

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

In the Matter of

The Resource Management Act
1991 (**Act**)

And

In the Matter of

submissions and further
submissions on the Proposed Gore
District Plan

**Statement of Rebuttal Evidence of
Christine McMillan
for McNab Management Limited**

Dated: 21 November 2024

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INTRODUCTION

Qualifications and Experience

1. My name is Christine Elizabeth McMillan. I am a Planner employed by Bonisch Consultants, a consultancy firm specialising in land development.
2. I have the qualifications and experience set out at paragraphs [2] of my statement of evidence dated 7 October 2024.

Code of Conduct

3. Whilst this is not an Environment Court hearing I reconfirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

4. My rebuttal evidence responds to the evidence of Helen Dempster for the New Zealand Transport Agency, Victoria Woodbridge and Courtney Bennett (the Reporting Officers) for Gore District Council.
5. In particular, the following matters are considered:
 - (a) The most appropriate approach - Light Industrial Zone versus General Rural Zone;
 - (b) Proposed Transport yard;
 - (c) Need for, and appropriateness of, Mahinga Kai Overlay;
 - (d) Servicing;
 - (e) Transport Matters; and
 - (f) Provision Recommendations.

REBUTTAL EVIDENCE

Light Industrial v General Rural Zone

6. I do not consider that the activities enabled by the amended Light Industrial Zone provisions (with precinct overlay) I recommend in my evidence in chief are fundamentally very different to that of the amended Rural General Zone (with precinct overlay) recommended in the s42 report.
7. From my review of the s42 report my understanding of the Reporting Officer's position is that they while they consider rural industry activities to be appropriate within the McNab site, they also are of the opinion that rural industry activities are not appropriate in the Light Industrial Zone (LIZ) as the LIZ is an "urban" zone and rural industry activities are only anticipated in "rural zones".
8. The Reporting Officers have therefore recommended that the McNab Precinct be established with an underlying General Rural Zone [GRUZ] instead of the LIZ as MML have proposed. I have understood that the basis for this assessment is that:
 - (a) the activities proposed within the McNab Precinct will not align with the purpose of the LIZ as set out in the PDP;
 - (b) that the activities are more aligned with the purpose of the GRUZ; and
 - (c) that the definition of rural industry in the PDP does not allow for rural industry within the LIZ.
9. I address these points in the following sections.

Purpose

10. I have considered the purpose of the Light Industrial Zone in relation to the establishment of rural industry activities within this zone. As stated in the PDP the purpose of the Light Industrial Zone is to provide for '*predominantly light industrial activities which do not generate offensive or objectionable levels of discharges, odour or noise which would create adverse effects on the adjoining residential, rural and commercial zones. The Light Industrial Zone will support the economic needs of the local community and fulfil an important role in providing employment opportunities*'. The PDP goes on to state that the activity types also '*typically require more land due to the bulky nature of the product being sold and so are generally located on the periphery of established centres*'.
11. I consider that the establishment of rural industrial activities within the proposed Light Industrial Zone at McNab is in accordance with this stated purpose. The

activity types which might establish within the McNab Precinct are appropriately confined to those less likely to cause nuisance to the adjoining rural and Māori Purpose Zones, the activities will support the economic needs of the local community, fulfil an important role in providing employment opportunities, and are generally located on the periphery of an established centre being Gore which is approximately 2 kilometres from the Site.

12. The purpose of the General Rural Zone is stated as:

to provide for and protect rural production activities and other activities that rely on the rural resource. The General Rural Zone is the largest zone in the District and this land resource underpins the economic and social wellbeing of the District.

The General Rural Zone includes outstanding natural landscapes, significant natural areas, and the general environment is of significance to Ngāi Tahu. The General Rural Zone is predominantly characterised by its pastoral character, open space, planting and limited built form. The rural area is influenced by a range of primary production activities, including the initial processing of commodities such as on-site sawmills. The General Rural Zone also lends itself to rural industry activities that are associated with primary production, such as contractors yards required for rural earthworks. The character and qualities comprise a working environment where rural activities generate noise, odour and traffic.

13. The purpose of the GRUZ is supported by an objective and policy framework that supports open space and a '*very low degree of built form*'. I do not consider the General Rural Zone to be a suitable underlying zone for the McNab Precinct given this emphasis on retention of open space and limited built form. The intention for the McNab Precinct is to allow for a level of built form and development greater than what is enabled through the GRUZ zone, allowing a variety of businesses and industries to establish within the Precinct to support primary production and the wider Gore economy.
14. Overall I consider the purpose of the Light Industrial Zone to more closely align with the intention to establish rural industrial and limited light industrial activities within the McNab Precinct.

Definitions

15. The definition from the National Planning Standards for Rural Industry has been adopted in the Proposed District Plan (PDP) and reads as follows (my emphasis added):

means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.

16. While the National Planning Standards do not provide a definition for 'rural environment' the Gore PDP does so as follows:

means land within the General Rural Zone, Rural Lifestyle Zone, Settlement Zone and Natural Open Space Zone.

17. I acknowledge that the definition of rural environment as set out in the PDP does not provide for rural industry in the LIZ. However, I do not agree with the Reporting Officers assertion that rural industry is 'fundamentally inappropriate' within the Light Industrial Zone. The Reporting Officers themselves acknowledge that activities which support primary production may be located within General Industrial, Light Industrial or Mixed Use Zones¹. Suggesting that rural activities must never locate in an urban zone or urban activities in a rural zone is of course incorrect. Zoning simply seeks to be more permissive for certain types of activities but does not preclude other activities unless they are prohibited within the zone.
18. Under the existing zone rules, rural industry is not a prohibited activity within the LIZ. While the activity status is non-complying, consent may be applied for and granted where the 'gateway test' under s104D of the RMA is achieved. The inclusion of rural industry as a permitted activity, where standards are met, is restricted to the McNab Precinct which sits in a rural environment.
19. I consider this matter to be resolved by adding the McNab Precinct to the definition for rural environment as follows:

Means land within the General Rural Zone, Rural Lifestyle Zone, Settlement Zone, Natural Open Space Zone and within the McNab Precinct of the Light Industrial Zone.

20. As the McNab Precinct sits within a rural environment there is no conflict in adding this area to the above definition and follows the same principal as inclusion of the Settlement Zones within this definition.

National Policy Statement – Highly Productive Land

21. In recommending the most appropriate zoning of the Site I have carefully considered the provisions of the NPS-HPL.
22. I agree with the reporting officer's position that the NPS-HPL does not need to be considered where a site has been identified for future urban development under Clause 3.4(2) of the NPS-HPL. This Site was so mapped in Council's 'Ready for Tomorrow' Spatial Plan and this enables the zoning as proposed by MML.

¹ S42 Report Page 25 para 101.

