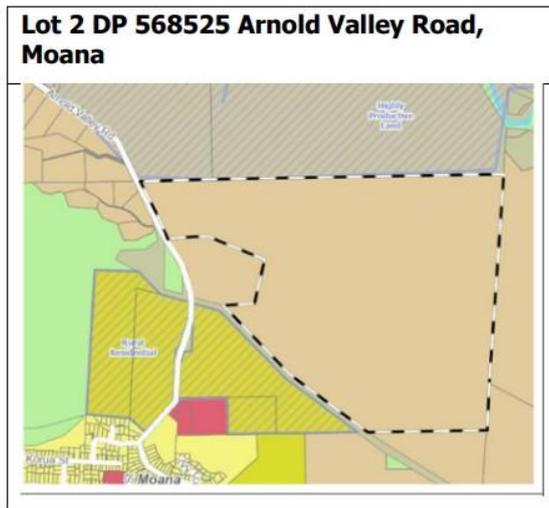


## APPENDIX B – A Copy of the Relevant Parts of the Decision

494. Te Kinga Estates Limited (S517.003) seek that the site at site at Lot 2 DP 568525 Arnold Valley Road, Moana is rezoned from Rural Lifestyle Zone to Rural Residential Precinct Settlement Zone. I do not support this submission. The zoning at Moana follows a concentric cascade around the core community, with areas of residential zone surrounded by Settlement Zone – Rural Residential Precinct, and in the outer area, Rural Lifestyle Zone. This property is within that outer area and I consider Rural Lifestyle is the most appropriate zone.

495. The area is shown in the map below.



801. Ms Easton did not support a submission from Te Kinga Estates (S517.003) to rezone Lot 2 DP 568525, Arnold Valley Road, Moana, from Rural Lifestyle Zone to Rural Residential Precinct Settlement Zone. Ms Easton noted that the zoning at Moana follows a concentric cascade around the core community, with areas of residential zone surrounded by Settlement Zone – Rural Residential Precinct. In the outer area, the Rural Lifestyle Zone, the property is in the outer area (s42A para 494-495).

863. Mr Rob Kinney, a Director of Te Kinga Estates Limited presented a statement at the hearing. He said Te Kinga Estates Limited had submitted in support of the Rural Residential Precinct zoning of properties on the Arnold Valley Road and had sought for this zoning to be applied to the adjoining property being Lot 2 DP 568525, which currently had a Rural Lifestyle Zone. He said the site was located near the township of Moana and that Te Kinga Estates Limited anticipates further development of the site in the future. He noted that the property is generally flat with some areas which are slightly undulating and is naturally suited to development. He clarified that they sought Settlement Zone for the property (1000m<sup>2</sup> lots). Mr Kinney considered that, although the notified Settlement zone – Rural Residential Precinct appears extensive (approximately 50ha), the potential area for development is reduced due to the undulating and poorly drained nature of the area, likely natural hazards and remnants of mature native vegetation. The Moana transfer station is also located in the middle of the proposed settlement zone. He considered it to be at low risk from natural hazards. Mr Kinney requested the Panel consider rezoning this property to allow for potential future growth of the Moana township.

864. In response to Minute 52 **Te Kinga** Estates provided a letter to the Panel noting that BTW considered the cumulative effects associated with the proposed change of land use and primary treatment systems would be low. They advised that the report stated that where discharges are likely to occur, the effects would be within the bands for NPSFW guidelines. Te Kinga Estates Limited, therefore, supported the findings concerning Area E.
885. Concerning the wastewater servicing options for the **Te Kinga** Estates rezoning proposal, Ms Easton noted that GDC had advised they were about to approve a subdivision consent for Cashmere Bay Dairy, which would take most of the available capacity in the existing Council system. Any rezoning of the Te Kinga site would therefore require additional wastewater capacity. Ms Easton concurred with GDC staff that on-site wastewater disposal was inappropriate in this location. She noted that all other small sites are connected to reticulation, either the Council system or a private system owned by David Ellerm. Ms Easton advised that the Council system is newer and treats wastewater to a higher standard and considered that an expansion of the Council system would be required to accommodate the Te Kinga proposal.
890. In response to the Te Kinga Estates submission, Ms Easton noted that no additional evidence had been provided concerning servicing, infrastructure or adverse environmental or cultural effects at the hearing. The site contains areas of sphagnum moss, pakihi and manuka wetlands that would be subject to the NESF, but no landscape, ecological or cultural assessment was provided.
891. Ms Easton summarised the BTW Company (BTW) assessment, noting it identified that key environmental risks from on-site wastewater systems on this property relate to cumulative effects from E.Coli and nutrients in the small streams and wetlands within the site, as well as increased E.coli at Molloy Bay in Lake Brunner. BTW considered that the current approach to on-site wastewater at Moana is inadequate to manage these effects due to the high permeability of the soils, and that, at a minimum, secondary treatment should be required.
892. Ms Easton concluded that no information presented at the hearing or within the BTW report had caused her to change her recommendations, and recommended the property remain Rural Lifestyle Zone as per the notified Plan.
956. The Panel accepts Ms Easton’s recommendation to reject the submission from **Te Kinga** Estates Limited to rezone Lot 2 568525 to Rural Residential. While we acknowledge Mr Kinney’s statement, he did not provide us with additional evidence regarding servicing or infrastructure needs, environmental or cultural effects, or the need for further Rural Residential zoning in the Moana area. We note that the BTW report scenarios examined the implications of developing the property with 4000m<sup>2</sup> sites and on-site servicing. It notes that the property drains to three sub-catchments, which drain, respectively, to Lake Brunner, the Arnold River, and Molloy Creek. Given that the site in question is 134 hectares and would substantially increase the housing potential, we consider resolution of these factors to be necessary.

