



Mackenzie
DISTRICT PLAN REVIEW

TOMORROW'S MACKENZIE
KA AWATEA HŌU

Section 32 Report:
**Plan Change 23 – General Rural Zone, Natural Features and
Landscapes, and Natural Character**

Final for Notification

4 November 2023

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- Appendix 1:** Eastern Mackenzie Landscape Study, prepared by Boffa Miskell Ltd, dated 11 October 2023 (Final Version)
- Appendix 2:** Western Mackenzie Landscape Study, prepared by Boffa Miskell Ltd, dated 11 October 2023 (Final Version)
- Appendix 3:** Eastern Mackenzie Rural Character Study, prepared by Boffa Miskell Ltd, dated 23 June 2023
- Appendix 4:** Post Harvest Wilding Conifer Management, prepared by Te Manahuna Consulting Ltd, dated March 2023
- Appendix 5:** Eastern Mackenzie Rural Economic Assessment, prepared by Macfarlane Rural Business Ltd, Dated September 2023
- Appendix 6:** Summary of Feedback received on Draft PC23 Provisions

1. Introduction

Purpose of this Report

- 1.1. Section 32 ('s32') of the Resource Management Act 1991 ('the RMA') requires an evaluation to be undertaken of the changes proposed to the Mackenzie District Plan ('District Plan') through Plan Change 23 ('PC23').
- 1.2. The evaluation must be provided in a report which examines whether the objectives are the most appropriate in achieving the purpose of the RMA, and whether the policies and methods, taking into account their costs, benefits, efficiency and effectiveness, are the most appropriate way to achieve the objectives. The report must also assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The analysis set out in this report is to fulfil the obligations of the Council under s32 of the RMA.

Topic

- 1.3. This s32 covers the following matters making up PC23:
 - Natural Character (NATC) Chapter;
 - Natural Features and Landscapes (NFL) Chapter; and
 - General Rural Zone (GRUZ) Chapter.
- 1.4. PC23 proposes to largely delete Section 7 (Rural) and replace those aspects within three new chapters, relating to the General Rural Zone ('GRUZ'), Natural Features and Landscapes ('NFL') and Natural Character ('NATC').
- 1.5. These topics are included within a single plan change due to the inter-related nature of the chapters in dealing with matters relating primarily to the rural environment of the Mackenzie District.
- 1.6. It should be noted that a general premise of the District Plan review is to not change the key objectives, policies and rules arising from Plan Change 13 ('PC13'), which primarily apply to Te Manahuna / the Mackenzie Basin Outstanding Natural Landscape ('ONL'). These provisions are being integrated into the new NFL District Wide Chapter consistent with the National Planning Standards, but are otherwise beyond the scope of the PC23. On that basis the PC13 objectives, policies and rules are not evaluated further as part of this section 32. However, where any new rules are proposed in PC23 which relate to the provisions introduced by PC13, these are evaluated against the existing objective and policy framework.
- 1.7. It should be noted that there are other aspects currently addressed in Section 7 (Rural) that are considered in other Plan Changes making up the Mackenzie District Plan Review ('MDPR').

District Plan Review Process

- 1.8. PC23 is part of Stage 3 of the overall review of the District Plan.
- 1.9. The following process was undertaken to review the rural provisions within the District Plan.

- 1.10. Background technical work was undertaken which involved:
- Review of the Operative Plan provisions;
 - Identification of key issues arising from the current provisions;
 - Review of relevant higher order planning documents;
 - A review of the approach taken in other district plans;
 - Preparation of an 'Eastern Mackenzie Landscape Study' and a 'Western Mackenzie Landscape Study', each prepared by Boffa Miskell Ltd (attached as **Appendices 1 & 2** respectively);
 - Preparation of an 'Eastern Mackenzie Rural Character Study', prepared by Boffa Miskell Ltd (attached as **Appendix 3**); and
 - Preparation of a background report 'Post Harvest Wilding Conifer Management' prepared by Te Manahuna Consulting Ltd (attached as **Appendix 4**).
 - Preparation of an Eastern Mackenzie Rural Economic Assessment, prepared by Macfarlane Rural Business Ltd (attached as **Appendix 5**).
- 1.11. This information was presented in a Background Discussion paper and used to inform the first round of public consultation.
- 1.12. Following consultation a Preferred Approach report was prepared for each Topic outlining the proposed approach to be taken as part of the District Plan review. This was followed by a second round of consultation and engagement, including a draft set of provisions being made available for comment. The feedback received is summarised in the Table attached as **Appendix 6**. This feedback was then used to refine the proposed provisions included for notification, which are evaluated in this report.

Provisions

- 1.13. The Operative District Plan ('Operative Plan') includes rules relating to the rural area, natural features and landscapes and the natural character of surface waterbodies within a single Rural Chapter (Section 7).
- 1.14. The National Planning Standards ('NP Standards') requires that the various aspects making up the operative Rural Chapter are placed in separate Chapters (such as outstanding natural features and landscapes, natural character, earthworks, subdivision, public access etc.).
- 1.15. This s32 report relates to the following chapters proposed within Part 2 – District Wide Matters of the District Plan:
- Natural Environment Values:
 - Natural Character (NATC)
 - Natural Features and Landscapes (NFL)
- 1.16. The Natural Character ('NATC') Chapter includes **NATC-SCHED1** – Scheduled Surface Waterbodies.

1.17. The Natural Features and Landscapes ('NFL') Chapter includes the following schedules:

- **NFL-SCHED1** – Scenic Viewing Areas [Appendix J from Operative Plan]
- **NFL-SCHED2** – Ecological Components of the Natural Landscape Character [Appendix W from Operative Plan]
- **NFL-SCHED3** – Landscape Guidelines [Appendix K from Operative Plan]

1.18. This s32 report relates to the following chapters proposed within Part 3 – Area Specific Matters of the District Plan:

- Rural Zones
 - General Rural Zone (GRUZ)

1.19. The General Rural Zone ('GRUZ') Chapter includes the following schedules/specific control areas/precincts:

- **GRUZ-SCHED1** – Airport Height Restrictions
- **Specific Control Area 13** (Eastern Plains)
- **Takamana / Lake Alexandrina Hut Settlements Precinct** (PREC3)

1.20. PC23 amends the Planning Maps to:

- Remove the Rural Zone and rezone this land General Rural Zone (GRUZ);
- Identify the new Specific Control Area 13 (Eastern Plains);
- Identify the three areas of Takamana / Lake Alexandrina Hut Settlement as PREC3 and remove these areas from the Te Manahuna / Mackenzie Basin ONL and Lakeside Protection Area Overlays;
- Identify a new Wilding Conifer Removal Overlay, being areas within Te Manahuna / the Mackenzie Basin ONL of existing closed canopy wilding conifer forest;
- Identify a new Wilding Conifer Management Overlay, being adjacent areas that are currently being re-infested with wilding conifer seedlings;
- Remove the Opuha Dam Special Purpose Zone and include that land within the GRUZ – Eastern Plains Specific Control Area 13;
- Identify the land on Talbots Road south of the Fairlie Golf Club previously zoned industrial as GRUZ – Specific Control Area 13 (Eastern Plains);
- Identify highly productive land as currently defined by the National Policy Statement for Highly Productive Land ('NPS-HPL');
- Include new Outstanding Natural Features, Outstanding Natural Landscapes, Geopreservation sites and Significant Natural Landscapes (being referred to as Forestry Management Areas) as identified by the Eastern Mackenzie Landscape Study;

- Amend the existing Te Manahuna / Mackenzie Basin ONL to include the western extent of the District as identified by the Western Mackenzie Landscape Study, but excluding Aoraki/Mount Cook National Park, which will be dealt with as part of Stage 4 Open Space; and
- Amend existing Farm Base Area R14 for Grampians Station and introduce a new Farm Base Area R37 for Omahau Hill, which is included within the extended Te Manahuna / Mackenzie Basin ONL.

1.21. The key aspects of the provisions introduced through PC23 of the District Plan review process are as follows:

Natural Character

- Applying a setback to listed activities undertaken within proximity to a surface waterbody and to introduce a schedule of identified surface waterbodies where a greater setback is required to protect natural character.

Natural Features and Landscapes

- Leaving the key outcomes arising from Plan Change ('PC13') intact. In particular this refers to the identification of Te Manahuna / the Mackenzie Basin as an Outstanding Natural Landscape (ONL) and the provisions introduced to manage agricultural conversion and pastoral intensification.
- Identifying Outstanding Natural Features ('ONF') and Landscapes ('ONL') and Geopreservation Sites within the Eastern Mackenzie, where currently no specific landscape provisions apply.
- Including the western extent of the District within the existing Te Manahuna / Mackenzie Basin ONL (but excluding Aoraki/Mount Cook National Park as already set out above).
- Introducing a new FBA for the only property now included within the expanded Te Manahuna / Mackenzie Basin ONL not having an existing identified FBA.
- Introducing new provisions to applying to the Wilding Conifer Removal Overlay to enable the removal (including mechanical harvest) of wilding conifers from the land and its rehabilitation to a productive primary use.
- Introducing new provisions to apply to the identified Wilding Conifer Management Overlay on the planning maps, to provide increased scope for pastoral intensification of these areas to control emergent wilding seedlings by stock browsing assist the management and control of areas within Te Manahuna / the Mackenzie Basin ONL that are currently being re-infested with wilding conifer seedlings.
- Minor amendments to the spatial extent of Farm Base Area R14 at Grampians Station.
- Removal of subdivision fencing from the definition of pastoral intensification given the provisions relating to mob-stocking now included in PC18.

General Rural Zone

- The introduction of density controls for the Eastern Mackenzie where none currently exist. This includes the identification and mapping of an Eastern Plains Specific Control Area 13, where a higher density of development is enabled.
- Greater provision for recreation, tourism and conservation activity to provide diversification in rural land use.
- An update of the provisions relating to quarrying, mining and aviation to better reflect the current situation and align with higher order planning documents.
- Identification of the Hut Settlement on the shores of Takamana / Lake Alexandrina as a Precinct with new rules controlling the design and appearance of built form.

