

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: Rural Zone, General Rural Zone, Rural Lifestyle Zone and Settlement Zone and its Precincts (excluding the Franz Josef area)

Cape Foulwind Staple 2 Limited
Submitter Number: **568**

Cape Foulwind Staple 1 Limited
Submitter Number: **557**

Response to WCRC Discharge Report
Jane Bayley

Dated 20 Dec 2024

1.0 Response to Evidence by WCRC on Wastewater in relation to zoning potential

Cape Foulwind Staple 2 Limited - Submitter Number: 568

- 1.1 Cape Foulwind Staple 2 Ltd (in the purple area) have two parcels of land under the proposed rezoning.



- 1.2 Parcel 1 was notified to be Rural Lifestyle Zone (1ha minimum subdivision standard) and the Submitter supported this.
- 1.3 Parcel 2 was notified to be Settlement Zone – Rural Residential Precinct (Min subdivision standard of 0.4ha). The Submitter presented evidence at the hearing that as Parcel 2 includes a large area of Signification Natural Area of indigenous forest and wetlands, that this was not an appropriate zoning for the land as it was unachievable. As such, the Submitter sought to “swap” the notified ~12ha of Settlement Zone – Rural Residential Precinct with a smaller ~9.2ha portion of parcel 5 owned by Cape Foulwind Staple 1 Ltd that had been notified as Rural Lifestyle Zone.
- 1.4 Under the recommendations of the WCRC report on wastewater, the Submitter supports the zoning of Parcels 1 and 2 as Rural Lifestyle Zone.

Cape Foulwind Staple 1 Limited - Submitter Number: 557

- 1.5 Cape Foulwind Staple 1 Ltd (in the red area) have three parcels of land under the proposed rezoning.
- 1.6 Parcels 3 and 4 were notified to be Rural Lifestyle Zone (1ha minimum subdivision standard) and the Submitter supported this. This is consistent with the WCRC wastewater report.

- 1.7 Parcel 5 however the Submitter sought that the area marked below which is setback from Guardian Lake be rezoned from Rural Lifestyle Zone to Settlement Zone – Rural Residential Precinct.



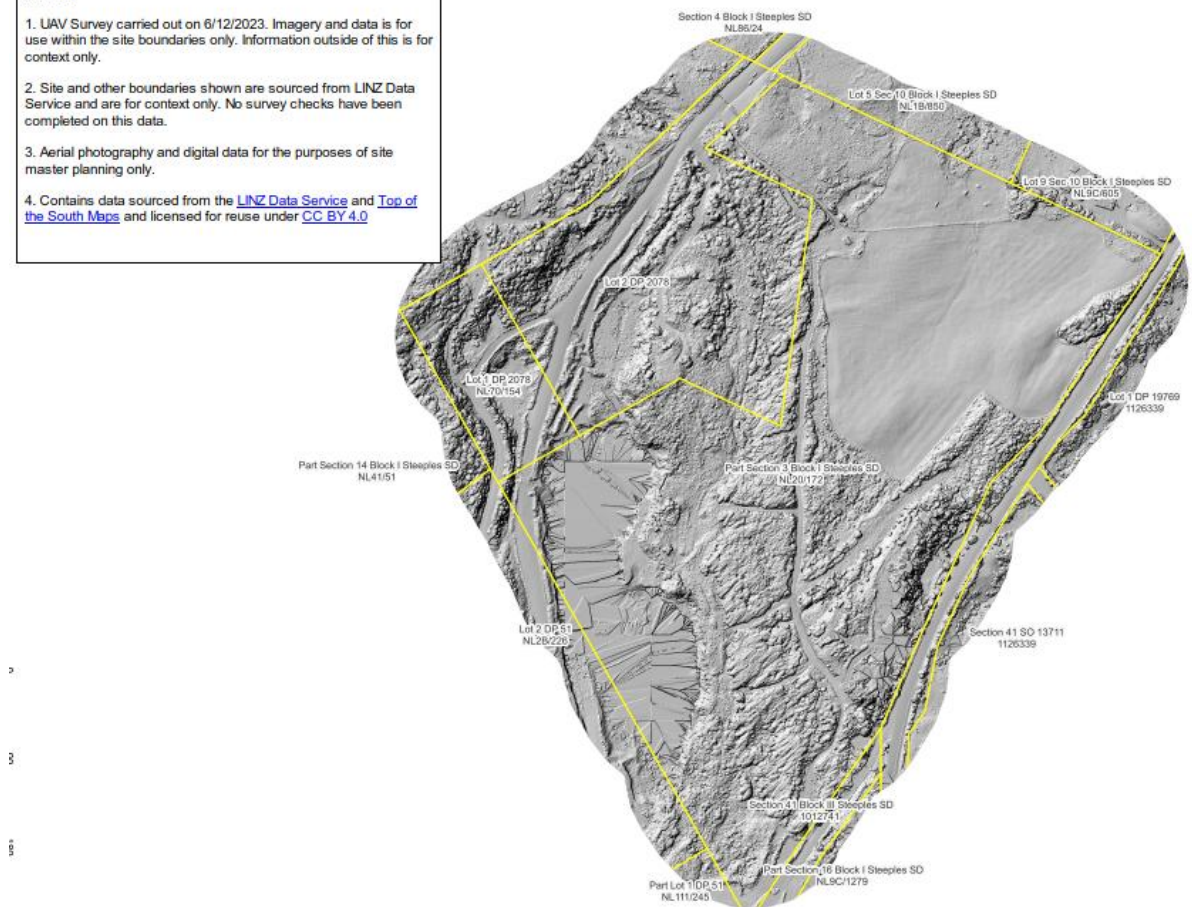
- 1.8 The evidence presented to the Hearings Committee included a Conceptual development layout for development of the site, which included development of 1ha sections around Guardian Lake, which is consistent with the Rural Lifestyle Zone standard, with sections reducing in size down to the 0.4ha standard of the Settlement Zone – Rural Residential Precinct, as submitted, where the connection to the Lake was no longer an influence.



