

Proposed Waitaki District Plan Hearings

Minute 7

HEARING STREAM 3 and GENERAL MATTERS ARISING

SECTION 42A REPORT FORMATTING

1. The Panel has noted that a number of the s42A Reports have not footnoted their recommended changes to the provisions to the relevant submitter. This makes it particularly difficult for both the Panel and submitters to understand which change has been attributed to which submitter.
2. Accordingly, the Panel directs all subsequent s42A reports to provide footnotes to the recommended changes that advise which submitter the change is attributed to. Furthermore, s42A reports already completed must be amended to include the appropriate footnotes. These will then replace the reports loaded onto the District Plan website.

ODP and PDP INTEGRATION ISSUE

3. Minute 6 directed that the s42A report authors provide a document on how the integration of the ODP and PDP is likely to work in practise. The Panel wishes to clarify that this work need only relate to those provisions that apply across the district. It need not apply to the new Zone provisions, for example.

HEARING STREAM 3 - QUESTIONS FOR REPORT AUTHORS

4. The Panel for Hearing Stream 3 has prepared a list of questions for Council s42A report authors, which are attached to this minute in Appendix 1. The purpose of these questions is to assist with the efficient running of the hearing by giving the s42A report authors time to consider the questions in advance of the hearing commencing. It is important that all parties are aware that this is not an exhaustive list, and report authors should expect additional questions at the hearing itself. Submitters who have relevant submission points to which these questions relate may also wish to address these questions at the hearing.
5. The Hearings Panel intends to take the same approach to the other Hearing Streams, as and when relevant.

CORRESPONDENCE AND HEARING ADMINISTRATION

6. Submitters and other hearing participants must not attempt to correspond with or contact the Hearing Panel members directly. All communications and requests of the Hearing Panel must be addressed to the District Plan Hearings Coordinator, Lynda Berkahn, at:

Email: pdp.hearings@waitaki.govt.nz

Phone: 03 433 1632

A handwritten signature in black ink, appearing to read 'Allan Cubitt', with a stylized flourish at the end.

Allan Cubitt

Chair - on behalf of the Hearing Panel members

2 October 2026

APPENDIX 1

Hearing Stream 3: Temporary Activities and Noise

Questions from the Hearing Panel

Having read the Section 42A Reports, the Hearing Panel has questions that they would appreciate being answered by the Section 42A Report author(s) at the hearing, both verbally and written.

This is in the interests of running an efficient hearing.

Please note this list of questions is not exhaustive. The Panel members may well ask additional hearings during the course of the hearing.

General to all Section 42A Reports

The Panel has noted that a number of the s42A Reports have not footnoted their recommended changes to the provisions to the relevant submitter. This makes it particularly difficult for both the Panel and submitters to understand which change has been attributed to which submitter. Accordingly, all s42A reports must include footnotes indicating the submitter to which the recommended changes are attributed to and s42A reports already completed must be amended in include the appropriate footnotes. These will then replace the reports loaded onto the District Plan website.

Temporary Activities

Paragraph or Plan reference	Question
Appendix 1 and recommended changes	A number of the changes shown to the provisions in Appendix 1 are different to those recommended in the body of the report. Please identify and advise on what changes are actually proposed. (For example, see paragraph 107 on TEMP-R1 and compare with Appendix 1 TEMP-R1. Where does PER-7 and PER-13 come from?)
50	The Panel is unsure why an 'effects assessment would be necessary to determine compliance with the definition. Please explain.
51	What effects would a rule managing the use of a small drone be addressing if it did not comply with the permitted standards of TEMP-R6? For example, what would the effects be of a small drone take-off and landing on more than two consecutive days at someone's property?

Noise

Paragraph or Plan reference	Question
119	In relation to the submission from S Woodside [95.7], who requests that the noise standards do not apply to the intermittent recreational jetboat movements use, you consider the exclusion of recreational jet boat use as inappropriate due to the variety of users and level of amenity that can be

Paragraph or Plan reference	Question
	expected on waterways. Please explain how this rule would operate in practise in relation to recreational jetboating. How is this matter currently addressed in the Waitaki? We note that the MD report states that <i>“there may be a risk that the exclusion inadvertently allows a commercial jet boat operator to establish without considering noise effects. Provided that there have never been noise issues arising from recreational jet boating, we are inclined to think that remaining silent on the issue is the better course of action”</i>. How are commercial jetboat operations controlled now? The Panel assumes this will be left to the ODP provisions.
129	This issue again raises the integration of the ODP and the PDP. How are aviation activities involved in conservation estate management currently addressed in Rural zones?
133	Would it not be clearer if the recommended provision was drafted with an exclusion for testing and maintenance outside of 7am and 9pm?
157, 187, 188	The Panel notes that in the s42A report on Temporary activities, you recommended replacing ‘minimise’ with mitigate in TEMP-O2. Your reasoning (in part) was that: <i>Requiring all such activities to “minimise” adverse effects establishes a relatively high threshold that may unnecessarily constrain otherwise appropriate temporary activities. In comparison, requiring adverse effects to be “mitigated” provides a more proportionate and workable effects-management framework while continuing to ensure that both on-site and off-site adverse effects are appropriately addressed.</i> Would the same logic not apply in these circumstances in relation to temporary activities?
213	Is the reference to Section 7.17, correct?