1.22. PC23 also proposes to introduce the new definitions for the following terms:

- Airfield
- Airport
- Camping Ground
- Cleanfill Area
- Commercial Forest or Commercial Forestry
- Commercial Forest Activity
- Conservation Activity
- Discharge
- Earthworks
- Exotic Continuous-Cover Forest or Exotic Continuous-Cover Forestry
- Exotic Forest
- Farm Base Area
- Fertiliser
- Functional Need
- Greywater
- Harvest of Closed Canopy Wilding Conifers
- Helicopter Landing Area
- Highly Productive Land
- Industrial or Trade Waste
- Intensive Primary Production
- Landfill
- Land Rehabilitation
- Mining
- Notional Boundary
- Pastoral Intensification
- Plantation Forestry or Plantation Forestry
- Primary Production
- Principal Building
- Quarry
- Quarrying Activities
- Relocated Building

- Reverse Sensitivity
- Riparian Margin
- Rural Industry
- Rural Selling Place
- Rural Tourism Activity
- Sensitive Activity
- Sewage
- Shelterbelt
- Stormwater
- Subdivision
- Wastewater
- Wetland
- Wilding Conifer Species
- Woodlot

Relationship with other Stages

- 1.23. The margins of surface water bodies have a particular interest for mana whenua and may be significant for cultural use (e.g., mahinga kai) or for the presence of significant sites (e.g., wāhi tapu). For mana whenua, the beds and margins of lakes and rivers are part of the surface water body, and not separate from it. A range of activities occur in the beds and margins of wetlands, lakes and rivers, some of which have the potential to compromise waterway health and other cultural values. The setbacks required from the surface waterbodies therefore also give effect to the objectives and policies included in the 'Sites and Areas of Significance to Māori' (SASM) Chapter also being prepared as part of Stage 3 of the District Plan review.
- 1.24. Another key statutory consideration is to how best recognise and provide for Te Mana o te Wai when developing a planning framework in relation to the margins of surface waterbodies. Mana whenua are working as partners as part of the project team and their input into this aspect of the Natural Character provisions accords with statutory obligations.
- 1.25. The provisions relating to the 'urban' zonings were addressed through Stage 2 of the District Plan review process. However that identified one parcel of land currently zoned industrial on Talbots Road, Fairlie where the land has not been developed for industrial purposes and is currently farmed. The industrial zoning extends over various land parcels and does not follow cadastral boundaries. As part of the Spatial Plan process, a small corner of the land was shown as large lot residential and was subsequently zoned as such by PC21, with the balance of the industrial zoned land being outside the Spatial Plan boundary and not included within the scope of PC21. In order that this land not be left without a zone, the Industrial zone provisions applying to it were not deleted in Stage 2. PC23 proposes to rezone that land General Rural (GRUZ), and consequentially delete the balance of the Operative Industrial Zone provisions contained in Section 5 'Business and Industrial Zones' not otherwise dealt with in later stages of the MDPR.
- 1.26. The land area making up Aoraki/Mount Cook National Park was included in the study area of the Western Mackenzie Landscape Study, prepared by Boffa Miskell Ltd (Appendix 2). In

consultation with the Department of Conservation it was decided to exclude this National Park Area from consideration as part of Stage 3 and address it through the Open Space Zone provisions being considered as part of Stage 4.

- 1.27. Otherwise, it is noted that provisions relating to Activities on the Surface of Waterbodies (introduced through PC19) are part of Stage 4 of the District Plan review process; and that provisions relating to the clearance of indigenous vegetation were previously shifted into Section 19 (from Section 7) as part of Plan Change 18.
- 1.28. Land within the GRUZ is also affected by various Natural Hazards ('NH'), which are being reviewed as part of Stage 4 of the District Plan review process.

2. Statutory Context

- 2.1. Sections 74 and 75 of the RMA set out legal obligations when changing a District Plan. Consideration needs to be given to matters including whether the plan accords with the Council's functions under section 31 of the RMA and the provisions of Part 2 of the RMA. They also direct how the plan is to be drafted/considered in relation to a range of other statutory documents. The following section sets out those matters addressed in sections 74 and 75 that are relevant to the topics included within PC23.

Functions under Section 31 RMA

- 2.2. Section 31 sets out the functions given to territorial authorities for the purpose of giving effect to the RMA in their district. Of relevance to this topic, territorial authorities have the function of: establishing, implementing and reviewing objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources in the district (section 31(1)(a)); and controlling the actual and potential effects of use, development or protection of land (section 31(1)(b)).

Part 2 of the RMA – Sections 5, 6, 7 & 8

- 2.3. Section 5 of the RMA sets out the purpose of the RMA as being to promote the sustainable management of natural and physical resources.
- 2.4. Sustainable management, as defined in section 5, relates to how natural and physical resources are managed so as to provide for the well-being and for their health and safety of people and communities while also: sustaining the potential of those resources for future generations; safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and managing the adverse effects of activities on the environment (avoid, remedy or mitigate).
- 2.5. Section 6 contains a number of matters which requires persons exercising functions under the Act to recognise and provide for, as matters of national importance. This includes:
 - (a) the preservation of the natural character of wetlands, lakes and rivers and their margins, and their protection of them from inappropriate subdivision, use, and development:
 - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- 2.6. Section 7 lists other matters to which particular regard must be had, some of which are relevant to the zone framework in PC23, including: the efficient use and development of natural and physical resources (section 7(b)); the maintenance and enhancement of amenity values and the quality of the environment (section 7(c) and section 7(f)), any finite characteristics of natural and physical resources (section 7(g)) and the protection of the habitat of trout and salmon (section 7(h)).
- 2.7. Section 8 requires that the principles of Te Tiriti o Waitangi / the Treaty of Waitangi shall be taken into account when exercising powers and functions under the RMA. These principles are relevant to the PC23, in terms of how mana whenua are involved in resource management.

National Planning Standards

- 2.8. Section 75(3)(ba) of the RMA requires the district plan to give effect to any national planning standard.
- 2.9. The District-wide Matters Standard directs that:
 - If provisions to protect the natural character of wetlands, lakes and rivers and their margins are addressed, they must be located in the *Natural character* chapter.
 - If provisions relating to:
 - a. identification of features and landscapes that are outstanding, significant or otherwise valued
 - b. provisions to protect and manage outstanding natural features and landscapes
 - c. provisions to manage other valued features and landscapes.they must be located in the Natural features and landscapes chapter.
- 2.10. The Zone framework standard sets out the following description for the GRUZ:

Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

- 2.11. The District Spatial Layers Standard also sets out the spatial layers that can be used within district plans, and when they can be used. These include zones, overlays, precincts, specific controls and development areas. The overlays identifying ONF, ONL and other sensitive areas carried over from the Operative Plan, as well as those proposed through PC23, accord with this District Spatial Layers Standard.

Statutory Planning Documents

Table 1: Planning Documents

National Policy Statements		
Relevance: District Plan must give effect to (section 75(3)(a))		
Document	Summary	Relevance
National Policy Statement for Indigenous Biodiversity 2023 (NPSIB)	The NPSIB provides direction to Councils to protect, maintain and restore indigenous biodiversity requiring at least no overall loss in indigenous biodiversity after the commencement date.	The matter of Indigenous Biodiversity was specifically dealt with by PC18 (currently under Appeal), with district wide provisions included in Section 19 of the Operative Plan. Any future review of the Section 19 will need to give effect to the NPSIB. Wilding conifers are a threat to indigenous biodiversity and particularly indigenous vegetation within the Mackenzie Basin. PC23 includes provisions facilitating the removal and management control of wilding conifer species as a threat to the indigenous biodiversity values of the Mackenzie Basin. This outcome accords with the NPSIB.
National Policy Statement for Highly Productive Land (NPS-HPL)	Objective: Highly productive land is protected for use in land-based primary production, both now and for future generations. Policy 1: Highly productive land is recognised as a resource with finite characteristics and long term values for land-based primary production.	The NPS-HPL places various statutory obligations on the Mackenzie District Council to include objectives, policies and rules in their district plan that: a) Manage the subdivision, use and development of

	<p>Policy 8: Highly productive land is protected from inappropriate use and development.</p> <p>Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.</p>	<p>highly productive land, whilst recognising the extensive list of exceptions included in the NPS-HPL;</p> <ul style="list-style-type: none"> b) Allow the continuation of existing activities; c) Enable productive use of the land identified; d) Manage the use of land for productive land use from reserve sensitivity; and e) Manage cumulative loss of highly productive land through resource consent processes. <p>PC23 includes new policies that protect highly productive land whilst enabling the maintenance, operation and upgrade of any existing activity on highly productive land. The rural density standards have been set at a size that prevents land fragmentation and maintains the productive capacity of the land, including highly productive land. Matters of discretion include specific consideration of the NPS-HPL.</p>
<p>National Policy Statement for Freshwater Management 2020 (NPS-FM)</p>	<p>Part 3.2(4) Te Mana o te Wai Requires Te Mana o te Wai (health and wellbeing of water bodies and freshwater ecosystems) to inform the provisions of district plans.</p> <p>Part 3.4 (Tangata whenua involvement) Requires local authorities to actively involve tangata whenua in freshwater management including making or changing district plans.</p> <p>Part 3.5(1) (Integrated Management) The NPS-FM addresses issues relating to water quality and water quantity. It requires territorial authorities to include objectives, policies, and methods in their district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of regional and urban development on the health and well-</p>	<p>The natural character provisions require minimum setbacks from surface waterbodies, including those that have been identified as part of the SASM Chapter. These setbacks give effect to the NPS-FM.</p>