23. However the NPS-HPL is unclear whether once a new District Plan becomes operative and the land identified for 'future urban development' is not brought down within that plan, if the initial Spatial Plan continues to hold weight under Clause 3.4(2). For completeness I have queried Environment Southland who will undertake the mapping as required under Clause 3.4. The Environment Southland Policy and Government Manager has stated that they consider Clause 3.4(2) to be unclear but consider that *'if the future industrial zone is not brought through into the plan process then it's been signalled by council that in the next 10 years there isn't anticipated to be any development occurring in that location. Therefore in my mind anything that didn't make it into the PDP process should be considered for HPL mapping.'*
24. Providing an underlying zone of GRUZ on the McNab site that results in NPS-HPL mapping may essentially prevent any development of the land under the NPS-HPL as the land would be considered highly productive and Gore District Council will need to undertake subsequent changes to the District Plan to add provisions to restrict development and subdivision on land zoned General Rural as required under Clause 3.9(4). This will in effect prevent any of the enablement intended through the rezoning process.
25. Providing a sub-zone or precinct over the underlying Rural General zoning does not exempt the development and subdivision of the land being assessed under the NPS-HPL. This was confirmed through the Environment Court decision *Wakatipu Equities Ltd v Queenstown Lakes District Council* [2023] NZEnvC 188) where the Court determined that sub-zones or precincts within the zone should be treated as part of the overall zone when applying the NPS-HPL.
26. Given the risk in interpretation of Clause 3.4(2) confirmed through the feedback from Environment Southland, I consider that providing an urban zone over the land will ensure the Site retains the ability to be able to developed in accordance with the zone and overlay intentions on an on-going basis.
27. Given that, I consider the risk that the NPS-HPL brings to the ability to ultimately develop the land relevant to the s32AA analysis of the most appropriate zoning method.

Āpiti Hono Tā Tai Hono Assessment

28. I note that the Spatial Plan identified this area of land as suitable for urban industrial zoning.
29. The s32 report for the Industrial chapter concluded that the Site was not included within the PDP for industrial zoning as the required studies in relation to demand and constraints had not been undertaken and the potential for adverse effects on

cultural values required additional consultation with Hokonui Rūnanga. These studies have now been undertaken, by MML and Hokonui Rūnanga have provided support as part of the joint venture with MML to enable relocation of the Te Ika Rama Marae and the establishment of the Mahinga Kai overlay.

30. Mr Nicholas as representative of Hokonui Rūnanga on the board of Te Rūnanga o Ngāi Tahu has provided evidence in relation to the rezoning sought by MML and addresses the Āpiti Hono Tā Tai Hono Assessment Report. Mr Nicholas states in his evidence that the zoning has been designed to ensure consistency with the findings of the assessment report and in particular the provision of the Mahinga Kai overlay achieves this.
31. The zoning proposed by MML within the McNab Precinct has been developed to allow activities which support the surrounding rural environment as well as limited light industrial activities. The limited activities enabled within this McNab Precinct ensure the development constraints identified in the Āpiti Hono Tā Tai Hono Assessment are appropriately considered and implemented through LIZ-McNab Precinct overlay with associated provisions.

Enabled Activities within the McNab Precinct

32. The Reporting Officers' raise concerns in relation to the enabled activities within the proposed McNab Precinct due to the underlying LIZ. The Reporting Officers consider that while only certain activities are permitted the underlying zone would still allow other activities to obtain consent in a relatively straightforward manner given the policy direction, zone purpose and density provisions.
33. The provisions I have recommended in my evidence in chief allow for rural industry, trade and industrial training facilities, and light industry activity limited to logistics and storage and distribution of construction materials and supplies. All other light industrial activities, emergency service facilities and service stations become a discretionary activity. Other ancillary activities are permitted under LIZ-R5. The discretionary activity status allows Council the ability to consider any matter in relation to the activity being applied for and retains full discretion as to whether or not to grant consent and if granted full discretion as to what conditions to impose.
34. I acknowledge that the wording of proposed policy LIZ-PREC3-P1 does not limit light industrial activity as is the intent for the McNab Precinct. To resolve this I propose an additional amendment to this policy wording to remove reference to light industrial activity from the policy and an amendment to LIZ-P1 to exclude the McNab Precinct. The proposed amended policies are set out as follows:

LIZ-P1 *Except within the McNab Precinct enable activities to establish which support the purpose of the Light Industrial zone, including light industrial activities, service stations, trade and industry training facilities and emergency service facilities.*

LIZ-PREC3-P1 *Enable rural industry activities, logistic activities and storage and distribution of construction materials and supplies within the McNab Precinct in order to support District's rural industry while managing adverse effects by:*

1. *Adopting green infrastructure for the management of water supply, stormwater management and wastewater treatment and disposal*
2. *Avoiding multiple connections onto the State highway*
3. *Measures to mitigate adverse effects on the amenity values of sites within the rural environment*
4. *Provision of landscaping features, including native vegetation for sites adjoining the Mahinga Kai Overlay which maintain or enhance biodiversity and cultural values within this area.*

35. The potential density of development enabled by the underlying LIZ zone is also identified as a concern by the reporting officers. In particular the Reporting Officers note that the LIZ does not include a minimum lot area other than a requirement that a lot be able to accommodate a 15m x 15m square versus the 8ha minimum density for the GRUZ; and 2 to 10m side and rear yards for the LIZ versus 15m or 100m for buildings greater than 500m² in the GRUZ.
36. This disparity in density and setbacks is noted and MML propose the following standards to address this:

SUB-S1 Minimum Lot Size

1. *No lots to be created by subdivision, including balance lots, shall have a net site area less than the minimum specified:*
 - a.
 - i. *Light Industrial Zone-McNab Precinct – 1ha*

LIZ-S4 Setbacks to side and rear boundaries

McNab Precinct

3. *All buildings and structures must be setback a minimum of 20 metres from any boundary that adjoins the General Rural Zone, Rural Lifestyle Zone or Māori Special Purpose Zone.*
 - (i) *no setback is required for a fence*

37. While it is anticipated that the types of activities enabled within the zone will require large areas of land within which to operate, and that the necessity to manage

services through on-site disposal will also result in larger lot areas and areas of open space in order to manage stormwater, I recommend an additional control of a minimum lot area of 1ha to provide a balance between enabling a variety of businesses to locate with the McNab Precinct whilst ensuring the built form does not dominate the site and is responsive to the surrounding environment.

38. I consider that providing a minimum setback of 20 metres for buildings and structures from neighbouring zones ensures a degree of separation to enable the activity types proposed for the McNab Precinct without resulting in unreasonable shading of neighbouring properties.
39. I consider the above additional provisions to control built form and density will effectively manage effects resulting from the enabled activities on neighbouring zones.

Proposed Transport Yard

40. The Reporting Officers do not consider the Light Industrial Zone with the McNab Precinct overlay to be appropriate for the 2ha section of land on the south west of the Site due to the high flood risk identified for this area in the Tonkin and Taylor flood assessment and that the area would become a spot zone surrounded by rural lifestyle.
41. While acknowledging the Tonkin and Taylor assessment, Environment Southland have been consulted in relation to the flood hazard and the proposed use of this site twice. Initially the consultation was for a transport yard in this location as part of a proposed subdivision application. The second consultation was in respect of the zoning proposed for the McNab site as a whole and included the proposed LIZ zoning. Environment Southland have responded that with minimum floor levels of 81.60 metres (NZVD 2016) the location of a transport yard within this site would be acceptable. Should the site not be developed as a transport yard the LIZ zoning of this area is still considered appropriate in relation to the flood hazard due to the low risk to human life resulting from uses which are enabled by the proposed McNab Precinct Overlay.
42. I acknowledge that the 2.0ha area is split from the remainder of the proposed LIZ by the Rural Lifestyle Zone. I don't consider this inappropriate in the site context due to the Mahinga Kai overlay which prevents all buildings and activities within this area unless for the purposes set out in proposed rule RLZ-R13. The same result could be achieved by extending the LIZ zone over the Mahinga Kai overlay which would then connect the two LIZ zones. The 2ha area remains connected in an operational and geographical sense to the remainder of the LIZ through the access roads and visually will appear as part of the wider LIZ-McNab Precinct.

