

Gore Proposed District Plan

Hearing Stream 2

Part 3: Airport Zone

Section 42A of the Resource Management Act 1991

Section 42A Report – Airport

Table of Contents

Interpretation	2
Table 1: Abbreviations	2
Table 2: Submitters’ and Further Submitters Names Abbreviations.....	4
1. Executive Summary.....	6
2. Introduction	6
2.1 Author and qualifications	6
2.2 Code of Conduct	7
3. Scope of report and topic overview	7
4. Statutory considerations and planning framework.....	8
4.1 Resource Management Act 1991	8
4.3 Section 32AA evaluation	8
5. Background	9
6. Consideration of submissions	9
6.1 Structure of the report	9
6.2 Overview of submissions.....	10
6.3 Format for consideration of submissions.....	10
6.4 General submissions.....	11
6.5 Airport Zone - Specific Provisions.....	12
7. Consequential and Minor Amendments.....	20
8. Conclusions	21

Appendices

Appendix A – track change amendments to chapter

Appendix B – Recommended response to submissions and further submissions

Interpretation

Table 1: Abbreviations

Resource Management Act 1991	RMA or ‘the Act’
Gore District Council	GDC or ‘the Council’
Operative District Plan	ODP
Proposed District Plan	PDP
National Planning Standards 2019	PS
Southland Regional Policy Statement 2017	RPS
National Policy Statements	NPS

National Policy Statement on Highly Productive Land	NPS-HPL
National Policy Statement for Freshwater Management	NPS-FM
National Policy Statement for Urban Development	NPS-UD
National Environmental Standards	NES
National Environmental Standard for Freshwater 2020	NES-F
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	NES-CS
Permitted Activity	PA
Controlled Activity	CA
Restricted Discretionary Activity	RDA
Discretionary Activity	DA
Non-complying Activity	NCA

Table 2: Submitters and Further Submitters Names Abbreviations

Chorus New Zealand Limited	Chorus
Contact Energy Limited	Contact Energy
Department of Conservation	DOC
Environment Southland	ES
Fire and Emergency New Zealand	FENZ
Groundswell New Zealand	Groundswell
Heritage New Zealand Pouhere Taonga	Heritage NZ
Hokonui Rūnanga Incorporated	Hokonui Rūnanga
Kāinga Ora – Homes and Communities	Kāinga Ora
KiwiRail Holdings Limited	KiwiRail
Mercury New Zealand Limited	Mercury
Ministry of Education	MOE
New Zealand Agricultural Aviation Association	NZAAA
New Zealand Defence Force	NZDF
New Zealand Heavy Haulage Association	NZ Heavy Haulage
New Zealand Helicopter Association	NZHA
New Zealand Transport Agency Waka Kotahi	NZTA
Royal Forest and Bird Protection Society of New Zealand inc	Forest & Bird
Southland District Council	SDC
Southland Federated Farmers of New Zealand	Federated Farmers
Spark New Zealand Trading Limited	Spark
Stoney Creek Station Limited	Stoney Creek
Transpower New Zealand Limited	Transpower
Woolworths New Zealand Limited	Woolworths

Airport Zone

Submitter No.	Submitter Name
S25	Peter Kempthorne
S77	New Zealand Heavy Haulage Association
S85	Environment Southland
S110	Royal Forest and Bird Society of NZ Inc
S112	Waka Kotahi NZ Transport Agency
S124	Fire and Emergency NZ
S125	Ministry of Education
S139	Hokonui Rūnanga Inc
FS14	NZ Transport Agency Waka Kotahi
FS5	Hamish Weir