Case No.	Applicant	Request	Panel Decision	Reasons for Decision	Outcome
S598.001	Te Kinga Investments Ltd	Rezoning Requests	Amend	Rezone 28ha of land at Te Kinga (Lot 2 DP 547998) from Rural Residential Precinct to Settlement Zone to allow 1000m <sup>2</sup> sites to be developed.	Reject
S517.001	David Ellerm	Rezoning Requests	Amend	Rezone 28ha of land at Te Kinga (Lot 2 DP 547998) from Rural Residential Precinct to Settlement Zone to allow 1000m <sup>2</sup> sites to be developed.	Accept

197. **Te Kinga Estates** Limited (S517.001) seeks that the land at Lot 2 568525 on Arnold Valley Road is rezoned from General Industrial Zone to Settlement Zone. I do not support this submission. I was unable to determine from the information provided by the submitter which land the rezoning request related to.

information outlined in this report I do not alter my recommendations.

**Te Kinga Estates Site**

- 22. Te Kinga Estates Limited (S517.003) has sought the rezoning of their property to Settlement Zone Rural Residential Precinct. This would provide for 4000m<sup>2</sup> lots across their 134 ha property (approximately 300 new lots). They provided no additional evidence at the hearing in relation to servicing or infrastructure, environmental or cultural effects.
- 23. The BTW report scenarios looked at the implications of the property being developed with 4000m<sup>2</sup> sites with on-site servicing. It notes that the property drains to three sub-catchments that drain respectively to Lake Brunner, the Arnold River and Molloy Creek . The BTW report identifies that the key environmental risks from on-site wastewater systems on the property are the risk of cumulative effects from E.coli and nutrients on the small streams and wetlands within the site, as well as increased E.coli at Molloy Bay in Lake Brunner. The BTW report notes that adverse effects are likely from any land use change (Summary Page vii) but that the degree of adverse effect cannot be determined from the information provided. They also identify that the current approach to on-site wastewater treatment at

Moana is inadequate to manage these effects due to the high permeability of the soils and that secondary treatment at a minimum should be required.

- 24. The site contains large areas of sphagnum moss, pakihi and manuka wetlands. None of these wetlands are scheduled in the West Coast Land and Water Plan but will be subject to provisions in the NESFW. No ecological, cultural or landscape assessment has been provided by the submitter in support of their proposal.
- 25. The property is zoned Rural Lifestyle in the notified plan.
- 26. No information presented at the hearing, or within the BTW report causes me to change my recommendations in the s42A report that this submission should be rejected and the property remain as per the notified plan Rural Lifestyle zone.

**Rezoning at Cape Foulwind**

			commercial centre precinct and a light industrial zone.
Te Kinga Estates Limited (S517)	S517.001	Amend	Rezone (from General Industrial) the property at Lot 2 568525 on Arnold Valley Road to Settlement Zone.
Greg Maitland (S571)	S571.005	Oppose	Amend Settlement Precinct 4 to Open

# APPENDIX C – Emails & Minute 52

Re: Minute 33 - Updated **Hearing** Timetable Inbox x

 **Chu Zhao** <chu.zhao@wrcr.govt.nz>  
to me

Hello again Rob

Are you speaking for Te Kinga Investments Ltd?

