

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.

Statement of supplementary planning evidence of Victoria Woodbridge on behalf of Gore District Council for Hearing Stream 4.

Date: 16 August 2024

Introduction:

1. My full name is Victoria Emily Jane Woodbridge. My Section 42A report sets out my qualifications and experience as an expert in planning.
2. I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's practice Note 2023, as applicable to this independent hearing panel.
3. I have prepared this statement of evidence to provide a response to expert evidence and statements presented in relation to Hearing Stream 4 – Industrial Zones. This includes the evidence of:

Alliance Group Limited (s121)

- a) Doyle Richardson

Silver Fern Farms Limited (s40)

- Steve Tuck

KiwiRail Holdings Limited (s132)

- Michelle Grinlinton-Hancock

NZTA (s112)

- Helen Dempster

Environment Southland (s85)**New Zealand Heavy Haulage Association (s77)**

- Jonathan Bhana-Thomson

4. My evidence also seeks to correct the following error in the Industrial Zones Section 42A Report:
 - a) At paragraph 510 I referred to the Silver Fern Farms site as being Lot **2** DP 8038, this should be Lot **3** DP 8038. I have correctly referenced the site in this evidence.

Recommendations Overview

5. The Section 42A report provides an overview of issues raised in submissions and the changes recommended relating to Hearing Stream 4. I do not propose to repeat those here but instead focus on responding to submitters evidence and in particular matters which remain in contention.
6. Following review of the supplementary evidence from Ms Bennett for Hearing Stream 3 in respect of the Mana Whenua chapter of the PDP, I also intend to address recommended amendments to my Section 42A report in response to the submissions from Hokonui Rūnanga

(s139.078, s139.080 & s139.090, s139.079 & s139.081) on objectives and policies which refer to cultural values.

7. All recommended amendments to the chapters are shown in **Appendix C and D**, the recommended amendment to the planning maps is provided in **Appendix A**.
8. I acknowledge the support of Ravensdown Limited in respect of their submission (s28.001) to rezone Section 1 SO 12143 to industrial in association with their activity and industrial zoning at 252 Waipahi Highway, McNabb.

Detailed Responses to Evidence seeking changes to s42A Recommendations

Silver Fern Farms Limited (s40 and FS29)

9. Silver Fern Farms Ltd submitted on the indicative road alignment shown on the Gore South Outline Development Plan (DP). The submissions (s40.092, s40.087, s40.088, s40.090, s40.091) sought to amend the Development Area Chapter, specifically the DP, the overview and purpose, DEV1-O1, DEV1-P2 and DEV1-R1(3) to remove reference to the secondary road connection through Lot 3 DP8038 (as shown on Figure 1 below):

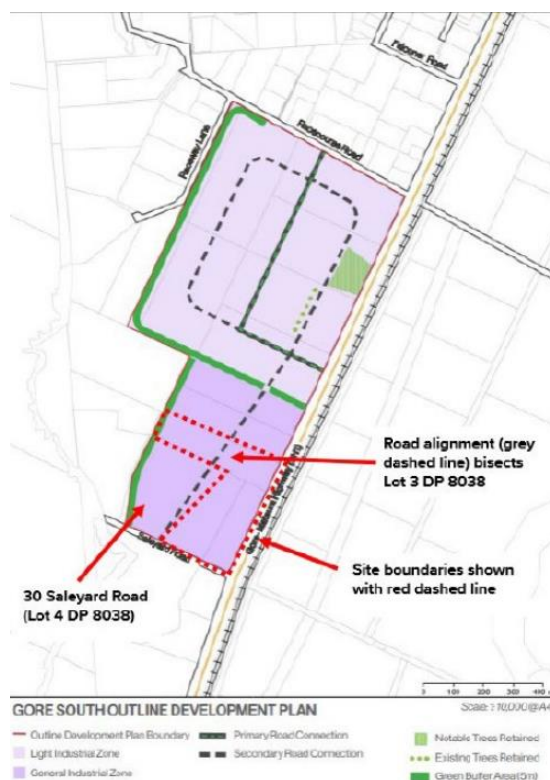


Figure 1 – Silver Fern Farms site and Outline Development Plan

10. I have reviewed the evidence provided from Mr Tuck on both 5 August and 14 August 2024 and note both address the same issue.
11. In the first instance I think it is important to address the issue of consultation and engagement that Mr Tuck has raised and clarify that there is no intention, as far as I am aware, of Council

seeking to acquire land to construct the road network which is shown on the DP. That is not the purpose of the DP nor the PDP Development Area provisions.

