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

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Gore District Plan - Decisions on Submissions
Topic 9: Special Purpose Zone: Camp Columba Zone

Hearings Panel Members

Keith Hovell

Glenys Dickson

Cliff Bolger

Date of Hearing
24 June 2024

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Appendix B. Plan Chapter (attached as a separate document)

1 Introduction

1.1 Scope of this Decision

1.1.1 This document details the evaluation and decisions of the Hearings Panel on the submissions and evidence considered in relation to the Camp Columba Zone (CCZ) of the Proposed Gore District Plan (PDP). The Hearings Commissioners comprising the Panel for this hearing were Commissioners Keith Hovell, Cliff Bolger and Glenys Dickson.

1.1.2 This Decision focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or minor matters where proposed changes are recommended in response to submissions, , the Panel has adopted the recommendations and the underlying evaluation contained in the s42A Report prepared by Joanne Skuse and Victoria Woodbridge. That report jointly considered submissions to the CCZ and Field Days Zone, with specific commentary on submissions relating to the CCZ from Victoria Woodbridge. Where submissions were common to both zones a joint response and assessment was provided.

1.1.3 Attached is the updated provisions for the Camp Columba Zone, referencing changes authorised by this and other Decisions of the Panel. Changes made in response to submissions are shown in normal black font, with text either underlined for additions or as ~~strikethrough~~ for deletions. A reference is also provided of the decision and paragraph number giving rise to the changes in response to submissions. Amendments made to the PDP pursuant to clause 16(2) are shown in the updated District Plan chapters in a green font. Shown in a red font are consequential numbering changes arising from provisions being added or deleted.

1.1.4 Appendix A lists the submissions considered in this decision and their outcome, described as accepted, accepted in part or rejected. For convenience, the Panel has chosen to make decisions on original submissions only. By implication, but not explicitly, it has also made decisions in relation to further submissions.

1.1.5 Attention is also drawn to Decision 2, Whole of Plan and Repeated Submissions that responds to submissions lodged to the District Plan as a whole, together with those lodged to multiple zones and/or chapters in the PDP. In some cases, these submissions may result in amendments to this chapter as well. Any such changes are annotated as a footnote in the updated provisions.

1.2 Abbreviations

1.2.1 In preparing this decision we have used the following abbreviations:

Full Text	Abbreviation
Camp Columba Charitable Trust	CCCT
Camp Columba Zone	CCZ
Fire and Emergency NZ	FENZ
Gore District Plan	Plan
Hearings Panel	Panel
Hokonui Rūnanga Incorporated	Hokonui Rūnanga
Proposed Gore District Plan	Proposed Plan or PDP
Report prepared under section 42A of the RMA	s42A Report
Resource Management Act 1991	RMA
RMA section	s

1.3 Statutory Considerations

1.3.1 The Panel's Decision1 Preliminary Matters and Statutory Requirements Relevant to Decisions sets out the legal framework and requirements for preparing a District Plan, as well as case law referred to in legal submissions and evidence provided to the Panel. This framework is not repeated in this Decision. Rather, this Decision should be read in conjunction with Decision1.

1.3.2 In s42A reports to the Panel, the authors are required to consider any alternative provisions put forward in the context of s32, and when changes are recommended, a further assessment under s32AA is provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s32AA also applies to the Panel if it decides to make changes to the Plan in response to submissions which materially depart from the notified version.

1.3.3 Through Minute 5, the Panel requested submitters seeking changes to District Plan provisions to have regard to the s32 provisions and provide material to the Panel that would facilitate any additional s32AA assessment required if it was of a mind to accept the changes they sought.

1.3.4 Where the Panel has made amendments to the Proposed Plan that are consistent with the recommendations contained within the s42A Reports and associated evidence the Panel has adopted the s32AA analysis contained within those reports and evidence, unless expressly stated otherwise. Those reports are part of the public record and are available on the Council's website.

1.3.5 Where the Panel has made amendments to the Proposed Plan that are not contained within the s42A Report, or which were not subject to a s32AA assessment provided by submitters, the Panel has undertaken the required s32AA analysis and has incorporated it into the body of the decision, with the required assessment forming part of the evaluation. The Panel is satisfied that the required substantive assessment has been undertaken where required.

1.4 Procedural matters

1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with clause 8AA of Schedule 1, on the submissions relating to the Camp Columba Zone.