Mahinga Kai Overlay

43. The Reporting Officers' question whether the proposed Mahinga Kai Overlay is required given the Rural Lifestyle Zone standard RLZ-S7 already restricts development within stream setbacks where they are listed in Appendix 3 River and Stream Order.
44. The Mahinga Kai overlay extends over a much wider area as shown on the Proposed Zoning plan. At the widest point the overlay is approximately 160 metres and at the narrowest is approximately 30 metres.
45. Proposed policy RLZ-P10 is an 'avoid' policy for buildings and structures within the Mahinga Kai overlay and RLZ-R13 sets a non-complying activity status for any activity or structure that is not for the purpose of access, bridges and their footings, mahinga kai or stormwater and floodplain management within the overlay area.
46. The combination of the above results in a significantly higher level of protection over a significantly greater area than the 5m setback for low order streams. In comparison RLZ-S7 allows for any building or structure outside of the 5m setback as a permitted activity.
47. I therefore consider that the Mahinga Kai overlay should be retained as proposed and Policy RLZ-P10 and Rule RLZ-R13(2) be included in the RLZ provisions.

Transport

48. The Reporting Officers have raised concerns in relation to proposed conditions of consent to manage traffic effects resulting from the development of the Site, including the ability to implement the suggested conditions in LIZ-S11.
49. The Reporting Officers suggest that a condition that prevents access onto the State Highway is warranted and have suggested the addition of the following condition:

There shall be no access directly onto State highway 1.

50. I consider that this condition is appropriate given that Mr Bartlett has confirmed in his evidence that no direct access to the State highway is appropriate.
51. Both the Reporting Officers and Ms Dempster on behalf of NZ Transport Agency (NZTA) suggested that proposed standard LIZ-S11(2) should be amended to increase certainty of requirements for the left turn bay. The amendments proposed by each differed, although with the same end intention. I have adopted the wording proposed by Ms Dempster as the representative of the road controlling authority on

which the left turn bay will be constructed. The proposed amended standard LIZ-S11(2) is as follows:

Prior to the operation of any industrial, light industrial or rural industry activity within the McNab Precinct a separated left turn lane shall be constructed on State Highway 1 at the intersection with McKinnon Road, to the satisfaction of NZ Transport Agency.

52. Both the Reporting Officers and Ms Dempster raise concerns with the implementation of LIZ-S11(3) and (4) which are intended to provide triggers to intersection upgrades depending on the level of development which is occurring. Currently these standards require a traffic assessment to be undertaken prior to more than 30% and 55% of the McNab Precinct being developed respectively.
53. The Reporting Officers were concerned that the standards as proposed did not specify that the works identified as required through the assessments must be undertaken. This is acknowledged and the additional standard suggested by the Reporting Officers is accepted as follows:

Any outcomes recommended within the Traffic Assessment required by LIZ-S11(3) and LIZ-S11(4) must be implemented prior to the activity which exceeds the development threshold connecting, subject to the agreement of the road controlling authority.

54. The Reporting Officers and Ms Dempster also sought an amendment to Standards LIZ-S11(3) and (4) to require that the assessment to be undertaken by a suitably qualified and experienced person. This recommendation is accepted and the following condition proposed:

3. A traffic assessment must be undertaken by a suitably qualified and experienced person prior to more than 30% of the McNab Precinct (PREC13) being developed to assess:

- a) Any specific intersection improvements required at the Talbot Street intersection with McKinnon Road.*
- b) Any requirement for alternative site access or route options as a result of projected traffic generation and*
- c) The timing of implementation for any required alternative access or route options.*

4. A traffic assessment must be undertaken by a suitably qualified and experienced person prior to more than 55% of the McNab Precinct being developed to assess:

- a) Any requirement for alternative site access or route options as a result of projected traffic generation and*
- b) The timing of implementation for any required alternative access or route options*

55. Ms Dempster raised a preference that the assessments and works required as a result of Standards LIZ-S11 be tied to a rule, rather than being included as a standard tied to a permitted activity. Ms Dempster agrees that the assessments should be undertaken at the specified levels of development but her concern is that *the assessments may not be undertaken, or not undertaken to an acceptable standard, or the outcomes of the assessments are not implemented*. Ms Dempster considers that Clauses (3) and (4) of LIZ-S11 should *be tied to a rule with an activity status that triggers the need for a resource consent to be obtained*.
56. I consider that the requirement that the assessments be undertaken to an acceptable standard and the requirement to implement the outcomes of the assessments are effectively addressed through the amendments to LIZ-S11 as set out above.
57. In relation to the standards being tied to a permitted activity, I do not consider this to be of concern. It is typical that permitted activities will be controlled through standards, for instance a residential activity may be controlled through standards requiring minimum setbacks or site coverage. I consider that the standards in LIZ-S11 as proposed are sufficient to ensure that permitted activities undertaken on the site address potential effects on the State highway, McKinnon Road and Talbot Street. I consider it appropriate that the Panel will proceed on the basis that the Gore District Council will enforce standards contained within the District Plan.
58. The final transport related matter raised by both the Reporting Officers and Ms Dempster is in relation to the buffer landscaping strip promoted by MML and intended to prevent light glare for travellers on the State highway resulting from activities undertaken within the McNab Precinct. To address the concerns raised in relation to shading and therefore ice forming during winter months, the following amended standard is proposed:

Prior to the operation of any light industrial or rural industry activity within the McNab Precinct a buffer or screen is to be established, and thereafter maintained to a maximum height of 3 metres above the State Highway 1

road surface, no closer than 5 metres from the State highway 1 boundary to prevent light glare to drivers on State highway 1 as a result of activities within the precinct.

59. I have included my recommended changes to respond to the points above in my Annexure.

Servicing

60. The Reporting Officers raised general concerns with the ability of the site to be adequately serviced, while noting that *there appear to be options* and that *these are issues that can be worked through during development*. I agree with these statements and note that on-site servicing is likely to limit the density of development on site. This is understood by the MML and in developing the site provisions for the McNab Precinct a focus was placed on adopting green infrastructure for on-site management of stormwater, and wastewater.
61. As discussed in Mr Ralston's evidence green infrastructure options for stormwater management may include at a site-specific level, swales or sand media filters. Wider stormwater management could be through a system of terraced attenuation and stormwater treatment ponds and wetlands throughout the site.
62. In relation to wastewater the expectation is that at the time of development on the site, suitable areas for wastewater disposal will need to be set aside from development depending on the requirements of the activity being undertaken. It is likely that the activity types enabled through the proposed zoning will not result in high wastewater discharge volumes and suitable systems will need to be designed at building consent stage to ensure adequate disposal to meet environmental baselines.
63. Overall I support the evidence in chief and rebuttal evidence of Mr Ralston and consider that the site is able to be adequately serviced via on-site means with the ability to connect to reticulated networks if that is considered viable in future.