12. To respond to Mr Tuck's evidence in full it is important to explain the purpose of the DP and the Development Area approach generally to understand the context for both the DP and the indicative road layout.
13. The Development Area covers an area of land proposed for upzoning to Industrial through the PDP. The land is currently utilised for a range of purposes and zoned either Rural or Industrial under the Operative District Plan (ODP). The land is also within multiple ownerships and at this stage it is unclear how, when or where development may actually occur. However, the zoning is proposed to enable future growth to meet the anticipated demand for industrial development given there is an identified lack of vacant industrial land suitable for development¹.
14. Engagement with landowners, both within and adjoining the development area, during the draft District Plan phase indicated a concern regarding the potential adverse effects from development within the Industrial zones on adjoining rural lifestyle properties. As part of the refinement of the District Plan it was considered appropriate to provide a mechanism to manage and mitigate potential adverse effects.
15. Furthermore, the multiple ownership and uncertainty as to how future development might unfold meant there was a risk of piecemeal, ad hoc development which may not result in quality urban design outcomes and could have unintended consequences for both future development and the surrounding road network.
16. The National Planning Standards (PS) provides for District Plans to incorporate a Development Area, the function of which is:

"A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change."

17. In the case of Gore South, the DP was developed, in part, to ensure development did not result in multiple accesses onto the State Highway as this would have the potential to adversely affect the safe operation of the State Highway. To achieve this outcome consideration was given to how development might reasonably occur, based on discussions with landowners. The Racecourse trustees indicated that they wanted to keep the racetrack for as long as possible and as such any development would likely initially occur along the State Highway frontage and / or along the Racecourse Road frontage.

¹ Section 32 Evaluation Report – Industrial Zones

18. On this basis these areas were identified as ‘Stages 1 and 2’ on the background plans². Indications from other landowners within the Development Area, including Silver Fern Farms was that development in the short to medium term was less likely. Therefore, the area, including the Silver Fern Farms site, was identified as a future stage of development (refer to Figure 2 below).



Figure 2 – Gore South Development Area staging plan

19. The indicative road layout aims to ensure that sites do not become ‘land locked’ by development and need to rely on access from the State Highway. The layout proposes an alternative route through the development area to minimise the number of direct accesses onto the State Highway. For example, if development were to occur on 194 Gore Mataura Highway (shown below in Figure 3) and no allowance was made for a future road connection through that site or through Silver Fern Farms site (Lot 3 DP8038) then 200 Gore Mataura Highway would need to gain access directly from the State Highway when it was developed which would have potential issues for the ongoing safe operation of the State Highway network.

² Gore District Plan Review: Traffic Assessment Report – General Industrial Zones, WSP, June 2023



Figure 3 – 194 Gore Mataura Highway (yellow)

20. Mr Tuck states that he is unsure how removing the road alignment would result in more direct access to the State Highway and use of intersections as he considers the opposite would be the case. I disagree that the road alignment would result in more access onto the State Highway. For example, as noted above, if 194 Gore Mataura Highway were to be developed after development at the racecourse then they would be able to utilise the road connection through rather than having direct access onto the State Highway. I accept, however, that if development on 194 Gore Mataura Highway were to occur before development at the racecourse then access may be required directly from the State Highway. However, ensuring the site layout provides for a future road connection would allow for better future outcomes for other sites.
21. However, as noted above there is no expectations that landowners or the Council will develop the road layout until such time as they wish to develop on their site. For Silver Fern Farms if there is no intention to develop on Lot 3 DP8038 then the road will not be required and it simply provides for future opportunities to reflect the activities enabled through the zoning. In this regard the Development Area Chapter is forward looking and includes rules³ which ensure that the indicative road area is not built which would then prevent the future road connections from being constructed if development were to occur.
22. When drafting the PDP Development Area Chapter consideration was given to whether the provisions should be linked to the identified staging, however, this was rejected as it was considered preferable to allow flexibility for future development to occur. In other words, restricting development in the 'future stage' from occurring before Stages 1, 2 and 3 were

³ Gore Proposed District Plan: Development Area Chapter - Rule DEV1-S2

constructed may result in unnecessary constraints for those landowners within the future stage, and hinder development, which the zoning seeks to enable and encourage.

