

KAITAKE COMMUNITY BOARD
Supplementary Evidence/Submission
on Private Plan Change Application - PPC18/00048
13/11/2019

1. My name is Douglas Robert Hislop. I have resided in the Oākura community since 1970.
2. I have been a member of the Kaitake Community Board since 2004, being its Deputy Chair at that time, and subsequently its Chair from 2007.
3. This supplementary evidence/submission is in response to the Applicant's further evidence of 11 October 2019. I present it on behalf of the Kaitake Community Board (KCB) and am authorised to do so on its behalf.
4. The KCB notes the Commissioner's direction of 30 October 2019 and his emphasis that unnecessary repetition of evidence already given and new matters are to be avoided.

Landscape and visual effects

5. In the supplementary evidence of Richard Bain he states: *'Associative values of natural character and legibility of the Kaitake Range/rural environment are clearly maintained with the new structure plan.'* (para 8)
It is the KCB's opinion, the associated values will not be 'clearly' maintained. The new structure plan will still occupy much of the lower slopes of the Kaitake Range and allow for high-density urban development that imposes unfavourable visual and amenity effects, on the 'Paddocks' residents, the rest of the community and passing travellers. It will also diminish the 'mountain to sea' landscape connection that is so important to the community.

This development will place significant pressure on the existing natural landscape. A landscape that is particularly unique within the district due to its proximity to both the National Park and the sea. It is important to maintain the visual connection in such a distinctive setting and further urban residential encroachment will be detrimental in that respect. The KCB believes that the likely adverse effects on the Kaitake Range Outstanding Landscape is still not adequately identified or addressed.
(reference KCB substantive submission: points 25 - 27 and associated image, also 98 - 99).
6. Mr Bain states: *'If the FUD area west of SH45 is developed, the proposal will meet the community's desire that the majority of development will be on the western side of SH45.'* (para 11)
The KCB's responds that it has been established that the community wants all of the village's future urban growth to be on the seaward side of SH45, not the majority of it. There is no local support for any greenfields urban development on the southern side of SH45.
(reference KCB substantive submission: points 28 - 30, 72 and associated image).

7. Mr Bain also states: *'In my opinion the aspects of the reduced scheme, as described above, overtly address the key areas of submitters' concerns.'* (para 14).

The KCB unequivocally believes this is incorrect. Many of the key areas of submitters' concerns are not addressed. Regarding the KCB submission we refer to the following points in this context.

(reference KCB substantive submission: points 38, 39, 58, 59).

Subdivision and Development

8. Mr Doy states: *'The subdivision integrates with the surrounding neighbourhood and caters for differing modes of transport. Whilst a single entrance from Wairau Road provides the primary access to the site, provision has been made for connections to the west and State Highway should these be necessary in the Long Term.'* (para 4)

In the KCB's opinion, there is no integration with the village whatsoever. The new proposal is still very much the same design with a single entrance cul-de-sac. The opportunity for further urban expansion to the west, whatever the reasons advanced to do so, would allow for more additional residential sprawl into the rural landscape. It is difficult to understand how the proposed plan protects rural character and amenity values. (reference KCB substantive submission: point 53 and associated image).

Traffic and transport network safety and efficiency

9. Mr Skerrett concludes in his further evidence: *'...that the proposed development can be designed to ensure the traffic effects from the proposed plan change can be sufficiently mitigated.'* (para2)

The KCB are not experts in this field, but it does seem unusual that other than some NZTA traffic calming measures there appears no need to address the well over 1000 additional daily vehicle movements and a substantial increase in pedestrian and cyclist movements that will be generated.

We point out that his evidence does not address community concerns about traffic issues towards, and through the village and what capacity improvements would be needed. Undoubtedly the traffic, and transport network safety and efficiency extends further than the proposed access to the development on Wairau Road and down to the intersection with SH45. We reference the wider traffic effects on the safety of all vulnerable road user types from the Wairau Road intersection to the Dixon Street/ Hau Lane/Buttler Lane intersection with SH45. Surely these outstanding matters need to be addressed to ensure there is a safe and efficient transport network?

(reference KCB substantive submission: points 173 - 178 and associated images).

