

**BEFORE THE INDEPENDENT HEARING COMMISSIONERS**

UNDER the Resource Management Act 1991 (“RMA” or “the Act”)

IN THE MATTER OF A hearing on submissions on the proposed Te Tai o Poutini Plan

**Topic:** Industrial Zone

**Cape Foulwind Staple 2 Limited**

Submitter Number: **568**

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**PLANNING EVIDENCE OF JANE BAYLEY**

Dated 14 June 2024

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## 1.0 INTRODUCTION

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- 1.1 My full name is Jane Rushton Bayley. I am a Resource Management Planning Consultant and hold the qualification of Master of Regional and Resource Planning from Otago University.
- 1.2 I have over 20 years experience as a Planner and Resource Management Consultant. This experience includes as a Council Planner with the Buller District Council from 2000 through to the start of 2008, when I moved into private practice. I am employed as a Resource Management Consultant at Staig & Smith Ltd which is a Surveying, Land Development and Planning Consultancy based in Nelson.
- 1.3 I am familiar with and have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note and I agree to comply with it. My evidence is within my area of expertise, however where I make statements on issues that are not in my area of expertise, I will state whose evidence/reports I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.
- 1.4 I have prepared a planning assessment supporting the submission of Cape Foulwind Staple 2 Limited (CFS2) on the proposed Te Tai o Poutini Plan (TTPP).
- 1.5 CFS2 own the land formerly known as the Holcim New Zealand Ltd's 'non-production' land, being the areas not part of the processing plant or the quarry. This includes the parcels shown below.



- 1.6 CFS2's submission sought to either support or change zoning of their land, or land on which they had subdivision consents being undertaken at the time of the submissions.
- 1.7 In preparing this evidence, I have considered the following documents:
- CFS2's original submission on the TTPP.
  - The notified TTPP and s32 report, in particular the Industrial Zone objectives, policies and rules and Planning Maps.
  - The section 42A report for the Industrial and Commercial Zones and Appendix 3 changes to the Planning Maps.

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## 2.0 CFS2 ORIGINAL SUBMISSION 568

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2.1 CFS2 made a submission on the TTPP, with a particular focus on the zoning of their land holdings at Omau, Cape Foulwind. The submission focussed on two Industrial Zoning matters:

S568-006 Sought that the zoning of the 837m<sup>2</sup> allotment of Pt Sec 8 Blk I Steeples SD, shown as Area 3 below, be changed from Settlement Zone to Light Industrial Zone.

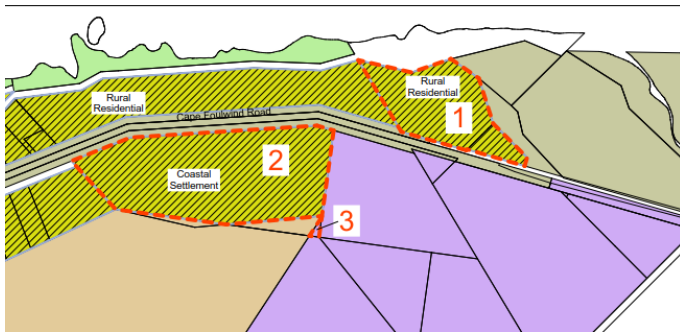


Figure 1 : Area 3 - Land submitted upon



Figure 2 : The Triangle



Figure 3 : Close up of land sought to be rezoned Light Industrial

S557-009 Sought that the zoning of the two strips of land adjacent to Cape Foulwind and Limestone Roads, be changed from General Rural to reflect the adjacent zones.

