

Form 5 Submission on notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Gore District Council

Name of submitter: McNabb Management Ltd

This is a submission on the following proposed plan: Proposed Gore District Plan Full Review

I could not* gain an advantage in trade competition through this submission.

~~*I am/am not† directly affected by an effect of the subject matter of the submission that—~~

~~(a)~~

~~adversely affects the environment; and~~

~~(b)~~

~~does not relate to trade competition or the effects of trade competition.~~

~~*Delete entire paragraph if you could not gain an advantage in trade competition through this submission.~~

~~†Select one.~~

The specific provisions of the proposal that my submission relates to are:

- (i) Planning maps as they relate to the proposed zoning of approximately 99.44ha of land legally described as Pt Sec 17 Blk 1 Waikaka SD, Lot 1 DP 1293 and Lot 2 DP 598010, held in valuation number 29360/344 and located at 10 McKinnon Road, McNabb.
- (ii) GRUZ – General Rural Zone all provisions
- (iii) RLSZ – Rural Lifestyle Zone all provisions
- (iv) MPZ – Māori Special Purpose Zone all provisions

My submission is:

I support all the provisions in the proposed plan as notified except for the amendments requested to the above provisions, which are set out in the schedule and concept plan which are attached to and form part of this submission..

My reason is:

The requested amendments to the proposed plan in this submission:

- Achieve the purpose of the Resource Management Act 1991;
- Are the most appropriate option under s32 of the RMA;
- Give effect to relevant national planning documents including the National Policy Statement for Freshwater Management 2020; the National Policy Statement for Highly

Productive Land 2022; and the National Policy Statement for Indigenous Biodiversity 2023;

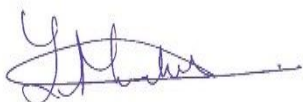
- Give effect to the Regional Policy Statement for Southland;
- Are consistent with the relevant regional plan on matters which are primarily the control of the regional council;
- Take into account relevant planning documents recognised by the iwi authority;
- Have regard to strategies and plans prepared by the Council under other legislation; and
- In the case of requested amendments to policies or methods, including rules, the amendments achieve the objectives of the proposed plan or implement the policies in accordance with s75(1) of the RMA.

I seek the following decisions from the local authority:

- (i) To amend the zoning for 10 MacKinnon Rd as set out in the schedule and concept plan attached to and forming part of this submission.
- (ii) To amend the provisions for the General Rural Zone, Rural Lifestyle Zone and Māori Special Purpose Zone as set out in the schedule attached to and forming part of this submission.

***I wish to be heard in support of my submission.**

~~*If others make a similar submission, I will consider presenting a joint case with them at a hearing.~~



Signature of submitter (or person authorised to sign on behalf of submitter)

Dr Lynda Murchison

On behalf of McNabb Management Ltd

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Provision	Support/Oppose	Decision Requested	Any additional reasons
Planning Maps	Support in part	1. Retain the proposed Rural Lifestyle Zone over part of land located at 10 McKinnon Road, but amend the area and boundaries as shown on the concept plan attached to and forming part of this submission. 2. Retain the proposed General Rural Zone over part of land located at 10 McKinnon Rd, but amend the area and boundaries as shown on the attached concept plan and overlay that General Rural Zone with a Rural Industrial Precinct called 'PREC14 – McNabb Rural Industry Precinct.' 3. Add a new Māori Special Purpose Zone as shown on the concept plan. 4. Add a deferred Light Industrial Zoning over 10 hectares of the proposed GRUZ-PREC14 adjoining Waipawa Highway/SH 1 as shown in the concept plan, with the zoning deferred until such time as: • Te Ika Rama Marae is relocated to the new Māori Special Purpose Zone at 10 McKinnon Rd; and • An alternative access road is provided from Waipawa Highway/SH 1 as shown in the concept plan.	The proposed amendments requested in this submission support a bespoke development concept for the property at 10 McKinnon Rd as a kainga nohoanga: providing opportunities for living, working and community while maximising the natural capital of the property and its surroundings. The requested amendments to the proposed zonings work with the geography of the site: • Developing around rather than over existing water bodies and natural drainage patterns; • Promoting an extensive area for biodiversity enhancement, mahinga kai and flood management on those parts of the property which have those characteristics; • Relocating Te Ika Rama Marae to higher ground and providing opportunities for associated housing and community facilities; • Using the concept of clustering and open space, to provide a rural lifestyle development that is rural in character, has a low environmental footprint, and retains options for productive use of the land; and • Providing rural industrial support facilities in an appropriate location.

