if you make your submission by electronic means.

IMPORTANT – Please state:

This submission relates to Change No.: 80

Change Title/Subject: Motueka West

I/we wish to be heard in support of my/our submission.

I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Could you gain an advantage in trade competition through this submission? (tick one) Yes No

If 'Yes' are you directly affected by an effect of the subject matter of this submission that:

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition?

(tick one) Yes No

Remember: Attach this Cover Sheet to as many Content Sheets as required.

Submission on a Change to the Tasman Resource Management Plan

CONTENT SHEET

Sheet No.

of

Continue on another Content Sheet, if required, and then attach the Cover Sheet to all Content Sheets.

OFFICE USE Submitter Number:

The **whole** Plan Change (Please tick as applicable)

- I **support** the Plan Change and seek that the Council **retains** it in its entirety.
 I **oppose** the Plan Change and seek that the Council **deletes** it in its entirety.
 I **support in part** specific aspects/provisions of the Plan Change **as indicated below**.
 I **oppose in part** specific aspects/provisions of the Plan Change **and seek amendments as indicated below**.

OFFICE USE:
Submission No.

Parts of the Plan Change (Please list each provision number of the TRMP you wish to submit on, together with its corresponding submission point, as indicated below)

Plan provision or map number(s): <i>State each specific provision (topic) number as addressed in the Plan Change</i>	The aspect of the provisions I support or oppose, together with reasons, are: <i>State the nature of each submission point and indicate whether you:</i> • support or oppose the provision or wish to have it amended; and • the reasons for your view	I seek that Council retains/deletes/replaces/amends the specific Plan Change provisions as follows: <i>For each submission point/provision number, state, specifically, what changes you would like to see.</i>
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Example:

17.5.3.1(ca)(iii)	I oppose the restriction of ... because ...	Delete and replace condition 17.5.3.1(ca)(iii) with:
Please see attached document	Please see attached document	Please see attached document



Te Kaunihera o
te tai o Aorere

Tasman District Council
Email info@tasman.govt.nz
Website www.tasman.govt.nz
24 hour assistance

Richmond
189 Queen Street
Private Bag 4
Richmond 7050
New Zealand
Phone 03 543 8400
Fax 03 543 9524

Murchison
92 Fairfax Street
Murchison 7007
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Phone 03 523 1013
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Motueka
7 Hickmott Place
PO Box 123
Motueka 7143
New Zealand
Phone 03 528 2022
Fax 03 528 9751

Takaka
78 Commercial Street
PO Box 74
Takaka 7142
New Zealand
Phone 03 525 0020
Fax 03 525 9972

Ref 2307 Wakatū PC80

5 February 2024



Tasman District Council
Private Bag 4
RICHMOND 7050

Attn: Anna McKenzie

Dear Anna

RE: Proposed Plan Change 80 - Submission on behalf of Wakatū Incorporation

Introduction

1. This is a submission prepared by Planscapes (NZ) Ltd on behalf of the Wakatū Incorporation on Plan Change 80: Motueka West ('the Plan Change'). Wakatū Incorporation own the land subject of the proposed plan change. Wakatū Incorporation is a Māori Incorporation pursuant to Te Ture Whenua Māori Act 1993. Based in Whakatū Nelson, New Zealand, Wakatū Incorporation has approximately 4,000 shareholders who are those families who descend from the customary Māori landowners of the Whakatū, Motueka and Mohua (Golden Bay) regions – Te Taihū.
2. Wakatū Incorporation wish to be heard in support of their submission and would be prepared to consider presenting their submission in a joint case with others making a similar submission at any hearings.
3. Wakatū Incorporation is not in a position to gain an advantage in trade competition through this submission, as they are the owner of the site.
4. Wakatū Incorporation supports the general intent of the Plan Change and supports in part specific aspects/ provisions of the Plan Change. Wakatū Incorporation seek amendments to specific aspects/ provisions of the Plan Change as detailed below.

Proposed Update Map 74/1

5. Wahanga 2017 Limited Partnership currently have resource consent applications before Council for a 'superlot' subdivision of the land subject of this Plan Change, and associated consents. Proposed Update Map 74/1 was prepared to reflect the roading alignment and reserve provision of this proposal, which was at concept stage at that time. Minor amendments have now been made to the concept proposal, during the resource consent process, and it is requested that Proposed Update Map 74/1 be updated to reflect the current plans as shown in Figure 1 below:



Figure 1: Proposed scheme plan showing road and reserve layout.