1. Executive Summary

1. The Proposed District Plan (“PDP”) for Gore District was publicly notified on 31 August 2023. The PDP includes Part 3 - Area specific matters - Special Purpose Zones - Airport Zone (AIRPZ).
2. The purpose of the AIRPZ is to enable and support the sustainable management and operation of the Gore Airfield, also known as the Charlton Aerodrome. The zone provides the framework for enabling aviation activities whilst managing the effects of development and maintaining rural amenity values.
3. There were 25 submission points and 2 further submission points for the Airport Zone Chapter. The submissions largely support the provisions with a range of amendments sought.
4. Key issues identified through submissions are as follows:
 - Standards related to provision for firefighting water supply and setbacks from Significant Natural Areas (SNA) are sought.
 - Provision for relocation of second-hand buildings as a permitted activity or amendments to the activity rules to provide for relocated buildings.
 - Particular effects of concern to mana whenua be specified to ensure provisions are clear and appropriate effects are identified and assessed.
 - Ensuring environmental values including indigenous biodiversity and water bodies are protected.
5. This report has been prepared in accordance with Section 42A of the RMA and outlines recommendations in response to the issues that have been identified through submissions. The report is intended to assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP, and to provide submitters with an opportunity to understand how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.
6. As a result of submissions, a range of changes are recommended to the Airport Zone Chapter which are broadly summarised as follows:
 - An addition to the wording of activity rules in the Airport Zone Chapter to include relocated buildings as a permitted activity.
 - Minor change to AIRPZ-O2 to direct plan users to the Mana Whenua Chapter.

2. Introduction

2.1 Author and qualifications

7. My name is Mishka Banhidi. I am employed as a Senior Planner at The Property Group. I am the author of this report.

8. I have a Bachelor of Applied Science in Environmental Management from the University of Otago, New Zealand. I am an associate member of the New Zealand Planning Institute (NZPI), which brings with it obligations with regard to continuing professional development.
9. I have been engaged as a contractor by Gore District Council to assist in the District Plan review and prepare the draft and proposed District Plans.
10. I have nine years of resource management experience and have worked for local government (Queenstown Lakes District Council and Thames Coromandel District Council) and in private consultancies. My experience includes preparation and processing of applications for resource consents. The preparation of a private plan change, as well as submissions on District, and Regional Plans across Aotearoa. I have been involved with the Gore District Plan review since 2022.

2.2 Code of Conduct

11. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel. The opinions expressed in this evidence are based on my qualifications and experience and are within my area of expertise. If I rely on the evidence or opinions of another my evidence will acknowledge that position.
12. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearing commissioners ("Hearings Panel").

3. Scope of report and topic overview

13. This report considers the submissions and further submissions that were received by the Council in relation Part 3, Special Purpose Zones, Airport Zone Chapter of the PDP.
14. The assessment of submissions will generally follow this format:
 - a. Submission information
 - b. Analysis of submissions
 - c. Recommendation and any amendments
 - d. Where an amendment is recommended a section 32AA assessment is provided.
15. Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions are shown by way of strikeout and underlining. **Appendix A** of this report contains a copy of the Airport Zone chapter with all recommended amendments are shown by way of strikeout and underlining.

16. Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors.

4. Statutory considerations and planning framework

4.1 Resource Management Act 1991

17. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- a. Section 74 – Matters to be considered by territorial authorities; and
 - b. Section 75 – Content of District Plans.
18. As set out in the Section 32 Evaluation Report for the Airport there are a number of higher order planning documents and other relevant plans which have provided direction and guidance for the preparation of the PDP. These documents and a comprehensive assessment of all relevant consultation and statutory considerations prior to public notification of the PDP are outlined in that Section 32 Report. The Section 42A Report: Introduction, General Provisions and Strategic Direction Report also provides an overview of the relevant Statutory considerations, higher order planning documents and other relevant plans and policies.
19. It is not considered necessary to repeat the detail of the relevant RMA sections and higher order documents in this report as these are covered within the relevant Section 32 Evaluation Report. However, where a higher order document is considered particularly relevant to the assessment of submissions or where there have been amendments to higher documents relevant to this topic these are discussed below.

4.4 Section 32AA evaluation

20. Any recommended amendments to provisions since the initial section 32 evaluation was undertaken are evaluated in accordance with section 32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) further evaluation required under this Act-

- (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- (b) must be undertaken in accordance with section 32(1) to (4); and*
- (c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- (d) must—*
 - (i) published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

(3) In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.

21. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the topics of this report is contained within the assessment of the relief sought in submissions in section 6, as required by s32AA(1)(d)(ii).
22. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

5. Background

23. The Section 42A Introduction, General Provisions and Strategic Direction Report includes details of the PDP notification, submission statistics etc. The Section 32 Evaluation Report for the Airport Chapter assess and consider the higher order planning documents and any strategic plans which provide direction and guidance for the preparation and content of this chapter. Where relevant the documents are considered in more detail in the assessment of submission points.

6. Consideration of submissions

6.1 Structure of the report

24. Submissions on the Airport Zone have raised a number of issues which have been grouped by Plan provision within this report, where there a limited submissions on Plan provisions these may be grouped if there are common themes. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
25. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
26. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this

report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as **Appendix A**.

27. This report only addresses definitions and submissions on mapping where they are specifically relevant to this topic. Definitions that relate to more than one topic and general mapping submissions have been addressed in the Section 42A Introduction, General Provisions and Strategic Direction Report.

6.2 Overview of submissions

28. A total of 25 submissions and 2 further submissions are addressed in this report. A list of submitters on the Airport Zone is provided at the start of the report.

29. Submissions were generally supportive but sought a range of amendments to provisions including:

- a. Setbacks from Significant Natural Areas.
- b. To ensure water (potable and firefighting water) and wastewater servicing is provided for residential and non-residential activities.
- c. To provide for relocated / second hand buildings.
- d. Provisions to manage effects on the environment from airport activities.
- e. Inclusion of a 4 Kilometre buffer zone to manage noise expectations from neighbouring sites.
- f. Prevention of any zone changes or land use intensification within a flood inundation areas.
- g. That considerations of cultural values are more specifically articulated through the matters of discretion.
- h. Communication, towers and poles for emergency services facilities are not caught by height restrictions and any landscaping or screening does not prevent access to emergency response facilities such as hydrants or shut-off valves.

6.3 Format for consideration of submissions

30. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- Section 32AA assessment.

31. The recommended amendments to the relevant chapters are set out in **Appendix A** of this report where all text changes are shown in a consolidated manner.

6.4 General submissions

Matters raised by submitters – Overview and Purpose

32. Peter Kempthorne (s25.002) welcomes the Gore Airfield being included in the District Plan but seeks (s25.005) a 4km buffer zone around the Airfield to protect the Airport from reverse sensitivity effects.

Assessment

33. The PDP has incorporated appropriate noise standards within the Noise chapter which seek to manage airport noise.
34. Any noise management buffer around the Airport would need to be considered based on expert advice from an Acoustic Specialist and take account of the particular nature of noise generated by the Airport. Given the buffer would relate to the management of noise effects it is appropriate that any provisions relating to a proposed noise buffer are located within the Noise Chapter. Therefore, submission s25.005 will be addressed within Hearing Stream 6 as part of the Section 42A report for the Noise Chapter. Should any consequential amendments be required to the AIRPZ Chapter or mapping as a result of the that assessment they will be recommended through the Section 42A report for Noise in hearing stream 6.

Recommendation

35. No amendments are recommended as this stage, noting that a further assessment by an Acoustic Specialist may support this inclusion.
36. It is recommended that submission (s25.002) is accepted and (s25.005) is rejected (at this stage) as shown in **Appendix B**.

Matters raised by submitters – Mapping

37. ES (s85.062) seeks to prevent any new zone changes which have the potential to intensify land use change and development within a flood inundation area. Hamish Weir (FS5.196) opposes this submission.

Assessment

38. I note that the proposed Airport Zone is located within an inundation area, specifically the “Area subject to actual or potential flooding” within the ODP and “Actual or potential inundation” within the PDP. It is also noted that the proposed zoning seeks to reflect an existing use on site and future development is unlikely to contain additional significant built form, noting the physical requirements of an airstrip.

