

**Before the Hearing Panel
Appointed by the Gore District Council**

In the Matter of

The Resource Management Act
(Act)

And

In the Matter of

submissions by McNab
Management Limited on the
Proposed Gore District Plan

And

In the Matter of

Hearing Stream 8 – Rezoning Relief

**Statement of Rebuttal Evidence of
Terry Reginald Joseph Nicholas
for McNab Management Limited**

Dated: 21 November 2024

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lane neave.

MIHIMIHI

ko Takitimu toku maunga

ko Aparima toku awa

ko Takitimu toko waka

ko Rarotoka raua ko Rakiura toko motu

ko Murihiku raua ko ngatangiaa toku whenua

ko Waitaha/rapuwai, Kāti Mamoe, Ngāti Ira, Ngāti Tuhaitara, Kāi Tahu Raua, Tainui – Ngāti Haua ko Rarotonga toku iwi.

INTRODUCTION

Qualifications and Experience

1. My name is Terence Reginald Joseph Nicholas (Terry Nicholas).
2. I am the General Manager of Hokonui Rūnanga Incorporated (**Hokonui Rūnanga**) and the representative of Hokonui Rūnanga on the board of Te Rūnanga o Ngāi Tahu (**TRoNT**). I have held both of these roles since 1999.
3. I am also a Director of McNab Management Limited (**McNab**).
4. I also hold a number of community representative and leadership roles for Hokonui Rūnanga and TRoNT. I am a Director of Murihiku Regen, a collective of the four papatipu Rūnanga of Murihiku/Southland with a focus on building a regenerative economy through partnerships with both the public and private sector. I am also the Chair of Reimagining Mātaura, which is a collective project between TRoNT, papatipu Rūnanga, Toitū Te Whenua/Land Information New Zealand and Fonterra, looking at ways to better manage the awa.
5. The purpose of my evidence is to provide the Hearings Panel with confirmation that Hokonui Rūnanga is supportive of the rezoning relief sought by McNab for 10 McKinnon Road, Gore (**Site**) under the Proposed Gore District Plan (**PDP**).

RELATIONSHIP OF HOKONUI RŪNANGA AND MCNAB MANAGEMENT LTD

6. The Site is owned by McKinnon Property Limited Partnership (**McKinnon LP**). McNab is a General Partner of McKinnon LP.
7. Hokonui Rūnanga is in a joint venture with the McKinnon LP and McNab Investments Limited, a sister company of Road Transport Logistics Limited, for the rezoning and development of the Site. McNab made the submission on behalf of the McKinnon LP.
8. The objective of the joint venture is to move O Te Ika Rama Marae to a more suitable location, provide a transport depot for Road Transport Logistics, provide zoning for light industrial activities with a rural supply, and service focus and ensure the protection of water quality in the stream that flows through the Site.
9. Hokonui Rūnanga has therefore been heavily involved and was consulted on McNab's proposed rezoning of the Site. In particular, Hokonui Rūnanga was heavily involved with the proposed relocation of the Māori Purpose Zone.

BACKGROUND TO THE MARAE

10. O Te Ika Rama Marae (**Marae**) is located at 6 McKinnon Road, Gore. Tribal authority extends over and is derived from the maunga Ōparure, the awa Mataura, the moana Ara a Kiwa and the waka Tākitimu and Uruao.
11. The land that the Marae is located on is owned by Hokonui Rūnanga.
12. The Marae is located on flood prone land and is subject to inundation during heavy rain periods. A key component of the rezoning is the relocation of the Marae within the McMcKinnon LP Site.