23. The DP, therefore, is a practical means of providing some general direction for how the wider area should be developed to provide for positive outcomes i.e. landscape buffering to the rural lifestyle properties and a road layout which minimises accesses onto the State Highway.
24. I think it is also important to note that the road layout is indicative, and the Development Area Chapter requires development to be in accordance with the DP, unless alternative design solutions achieve the same or better outcome⁴. Therefore, even if Silver Fern Farms did choose to develop Lot 3 DP8038 then they could propose an alternative design option for the road location provided it achieved the same purpose and quality design outcomes.
25. The concept of an indicative road layout as part of a DP within a Development Area is a widely accepted approach to manage future development adopted by a range of other District Plans. Again, I would highlight that the road layout is indicative, with the primary purpose being to ensure that where development does occur, it occurs in a manner that provides for future connectivity opportunities.
26. The Partially Operative Selwyn District Plan includes several development areas, for example, the Darfield Development Area as shown in Figure 4 below.

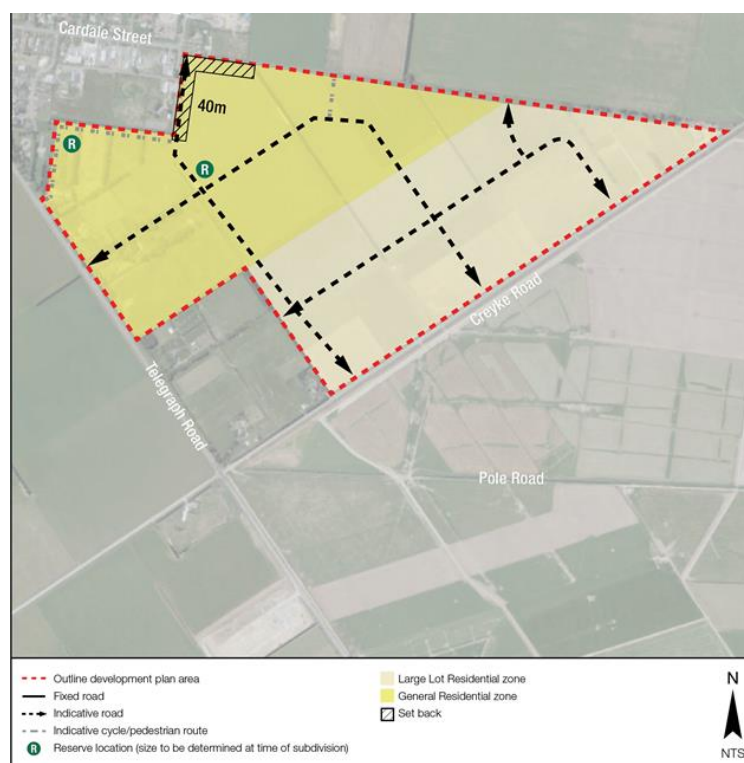


Figure 4 – Darfield Outline Development Plan⁵

⁴ Gore Proposed District Plan: Development Area Chapter - Rule DEV1-P2

⁵ Partially Operative Selwyn District Plan, Part 3: Area Specific Matters: Development Areas - Darfield

27. The Records of Title within the Darfield Development Area indicate different landownership and therefore it is comparable to the Gore South Development Area. I note that development is currently being undertaken in some areas of the Darfield Development Area and road layout is broadly consistent with the DP, however, there are some areas which have yet to be developed (refer to Figure 5). This may be due to different landownership and aspirations, however, as a result of the DP there is an option for future development to connect into the road network within the wider development area. This provides for better future outcomes in terms of urban design and traffic effects than having each 'site' develop in silo.



Figure 5 – Darfield Development Area aerial photograph

28. For the Gore South Development Area, I note that no other landowner has submitted to delete the indicative road on their property, meaning if the Panel were of a mind to accept the submission from Silver Fern Farms then Lot 3 DP8038 would be the only site which did not have an indicative road and future connection through the development area would not be achieved. NZTA have further submitted (FS14.038, FS14.034, FS14.035, FS14.036, FS14.037) on the Silver Fern Farms submission stating that they oppose the submission on the basis that the removal of the secondary road connection may result in more direct access to the State Highway network.
29. In the event that Council were to consider acquiring land for the road in the future then I agree early engagement and consultation would be beneficial, however, allowing for land acquisition is not the purpose of the PDP provisions. There is no designation proposed and no indication in the Council's LTP that there is any intention to purchase land for the purposes of road construction in this area.
30. Overall, I recommend that the indicative road remain over Lot 3 DP8038 to maintain the future options for through road connectivity in the event that development does take place. As noted above, the landowner may not develop on their site, however, if they do choose to do so development will need to be generally in accordance with the DP to ensure positive outcomes for the wider area, which may also benefit Silver Fern Farms.

