

Alison Cowley

Evidence submission for Tinex Resource Consent RC13924L

Please note use of screen please to show photos

Evidence 1

Environment Court Decision A16/2005

<http://www.nzlii.org/nz/cases/NZEnvC/2005/41.html>

excerpts

(145) Overall, we conclude that there are more similarities between this proposed zone and the Rural zone than there are with the Industrial zone. The proposed zone allows the sale of plants, garden accessories, arts and crafts and unprocessed agricultural produce, not necessarily originating from the site. The key points of difference relate to the amenity (noise levels relating to Residential activity), a limited range of activities with more similarity to those in Rural, and the integrated nature of the development seeking a more Rural amenity outcome.

(116) We now come to the question of the general provisions of the Act and meeting the single purpose of that Act. We have concluded that the zone now envisaged is something different to either a Rural or Industrial zone. In our view it would more properly fit as a subzone of the Rural zone rather than as an Industrial zone in its own right. This is on the basis that although activities within it have a more industrial flavour the zone, nevertheless, is defined by its effects. It is intended that this area fit within and remain compatible with the rural area.

(117) To that end we have concluded that the area would be more appropriately included as part of the Rural zone and included as a Te Puna Rural Business Park (or words to that effect). Looking at the matter in that context, we see the noise, visual and traffic outcomes as appropriate for the Rural zone. It is intended to limit the range of activities to ones which are generally in keeping with the rural area.

Evidence 2

Photos of Te Hakao Valley showing impact of unconsented fill and failure to fulfil prerequisite stormwater infrastructure, Overland Flow Path and Wetlands for amenity protection and enhancement.

Link to photo of flooded valley taken from 110 Te Puna Road - Please show on large screen

<https://drive.google.com/file/d/1ph7NFaf6JMWggininsRGEMic0WLidTGI/view?usp=sharing>

Evidence 3.

Site Plan from District Plan and Environment Court Ruling - Please show on large screen

Site Plan with Notes

<https://drive.google.com/file/d/1HpHda1hrpNfxLhr9vUk6YtQ2KxbYZ0N6/view?usp=sharing>

Evidence 4

Stephen Bos Quotes from Affidavit for Abatement Hearing July 2023

Here Mr Bos acknowledges unlawful fill.

The unlawful fill within the overland flowpath and matters relating to the overland flowpath as well as wider catchment flooding are being addressed as part of the "First" and "Second" resource consent application and, in my opinion, have no impact on the existing and current site activities under review through this hearing.

Below Mr Bos acknowledges the need for remedial works to alleviate backed up water table upstream.

to be the primary cause of flooding or noted stormwater issues within the catchment. In addition, further modelling works are currently underway to identify potential remedial works that result in the upstream water levels being lowered to ensure the level of effects on all parties are minimised and remain as the Structure Plan Baseline Intends.

Evidence 5

Aerial Photos of the site - Please show on large screen

<https://drive.google.com/file/d/1FysH88-qTbZIXowfkJnruNweuMLDnr-h/view?usp=sharing>

Demonstrate the extent of the earthworks both consented and unlawful. Please show on large screen

<https://drive.google.com/file/d/19vvEzyESw3ififlikfQiRVi1fHG9XSTO/view?usp=sharing>

Evidence 6

Setback rule from the Environment Court Ruling

(85) Proposed Rule 7.3.4(q)(ii) provides for yard setbacks of five metres from the road boundary and ten metres from a common boundary with a Rural zone property. We have concluded that there should be a significantly greater setback from Te Puna Station Road and therefore would add to that provision (if it is otherwise appropriate for the change):

Where a yard is adjacent to Te Puna Station Road that yard shall be a minimum of 20 metres from the road boundary of the site or from any waterway or pond

(including those in the structure plan) and 10 metres from any common boundary with a Rural zone property

Evidence 7

A Link to the full Opus Report 2002 Commissioned by the three developers is below.

https://drive.google.com/file/d/1TJ_EkscSj5v5ir7YaX9_oliaQTaCdIgi/view?usp=sharing

Please note the specific Appendix F Geotechnical Assessment referred to is file named - Opus Report 2002 on Business Park Appendix F - Geotechnical Assessment.

<https://drive.google.com/file/d/1MaiWdj4AUcbOkAENz6Y4xbo44XWo8alx/view?usp=sharing>

Evidence 8

Photos of stream bank collapse and roadside drain collapse. Please show on large screen

Photo taken August 2023 showing debris, bank collapse and invasive pampas along the Hakao Stream. Taken from neighbouring property to the south.

<https://drive.google.com/file/d/15EJHnhLcoel0-uJwer0EvMxNcgwkGd-2/view?usp=sharing>

Below Road Side Drain Collapse.

https://drive.google.com/file/d/14OHadc6K0-4V9Vio_hdQYYitYdNS8xMF/view?usp=sharing

https://drive.google.com/file/d/12ls1g3OmOox2R_caFO1JFO9MJzMRV3Hu/view?usp=sharing

Evidence 9

Photos of Te Hakao valley underwater.

1. View from 110 Te Puna Station after Anniversary weekend. The Tinex site blocking water from exiting the valley.

https://drive.google.com/file/d/1DDdHR8_7HyIMSoZxLharnWDHsARncxTg/view?usp=sharing

2. View from Te Puna Station Rd. Anniversary weekend 2023. The land was already increasingly inundated for months so had no capacity to absorb, filter and release.

<https://drive.google.com/file/d/1UK9YBFUclO6E1YJLIElibjhlcyevZuLF/view?usp=sharing>

3. Te Puna Station Rd Anniversary weekend 2023. It was later closed to all traffic as levels rose higher.
Add ground water, and Geotech conditions and the road itself is vulnerable.

<https://drive.google.com/file/d/19O5WWlQdKBtv4wTZtlvmib7MDAVPy-CI/view?usp=sharing>

4. View from my property towards the Business Park. Jan 2023. Video available of showing water inundation prior to this weather event.

<https://drive.google.com/file/d/1UFGr5QNSxAp5UE195xy9ozNHyspbQfFj/view?usp=sharing>

5. Water levels on pasture 17 December 2022. Water coming down the catchment flooding up farm drains and stagnating in pasture.

https://drive.google.com/file/d/1PKj47ITxT_npSO9vYakmwBLM369I_-Pa/view?usp=sharing

6. Tree damage showing the water line up their trunk from months of inundation. Many trees, trees natives and exotics which are suited to this landscape, have died. This represents years of growth and investment to replace. Soul destroying.

<https://drive.google.com/file/d/1wz5KxXLqsYtn-rnl6YkTqXiKQjP4gDd1/view?usp=sharing>