Provision	Support/Oppose	Decision Requested	Any additional reasons
GRUZ - Overview and Purpose	Support in Part	Amend the fourth paragraph to read, <i>“Rural lifestyle, settlements and urban expansion are not encouraged in the General Rural Zone to avoid un-coordinated development, fragmentation of rural land, and reverse-sensitivity effects on rural activities.”</i> Delete the second sentence. Add to the end of paragraph 5 a sentence which reads, <i>“Where appropriate, rural industrial activities may be located within the Rural Industry Precincts.”</i> Delete the 6th paragraph.	The words ‘fragmentation of the rural resource’ are ambiguous. The issues are fragmentation of land and reverse-sensitivity effects. Paragraph 6 repeats matters discussed in paragraph 4.
GRUZ – Overview and Purpose: Rural Industry Precinct	Support in part.	Add a second paragraph after paragraph 1 which reads: <i>“A second Rural Industry Precinct (PREC14) is located on McKinnon Rd, McNabb which is also identified as suitable for larger scale rural industry activities that support, service or are dependent on primary production. This Rural Industry Precinct is located alongside existing rural industrial activities and main transport links and has been identified to provide for actual and anticipated demand for land for rural industrial activities.</i> <i>Part of this this Rural Industry Precinct has an underlying Light Industrial Zone. This zoning is deferred until the relocation of Te Ika Rama Marae and the availability of appropriate infrastructure, including a new access road off the Waipawa Highway/SH 1. Therefore land use development in this precinct is a controlled activity and subject to a concept plan that provides for potential infill development and subdivision in the future if the Light Industrial Zoning becomes operative.”</i>	A concept development plan is important for greenfield development to ensure appropriate design and layout of land uses and servicing with infrastructure. In the case of the McNabb Rural Industry Precinct, it is proposed to ensure development aligns with the bespoke concept for developing the land, and is compatible with the adjoining Rural Lifestyle and Māori Special Purpose zonings. To enable a deferred zoning in the future, access, layout, and the siting of buildings should not compromise the ability to infill development at higher density when the zoning changes.

Provision	Support/Oppose	Decision Requested	Any additional reasons
Objectives GRUZ-PREC13-01	Support in part.	Amend GRUZ-PREC13-01 to read: <i>“GRUZ-PREC13 & 14 -01: The Rural Industry Precincts enable larger scale rural industry which supports services that depend on primary production, and provide for the economic well-being of the community.”</i> Add a new policy which reads: <i>“GRUZ-PREC14-02: The Rural Industry Precinct at McNabb is part of an integrated development that fosters environmental restoration and enhancement, and is integrated with surrounding land uses.”</i>	The amendments are consequential to accepting the decisions sought in this submission and reflect that there is more than one Rural Industry Precinct.
Policies GRUZ-PREC	Support in part.	Amend GRUZ-PREC13-P1 by adding the word ‘Mataura’ before the word Rural in the first line so it reads: <i>“Enable the establishment of larger scale rural industry activities within the Mataura Rural Industry Precinct...”</i> Add a new Policy GRUZ-PREC14-P2 which reads: <i>“Enable the establishment of rural industrial activities within the McNabb Rural Industry Precinct provided:</i> <i>1. there is no direct access off SH 1;</i> <i>2. appropriate infrastructure is provided for drinking water, and wastewater treatment and disposal;</i> <i>3. stormwater is detained on-site to avoid exacerbating flood risk;</i> <i>4. development of the area proceeds in accordance with a concept plan which:</i> <i>• promotes energy and water use efficiency and reduced greenhouse gas emissions;</i> <i>• enhances biodiversity and mahinga kai on site;</i> <i>• retains options for productive use of the land where possible;</i>	The amendments are consequential to accepting the decisions sought in this submission.