Alliance Group Limited (s121 and FS27)

31. Doyle Richardson presented evidence on behalf of Alliance Group. Mr Richardson's evidence focuses on two matters of contention:

- a) The zoning of the Alliance water treatment plant; and
- b) The stream setback for 30 McQueen Avenue, Maitua (Lot 1 DP 588607).

a) Zoning of Alliance water treatment plant

32. I agree with Mr Richardson that a General Industrial Zoning would be more appropriate. As Mr Richardson correctly identifies, the noise limits external to the General Industrial Zone are the same as the Light Industrial Zone. Furthermore, I agree that the activity, as both a standalone activity or as an ancillary activity to an industrial activity is more likely to constitute an industrial activity than a light industrial activity.

33. I acknowledge that the zoned area is relatively small and comprised almost entirely of the water treatment plant. There would be very little scope for redevelopment of a different industrial activity and so I consider it a low risk that any unanticipated industrial activity could establish under a General Industrial zoning. Although the water treatment plant would benefit from existing use rights, a General Industrial zoning would protect the future use considering its importance to the ongoing use of the Alliance Plant and the contribution the Plant makes to the economic well-being of the district.

34. For these reasons I recommend that the zoning is amended from Rural Lifestyle (as per the notified PDP) to General Industrial rather than the Light Industrial I recommended within my Section 42A report. An updated map is attached at **Appendix A**.

Section 32AA Evaluation

35. The proposed amendment to the planning maps that I have recommended will enable the Council to effectively administer the PDP in a clear and consistent manner and will provide a more effective and efficient outcome for the continued use of an existing activity.

36. The recommended changes are consistent with the purpose of the Act in that they manage use and development of the land resource in a way that enables people and communities to provide for their social, economic, and cultural well-being. The rezoning of the Alliance water treatment plant provides for their ongoing needs without adversely affecting surrounding landowners, noting that the activity is existing but will be subject to noise and light controls within the PDP.

37. The benefits of the proposed amendments are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

38. The proposed amendments are considered to be a more appropriate way to achieve the objectives than the notified version of the PDP.

b) Stream setback for 30 McQueen Avenue, Mataura (Lot 1 DP 588607)

39. Mr Richardson has provided evidence in support of the Alliance Group submission (s121.106) seeking an exemption from the setback requirements to the Mataura River on Lot 1 DP 588607 (30 McQueen Avenue, Mataura).
40. I have considered the evidence provided, reviewed the provisions of the PDP including Appendix 5 and the Natural Features and Landscape Chapter as well as the Section 32 Evaluation report for Rivers and River Margins which evaluated the stream setback standard.
41. In his evidence Mr Richardson identifies that the Alliance site is subject to a Memorandum of Understanding with Hokonui Rūnanga and as a result of wastewater discharge consent conditions a Kaitiaki Plan has been prepared in consultation with Hokonui Rūnanga. I have reviewed the draft Kaitiaki Plan and note there is a requirement for a restoration plan to be developed, however, I am unsure of the details of this plan and how or if it could assist in mitigating the effects of additional built form with a reduced setback to the river.
42. I acknowledge the existing situation on site with regard to the proximity of existing buildings to the river (refer to Figure 6), the fact that the site and riparian margin area is heavily modified and that this is an historic situation. I also acknowledge that the site is subject to constraints due to its proportions, with the northern part of the site having a width of approximately 44 metres which then reduces further. In addition, I recognise the significance of the activity as an important contributor to the economy of the district, including as a place of employment.