POSITION ON PROPOSED REZONING

13. We understand that McNab is seeking the following rezoning relief for the Site:
 - (a) Light industrial zone with a bespoke McNab Precinct Overlay over 44.8ha of the Site, across two areas;
 - (b) Rural lifestyle zone over 52.7ha of the Site;
 - (c) Relocation of the existing Māori Special Purpose Zone;
 - (d) Introduction of a Mahinga Kai Overlay.
14. Hokonui Rūnanga made submissions on the PDP but did not seek a rezoning of the Marae site. This is because Hokonui Rūnanga is pursuing the rezoning of the Site through its joint venture agreement with Road Transport Logistics. Hokonui Rūnanga and Road Transport Logistics worked collaboratively on the proposed rezoning of the Site and the decision to relocate the existing Māori Special Purpose Zone to a site further inland was made with the input of Hokonui Rūnanga.
15. Hokonui Rūnanga supports the relocation of the Māori Special Purpose Zone to move the Marae out of a high flood hazard area. The relocated zone and subsequent rule amendments ensure that Hokonui Rūnanga as mana whenua are able to achieve their aims for their cultural, social, environmental, and economic wellbeing, which is consistent with section 6(e) and 7(a) of the RMA. As it is not the intention to establish a second marae on the Site, Hokonui Rūnanga considers there is no need to retain the Māori Special Purpose zoning over the existing Marae site and supports a consequential rezoning to Rural Lifestyle Zone.
16. Hokonui Rūnanga also supports the establishment of a Mahinga Kai Overlay. The outcome of an overlay approach would ensure that the waterbody on the Site is protected by restricting built form and allowing for productive uses of the land,

particularly in relation to mahinga kai practices. Accordingly, Hokonui Rūnanga considers the proposed overlay to align with the cultural values of the Site.

17. In relation to the remaining rezoning relief sought, Hokonui Rūnanga supports the outcomes sought in the evidence filed on behalf of McNab and considers that together with the enablement of the Marae, the relief sought is consistent with Ngāi Tahu cultural values and the aspirations of Hokonui Rūnanga.

ĀPITI HONO TĀTAI HONO ASSESSMENT REPORT

18. Hokonui Rūnanga was commissioned by the Council to undertake six Āpiti Hono Tātai Hono cultural landscape assessments as part of the District Plan review. These assessments provide information on the cultural associations that we have with specific areas within the Gore District. They also provide guidance on what types of activities may or may not be culturally appropriate from our perspective in these areas.
19. An Āpiti Hono Tātai Hono assessment was undertaken for the McNab township in 2022 and includes the Site. In this assessment we concluded that development in the McNab township can be culturally appropriate if the following can be achieved:¹
 - (a) development occurs in a way that responds to the way water flows through the site;
 - (b) development is sensitive to the existence and functioning of the Marae;
 - (c) development does not further disconnect this location from the wider landscape or create negative impacts on the Māori Purpose Zone;
 - (d) Activities that are loud, produce offensive odour, radically alter the rural amenity, or create health and safety risks for marae visitors would not be appropriate in close proximity to the Māori Purpose Zone;
 - (e) Run-off and dust discharges do not enter streams or the air; and
 - (f) Viewshafts to and between landforms of significance are preserved.
20. The proposed rezoning has been proposed and designed to ensure consistency with the findings in the Āpiti Hono Tātai Hono assessment report. The proposed rezoning, in particular the introduction of a Mahinga Kai Overlay, is responsive to the way that water flows on the Site. The Mahinga Kai Overlay traverses the path of the stream that flows through the Site and provides restrictions on the types of

¹ Āpiti Hono Tātai Hono Assessment Report dated 23 May 2022, at page 9.

activities that can occur within the overlay area. For example, buildings and structures in this area are proposed to be a Non-Complying activity.

21. The Mahinga Kai Overlay also provides for food harvesting from the land and water and is therefore consistent with mana whenua values of the Site.
22. I also consider the proposed rezoning is sensitive to the proposed new location of the Marae as the Mahinga Kai Overlay would provide a buffer between the Rural Lifestyle Zone and the Māori Purpose Zone.
23. Overall, I consider that the proposed rezoning sought by McNab is consistent with the Āpiti Hono Tātai Hono assessment report for the McNab township.

CONCLUSION

24. In summary, Hokonui Rūnanga supports the rezoning relief sought by McNab and considers that Ngāi Tahu cultural values have been appropriately considered and provided for.

Terry Nicholas

21 November 2024