		• is sympathetic with the character of the site and surroundings including Te Ika Rama Marae; • minimises potential reverse-sensitivity effects with adjoining land uses; and • enables future subdivision and in-fill development in that area which is deferred Light Industrial Zoning.	
New Rule GRUZ-PREC14		Add a new rule: “GRUZ- PREC14 – Land uses in McNabb Rural Industrial Precinct Activity status: Controlled” Amend subsequent rule numbers accordingly.	The same rules which apply to PREC13 Rural Industry Precinct at Maitauro should also apply to the Rural Industry Precinct at McNabb. However greenfield developments of this nature ought to be subject to a concept plan, which enables the consent authority to ensure any development implements the plan policies.
New standard GRUZ-PREC14-S1		Add a new standard which reads: “GRUZ-PREC14-S1: Rural Industry Precinct McNabb: 1. The activity complies with all rules for permitted activities which apply to the GRUZ-PREC13 Rural Industry Precinct. 2. A concept development plan is submitted with the application showing the proposed layout of the Rural Industrial Precinct. 3. The concept development plan shows an underlying proposal for infill development of the area zoned deferred Light Industrial Zone. Matters of control: The appropriateness of the provisions for access, infrastructure, building platforms, and the underlying infill development plan. Activity status where compliance is not achieved: Discretionary activity.”	The same rules which apply to PREC13 Rural Industry Precinct at Maitauro should also apply to the Rural Industry Precinct at McNabb. However greenfield developments of this nature ought to be subject to concept plan, which enables the consent authority to ensure any development implements the plan policies.

Provision	Support/Oppose	Decision Requested	Any additional reasons
Rural Lifestyle Zone Policies RLZ P3, P4 & P9	Oppose	Delete policies RLZ-P3, P4 and P9 and replace with one policy that reads: <i>“To provide for Rural Lifestyle Zones as primarily low density residential environments but which retain a rural character and associated amenity values; and:</i> (i) <i>Enable outdoor primary production activities but avoid intensive primary production, mining, quarrying, or rural industrial activities unless these activities are of a scale and nature that effects on residents can be avoided; and</i> (ii) <i>Enable home-based occupations, home-based businesses and other commercial activities provided they are of a scale and nature that effects on residents can be avoided or appropriately mitigated.”</i> Add a new policy that reads: <i>“RLZ – P10: In the Rural Lifestyle Zone at McNabb, rural lifestyle development maintains the rural character of the area and facilitates pastoralism, agriculture, horticulture and mahinga kai.”</i>	These policies are inconsistent, in relation to whether activities and amenity values should align primarily with a rural or residential environment in Rural Lifestyle Zones.
Policy RLZ–P7	Oppose	Delete policy.	“Functional and operational need’ has been defined by the Courts very narrowly and is used for activities that are location-specific such as farming, mining and some infrastructure. It is debatable whether any activity has an operational or functional need to locate in a Rural Lifestyle Zone.

Provision	Support/Oppose	Decision Requested	Any additional reasons
Policy RLZ-P8 Rule RLZ- R10	Oppose	Delete policy & rule.	Under s4, the RMA does not apply to land uses on land administered under the Conservation Act 1987 or Acts listed in Sch 1 to that Act, if the activity is provided for within a reserve management plan. A local authority reserve management plan is prepared under the Reserves Act 1977; the Reserves Act 1977 is listed in Sch 1 to the Conservation Act 1987.
Rule RLZ-R3	Oppose in part	Amend RLZ-R3 subclause 3 to read: <i>"The maximum occupancy is 6 people per night excluding those who normally reside at the property."</i>	The rule as currently written limits the number of people who may occupy the dwelling to 5. It is assumed this is meant to mean 5 guests per night. However 5 is inconsistent with RLZ-R4 for visitor accommodation.
Rule RLZ- R4	Oppose in part	Delete subclause 3 restricting occupancy to 90 nights in any 12 month period. Combine Rules RLZ-R3 and RLZ-R4 to provide for one rule allowing visitor accommodation for up to 6 guests in a residential unit.	It is unclear if this condition applies to 6 guests x 90 nights or 90 occupation nights in total which would be 15 nights at full occupancy. Either way, it is not clear what the benefit is of limiting the number of occupancy nights as well as the number of guests that can be accommodated. It is also unclear why the rules are different for homestays and visitor accommodation.