39. The broader issues around flood hazard management within flood prone areas should be dealt with through the Natural Hazards chapter, as directed by the National Planning Standards 2019. The Natural Hazards Chapter will provide district wide direction for development which will be considered at a future hearing. Risks associated with natural hazards can therefore be managed through the Natural Hazard Chapter provisions.

Recommendation

40. No amendments are recommended.
41. It is recommended that submission is rejected as shown in **Appendix B**.

Matters raised by submitters – Additional Provisions - Forest and Bird

42. Forest and Bird (s110.081) seek to include a 10 metre setback for any buildings and structures from the closest boundary of any SNA.

Assessment

43. Currently there are no identified SNAs identified within the Operative plan within the Proposed Airport Land, or immediate surrounds. It is proposed to map any additional SNAs as a PDP variation (see ECO-P1), to identify and map those areas that meet the criteria within Appendix 4 of the PDP. It is unlikely that any SNAs will be identified within the Airport zone, the land proposed to be included within this zoning does not currently meet this criteria, being pastoral in nature.
44. Any requirement for setbacks from SNAs should be located within the Ecosystems and Indigenous Biodiversity (ECO) Chapter as I consider the management of indigenous vegetation is a District Wide matter. The PDP ECO Chapter has appropriate provisions to protect indigenous vegetation from inappropriate disturbance or clearance through rules, matters of discretion and a policy framework. Any amendments to the ECO Chapter provisions will be considered as part of a future hearing stream.

Recommendation

45. No amendments are recommended. It is recommended that the submission and further submission is rejected as shown in **Appendix B**.

Matters raised by submitters – Additional Provisions -Fire and Emergency New Zealand (FENZ)

46. FENZ (s124.275) (s124.264), (s124.265), (s124.266), (s124.267), (s124.268), (s124.269), (s124.270), (s124.271) seek an amendment to include a new standard in the Airport Zone. The new standard (provided below) would require residential units and buildings for non-residential activities to be connected to Council's reticulated water supply and wastewater network and where connections are not available they are connected to a private water supply or provided with 45,000 litres of water from another source, and all developments must have an independent water supply compliant with SNZ PAS 4509:2008 New Zealand Fire Service

Firefighting Water Supplies Code of Practice¹. Where no reticulated wastewater supply is available developments are provided with an onsite wastewater treatment and disposal system. The additional standard FENZ are asking for is detailed below:

AIRPZ-S5 Servicing

1. Where available any residential unit and buildings for non-residential activities shall be connected to a Council reticulated water supply.
2. Where available any residential unit and buildings for non-residential activities shall be connected to a Council reticulated wastewater network.
3. Where Council reticulated water supply is unavailable, any residential unit and buildings for non-residential activities must:
 - a. be connected to a community drinking water supply; or
 - b. be connected to a private drinking water supply; or
 - c. store 45,000 litres of potable water on-site from another source.
4. Where Council reticulated wastewater is unavailable, any residential unit and buildings for non-residential activities must:
 - a. be provided with an on-site wastewater treatment and disposal system.
5. All developments must have an independent water supply for firefighting that is compliant with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Assessment

47. In relation to the FENZ submission (s124.275), (s124.264), (s124.265), (s124.266), (s124.267), (s124.268), (s124.269), (s124.270), (s124.271) reticulated services are unavailable within the Airport Zone, meaning onsite services are required. The Building Code requires buildings to have safe and adequate water supplies and disposal of foul water² within the Airport Zone this is likely to be achieved through onsite wastewater disposal and provision of potable water via

¹[N5a-SNZPAS-4509-2008-NZFS-Firefighting-water-supplies-Code-of-practice.pdf \(fireandemergency.nz\)](#)

² [Building Code compliance | Building Performance](#)

non-reticulated means. Given there is no option to connect to reticulated services, the inclusion of a servicing standard in the Airport Zone is not considered necessary..