Zone Provisions

64. The Reporting Officer's promoted a range of policy and rule provisions to enable their preferred zoning of the Site as:
- (a) GRUZ with McNab Precinct overlay; and
 - (b) Light Industrial Zone.

65. I have attached in my **Annexure A** an amended set of provisions for the Light Industrial Zone with McNab Precinct overlay which I consider to be the most appropriate method of achieving the purpose of the Act and enabling development within the Site. I consider the amended LIZ-McNab Precinct provisions to address the concerns raised by NZTA and the Reporting Officers.
66. As set out in the sections above I do not consider the GRUZ zoning to be suitable to enable the development of this site as proposed, in particular in relation to the potential that the site may not be able to be developed for the enabled activities as a result of assessment under the NPS-HPL. However if Council is of a mind to accept the Reporting Officers position in relation to the zoning I have provided within **Annexure B** to this evidence an amended set of provisions for the General Rural Zone specific to the McNab Precinct. The amendments are summarised as follows:
- (a) Amend GRUZ-R8(12) industrial activities to include rural industry activities.
 - (b) Amend GRUZ-R8(15) industrial activities to remove reference to GRUZ-S2
 - (c) Amend GRUZ-S3 to include the McNab Precinct in the GRUZ-S3(2) allowing buildings for rural industry up to 10,000m² as a permitted activity.
 - (d) Amend GRUZ-S4 to exclude McNab Precinct from the required setbacks from side and rear boundaries as set out under GRUZ-S4(1)-(5) and add GRUZ-S4(6) to require a minimum 20m setback for all buildings within the precinct.
 - (e) Amend GRUZ-S10 to align with the modified standards as set out under the LIZ-McNab Precinct provisions.
 - (f) Add SUB-S1(i) to the minimum lot size standard in the subdivision chapter to allow a minimum lot area of 1ha within the General Rural-McNab Precinct.
67. The amendments to the rules and standards proposed by the Reporting Officers in the s42a report as set out above and within the Annexure to my evidence provide a rural zone which enables the activities intended to be undertaken within the site. In particular the amendment to GRUZ-R8 to remove an exclusion for rural industry is required to enable the intentions for the zone. The reduction in setbacks and the provision of a 1ha minimum lot area ensure that a variety of business/industries can be undertaken within the site where in accordance with the activity types permitted within the precinct.

CONCLUSION

68. I consider the proposed zoning as set out in my full evidence and as shown on the proposed zone plan prepared by Southern Horizons to be the appropriate and enabling of activities which will support primary production and the wider Gore community.
69. The amended plan provisions address the concerns of NZTA and where possible the points raised by the Reporting Officers.
70. In response to the s42a Report:
 - (a) Fundamentally I don't consider the enabled activities or ultimate environmental outcomes resulting between my recommended approach compared to that of the s42a report are significantly different – what is different is whether an underlying rural or urban zone is utilised as a method to deliver those.
 - (b) I consider that the LIZ with McNab Precinct overlay is a more appropriate zone for the activities proposed than GRUZ with McNab Precinct overlay;
 - (c) I do not agree that rural industry is fundamentally inconsistent with the light industrial zone;
 - (d) I consider that providing an underlying General Rural Zone may result in the rural industrial development or subdivision of the site being unable to proceed should the site continue to be mapped as highly productive land under the NPS-HPL.
 - (e) I consider my recommended amendments to the McNab provisions as set out in the revised provisions list **attached** are appropriate and effective in enabling rural industry and limited light industrial activities within the Precinct;
 - (f) I consider the Mahinga Kai overlay to be the most appropriate method of protecting cultural values in conjunction with the relocated Māori Special Purpose Zone and giving effect to the Āpiti Hono Tā Tai Hono Assessment.

71. Overall I consider that the amended provisions and zoning as shown on the plan submitted with my evidence in full will be efficient and effective in achieving the purpose of the RMA and the relevant objectives of the Proposed District Plan.



Christine McMillan

21 November 2024

ANNEXURE A – REVISED ZONE PROVISIONS

LIGHT INDUSTRIAL

Objectives

LIZ-01 The Light Industrial zone contributes to the economic wellbeing of the community by providing for a range of existing and future light industrial activities.

LIZ-02 The range of activities provided for within the Light Industrial Zone do not detract from the vitality, vibrancy and character of the Commercial and Mixed Use Zones.

LIZ-03 The purpose of the Light Industrial Zone is not compromised by incompatible activities or built form.

LIZ-04 The Light Industrial Zone provides for a safe, functional working environment with an appropriate and reasonable level of amenity consistent with the purpose of the zone.

LIZ-05 The adverse environmental effects, or impacts on Ngāi Tahu cultural values, generated by activities within the Light Industrial Zone are managed, particularly at zone boundaries.

LIZ-PREC1-01 The Large Format Retail precinct enables large format retail activities establishing in a location close to the Town Centre Zone to support the purpose and function of that zone.

LIZ-PREC2-01 The Creamoata Precinct enables the ongoing use of the Creamoata Building and associated site by Sargent Dan Stockfoods Limited (or a similar business) to process, package and distribute stockfood and undertake ancillary associated activities which utilise the historic mill and oven facilities on the site. The precinct supports the regionally significant activity and historical connection with the Creamoata Building as a milling and processing site.

LIZ-PREC3-01 The McNab Precinct enables predominately rural industry activities within a location in close proximity to the General Rural Zone and major transport corridors in order to support the purpose and function of that zone.

Policies

LIZ-P1 **Except within the McNab Precinct** enable activities to establish which support the purpose of the Light Industrial zone, including light industrial activities, service stations, trade and industry training facilities and emergency service facilities.

LIZ-P2 Provide for compatible activities to establish and operate within the Light Industrial Zone where they are:

1. of a similar scale and nature to other permitted activities; or
2. ancillary to the main activity on site; or 3. necessary to support the needs of workers within the zone.

LIZ-P3 Avoid activities that may:

1. undermine the viability, vitality and function of the Town Centre and Local Centre Zones.
2. generate significant discharges such as odour, dust, contaminants or noise.
3. result in conflict and/or potential reverse sensitivity effects with existing or anticipated activities.

LIZ-P4 Require activities and development to maintain a level of on-site amenity, particularly at zone interfaces, consistent with the purpose of the zone by:

1. ensuring the bulk, location and scale of structures are compatible with the role and function of the zone.
2. requiring outdoor storage and service areas to be screened along road and side boundaries to protect amenity values of adjoining sites avoid cross boundary effects and maintain or enhance streetscape amenity.
3. requiring appropriate setbacks to waterways to maintain and enhance amenity and Ngāi Tahu cultural values and natural character.
4. providing landscaping, particularly along road frontages, to maintain amenity values within the zone and in streetscapes.
5. responding to the underlying relationship between Ngāi Tahu and the natural environment.

LIZ-P5 Manage adverse effects of activities within the zone to maintain the character and amenity of adjoining zones.

LIZ-P6 Enable the use of reserve land where the activity and/or development is consistent with the relevant Reserve Management Plan.

LIZ-PREC1-P1 Enable large format retail activities to complement the Town Centre Zone whilst ensuring the anticipated amenity values of the Light Industrial Zone are maintained.