**Chu Zhao**  
Planning Technician - **TTTP** | West Coast Regional Council  
chu.zhao@wrcr.govt.nz | +64 3 768 0466 ext. 9104 | +64272152036



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**From:** Chu Zhao <chu.zhao@wrcr.govt.nz>  
**Sent:** Thursday, August 1, 2024 9:04 AM  
**To:** Rob Kinney <robkinney42@gmail.com>  
**Subject:** Re: Minute 33 - Updated **Hearing** Timetable

Good morning Rob

Thanks for your email. Here is the link for today's **hearing**:

Meeting URL: <https://wrcr-nz.zoom.us/j/81521249266?pwd=K3p0eW9kTjJ5SUFrNUJHZ003NW1PUT09&from=addon>  
Meeting ID: 815 2124 9266  
Passcode: 655472

Re: **TTTP** - Right of Reply Rezoning at Moana and Cape Foulwind Inbox x

 **Chu Zhao** <chu.zhao@wrcr.govt.nz>  
to me

Tue, Feb 18, 9:56 AM ☆ 📧 ↶ ⋮

Good morning Rob

Thanks for your email. Yes, I have passed your reply to the planner & commissioners in November.

I have also passed your comment to the planner. She said:

*I did get Mr Kinney's response to Minute 52.*

*It was incredibly difficult to work out what he wanted as he kept providing contradictory information.*

*But it's kind of immaterial since I don't support rezoning of his property – whether it be 4000m2 or 1000m2.*

Regards

**Chu Zhao**  
Planning Technician - **TTTP** | West Coast Regional Council

chu.zhao@wrcr.govt.nz | +64 3 768 0466 ext. 9104 | +64272152036



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Te Kinga Estate Limited  
143 Barnes Road, Rd 2,  
Lincoln, 7672  
21/11/2024

Re: Minute 52 - Responses sought on Cumulative Effects of Wastewater Disposal Report

Dear Chu,

Te Kinga Estates Limited (TEL) have read the report “Cumulative Effects of Onsite Wastewater Disposal for the EWCRC Rev 1 28/10/2024 authored by BTWCompany.

In relation to the summary of cumulative effects key receptors related to Area E – Moana Scenario B. As the vast majority of the land proposed for Settlement Zoning drains into the Arnold River catchment TTEL support the conclusions which I have listed below:

*Page v:*

*“Arnold River: Whilst loading is expected to be significant, the overall effects to water quality and ecology in the river are expected to be low, due to dilution”.*

*Page vi*

*“Where tributaries discharge into larger waterways, such as the Gibsons Creek or the Arnold River, the total nutrients are expected to be sufficiently diluted so that either: no measurable impact is recorded, or potential minor increases do not change the Attribute Band...”*

*Page 4.5.2 Arnold River – Bacteria*

*“The primary receptors to bacteria are typically potable and recreational water users, such as bathers in summer in the Lake. In the absence of these receptors within proximity to Area A, D and E, the risk is low...”*

*Page 41 Summary Conclusions*

*“Where tributaries discharge into larger waterways, such as Gibsons Creek or the Arnold River, the total nutrients are expected to be sufficiently diluted so that the risk is low, where either: no measurable impact is recorded; or potentially minor increases do not change the Attribute Band under the NPS-FM*

From the BTWCompany report, the proposed rezoing changes for Area E outlined in Scenario 2 and cumulative effects associated with the change of land use and primary treatment systems - impacts are low. And where discharges are likely to occur from this land use change. Those effects would be within the bands for National Policy Statement Guidelines for Fresh Water (NPS-FM). TEL therefore support the findings of the report in relation to Area E.

Yours Sincerely



information outlined in this report I do not alter my recommendations.