48. It is acknowledged that providing a standard for firefighting supply is a conscientious response to development, and there is currently no firefighting standard in the PDP. Moreover, the building code requirements are limited in this aspect. There is a firefighting provision within the Subdivision and Land Development Bylaw 2019 (Amendment No 1, 2021) which references part of the Code of Practice, however focuses mainly on dwellings in the rural area. The bylaw provision can either continue to be relied on, noting monitoring and enforcement issues have generally been identified with the bylaw, or a standard could be incorporated into the PDP as an alternative to the FENZ submission.
49. I consider, including the entirety of the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice as proposed by the submitter raises concerns in relation to the useability of the plan and the determining of compliance by Council officers due to the complexity and technical nature of the Code of Practice. It is therefore not considered to be efficient or effective for Plan users and decision makers to include a standard or rule in the PDP which requires compliance with detailed external document, such as SNZ PAS 4509:2008.
50. The submitter may consider providing a standard which includes the key components of SNZ PAS 4509:2008 which could be a more effective means of managing firefighting water supply through the PDP than simply referring to the Code of Practice. Any additional evidence provided by the submitter to justify inclusion of a new standard for firefighting water should be supported by a Section 32AA evaluation.

Recommendation

53. I recommend, for the reasons given above, that the FENZ submissions and subsequent amendments as listed above (paragraph 46) are rejected as shown in **Appendix B** and no amendments are recommended at this stage.

Matters raised by submitters – Additional Provisions - New Zealand Heavy Haulage Association (NZHHA)

54. The NZHHA (s77.015) seeks an additional provision to provide for relocated second hand buildings as a permitted activity standard subject to conditions:
- Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.
 - A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building.
 - The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

- d. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting (c) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
- e. The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the 12-month period

Restricted Discretionary activity status for relocated buildings that do not meet the permitted activity status.

55. As an alternative to a new standard NZHHA seek that the words “new or relocated buildings” is included within the activity rules for residential activities / units.
56. NZ Transport Agency (NZTA) (FS14.051) have further submitted on this submission seeking it be disallowed. The submitter considers second-hand dwellings may be used for a noise sensitive activity and raise concerns that second hand dwellings, that do not have acoustic treatment that comply with NOISE-S3 requirements, may be relocated to within a proximity of the state highway network.

Assessment

57. The PDP Temporary Activities Chapter contains the following rule in relation to Relocated Buildings. The ‘temporary’ factor being the relocation of a building to a site before it is fully re-instated. This rule is not subject to any submissions.

TEMP-R8	Relocated Buildings	
All zones	Activity Status: Permitted Where: - Any relocated <i>building</i> complies with the relevant standards for <i>buildings</i> in the relevant zone; and - A <i>building</i> pre-inspection report shall accompany the application for a <i>building</i> consent for the destination <i>site</i>. That report is to identify all reinstatement works that are to be completed to the exterior of the <i>building</i>. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified 12 month period; and - The <i>building</i> shall be located on permanent foundations approved by <i>building</i> consent, within 2 months of the <i>building</i> being moved to the <i>site</i>; and - All other reinstatement work required by the <i>building</i> inspection report and the <i>building</i> consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the <i>building</i> being delivered to the <i>site</i>. Without limiting (3) (above) reinstatement work is to include connections to all <i>infrastructure</i> services and closing in and ventilation of the foundations.	Activity status where compliance is not achieved: Restricted Discretionary. Matters of discretion: - The matters of discretion of any breached standard for <i>buildings</i> in the relevant zone. - External appearance and <i>amenity values</i>. - The timeframe for completion and reasons for delay. - Health and safety. - Any bond or other condition required to ensure completion of any <i>restoration work</i>.