LIZ-PREC2-P1 Enable the continued use of the Creamoata building for milling, processing, packaging and ancillary activities which recognise and utilise the historic function and purpose of the building.

LIZ-PREC3-P1 Enable rural industry activities, logistic activities and storage and distribution of construction materials and supplies within the McNab Precinct in order to support District's rural industry while managing adverse effects by:

1. Adopting green infrastructure for the management of water supply, stormwater management and wastewater treatment and disposal
2. Avoiding multiple connections onto the State highway and avoiding ice formation from shading of the sealed carriageway of the State highway
3. Measures to mitigate adverse effects on the amenity values of sites within the rural environment
4. Provision of landscaping features, including native vegetation for sites adjoining the Mahinga Kai Overlay which maintain or enhance biodiversity and cultural values within this area.

Rules

LIZ-R1 LIZ-R2 LIZ-R3 LIZ-R4 LIZ-R5	Light Industrial Activity Trade and Industrial Training Facility Emergency Service Facility Service Station Rural Industry	
All Areas except McNab Precinct (PREC3)	LIZ-R1 to LIZ-R4 Activity status: Permitted Where: 1. Any new or extended buildings or structure complies with all Light Industrial Zone Standards except LIZ-S10.	<i>Activity status where compliance is not achieved:</i> <i>Restricted Discretionary</i> <i>Matters of discretion:</i> 1. The matters of discretion for the relevant infringed standard.
McNab Precinct (PREC3)	LIZ-R1, LIZ-R2 and LIZ-R5 activity status; Permitted Where: 2. Any new or extended buildings or structure complies with Light Industrial Zone Standards LIZ-S1, LIZ-S2, LIZ-S3 and LIZ-S4(3), LIZ-S5, LIZ-S6, LIZ-S7, LIZ-S8, LIZ-S9, LIZ-S10 and LIZ-S11 3. Light Industrial Activity is limited to one or more of the following: (a) logistics, (b) storage and distribution of construction materials and supplies	<i>Activity status where compliance is not achieved:</i> <i>Discretionary</i>
LIZ-R5	LIZ-R5 Retail Activity	
All areas	Activity status: Permitted Where: 1. The retail activity is limited to one or more of the following: (a) an ancillary activity which is the sale of products generated by the activity undertaken on that site; (b) the hire of goods which require outdoor storage; (c) take-away food premises;	<i>Activity status where compliance is not achieved with:</i> LIZ-R5(1): Non-Complying

	(d) sale of products that require outdoor storage or are one or more of the following (i) cars, boats, tractors or other machinery or vehicles; (ii) automotive and marine supplies. (iii) building supplies; (iv) farming and agricultural supplies; (v) garden and landscaping supplies; (vi) office furniture. 2. Any new or extended building or structures comply with all Light Industrial Zone Standards except LIZ-S10.	<i>LIZ-R5(2): Restricted Discretionary</i> <i>Matters of discretion:</i> <i>The matters of discretion for the relevant infringed standard.</i>
LIZ-R6	Food and Beverage Activity	
All Areas	Activity Status: Permitted Where: 1. The activity is a take-away food premises where the maximum area accessible to the public does not exceed 50 square metres; and 2. Any new or extended building or structure complies with all Light Industrial Zone Standards except LIZ-S10	<i>Activity status where compliance is not achieved:</i> <i>Non-Complying</i>
LIZ-R7	Residential Activity	
All Areas	Activity status: Permitted Where: 1. The activity is ancillary to the light industrial activity or rural industry activity within the McNab Precinct (PREC13) which is undertaken on that site; and 2. The residential unit or accommodation is occupied by a person(s) in a caretaker and/or security role or used as temporary overnight accommodation for a person(s) associated with the activity undertaken on site; and 3. There is a no more than one residential unit on the site; and 4. There is no more than one bedroom; and 5. The activity complies with NOISE-S3 (acoustic treatment). 6. Any new or extended building or structure comply with all Light Industrial Zone Standards.	<i>Activity status where compliance is not achieved: Non-Complying</i>

LIZ-R8	Office Activity	
All Areas	Activity status: Permitted Where: 1. It is ancillary to the activity permitted under LIZ-R1-R5 which is undertaken on that site and does not occupy a floor area greater than 100m². 2. Any new or extended building or structure complies with all Light Industrial Zone Standards except LIZ-S10.	<i>Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion:</i> 1. The extent to which the activity may limit or constrain the establishment and use of land for permitted activities. 2. Any potential reverse sensitivity effects and/or conflict with existing activities, and the ability to mitigate these effects. 3. The extent to which it is necessary to establish the activity in the Light Industrial Zone. 4. The ability to service the activity and any associated buildings. 5. The matters of discretion for the relevant infringed standard
LIZ-R10	Industrial Activity	
Creamoata Precinct (PREC2)	Activity status: Permitted Where: 1. The activity involves the following activities: (a) Milling. (b) Processing. (c) Packaging. (d) associated ancillary activities. 2. Any new or extended building or structure complies with all Light Industrial Zone Standards except LIZ-S10.	<i>Activity status where compliance is not achieved with: LIZ-R10(1) and LIZ-R10(2): Restricted Discretionary Matters of discretion:</i> 1. The extent to which there is a need for the activity to locate within the Precinct. 2. The relationship of the activity and the historic character and functional purpose of the Creamoata Mills building. 3. Effects on amenity values and the character of the zone from noise and discharge. 4. Effects on the amenity values of adjoining zones. 5. Effects of traffic generation from the activity. 6. The ability to service the activity and any associated buildings. 7. The matters of discretion for the relevant infringed standard.
All areas except the Creamoata Precinct (PREC2) and McNab Precinct (PREC3)	Activity status: Restricted Discretionary Where: 3. The activity complies with NOISE-S1 for the Light Industrial zone. 4. The activity is not a Significant Hazardous Facility	<i>Activity status where compliance is not achieved with:</i> <i>LIZ-R10(3): Discretionary</i>

	5. Any new or extended building or structure complies with all Light Industrial Zone Standards except LIZ-S10. Matters of discretion: 1. Effects on amenity values and the character of the zone from noise and any other discharge. 2. Effects on the amenity values of adjoining zones. 3. Effects of traffic generation from the activity. 4. The extent to which it is necessary to establish the activity within the zone. 5. The ability to service the activity and any associated buildings. 6. The matters of discretion for any relevant infringed standard, including NOISE-S1.	<i>LIZ-R10(4): Non-Complying</i>
LIZ-R11 LIZ-R12 LIZ-R13 LIZ-R14	Community Facility Community Corrections Activity Entertainment and Hospitality Activities Healthcare Activity	
All Areas except McNab Precinct (PREC3)	LIZ-R11 to LIZ-R14 Where: 1. Any new or extended buildings or structure complies with all Light Industrial Zone Standards except LIZ-S10. 2. The activity is not located within the South Gore Development Area. Matters of discretion: 1. The extent to which the activity may limit or constrain the establishment and use of land for permitted activities. 2. Any potential reverse sensitivity effects and the ability to mitigate these effects. 3. The ability to service the activity and any associated buildings. 4. The matters of discretion for the relevant infringed standard	<i>Activity status where compliance not achieved with:</i> <i>LIZ-R11 to LIZ-R14(1): Discretionary</i>
		<i>LIZ-R11 to LIZ-R14(2): Discretionary</i>
LIZ-R15	All other activities	
All areas	Activity status: Non-Complying	<i>Activity status where compliance not achieved: N/A</i>

