

Before the Independent Hearings Panel at Gore District Council

Under Schedule 1 of the Resource Management Act 1991

In the matter of Hearing Submissions and Further submissions on the Proposed
Gore District Plan.

**Initial Response to Minute 13 by Victoria Woodbridge and Courtney Bennett on behalf
of Gore District Council**

Date: 30 July 2024

1. The Hearing Panel issued Minute 13 on 3rd July 2024 to direct how the submission points from McNabb Management Ltd relating to rezoning of land at 10 McKinnon Road were to be considered through the hearing process.
2. Point 8(a) directed that Council's Section 42A Officers "*identify and provide to McNabb Management Ltd what information is considered relevant for their further assessment under section 42A and for the Hearing Panel to assess under RMA sections 32 & 32AA by 30 July 2024.*"
3. This document provides information requested under point 8(a) of Minute 13 and has been prepared by Victoria Woodbridge and Courtney Bennett on behalf of Gore District Council.
4. We have identified several issues which it would be useful for the submitter to address prior to the preparation of the Section 42A report to allow for an efficient process.
 - a. Scope of the submission – queries which should be addressed relating to whether the submitter has scope of achieve the outcomes sought through the submission.
 - b. Clarification on matters within the submission – the submission is unclear in some areas as to what is sought.
 - c. Further information – expert evidence which should inform the proposed re-zoning.
5. We are of the opinion that considering and addressing these matters prior to the hearing will allow for a more efficient process, however, we are also happy to engage in further dialogue with the submitter and their representatives to explain and discuss the matters raised in this response.
6. Our comments are based on our understanding of the submission received and the Memorandum from Mr Leckie dated 25 June 2024 on behalf of the submitter.

Scope of Submission and Matters of Clarification

7. It is our understanding that the submitter seeks to rezone land at 10 McKinnon Road to provide for a new Māori Purpose Zone (MPZ), a new deferred Light Industrial Zone (LIZ) and a Rural Industry Precinct over General Rural zoned (GRUZ) Land and amend the Rural Lifestyle Zone (RLZ) boundaries as proposed in the PDP.
8. The Memorandum from Mr Leckie clarified that a Mahinga Kai Special Purpose Zone was no longer sought as part of the submission. It is assumed, therefore, that the submitter seeks to retain the notified PDP RLZ and MPZ on land shown as the Mahinga Kai Special Purpose Zone in the submission. However, this should be clarified, as it is unclear whether the submitter has scope to propose any alternative zoning other than retaining the notified PDP zoning for the Mahinga Kai Special Purpose Zone land. The submission variously mentions moving the MPZ but also refers to a second MPZ at McNabb meaning it is unclear as to the outcome sought.

9. The submission seeks a new objective GRUZ-PREC14-O2 a new policy GRUZ-PREC14-P2 for the proposed Rural Industry Precinct which identifies that the precinct is part of an integrated development. The policy provides specific direction for future development, such as there being no direct access off SH1. However, it is unclear how the outcomes articulated in the proposed objective and policy will be achieved within the scope of the submission. The submission does not seek any amendments to the GRUZ standards other than to add a new standard which does not contain any bulk and location standards for the new Rural Industry Precinct but instead refers to the rules (but not standards) for GRUZ-PREC13.
10. The lack of performance standards for the new precinct is not considered to be desirable as it could result in poor environmental outcomes and adverse effects on adjoining landowners / zones. It is unclear whether there is scope within the submission to amend the GRUZ standards to refer to the new precinct.
11. The new standard also requires a concept plan to be provided for development within the deferred LIZ identified on the submission map. However, it is unclear how this would practically be managed. It appears the new standard is a controlled activity, however, this would mean Council would have no scope to refuse the concept development plan as the rule only requires that one is submitted and the matters of control offered through the submission provide little guidance to plan users and decision makers.
12. The National Planning Standards (PS) do not provide for a 'deferred' zoning and so it is unclear how this could be incorporated into the PDP framework. The land must have a zoning in the PDP and it is unclear what the zoning would be until the 'deferred' status was uplifted. Furthermore, it is unclear how the uplift and rezoning would occur, i.e. what is the trigger mechanism. The PS do provide for a future urban zone which is described as *"areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use."* The PDP does not include any future urban zones and it is unclear whether there is scope within the submission for this type of zoning.
13. The PDP includes a Development Area Chapter which provides for two new growth areas to be developed in accordance with an Outline Development Plan. Such an approach would seem to align with the outcomes sought by the submitter for an integrated approach to future development including a new road connection onto the state highway. However, the submission does not seek to add a new development area or amend the Development Area Chapter and so it does not appear the submitter has scope to seek this approach.
14. If the intention is to not 'defer' the LIZ area then it is unclear how adverse effects on the PDP MPZ (if it is to be retained) would be managed given the submission seeks a LIZ adjacent to the MPZ and the submission does not seek any amendments to the LIZ Chapter. Furthermore, as no amendments are sought to the LIZ or Subdivision Chapter there would be no mechanism for preventing development in any manner rather than in accordance with a concept plan or having a road layout as noted in the submission.
15. The submitter sought amendments to the MPZ Chapter to recognise the new MPZ and the submission notes that relocating the MPZ to higher ground would provide