6. The changes are:
 - a. The western part of the east-west aligned road through the site has been shifted slightly further to the south, now adjoining the south boundary of Part Lot 2 DP 2439/ the northern boundary of Lot 1 DP 3422. ***It is requested that the indicative road alignment on Proposed Update Map 74/1 be adjusted to reflect the current proposal layout.***
 - b. The indicative reserve area shown on the Proposed Update Map 74/1 incorporates both recreation reserve and stormwater reserve elements of the current development proposal. The layout of the reserve has also altered slightly. ***It is requested that Proposed Update Map 74/1 be amended to reflect the current layout, and also to only reflect the extent of the proposed recreation reserve (not the stormwater reserve as well).***

Chapter 6 – Urban Environment Effects

7. Issue 6.9.1.10, Policy 6.9.3.16 and Method of Implementation 6.9.20.4 address potential adverse traffic and safety effects of the Motueka West Development Area on the SH60 (High Street) / Whakarewa Street / Woodland Avenue intersection and wider effects across the transport network, and require that such effects are assessed through an Integrated Transportation Assessment (ITA), presumably at resource consent stage, which identifies any required mitigation of these effects, and timing of implementation of this mitigation.
8. Wakatū are concerned that the implication behind these provisions is that the requirement for assessing and mitigating effects on this intersection falls to the developer. The genesis of Plan Change 80 and the current resource consent application by Wahanga 2017 Limited Partnership lies in an Infrastructure Acceleration Fund (IAF) agreement between Kāinga Ora

(KO), Wahanga 2017 Limited Partnership, Proprietors of Wakatū and Tasman District Council (TDC). As part of this agreement TDC are to receive funding to provide the necessary enabling infrastructure to unlock and/ or accelerate housing development on the subject land. This includes three waters and transportation infrastructure upgrades. Specifically, funding was provided for Council to upgrade the Manoy Street/ Whakarewa Street intersection. It is the Submitter's view that, in rezoning the subject land for more intensive development, it is the responsibility of Council to identify and provide for the necessary enabling infrastructure, either through its Long Term Plan, or otherwise. The current TRMP provisions relating to subdivision and development already require consideration of the traffic effects of development as part of a resource consent process, and it is considered unnecessary to include additional provisions in respect of this matter.

9. **Consequently, Wakatū seek the removal of Issue 6.9.1.10, Policy 6.9.3.16 and Method of Implementation 6.9.20.4 from the proposed Schedule of Amendments.**

Chapter 17 – Zone Rules

10. Rule 17.1.3.3 relates to building construction. This provides for buildings as a controlled activity, where accompanied by a subdivision application, and subject to various other conditions. It is understood that the intent of this rule is that all consents (land use and subdivision) are sought together to enable the development to be considered as a whole, and this intent is supported. However, if no subdivision is proposed then this should not result in a more restrictive activity status. Wakatū envisages a variety of comprehensive development typologies within the plan change area, and not all of these would involve further subdivision beyond the 'superlot' stage for which consent is currently being sought. **It is requested that the rule wording is amended to also provide for buildings as a controlled activity where no subdivision is proposed. Suggested changes are detailed at (12), below.**
11. Rule 17.1.3.3, condition (g) relates to the application of boundary controls to external boundaries. It is understood that the intent of this condition is that, where new development adjoins existing 'standard' density development, then 'standard' setback and building envelope provisions would apply to those boundaries to protect amenity. More permissive setback and building envelope controls will apply (conditions (e) and (f)) to boundaries internal to the development. The Plan Change area differs from many other development sites in the region in that the land will remain in the ownership of the Proprietors of Wakatū in perpetuity, and Wahanga 2017 Limited Partnership will partner with other parties for development of the 'superlots' proposed within it and will retain a high level of control over the outcomes for these superlots. The intent of the differing internal/ external boundary control conditions is supported; however, it is considered that some minor amendments are required to ensure the two controls are applied appropriately within the Plan Change area. In other words, the 'external boundary' controls should only apply to the boundaries of the plan change area, not any internal superlot boundaries - irrespective of how they have been developed, or if they have been developed.
12. **As such, the requested changes to Rule 17.1.3.3 (as drafted in the Schedule of Amendments) are as follows:**

~~Where a resource consent application for compact density development subdivision Construction or alteration of a building on a site within an approved subdivision plan for a compact density development in the Richmond South, Richmond West and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, has been lodged concurrently, the construction or alteration of a building on a site within that proposed subdivision is a controlled activity, if it complies with the following conditions:~~

Multiple Consents

(a) All buildings are or will be located within a site that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7, where subdivision is proposed.

Note: Subdivision condition 16.3.3.3(a) requires that for compact density developments both the land use and subdivision consents are lodged with Council at the same time and assessed together. However, it is acknowledged that subdivision may not always be proposed as part of a compact density development.

[...]

External Boundaries

(g) All buildings at the boundary of every allotment comply with building envelope and setback rules of permitted activity conditions 17.1.3.1(m) – (o) and 17.1.3.1(q) – (v), under the following conditions:

(i) where the land adjoining the boundary is not part of the subdivision; or

(ii) where the land adjoining the boundary is not being developed as a compact density development, ~~–except;~~

(iii) for the Motueka West Compact Density Residential Area south of Whakarewa Street, this rule shall only apply to the external boundaries of the Compact Density Residential Area.