58. The above rule permits relocated buildings across the district, where they meet the performance standards.

59. The performance standards include compliance with zoning standards relating to buildings, ensuring semblance of character and amenity from bulk and location of built form. The standard further requires a pre-inspection report to be submitted with any building consent application ensuring an appropriate level of scrutiny is undertaken by Council. The NZHHA submission to include a new activity for relocated building in each zone is essentially a duplication of the Temporary Activities rule. However, including the additional wording of “relocated” in each existing activity rule which permits buildings will improve the clarity and useability of the PDP.
60. In relation to the NZTA further submission (FS14.051), just as with any new building for a sensitive activity in proximity to the state highway, standards detailed in the Noise Chapter will also apply to relocatable buildings. If effective acoustic insulation cannot be installed, consent will be required pursuant to the performance standard in the Noise Chapter.

Recommendation

61. It is recommended to accept the alternative relief sought in the submission by NZHHA (s77.015), such that all activity rules AIRPZ- R1, AIRPZ-R2, AIRPZ-R3, AIRPZ-R4, AIRPZ-R5, AIRPZ-R6, AIRPZ-R7, AIRPZ-R8, AIRPZ-R9 which permit new buildings, include the wording “relocated” as follows:

Any new, relocated, or extended buildings, structure and activity complies with the Airport Zone Standards AIRPZ-S1, AIRPZ-S2, AIRPZ-S3 and AIRPZ-S4.

62. Further submission NZTA (FS14.051) is accepted in part as the intent of the submission is achieved.
63. It is recommended that the submission is accepted in part as shown in **Appendix B**.

Section 32AA Evaluation

64. The following evaluates the recommendation to amend AIRPZ- R1, AIRPZ-R2, AIRPZ-R3, AIRPZ-R4, AIRPZ-R5, AIRPZ-R6, AIRPZ-R7, AIRPZ-R8, AIRPZ-R9 under section 32AA of the RMA.

Effectiveness and efficiency

65. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner as it will be clear to a plan user viewing the specific zone chapters that relocatable buildings are permitted subject to the zone standards.

Costs and benefits

66. The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs.

Risk of acting or not acting

67. There is the potential for confusion or inconsistency over the status of relocatable buildings if the proposed amendment is not made.

Conclusion as to the most appropriate option

68. The proposed amendment is considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP.

6.5 Airport Zone – Specific Provisions

Matters raised by submitters – AIRPZ – O2

69. Forest and Bird (s110.079) seek to manage potential environmental effects of the AIRPZ, specifically raising the concern that any expansion or new activity at the airport could result in adverse environmental effects. The submission seeks to amend AIRPZ-O2 as follows (new text underlined, deletions strikethrough):

... The effects arising from new or expanded activities within the Airport Zone are managed to minimise adverse effects on the amenity of adjacent land, the environment and the ...

70. Hokonui Rūnanga (s139.087) support in part AIRPZ - O2 but seek that the PDP provisions specify effects of concern to mana whenua to ensure that the provisions are clear and appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party. The submission seeks to amend AIRPZ-O2 as follows (new text underlined, deletions strikethrough):

~~The effects arising from~~ new or expanded activities within the Airport Zone are managed to minimise adverse effects on the amenity of adjacent land, ~~and the underlying Ngāi Tahu relationships with the natural environment or on the mauri of natural resources, sites of wāhi tapu, mahinga kai or other values mana whenua associate with the area.~~

71. Hokonui Rūnanga (s139.092) also oppose AIRPZ- O2 and request clause 4 is deleted. AIRPZ-O2 does not include a clause 4, therefore, it is unclear what this submission relates to.
72. The MOE (s125.084) support AIRPZ – O2 as drafted and seeks that it is retained as proposed.

Assessment

73. In response to Forest and Bird (s110.079), the definition of ‘environment’ in the RMA includes ecosystems and their constituent parts (including people and communities), all natural and physical resources and amenity values. I consider the inclusion of ‘environment’ an inappropriate addition to AIRPZ-O2. “Environment” is a broad term and does not provide an appropriate specificity of the environmental values that aim to be managed.
74. The airport zone has been drafted to enable and support the sustainable management and operation of the Gore Airfield, while managing the effects to the extent appropriate in this location. The Airport is an important asset for the district which should be enabled to operate

efficiently and effectively to recognise the contribution it makes to the district, in alignment with UFD-O8. Wider adverse effects on the environment such as noise, indigenous biodiversity, light spill etc are managed through the District Wide Matters within the PDP.