	<p>being of water bodies, freshwater ecosystems, and receiving environments.</p> <p>Part 4.1 and 4.2 (Timing)</p> <p>Local authorities must give effect to the NPS-FM as soon as reasonably practicable and continue to make changes necessary in response to the state of local water bodies and freshwater ecosystems.</p>	
<p>Regional Policy Statements</p> <p>Relevance: District Plan must give effect to (section 75(3)(c))</p>		
<p>Canterbury Regional Policy Statement (CRPS)</p>	<p>Chapter 5 – Land Use and Infrastructure</p> <p>Objective 5.2.1</p> <p>Development is located and designed so that it functions in a way that:</p> <ol style="list-style-type: none"> 1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region’s growth; and 2. enables people and communities, including future generations, to provide for their social economic and cultural well-being and health and safety; and which: <ol style="list-style-type: none"> a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values; c. encourages sustainable economic development by enabling business activities in appropriate locations; i. avoids conflicts between incompatible activities. <p>5.3.11 Community-scale irrigation, stockwater and rural drainage infrastructure (Wider Region)</p> <p>In relation to established and consented community-scale irrigation, stockwater and rural drainage infrastructure:</p> <ol style="list-style-type: none"> 1. Avoid development which constrains the ability of this infrastructure in Canterbury to be operated, maintained and upgraded; 2. Enable this infrastructure to be operated, maintained and upgraded in Canterbury to more effectively and efficiently transport consented water provided that as a result of its location and design: <ol style="list-style-type: none"> a. The adverse effects on significant natural and physical resources and cultural values are avoided, or where this is not practicable, mitigated; and 	<p>The entire Te Manahuna / Mackenzie Basin is identified as an Outstanding Natural Landscape (ONL) – see discussion in terms of Chapter 12 below.</p> <p>The GRUZ is a place of business and the provisions must avoid conflicts between incompatible land uses, which is primarily in order to control sensitive activities establishing within the zone.</p> <p>Potential land fragmentation and the protection of highly productive soils for primary production is a key policy outcome included in the CRPS.</p> <p>Wilding conifer control and promotion of land use that can have a beneficial impact on wilding control and spread give effect to Policy 5.3.13.</p>

<p>b. other adverse effects on the environment are appropriately managed.</p> <p>Policy 5.3.12 -Rural production (Wider Region) Maintain and enhance resources contributing to Canterbury’s rural productive economy by avoiding development or fragmentation that inhibits the ability to make appropriate use of that land for primary production, or results in reverse sensitivity effects that limit or preclude primary production.</p> <p>Policy 5.3.13 ‘Spread of wilding trees (Wider Region)’ Avoid, or minimise as far as practicable, the risk of wilding tree spread, through the location of planting, design of planting, species selection and management, once planting has occurred.</p>	
<p>Chapter 7 – Freshwater Objective 7.2.1 Sustainable management of freshwater Seek to protect the natural character values of wetlands, lakes, and rivers, including from inappropriate subdivision.</p> <p>Policy 7.3.4 - Water Quantity Council must consider access to and availability of fresh water in catchments for individual domestic or stock water supply, when setting provisions for subdivision in rural areas in district plans.</p>	<p>This matter relates primarily to the setting of density standards for the GRUZ and also the minimum setbacks from surface waterbodies included in the NATC Chapter.</p>
<p>Chapter 9 – Ecosystems and Biodiversity Objective 9.2.3 Areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected.</p> <p>Policy 9.3.1</p> <ol style="list-style-type: none"> 1. Significance, with respect to ecosystems and indigenous biodiversity, will be determined by assessing areas and habitats against the following matters: <ol style="list-style-type: none"> a. Representativeness b. Rarity or distinctive features c. Diversity and pattern d. Ecological context <p>The assessment of each matter will be made using the criteria listed in Appendix 3.</p> <ol style="list-style-type: none"> 2. Areas or habitats are considered to be significant if they meet one or more of the criteria in Appendix 3. 3. Areas identified as significant will be protected to ensure no net loss of indigenous 	<p>The Te Manahuna / Mackenzie Basin ONL in particular retains significant ecological values. Whilst this matter is primarily dealt with through PC18, the GRUZ provisions must be set at a development level that reflects this level of ecological significance.</p>

	<p>biodiversity or indigenous biodiversity values as a result of land use activities.</p>	
	<p>Chapter 10 – Beds of Lakes and Rivers Objective 10.2.1 – Provision for activities in beds and riparian zones and protection and enhancement of bed and riparian zone values Enable subdivision of river and lake beds and their margins, while protecting significant values, and enhancing values in appropriate locations. Objective 10.2.3 - Protection of the stability, performance and operation of essential structures from activities on the margins of rivers and lakes. Policy 10.3.1 - Activities in river and lake beds and their riparian zones Requires the Council to set out objectives and policies to control effects of inappropriate subdivision to avoid, remedy or mitigate adverse effects on riparian zones. Policy 10.3.2 – Protection and enhancement of areas of river and lake beds and their riparian zones Preserve the natural character of rivers and their margins and protect them from inappropriate subdivision. Riparian zones should be a priority for enhancement or environmental mitigation where development, subdivision or changes in use occur. Policy 10.3.3/10.3.4 – To manage activities, including the use and removal of vegetation, in riparian zones to:</p> <ol style="list-style-type: none"> 1. avoid, remedy or mitigate adverse effects on vegetation that controls flood flows or protects riverbanks or lake margins from erosion; and 2. avoid adverse effects on the stability, performance, operation, maintenance, upgrade and repair of essential structures that are located in a riparian margin. 	<p>The proposed surface waterbody setbacks included within the NATC Chapter are to give effect to these CRPS policy outcomes.</p>
	<p>Chapter 12 – Landscape Objective 12.2.1 - Identification and protection of outstanding natural features and landscapes Seeks to identify and protect outstanding natural features and landscapes. Policy 12.3.2 - Management methods for outstanding natural features and landscapes Manage subdivision, to protect outstanding natural features and landscapes from inappropriate subdivision. This may include</p>	<p>The ONL values of the Te Manahuna / Mackenzie Basin are well understood following PC13. The preparation of the Eastern Mackenzie Landscape Study and the identification and protection of ONL within that part of the District aligns with the requirements set out in the CRPS.</p>

	<p>provisions that provide for covenanting, pest management or revegetation.</p> <p>Policy 12.3.3 - Identification and management of other important landscapes</p> <p>Manage other landscapes for natural character, historic cultural, historic heritage and amenity purposes including by not allowing inappropriate subdivision.</p>	<p>Policy 12.3.3 also provides for the identification and management of second tier landscapes, as is proposed through the Forestry Management Area (“FMA”), with corresponding controls on commercial forestry activity within these landscape areas.</p>
	<p>Chapter 15 – Soils (Objective 15.2.2 and Policy15.3.2)</p> <p>Identifies the need to prevent new significant induced soil erosion, and the reduction of significant existing induced erosion from the use of land with particular focus on maintaining vegetative cover on non-arable land.</p>	<p>The Te Manahuna / Mackenzie Basin is susceptible to soil erosion due to the alluvial nature of soils and strong winds. Land use within the GRUZ should encourage primary production and maintaining vegetative cover on non-arable land.</p>
<p>National Environmental Standards</p> <p>Relevance: District Plan must not duplicate or conflict unless specified in NES (sections 43B and 44A of the RMA))</p>		
<p>Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-FM)</p>	<p>Regulation 54 (b)</p> <p>Earthworks within, or within a 10 m setback from, a natural wetland are a non-complying activity.</p>	<p>These NES put in place rules that cannot be duplicated in a District Plan, but it is noted that the 10m setback included in both provides some guidance in terms of what an appropriate setback might be for certain types of activities to be managed within riparian margins. It is noted that the new provisions introduced through the NES-CF provide more flexibility for Council’s to set rules otherwise more stringent than those set out in the previous NES-PF. On that basis the provision for commercial forestry within the identified FMA has been made a restricted discretionary activity, where previously it could only have a controlled activity status. Commercial forestry within</p>
<p>National Environmental Standard for Plantation Forestry 2018 (NES-PF) / National Environmental Standard for Commercial Forestry 2023 (NES-CF)</p>	<p>The NES-PF / NES-CF contain rules relating to forestry. Section 12 states that afforestation must not take place within a significant natural area or outstanding natural feature.</p> <p>Regulation 29 sets out that earthworks must not be within 10m of rivers, lakes or wetlands.</p>	

		the ONL and ONF areas remains non-complying.
Regional Plans		
Relevance: District Plan must not be inconsistent with (Section 75(4)(b))		
Canterbury Regional Pest Management Plan ('CRPMP')	<p>This Plan is prepared under the Biosecurity Act 1993. A regional council can use the Act to exclude, eradicate or effectively manage pests in its region, including unwanted organisms. A regional council is not legally obliged to manage pests, but it may choose to do so. As such, the Act's approach is enabling rather than prescriptive.</p> <p>The CRPMP identifies wilding conifers (in the progressive containment programme) as a pest. There is strong support for greater regulatory support for current wilding conifer control efforts. Part Two declares certain species of wilding conifers as pests in the region.</p>	<p>Wilding conifers are a significant issue in the Mackenzie District and a joint agency approach is being taken to control and eradicate wilding conifers. Whilst the District Plan cannot require removal of wildings, it can manage further planting of wilding prone species and also put in place land use rules that better facilitate activities that can have a beneficial impact on wilding control and spread.</p>
Plans or strategies prepared under other legislation		
Relevance: District Plan must have regard to (section 74(2)(b)(i))		
Mackenzie Spatial Plans 2021	Sets a 30-year vision for the future of the District's towns and rural lifestyle areas.	<i>This is discussed further below.</i>
Long Term Plan 2021-31	Identifies the activities Council intends to carry out over the next ten years, their cost, and how they will be funded.	<p>Development within rural areas does not typically require Council initiated infrastructure, with the exception of roading. Rural density standards are set at levels that would not typically require reticulated services.</p>
Economic Development Strategy 2021 - 2025	Sets out the criteria that Council uses to guide decision making relating to the District's economic and business sector development.	The proposed provisions seek to provide rural business opportunities to establish where they have a functional or operational need to locate in a rural environment.
Te Manahuna Ki Uta / Destination Mackenzie	Is intended to provide strategic direction on how tourism within the District will be managed, to guide planning within and across agencies.	The attributes of the rural areas within the Mackenzie District are the key tourism drawcards. These need to be protected from inappropriate development in order to enhance the tourism experience and the social and economic well-being of the district.