For the avoidance of doubt, this means that every boundary of the compact density subdivision complies with permitted activity conditions relating to bulk and location where it adjoins land that is either not part of the subdivision or is being developed to a permitted activity standard within the same subdivision proposal. For the Motueka West Compact Density Residential Area south of Whakarewa Street, it is intended that the more restrictive boundary controls apply only to the boundaries of the Motueka West Compact Density Residential Area, not any boundaries internal to this area, irrespective of whether they have been developed yet, or the nature of how they have been developed.

Note: The separation between developments of different densities may be achieved by using roads or reserves. This creates a clear delineation without losing amenity values or the inefficient use of land resources.'

Yours sincerely
PLANSCAPES (NZ) LTD



Hayden Taylor
Resource Management Consultant

P: (03)5390281
M: 021 071 2209
Hayden@planscapes.co.nz

5 February 2024

Attn: Environmental Policy
Tasman District Council
189 Queen Street, Richmond
Private Bag 4, Richmond 7050

Submission via email: tasmanrmp@tasman.govt.nz

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION
ON PROPOSED PLAN CHANGE 80: MOTUEKA WEST
UNDER CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991**

This is a submission on Plan Change 80 (“PC80”) from Tasman District Council (“the Council” or “TDC”) on the Tasman Resource Management Plan (“the Plan” “TRMP”):

Scope of submission:

The submission relates to PC80 in its entirety. Kāinga Ora supports the notified Plan Change in Part, and seeks amendments as indicated below.

The Kāinga Ora submission is:

1. Kāinga Ora generally supports the intent of PC80 and has an interest in PC80 in how it enables housing supply and residential intensification, particularly with regard to properties west of High Street.
2. Kāinga Ora recognises that there is an acute need to provide new opportunities for housing in the region, and also provide for specific housing choice for subsets of the population.
3. Kāinga Ora supports PC80 where it enables compact residential development. It is the view of Kāinga Ora that the enablement of compact residential development will help

meet the growing housing needs of the district, as well as providing for alternative residential development patterns to what has traditionally been supplied in Motueka.

4. However, Kāinga Ora seeks amendments to the notified PC80 proposal in the following topic areas:
 - i. The extent of PC80, seeking an extension of the proposed Compact Density Residential Zone, as well as addressing the relationship with the need to spatially integrate with the existing urban environment and
 - ii. Amendments to the proposed changes to the policy framework to manage development in the district.
5. These changes are sought to provide for opportunities to enable residential intensification of existing residential properties in the adjacent area, which are appropriate for intensification including those properties owned by Kāinga Ora.
6. Tasman District is a Tier 2 Authority under the National Policy Statement for Urban Development (NPSUD). The NPSUD outlines how and where urban intensification should occur. Objective 3 and Policies 1 and 5 of the NPSUD identify areas suitable for intensification being:
 - a. close to town centres and community services and amenities;
 - b. Close to public transport routes; and
 - c. In locations where there is a housing demand, including demand for a variety of housing typologies.
7. Broadly, Kāinga Ora is seeking that; within areas surrounding the Motueka West Development Area (**MWDA**) and Motueka West Compact Density Residential Areas (**MWCDRA**) (namely sites owned by Kāinga Ora), urban infill intensification is also enabled. It is the view of Kāinga Ora that these adjacent areas would be appropriate for intensification due to their proximity to the town centre and main transport routes. Consistent with the NPSUD, Kāinga Ora also considers that infill development is an appropriate planning response to increase housing capacity and provide further housing choice in already developed areas.
8. Furthermore, Kāinga Ora notes that PC80 covers some of the area identified as T-190 in the Nelson/ Tasman Future Development Strategy 2022 (**FDS**) as an area for urban

intensification. It is therefore the view of Kāinga Ora that the intensification enablement sought by Kāinga Ora in this submission is supported by the Nelson Tasman FDS.

9. Kāinga Ora does not support the approach that has been taken in the proposed plan change, in that it has failed to consider spatially the wider area and the relationships of the existing area adjacent suitable for intensification, that could be delivered alongside the area proposed as MWCDRA. Matters including urban form, infrastructure, and transport could be addressed as part of this planning process in the name of efficiency and delivering a good quality urban form.
10. Further to Kāinga Ora submission points above, specific amendments sought can be found within **Appendix 1**. These points relate to changes to the policy framework.
11. **Appendix 2** identifies the proposed mapping changes sought in this Submission.

Kāinga Ora seeks the following decision from Tasman District Council:

That the specific amendments, additions or retentions which are sought as specifically outlined in **Appendix 1**, shown in red and are struck through or underlined, and **Appendix 2**, are accepted and adopted into the TRMP, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Kāinga Ora wishes to be heard in support of their submission.

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on PC80 to address the matters raised in its submission.

We would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearings.

Kāinga Ora will not gain an advantage in trade competition through this submission.


.....PP
Brendon Liggett
Development Planning Manager
Kāinga Ora – Homes and Communities

ADDRESS FOR SERVICE: Kāinga Ora – Homes and Communities, PO Box 74598, Greenlane, Auckland 1051. Email: developmentplanning@kaingaora.govt.nz

Appendix 1: Decisions sought on PC80

The following table sets out the amendments sought to PC80 and also identifies those provisions that Kāinga Ora supports.

