

Before the Independent Hearing Panel
Appointed by the Mackenzie District Council

Under

The Resource Management Act 1991 (**RMA**)

In the matter of

Proposed Plan Changes 28-30; Variation 1, 2 and 3 to Plan Change 26; Variation 1, 2 and 3 to Plan Change 27; Variation 1 & 2 to Plan Change 23 and the Designations Chapter

Statement of evidence of Julie-Anne Helen Shanks

15 May 2025

Mackenzie District Council's Solicitor:

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Qualifications and experience

- 1 My full name is Julie-Anne Helen Shanks.
- 2 I am the Manager Planning at Mackenzie District Council (MDC).
- 3 I hold a Bachelor of Social Science (Resources and Environmental Planning) with honours and a Postgraduate Diploma in Resources and Environmental Planning from the University of Waikato. I am a full member of the New Zealand Planning Institute.
- 4 I have thirty years' experience in planning – consenting, policy, monitoring and compliance/enforcement which includes experience working within local government and the private sector. Within local government I have experience in resource consenting and monitoring and compliance as well as having participated in district plan review processes. Within the private sector I prepared resource consent applications for private clients and processed resource consent applications on behalf of local government organisations.
- 5 I have been in the role of Manager Planning at MDC for 6 months. In this role I oversee all resource consenting functions as well as manage and progress a review of the Mackenzie District Plan.

Scope of evidence

- 6 My evidence is on behalf of Mackenzie District Council. I provide this evidence to provide an overview of Stage 4 of the District Plan review, the plan changes which have been notified as part of Stage 4 of the review and the integration between them and with existing operative provisions. This includes:
 - (a) What topics are included in the Stage 4 Plan Changes (Plan Changes 28-30); and
 - (b) The drafting approach taking to the Stage 4 Plan Changes.

Staged Review

- 7 The background to the Plan Review was set out in the evidence for Plan Change 20 of Aaron Hakkaart, the Planning Manager at MDC at the time. I do not repeat that detail here, but note that Plan Changes 18 & 19 were notified in December 2017 as Stage 1 of the District Plan review, but for various reasons, further review of the remainder of the Plan did not commence in earnest until 2022, following a spatial planning exercise. The continuation of the review process (commencing with notification of Plan

Change 20 as the remainder of Stage 1) followed agreement by the Council to adopt an approach that results in the plan being reviewed in stages based on chapters and issues. Plan changes notified so far as part of the review are:

Stage 1:

- (a) Plan Change 18 – Indigenous Biodiversity (notified 20 December 2017 and subject to appeal in the Environment Court – interim decision issued, and now appealed to the High Court);
- (b) Plan Change 19 – Activities on or within Waterbodies (notified 20 December 2017 and now operative);
- (c) Plan Change 20 - Strategic Chapters, covering a new Strategic Direction section and various introductory chapters (notified 15 July 2022 and now operative);

Stage 2:

- (a) Plan Change 21 – Spatial Plan Implementation, relating to the application of residential, commercial and industrial zoning and the frameworks applying to each (notified 27 September 2022 and now operative); and
- (b) Plan Change 22 – Lighting, relating to a review of the lighting provisions (notified 27 September 2022 and now operative).

Stage 3:

- (a) Plan Change 23 (PC23) – General Rural Zone, Natural Features and Landscapes, Natural Character (notified 4 November 2023, appeals being mediated);
- (b) Plan Change 24 (PC24) – Sites and Areas of Significance to Māori (notified 4 November 2023 and now operative);
- (c) Plan Change 25 (PC25) – Rural Lifestyle Zones (notified 4 November 2023, appeals withdrawn and now operative);
- (d) Plan Change 26 (PC26) – Renewable Electricity Generation and Infrastructure, (notified 4 November 2023, appeals being mediated); and

- (e) Plan Change 27 (PC27) – Subdivision, Earthworks, Public Access and Transport (notified 4 November 2023, appeal withdrawn and now operative).