Figure 6 - Lot 1 DP 588607 (30 McQueen Avenue, Mataura) outlined in Blue

43. However, notwithstanding the above matters I also acknowledge the values of, and cultural associations with, the Maitara River and Falls and that the stream setback requirement seeks to manage adverse effects on those values and cultural associations, amongst other matters.
44. The Section 32 Evaluation report for Rivers and River Margins explains the reasons for the stream setback and these are reflected in the matters of discretion for standard GIZ-S5. In undertaking an assessment of the appropriateness of exempting buildings and structures from the setback requirements on Lot 1 DP588607 I have considered options for how a balance could be achieved to enable some buildings and structures within the 20 metres setback whilst managing adverse effects on those values and cultural associations and other matters detailed in the matters of discretion.
45. The matters of discretion are as follows (underlined / strikethrough text recommended amendments from Hearing Stream 3):
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 ~~for habitats~~ proposed mitigation measures, including:*
 - (a) opportunities for enhancement and restoration;
 - (b) methods proposed to monitor or inspect the works undertaken;
 - (c) the timing of works to minimise adverse effects on threatened or at risk indigenous species; and
 - (d) management of potential adverse effects through a Council Authorised Biodiversity Management Plan.
 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 Maitara 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.*
46. The Maitara Falls are identified as an Outstanding Natural Feature (ONF) within the PDP. Appendix 5 of the PDP outlines the values to be protected and potential threats to landscape values for the Maitara falls:

Values to be protected.

- *Geo-heritage values.*

- *Remaining natural characteristics associated with rocky banks and outcrops and powerful river flow.*
- *Attributes that contribute to its habitat value for kanakana and other fauna, particularly indigenous and Ngāi Tahu taonga and/or mahinga kai species.*
- *Qualities of wildness.*
- *Qualities that contribute to Ngāi Tahu associations, including mauri, river access, and the ability to practice mahinga kai and kaitiaki responsibilities.*

Potential threats to landscape values

- *Further blasting and modification to the riverbed and banks.*
- *Built development and / or exotic plantings on the adjacent banks that further modifies the natural character of the area.*
- *Further reductions to access for Ngāi Tahu cultural activities*
- *Activities resulting in inappropriate discharges to water, including dumping*

47. There is a clear correlation between these values and the matters of discretion. Although matters of discretion relate also to natural hazard risk, effects on water quality and whether there is a functional need for the building or structure to locate in the riparian margin.
48. In terms of those other matters, I consider there may be some functional need for buildings or structures within the setback where they need to be close to existing buildings or if there is an operational reason why the undeveloped part of the site needs to remain free of buildings and structures, for example for truck movements and unloading. I consider that natural hazard risk and effects on water quality, including erosion and sediment control measures, could be addressed through other means within the PDP. For example, the Earthwork Chapter (EW-S3) limits earthworks within the stream setbacks and requires erosion and sediment control measures (EW-S5) to be in place for the duration of earthworks or land disturbance.
49. However, I consider in this instance the primary issue relates to potential adverse effects on natural character and values associated with the ONF as well as cultural values and customary access to the river.
50. I note that NFL-R1 permits buildings and structures for farming purposes to be located in an ONF where the floor area does not exceed 30m² and the height does not exceed 3m, other buildings for non-farm purposes are permitted subject to a gross floor area of 5m² and height of 5m. Buildings and structures must also be finished in materials with a maximum reflectance value of 30%.
51. Furthermore, I have also considered whether a 10m setback may be more appropriate than the PDP 20m setback. The plan provided at **Appendix B** shows the difference between the 20m and 10m setback. The aerial imaginary (refer to figure 6 and Appendix B) indicates there is limited scope for additional buildings on the site on the northern part of the site. However, redevelopment would be possible within the southern part of the site, although there is limited scope with in the 10m and even within the 20m setbacks.
52. I have discussed the options for exemptions to the 20m setback with Mr Michael Moore, Landscape Architect, who provided technical advice and input on the drafting of the PDP in

relation to the Natural Features and Landscape provisions. Mr Moore raised concerns that allowing smaller buildings and structures within the 20m setback could result in increased visual clutter which would be detrimental to the values of the ONF. However, he did consider that there may be options for smaller buildings within the setback which are visually screened from the river. As the primary concern in relation to the ONF is managing visual effects from the river and up and down the river, screening along the river side would mitigate the effects of smaller buildings.

