



IN THE MATTER AND IN THE MATTER

of the Resource Management Act
1991 ("the RMA")

AND

IN THE MATTER

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

Minute 12 of the Hearings Panel

**Hearing Stream 2
Right of Reply by the
Gore District Council**

1 July 2024

MINUTE OF THE HEARINGS PANEL

Introduction

- 1 On 24 June 2024 the hearing was held to consider submissions and further submissions to a number of chapters of the Proposed District Plan generally described as Hearing Stream 2. These chapters and the authors of the reports prepared under section 42A of the RMA are as follows:

Plan Chapter(s)	Author(s)
Airport Zone	Mishka Banhidi
Camp Columba Zone and Field Days Zone	Victoria Woodbridge and Joanne Skuse
Commercial Centres and Mixed Use Zone	Tina Carlson-McColl and Victoria Woodbridge
Natural Open Space Zone and Active Recreation Zone	Joanne Skuse

- 2 As set out below, the Hearings Panel requests a response from the relevant authors of the section 42A reports regarding further information sought from two of the submitters to this hearing. In addition, the Hearings Panel seeks feedback and/or clarification on several other issues.
- 3 Any issues or queries regarding this Minute should be directed to the Council's Regulatory Administrator, Lindsey Crazy Wolf, phone (03) 209 0330 or email lcrazywolf@goredc.govt.nz.

Gore District Council Right of Reply

- 4 In Minute 11, dated 26 June 2024, the Hearings Panel requested further evidence from KiwiRail Holdings Ltd and Fire and Emergency NZ to be submitted to the Council by 5 July 2024.
- 5 The Panel considers it appropriate to enable the authors of the Section 42A Reports to provide a written right of reply to that additional evidence, to be submitted to the Council's Regulatory Administrator by 19 July 2024.

Additional Information Requested

- 6 The Hearings Panel seeks a written response from the authors of the Section 42A Reports, in a single document, by 10 July 2024, on the following matters:

General

- a. When a definition is used in the Proposed Plan, that is also included in the National Planning Standards, is it mandatory to adopt the wording of the Standards?

At paragraph 61 of the Airport Zone Section 42A Report it is recommended reference be included to "relocated buildings" in a number of rules. If the Panel was of a mind to accept that recommendation, a simpler alternative would be to amend the definition of "Building" in the Proposed Plan. That definition uses the wording from the National Planning Standards.

- b. There is an inconsistency with the wording of the Standards within the zone rules. Some (e.g. TCZ-S1) use the words "shall not" while others (e.g. TCZ-S4) refer to "must not". The latter implies a higher degree of compliance is required, with less flexibility enabled through the resource consent process. If no differentiation is

intended, is it permissible for the Hearings Panel to standardise the wording under Clause 16B of the First Schedule, by adopting “shall not”?

Airport

- c. Is a definition for “airfield areas” required in AIRPZ-S1? If so, how can that be provided?
- d. Standard AIRPZ-S1(2) refers to “species which grow to at least 1.5m”. It is assumed this is intended to refer to the height of plants, in the same way as TCZ-S2(3). Is this a matter that can be corrected under Clause 16(2) of the First Schedule?

Town Centre Zone

- e. “Tenancy” is referred to TCZ-S1. Is a definition required?
- f. Additions recommended to TCZ-S7 Screening and TCZ-S2 Frontages include the following:

Any new building development or alteration must be designed so that:

- 1. *The maximum ground floor area per tenancy accessible to the public shall not exceed:*
 - (a) *100 square metres; and or*
 - (b) *10 metres in width.*

It is assumed the 10 metres in width refers to a measurement along the street frontages, as opposed to a distance back from the boundary. Further, there is potential for confusion over the meaning of the word “or”. Does the author of the Section 42A Report wish to recommend a rewording?

- g. Additions recommended to TCZ-S7 Screening and TCZ-S2 Frontages include the following:

Landscaping shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.

Street frontage landscaping is required, resulting in obscuring emergency and safety signage. Does the author of the Section 42A Report wish to recommend a rewording?

Mixed Use Zone

- h. In MUZ-S6, 1 tree is required every 3 metres. There is uncertainty as to the intent and in determining what is a “tree”. Does the author of the Section 42A Report wish to recommend a rewording?

Keith Hovell
Chair, District Plan Hearing Panel
Under delegated authority