Proposed changes are shown as ~~strike~~through for deletion and underlined for proposed additional text.

Table 11

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
General					
1.	PC80	PC80 in its entirety	Support in Part	<p>Kāinga Ora considers that PC80 should go further to enable infill intensification in existing urban areas within close proximity to the Motueka town centre and main transport routes.</p> <p>The area that Kāinga Ora seeks to be included in PC80, includes some of the existing urban area identified in the FDS as an intensification area (T-190).</p>	<p>Extend the Motueka West Compact Density Residential Area (MWCDRA) to include additional sites.</p> <p>Ensure than provisions still enable policy support for urban infill and increased density.</p>
Policies					
1.	6.9.3	Policy 6.9.3.3 <i>To enable further residential development west of Grey Street and south of</i>	Support in Part	Kāinga Ora is concerned that the amended policy wording could create an unintended ambiguity and potential unnecessary restriction on intensification which was	Amend Policy 6.9.3.3 as follows: <i>To enable further residential development west of Grey Street and south of Whakarewa</i>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		<p><i>Whakarewa Street with opportunities for a higher density of development on sites within walking distance of the Motueka town centre and within the Motueka West Compact Density Residential Areas.</i></p>		<p>otherwise supported by the policy framework. The concern is that the addition of '<u>and within the Motueka West Compact Density Residential Areas.</u>', would restrict further residential development in those residential areas south of Whakarewa Street, as these would not be both within walking distance of the Motueka town centres and within the MWCDRA. Under the operative plan, policy 6.9.3 would provide a level of policy support for enabling higher density development in all residential areas between Grey/ Whakarewa Streets, where it was '<i>within walking distance of the Motueka town centre</i>'.</p>	<p><i>Street with opportunities for a higher density of development on sites within walking distance of the Motueka town centre, and including and within the Motueka West Compact Density Residential Areas.</i></p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
				<p>It is also the view of Kāinga Ora, the notified drafting would be inconsistent with the NPSUD as it not only restricts what is already supported through the policy framework regarding development near to town centres, but also seeks a policy outcome which is contradictory to the NPSUD. Kāinga Ora recommends a simplified wording.</p>	
Methods of Implementation					
Principal Reasons and Explanation					
8.	6.9.30	<p><u>Urban expansion is provided for within the Motueka West Development Area to the west of High Street. Identified areas of higher density residential development are provided for within the Motueka West Compact Density Residential Areas to the</u></p>	Support in Part	<p>This amendment is sought in relation to the concerns raised in the Kāinga Ora submission on Policy 6.9.3.3.</p> <p>Kāinga Ora supports the non-notification clauses relating to the MWCDRA.</p>	<p>Amend 6.9.30 to read:</p> <p><u>Urban expansion is provided for within the Motueka West Development Area to the west of High Street and urban intensification is provided for in appropriate areas.</u></p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		<p><u>east of Kerei Street and south of Whakawera Street. These areas provide for compact density development to accommodate a range of housing choice to meet the current and future needs of the community.</u></p> <p><u>Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Motueka West Compact Density Residential Area south of Whakarewa Street applies to Restricted Discretionary Activity applications for subdivision and Controlled Activity applications for land use. This responds to the objectives and policies in the Tasman Resource Management Plan which:</u></p>			<p><u>Identified areas of higher density residential development are provided for within the Motueka West Compact Density Residential Areas to the east of Kerei Street and south of Whakawera Street. These areas provide for compact density development to accommodate a range of housing choice to meet the current and future needs of the community.</u></p> <p><u>Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Motueka West Compact Density Residential Area south of Whakarewa Street applies to Restricted Discretionary Activity applications for subdivision and Controlled Activity</u></p>

ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		<p>i. <u>Seek efficient use of land and infrastructure,</u></p> <p>ii. <u>Encourage medium density housing development of a high standard in suitable locations,</u></p> <p>iii. <u>Seek a range of living opportunities and residential densities.</u></p> <p><u>The non-notification provision is used for Compact Density Development in the Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external</u></p>			<p><u>applications for land use. This responds to the objectives and policies in the Tasman Resource Management Plan which:</u></p> <p>i. <u>Seek efficient use of land and infrastructure,</u></p> <p>ii. <u>Encourage medium density housing development of a high standard in suitable locations,</u></p> <p>iii. <u>Seek a range of living opportunities and residential densities.</u></p> <p><u>The non-notification provision is used for Compact Density Development in the Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density</u></p>