53. There may, also be options to redevelop existing buildings within the 20m setback provided the extension / alteration did not further reduce the setback to the river or increase the existing building height.
54. I think it would be helpful to understand what types of buildings and structures Alliance envisage needing to place within the 20m setback to gain a greater understanding of how and if the effects of these could be mitigated through a performance standard.
55. However, based on the information I have gathered as part of this further evidence I consider the following options could be appropriate:
 - a) Enabling buildings and structures to be located a minimum of 10m from the river where:
 - i. There is a limit on floor area and height;
 - ii. The buildings are fully screened by landscaping or existing buildings on the river side; and
 - iii. Buildings are finished in recessive colours with low reflectivity values.
 - iv. The location of the building or structure does not result in a loss of customary access to the river.
 - b) Enabling the extension and alteration of existing buildings where the setback to the river is not further reduced and the height is not increased beyond the existing level.
56. I note that Hokonui Rūnanga have not further submitted on the submission to exempt the site from the setback, although they did provide a whole plan submission which sought to retain provisions other than where they had provided a specific submission. This would include the stream setback requirement. However, it is unclear whether they would have any concerns around an exemption to the setback on this site, noting that matters of discretion 5 and 6 relate to impacts on cultural values and effects on customary access to the river.
57. The joint Kaitiaki Plan Alliance currently holds is, in my opinion, an indication of their cooperative relationship with the Rūnanga and does assist in addressing matters of discretion 5 and 6. However, I do not consider it appropriate the district plan rely on this Kaitiaki Plan which is a 'live' document and subject to change.

KiwiRail Holdings Ltd (s132)

58. I have reviewed the evidence provided by Ms Grinlinton-Hancock in relation to the KiwiRail submission (s132.235, s132.231) which sought to include a setback to the railway line into the General Industrial and Light Industrial zones. As acknowledged by Ms Grinlinton-Hancock the right of reply for Hearing Stream 2 proposed a stepped setback to the railway in response to

KiwiRail's submissions on the Commercial and Mixed Use Zone. Ms Grinlinton-Hancock also acknowledges that within the Section 42A report for Industrial Zones I have recommended⁶ a further reduced setback compared to that recommended within the Hearing Stream 2 right of reply.

59. I explained the rationale for the reduced setback within the Section 42A report and do not intend to repeat that response here. Ms Grinlinton-Hancock's evidence does not provide any further evidence beyond what has already been provided and therefore I remain of the view that a stepped setback with exemptions for buildings under 3 metres in height is appropriate for the industrial zones.

NZTA (s112)

60. NZTA have provided a statement in relation to submission points (s112.083, s112.172 & s112.173) which sought to add a trigger in the PDP provisions which specified when the Saleyard Road and Racecourse Road intersections with State Highway 1 should be upgraded to mitigate development within the Gore South Development Area.
61. Ms Dempster notes that NZTA still consider it preferable to have clear trigger levels for road upgrades which she states will:
- a) Enable developers to determine if their development proposal will trigger the need for an intersection upgrade; and
 - b) Enable developers to understand the level of investment required to develop land (which would include intersection upgrades).
62. Whilst I agree with Ms Dempster that those are desirable outcomes as explained in my Section 42A report for the Industrial Zones⁷ I have concerns that a trigger mechanism within the PDP would be a blunt method of requiring upgrades which could actually stymie development and / or result in unequitable and uneconomic consequences.
63. Ms Dempster's support for a development contribution approach is noted as this was an option which I considered may address the concerns raised through NZTA's submission.
64. I have consulted with Mr Mark Gregory, Transport Engineer, who was involved in the development of the Gore South Development Area provisions and authored the Integrated Transport Assessment (ITA) to inform the provisions. Mr Gregory concurs that including trigger mechanism within the PDP is problematic and that a development contribution approach could be an equitable and reasonable means of providing for an upgrade.
65. However, as identified in my Section 42A report, a development contribution approach sits outside the PDP. An option within the PDP would be to include a financial contribution chapter, however, this would need to be a variation or Plan Change and would require additional work.

⁶ Section 42A Report – Part 3: Industrial Zones and South Gore Development Area, para 136.

⁷ Section 42A Report – Part 3: Industrial Zones and South Gore Development Area, paras 476 to 487.

It is unclear without further evaluation whether this would be an appropriate option, furthermore, the timing of a variation may be problematic given the degree of work required.