Iwi Management Plans		
Relevance: District Plan must take into account (section 74(2A))		
Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region 1990	Provides Ngai Tahu views on resource management in Canterbury.	This document focuses more on regional council issues. However, policies relevant include protection of the natural character and landscapes, wāhi tapu sites and other sites of significance identified by Papatipu Rūnanga.
Iwi Management Plan of Kati Huirapa 1992	Describes the values of Kati Huirapa (hapū), issues relating to environmental matters of concern. It contains polices that seek to protect hills and mountains with no scarring by tracks and roads, and if bones or artifacts are disturbed that rūnanga are contacted and Tikanga Māori observed.	This document focuses more on regional council issues. However, the themes and principles it contains around protection of waterways, indigenous areas and mahika kai sites have been given regard as part of reviewing the District Plan.
Waitaki Iwi Management Plan 2019	Describes the values of the Te Papatipu Rūnaka (Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki) in relation to the Waitaki River and the wider catchment that provides a life source to the river (Aoraki / Mount Cook to the sea). The plan outlines the issues relating to the area, and direction for how these are addressed and how their relationship with the identified resource can be provided for.	The cross-over with the attributes of natural character and natural features and landscapes and those sites and areas of significance to Māori are recognised through the District Plan review and the integration between the NATC, NFL and SASM chapter provisions.

3. Strategic Directions

3.1. The following Strategic Directions introduced through PC20 (now operative) are relevant to these topics/chapters:

ATC-01 Live, Work, Play and Visit

The Mackenzie District is a desirable place to live, work, play and visit, where:

1. *there are a range of living options, businesses, and recreation activities to meet community needs;*
2. *activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and*
3. *the anticipated amenity values and character of different areas are maintained or enhanced.*

ATC-02 Rural Areas

The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.

ATC-O6 Incompatible Activities

The location and effects of activities are managed to:

- 1. minimise conflicts between incompatible activities; and*
- 2. protect important existing activities from reverse sensitivity effects.*

MW-O1 Mana Whenua Values

The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.

NE-O1 Natural Environment

The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

- 1. mahika kai resources;*
- 2. night sky darkness;*
- 3. outstanding natural features and landscapes;*
- 4. significant indigenous biodiversity; and*
- 5. water bodies and their margins.*

- 3.2. A number of the Strategic Directions are relevant to this topic. ATC-O1 is relevant in that it specifically seeks that economic development, business opportunities and meeting the communities needs are provided for whilst also maintaining the anticipated amenity values and character of the rural environment. ATC-O2 is specific to rural area and requires acknowledgement of their contribution to the District. ATC-O6 specifically relates to managing the potential for reverse sensitivity effects which can arise in the rural area.
- 3.3. MW-O1 is relevant in that the protection of the natural character of surface waterbodies and other areas of significance to Māori in the rural environment need to be recognised. Many of those sites of significance are within the areas also identified for their outstanding landscape character and quality through the identification of ONF and ONL in accordance with NE-O1.

4. Current Approach

Natural Character

- 4.1. The Operative Plan sets out that the protection of riparian margins of surface waterbodies is a key issue (Issue 6). Objective 2 effectively repeats the requirement set out in section 6(a) of the RMA outlined above, in that consent authorities must recognise and provide for the preservation of the natural character of wetlands, and lakes and rivers and their margins.
- 4.2. There are two policies that fall under this Objective, the first is regulatory in its approach to setting standards applying to activities such as earthworks, vegetation clearance, tree plantings and buildings. The second policy is non-regulatory in its approach to encouraging the protection of natural character through matters such as providing information, education and

community guidelines on the reasons for protecting and methods for protecting riparian margins.

- 4.3. To implement the policy framework, the Operative Plan identifies Lakeside Protection Areas and includes a series of riparian setback rules applying to certain listed activities. The Plan follows a similar structure to other plans in that it requires riparian setbacks from surface waterbodies (wetlands, lakes and rivers) depending on the type of activity undertaken and the nature of the receiving surface waterbody. The issues identified with the Operative Plan are that these rules only apply in the Rural Zone (via Section 7), and do not appear to be entirely consistent depending on the type of activity and receiving waterbody.
- 4.4. The riparian setback rules contained in the Operative Plan apply to buildings, earthworks, tree planting, mining and vegetation clearance. In terms of Lakeside Protection Areas, the Rules cover the above aspects as well as more specific aspects such as the location of irrigators and fences (falling under the definitions of agricultural conversion and pastoral intensification respectively).
- 4.5. The application of these rules (and in particular those relating to Earthworks and Tracking) are informed by reference to Schedule B, which lists Te Manahuna / Mackenzie Basin Lakes and Rivers. This Schedule is a useful starting point for the District Plan review, but does not refer to surface waterbodies within the District beyond the Mackenzie Basin.
- 4.6. No similar provisions are found within the other zone chapters (covering residential/urban areas and rural residential zones). Section 19 – Ecosystems and Biodiversity contains provisions relating to the clearance of indigenous vegetation within specified riparian margins of surface water bodies.

Natural Features and Landscapes

- 4.7. Arising out of PC13, planning map 61 of the Operative Plan includes the entire Te Manahuna / Mackenzie Basin as an Outstanding Natural Landscape (ONL). The scale and extent of land area within the Te Manahuna / Mackenzie Basin identified as an ONL makes the Mackenzie District of particular significance when it comes to natural features and landscapes resource management.
- 4.8. Within the ONL the Operative Plan also identifies particular areas of high, medium and low 'Visual Vulnerability'. The majority of the ONL is included within the high visual vulnerability category (brown), with significantly lesser (but more consolidated areas) identified as medium (orange), and smaller and more scattered areas identified as being of low visual vulnerability (green).
- 4.9. In addition to Visual Vulnerability Areas, the Operative Plan also includes:
 - Scenic Viewing Areas
 - Scenic Grasslands
 - Lakeside Protection Areas
 - Geopreservation Sites

- 4.10. The current Rural Zone provisions are structured so that activity within the ONL is subject to stricter activity standards, unless located within an identified Farm Base Area ('FBA'). The Operative Plan provisions guide farm infrastructure (including dwellings) to be clustered within the FBA development nodes. There are also specific rules applying to certain activities that only apply within Te Manahuna / the Mackenzie Basin ONL, such as irrigators and fences, pastoral intensification and agricultural conversion.

General Rural Zone

- 4.11. The provisions for the Rural Zone were extensively amended through the PC13 process. Primarily this plan change strengthened the provisions relating to landscape protection in recognition of Te Manahuna / Mackenzie Basin being identified as an ONL. PC18 also introduced new rules to better protect indigenous biodiversity.
- 4.12. Section 7 contains the majority of rules relating to the rural zone, including those relating to riparian setbacks and landscape protection as already referred to above. This Chapter also include rules relating to activities on the surface of water and non-indigenous vegetation clearance.
- 4.13. Farming activity is permitted, although there are specific rules relating to irrigators and fences. More intensive farm development is controlled through rules relating to pastoral intensification (subdivisional fencing, topdressing and oversowing) and agricultural conversion (direct drilling or cultivation (by ploughing, discing or otherwise) or irrigation). Whilst these rules apply across the District, the clear focus is on Te Manahuna / Mackenzie Basin ONL.
- 4.14. Buildings are permitted subject to performance standards outside the Mackenzie Basin, and within Te Manahuna / the Mackenzie Basin only small farm buildings in area of low and medium visual vulnerability and within Farm Base Areas are permitted. Standards are extensive and cover matters such as height, setbacks, reflectivity, access, sensitive areas, riparian setbacks, airport noise setbacks, flood mitigation, and flight protection areas. In terms of dwelling density, minimum standards apply to Te Manahuna / the Mackenzie Basin ONL, but no standards apply to the eastern part of the District.
- 4.15. Earthworks are permitted up to 300m³, where the bare exposed soil is 1000m² or less. Lesser standards are included for Sites of Natural Significance, Geopreservation Areas and High Altitude Area above 900m. Mineral prospecting activity is permitted along with quarrying of gravel not exceeding 2000m³ per hectare and 2 metres depth in any continuous period of 5 years, where not undertaken within sensitive environments.
- 4.16. Factory farming is a discretionary activity and tree planting (forestry) is strictly managed with the maximum area being 2ha (subject to standards).
- 4.17. Visitor accommodation (including homestays) is provided for where standards relating to the maximum number of guests are met. Retail sales of produce grown or produced on the site are permitted.
- 4.18. Aviation activity is restricted to take-off or landing of aircraft limited to emergency rescues and landings, firefighting, farming, residential or non-commercial recreational purposes, management purposes on land administered under the Conservation Act or its First Schedule,

or activities of the New Zealand Defence Force. Otherwise landings to facilitate commercial recreation pursuits or experience the area within public conservation land are provided for.

5. Issues

Investment Logic Map (ILM)

- 5.1. The Investment Logic Map (ILM) developed for the District Plan review identified four key problems which the Plan Review should address. All four issues are considered relevant to these topics/chapters:
- Uncoordinated & fragmented development is enabled, disrupting social & economic wellbeing, putting pressure on infrastructure.
 - Failure to protect our natural landscapes, water & indigenous biodiversity, erodes Mackenzie's unique environment.
 - Mana whenua values & footprint are missing, reducing the strength of the plan & inhibiting the ability of our mana whenua & mokopuna to thrive.
 - The outdated & permissive nature of the plan, results in inconsistent and ad hoc decision making, creating perverse & undesirable outcomes.
- 5.2. The ILM process further noted that this includes (amongst other things) that the Operative Plan does not give effect to all relevant higher order documents, including the National Planning Standards. Specific to the matters covered by PC23, arising from PC13, the Operative Plan has a strong policy direction to protect the Mackenzie Basin. By way of comparison, the eastern part of the district has little in the way of landscape protection and no density standards to guide decision making. Therefore, there is limited guidance on the outcomes that are anticipated in the eastern Mackenzie.

