

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.

**Reporting Officer Addendum to section 42A report following receipt of Rebuttal Evidence
lodged for Hearing Stream 8 - McNab.**

Date: 29 November 2024

Introduction:

1. Our full names are Victoria Woodbridge and Courtney Bennett.
2. Our Section 42A report sets out our qualifications and experience as experts in planning.
3. We confirm that we are 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.

Response Overview

4. The Section 42A report considers and makes recommendations in respect of the submission and proposals put forward for Hearing Stream 8 - McNab.
5. This addendum is intended to summarise any changes we wish to make to those recommendations following receipt of the rebuttal evidence lodged by McNab Management Limited (S103). This includes the rebuttal evidence of:
 - a. Christine McMillan
 - b. Terry Nicholas
 - c. Jason Bartlett
 - d. Justin Ralston

Te Ika Rama Marae MPZ

6. In our S42A report, the following recommendation was made:

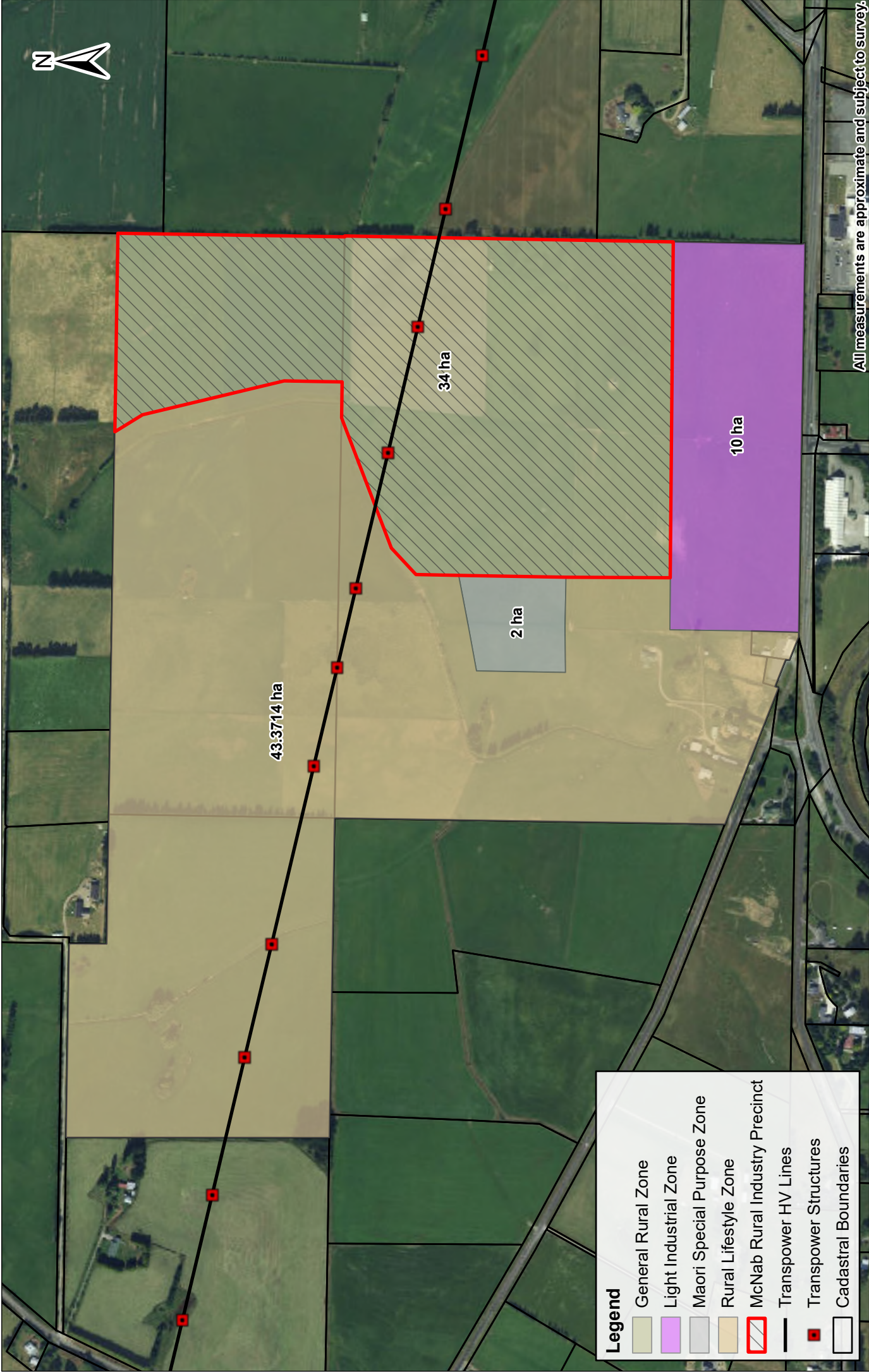
"The relocation of Te Ika Rama Marae MPZ is accepted and the notified PDP MPZ is zoned Rural Lifestyle, subject to a letter of support being received by the Hearings Panel from Hokonui Rūnanga Inc." (para 161)
7. The rebuttal evidence of Mr Nicholas confirms that Hokonui Rūnanga support the Submitters proposal to relocate Te Ika Rama Marae MPZ as per their original submission. Therefore, we confirm that we recommend accepting the Submitters proposal to relocate Te Ika Rama Marae MPZ.
8. The Submitter also sought several changes to the rules and standards within the Māori Purpose Zone chapter of the PDP. In our S42A report we highlighted potential scope issues with several of these proposed changes as they did not directly link to any of the Submitters original submission points. As a result, several proposals were not assessed as part of the S42A.
9. To further aid the Panel, the omitted provision change proposals are assessed below from a technical planning perspective only. Any matters relating to scope are addressed separately by legal counsel for Council.
10. Ms McMillan seeks that the following RD activities be reclassified as 'P' on Te Ika Rama MPZ:

- a. Cluster housing
 - b. Residential activity
 - c. Community facility
 - d. Commercial activity
 - e. Visitor accommodation
11. The PDP listed these activities as RD in response to the flood hazards present on Te Ika Rama Marae MPZ. It was agreed with Hokonui Rūnanga that these activities would be inappropriate for a location with known natural hazard risks. If Te Ika Rama Marae MPZ is to be moved to a location that does not carry those same flood risks, then there is no longer any reason for this MPZ to have more restrictive activity status than other MPZ in the District. For this reason, we recommend amending MPZ-R6 to R10 as proposed in Annexure A of the Statement of Rebuttal Evidence of Christine McMillan.
 12. Similarly, Ms McMillan sought to amend the building coverage Standard (MPZ-S6) that applies to Te Ika Rama Marae MPZ. The minimum site coverage in the PDP is set lower than the other three MPZ because of the flood risks at Te Ika Rama Marae MPZ. As above, the relocation of Te Ika Rama Marae MPZ no longer necessitates bespoke provisions at this MPZ. Therefore, we recommend affording Te Ika Rama Marae MPZ the same site coverage provisions as all other MPZ, as proposed in Annexure A of the Statement of Rebuttal Evidence of Christine McMillan.
 13. Ms McMillan also sought to amend the setbacks from roads Standard (MPZ-S4). In the PDP, Te Ika Rama Marae was afforded a larger road setback than Hokonui Marae and Mataura Marae MPZ. This was because of its proximity to State Highway One. If Te Ika Rama Marae MPZ is to be moved to a location that is not in close proximity to State Highway One then there is no reason for this MPZ to have a larger road setback than other MPZ located on lower order roads. For this reason, I recommend amending MPZ-S4 to assign Te Ika Rama Marae MPZ the same road setback requirements as Hokonui Marae and Mataura Marae.
 14. Lastly, we note that guidance was sought from Hokonui Rūnanga as to the correct name for Te Ika Rama Marae MPZ, noting that the name of the marae within this MPZ is listed as O Te Ika Rama. This matter is still outstanding as it was not addressed in the rebuttal evidence of Mr Nicholas.

Industrial Zoning and Ngāi Tahu Cultural Values

15. In the s42A report we recommended that the submission plan for 10 ha of Light Industrial Zoning could be supported if the submitter could reconcile the zoning with the recommendations of the Ngā Hua o Āpiti Hono Tātai Hono report, which included the following for McNab, *“Any activities that may negatively impact the amenity within the Māori Purpose Zone should be avoided. Mitigation measures such as restricting high-risk land-use (i.e. noise or odour-producing land-uses) should be implemented for areas in close proximity to the MPZ.”*

16. Mr Nicholas has confirmed that Hokonui Rūnanga are satisfied that the proposal sufficiently responds to the recommendations within the Ngā Hua o Āpiti Hono Tātai Hono report. Although Mr Nicholas does not specifically address the industrial zoning directly adjacent to the MPZ (on the eastern side) we have assumed he is now comfortable, from a cultural values perspective, with industrial zoning on the site.
17. Mr Nicholas notes that the Mahinga Kai Overlay provides a buffer between the MPZ and the Rural Lifestyle Zone. There is no comment on a buffer between the MPZ and the LIZ. However, we note in her rebuttal evidence that Ms McMillan now proposes a 20m setback from the MPZ for all buildings and structures, although, activities, including storage of outdoor goods and accessways could still be located on the boundary with the MPZ.
18. In our view, based on Mr Nicholas' evidence, the 10ha LIZ proposed through submission and shown on the attached Appendix 1 plan, is sufficiently setback from the MPZ to ensure that adverse effects on the MPZ can be mitigated and therefore, address the above recommendation from the Ngā Hua o Āpiti Hono Tātai Hono report. For this reason, we amend our s42A recommendation to prefer the zoning option as shown in Appendix 1.
19. However, we recommend that consideration is given to including new provisions for setbacks and landscape screening / buffer in the LIZ on sites adjacent to the existing marae location to reflect that the LIZ have be given effect to before O Te Ika Rama Marae is actually moved. We consider there is scope for this amendment because the submission originally sought a deferred LIZ until the marae was moved, as that is not possible this option seeks to address that matter.



Legend

General Rural Zone

Light Industrial Zone

Maori Special Purpose Zone

Rural Lifestyle Zone

McNab Rural Industry Precinct

Transpower HV Lines

Transpower Structures

Cadastral Boundaries

All measurements are approximate and subject to survey.

IMAGERY SOURCE LINZ Data Services
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Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas.
Datum: NZGD 2000
Coordinate System: NZGD 2000 New Zealand Transverse Mercator
This map was produced with ArcGIS Pro (Esri).

Plan 2 – McNab Rezoning – Alternative Option

PREPARED BY
Louis Worthington

DATE
6/11/2024

TPG REF. 717448

SHEET 1 OF 1

A4 Scale 1:10,000

0 200 Metres

GO RURAL CITY RE LIVING
DISTRICT COUNCIL