- 1.9 In 2023, Staig & Smith flew the site with Ortho-corrected drone, and mapped the lay of the land. The whole of the area does not drain towards the lake, and therefore restricting the density of development on this portion of land, based on the potential for leaching into the Lake, is considered to be overly precautionous.

NOTES:

1. UAV Survey carried out on 6/12/2023. Imagery and data is for use within the site boundaries only. Information outside of this is for context only.
2. Site and other boundaries shown are sourced from LINZ Data Service and are for context only. No survey checks have been completed on this data.
3. Aerial photography and digital data for the purposes of site master planning only.
4. Contains data sourced from the [LINZ Data Service](#) and [Top of the South Maps](#) and licensed for reuse under [CC BY 4.0](#)



- 1.10 The details of development are able to be undertaken to ensure that discharges do not leach towards Guardian Lake. As such, the Submitter still seeks, as presented at the Hearing, that the portion of Parcel 5 being an area of ~9.2ha be rezoned from Rural Lifestyle Zone to Settlement Zone – Rural Residential Precinct.
- 1.11 In part, the Submitters supports the recommendations of WCRC regarding the retention of the Rural Lifestyle Zone around the Guardian Lake. However the Submitter does not consider that the balance of the site, which does not flow towards the lake, need to also have the larger 1ha subdivision standard imposed, and respectively submits that this portion of land, as presented at the Hearing, be rezoned from Rural Lifestyle Zone to Settlement Zone – Rural Residential Precinct.

Conclusion

- 1.12 Cape Foulwind Staple 2 Ltd support the evidence presented by WCRC in relation to the area of Section 4 Block I Steeples Survey District (Parcel 2 as shown above) and seek that the land be rezoned from Settlement Zone – Rural Residential Precinct to Rural Lifestyle.

- 1.13 Cape Foulwind Staple 1 Ltd partially support the recommendation presented by WCRC in relation to Section 3 Block I Steeples Survey District (Parcel 5 as shown above) and that the area around Guardian be retained as Rural Lifestyle. However Cape Foulwind Staple 1 Ltd seek that the farmed area shown as ~9.2ha be rezoned from Rural Lifestyle to Settlement Zone – Rural Residential Precinct.

Dated 20 December 2024

A handwritten signature in black ink, appearing to read 'Bayley', written in a cursive style.

Jane Rushton Bayley