Natural Character

- 5.3. The key issues relating to the natural character topic are considered to be:
- The identification, categorisation and assessment of the Natural Character values associated with the margins of surface waterbodies within the Mackenzie District.
 - The identification and assessment of the type of activities that require management within the riparian margins of the surface water bodies.
 - The appropriate riparian setback to apply depending on the categorisation of surface waterbody and type of activity to be managed.
 - How best to recognise and provide for Te Mana o te Wai when developing a planning framework in relation to the margins of surface waterbodies.
 - The extent to which traditional farming practices will be facilitated within riparian margins of surface waterbodies in rural areas given the requirements in the higher order documents (namely the NES-FW).
 - Achieving consistency in planning approach between the various chapters that also contribute to Natural Character, being natural features and landscapes, earthworks,

public access, ecosystems and indigenous biodiversity, activities on the surface of waterbodies, and sites and areas of significance to Māori.

Natural Features and Landscapes

5.4. The key issues relating to the Natural Features and Landscapes topic are considered to relate to:

- The consideration and potential inclusion of additional ONF/ONL and significant natural landscapes into the District Plan review based on the findings of the East and West Mackenzie Landscape Studies undertaken by Boffa Miskell.
- Aside from the obvious focus on Te Manahuna / the Mackenzie Basin ONL, the eastern parts of the Mackenzie District are also of landscape and visual amenity value. To this end MDC commissioned Boffa Miskell Ltd to prepare an 'Eastern Mackenzie Landscape Study' (June, 2023). This land characterisation and evaluation report forms the basis of the planning assessment as to whether the District Plan review introduces new landscape provisions affecting this part of the District.
- Promulgation of a plan change to support Stage 3 of the District Plan review which does not otherwise provide scope to re-visit the characteristics and extent of the ONL identified in the Te Manahuna / Mackenzie Basin through the PC13 Environment Court Appeal process.
- The appropriate management of land use within ONF/ONL through appropriate rules. The characteristics that make them outstanding, often also make these areas highly sensitive to change.
- Traditional high country pastoral farming activities and the relatively recent large-scale irrigation conversions to dairy have strongly influenced and shaped the Mackenzie District's landscapes and pressure will continue for further changes in the rural environment. This will require the Rural Zone landscape provisions to be consistent and apply coherently.
- The threat of wilding conifer spread to landscape values of Te Manahuna / Mackenzie Basin and the existing plan rules that discourage the cultivation of land following harvest and limit the ability to utilise stock grazing as a tool to manage wilding conifer spread.
- Achieving the appropriate balance between landscape protection and the ability to use the land for productive farming activity in order to provide the social and economic wellbeing of landowners within ONF/ONL and/or significant second tier landscapes (being referred to as Forestry Management Areas).
- Achieving consistency in planning approach between the landscape protection provisions in the 'Natural Features and Landscapes 'District Wide' section of the Plan and the separate Rural Zone provisions in the 'Area Specific Matters' section of the Plan in accordance with the structure required by the NP Standards.

General Rural Zone

5.5. The key issues relating to the General Rural Zone topic are considered to relate to:

- The move towards consistency with the NP Standards will mean that the format of the current Rural provisions in Section 7 of the Operative Plan will change, with many aspects being removed from the Rural provisions and placed in separate District Wide Chapters as required.
- Diversification of land use and provision for recreation, tourism and conservation activity as well as primary production.
- The protection of highly productive land.
- Facilitating land uses that support primary production including quarrying and aviation to better reflect the current situation and context of higher order planning documents.
- Whether subdivision fencing should remain within the definition of pastoral intensification given the provisions relating to mob-stocking now included in PC18.

6. Consultation

- 6.1. In accordance with Schedule 1, clause 3(1), consultation was undertaken with the Minister for the Environment, other Ministers of the Crown who may be affected by the plan change, adjoining local authorities who may be affected, the regional council, and tangata whenua.
- 6.2. Mana Whenua, via Aoraki Environmental Consultants Limited staff who are part of the project team, have been involved in the background work associated with the development of the provisions proposed in PC23.
- 6.3. During the development of the plan changes that are part of Stage 3 of the District Plan Review, community engagement was undertaken in March 2023. A summary of key information was provided through the Council's online engagement platform, allowing for interested parties to provide comment by email. An online survey was also developed and promoted through a number of channels. Community open days were held in Fairlie, Takapō / Lake Tekapo, Twizel, Albury, Kimbell and Te Kopi-o-Ōpihi / Burkes Pass. The summary material was promoted to the community using a range of Council channels, including:
- Mailout to full ratepayer database
 - Council placements in print media
 - Council Newsletter (Mackenzie Messenger)
 - Social Media Posts (Facebook and LinkedIn)
 - Targeted Social Media Advertising
 - Emails to Stakeholders
- 6.4. This provided the community the opportunity to comment on matters addressed in Stage 3 of the District Plan Review. While this included the ability to provide any feedback, comments were specifically sought on identified key issues, which, in relation to the NATC, NFL and GRUZ included:

- Which surface waterbodies should be included in a Schedule requiring greater setbacks to protect natural character.
 - What activities should be managed adjacent to surface waterbodies.
 - The identification of new ONL areas within East Mackenzie.
 - What activities should be managed within ONL.
 - Whether controls should be included within second tier 'significant' landscapes not otherwise meeting the threshold for being outstanding.
 - Whether 'subdivisional fencing' should be removed from the definition of pastoral intensification.
 - Any changes sought to Farm Base Areas to improve their effectiveness (subject to provision of supporting technical reports).
 - The proposed new density controls to be applied to the East Mackenzie, including the identification of an East Plains Specific Control Area 13.
 - Whether to introduce new standards for buildings and structures within the Hut Settlements on the shores of Takamana / Lake Alexandrina.
 - Proposed new rules to control and manage wilding conifers.
- 6.5. The following summarises some of the feedback was received on matters relating to PC23:
- Support for identification of additional ONL areas, but not for second tier landscapes.
 - Support for the removal of subdivisional fencing from pastoral intensification.
 - A small number of landowners seeking changes to the boundary of Farm Base Areas.
 - Possible inclusion of a 'grandfather'/legacy clause in relation to the ability to erect a dwelling on what would be undersized existing allotments in East Mackenzie.
 - Support for proposed new provisions that assist wilding conifer control.
- 6.6. Specific consultation occurred with a number of landowners that approached the Council regarding the identification of their land as ONF/ONL. This involved on-farm meetings with Ms Yvonne Pfluger (Landscape Architect, Boffa Miskell Ltd). As a result of this process various changes were made to proposed ONF and ONL boundaries.
- 6.7. During August 2023 a second round of engagement was undertaken including providing draft provisions being made available to key stakeholders for feedback and comment. Specific comments are addressed as set out in the Table attached as **Appendix 6**. This resulted in various changes to the draft provisions prior to notification of PC23.

7. Scale and Significance

- 7.1. Section 32(1)(c) of the RMA requires that the evaluation report contains a level of detail that corresponds with the scale and significance of the of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- 7.2. The following have been considered in determining the scale and significance of the effects anticipated from the implementation of the PC23 provisions:
- The geographic area of the district impacted by PC23, which is the entire District excluding the Townships.

- The proposal to leave the provisions applying to Te Manahuna / the Mackenzie Basin ONL largely as they are following the PC13 process.
- The degree of change to the Eastern part of the Mackenzie District, through introducing both ONF/ONL provisions and a minimum density standard for residential units.

7.3. PC23 does relate to matters of national importance under section 6 of the RMA, namely:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

7.4. On that basis the scale and significance of the proposed provisions introduced by PC23 is overall considered to be moderate.

8. Evaluation of Natural Character Objectives

Introduction

8.1. Section 32(1)(a) requires an evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The s32 report for the Strategic Directions has examined the extent to which the proposed Strategic Directions are the most appropriate way to achieve the purpose of the RMA. This section of the report therefore considers whether the objectives relating to Natural Character ('NATC') are the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.

Table 2: Natural Character Objectives

Proposed Objectives
<p><i>NATC-O1 Preservation of Natural Character</i> <i>The natural character of wetlands, lakes and rivers (surface water bodies) and their margins is recognised, preserved and protected from inappropriate subdivision, use and development.</i></p> <p><i>NATC-O2 Mana whenua Values</i> <i>The relationship of tangata whenua with wetlands, lakes and rivers is recognised and their cultural traditions, values and interests in relation to these is provided for.</i></p>
Relevant Strategic Directions
<p><i>ATC-O1 Live, Work, Play and Visit</i> <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> 2. <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> 3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p><i>MW-O1 Mana Whenua Values</i></p>

The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.

NE-O1 Natural Environment

The values of the natural environment, including those that make the District unique, contribute to its character, identity and wellbeing, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. *mahika kai resources;*
2. *night sky darkness;*
3. *outstanding natural features and landscapes;*
4. *significant indigenous biodiversity; and*
5. *water bodies and their margins.*

Assessment

These objectives are considered the most appropriate way to achieve the purpose of the Act because they:

- Address an identified resource management issue, by:
 - Providing a planning framework to assess the effects of land use development on the natural character of surface waterbodies; and
 - Giving effect to the NPS-FM and CRPS.
- Recognising matters in s6(a) of the RMA, through the preservation of the natural character of wetlands, lakes, rivers and their margins, and the protection of them from inappropriate use and development.
- Assist in maintaining and enhancing the amenity values and qualities of the environment (s7(c), s7(f)) by managing effects in a way that takes into account the natural character values of surface waterbodies.
- Assist in maintaining the intrinsic values of ecosystems (s7(d)), and the protection of the habitat for trout and salmon (s7(h)).
- Being within the jurisdiction of the Council and is able to be achieved within the exercise of its functions.
- Giving effect to the direction in the NPS-FM to manage natural and physical resources in a way that prioritises the health and well-being of water bodies and freshwater ecosystems.
- Giving effect to the CRPS through:
 - Provision for activities in riparian zones and protection and enhancement of riparian zone values (Objective 10.2.1).
 - Protection of the stability, performance and operation of essential structures from activities on the margins of rivers and lakes (Objective 10.2.3).
- Aligning with the Strategic Directions, by:
 - Recognising the relationship of mana whenua with surface waterbodies; and
 - Protecting the natural environment, and more particularly waterbodies and their margins from development; and
 - Providing a framework to minimise conflicts between farming, other primary industries and the natural character of surface waterbodies.
- Providing an overall framework that then allows the development of policies to identify key matters in relation to the management of the natural character of the margins of surface water bodies to guide decision makers considering consent applications.