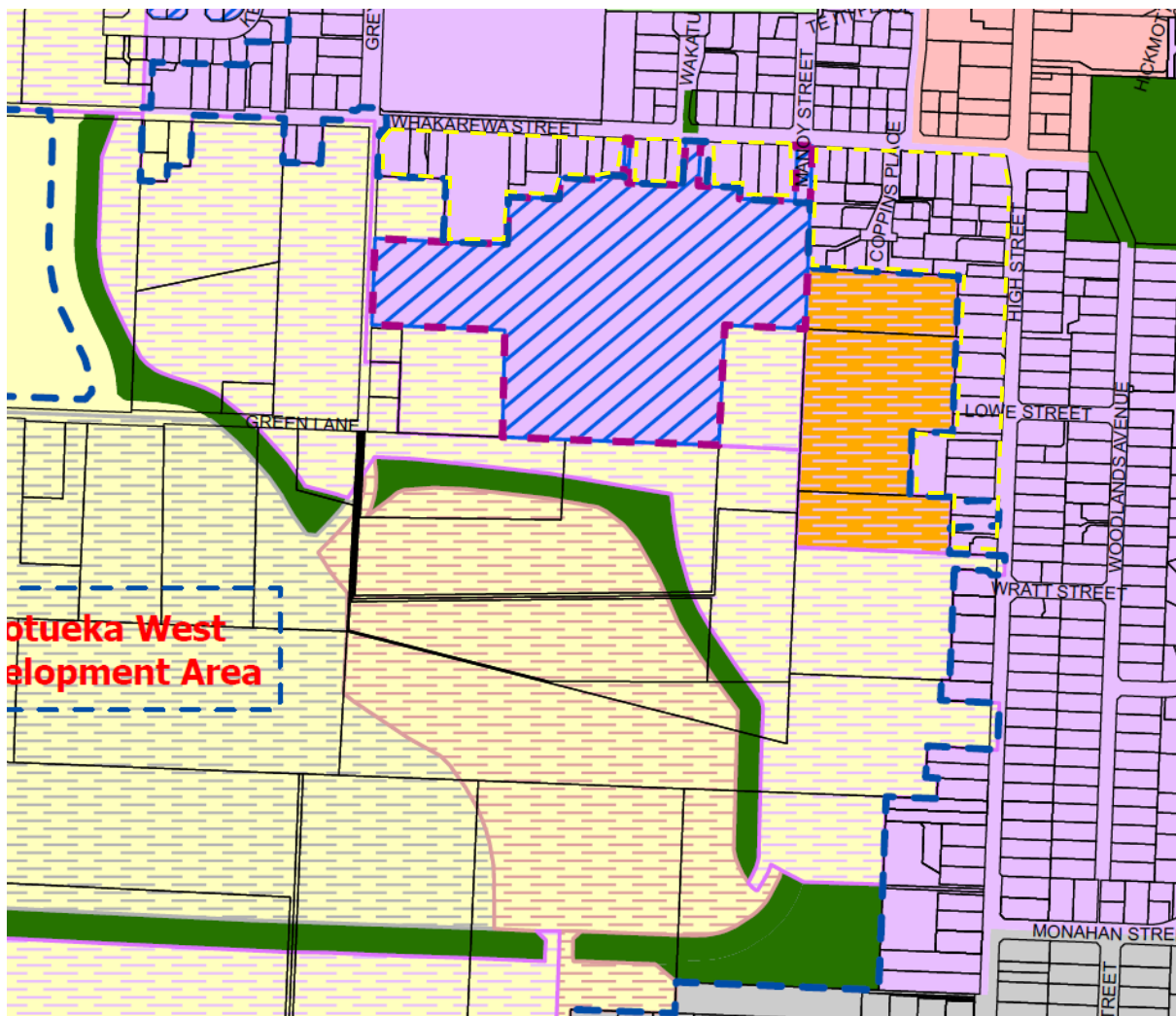
ID	Section of Plan	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought
		<p><u>boundaries of the development site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario in the Residential Zone.</u></p>			<p><u>Development along the external boundaries of the development site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario in the Residential Zone.</u></p>

Appendix 2: Maps

The following maps set out the amendments sought from Kāinga Ora to PC80.

Proposed changes:

Extension of the Motueka West Compact Density Residential Area is shown as a yellow dash line.



Submitter # 3452

Received 5.02.2024

David Ogilvie

From: "David Ogilvie" <d.ogilvies@xtra.co.nz>
Date: Sunday, 4 February 2024 10:36 PM
To: Anna McKenzie
Subject: Plan Change 80 ---Motueka West Development

Hello Anna,

This is a copy of my Report, comments and suggestions on the Plan Change 80—Motueka West Development Zoning Change.

Other than yourself, is there any other person or Company it needs to be sent to? If so, please let me know the person or Company, their email address, and I can forward it.

Will the Wakatu Incorporation be sent a copy?

Should an opportunity be available for a public presentation to a Hearing Panel or a Council Hearing Committee I am prepared to deliver my Report and to answer questions.

I'd be grateful if you would let me know any date and time for any Hearing. Also the date and time for when the Council or a Council Committee will debate and determine the matter.

Should there be any delays or variations in the Council process for the Plan Change, or any other factors, I'd appreciate being informed.

