



IN THE MATTER AND IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of Hearing of Submissions and
Further Submissions on the
Proposed Gore District Plan

Minute 20 of the Hearings Panel

**Additional Information Required
Industrial Zones**

11 September 2024

MINUTE OF THE HEARINGS PANEL

- 1 The hearing to consider submissions to the Industrial Zones of the Proposed District Plan was held on 20 August 2024. The Hearings Panel received a Section 42A Report from Victoria Woodbridge, together with written material and oral presentations from various submitters.
- 2 The Hearings Panel directs a further report be co-ordinated by Victoria Woodbridge responding to the matters in paragraph 3 below.
- 3 The matters on which feedback is sought arising from the Section 42A Report are as follows:

- (a) At paragraph 96, page 25, a new Standard is recommended as follows:

DEV1-S3 Servicing

1. Where available any *building* which requires potable water shall be connected to a Council reticulated water supply.
2. Where available any *building* which includes toilets and/or sinks or requires disposal of *industrial and trade waste* shall be connected to a Council reticulated *wastewater* network.
3. Where Council reticulated water supply is unavailable, any *building* requiring potable water must:
 - (a) be connected to a community *drinking water* supply; or
 - (b) be connected to a private *drinking water* supply; or
 - (c) provide potable water on-site from another source.
4. Where Council reticulated *wastewater* is unavailable, any *building* which includes toilets and/or sinks or requires disposal of *industrial and trade waste* must:
 - (a) be provided with an on-site *wastewater* treatment and disposal system.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The ability to provide suitable on-site alternative services.

The Hearings Panel considers the rule to be complex in its wording and requests a redrafting to improve its clarity, possibly by combining 1 and 3 and also 2 and 4. However, it is unclear under what circumstances there would be non-compliance with the rule, or is it intended that a consent be required if reticulated services are not available, in which case 3 and 4 are not required.

The Hearings Panel also notes the rule does not require provision of an on-site water supply for firefighting purposes if reticulated services are not available.

The Hearings Panel also considers that a policy is required to support the recommended standard.

- (b) Submissions lodged to the South Gore Industrial Zoning and Development Area are assessed at pages 49 – 50. A report by Tonkin and Taylor entitled “Gore District Council Proposed Plan Change – Industrial Zones – Flooding Assessment” (July 2024) described a significant risk area adjacent to the State Highway within which it is recommended that buildings be excluded.

Notwithstanding there may be provisions within the Natural Hazards chapter relating to the significant risk area, the Hearings Panel is of the view that this area referred to in the Tonkin and Taylor report should be shown as a “no-

build” or “hazard area” on DEV1-ODP Gore South Outline Development Plan, together with an associated rule.

- (c) Alliance Group Ltd submission S121.06 opposes Standard GIZ-S5 that requires a setback of 20 metres from the Mataura River along the eastern boundary of the Alliance Mataura Plant. A concrete wall extends along the river edge, and for much of its length buildings do so as well. This is discussed at paragraphs 417 – 418 on pages 88 – 89 of the Report.

Doyle Richardson, appeared at the hearing representing Alliance Group Ltd. At pages 10 – 14 of his evidence, Doyle Richardson set out reasons why an exemption from the Standard should be provided for the entire site, legally described as Lot 1 DP 588607. He highlighted a lack of existing riparian vegetation and indigenous biodiversity values within the adjoining river area and referred to the Memorandum of Understanding Alliance has with the Hokonui Runanga.

The Hearings Panel accepts that Standard GIZ-S5 cannot reasonably or practically be applied to the Alliance site as a whole. The Panel did note, however, that for part of the site there are no buildings adjacent to the Mataura River. In discussing this issue at the hearing, Doyle Richardson and Victoria Woodbridge expressed a willingness to liaise with a view of seeking agreement amending Standard GIZ-S5 in a way that recognised the current layout and location of buildings and other structures, potentially also including relocatable structures used for temporary storage, on the Alliance site. That may be achievable solely in words, although the Hearing Panel recognises a Plan may also be helpful.

- 4 The Hearings Panel directs that a report including the matters referred to in (a) and (b) above be submitted to the Council’s Regulatory Administrator, Lindsey Crazy Wolf no later than **10 October 2024**.
- 5 The Hearing Panel also directs that Doyle Richardson and Victoria Woodbridge liaise and provide a joint statement to the Council’s Regulatory Administrator, Lindsey Crazy Wolf no later than **30 October 2024** outlining any agreement reached, and any matter where there are divergent views. The Hearings Panel will reconvene the hearing should it require any further assistance with this matter.
- 6 Any issues or queries regarding this Minute, should be directed to the Council’s Regulatory Administrator, Lindsey Crazy Wolf, phone (03) 2090330 or email lcrazywolf@goredc.govt.nz.



Keith Hovell
Chair, District Plan Hearing Panel
Under delegated authority