- Being consistent with feedback from consultation with key stakeholders, iwi and the community.
- Not resulting in unjustifiably high costs on the community or any part of the community.
- Having an acceptable level of uncertainty or risk associated with them.

An alternate option considered was retention of existing Objective 2 in Section 7, which is very similar in wording to NATC-O1. However, it also refers to the promotion of public access, which is a separate topic and subject to its own policy framework in the Public Access Chapter. Therefore, proposed NATC-O1 is considered to better reflect the requirements set out in the NP Standards and the requirements set out in Part 2 of the RMA.

Summary

- 8.2. The proposed objectives establish the resource management outcome sought in relation to the preservation of the natural character of surface waterbodies. The objectives establish a clear approach in protecting the margins surface waterbodies from inappropriate use and development. The proposed objectives address the identified resource management issues in a way that is consistent with the Strategic Objectives that are relevant to these topics and the direction in the CRPS and Part 2 of the RMA.

9. Evaluation of Natural Features and Landscapes Objective

Introduction

- 9.1. This section of the report considers whether the objectives relating to Natural Features and Landscapes ('NFL') are the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.
- 9.2. It should be noted that those Objectives introduced through PC13 that are not being changed do not form part of the assessment below, which is limited to the proposed new **NFL-O3** relating to the protection of second tier landscapes from adverse visual amenity impacts from commercial forestry and woodlots. These are referred to as Forestry Management Areas.

Table 3: Natural Features and Landscapes Objective

Proposed Objectives
<i>NFL-O3 Forestry Management Areas</i> <i>The landscape values of visual amenity landscapes are maintained by managing commercial forestry and woodlots.</i>
Relevant Strategic Directions
<i>ATC-O1 Live, Work, Play and Visit</i> <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i>

2. *activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and*
3. *the anticipated amenity values and character of different areas are maintained or enhanced.*

ATC-O2 Rural Areas

The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.

NE-O1 Natural Environment

The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. *mahika kai resources;*
2. *night sky darkness;*
3. *outstanding natural features and landscapes;*
4. *significant indigenous biodiversity; and*
5. *water bodies and their margins.*

Assessment

The objective above is considered an appropriate way to achieve the purpose of the Act because it:

- Addresses an identified resource management issue, being the maintenance of significant second tier landscapes.
- Will assist in maintaining and enhancing the amenity values and qualities of the environment (s7(c), s7(f)) by managing effects in a way that takes into account the natural values of significant second tier FMA landscapes.
- Gives effect to the CRPS, **Policy 12.3.3**, which provides for other landscapes that do not meet the threshold to be outstanding to be identified for amenity purposes.
- The East Mackenzie Landscape Study undertaken by Boffa Miskell Ltd identified four new Significant Natural Landscapes (being referred to as Forestry Management Areas).
- Assists the council to carry out its functions under s31(1)(a), by achieving integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.
- Does not conflict with the NES-CF. Clause 13, sets out that afforestation shall not occur within a visual amenity landscape if rules in the relevant plan restrict commercial forestry activities within that landscape.
- Aligns with the Strategic Directions, by maintaining the anticipated amenity values and character of different areas.
- Is consistent with feedback from consultation with key stakeholders, iwi and the community.
- Will not result in unjustifiably high costs on the community or any part of the community.
- Has an acceptable level of uncertainty or risk associated with it.

An alternate option considered was inclusion of an objective managing all land use within the second tier landscapes identified in the Eastern Mackenzie Landscape Study. However, the proposed 100ha minimum allotment size in the GRUZ (beyond ONF/ONL and SCA-13) is considered sufficiently large to control built form and the related development that comes with it, in terms of farm infrastructure and earthworks etc. Community consultation identified that there was not strong support to control density or built form in second tier landscapes, but that management of commercial forestry and other forms of tree planting was a concern, particularly in relation to the Albury Range, which is highly visible from Mt Michael.

Summary

- 9.3. The proposed objective establishes the resource management outcome sought in relation to the maintenance of significant second tier landscapes. The proposed objective establishes a clear approach in managing the significant landscapes identified within the East Mackenzie in a manner consistent with the CRPS and the views expressed by the community. The proposed objective is consistent with the Strategic Objectives and the direction in the CRPS.

10. Evaluation of General Rural Zone Objectives

Introduction

- 10.1. This section of the report considers whether the objectives relating to the General Rural Zone ('GRUZ') are the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.

Table 4: General Rural Zone Objectives

Proposed Objectives
<p>GRUZ-O1 Zone Purpose <i>The General Rural Zone prioritises primary production and activities that support primary production, and provides for other activities where they rely on the natural resources found only in a rural location.</i></p> <p>GRUZ-O2 Zone Character and Amenity Values <i>The adverse effects of activities and built form within the General Rural Zone are managed in a way that:</i></p> <ol style="list-style-type: none"> 1. <i>Maintains a rural character consisting of a low overall building density with a predominance of open space and vegetation cover;</i> 2. <i>Supports, maintains, or enhances the function and form, character, and amenity values of the zone;</i> 3. <i>Recognises the functional needs and operational needs of activities within the zone; and</i> 4. <i>Allows primary production and activities that directly support primary production to operate without risk of being compromised by reverse sensitivity.</i>
Relevant Strategic Directions
<p>ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> 2. <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> 3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>ATC-O2 Rural Areas <i>The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.</i></p> <p>ATC-O6 Incompatible Activities</p>

The location and effects of activities are managed to:

1. *minimise conflicts between incompatible activities; and*
2. *protect important existing activities from reverse sensitivity effects.*

Assessment

The objectives are considered the most appropriate way to achieve the purpose of the Act because they:

- Address an identified resource management issue, by:
 - Enabling the community to provide for their social, economic and cultural well-being.
 - Providing a planning framework to assess the effects of primary production and other supporting land uses and ensure that adverse effects are appropriately avoided, remedied or mitigated.
 - Minimising conflicts between incompatible land uses.
- Assisting in the maintenance and enhancement of amenity values and qualities of the rural environment in accordance with (s7(c), s7(f)).
- Assist the council to carry out its functions under s31(1)(a), by achieving integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.
- Giving effect to the CRPS through:
 - Seeking to discourage urban activities within rural areas, having the primary purpose of the rural areas as primary production, while ensuring the preservation of amenity values.
 - Promoting land uses that avoid long term adverse effects on soil quality and promoting land use that maintain and improve soil quality (Policy 15.3.1).
- Aligning with the Strategic Directions, by:
 - Providing for activities that are important to the community's social, economic and cultural wellbeing;
 - Recognising and providing for the significant contribution of rural areas to the social, economic and cultural well-being of the District; and
 - Minimising conflict between incompatible land uses.
- Giving effect to the NPS-HPL by prioritising primary production and low overall building density.
- Being consistent with feedback from consultation with key stakeholders, iwi and the community.
- Not resulting in unjustifiably high costs on the community or any part of the community.
- Having an acceptable level of uncertainty or risk associated with them.

An alternate option considered was inclusion of elements related to landscape and indigenous biodiversity protection. By prioritising primary production it could be assumed that these matters are not being given adequate recognition. However, the policy framework for such matters is set out in other District Wide Chapters. On that basis it was considered appropriate to focus the GRUZ Objectives on primary production and other appropriate activities that support primary production, or that otherwise have a functional or operational need to establish within the rural area.

Summary

10.2. The proposed GRUZ objectives establish the resource management outcome sought in relation to rural areas, seeking to prioritise primary production over other land uses and reduce the risk of reverse sensitivity effects arising. The proposed objectives address the identified resource management issues in a way that is consistent with the Strategic Objectives, the NPS-HPL and the direction set out in the CRPS.

11. Evaluation of Takamana / Lake Alexandrina Hut Settlements Precinct Objective

Introduction

11.1. This section of the report considers whether the objective relating to the Takamana / Lake Alexandrina Hut Settlements, identified as Precinct 3 within the General Rural Zone (GRUZ), is the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.

Table 5: Takamana / Lake Alexandrina Hut Settlements Objective

Proposed Objectives
<p>PREC3-O1 Precinct Purpose <i>Development within the Takamana / Lake Alexandrina Hut Settlements maintains the existing distinctive character and identity of the settlements and is also complementary to the surrounding outstanding natural landscape.</i></p>
Relevant Strategic Directions
<p>ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> 2. <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> 3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>NE-O1 Natural Environment <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p> <ol style="list-style-type: none"> 1. <i>mahika kai resources;</i> 2. <i>night sky darkness;</i> 3. <i>outstanding natural features and landscapes;</i> 4. <i>significant indigenous biodiversity; and</i> 5. <i>water bodies and their margins.</i>
Assessment

The objective is considered the most appropriate way to achieve the purpose of the Act because it:

- Addresses an identified resource management issue, by providing a planning framework to assess and manage the effects of built form and development on both the character of the existing hut settlements and the wider natural character of the lake and the ONL values present.
- Recognises matters in s6(a) of the RMA, through the preservation of the natural character of wetlands, lakes, rivers and their margins, and the protection of them from inappropriate use and development; as well as s6(b) in terms of the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.
- Will assist in maintaining and enhancing the amenity values and qualities of the local receiving environment (s7(c), s7(f)).
- Gives effect to the direction in the NPS-FM to manage natural and physical resources in a way that prioritises the health and well-being of water bodies and freshwater ecosystems.
- Gives effect to the CRPS through:
 - Provision for the protection of natural character of Lakes and their margins (Policy 10.3.2).
- Aligns with the Strategic Directions, by:
 - Recognising the relationship of mana whenua with surface waterbodies; and
 - Protecting the natural environment, and more particularly waterbodies and their margins from development; and
 - Provides a range of living options, and maintains the anticipated amenity values and character of different areas.
- Is consistent with feedback from consultation with key stakeholders, iwi and the community.
- Will not result in unjustifiably high costs on the community or any part of the community.
- Has an acceptable level of uncertainty or risk associated with it.

