

**BEFORE INDEPENDENT HEARING COMMISSIONERS
FOR GORE DISTRICT COUNCIL**

IN THE MATTER	of the Resource Management Act 1991 (RMA)
AND	
IN THE MATTER	of the hearing of submissions in relation to the Proposed Gore District Plan

HEARING TOPIC:	(Hearing 1): Introduction, General Provisions and Urban Form and Development
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**MEMORANDUM FOR KĀINGA ORA – HOMES AND COMMUNITIES
(FURTHER SUBMITTER #28) WITH RESPECT TO FILING CORPORATE
EVIDENCE**

27 MAY 2024

MAY IT PLEASE THE COMMISSIONERS:

- 1.1 This memorandum is filed by Kāinga Ora - Homes and Communities (**Kāinga Ora**) in respect to Hearing Stream A to support the further submission made by Kāinga Ora (further submitter #28). This memorandum is in lieu of an appearance from Kāinga Ora at the hearing. Kāinga Ora is anticipating it may attend at future hearings.
- 1.2 Kāinga Ora made a further submission in relation to the definitions, urban form objectives and policies of the proposed Gore District Plan (**pGDP**). The Section 42A report for Hearing 1 - Introduction, General Provisions and Urban Form and Development drafted by Mr Heale has recommended accepting some but not all the changes requested by Kāinga Ora. Kāinga Ora generally accepts the position now adopted by the author of the Section 42A report and recommends the panel adopt their proposed changes.

2. KĀINGA ORA FURTHER SUBMISSION

- 2.1 The Kāinga Ora further submission points allocated to the Stream 1 hearings are attached at **Appendix 1**.
- 2.2 Kāinga Ora seeks to ensure that the pGDP provisions generally align with national planning directions to provide for well-functioning environments that meet the needs of current and future generations.
- 2.3 Kāinga Ora seeks amendments to the pGDP to ensure that development opportunities are generally maximised in locations that are located close to public transport, employment opportunities and public amenities such as education facilities, retail, and community services. In this way, well-functioning environments are formed to provide for the whole communities social, economic, and cultural well-being.

3. CONCLUSION

- 3.1 Having reviewed the Section 42A report, Kāinga Ora generally now support recommendations by the reporting planner Mr Heale on those Kāinga Ora further submission points addressed through this hearing.

Joshua Neville

Team Leader Development Planning – South Island

Dated 27 May 2024



Appendix 1: Kāinga Ora Further Submission Points for Stream 1 Hearing (Proposed District Plan Submission)

Provision	Submitter and submission point	Position	Submitter reasoning and relief sought	Kāinga Ora further submission response and position	Kāinga Ora relief sought in further submission	S42A Officer recommendation
UFD - Urban form and development – additional provisions sought	Environment Southland S85.069	Support in Part	The recent flooding event revealed capacity issues within the stormwater network. Future high rainfall events will overwhelm the stormwater network and the management of secondary flow paths is an important consideration when considering urban development. Evaluation of stormwater capacity during flooding, particularly with regard to areas targeted for future development. Identify the importance of adequately mapping and protecting secondary flow paths in planning documents.	Support in Part FS28.0010 Kāinga Ora recognises the need for effective stormwater management, however, have the following concerns: - Climate change related mapping is not static, so flood mapping should sit outside of statutory plans to ensure that they can be updated as needed and reflect recent and up-to-date modelling - Some restrictions may be appropriate; however, provisions should provide for management and mitigation which may include engineered solutions - Provisions should enable stormwater management to be managed at an area level (rather than property-by-property), as this can sometimes allow for more effective and efficient management across a wider area	Allow in Part	S85.069 – rejected, S85.069 FS28.0010 – Accepted in part
Interpretation – Definitions – “Reverse Sensitivity”	PowerNet Limited S95.007	Oppose in Part	PowerNet supports the general intent of this definition, however, it considers that amendments are needed. The phrase “more recent establishment or alteration of another activity” implies that reverse sensitivity is not relevant until such time as the new sensitive activity is physically established and the reverse sensitivity effects are in place. This definition should enable the risk of reverse sensitivity effects arising to be managed so that these effects do not occur. Amended definition as follows: “...or curtailed by the <u>possible</u> establishment or alteration of another activity...”.	Oppose FS28.005 Kāinga Ora opposes the suggested changes to the definition. Kāinga Ora consider that the ‘possible’ establishment or alteration of an activity is far too vague. Making what could be managed by ‘reverse sensitivity’ provisions far too restrictive. Furthermore, it is the view of Kāinga Ora that infrastructure providers and managers should mitigate effects at source.	Disallow	S95.007 – Reject S95.007 FS28.005 – Accept
UFD - Urban form and development – additional provisions sought	Transpower New Zealand Limited S101.013	Oppose	Transpower considers that there is a gap in the UFD Objectives because these objectives fail to address outcomes for nationally significant, regionally significant and/or critical infrastructure despite such infrastructure being essential to support the development of Gore District. Transpower considers that failing to address the provision of, and protection of, critical	Oppose FS28.009 Kāinga Ora considers that the amendments proposed in S132.014 and S112.010 are more appropriate in achieving the outcome desired by Transpower.	Disallow	S101.013 – Reject S101.013 FS28.009 – Accept