Environment Southland (s85)

66. Environment Southland (ES) have not provided any formal evidence; however, they have provided a range of documents including a report, photographs and maps relating to historic flooding within the district. It is a little unclear as to the context for these documents as no covering information was provided although it is assumed they are evidence of historic flooding in south Gore to support the ES submissions (s85.301, s85.309, s85.059 & s85.058).
67. It is difficult to respond to the information provided from ES without understanding the context and how the information relates to the current situation, including modelling and scenarios. Tim Morris, Tonkin & Taylor who authored the Industrial Zones Flooding Assessment⁸ appended to my Section 42A report has reviewed the information provided by ES. Mr Morris does not necessarily disagree with the points raised in the information provided by ES, however, he agrees that it is unclear as to the context and notes that there are more than 10 years of flow records which won't be considered by the assessment. Therefore, Mr Morris has advised that he does not consider the information alters the estimated flood levels and conclusions within the Tokin & Taylor Flooding Assessment report.
68. On this basis I do not recommend any amendments to the Industrial and Development Area Chapters and maintain the recommendations⁹ from my Section 42A report that natural hazards will be managed through the Natural Hazards Chapter to be considered in hearing stream 9.

New Zealand Heavy Haulage Association (NZHHA) (s77)

69. I have reviewed the evidence provided by Jonathan Bhana-Thomson and note that it is comparable to evidence provided for Hearing Stream 2 in relation to the Commercial and Mixed Use Zones. It does not appear any new evidence has been provided, although I note the evidence has a primary focus on zones which permit residential activities as of right. As the Industrial zones permit some small scale residential activities it's assumed the evidence relates to the Industrial zones in that regard. I do not have anything further to add beyond the assessment provided in the supplementary evidence for Hearing Stream 2 and my Section 42A report for Industrial Zones.
70. I consider that the amendments recommended within my Section 42A report to address the NZHHA submission (s77.013 & s77.012) remain appropriate. In my view the recommended amendments provide for relocated buildings to be assessed in the same manner as any other building, which appears to me to be the primary outcome sought by the submitter. I remain of the view that the act of relocating a building itself is temporary and therefore best addressed through the Temporary Activity Chapter and rule TEMP-R8.

⁸ Tonkin & Taylor, Industrial Zones Flooding Assessment, 18 July 2024

⁹ Section 42A Report – Part 3: Industrial Zones and South Gore Development Area, paras 212 to 215 and 223 to 229

Amendments to recommendations for the submission points from Hokonui Rūnanga

71. No evidence has been provided from Hokonui Rūnanga in response to the Section 42A report for Industrial Zones. However, I acknowledge the supplementary evidence Ms Bennett provided for the Mana Whenua topic in Hearing Stream 3 and the recommendations she made in relation to objectives and policies which refer to cultural values. Specifically for the Industrial Zones LIZ-O5, GIZ-O4, DEV1-O1, LIZ-P5 and GIZ-P4.
72. In relation to the Hokonui Rūnanga submission points (s139.078, s139.080 & s139.090) on objectives GIZ-O4, LIZ-O5 and DEV-O1 I note in her supplementary evidence, Ms Bennett recommends the following amendments to how Ngāi Tahu cultural values are referenced across the PDP:

Ngāi Tahu Cultural values as identified in MW-2.3 and the objectives and policies of this zone and the SASM chapter.

73. Ms Bennett acknowledges that there may need to be some slight amendments to the above wording to fit the grammatical syntax of the specific objective. However, I support Ms Bennetts recommendation and consider the amendment would provide partial relief to the submission from Hokonui Rūnanga on LIZ-O5, GIZ-O5 and DEV-O1. In my opinion the amendment recommended by Ms Bennett will ensure the outcomes sought by the objectives would remain but the manner in which cultural values are expressed provides a direct link to both the Mana Whenua and Sites and Areas of Significance to Māori Chapters of the PDP. This link ensures the PDP will be more efficient and effective for Plan users and decision makers at identifying and signposting how cultural values are to be considered and managed.
74. For these reasons I consider the recommended amendment to be a better outcome than the full rejection of the submissions as recommended in my Section 42A report and associated Appendix B. Therefore, I recommend that LIZ-O5, GIZ-O4 are amended as follows (Section 42A recommendations in black underline / strikethrough additional amendment in red):

LIZ-O5 The adverse environmental *effects*, or impacts on the Ngāi Tahu cultural values which are identified in MW-2.3 and the objectives and policies of the SASM Chapter, generated by activities within the Light Industrial Zone are managed, particularly at zone *boundaries*.

