

**RMA Submission Form for Publicly  
Notified Private Plan Change 28**



OFFICE USE
Submission No:
Date Received Stamp:
Objective No:

**Return your submission by 5pm on Wednesday 8 December 2021 to:**

Planning Administrator  
RMA Plan Submissions Nelson City Council  
Freepost 76919  
PO Box 645  
Nelson 7040

(Hand delivery or Courier to: Ground Floor, Civic House, 110 Trafalgar St,  
Nelson 7010 or Email to: [submissions@ncc.govt.nz](mailto:submissions@ncc.govt.nz) with plan change no. in  
subject line)

on Proposed Private Plan Change 28      **28**      **Maitahi Bayview**

to the  
Nelson

**Resource Management Plan**

**Submitter Details**

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Organisation	Friends of the Maitai		
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**Council Hearing**

- We wish to be heard in support of our submission
- (If yes above) I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings

**Trade Competition**

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.

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

If you **could** gain an advantage in trade competition through this submission please complete the following:

I/we **am**  **am not**  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.

#### Public information

Please note that your name and address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as council.

Sign here  
*Steven Gray*

Date: 8 Dec 2021

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**Signature of Submitter** **Date**  
(or person authorised to sign on behalf of submitter - a signature is not required if you make your submission by electronic means)

**The specific provisions of the Proposed Private Plan Change 28 that our submission relates to are as follows:**

**General**

Water quality

Impact of sediment and stormwater on river ecology and associated habitat

The amenity value of the Maitai River and Maitai Valley

Safety issues arising from traffic impact

Future consent issues

This submission is from Friends of the Maitai, a community-led environmental group that has taken action over several decades when there have been issues or threats facing the Maitai River. The current group formed in 2014 when cyanobacteria blooms closed popular swimming holes. We are active in water monitoring, riparian planting and plant care, lobbying (particularly on the impact of pine forestry) and education. We have 350 members on our mailing list.

**Our submission is that:**

Private Plan Change 28 be rejected unless:

1. The developers are required to take the necessary steps to protect and preserve the water quality, river ecology, and amenity value of the Maitai River and Maitai Valley.
2. The Nelson City Council is required to publicly commit to resource the monitoring and mitigation of all adverse impacts on the water quality, river ecology, the

amenity value of the Maitai River and Maitai Valley, including the impact of traffic.

3. All infrastructure necessary to protect and preserve water quality and river ecology is in place and functioning before any construction begins.
4. The development is required to put in place suitable provisions for handling greywater, and rainwater storage and other measures to reduce the demand on the water supply.
5. Engineered changes to the Maitai River floodplains and Kaka Stream realignment, during the construction stage and ongoing, do not increase flood risk or have any negative impact on the ecology and natural character of the Maitai River, as noted in the supporting advice from Cawthron.
6. Water quality and river ecology is protected from sediment and all other pollutants at all times; this includes sediment from site works, and pollutants from increased stormwater runoff, as noted in the supporting advice from Cawthron.
7. All necessary measures are detailed and published in a plan to protect water quality, river ecology and amenity value of swimming holes adjacent to and downstream from the subdivision. Stormwater and sewage being routed past Dennes Hole should not affect the amenity value of this area, including visual amenity.
8. Steps are taken to ensure any impact of increased traffic on the lower Maitai Valley and Nile Street (including during construction) is consistent with best practices for active transport and for public safety.
9. The development's transport infrastructure plans and building requirements are consistent with the central government decarbonisation pathways required to achieve net-zero carbon by 2050, and with the Nelson City Council's declaration of a Climate Emergency.
10. Future subdivisions and buildings within Kāka Valley/Bayview be subject to Resource Consent and appropriately notified to the public.

#### **Reasons:**

The Maitai Valley's rural character and amenity are highly valued by Nelsonians and visitors. If the Bayview/ Kaka development goes ahead the values of the Maitai Valley must be protected for the benefit of current and future generations. Green spaces like the Maitai Valley are essential for people's health and wellbeing, particularly as the existing urban area is intensified.

- 1 Nelson is fortunate to have a river close to the city, with water quality that sustains a reasonably healthy ecosystem. This is already under threat from forestry and urbanisation. Extending the urban area into the Maitai Valley poses a further threat to the water quality and river ecology, as well as potentially increasing the downstream impact of sedimentation in Nelson Haven. As noted in the supporting advice from Cawthron, "...urban streams are often associated with what's been described as an 'urban stream syndrome' with symptoms typically including an unnaturally variable flow regime (more floods and extreme low flows), high concentrations of nutrients and contaminants, elevated water temperatures, altered channel morphology, and a reduced diversity of aquatic life (Walsh et al. 2005)."
- 2 The Maire Stream debacle and current issues with the impact of the Bayview development indicate the Nelson City Council faces significant challenges of monitoring and mitigating the impacts of development. As a result, more detailed monitoring and mitigation plans are needed. This is to enhance Council's ability ensure negative impacts are noted and mitigated before the health of the river is compromised.

- 3 The construction plan must present how and when sediment traps, protective berms, and other water quality/river ecology protection measures will be in place from the moment construction begins.
- 4 The increased demand from 750 houses would see the Maitai reduced to the minimum allowable flow more often, with impacts on water quality and river ecology. The inclusion of greywater recycling and rainwater harvesting mechanisms will reduce the demand on the city water supply and its potential impact on the Maitai.
- 5 There is insufficient information on how the flood risk will be managed. Changes to the floodplain, additional stormwater flows, and increased severe weather events mean the flood risk downstream is inevitably greater. The plan change does not address these issues and their potential impacts sufficiently.
- 6 The plan change does not include details on how sediment will be dealt with or how it will meet the requirements of the National Policy Statement on Freshwater. As outlined in the advice from Cawthron a comprehensive sediment/erosion management plan for the proposed development is necessary given the high risk of erosion and sediment runoff into waterways as part of the proposed development.
- 7 Dennes Hole, Black Hole and Girlies Hole have been valued by Nelsonians for many generations and have a historical and cultural value. In 1914 land was taken under the Public Works Act and designated as a reserve. From that time school parties, church groups, lodges and companies held gatherings and annual picnics at Branford Park or the Maitai Reserve. The swimming holes adjacent to the PPCR area continue to be Nelson's most popular freshwater swimming spots to this day.
- 8 The current traffic assessments in the PPCR underestimate traffic volume. Further investigation needs to be done on the impact on traffic from the subdivision. As indicated in the Infrastructure plan, lower Maitai Valley Road and Nile Street will need to be extensively excavated to install new stormwater and water supply infrastructure. Friends of the Maitai wants the redesign of Nile Street, prior to the plan change, to protect safe travel on foot, cycles and by car. This includes the permanent removal of log trucks from the lower Maitai Valley and Nile St and requires separating and protecting active transport, especially of children biking/walking/scootering to and from school.
- 9 There need to be covenants requiring houses to be built with measures including power-points for charging e-vehicles, and with appropriate solar power. Meeting net-zero carbon also needs to include support from Nelson City Council with provision of public transport to and from the subdivision.
- 10 Critical aspects of the development are not detailed or supported by technical information at this stage, such as sediment and downstream flooding assessments. As stated in advice received from Cawthron, this leaves the Council in a difficult position and places considerable uncertainty on whether subsequent detailed development consents would be approved.

The decision we seek from the Council is that:

Private Plan Change 28 is rejected unless the changes and protections that we have requested in our submission are included in the plan change and implemented.