

**Before Councillors and Independent Commissioners appointed
by the Gore District Council**

Under

the Resource Management Act
1991

And

In the Matter of

submissions and further
submissions on the Proposed Gore
District Plan

**Memorandum of Counsel for
McNab Management Limited in
response to Minute 33**

Dated: 31 January 2025

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INTRODUCTION

1. We act for McNab Management Limited (**McNab**) in relation to its submission on the Proposed Gore District Plan (**PDP**).

Minute 33 and Federated Farmers' Request to Postpone Proceedings

2. The Hearings Panel received a memorandum on behalf of Southland Federated Farmers (**SFF**) dated 18 December 2024 requesting that the Panel issue an amended timetable for the filing of evidence on the PDP hearings. SFF sought that the filing of evidence be delayed until after the Council meeting on 18 February 2025, where Councillors will determine whether to grant a request made by Stoney Creek Station (and other submitters) to delay the PDP proceedings for nine months to account for the proposed reform of the Resource Management Act 1991 (**RMA**).
3. In Minute 33, the Panel directed submitters to provide comments or alternative proposals on the request by 31 January 2025.

McNab Management Limited Response

4. Delaying the remainder of the timetables as requested by SFF will impact timing on the issuing of decisions on all of the PDP, not just the topics listed by SFF. This would include decisions on the McNab rezoning.
5. Decisions on all submissions are anticipated to be released in the second quarter of 2025, as outlined in paragraph 8.2 of Minute 5 issued by the Panel. We understand that this timeline considers the local body election period in 2025 (August to October 2025) and the statutory requirement under clause 10(4), Schedule 1 of the RMA. These statutory requirements mandate that all decisions on submissions on the notified plan must be given within two years of its notification date. As the PDP was notified on 31 August 2023, we calculate that decisions on submissions on the PDP are required to be made by 31 August 2025.
6. Consequently, McNab has concerns that SFF's request to delay proceedings without a specified date will impact this statutory deadline, as well with the Council's duty under section 21 of the RMA to avoid unreasonable delays in decision-making. Delaying the proceedings will result in Council not complying with these obligations.
7. McNab is investing significant resource in participating in the PDP with the goal of providing rural residential and rural light industrial land to the Gore economy.
8. McNab is receiving ongoing interest from commercial operators seeking the release of the land proposed to be developed by McNab as soon as possible. Delays to the

PDP will result in delays to the release of this land that is currently in short supply and will therefore slow economic growth in the district.

9. Decisions to delay the PDP have implications under the RMA and Local Government Act 2002. This memorandum relates to obligations under the RMA. Counsel will respond separately to the Council's letter to submitters dated 22 January 2025 to provide feedback on the request to pause the PDP for nine months by 11 February 2025.¹
10. Accordingly, McNab opposes SFF's request to delay the PDP proceedings and seeks that:
 - (a) the timetable as directed in the Panel's Minute 31 remain in place; and
 - (b) the Panel make its recommendations on the PDP without delay.

DATED 31 January 2025



J Leckie

Counsel for McNab Management Limited

¹ Gore District Council, Letter – *Feedback sought on proposal to pause the Gore District Council Proposed District Plan hearing and decision process*, 22 January 2025.