Stormwater effects

10. Mr Bunn states: *'The peak flow from the proposed Wairau Estate development comprises of less than 5 % (range of 1.5% to 3.5%) of the total peak flow at the confluence point across all design storm scenarios considered. It can be concluded*

that the proposed development will have a negligible impact on the existing downstream environment for all design storm scenarios considered.’ (para 9d)

The KCB’S responds that the proposed design suggests the development will contribute a minor flow into Wairau Stream and its unnamed tributary. This conclusion is based on a solution concentrated on stormwater retention and disposal within the development. However, there are existing issues downstream that are still not addressed. The actual flow appears little different from the original proposal and does not address the current downstream effects. As already pointed out the confluence point of the Wairau Stream and its unnamed tributary is at a particularly vulnerable location, as is the balance of the Wairau Stream’s path to its mouth. The community expects any discharge of stormwater going forward should only be allowed when there is sufficient capacity within the local council network. (reference KCB substantive submission: points 144 - 147 and associated images).

The Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3) requires stormwater assets that are future-proofed based on climate change outcomes and associated rainfall predictions. Surely, what the likely impacts and outcomes are outside the applicant’s boundary (including biodiversity impacts) should be taken into account and solutions proposed? (reference KCB substantive submission: points 149 - 151 and associated images, also points 152 - 161 and associated images).

We are very concerned that there is no mention of mitigation of biodiversity effects that will endanger wetland areas in the proposed retention pond locations. These areas are significant at both a district and regional level. They were identified habitats for Goldstripe Geko and Spotless Crake in 2010.

(reference KCB substantive submission: points 130 - 132, and 157).

Planning

11. Mr Comber sets out to explain how he considers: *‘based on the further evidence presented by the applicant’s experts, the transportation and traffic effects, social and cultural effects, landscape effects and infrastructure effects all reduce to the extent that the concerns identified by the s42A authors fall away.’ (para 3)*

The KCB has unpacked his expert conclusions and responds accordingly.

12. Mr Comber states: *‘The overlay illustrates the spatial extent to which the revised proposal has been reduced by comparison to the original.’ (para 5)*

In the KCB’s opinion, the new proposal has changed very little from the original version. We acknowledge that reductions have been made (e.g, deletions of the roundabout, bund, underpass, commercial area and equestrian blocks). In reality, these are not scaled down improvements but rather deletions of ill-conceived approaches that were demonstrated by submitters to be superficially planned, and would be particularly expensive add-ons for the applicant.

13. Mr Comber also states: *'It is clear that a tension exists between the statutory provisions of the Operative District Plan, which provides for significant future urban development at Oakura, and community perceptions about what that future growth might look like and how such growth is to be given effect to.'* (para 8)
The KCB does not agree with this statement. The community views mirror the NPDC planning approach to future growth. The community has engaged consistently over time with the NPDC to develop an agreed solution based on an adaptive planning platform. To allude that uneasy tensions exist between NPDC strategic planning objectives and community 'perceptions' and 'aspirations' is insincere and incorrect. (reference KCB substantive submission: points 6 - 11, and 45).
14. Mr Comber continues: *'There also appears to be a disconnect between the provisions of the operative plan, the community aspirations as expressed through the community documents, and submitters' oft repeated call to decline the subject application in its entirety.'* (para 8)
In the KCB's opinion this is a further attempt to discredit and downplay the very considerable disquiet the Oākura community has had about this application from the beginning. Submissions and evidence were based on the evidence in the original application. That application, and its subsequent extensions have been submitted before the final promulgation of the proposed District Plan. Therefore it is the KCB's view that a genuine solution from the applicant would be to lodge a new application under the proposed District Plan in which the community's aspirations could be addressed appropriately.
15. Mr Comber goes on to state: *'I consider that the original Request proposal would have delivered managed, staged and targeted growth. It was to be managed by way of the structure plan mechanism, it was to be staged relative to the provision of a roundabout and pedestrian underpass as traffic generation originating from Wairau Estate increased as development progressed and it was targeted to respond to the growth pressures that Oakura faces and to deliver a range of housing and lifestyle choices in response to the identified demands.'* (para 10)
'Notwithstanding this, the reduced scheme responds positively to the various submitters and the s42A authors' concerns about scale and intensity and will address community aspirations around being managed, staged and targeted.' (para 11)
The KCB's response is one of incredulity. It is difficult to decipher these statements in any other way than he doesn't grasp how inadequately constructed the original application was. He considers his 'expert' knowledge and application is superior to the submitters' experts and residents' understanding of the community in which they reside. He believes the reduced scheme responds positively to submitters.
The KCB disagrees. It certainly doesn't respond positively to our submission. Our interpretation is that, yet again, he concludes he knows best what is required in our

community even though he demonstrates his considerable lack of understanding about it.