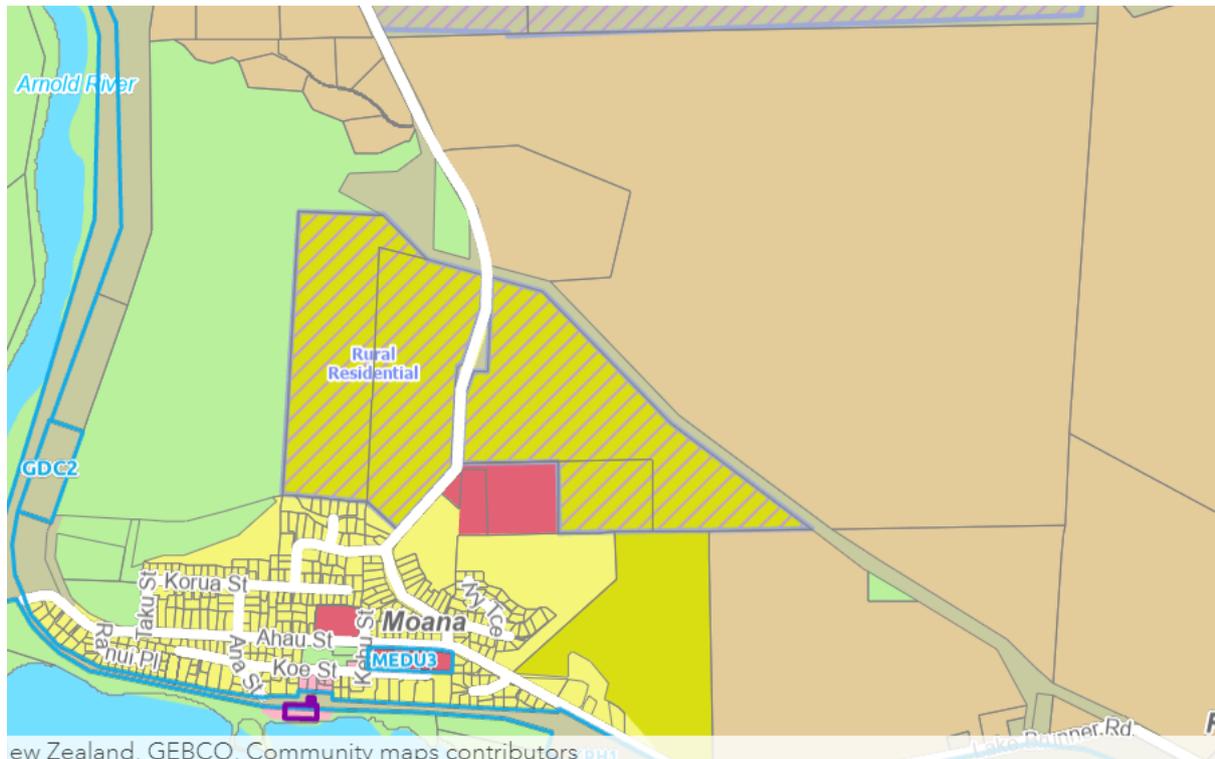
### **Te Kinga Estates Site**

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Moana is inadequate to manage these effects due to the high permeability of the soils and that secondary treatment at a minimum should be required.

24. The site contains large areas of sphagnum moss, pakihi and manuka wetlands. None of these wetlands are scheduled in the West Coast Land and Water Plan but will be subject to provisions in the NESFW. No ecological, cultural or landscape assessment has been provided by the submitter in support of their proposal.
25. The property is zoned Rural Lifestyle in the notified plan.
26. No information presented at the hearing, or within the BTW report causes me to change my recommendations in the s42A report that this submission should be rejected and the property remain as per the notified plan Rural Lifestyle zone.

### ***Rezoning at Cape Foulwind***



RLZ - R3	Residential Activities and Residential Units
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for <a href="#">Rule RLZ - R1</a> are complied with.</li> <li>2. <a href="#">Residential unit</a> density is no more than one unit per 1ha <a href="#">net site area</a> on physically contiguous <a href="#">land</a> except where the <a href="#">site</a> is already in existence at the date of notification of the Plan; and</li> <li>3. There is no more than 1 <a href="#">minor residential unit</a> with a maximum <a href="#">gross floor area</a> of 65m<sup>2</sup> where this is located within 20 metres of and shares the driveway with the principal dwelling.</li> </ol> <p><b>Advice Note:</b></p> <p>Where a <a href="#">residential building</a> or <a href="#">noise sensitive activity</a> is located within:</p> <ol style="list-style-type: none"> <li>i. 80m of a State Highway with a speed limit of 70kph or greater; or</li> <li>ii. 40m of a State Highway with a speed limit of less than 70kph; or</li> <li>iii. 40m of a Railway Line; or</li> <li>iv. The 50 dBA <a href="#">Noise</a> Contour boundary of Franz Josef Heliport; or</li> <li>v. The 55 dBA <a href="#">Noise</a> Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Airports.</li> </ol>	<p><b>Activity status where compliance not achieved:</b></p> <p><a href="#">Discretionary</a></p>

▲  
Top

**SETZ - PREC 4 - Rural Residential Precinct** is located over areas on the edge of settlements and towns where larger lots - 4000m<sup>2</sup> are provided for a more rural residential lifestyle. These areas sit on an interface with the GRUZ - General Rural Zone or RLZ - Rural Lifestyle Zone and avoiding [reverse sensitivity](#) for rural uses is often as important as managing the amenity for residents within the Precinct. Alongside residential uses, some sorts of rural activities such as small-scale horticulture or market gardening, or grazing of animals may occur in this Precinct, reflecting its more rural character. The Precinct is also characterised by more rural [infrastructure](#) with an absence of footpaths, streetlights and kerb and channel in these areas.

APPENDIX D - A list of names and addresses of persons to be served with a copy of this notice

1. The TTPP Committee
2. The appellant is not aware of any other persons who are required to be served with a copy of this notice.