GIZ-O4 Adverse environmental *effects*, or impacts, on the Ngāi Tahu cultural values which are identified in MW-2.3 and the objectives and policies of the SASM Chapter, generated by activities within the General Industrial Zone are managed, particularly at the zone interfaces, whilst recognising the purpose and operational requirements of the zone.

75. In respect of DEV1-O1 this objective does not refer to cultural values in the same manner as LIZ-O5 and GIZ-O5 and the amendments recommended by Ms Bennett do not naturally integrate into the objective:

DEV1-O1 Development occurs in the Gore South Industrial Development Area in a co-ordinated and integrated manner that ensures:

1. connectivity of traffic, pedestrian and cycle routes provides for future development and minimises ~~additional~~ accesses onto the State Highway; and
2. *infrastructure* is provided in accordance with the Outline Development Plan with connection to reticulated services where possible; and
3. *green infrastructure* is adopted for the management of water supply, *stormwater* management and *wastewater* treatment and disposal; and
4. future development respects and responds to the underlying relationship between Ngāi Tahu and the natural environment; and
5. the anticipated character and purpose of the underlying zone is met; and
6. new development is screened from adjoining rural lifestyle sites by appropriate buffers and landscaping; and
7. adverse effects from natural hazards are avoided or mitigated.
8. the safe, efficient and effective operation of the surrounding roading environment, including the State Highway network, is maintained.

76. For this reason I do not recommend any amendments to DEV1-O1.

77. I note that many of the policies which Ms Bennett recommended amendments to are comparable to the policies within the Industrial Zones Chapters that were subject to submissions from Hokonui Rūnanga. These policies and the relevant submission numbers are LIZ-P4 (s139.079) and GIZ-P5 (s139.081).

78. The submission from Hokonui Rūnanga supported in part LIZ-P4 & GIZ-P5 but sought the following amendments to both policies:

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

79. requiring appropriate setbacks to waterways to maintain and enhance amenity and ecological values, maintain access to mahinga kai; and reduce effects on mauri, ki uta ki tai Ngāi Tahu cultural values and natural character"

~~5. responding to the underlying relationship between Ngāi Tahu and the natural environment.~~

80. In my Section 42A report I recommended¹⁰ that the submissions were accepted in part in that the amendment to LIZ-P4(3) and GIZ-P5(3) was accepted whilst the deletion of clause 5 was not accepted. However, I noted that the amendment could be subject to further refinement to ensure consistency with other Reporting Officers recommendations.

81. Having now had the opportunity to review the supplementary evidence from Ms Bennett for the Mana Whenua topic in hearing stream 3 I recommend that LIZ-P4 and GIZ-P5 are further amended as follows to align with the recommended amendments proposed by Ms Bennett and

¹⁰ Section 42A Report – Part 3: Industrial Zones and South Gore Development Area, para 188

achieve consistency across the PDP (Section 42A text in blue underline / strikethrough and additional recommended amendment in red):

Require a level of on-site amenity, particularly at zone interfaces, consistent with the purpose of the zone by: ...

3. requiring appropriate setbacks to waterways to maintain and enhance amenity and ecological values, maintain access to mahinga kai ~~practices~~; and reduce effects on mauri, ki uta ki tai ~~systems~~ and Ngāi Tahu cultural values and natural character

82. I continue to recommend that LIZ-P4(5) and GIZ-P5(5) are retained for the reasons set out in my Section 42A report¹¹.
83. Amended copies of the General Industrial Zone and Light Industrial Zone Chapters are provided at Appendix C and D.
84. However, notwithstanding the above recommendations for amendments I understand that Minute 15 has directed conferencing and further consideration be given to the PDP Mana Whenua and Sites and Areas of Significance to Māori Chapters and this work may result in further amendments to objectives and policies.

Section 32AA Evaluation

85. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner. The amendment will allow greater efficiency in determining the specific cultural value matters which are relevant to the policy.
86. The benefits of the amendments are that it is clear what is required in terms of PDP administration and that the PDP can be interpreted in a consistent manner. There are no apparent costs with the amendment and there would be benefits to cultural values to align with the outcomes sought by Hokonui Rūnanga.
87. There is the potential for confusion with the outcomes sought across the PDP in relation to how cultural values are considered and assessed if the proposed amendment is not made.
88. The proposed amendments are considered to be a more appropriate way to achieve the objectives than the notified version of the PDP.

¹¹ Section 42A Report – Part 3: Industrial Zones and South Gore Development Area, paras 189