1.4.2 None of the Panel members identified any conflicts of interest.

1.4.3 No procedural matters were raised at the hearing.

1.4.4 No matters of trade competition were raised.

2 The Hearings

2.1 Camp Columba Zone Hearing

2.1.1 The hearing in relation to this topic was held on 24 June 2024 at the Gore District Council administration building, in Gore. Submissions with regard to the CCZ were heard together with other matters in Hearing Stream 2.

2.1.2 At the commencement of the hearing, the Panel received supplementary evidence from Victoria Woodbridge responding to matters raised in the evidence and additional information received by the Panel. The Panel sought clarification from her regarding matters contained in her s42A Report and supplementary evidence at various times during the hearing.

2.1.3 Submitters who appeared at the hearing on the Camp Columba Zone, or submitted further information for the Panel to consider are shown in Table 1.

Table 1. Camp Columba Zone – Submitters Attending the Hearing			
No.	**Submitter**	**Attendees**	**Nature of Evidence**
S61	Camp Columba Charitable Trust	David Bruce Hamish Weir	In person In person
S74	Hamish Weir	Self	In person

2.2 Other Hearings

2.2.1 Decision 2 lists the submissions lodged to the Whole of the Plan. Submission S139.040 Hokonui Rūnanga Inc raises issues relevant to this decision and in that regard, relevant evidence was received by the Panel during the hearings to consider submissions to the Mana Whenua and Sites of Significance to Māori chapters from:

- Courtney Bennett for the Gore District Council
- Amy Beran for Hokonui Rūnanga

2.2.2 The Panel received evidence in HS3 on 22 July 2024, HS8 on 5 December 2024 and HS9A on 19 February 2025 from Courtney Bennett and Amy Beran, which included recommendations on provisions in the CCZ that manage effects on Ngāi Tahu cultural values. For provisions where there were no matters in contention or further recommendations arising from evidence received in HS8 or HS9A, these are not discussed further in this decision. Otherwise, discussion the evidence is included in this decision in relation to particular provisions of the chapter.

3 Assessment of Submissions

3.1 CCZ General

Submitter (S)	Decision Requested
S61.001 CCCT	Request the land parcels both retain the proposed Special Zoning

3.1.1 The Panel acknowledges and accepts the support of the Trust for the inclusion of the CCZ in the PDP.

3.2 Policy CCZ-P1, Rule CCZ -R1

Submitter (S)	Decision Requested
S125.090 Ministry of Education	Retain CCZ-P1 as proposed
S125.091 Ministry of Education	Retain CCZ-R1 as proposed

3.2.1 The Panel acknowledges the support of the Ministry of Education for Policy CCZ-P1 and Rule CCZ-R1. As no other submissions refer to these provisions, these are accepted.

3.3 Rule CCZ -R6

Submitter (S)	Decision Requested
S61.002 Camp Columba Charitable Trust	Request CCZ-R6-3 be removed from the plan. The third residential unit is used on a short term basis by staff but this activity often overlaps by staff members. It would be difficult to determine the application of the three month period.
74.026 Hamish Weir	That the Camp Columba Zone be included in the Plan with the removal of CCZ-R6 3; ~~3. One residential unit is only occupied on a short term basis (no more than 3 months at a time) by a person employed at Camp Columba.~~

3.3.1 David Bruce of the Camp Columba Charitable Trust explained at the hearing that the wording and intent of the rule is difficult to understand given the variable duration of activities that take place at the site. Victoria Woodbridge at paragraph 122 of her s42A Report agreed the rule was problematic and the Panel accepts that advice.

3.3.2 Submissions S61.002 Camp Columba Charitable Trust and 74.026 Hamish Weir are accepted by deleting Rule CCZ-R6(3).

3.4 Rule CCZ -R7

Submitter (S)	Decision Requested
S124.298 Fire and Emergency NZ	Amend as follows: Activity Status: Permitted Where: ~~1. The activity is ancillary to an activity permitted by CCZ-R1 to CCZ-R5~~.Any new of extended building or structure complies with CCZ-S1-CCZ-S3. Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: The matters of discretion of the infringed standard(s).

3.4.1 The Panel agrees that the reference to other rules in Rule CCZ-R7 is misleading and unnecessary. Rather, the Panel accepts reference should be made to the relevant Standards. FENZ has requested reference be made to S3, consistent with other submissions it has lodged, but those submissions have not been accepted, so the submission is only accepted in part. The Committee notes FENZ did not attend the hearing, nor provide any feedback on the s42A Report for the Panel to consider.