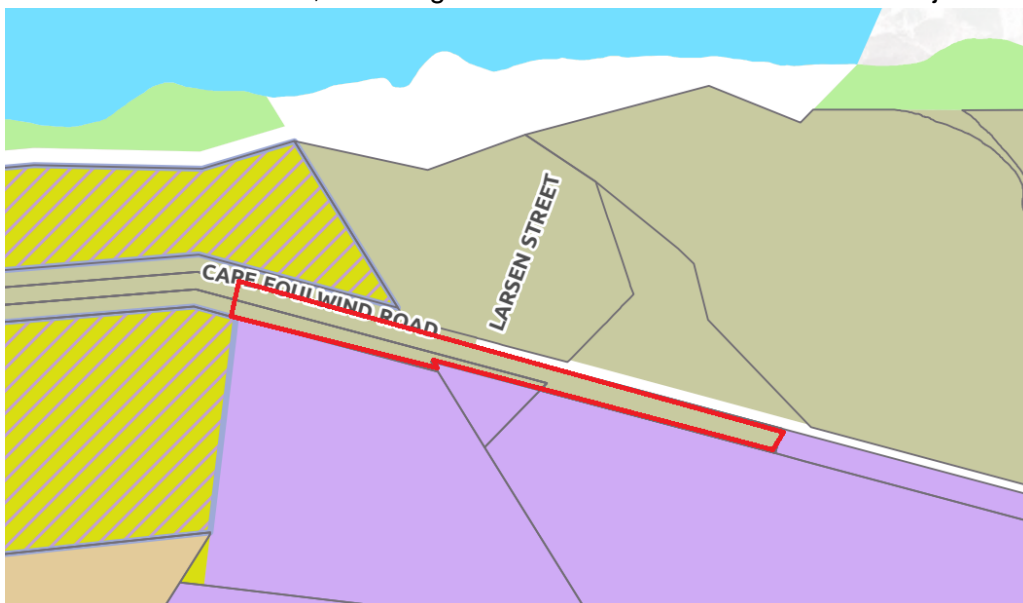


Figure 4 : Strips beside Cape Foulwind Road sought to be rezoned Light Industrial

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## 3.0 PLANNING EVIDENCE

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### Submission S568-006

- 3.1 CFS2 submitted that they would like to change the zoning of a small triangle parcel of 837m<sup>2</sup> which has the application of Pt Sec 8 Blk I Steeples SD to be changed from Settlement Zone to Light Industrial Zone, as shown in the Figures 1-3 above. At the time CFS2 develop the Inner Cape Foulwind area, this parcel will be amalgamated with the Light Industrial land to the east.
- 3.2 Within Appendix 2 of the s42A report, the CFS2 submission seeking the change to the zoning of the triangle has not been reflected, and reference to this is also absent in Appendix 3 of the s42A report, being the adjusted Planning Maps.
- 3.3 The Council are remiss at leaving out this submission from the assessment, and Council must consider this submission.
- 3.4 CFS1 retain their submission seeking that the triangle allotment shown as Pt Sec 8 Blk I Steeples SD to be rezoned from Settlement Zone to Light Industrial Zone. This provides a consistent boundary for the adjacent land holder.

### Submission S568-009

- 3.5 CFS2 own strips of land which were part of the former Haul Road and former railway links for mining, as shown highlighted below, which run beside Cape Foulwind Road.



*Figure 5 : Strips owned by CFS2*

- 3.6 I note that the eastern strip, being Sec 6 SO 14770 has been zoned Light Industrial as shown below in Figure 4 above, however the remainder of CFS2 strips have been notified as being zoned General Rural. This is not consistent with the adjacent land holdings. The result of which is a 20m-40m wide strip of General Rural zoning, sandwiched between Cape Foulwind Road and the Light Industrial Zone.
- 3.7 Within Appendix 2 of the s42A report, the submission seeking the change to the zoning has not been reflected, and this is also not included in Appendix 3, the adjusted Planning Maps, where Council have not considered the re-zoning of this portion of land.
- 3.8 The Council are remiss at leaving out this submission from the assessment, and Council must consider this submission.
- 3.9 CFS1 retain their submission seeking that the portion of Sec 5 SO 14770 and Lot 17 DP 574635 to the north of the Light Industrial Zone be changed from General Rural Zone to be zoned Light Industrial Zone.

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#### **4.0 CONCLUSION**

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- 4.1 I consider that the rezoning the triangle of land, Pt Sec 8 Blk I Steeples SD, which is sandwiched between the Light Industrial Zone should also be included to be consistent with adjacent zoning.
- 4.2 I consider that the rezoning the strips between the Light Industrial Zone and Cape Foulwind should also be included to be consistent with adjacent zoning.

Dated 14 June 2024



Jane Rushton Bayley