An alternate option considered was to simply rely on the existing objectives relating to Te Manahuna / the Mackenzie Basin ONL and Lakeside Protection Area (LPA). However, the existing Hut Settlements do not fit well alongside such a framework and this creates difficulties when resource consents are received for buildings and structures within the Hut settlements. In some case resource consents have been approved that do not adequately reflect the 'bach like' character of the existing settlements. Therefore, proposed PREC3-O1 is considered to better reflect the situation to manage the existing level of amenity and not allow future re-development to compromise the wider ONL values of the surrounding area.

Summary

11.2. The proposed objective establishes a framework by which the Council can more adequately assess and manage future construction works within the existing Takamana / Lake Alexandrina Hut Settlements. The proposed Objective provides the framework to implement the Hut Design Guidelines prepared in conjunction with Hut owners into a district planning framework by which to assess resource consents in a more consistent way. The proposed Objective addresses the identified resource management issue in a way that is consistent with the operative Strategic Objectives.

12. Evaluation of Natural Character Policies, Rules and other Methods

Introduction

- 12.1. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.
- 12.2. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.
- 12.3. The proposed provisions relating to Natural Character have been grouped for the purpose of assessment, and are as follows:

Table 6: Natural Character Provisions

Policies	<p>NATC-P1 Recognition of Natural Character Values <i>Recognise that natural character values of wetlands, lakes and rivers and their riparian margins are derived from:</i></p> <ol style="list-style-type: none"> 1. <i>Being in their natural state or close to their natural state;</i> 2. <i>The cultural value of the water body, including values associated with traditional and contemporary uses and continuing ability of the water body to support taonga species, mahinga kai and other customary uses;</i> 3. <i>Indigenous biodiversity, habitats and ecosystems;</i> 4. <i>Their contribution to landforms and landscapes, through hydrological, geologic and geomorphic processes; and</i> 5. <i>People’s experience of the above elements, patterns and processes.</i> <p>NATC-P2 Preservation of Natural Character Values <i>Preserve and protect the natural character values of wetlands, lakes and rivers and their margins from inappropriate use and development by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring that the location, intensity, scale and form of subdivision, use and development takes into account the natural character values of the surface water bodies;</i> 2. <i>Requiring setbacks for activities from wetlands, and lakes and rivers, including buildings, earthworks, woodlots and quarrying activities;</i> 3. <i>Minimising indigenous vegetation clearance and modification, including where associated with the location of structures, earthworks and ground disturbance in the riparian margins of wetlands lakes and rivers;</i> 4. <i>Promoting and encouraging opportunities to restore and rehabilitate the natural character of surface water bodies and their margins, including the removal of plant and animal pests, and supporting initiatives for the regeneration of indigenous biodiversity values and cultural values; and</i>
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	5. <i>Avoiding use and development that detracts from the natural character of surface waterbodies.</i>
Rules	<i>NATC-R1 Buildings and Structures; NATC-R2 Earthworks and Stockpiles; NATC-R3 Woodlots; NATC-R4 Quarrying Activities and Mining NATC-S1, Table NATC-1 Surface Waterbody Setbacks, NATC-SCHED1</i>
Definitions	<i>Wetland, River, Lake, Surface Waterbody, Building, Structure, Earthworks, Woodlots, Quarrying Activities, Mining</i>

12.4. The following table identifies the strategic directions and objectives that are relevant to the assessment of the NATC provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 7: Natural Character - Assessment Against Relevant Objectives

Relevant Strategic Directions		
<i>MW-O1 Mana Whenua Values</i> <i>The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.</i>		
<i>NE-O1 Natural Environment</i> <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i>		
<ol style="list-style-type: none"> 1. <i>mahika kai resources;</i> 2. <i>night sky darkness;</i> 3. <i>outstanding natural features and landscapes;</i> 4. <i>significant indigenous biodiversity; and</i> 5. <i>water bodies and their margins.</i> 		
Relevant Objectives		
<i>NATC-O1 Preservation of Natural Character</i> <i>The natural character of wetlands, lakes and rivers (surface water bodies) and their margins is recognised, preserved and protected from inappropriate subdivision, use and development.</i>		
<i>NATC-O2 Mana whenua Values</i> <i>Recognise the relationship of tangata whenua with wetlands, lakes and rivers and provide for cultural traditions, values and interests.</i>		
	Benefits	Costs
Environmental	Managing activities in close proximity to surface waterbodies allows effects on natural character to be effectively managed. Without control, introduction of human activities into riparian environments can alter natural character values.	There may be impacts from other activities that do not require a setback, but these are generally considered to be low risk because of the scale and nature of such activity.
Social	Preservation of natural character is considered to contribute to the	May result in conflict between landowners seeking to fully utilise

	social well-being of the community. Protection of riparian margins provides a natural environment asset to the District and a better living environment for the community, and a community asset (where access is available) particularly in relation to waterbodies through townships.	land and those who see the development of a community and District wide asset.
Economic	The framework ensures that consenting costs are targeted to those activities where further scrutiny is required. Minimisation of duplicated costs between Council and Canterbury Regional Council consent processes through restriction in scope of District Plan rules.	There are costs associated with the consenting process for those activities requiring consent. There may also be an economic cost to the landowner in that certain listed activities cannot be undertaken in locations in close proximity to surface waterbodies.
Cultural	The role of mana whenua is recognised through the requiring of riparian setbacks for listed activities from surface waterbodies identified as of significance to mana whenua.	May add administrative costs if consent is required to construct infrastructure that would facilitate cultural access.
Efficiency		
The environmental, social and cultural benefits of managing land use activities in riparian margins in relation to effects on natural character significantly outweigh the costs. The approach seeks to reduce costs as far as possible by avoiding duplication of Canterbury Regional Council functions, although opportunity costs will remain through restriction on the use of land. Where appropriate the opportunity remains to obtain consent for activities closer to waterbodies thereby reducing those costs in certain circumstances.		
Effectiveness		
The proposed provisions are considered to be the most effective means of achieving the NATC objectives as together they will ensure that adverse effects on the natural character of the margins of waterbodies are managed appropriately by requiring consent for activities that could cause adverse effects enabling measures to protect natural character to be imposed as conditions. The surface waterbodies identified have all been identified by mana whenua and are included within the SASM, making these NATC provisions effective in terms of meeting NATC-O2.		
Alternative Approach		
Not control activities within riparian margins of surface waterbodies.		
Appropriateness Assessment		
This alternative approach is not considered the most appropriate way in which to achieve the objectives because to not control activity would be less effective at meeting the policy framework and would not give effect to the Council's responsibilities under Part 2 of the RMA, and would have left a gap in the management of riparian margins in relation to activities that Canterbury Regional Council cannot address under section 30 of the RMA.		
Alternative Approach		
Increase setbacks for activities within riparian margins of surface waterbodies.		
Appropriateness Assessment		

This alternative approach was not considered the most appropriate way in which to achieve the objectives the cost on landowners would be too great and not be justified in the context of the increased benefits in the management of riparian margins.

Risk of Acting or Not Acting

- 12.5. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 12.6. There is sufficient information available regarding the beneficial outcomes for natural character of managing activities within the riparian margins of surface waterbodies. This information, including the approaches of many other territorial authorities, provides the background to the objective, policies and standards proposed. The costs and benefits of the provisions are well understood. Consequently the risks of acting as proposed are not considered to be significant.

Overall Evaluation of Appropriateness

- 12.7. Overall, the proposed provisions for natural character are considered to be the most appropriate way to achieve the outcomes sought and enable the Council to fulfil its statutory obligations, including s6(a), s6(e), and 7(a) and address the requirement of s8 of the RMA. These matters are similarly articulated in the other high order planning documents ('CRPS') and the other district plans reviewed in preparing the background report to this topic. In that regard the planning concepts are well understood and there is a high degree of consistency in the way various other district councils go about "*recognising and providing*" for the protection of natural character in their district plans.

13. Evaluation of Natural Features and Landscapes Policies, Rules and Other Methods

13.1. The proposed new provisions relating to Natural Features and Landscapes, have been grouped for the purposes of this assessment, as follows:

- Te Manahuna / Mackenzie Basin ONL / Definition of Pastoral Intensification
- New ONF, ONL and Forestry Management Areas (FMA); and
- Wilding Conifer Removal and Management.

13.2. These are assessed in turn below. As set out above, the provisions relating to Te Manahuna / the Mackenzie Basin ONL remain unchanged, with the exception of the introduction of new rules to address wilding conifers (which are assessed separately). The only other change is to the definition of pastoral intensification.

Te Manahuna / Mackenzie Basin Outstanding Natural Landscape (Definition of Pastoral Intensification)

13.3. Please note that these provisions (as indicated by the grey shading) are carried over from the Operative Plan as amended by PC13. The only changes proposed to those provisions relate to cross-references and headings in order to comply with the directions set out in the National Planning Standards.