16. Mr Comber states: *'Rather than resulting in widespread expansion, the reduced scheme (as with the original) now provides for, over time, a modest and logical expansion of the township.'* (para 20)

The KCB reiterates that this expansion (reduced or not) is not required in the immediate or medium term. As clearly stated by numerous submitters neither is it a logical expansion of the village. The new plan, while reduced somewhat in scale is still a high density urban development in an inappropriate location, and contrary to the consent notice protecting this land from such development.

(reference KCB substantive submission: points 51 - 54 and 63 - 65)

17. Mr Comber states: *'...the proposed Wairau Estate, through contributing supply at a rate the community can manage, will provide access to the affordable homes that the 'KCB Thirty Year Vision' aspires to.'* (para 38)

The KCB views this statement as supposition only. There is no evidence that any lot price would be at a level that provides access to affordable residential dwellings.

Cultural Impacts

18. Mr Comber states: *'...that the (applicant's) history of its good faith engagement with tangata whenua shows that there is reliable evidence currently before the commissioners to ensure that cultural issues are identified and properly addressed...'* (para 32)

The KCB questions the validity of this statement.

The historical record shows that in the 2010 Paddocks subdivision application the applicant's response to Mana Whenua was: *'Although the District Plan maps show a waahi tapu site on this site this is an error and there is no recorded physical evidence of waahi tapu sites on the application site. Public notification of the application will enable mana whenua iwi to be involved in the consent process if they desire.'*

At the time the KCB was concerned the applicant had undertaken no consultation with tangata whenua and submitted: *'Ngāti Tairi hapu is mana whenua for the area. The whakapapa of this hapu is closely intermingled with that of Ngā Mahanga and both groups are represented by the Board of Te Kotahitanga o Ngā Mahanga a Tairi. The Kaitake Range is important for their mana and tapu status, and contributes to a strong tribal identity. The unrestricted development of residential buildings on the sides of the Kaitake Range has been a source of much concern by iwi as it affects their spiritual and cultural relationship with this dominant feature. The iwi's declared position is that it would prefer no further development on the steep slopes as this compromises cultural and spiritual values.'*

(KCB submission on resource consent application by Oakura Farm Park Ltd. May 2010)

In regards to the original PPC18/00048 application the KCB was concerned that the applicant had appeared to have made little progress in furthering his understanding of, and empathy for, Mana Whenua matters. We believed there was little substance in his consultation processes and submitted accordingly.

(reference KCB substantive submission: points 100 - 104)

19. We support the proposal from Mr Zieltjes on behalf of Ngati Tairi and Te Kahui o Taranaki for a comprehensive review including a historical overview, site visits, review of plan change application and submissions, representative input and final presentation. **(para 38)** The KCB submits this review should be completed and considered before any part of the PPC18/00048 application is determined.

Social Impacts

20. Mr Comber states: *'I consider there is no evidential value on a separate social impact assessment. Social and community effects can be determined on the evidence currently before the commissioners.'* **(para 44)**.
The KCB agrees that there was an *'overwhelming body of evidence'* presented in both written and verbal forms. This indicates the large community concern about the proposal in toto. However the Commissioner's Direction on Further Evidence - 6 September 2019 requested that further evidence be provided by the applicant on the matter.
21. The interpretation that Mr Comber gives is: *'if properly evaluated'* the 'Oākura - A Growing Community 2014/16 and Kaitake Community Board Plan: A Thirty Year Vision 2017 his evidence will show: *'that the Wairau Estate proposal is endeavouring to deliver for the self-described 'growing community' a built environment which is consistent with community aspirations.'* **(para 45)**
The development of the plans he refers to rested with the KCB, working in tandem with wider focus groups of interested and talented local people. While Mr Comber accurately describes priorities in the plans, **(para 47)** to suggest there is a *'strong alignment'* between these and the application is flawed. The problem is he cannot, and does not attempt to, introduce the fundamental starting point of unique geographical locations for these priorities. There is no disconnect between the aspirations of the community in these planning documents and the contrary views he suggests were expressed at the hearing. In our opinion the disconnect rests in his assertion that the proposal is endeavouring to deliver a development consistent with community aspirations. It is more an example of just downsizing the original proposal in an attempt to get it 'over the line' rather than meeting community objectives.
22. Mr Comber states: *'This gap between the preferences and aspirations expressed in the non-statutory community planning documents and the evidence of resident submitters' calls into question what the community actually desires in the way of growth.'* **(para 48)**

The KCB believes that coherence is not particularly evident in this statement. The Kaitake Community Engagement Project took place in Oākura, Okato and Omata over 36 months. During that time over 70 meetings took place and over 300 people contributed to the face-to-face conversations, and with written responses.

