

**BEFORE THE HEARING PANEL
APPOINTED BY THE TASMAN DISTRICT COUNCIL**

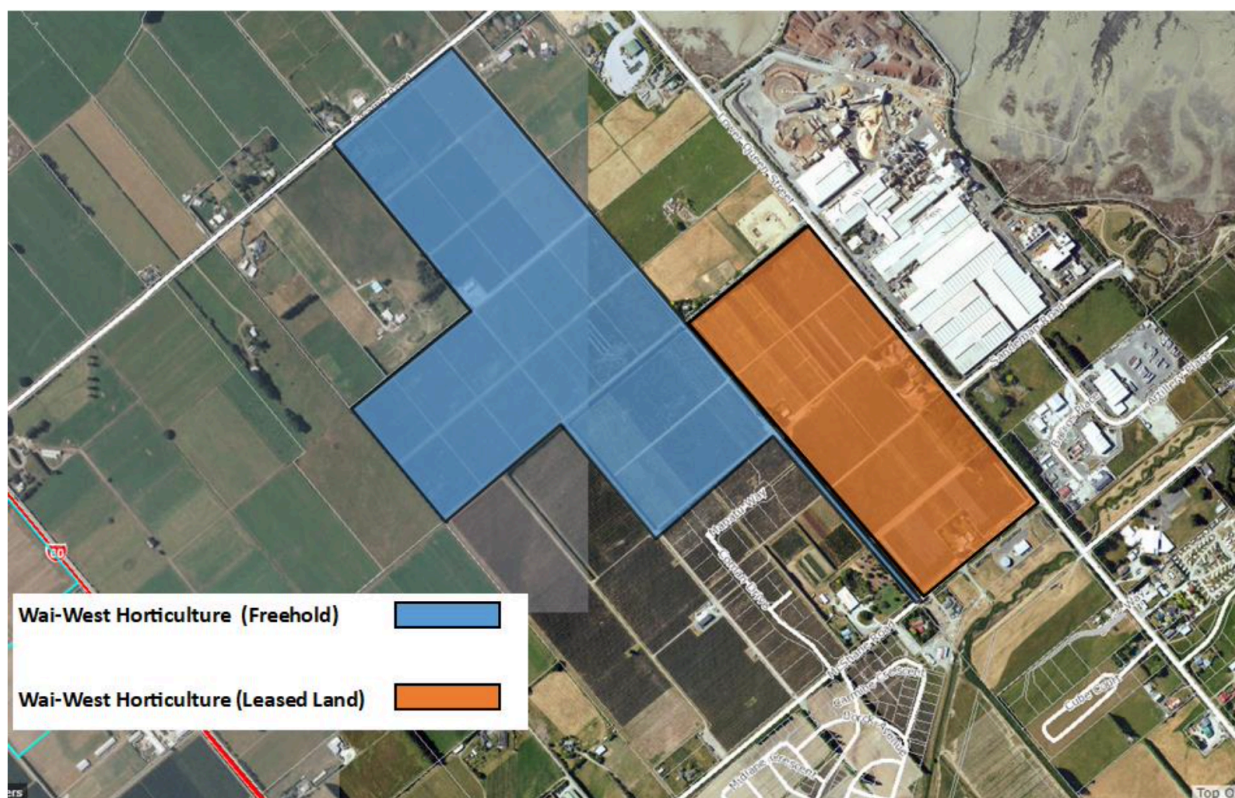
In the matter to the Tasman Resource Management Plan under Schedule 1 of the
Resource Management Act 1991.

Submitter Wai West Horticulture Ltd;

STATEMENT OF WAI WEST HORTICULTURE LTD

Site location

- 1 My name is James Patterson, and I am the Managing Director of Wai West Horticulture Ltd. Wai West Horticulture Ltd is jointly owned by three families and has been operating in the top of the South Island since 1983. Our company owns or manages approximately 220 hectares of horticultural land in the Tasman district, where we grow apples, boysenberries, kiwifruit, and feijoas. We employ around 40 permanent staff and an additional 250 seasonal workers on fixed-term or casual contracts during the growing season. These seasonal workers include New Zealanders, Recognised Seasonal Employer (RSE) workers, and individuals on working holiday visas. Wai West Horticulture Ltd owns the property at 33 Swamp Road as shown on the attached map and leases land at 491 Lower Queen Street and 16 McShane Road also shown.





