



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 of the Hearings Panel

**Submissions by McNabb Management Ltd
Further Submissions by New Zealand Transport Agency**

Minute 13

3 July 2024

MINUTE OF THE HEARINGS PANEL

- 1 McNabb Management Ltd (S103.008) (S103.009) (S103.010) (S103.005) (S103.014) (S103.029) seeks the rezoning of approximately 99.44ha of land at McNab to Rural Lifestyle Zone, Māori Special Purpose Zone, deferred Light Industrial Zone and General Rural Zone with a Rural Industry Precinct Overlay.
- 2 The New Zealand Transport Agency Waka Kotahi [NZTA] (FS14.029) (FS14.030) (FS14.031) (FS14.027) has lodged further submissions opposing the relief sought.
- 3 These submissions and further submissions are referred to in the Section 42A Report prepared for the hearing due to commence on 22 July 2024, at paragraph 397, as follows:

The submission requests multiple re-zonings, including requests for the Māori Purpose Special Zone to be moved, and deferred Industrial zoning. Hearing Stream 4a will review the Māori Purpose and Industrial Zones together. I consider it is most efficient and effective for the submission from McNabb Management Ltd and further submission from NZTA, to be deferred to Hearing Stream 4. The submitter further needs to provide technical information in support of their request and a s32AA assessment. I acknowledge that this may result in consequential amendments to the GRUZ and RLZ chapter, however given the area in question is held currently within the same ownership and farm operation, if changes are made as a consequence of the later hearing stream it will be site specific.

- 4 Hearing Stream 4 is due to commence on 19 August 2024.
- 5 A Memorandum dated 19 June 2024 from Michael Garbett, Counsel for the Gore District Council, seeks directions from the Hearings Panel as to the preparation of evidence and submissions in relation to that matter.
- 6 A Memorandum dated 25 June 2024 from Joshua Leckie and L Rolph, Counsel for McNabb Management Ltd, requests the hearing be deferred until Hearing Stream 10, commencing 10 March 2025.
- 7 The Hearings Panel has considered both memoranda and agrees that it is appropriate to defer consideration of these rezoning issues. However, the Panel does not agree with the hearing being held in March 2025, given:
 - 7.1 the potential for changes to occur to various chapters of the Proposed Plan, should the Panel be of a mind to grant the relief sought;
 - 7.2 the complexity of the issues to be considered could delay the release of decisions on submissions to the Proposed Plan; and
 - 7.3 the possibility the Hearings Panel will seek further input from the submitter, further submitter and Council advisers following the hearing.
- 8 The Hearings Panel therefore directs that the rezoning of the land subject to the submissions of McNabb Management Ltd at McNab be considered as part of Hearing Stream 8, during the week of **2 December 2024** with the following timetable:
 - (a) The Council section 42A Officers are to identify and provide to McNabb Management Ltd what information is considered relevant for their further assessment under section 42A and for the Hearing Panel to assess under RMA sections 32 and 32AA by **30 July 2024**.

- (b) Any expert evidence responding to this request, or otherwise to be presented by the submitter, is to be provided by **7 October 2024**.
 - (c) NZTA and the Section 42A Officers are to respond with any evidence they have by **4 November 2024**.
 - (d) Any rebuttal evidence from McNabb Management Ltd is to be provided by **18 November 2024**.
 - (e) Any legal submissions from all parties relating to these submissions are to be provided by **27 November 2024**.
- 9 Should any party have difficulty with this timetable, the Hearings Panel is to be advised no later than 11 July 2024.
- 10 The Hearings Panel agrees with Counsel for McNabb Management Ltd that any residual aspects of McNabb's submissions seeking broader relief to the zoning provisions continue to be heard as scheduled at the allocated hearing streams, being Hearing Stream 3 for the Rural Zone provisions and Hearing Stream 4 for the Māori Purpose Zone provisions.
- 11 Any issues or queries regarding this Minute should be directed to the Council's Regulatory Administrator, Lindsey Crazy Wolf, phone (03) 2090330 or email to lcrazywolf@goredc.govt.nz.



Keith Hovell
Chair, District Plan Hearing Panel
Under delegated authority