Regards,

David Ogilvie

Phone -0274-314-656

Email d.ogilvies@xtra.c.nz

Plan Change 80 : Motueka West

1. Residential Development on Highly Productive Soils

The Plan Change area consists of the highest quality, versatile productive soils i.e. Productive Land Classification Class A soils, according to the Council's mapping. This equates to LUC-1 under the National Policy Statement for Highly Productive Land (NPS-HPL).

The NPS-HPL demands local authorities to seriously consider the long-term economic impacts of development on LUC 1 areas – “to be protected now and for future generations”.

The Council's Section 32 analysis of the proposed Plan Change sidesteps this critical factor, relying instead on the T190 conclusion of the Future Development Strategy (FDS 2021 – 2022).

Actually, the FDS panel spent minimal time discussing T190 and this particular location.

The FDS noted the Rural 1 / Deferred Residential status for the area, and concluded the value of Highly Productive Land would be fully discussed and decided at the time of any Plan Change notification, which is now in 2024.

It should be noted that the FDS panel recommended against some proposed residential developments in Lower Moutere and in Tasman / Mariri, pointing out these areas had productive soils (LUC-2 and LUC-3) which needed to be protected for the future.

The importance of these soils for food production is without doubt. The economic benefits to Motueka, to Tasman district and even nationally are clear. The Plan Change area is of 8.75ha, but this is only the first stage of a re-zoning programme of these soils south towards King Edward Street, approximately 70 hectares.

The loss economically will be significant short and long term, surely requiring re-consideration as appropriate land for residential subdivision.

It does surprise that the Nelson Regional Development Agency (N.R.D.A.) has not expressed interest and concern relative to the NPS-HPL; even Port Nelson Ltd in the potential loss of resulting export trade, with horticultural produce.

The impact for the Port of the loss of high quality, productive soils with developments in Berryfields, the Meadows, McShane Road must be measurable?

Is it timely and appropriate to question the Wakatu Incorporation and the eight local iwi?

Is residential development on these precious soils, in association with an ample water supply, the long term objective of the Wakatu Incorporation and local iwi?

Wakatu ownership can be continued through the leasehold tenure system being suggested. The actual use of the land, the Kaitia Kitanga and associated Te Ao Maori values could be lost forever, however.

While the Council's planning managers have consulted with iwi over this Plan Change was this fundamental question asked:- are you as a Maori supportive of losing this land and what it means culturally and historically?

2. Ownership

One of the intriguing and unusual aspects of this Plan Change relates to the concept of Ownership.



It is standard practice that when a land owner develops / subdivides property, the property will progress over time:

- (a) to new owners (residents). Each resident per residential site (fee simple or freehold).
- (b) to the local authority to own and manage "community" areas e.g. roads, road reserves, parks / reserves, and infrastructure.



This Plan Change and proposed subdivision of 7.85ha (approx 200 – 250 housing sites) will remain, almost totally, in the ownership of the current existing land owner – Wakatu Incorporation.

- (a) The 200 – 250 housing sites (other than a papakainga area) will be "leased" to each new resident. The "lease" applies to the land area, and not to the dwelling, fences, driveways and other "built improvements". A current annual lease of 4% on a \$350,000 section is \$14,000. A lease is based on the land value of the particular section, and is reviewed every seven years.

3

- (b) The "community" areas will remain in the ownership of Wakatu Incorporation, not the Council.

The Plan Change reports do not indicate any "leasing" provision for these, particular terms, conditions, or costs.

This unusual non-market ownership experiment needs to be carefully considered by the Council. The Council may require "ownership" variations to meet its own needs of governance and management.

- (a) In effect, the Council is delegating governance to Wakatu Incorporation:

The Council's role and involvement with the community is reduced. There is a "3rd party" in the normal relationship with residents in discussing / determining "public good" matters. Urban planning; social housing; walking / cycling strategies; streets for people; transport choices. These and similar programmes will be limited and the sense of community with the Council distorted.

- (b) The practical, daily operational management of roads, parks / reserves, infrastructure will be difficult, and require frequent consultation with Wakatu Incorporation.

Moreover, the value of the infrastructure, as it is depreciated, will not be offset by any increase in related land values.

- (c) Risk management factors. In an emergency (Earthquake, Flood, Sea Level Rise, Wild Fires) how will the responsibility between Council and Wakatu be shared?

What insurance or emergency management fund is planned?

Suggestions

- (a) Within the subdivision there be a "split" of fee-simple (Freehold) and Leasehold sections. This could be a 50 / 50 split, or as determined.
- (b) With regards to all infrastructure, community ownership and regulation is important. For domestic water, wastewater, storm water, electricity and fibre providers (private and public) public regulation is required.

(4)

The Council (i.e. Tasman District Council) to have absolute ownership of the roads, road reserves, berms, footpaths, cycleways, parks and reserves. Similarly, with ownership of underground pipes (e.g. three waters).

The public interest for Council ownership is overwhelmingly compelling. The Council as the Local Authority involved should demand this of the Developer.

Approval of the Plan Change to depend on this.