- 2 Wai West Horticulture Ltd seeks a fair and balanced opportunity to develop its land. We also seek to ensure that our existing horticultural operations can continue until light industrial development becomes financially viable.

Development

- 3 While this plan change initially appeared to offer a genuine pathway to progress development, the recent Planner Reports have introduced new obstacles that significantly hinder that potential, even with the industrial zoning in place. The expectation of development without subdivision is particularly problematic. At this stage, it is unclear how development could realistically proceed under these conditions.
- 4 Landowners require flexibility on how they manage coastal hazard risks on their properties. An exemption pathway is essential to provide flexibility and allow for tailored solutions where landowners are willing to invest in appropriate measures, supported by expert assessment. The Plan Change should ensure consistent and equitable treatment between land that has already had its deferred status lifted and land within the Schedule 17.4A area.
- 5 The Plan Change must enable viable development opportunities both within and beyond the Schedule 17.4A area. It is the Council's responsibility to ensure there is a clear and

practical pathway that encourages investment and supports the intended purpose of the upzoned land, without imposing conditions that unduly hinder the proposed activities.

- 6 Wai West Horticulture Ltd would expect development to occur in stages, aligned with demand from the Tasman and Nelson City districts. Initial development would most likely begin as an extension of the existing Coman development along the eastern boundary of Wai West's land.

A pathway forward

- 7 The southern boundary of the Schedule 17.4A area intersects multiple property titles and appears to have been drawn based on the 5.1m (NZVD 2016) ground contour, although this is not clearly explained in the notification documents. Given that different land use rules apply within and outside this area, complications may arise for properties that are only partially covered by the Schedule 17.4A overlay. To address this, we request that the boundary be adjusted to either:
 - a. align with property boundaries where they are close to the 5.1m contour;
and/or
 - b. allow that where land within the Schedule area is raised above 5.1m as part of a development proposal, the planning provisions applying outside the Schedule area may also apply to the raised land within it.
- 8 The building restrictions as currently notified may discourage investment in light industrial development, potentially undermining the intent of the rezoning. We consider that where an applicant provides comprehensive information, including expert assessments as required, there should be provision for industrial buildings that are not necessarily temporary, relocatable, or removable. At a minimum, a clear consent pathway should be available to enable such developments to be considered on a case-by-case basis.
- 9 Wai West Horticulture Ltd initially understood that Plan Change 79 offered a practical approach to enabling development. Prior consultation with Council Officers indicated that a prohibition on subdivision would not be workable, and we were encouraged to see that the notified version of the plan change did not include such a restriction. However, we are now surprised by the Council Officer's report, which represents a significant departure from the notified version.
- 10 Wai West Horticulture Ltd is the largest landholder within the RW1 area. The maps above illustrate the scale of horticultural activity currently undertaken by the company in the Richmond West area. This parcel of land is also the furthest inland within RW1. As currently proposed, the trigger point would affect all landowners simultaneously; however,

in practice, this is unlikely to be the case. A staged approach with multiple trigger points would provide greater flexibility, allowing landowners to manage and mitigate inundation risks as they become relevant to their specific properties.

- 11 A relevant example of appropriate development is the Artillery Place application, which demonstrates how site-specific mitigation can be effectively implemented in accordance with the most up-to-date information. This approach has been previously accepted by the Council and has proven to be successful in practice.

Thank you for your careful consideration of this matter. A workable and robust solution must be achieved that serves the interests of the Tasman District Council, landowners, and the wider business communities of both Nelson and Tasman.

JAMES PATTERSON