			infrastructure in the Strategic Direction (UFD) Chapter (1) is inconsistent (or not even-handed) with the way in which the Chapter responds to other matters (2) does not give effect to the direction given in SRPS Objective INF.1 and Policies INF.1 and INF.3 (3) does not give effect to the NPSET. Amend the UFD Chapter to include the following additional Objective: <i><u>"UFD - X The operation, maintenance, upgrade and development of critical infrastructure is enabled and critical infrastructure is protected from the impacts of incompatible activities."</u></i>			
UFD-O1	Waka Kotahi NZ Transport Agency S112.010	Support in Part	Supports the intent of the objective but notes that UFD-O1 point 6 seeks to ensure that development utilises existing infrastructure and / or can be efficiently serviced with new infrastructure. While Waka Kotahi has a wider legislative responsibility under the Land Transport Management Act 2003 to contribute to the safe, efficient and effective use and provision of State highway infrastructure and recommends that the objective is amended to reflect this. Recommends greater recognition be given in to the use and provision of critical infrastructure that accompanies growth and development. In recent years, Gore has been subject to significant flooding events resulting in the closure and damage to State highway infrastructure. Notes that the resilience of critical infrastructure is an important consideration when accommodating growth and development in low lying and flood prone areas and this should be reflected in the objective. The provision of opportunities for active transport modes (walking and cycling) is an important consideration when planning for future growth and development and supports a mode shift away from vehicles. The compact and cohesive urban framework sought for the towns and settlements within the Gore District combined with its topography do provide opportunities as part of growth and development plans for provide for active transport modes, and greater recognition for these are sought and would further support the inclusion of the ONF descriptions included with the Plan. Amend the wording as follows or words to this affect:	Oppose in part FS28.007 Kāinga Ora considers that the proposed notified wording within the PDP is sufficient and simply provides for the use of existing infrastructure where needed. The proposed changes by the submitter confuse the intent of the objective wording.	Disallow in part	S112.010 – Accept in part S112.010 FS28.007 – Accepted in part

			<i>UFD-01 (...) 6. manages the safe, effective and efficient use and provision of ~~utilises new and existing infrastructure and/or can be efficiently serviced with new infrastructure.~~ 10. provides a resilient critical infrastructure network to meet the needs of the Gore District. 11. provides opportunities for active transport modes (walkways and cycleways).</i>			
Interpretation – Definitions – “Reverse Sensitivity”	KiwiRail Holdings Ltd S132.011	Amend	KiwiRail generally supports the definition, subject to an amendment. KiwiRail seeks amendment to include the development, upgrading, operation and maintenance of approved existing or permitted activities. It is imperative for the continued safe and efficient operation of the rail network that rail activities are recognized as being more than the operation of the railway. Rail activities include the development, upgrading, operation and ongoing maintenance of the rail network include includes rail yards. For clarity KiwiRail seeks the inclusion of compliance certificate to the list of ways the activity can be approved. Amend as follows: <i>Reverse Sensitivity</i> means the potential for the development, upgrading, operation and maintenance of an approved (whether by consent, <u>compliance certificate</u> or designation), existing or permitted activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an approved, existing or permitted activity	Oppose FS28.004 Kāinga Ora opposes the suggested changes to the definition. Kāinga Ora consider that the development and upgrading of an activity (such as rail, highways or industrial activities) should look to mitigate effects at source. This definition allows for significant upgrades and development of existing activities that should be subject to management of effects by the activity generating those effects.	Disallow	S132.011 – Accept in part S132.011 FS28.004 – Accept in part
UFD-01	KiwiRail Holdings Ltd S132.014	Amend	Supports the objective but seek to amend to align with the purpose of The Railways Act 2005. Amend as follows: <i>UFD-01 The District develops in a cohesive, compact and structured way that: ... (6) <u>manages the safe, effective and efficient use and provision of new and</u> ~~utilises existing infrastructure and/or can be efficiently serviced with new infrastructure.~~</i>	Oppose FS28.008 Kāinga Ora considers that the proposed notified wording is sufficient and simply provides for the use of existing infrastructure where needed. The proposed changes by the submitter confuse the intent of the objective wording. Kāinga Ora also question if this change is in line with The Railways Act 2005.	Disallow in part	S132.014 – Accept in part S132.011 FS28.008 – Reject