Note

- (a) The “ownership” concerns relate to all “non-govt” developments, whether the Developer is a private or public company or Wakatu Incorporation or similar group.
- (b) The proposed Plan Change 80 relates to an 8.75 hectare development which is likely to be an initial development of the sizeable area south of Whakarewa Street leading towards King Edward Street in Motueka, approximately 70 hectares.

3. Reserve:- Motueka Swimming Pool

The Plan Change Update Map (May 2023) shows an Indicative Reserve of 1.5 to 2.5 hectares.

Across Grey Street, adjacent to the Plan Change area and also within the Motueka West Development area is land suitable for the proposed Motueka Swimming Pool.

It is close to Motueka High School and also close to the recently developed Pukekohatu subdivision (off Grey Street) exceeding 100 dwellings.

There is an opportunity for the Council to collaborate with the Wakatu Incorporation relative to the Council’s Development Impact Contributions policy for Reserves.

The Wakatu Incorporation would satisfy its Reserves DILs contribution by “gifting” this area for the Swimming Pool project.

4. Natural Hazard – Stormwater Discharge

5

Natural Hazards: Stormwater Discharge

In its analysis, the Property Group states "storm water is a significant constraint for development in Motueka. Existing storm water drains in the area are already at capacity".

This constraint should not be under-estimated. Currently, a heavy rain event (over 40mm in 24 hours) has storm water from the Plan Change area regularly affecting dwellings for 150metres along High Street, between Lowe Street and Wratt Street. (Events in August 2022; July 2022; May 2023).

The Long Term Plan (2021 – 2031) has plans for a culvert under High Street for "temporary" land drains. Consultation with iwi and property owners of High Street, Lowe Street, Wratt Street, and Woodlands Avenue are continuing, with some property easements now determined.

The proposed culvert now at a design stage and the programme likely completed during 2024 – 2025.

The discharge from this rural land will be to the Woodlands Drain, itself at near capacity during rain events. The Drain services a sizeable area, including Motueka High School and New World with their considerable roofs and hard-surface areas.

The likely 200 – 250 sections presents a serious Engineering challenge in managing the discharge. The numbers demonstrate the challenge when measured against some recent heavy rain events.

A 400m² section and rainfall of 40mm in 24 hours produces 12m³ of storm water.

The 250 sections will produce 3000m³.

Since April 2013, there have been four occasions of a heavy rain event, exceeding 70mm in one hour, within Tasman and Nelson. (Motueka mostly has avoided the extremes).

But should the above calculation be amended to 80mm or even 115mm (Nelson in 2022) there will be a "wall of water" to be managed!

The Council's responsibility is to design and plan for an extreme event, especially at the "new subdivision" stage.

6

Richmond's Borck Creek storm water facility exemplifies this responsibility and that it managed the July and August 2022 events.

Whether the Borck Creek example can be repeated in the Plan Change area is probably unlikely, as there is no stream to receive the rain water.

The Woodlands Drain offers only initial and temporary relief.

The Section 32 Report does not recommend storm water mitigation measures. The Property Group advises that "other than temporary land drains, any long-term detailed storm water mitigation depends on the resource consent application".

Is this acceptable from the Council in its assessment and analysis of the Plan Change proposed? The storm water discharge matter is current, real, and difficult to resolve.

T.R.M.P. Policy 6.1.3.1 (h) states:- "To encourage subdivision and development to incorporate sustainable urban design principles by:-

- managing storm water discharge on-site where possible and ensuring off-site storm water run-off does not increase flood risk nor adversely affect water quality..."

Suggestions:-

- Use the Borck Creek standard:- 1% AEP
- Minimum protection at 100mm in 24 hours
- Reduce hard surface areas by having narrow roads and one footpath on each street
- Soak pits and sumps to utilise natural seepage
- Reserves as detention areas
- Rain gardens; Green roofs;
- Rainwater tank of 10,000 litres per dwelling (sufficient to receive 50mm from a 200m2 dwelling)
- Widen, Woodlands Drain, and purchase any land adjacent
- Consider a pumping station along the woodlands Drain.

David Ogilvie
5/2/2024

New Zealand Legislation
**Resource Management (Forms, Fees, and Procedure)
 Regulations 2003**

Form 5

Submission on notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To [name of local authority] Tasman District Council

Name of submitter: [full name] David John Ogilvie

This is a submission ~~on the following proposed policy statement (or on the following proposed plan or on a change proposed to the following policy statement or plan or on the following proposed variation to a proposed policy statement or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing policy statement or plan)~~ (the **proposal**): Plan Change 80 Motueka West

[name of proposed or existing policy statement or plan and (where applicable) change or variation].

I ~~could~~/could not* gain an advantage in trade competition through this submission.

*Select one.

*I ~~am~~/am not† directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) ~~does not relate to trade competition or the effects of trade competition.~~

*Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

†Select one.

The specific provisions of the proposal that my submission relates to are:

[give details]. Please refer to the summary of my Submission, as well as the Submission itself
 My submission is: Refer to the detailed Submission, sent to the Council separately.

- whether you support or oppose the specific provisions or wish to have them amended; and
- reasons for your views].