3.4.2 Submission S124.298 Fire and Emergency NZ is accepted in part and Rule CCZ-R7 is amended as follows:

CCZ-R7 ***Emergency Service Facilities***

Activity status: Permitted

Where:

1. ~~The activity is ancillary to an activity permitted by CCZ-R1 to CCZ-R5.~~ Any new, relocated or extended *building* or *structure* complies with CCZ-S1 to CCZ-S2.

2. The activity is undertaken in accordance with the Camp Columba Structure Plan.

3.5 Rule CCZ -R8

Submitter (S)	Decision Requested
S61.003 Camp Columba Charitable Trust	Status of an activity under Rule CCZ-R8-\ All other activities be assigned Discretionary status.

3.5.1 Victoria Woodbridge in her S42A Report opined that activities not specified in the rule of the CCZ should be non-complying to provide consistency across the various zones in the PDP. The evidence of David Bruce expressed concern with the potential increased costs of seeking approval for a non-complying activity as opposed to a discretionary activity.

3.5.2 The Panel notes that the land within the CCZ is under the sole ownership of a Trust, and that it is a permissive zone providing for the ongoing development and use of the Camp Columba facility. The CCCT has total control over the activities taking place within the zone. The topography assists considerably in internalising the effects of any activities within the Zone. Activities are also managed through the Structure Plan included as part of the zone provisions, and together with the objectives and policies for the CCZ, there is a robust framework for the consideration of activities not specified in the rules to be classed as discretionary activities.

3.5.3 For these reasons, S61.003 Camp Columba Charitable Trust is accepted and Rule CCZ-R8 is amended as follows:

Activity status: ~~Non-Complying~~ Discretionary

3.5.4 In reaching the decision in paragraph 3.5.3 the Panel has considered the following matters under s32AA of the RMA:

- The amendment will enable CCCT to effectively and efficiently manage activities within the zone while the effects of activities within the CCZ are effectively managed by the Council.
- The benefits of the amendment is to implement the intent of the Council to provide a permissive framework for the CCCT to develop and manage activities on the land it owns. There are no apparent costs associated with the amendment.
- There is a risk consent is sought for activities that are incompatible with the values and intent of the CCZ. However, the Structure Plan, together with the zone objectives and policies provide a robust framework to ensure additional approved activities established with the zone are compatible.
- The proposed amendment is considered to be a more appropriate way to achieve the Objectives of the CCZ than the notified version of the PDP.

3.6 CCZ Zoning

Submitter (S)	Decision Requested
S85.064 Environment Southland	Prevent any new zone changes from the current District Plan which have the potential to intensify land use change and development within a flood inundation area. This comment applies to all zones and maps
FS5.194 Hamish Weir	Disallow S85.064 Environment Southland

3.6.1 The CCZ is new, not having been included in the Operative District Plan. The extent of the zone corresponds to the area subject to previously approved resource consents and the zoning facilitates minor changes occurring on the site without the need to seek variations to those consents. None of the zone is shown on the District Plan Hazard Maps as being susceptible to inundation. While a waterway, being one of the upper reaches of the Kaiwera Stream, passes through the CCZ, the topography of the site limits any flooding potential during heavy rainfall events. Given development within zone has previously been approved and the zone does not contain areas recorded as being subject to inundation, submission S85.064 Environment Southland is rejected.

3.7 CCZ Structure Plan

Submitter (S)	Decision Requested
S61.004 Camp Columba Charitable Trust	Structure plan needs to be updated. See attached