Plan Changes 28-30 (Stage 4)

- 8 Stage 4 of the District Plan review encompasses a review of Hazards and Risks, Special Purpose Zones, Open Space, Historic Heritage, Notable Trees, Noise, Signs, Temp Activities; and Designations. These have been separated into three plan changes, which were notified concurrently, being:
 - (a) Plan Change 28 (PC28) – Hazards and Risks, Historic Heritage and Notable Trees, Variation to Plan Change 26, and Variation to Plan Change 27;
 - (b) Plan Change 29 (PC29) – Open Space and Recreation Zones, Noise Signs and Temporary Activities, Variation 1 to Plan Change 23, Variation 2 to Plan Change 26, and Variation 2 to Plan Change 27;
 - (c) Plan Change 30 (PC30) – Special Purpose Zones, Variation 2 to Plan Change 23, Variation to Plan Change 26, and Variation 3 to Plan Change 27;
 - (d) Designations Chapter
- 9 Each plan change includes those provisions that are considered to be particularly interrelated, or which are logically grouped together, or conversely, are largely standalone. Notwithstanding this, all Stage 4 plan changes have been prepared on an integrated basis, both in terms of the relationships between them, as well as with the wider operative Plan. I return to this further below.
- 10 Also of note is that the provisions relating to financial contributions and surface of water are intended to be carried over to the National Planning Standard framework (i.e. the e-plan) without review in the near future.

The Overall Approach to Achieving the Review

- 11 To support the review Mackenzie District Council has adopted the following approach:
 - (a) Active partnership with iwi in all aspects of Council's work;
 - (b) Engaging highly experienced experts as and when required (planners and other technical experts);

- (c) Looking at best practice examples so that Council does not reinvent the wheel, whilst ensuring the proposed plan maintains a distinct Mackenzie flavour; and
- (d) Keeping the overall process simple by focusing on the matters raised by Councillors or the public and not relitigating recently considered matters.

12 The above methodology ensures that the approach maintains a distinct Mackenzie centric focus and addresses the matters that are of the most importance to the district.

13 The active partnership with iwi from the start of this process ensures that the proposed plan changes meet our statutory requirements but also ensures that the project team maintains a wider world view in drafting provisions. The partnership is strong and has ensured that the proposed provisions are reviewed by and have the contribution of mana whenua.

14 The use of a small highly experienced project team has also been identified as critical. Ensuring that all those working on the review, are across the detail means that the project runs more efficiently and the resources available are fully utilised. The engagement of technical specialists that are highly experienced also means work is efficient and the product being provided is current best practice.

15 The use of best practice examples is also seen as critical. The review does not need to reinvent the wheel; rather the utilisation of best practice, through adaptation to maintain a Mackenzie District focus is seen as the most efficient approach to meeting the needs of the communities.

16 Finally, keeping the overall process simple ensures that the process is efficient and does not become too resource hungry. It is also critical that elements of the plan that have been heavily litigated in the past and do not need to be reviewed are only reviewed if there is an excellent reason, with most provisions less than ten years old likely to be deliberately kept out of scope of the work program.

Integration

17 As noted above, each plan change includes chapters that are logically grouped together. However, in order to ensure that the District Plan framework as a whole is integrated, the provisions contained all Stage 4 plan changes have not been prepared or considered in isolation. There are also important interrelationships between them, as well as with the wider operative Plan.

- 18 As much as possible, the drafting approach taken in the Stage 4 chapters has also sought to remain consistent with the drafting approach applied in the Stage 2 and 3 chapters.
- 19 To properly resource the reporting on these chapters, separate section 42A reports have been prepared for each of the plan changes, variations and the Designation chapter. The planners authoring these reports have taken care to identify any cross chapter issues and ensure there is integration. A clear example of this is to ensure the defined terms are used appropriately in each chapter. The clear planning preference is to use a common defined term (often from the Planning Standard) where at all possible.

Partnership with Mana Whenua

- 20 Throughout the plan review process and following the approach taken in the development of the Spatial Plans, the Council has been working alongside mana whenua, through Aoraki Environmental Consultants, in the review process.

Conclusion

- 23 Mackenzie District Council has thoroughly evaluated its options in pursuing a District Plan review that meets its legal obligations, alongside meeting the requirements of the community. This has been balanced against the resources available to Council in relation to time and cost.
- 24 Mackenzie District Council has been progressing its review of the District Plan in a staged manner to modernise its Plan and place it into the National Planning Standard format, in a manner that meets its legal obligations and the requirements of the community, while taking into account the resources available to Council.
- 25 Stage 4 is an important stage and the final stage in the review process and reflects the Council's continued commitment to completing a review of the District Plan to produce a fit for purpose eplan.



Julie-Anne Shanks

15th May 2025