75. The PDP was co-drafted by Gore District Council (GDC) and Hokonui Rūnanga, with Hokonui Rūnanga providing detailed guidance on how sites and areas of significance to Māori, and impacts on Ngāi Tahu cultural values should be managed in the PDP. A list of specific Ngāi Tahu cultural values are provided in the Mana Whenua (MW) chapter. The description of listed Ngāi Tahu cultural values in MW-2.3 (e.g. mahinga kai, kaitiakitanga, whakapapa) are to provide Plan users and decision makers with an appropriate level of information in relation to assessing the effects on cultural values.
76. The submitter's proposed amended wording appears to refer to all (or almost all) of the Ngāi Tahu cultural values listed in MW-2.3. The amendments sought would result in the same outcome as including reference to MW-2.3, however, the amendment has the consequence of making the policy lengthier.
77. In my opinion, to maintain a concise approach and to align with the general drafting style of the PDP, it would be more appropriate to include reference to MW-2.3 instead of listing each matter in individual objectives and policies.

Recommendation

78. I recommend, for the reasons given above, that AIRPZ-O2 is amended as follows:

The effects arising from new or expanded activities within the Airport Zone are managed to minimise adverse effects on the amenity of adjacent land, and the underlying Ngāi Tahu relationships with the natural environment including those listed in MW-2.3.

79. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

80. The following evaluates the recommendation to amend Objective 2 under section 32AA of the RMA.
81. The proposed amendment is considered to be a more appropriate way to achieve the purpose of the RMA than the notified version of AIRPZ-O2. The proposed amendment will enable the Council to effectively administer the PDP in a clear and consistent manner. The description of listed Ngāi Tahu cultural values in MW-2.3 (e.g. mahinga kai, kaitiakitanga, whakapapa) are to provide Plan users and decision makers with an appropriate level of information to consider, including a reference to MW-2.3 provides a clear link to the values expressed within the Mana Whenua Chapter. The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner.

Matters raised by submitters – AIRPZ – P3

82. Forest and Bird (s110.080) seek amendments to AIRPZ – P3 to protect environmental values. The submission seeks to amend AIRPZ-P3 as follows (new text underlined, deletions strikethrough):

... 5. protects ~~river and stream~~ environmental values from inappropriate development.

83. The MOE (s125.085) supports AIRPZ – P3 and seeks that it is retained as proposed.

Assessment

84. In response to the Forest and Bird submission (s110.080). AIRPZ-P3 makes specific reference to river and streams and is a district wide approach in relation to the river and stream development setbacks. As addressed above in relation to Submission s110.079, the term “environment” is a broad and does not provide an appropriate specificity of the environmental values that aim to be protected.

85. The Airport is an important asset for the district which should be enabled to operate efficiently and effectively to recognise the contribution it makes to the district (this aligns with UFD-O8). Wider adverse effects on the environment such as noise, indigenous biodiversity, light spill etc are managed through the District Wide Matters within the PDP.

Recommendation

86. It is recommended that submission (s110.080) is rejected and (s125.085) accepted as shown in **Appendix B.**

Matters raised by submitters – AIRPZ – P4, AIRPZ – P5 and AIRPZ-R3

87. NZTA (s112.164) supports AIRPZ – P4 and seeks it is retained as notified.

88. MOE (s125.086) supports AIRPZ – P5 and seeks it is retained as notified.

89. FENZ (s124.272) supports AIRPZ- R3 and seeks it is retained as notified.

Assessment

90. These submissions seek that AIRPZ-P4, AIRPZ-P5 and AIRPZ-R3- be retained as notified. No changes are required.

Recommendation

91. It is recommended that these submissions are accepted, as shown in **Appendix B.**

Matters raised by submitters – AIRPZ – S2

96. FENZ (s124.273) support in part AIRPZ – S2 but seek that communication towers and poles for emergency services facilities are exempt to provide for operational requirements.