	1. Any activities, including associated buildings, not otherwise provided for in the list of rules.	

Standards

LIZ-S1	Height	
All activities	1. The building must not exceed a maximum height of 12 metres above ground level. Excluding any roof mounted structures such as: panels, architectural features, satellite dishes or antennas, aerials or flues, provided these do not exceed the height by more than 1m and is no more than 1 metre in width or length.	<i>Activity status where compliance is not achieved:</i> <i>Restricted Discretionary Matters of discretion:</i> 1. The adverse effects on the amenity values of adjoining sites including privacy, shading, outlook and dominance. 2. The effects on the character and amenity values of the surrounding environment and streetscape, including impacts on views to and between features of importance to Ngāi Tahu. 3. Whether the structure can be more appropriately located to minimise adverse visual amenity effects. 4. The reason for the increase in height.
LIZ-S2	Height in relation to boundary	
All activities	1. No part of any building or structure projects beyond the height in relation to boundary plane, measured from points 2.6 metres above ground level at site boundaries where that boundary adjoins a site: (a) Zoned General Residential, Medium Density Residential, Large Lot Residential or Māori Purpose Zone. (b) Containing a scheduled heritage item. See Appendix 2 for boundary plane angles. Except that (i) this standard does not apply to boundaries with other sites in the Light Industrial Zone. (ii) this standard does not apply to road boundaries; (iii) the following intrusions are permitted: - for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the indicator plane and the end area up to 2.5 square metres when viewed in elevation; - roof mounted structures such as panels, architectural features, satellite dishes or antennas, aerials, flues,	<i>Activity status where compliance is not achieved:</i> <i>Restricted Discretionary</i> <i>Matters of discretion:</i> 1. The adverse effects on the heritage or amenity values of adjoining sites including privacy, shading, outlook and dominance. 2. Whether the structure can be more appropriately located to minimise adverse visual amenity effects

	provided the structure does not extend more than 1m above the zone height limit and has a maximum width of 1m or length. Note: Where a boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the rule applies from the farthest boundary of that legal right of way	
LIZ-S3	Setbacks to road boundary	
All Activities	1. All Buildings and structures must be setback a minimum of 2 metres from a road boundary. Except that: (a) eaves, gutters and associated downpipes on any building may intrude into the setback by up to 600mm. (b) no setback is required for a fence. (c) no setback is required in the Creamoata Precinct	<i>Activity status where compliance is not achieved: Restricted Discretionary</i> <i>Matters of discretion:</i> 1. <i>The safety and efficiency of the road network.</i> 2. <i>Effects on the character and amenity of the streetscape including dominance.</i> 3. <i>Compatibility with the surrounding environment.</i>
LIZ-S4	Setbacks to side and rear boundaries	
All activities except McNab Precinct	1. All Buildings and structures must be setback a minimum of 2 metres from any side or rear boundary which adjoins: (a) a site within any zone other than General Industrial Zone, Light Industrial Zone or Rural Lifestyle Zone. (b) a scheduled heritage item. 2. Buildings must be setback a minimum of 10 metres from any boundary which adjoins a Rural Lifestyle Zone. Except that: (i) eaves, gutters and associated downpipes on any building may intrude into the setback by up to 600mm. (ii) no setback is required for buildings that share a common wall along the boundary. (iii) no setback is required for a fence. (iv) no setback is required for any structure less than 1.8m in height and 5m² floor area.	<i>Activity status where compliance is not achieved: Restricted Discretionary</i> <i>Matters of discretion:</i> 1. <i>The adverse effects on the amenity values of adjoining sites including privacy, shading, outlook and dominance.</i> 2. <i>The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping.</i> 3. <i>The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site.</i>
McNab Precinct	3. All buildings and structures must be setback a minimum of 20 metres from any boundary that adjoins the General Rural Zone, Rural Lifestyle Zone or Māori Special Purpose Zone Except that: (i) no setback is required for a fence	

LIZ-S5	Setbacks to streams and rivers	
All activities	1. Any building or structure is set back from the top of the closest bank of any stream or river the minimum distance as follows: (a) 20m for high order rivers or streams (order 5 and above) (b) 10m for middle order rivers or streams (order 3 and 4) (c) 5m for low order rivers or streams (order 1 and 2). Refer to Appendix 3 for river and stream orders	<i>Activity status where compliance is not achieved:</i> <i>Restricted Discretionary</i> <i>Matters of discretion:</i> 1. Whether there is a functional need for the building or structure to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility. 2. The effects on water quality and the stability and health of the stream bed and banks, including erosion and sedimentation control measures. 3. The nature of existing riparian vegetation and the effects of proposed planting or modification on indigenous biodiversity and /or habitats. 4. The natural character of the riparian margin and the effects of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas. Refer to Natural Features and Landscapes – Appendix 5 in regard to the Mataura River. 5. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3. 6. The effects on public and customary access to the stream or river. 7. The potential for flooding and to create new or exacerbate existing natural hazards, impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other sites.
LIZ-S6	Landscaping	
All activities	1. A landscaping strip with an average width of 2 metres along the frontage of the site is provided. Except for any area required for vehicle or pedestrian access and for any site within the Creamoata Precinct	<i>Activity status where compliance is not achieved:</i> <i>Restricted Discretionary</i> <i>Matters of discretion:</i> 1. The effect of the non-compliance on the streetscape and surrounding environment. 2. The overall landscaping provided on-site.
LIZ-S7	Screening	
All activities	Screening must be provided for: 1. The boundary of a site that adjoins a site: (a) in the Medium Density Residential, General Residential or Large Lot Residential Zones or the General Rural or Rural Lifestyle Zones; or (b) containing a scheduled heritage item The screening must be either:	<i>Activity status where compliance is not achieved:</i> <i>Restricted Discretionary</i> <i>Matters of discretion:</i> 1. The extent to which the activity is able to be screened from the adjoining site. 2. The effect of the non-compliance on the character and amenity of the adjoining site.

	(i) planting and/or landscaping to a minimum depth of 2 metres with species that will grow to at least 2m in height; or (ii) a solid, close-boarded enclosed fence made with a minimum height of 1.8m and a maximum height of 2m. Except that: This standard does not apply to buildings that share a common wall along the boundary.	
LIZ-S8	Landscape permeable area	
All Activities	1. At least 10 percent of the net site area shall comprise landscaped permeable area.	<i>Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion:</i> <i>1. The ability to manage stormwater on-site and the potential impact on water quality.</i> <i>2. The overall landscaping provided on the site.</i> <i>3. Effects on the visual amenity of the surrounding environment.</i> <i>4. Effects on the practical use and layout of the site</i>
LIZ-S9	Screening of outdoor storage area and parking area	
All activities	1. Any on-site service area, including rubbish collection areas, must be fully screened by a 1.8m fence or landscaping from view of: - Public road - Adjoining site - Other public space Except that outdoor storage of goods for sale as part of the activity do not require screening from a public road. 2. Any on-site parking must be fully screened by a 1.8m fence or landscaping from view of adjoining sites.	<i>Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion:</i> <i>1. Any adverse effects on the visual amenity and character of the streetscape.</i> <i>2. . The visual amenity of adjoining Residential zoned sites including shading;</i> <i>3. The service, storage and parking needs of the activity and the size and location of service, storage and parking areas.</i> <i>4. The time period, type and volume of goods for which the outdoor storage area will be used.</i> <i>5. The ability to mitigate any adverse visual effects resulting from reduced or no screening of the outdoor storage area through alternative means</i>
LIZ-S10	Outdoor living space	
Residential Activities	1. Each residential unit must provide: - a minimum continuous area for outdoor living space, contained in one area, within the net site area of the site, of 6m² which: - has a minimum 2 metre dimension; and - is directly accessible from a habitable room within the residential unit; and	<i>Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion:</i> <i>1. Whether sufficient outdoor living space is provided.</i> <i>2. Accessibility and convenience for residents.</i> <i>3. The proximity of alternative opportunities for outdoor amenity and recreation.</i>