opportunities for housing and community facilities. However, cluster housing, residential activities, community facilities, commercial activities and visitor accommodation are not permitted at the Te Ika Rama Marae site. The submission does not seek to amend this rule although it appears from the submission that the new MPZ is also to be referred to as Te Ika Rama Marae.

Further Information

16. When considering what further information would be appropriate, we have reflected on the level of information obtained to support the drafting of the Gore South Industrial Development Area provisions. Notwithstanding the issues identified above we, therefore, consider the following would assist with assessing the rezoning sought through the submission:

- a. Traffic Assessment to consider the effects of increased traffic on the road network, including state highway and the appropriateness of the new road connecting to the state highway. The further submission from NZTA highlights some concerns with adverse effects on the state highway from the submission as lodged. Consultation with NZTA would be beneficial.
- b. Flood Hazard Assessment, Council is aware that part of the land is subject to inundation and this may limit the nature of some activities undertaken on the site. The submitter should provide an assessment to consider how flood hazard will be managed and mitigated.
- c. Servicing Assessment to consider how the MPZ and deferred LIZ would be serviced with three waters infrastructure and whether there is capacity within the wider network.
- d. Urban Design Assessment, this may be relevant in relation to how a concept plan approach may work and how adverse effects on adjoining landowners might be mitigated.
- e. Cultural Values Assessment, the Āpiti Hono Tātai Hono Assessment Report prepared to inform the PDP considered the cultural values and landscape of the wider McNabb area. The report also provided recommendations on management of the land, which included avoiding activities that may negatively impact on the amenity within the Māori Purpose Zone. Therefore, consideration should be given to the effects on cultural values from the proposed rezoning. As such consultation with Hokonui Rūnanga including a statement of their views on the proposal and an updated Āpiti Hono Tātai Hono Assessment Report would be beneficial.
- f. Growth Assessment, the PDP is supported by an analysis of economic and population growth projections that informed the level of land required for industrial zoning. Sufficient zoned land to meet anticipated business demand has been provided through the PD, therefore, an analysis of the need for more industrial/business land in this location rather than other locations would be required.

- g. Planning assessment, it is recommended that a Planner provides technical advice and evidence to ensure the provisions can be successfully integrated into the PDP and align with relevant strategic, regional and national direction. The Section 32 Evaluation Report for the Rural, Industrial and Māori Purpose Zones in the PDP assessed the zoning and provisions for the McNabb area. A new Section 32 and Section 32AA Evaluation should be provided to assess whether the proposal achieves the PDP objectives and / or the purpose of the Act as well as regional and national direction relevant to the site.
17. We also encourage the submitter to consider the effects on highly productive land (NPS-HPL) and how the proposed zoning aligns with the PDP strategic direction, in particular UFD-O1, UFD-O7 and UFD-O9.