Assessment

97. In response to FENZ submission point seeking a height exemption for communication towers and poles for emergency service facilities. I acknowledge the operational value of towers and poles. However, although FENZ have provided an image of a tower at a facility in Taupo in Appendix B of their submission there is not really any clear indication of what a 'tower' might constitute. A pole would typically be slimline and potentially therefore have limited adverse effects on adjoining landowners despite an increased height, however, a tower may be a larger structure and it may therefore be appropriate to manage this structure through a resource consent process.
98. The height limit for the Airport Zone is proposed to be 12m with additional height restrictions in relation to the mapped approach vectors. This height limit was determined following consideration of existing development within the zone, the anticipated character and built form of the zone based on the range of activities enabled, the potential adverse effects on landowners within adjoining zones and importantly - safety considerations.
99. Without further information about the proposed tower or poles and potential mitigation of adverse effects, such as boundary setbacks and maximum footprints, I do not consider it is appropriate to simply exempt these structures from the height limit.

Recommendation

100. I recommend, for the reasons given above, that the FENZ submission is rejected as shown in **Appendix B.**

Matters raised by submitters – AIRPZ – S3

101. FENZ (s124.274) support AIRPZ – S3 and seek it is retained as notified.

Assessment

102. The submission seek that AIRPZ-S3 be retained as notified. No changes are required.

Recommendation

103. I recommend, for the reasons given above, that the submission is accepted as shown in **Appendix B.**

7. Consequential and Minor Amendments

104. The Section 42 Introduction, General Provisions and Strategic Direction Report considered and assessed a submission point from Southland Federated Farmers (s126.181), Kevin Robertson (s115.182), Ronald Crispin (s60.184), Rural Ratepayers Group (s143.193), Alastair and Bernadette Hunt (148.194) and John Baynes (s68.302) to amend the wording of "wellbeing" to "well-being" to be consistent with the manner in which the word is expressed in Section 5 of the RMA. The recommendation in the report was to accept the submission

point and throughout the PDP amend “wellbeing” to “well-being”. This requires some minor amendments to the Airport Zone Chapter. These amendments are reflected in Appendix A.

105. Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors.

106. It is noted that there are two policies labelled AIRPZ-P5:

AIRPZ-P5 “Avoid activities which may compromise the purpose of the Airport Zone and generate reverse sensitivity effects or the ability to use land for aviation purposes unless those activities are ancillary to aviation activities.” and

AIRPZ-P5: “Close those portions of Jubilee Avenue adjacent to areas occupied or utilised by operators at the Gore Airfield.”

107. It is recommended that the latter be renamed AIRPZ-P6 and a consequential amendment of the notified AIPZ-P6 be amended to AIRPZ-P7. These amendments are reflected in **Appendix A**.

8. Conclusions and Closing Recommendation

8.1 Conclusions

108. This report has provided an assessment of submissions received on the Airport Zone Chapter and associated definitions and mapping of the PDP.

109. The submissions largely support or support in part the provisions within the AIRPZ Chapter, with a range of amendments sought.

110. I consider that the submissions on the AIRPZ Chapter and associated mapping assessed in this report be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations in this report including **Appendix B**.

111. Overall, I recommend that the provisions are amended as shown in **Appendix A** for the reasons set out in this report. The main changes recommended include:

- An addition to the wording of activity rules in the AIRPZ Chapter to include relocated buildings as a permitted activity.
- Minor changes to AIRPZ-O2 and AIRPZ-P3 to refer to environmental effects and to direct plan users to the Mana Whenua Chapter.

112. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken throughout this report.

8.2 Closing Recommendation

113. The Hearing Panel accept, accept in part, or reject all submissions (and associated further submissions) as outlined in **Appendix B** of this report.

Signed:

Name and Title	Signature	Date
Mishka Banhidi Consultant Planner		24.05.2024