	(iii) is not south facing.	4. The reason for the reduced outdoor living space
LIZ-S11	Access	
Activities within the McNab Precinct (PREC3)	1. <i>Prior to the operation of any light industrial or rural industry activity within the McNab Precinct a buffer or screen is to be established, and thereafter maintained to a maximum height of 3 metres above the State Highway 1 road surface, no closer than 5 metres from the State highway 1 boundary to prevent light glare to drivers on State highway 1 as a result of activities within the precinct</i> 2. <i>Prior to the operation of any industrial, light industrial or rural industry activity within the McNab Precinct a separated left turn lane shall be constructed on State Highway 1 at the intersection with McKinnon Road, to the satisfaction of NZ Transport Agency</i> 3. <i>A traffic assessment must be undertaken by a suitably qualified prior to more than 30% of the McNab Precinct (PREC13) being developed to assess:</i> <i>a. Any specific intersection improvements required at the Talbot Street intersection with McKinnon Road.</i> <i>b. Any requirement for alternative site access or route options as a result of projected traffic generation and</i> <i>c. The timing of implementation for any required alternative access or route options.</i> 4. <i>A traffic assessment must be undertaken by a suitably qualified and experienced person prior to more than 55% of the McNab Precinct being developed to assess:</i> <i>a. Any requirement for alternative site access or route options as a result of projected traffic generation and</i> <i>b. The timing of implementation for any required alternative access or route options</i>	<i>Activity status where compliance is not achieved:</i> Non-complying

	5. Any outcomes recommended within the Traffic Assessment required by LIZ-S11(3) and LIZ-S11(4) must be implemented prior to the activity which exceeds the development threshold connecting subject to the agreement of the road controlling authority. 6. There shall be no access directly onto State highway 1.	
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RURAL LIFESTYLE ZONE

Policies

RLZ-P10 Avoid activities and structures, except bridges and their footings, within the Mahinga Kai Overlay at McNab unless for the purposes of Māori customary activities, access, stormwater or flood plain management.

Rules

RLZ-R13	Activity Status: Non Complying	
All other activities	1. Any activities, including associated buildings, not otherwise provided for in the list of rules Within the Mahinga Kai overlay at McNab 2. Any activity or structure, that is not for the purposes of access, bridges and their footings, Mahinga Kai or stormwater and floodplain management, within the Mahinga Kai overlay at McNab	

MĀORI SPECIAL PURPOSE ZONE

Policy

MPZ-P2 Enable the use and development of the Māori Purpose Zone for a range of appropriate activities that enable the Māori community to support itself, including:

1. residential uses (including papakāinga);
2. Marae and/or Papatipu Rūnanga complexes, and other Māori cultural facilities and activities;
3. environmental-focused activities including restoration, mahinga kai practices, and environment-related employment opportunities;
4. social, recreational, educational facilities, **health facilities** and economic facilities; while:
5. ensuring any significant adverse effects from these activities on adjoining properties beyond the zone and the wider environment are mitigated; and

6. requiring that all activities are adequately serviced

Rules

MPZ-R6 MPZ-R7 MPZ-R8 MPZ-R9 MPZ-R10	Cluster Housing Residential Activity Community Facility Commercial Activity Visitor Accommodation	
All Māori Purpose Zones	MPZ-R6 to MPZ-R10 Activity status: Permitted Where: ~~1. The activity is not at the Te Ika Rama Marae site;~~ 1. Any new or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7; and 2. Retail Activities are limited to 100m2 Gross Floor Area.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard; 2. The extent to which all activities are adequately serviced; 3. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; 4. Any functional or tikanga related requirements; and 5. For non-residential activities matters relating to: (a) traffic generation (b) noise (c) scale (d) access (e) reverse sensitivity.
MPZ-13	Educational Facilities	
Māori Purpose Zone – Te Ika Rama Marae Site	Activity Status Permitted Where: Activity Status Permitted Where: 1. Any new or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard; 2. The extent to which all activities are adequately serviced; 3. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; and 4. Any functional or tikanga related requirements.
MPZ-R14	Health Facilities	
Māori Purpose Zone – Te Ika Rama Marae Site	Activity Status Permitted 1. Any new or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard;

		2. The extent to which all activities are adequately serviced; 3. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; and 4. Any functional or tikanga related requirements.
MPZ-R15	All other activities	
All Māori Purpose Zones	Activity status: Discretionary 1. Any activities, including associated buildings, not otherwise provided for in the list of rules.	Activity status where compliance is not achieved: N/A

Standards

MPZ-S4	Setbacks from Roads	
~~Te Ika Rama Marae and Hokonui Runanga Sites~~	1. Any building or structure must be setback a minimum of 10 metres from any road boundary. Except that: (a) fences are permitted within the setback eaves, gutters and associated downpipes on any building may intrude into the setback by a maximum of 600mm.	Activity status where compliance is not achieved with: MPZ-S4(1) or MPZ-S4(2): Restricted Discretionary Matters of discretion: 1. The safety and efficiency of the road network; 2. The adverse effects on adjoining sites including privacy, and shading; 3. The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping; and 4. The reason for the reduced setback including any functional or tikanga related requirements.
~~Hokonui Marae and Te Ika Rama Marae Sites~~	2. Any building or structure must be setback a minimum of 3 metres from any road boundary. Except that: (c) fences are permitted within the setback eaves, gutters and associated downpipes on any building may intrude into the setback by a maximum of 600mm.	
MPZ-S6	Building coverage	
~~Te Ika Rama Marae~~	~~1. The maximum building coverage shall not exceed 1000m² per site.~~	Activity status where compliance is not achieved with: MPZ-S6(1) ~~or~~ MPZ-S6(2): Restricted Discretionary Matters of discretion: 1. The adverse effects on adjoining sites including privacy, shading, and dominance; 2. The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping; 3. The effects on water management; and 4. Ecological and biodiversity impacts.
~~Mataura and Hokonui Marae sites and Hokonui Rūnanga Site~~	~~1. The maximum building coverage shall not exceed 50 percent per site.~~	
All Māori Purpose Zones	1. The maximum building coverage shall not exceed 50 percent per site.	