The overriding theme followed throughout the community engagement processes was to provide a high-level blueprint to lead and shape the future development and growth for the community. Residents in the Kaitake Community Board area did not want to halt progress. Communities wanted to enable and encourage progress, the progress that makes sense for current and future generations and progress that is enabled with us and by us, and not just done to us, or forced on us.

We also question his overuse of the term ‘non-statutory’ when referring to the reports arising from the community engagement undertaken. The KCB believes these reports have more validity than the superficial consultation process undertaken by Wairau Estate Ltd. in respect of this plan change application and cannot be diminished by clever wordsmithing.

23. His following statements (**paras 49 - 51**) demonstrate his lack of understanding of the Kaitake Community Engagement Project and his failure to accept its outcomes in the way they are intended. He further promotes his interpretation by stating: *‘It is my view that the scaled-down proposal and its proposed staging aligns well with the community’s preferences and aspirations as expressed through the non-statutory planning documents while also being consistent with, and giving effect to, the Operative District Plan provisions for growth at Oakura.’* (**para 57**).

The KCB response is unequivocal. The scaled-down version doesn’t align with the community’s preferences and aspirations. If his response is merited this statement also calls into question why wasn’t this version the original application?

It does appear that Mr Comber holds onto an outdated, top-down way of operating. One where he starts with a concluded outcome and then massages evidence to fit it. This is an entirely different approach from that taken by the KCB. We always actively engage to seek out community self-determination and self-direction values before developing any stance on any particular issue.

24. Mr Comber then sets out to promote the establishment of a *‘community development liaison group’*. (**para 58 - 60**).

The KCB would never support the establishment of such a group promoted by the agent of a property developer. KCB members are the legally elected representatives of the community. The KCB’s role is set out by statute. (**Local Government Act 2002 Part 52**) How the KCB carries out its responsibilities is clear. (**reference KCB substantive submission: point 6**). The KCB has an appointed Councillor. The KCB established local focus groups in Omata, Oākura, and Okato as the very first step in the Kaitake Community Engagement Project. Membership of

the groups was arrived at via invitations to local stakeholders to provide a member. Terms of Reference were developed and agreed.

(reference KCB substantive submission: points 14, 52 - 54)

These groups liaised regularly with NPDC staff from 2014, and continue to do so.

The only construct the KCB can put on Mr Comber's suggestion is that he believes the KCB does not carry out its responsibilities well, and the work it has carried out in this regard does not meet his approval. We anticipate any denigration of the KCB's work in the community because one thinks one's recipe for community development is better would prove counter-productive.

Water Supply

25. The KCB believes it has covered its conclusions on this subject.
(reference KCB substantive submission: points 133 - 139)

26. Mr Comber makes much of the fact that the FUD West Land *'will require to be rezoned from Rural to Residential ahead of any residential development.'* **(para 77)**
He assumes this means the NPDC *'is of a mind that the land will not be required for residential development for the life of the 'new' District Plan i.e. 10 years from the date it becomes operative.'* **(para 78)**

The KCB points out his first statement is inaccurate, as part of the FUD West land is already consented for residential development and an access road (Cunningham Lane) is already in place. His second statement is particularly interesting, as this is the exact scenario for FUD South as well. NPDC has already established that FUD South would not be needed for residential development before a 10 to 30-year timeframe.

Concluding Comments

27. The KCB does not agree that the reduced Plan Change responds appropriately to the concerns of submitters. **(para 84)** There are numerous information gaps in the applicant's further evidence. These gaps are not minor, and include the Commissioner's Direction on Cultural Impacts and Social Impacts.

28. The reduced scale does not alleviate the community's concerns regarding proximity to the National Park, nor the adverse inputs on amenity values.
(reference KCB substantive submission: points 105 - 129)

29. Regarding Mr Comber's statement: *'Growing the population at Oakura in line with the community's well-documented aspirations will not only contribute to local social and economic wellbeing but will also contribute to community vibrancy and resilience.'* **(para 89)**
We regard this as conjecture only.

In Summation

30. The KCB believes the final points made in its substantive submission still stand.
(reference KCB substantive submission: points 199 - 209).

31. Even though we have referenced this submission to points in our substantive submission we believe that document needs to be read in conjunction with this supplementary evidence/submission.