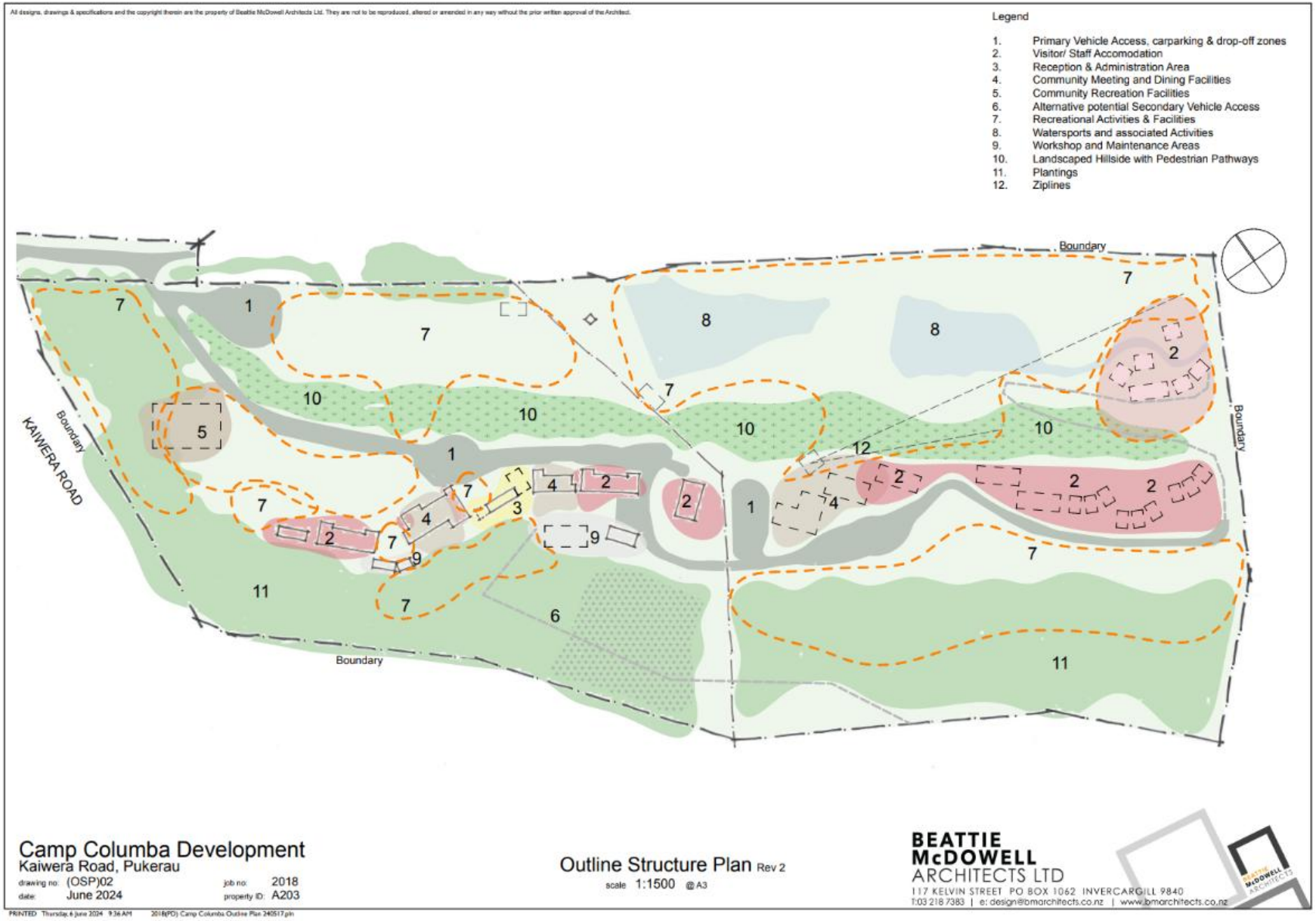
3.7.1 The evidence provided by Hamish Weir included a revised Structure Plan. Victoria Woodbridge. at paragraph 15 of her supplementary evidence tabled at the hearing, recommended inclusion of this Plan in the PDP. The Panel undertook a visit to the Camp Columba site and is satisfied that what is shown on the amended Structure Plan is appropriate to manage development on the site into the future.

3.7.2 S61.004 is accepted by replacing the Structure Plan for the CCZ in PDP with the following:

4 Other Matters

4.1 Note 1

4.1.1 The Plan was notified with Note 1 following the policies, which the Panel has considered as part of its decision to remove unnecessary duplication within the Plan and determined that it can be deleted because reliance can be placed on the introductory sections of the Plan. This change is made as an amendment under Clause 16(2) of the First Schedule.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Legend
1. Primary Vehicle Access, carparking & drop-off zones
2. Visitor/ Staff Accomodation
3. Reception & Administration Area
4. Community Meeting and Dining Facilities
5. Community Recreation Facilities
6. Alternative potential Secondary Vehicle Access
7. Recreational Activities & Facilities
8. Watersports and associated Activities
9. Workshop and Maintenance Areas
10. Landscaped Hillside with Pedestrian Pathways
11. Plantings
12. Ziplines
Boundary
KAIWERA ROAD
Boundary
Boundary
Boundary
Camp Columba Development
Kaiwera Road, Pukerau
drawing no: (OSP)02
date: June 2024
job no: 2018
property ID: A203
Outline Structure Plan Rev 2
scale 1:1500 @ A3
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