SUBDIVISION

Standards	Minimum Lot Size	
SUB-S1	1. No lots to be created by subdivision, including balance lots, shall have a net site area less than the minimum specified: (a) General Residential – 400m² (b) Medium Density Residential – 300m² (c) Large Lot Residential – 2000m² (d) Large Lot Residential Precinct 12 – 8000m² (e) Settlement – 2000m² (f) Rural Lifestyle (excluding Gore West Development Area) – 1ha (g) Rural Lifestyle Gore West Development Area – 2000m² provided the average lot size over the whole Rural Lifestyle Gore West Development Area is not less than 1 hectare (h) General Rural – 8ha (i) Light Industrial Zone – McNab Precinct – 1ha Except that: (i) This rule does not apply to the Medium Density Zone or General Residential Zone where allotments each contain an existing residential unit. (ii) There is no minimum density for zones not listed above, however site size for all subdivisions is a considered under Rules SUB-R5, SUB-R6 and SUB-R7.	Activity status where compliance is not achieved: Non-Complying

DEFINITIONS

light industrial activity Means any manufacturing, processing, storage, logistics, repair or distribution activity that does not generate objectionable odour, dust or noise or elevated risk to people's health and safety. Light industrial activities include, but are not limited to, warehouse storage, automotive repairs, minor engineering and light manufacturing activities, product assembly.

rural industry Has the same meaning as per the National Planning Standards – means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.

trade and industrial training facility Means a premises accommodating specialised education and training facilities where a group of people are given trade or industry tuition and training on a formal basis.

green infrastructure Has the same meaning as per the National Planning Standards – means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to:

- (a) provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and
- (b) provide services to people and communities, such as stormwater or flood management or climate change adaptation.

logistics means storage and distribution of material and goods

ANNEXURE B – AMENDED GENERAL RURAL ZONE PROVISIONS

General Rural Zone

GRUZ-R8	Industrial Activities (including Light Industrial Activities)	
All areas except McNab Rural Industry Precinct	Activity Status Permitted	
PREC15 McNab Rural Industry Precinct	Activity status Permitted Where: 12. The activity is a contractor yard, or the activity involves the manufacturing of primary produce produced on site (excluding activities that are defined as rural industry) . 13. The activity is a transport yard. 14. The activity involves the servicing of agricultural equipment 15. Any new, relocated or extended building, structure and activity complies with General Rural Zone Standards GRUZ-S2 , GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7, GRUZ-S8 and GRUZ-S10	Activity status where compliance is not achieved with: GRUZ-R8(8) to (10): Discretionary GRUZ-R8(11): Restricted Discretionary Matters of discretion: 1. The matters of discretion of the infringed standard

GRUZ-R9	Commercial Activities	
All areas except PREC14 New Vale Precinct and PREC15 McNab Rural Industry Precinct		
PREC15 McNab Rural Industry Precinct	Activity status: Permitted Where: 5. The activity is the hire of goods which require outdoor storage. 6. The activity involves the sale of farming and agricultural supplies; 7. Any new, relocated or extended building, structure and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7, GRUZ-S8 and GRUZ-S10.	Activity status where compliance is not achieved with: GRUZ-R9(5) to GRUZ-R9(6): Discretionary GRUZ-R9(7): Restricted Discretionary Matters of discretion: The matters of discretion of the infringed standard

GRUZ-S3	Building Size	
All Areas	1. Any building for primary production must not exceed 3000m ² .	Activity status where compliance is not achieved:

	2. Any building for a rural industry activity in the Rural Industry Precinct and the McNab Precinct must not exceed 10,000m². 3. Any building for any other activity must not exceed 500m²	Restricted Discretionary Matters of discretion: 1. The adverse effects on the rural character. 2. The adverse effects on amenity values of adjoining sites, including outlook, privacy, shading, dominance and sense of openness. 3. The adverse effects on Ngāi Tahu cultural values including those listed in MW-2.3. 4. Whether the building is located on high class soils. 5. The reason for the additional building size. 6. Noise and odour from housing animals.
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GRUZ-S4	Setback to Side and Rear Boundaries	
All Areas except McNab Precinct	Any building is setback from any side or rear boundary the minimum distances as follows: 1. Residential buildings are setback 30m; 2. Dairy sheds and buildings that house animals are setback 50m; 3. Buildings greater than 500 square metres are setback 200m, except for in the Rural Industry Precinct (PREC13) where the setback is 100m; 4. Buildings less than 10 square metres are setback 2m; and/or 5. All other buildings are setback 15m	
PREC15 McNab Rural Industry Precinct	6. Any building is setback from any side or rear boundary a minimum of 20m	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The adverse effects on rural character 2. The adverse effects on amenity values of adjoining sites, including outlook, privacy, shading, dominance and sense of openness 3. The extent to which buildings are set back on the adjoining sites and the use of the intervening space 4. The reasons for the reduced setback 5. Noise and odour from housing animals 6. Reverse Sensitivity effects

GRUZ-S10	Access
PREC15 McNab Rural Industry Precinct	1. There shall be no access directly onto State Highway 1. 2. Prior to the operation of any light industrial or rural industry activity within the McNab Precinct a buffer or screen is to be established, and thereafter maintained to a maximum height of 3 metres above the State Highway 1 road surface, no closer than 5 metres from the State highway 1 boundary to prevent light glare to drivers on State highway 1 as a result of activities within the precinct 3. Prior to the operation of any industrial, light industrial or rural industry activity within the McNab Precinct a separated left turn lane shall be constructed on State Highway 1 at the intersection with McKinnon Road, to the satisfaction of NZ Transport Agency 4. A traffic assessment must be undertaken by a suitably qualified prior to more than 30% of the McNab Precinct (PREC13) being developed to assess: a. Any specific intersection improvements required at the Talbot Street intersection with McKinnon Road. b. Any requirement for alternative site access or route options as a result of projected traffic generation and c. The timing of implementation for any required alternative access or route options. 5. A traffic assessment must be undertaken by a suitably qualified and experienced person prior to more than 55% of the McNab Precinct being developed to assess: a. Any requirement for alternative site access or route options as a result of projected traffic generation and b. The timing of implementation for any required alternative access or route options 6. Any outcomes recommended within the Traffic Assessment required by GRUZ-S10(4) and GRUZ-S10(5) must be implemented prior to the activity which exceeds the development threshold connecting subject to the agreement of the road controlling authority. Activity status where compliance is not achieved: Discretionary

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Subdivision

Standards	Minimum Lot Size	
SUB-S1	1. No lots to be created by subdivision, including balance lots, shall have a net site area less than the minimum specified: (a) General Residential – 400m² (b) Medium Density Residential – 300m² (c) Large Lot Residential – 2000m² (d) Large Lot Residential Precinct 12 – 8000m² (e) Settlement – 2000m² (f) Rural Lifestyle (excluding Gore West Development Area) – 1ha (g) Rural Lifestyle Gore West Development Area – 2000m² provided the average lot size over the whole Rural Lifestyle Gore West Development Area is not less than 1 hectare (h) General Rural – 8ha (i) General Rural – McNab Precinct – 1ha Except that: (i) This rule does not apply to the Medium Density Zone or General Residential Zone where allotments each contain an existing residential unit. (ii) There is no minimum density for zones not listed above, however site size for all subdivisions is a considered under Rules SUB-R5, SUB-R6 and SUB-R7.	Activity status where compliance is not achieved: Non-Complying