Provision	Support/Oppose	Decision Requested	Any additional reasons
Rule RLZ-R5	Oppose in part	Delete clauses (b) to (d) and (f). Amend clause (e) to read, <i>“effluent treatment and storage ponds other than the maintenance or upgrade of existing, lawfully established ponds.”</i> Amend (g) to read: <i>“Quarrying or quarrying activities, other than quarrying up to 100m³ of shingle per year for the purpose of maintaining tracks or gravelled areas on the same property as the quarrying activity is occurring.”</i>	This rule will mean usual farming activities will require resource consents in the RLZ which does not implement RLZ-P9. It will also affect continued primary production on land zoned Rural Lifestyle but not yet developed, unless s10 of the RMA applies.
Rule RLZ-R7	Oppose in part	Amend subclause 2 to read: <i>“the activity occupies no more than 60m² of the gross floor area of the buildings on the site.”</i>	This amendment makes the gross floor area threshold consistent with that for a minor residential unit.
Rule RLZ-R8	Oppose in part	Amend subclause 2 to read: <i>“the maximum area used for the display and storage of produce is 60m².”</i> Amend subclause 3 to read: <i>“the activity must be undertaken by a person(s) residing on the site and employ no more than 2 full-time equivalent people who do not reside on the site.”</i>	These thresholds for managing rural produce retail activities in the Rural Lifestyle Zone appear unnecessarily restrictive and inconsistent with those allowed for homebase businesses under RLZ-R7.
Standard RLZ-S5	Oppose	Delete rule	There is already a maximum building coverage standard so it is unclear why a maximum building size is necessary.
Standard RLZ-S6	Oppose in part	Amend subclause 1 to read: <i>“The maximum building coverage on any site is 12% of the total site area;”</i>	Maximum building coverage of 1000m ² applies no matter the size of the site, which means those with tunnel houses, or farms that have been rezoned may be non-compliant. Using a percentage of the site area rather than an absolute maximum maintains low building density while addressing this issue.

Provision	Support/Oppose	Decision Requested	Any additional reasons
Māori Purpose Zone – MPZ	Support in part	Delete the second paragraph; or Amend the second paragraph to read: <i>“Current Māori Purpose Zones are located at:</i> - <i>Charlton Rd, Gore (Hokonui Rūnanga Offices)</i> - <i>Dorset St, Mataura (Mataura Marae)</i> - <i>Hyde St, Gore (Hokonui Marae)</i> - <i>McKinnon Rd, McNabb (Te Ika Rama Marae and the kainga development area). “</i>	It isn't clear why the location of MSP zones is listed when it is not something done for other zones but it creates a difficulty when proposing a new MSPZ. In accordance with tikanga any new MSPZ will be gifted a name in due course. If the Council wishes to retain the second paragraph, the paragraph will need to be amended to include reference to the second MSPZ at McNabb.
Rules -MPZ	Support in part	Add two new rules: MPZ- R11 educational facilities MPZ- R12 health facilities	These are usual activities and facilities that may occur within a MPZ and which we would like to see as options for the second MPZ at McKinnon Rd.
Un-numbered rule MPZ-R11?	Support in part:	Amend the un-numbered rule immediately after MPZ-R10 which reads, 'All Māori Purpose Zones MPZ-R6 to MPZ-R10,' to read: <i>“All Māori Purpose Zones MPZ-R6 to MPZ-R12.”</i> Amend subclause 1 to read, <i>“Any building is not located within the mahinga kai and conservation areas shown on the concept plan for the McKinnon Rd Zone.”</i> Renumber existing rule MPZ-R12 accordingly.	The area of the current Te Ika Rama Marae is subject to inundation and the development plan for 10 McKinnon Rd will enable the marae to be relocated in due course; and the natural waterways and wetland enhanced for flood water retention, biodiversity and mahinga kai. Therefore it is not appropriate that new buildings or infrastructure are located in these areas. However, it will be quite appropriate for these activities to occur in other parts of the proposed extended MPZ at McKinnon Rd.



Legend

- Rural Lifestyle Zone
- Maori Special Purpose Zone
- General Rural with Rural Industry Precinct Overlay
- Light Industrial Zone (Deferred)
- Mahinga kai Special Purpose Zone

McNab Property
10 McKinnon Road, Gore



Project # - 23051
Client - McNab Management Ltd

Plan #
01

Datum
North Taieri 2000
NZVD 2016

Scale
1:5000 @ A3

Rev.	Date	Revision Details
0	21-11-23	For client

Surveyed

Drawn
HRW

Designed

NOTE:
- All dimensions shown are in metres unless otherwise shown
- If this plan is being used as part of sale and purchase agreement then it is done so on the basis that it is preliminary only, final dimensions and areas may vary on final survey
- Any aerial images shown are sourced from LINZ Data Service unless otherwise stated

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