I seek the following decision from the local authority: To approve the Plan Change "in principle" but to have specific provisions amended.

*I wish/~~do not wish~~† to be heard in support of my submission.

*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.

†Select one.

~~*If others make a similar submission, I will consider presenting a joint case with them at a hearing.~~

*Delete if you would not consider presenting a joint case.

.....
 Signature of submitter
 (or person authorised to sign
 on behalf of submitter)

Email d.ogilvies@xtra.co.nz
Phone 0274-314-656
Postal P.O. Box 184, 7143, Motueka.

April 2nd, 2024


Date

(A signature is not required if you make your submission by electronic means.)

Electronic address for service of submitter: *d.ogilvie@xtra.co.nz*
Telephone: *0274-314-656*
Postal address (or alternative method of service under [section 352](#) of the Act): *P.O. Box 184, 4143, Motueka*
Contact person: [*name and designation, if applicable*]

Note to person making submission

If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#). If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by [clause 6\(4\)](#) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Schedule 1 form 5 heading: amended, on 18 October 2017, by [regulation 15\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 5 heading: amended, on 1 November 2010, by [regulation 19\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).


Schedule 1 form 5: amended, on 3 September 2020, by [regulation 7\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2020 (LI 2020/180).

Schedule 1 form 5: amended, on 18 October 2017, by [regulation 15\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 5: amended, on 14 September 2017, by [regulation 15\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 5: amended, on 1 November 2010, by [regulation 19\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 5: amended, on 1 June 2006, by [regulation 10\(2\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

April 2nd, 2024


David Ogilvie

From: "David Ogilvie" <d.ogilvie@xtra.co.nz>
Date: Monday, 1 April 2024 12:13 PM
To: Anna McKenzie@tasman.govt.nz
Subject: Plan Change 80---Motueka West--Submission Summary

SUMMARY OF MATTERS ----- PLAN CHANGE 80---MOTUEKA WEST

1. A Little History.

During the 2010—2013 Council term, the Council noted that the area of Motueka east of High St. was leaning towards being “subdivided out”. It was opportune to consider the area west of High St. As a result, some areas were zoned Residential while other more rural areas as Rural 1--Deferred Residential. Those Residential are known locally as Te Maatu (south of Parker St) and Pukekohatu (west of Grey St), and have been developed and built on—almost completely. The Motueka Community Board (I was Chair) approved these planning actions.

2 Twelve Years Later.

Much has happened in these dozen years for Motueka.

With Climate Change —Highly Productive Soils issue ---Stormwater discharge and /River flooding concerns---Wakatu Inc. interest and the /Tenths claim application---and a possible Swimming Pool.

3. Today in 2024-2025 and beyond.

The events and considerations of the last dozen years therefore require a re-consideration of the Motueka West Plan Change proposal. Definitely--- It is not straightforward.

Moreover, it is the first of a series of Plan Changes for all of the 126 ha west of High St. bounded by Whakarewa St. High St., King Edward St., and Queen Victoria St. The specific Plan Change 80 area is for less than 10 ha.

This is a very important Zoning and development Change for the Council to consider---and decide.

---Highly Productive Soils. These are Class A soils per the Council classification or LUC 1 classification nationally. They are precious, and nation-wide are being lost to urban development. The impact on the local, district and national productivity must be considerable.

---Stormwater discharge. This is a serious infrastructure matter which can be managed with individual onsite controls, plus Council’s own mitigation and adaptation techniques.

---Motueka River flooding. The Plan Change area is less than 4km from the River. The recent refurbishment of the Stopbanks provided a 2% AEP protection for the town. There is an extra free-board, and three secondary flow channels which should increase the protection. The flooding risk is being managed to a “reasonable” level but with the forecast heavy rain events is it sufficient?

---Climate Change —Sea Level Rise / Heavy Rain Events .The Plan Change 80 analysis does not indicate the height above Mean High Water Springs ---is the area 4.5 metres above MHWS and therefore outside the Council’s Coastal requirements.

---Wakatu Incorporation.

The subdivided areas mentioned previously---Te Maatu and Pukekohatu were along standard subdivision processes, with individual freehold sections, neighbourhood Reserves, and

roads/footpaths/berms/infrastructure owned by the District Council.

The Plan Change 80 subdivision proposal is strongly different.

The Wakatu Inc. as the owner/developer is not wanting to cede ownership, nor control of the land.

Roads, footpaths land above infrastructure to remain with Wakatu Inc.

This is a critical concern that the District Council must acknowledge and resolve prior to the Plan Change being approved.

4. Conclusion.

On Form 5 of the Resource Management Regulations----The question of the "Decision" was asked.

My answer is an Approval of the proposed Plan Change but to have amendments.

In No. 3 above many of the matters can be mitigated or with adaptation policies. These could be costly, and are not identified in the proposed Long Term Plan.

The intent of the submission is for the Council and the Council Planning team to consider the range of issues involved, in particular recognising the long term factors (126 hectares) and for Motueka and the District.



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