Table 8: Te Manahuna / Mackenzie Basin Outstanding Natural Landscape Provisions

Policies	<p><i>NFL-P2 Te Manahuna / Mackenzie Basin ONL</i></p> <ol style="list-style-type: none"> 1. To recognise that within Te Manahuna / the Mackenzie Basin’s outstanding natural landscape there are: <ol style="list-style-type: none"> a. Many areas where development beyond pastoral activities is either generally inappropriate or should be avoided. b. Some areas with greater capacity to absorb different or more intensive use and development, including areas of low or medium visual vulnerability and identified Farm Base Areas as shown on the planning maps. c. Areas, places and features of particular significance to Ngāi Tahu. 2. To identify, describe and map as overlays, specific areas within Te Manahuna / the Mackenzie Basin that assist in the protection and enhancement of the characteristics and/or values of the outstanding natural landscape contained in Objective 3B(1) NFL-O2.1 being: <ol style="list-style-type: none"> a. Lakeside Protection Areas, shown on the ϕPlanning ϕMaps; b. Scenic Viewing Areas, in Appendix J NFL-SCHED1 and shown on the ϕPlanning ϕMaps; c. Scenic Grassland Areas, in Appendix J NFL-SCHED1 and shown on the ϕPlanning ϕMaps; d. Sites of Natural Significance, in Appendix I and shown on the ϕPlanning ϕMaps; and e. Land above 900m in altitude, shown on the ϕPlanning ϕMaps. 3. As part of an assessment of the suitability of an area for a change in use for development:

	<p>a. To identify whether the proposed site has high, medium or low ability to absorb development according to Appendix V (Areas of Landscape Management) the visual vulnerability areas shown on the planning maps.</p> <p>b. To require an assessment of landscape character sensitivity (incorporating natural factors including geomorphology, hydrology, ecology, vegetation cover, cultural patterns, landscape condition and aesthetic factors such as naturalness and remoteness).</p> <p>NFL-P7 Pastoral Farming Traditional pastoral farming is encouraged so as to maintain tussock grasslands, subject to achievement of the other Rural objectives and to Policy 3B7 NFL-P6.</p> <p>NFL-P8 Pastoral Intensification and Agricultural Conversion</p> <ol style="list-style-type: none"> To ensure areas in Te Manahuna / the Mackenzie Basin which are proposed for pastoral intensification and/or agricultural conversion maintain the outstanding natural landscape of Te Manahuna / the Mackenzie Basin and meet all the other relevant objectives and policies for Te Manahuna / the Mackenzie Basin ONL Subzone (including Rural Objectives 1, 2 and 4 NFL-O2 and implementing policies). To avoid pastoral intensification and/or agricultural conversion in Sites of Natural Significance. Enabling pastoral intensification (subject to any further conditions necessary to avoid, remedy or mitigate adverse effects on the characteristics and/or values in Objective 3B(1)(a) to (f) NFL-O2.1 (a) to (f) in specific areas where water permits for irrigation activities have been approved before 14 November 2015. To manage pastoral intensification and/or agricultural conversion elsewhere in order to retain the valued characteristics of Te Manahuna / the Mackenzie Basin ONL Subzone. To take into account any agreement between the Mackenzie Country Charitable Trust and landowners that secures protection of landscape and biodiversity values as compensation for intensification of production.
Rules	NFL-R1 Building and Structures (excluding Residential Units); NFL-R2 Small Farm Building and Structures (Te Manahuna / Mackenzie Basin ONL); NFL-R3 Pastoral Intensification and Agricultural Conversion; NFL-R4 Irrigators and Fences; NFL-R5 Earthworks; NFL-R9 Non-farm Buildings including Residential Units; NFL-R10 Commercial Forestry and Woodlots; NFL-R11 Shelterbelt; NFL-R12 Quarrying Activities and Mining; NFL-R13 Landfills; NFL-S1 Height; NFL-S2 Building Footprint; NFL-S3 Building Coverage; NFL-S4 Reflectivity; NFL-S5 Setbacks; NFL-MD1; NFL-MD2; NFL-SCHED1; NFL-SCHED2; NFL-SCHED3
Definitions	<i>Pastoral Intensification</i>
Overlay	Te Manahuna / Mackenzie Basin ONL

13.4. The following table identifies the strategic directions and objectives that are relevant to the assessment of the proposed change to the definition of pastoral intensification, being to remove the reference to subdivisional fencing. It then provides an assessment of the effectiveness and efficiency of the change in achieving the objectives. The assessment includes identification and assessment of the benefits and costs of the environmental,

economic, social, and cultural effects that are anticipated from the implementation of the change.

Table 9: Te Manahuna / Mackenzie Basin Outstanding Natural Landscape - Assessment Against Relevant Objectives

Relevant Strategic Directions		
<p>ATC-02 Rural Areas <i>The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.</i></p> <p>NE-01 Natural Environment <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p> <ol style="list-style-type: none"> 1. mahika kai resources; 2. night sky darkness; 3. outstanding natural features and landscapes; 4. significant indigenous biodiversity; and 5. water bodies and their margins. 		
Relevant Objectives		
<p>NFL-01 Outstanding Natural Features and Landscapes Values <i>Protection of outstanding landscape values, the natural character of the margins of lakes, rivers and wetlands and of those natural processes and elements which contribute to the District's overall character and amenity.</i></p> <p>NFL-02 Te Manahuna / Mackenzie Basin ONL</p> <ol style="list-style-type: none"> 1. <i>Subject to 2(a), To protect and enhance the outstanding natural landscape of Te Manahuna / the Mackenzie Basin ONL subzone, in particular the following characteristics and/or values:</i> <ol style="list-style-type: none"> (a) the openness and vastness of the landscape; (b) the tussock grasslands; (c) the lack of houses and other structures; (d) residential development limited to small areas in clusters; (e) the form of the mountains, hills and moraines, encircling and/or located in, the Te Manahuna / Mackenzie Basin; and (f) undeveloped lakesides and State Highway 8 roadside; 2. <i>Subject to objective 3B(1) NFL-02.1 above and to the rural objectives 1, 2 and 4:</i> <ol style="list-style-type: none"> (a) to enable pastoral farming; (b) to manage pastoral intensification and/or agricultural conversion throughout Te Manahuna / the Mackenzie Basin and to identify areas where they may be enabled (such as Farm Base Areas); and (c) to enable rural residential subdivision, cluster housing and farm buildings within Farm Base Areas around existing homesteads (where they are outside hazard areas). 		
	Benefits	Costs
Environmental	Allows land managers to fence waterways and other sensitive areas without any regulatory barrier.	Removal of consenting requirement provides opportunity for fencing into smaller blocks with increased grazing pressure, which could lead to changes in species composition and loss of indigenous vegetation.

		However, 'mob-stocking' is specifically included in the Section 19 (PC18) provisions, which mitigates this potential environmental cost.
Social	Fencing often demarcates tenure boundaries and facilitates public access.	No costs identified
Economic	Removal of consenting requirement for fencing will reduce regulatory costs. Particularly in the context of the NPS-FM, which requires fencing of waterways for the purpose of stock exclusion. As it stands compliance with the NPS-FM would likely trigger the need to obtain resource consent from the District Council.	No costs identified
Cultural	No Benefits identified	No costs identified
Efficiency		
<p>The existing control on fencing appears to be to prevent 'mob-stocking', which occurs when fencing is undertaken in conjunction with topdressing and oversowing. This practice can have adverse impacts on indigenous vegetation. However, it is noted that PC18 now includes a definition of the term mob-stocking and controls the loss of indigenous vegetation via such method. On that basis it is considered that there is now no requirement to control subdivisional fencing as part of the definition of pastoral intensification. The removal of this part of the definition would allow landowners/managers to establish fencing without the need for resource consent and this is considered a more efficient way of achieving the Objectives introduced through PC13. The social and economic benefits outweigh any potential environmental costs from removing the consenting requirements for fencing.</p>		
Effectiveness		
<p>The removal of fencing from the definition of pastoral intensification and therefore removal of the consenting requirement is considered more effective than the present rules. Currently Rule 15.1.1.a requires consent for new fencing (an exception being in place for replacement fences) within "<i>Scenic Viewing Areas, Scenic Grasslands, Sites of Natural Significance or Lakeside Protection Areas identified on the Planning Maps within the Mackenzie Basin Subzone</i>". However, this provision is somewhat meaningless given that pastoral intensification is also subject to Rule 15A. Based on that Rule the only fencing permitted within Te Manahuna / the Mackenzie Basin ONL is within an identified Farm Base Area. Otherwise, such fencing requires consent for either a discretionary activity or non-complying activity (when within a Site of Natural Significance, Scenic Viewing Areas, Scenic Grasslands or Lakeside Protection Areas identified on the Planning Maps).</p>		
Alternative Approach		
Retain the status quo.		
Appropriateness Assessment		
<p>The resource consents obtained for fencing under the current rule framework and definition have had little to do with the type of land use intensification activity the definition and rule were aiming to manage. Consents have been in relation to fencing boundaries following tenure review, fencing established for wallaby pest management, and to establish new fencing following the harvest of a large stand of wilding conifers.</p> <p>It is acknowledged that more intensive fencing into smaller blocks, when coupled with topdressing and oversowing, could lead to impacts on indigenous biodiversity through "mob-stocking". However,</p>		

that activity is specifically addressed as vegetation removal in Section 19. In that context the retention of the status quo (being requiring a consent for all fencing activity) is not seen as being the most effective or efficient way to achieve the objectives otherwise introduced through PC13.

Risk of Acting or Not Acting

- 13.5. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 13.6. The Council has administered the current provisions and to date those consents applied for have been restricted to the examples set out above. This has provided sufficient information to determine the outcomes of the proposed removal of fencing from the consent requirements associated with pastoral intensification. Feedback on the draft provisions supported the proposed approach and did not raise any fundamental issues with acting in the manner proposed. Overall, there is considered to be a low risk in pursuing the proposed approach.

Overall Evaluation of Appropriateness

- 13.7. The proposed change is considered an appropriate planning response to remove a consenting requirement for an activity that is otherwise a fundamental part of primary production. Other provisions included in PC18 more effectively and efficiently deal with the matter of concern at the time the requirement was first introduced.

New ONF, ONL and FMA Areas

- 13.8. The proposed provisions relating to the proposed new ONL and FMA, have been grouped together for the purposes of this assessment.
- 13.9. To inform this assessment, the Council commissioned Boffa Miskell Ltd to undertake two separate Landscape Characterisation and Evaluation Assessments, one for the Eastern Mackenzie and also for the western extent of the District and Aoraki/Mt Cook National Park not currently identified as ONL. The resultant reports are as follows:
- Eastern Mackenzie Landscape Study, Boffa Miskell Ltd (see Appendix 1).
 - Western Mackenzie Landscape Study, Boffa Miskell (see Appendix 2).

Table 10: ONF, ONL and FMA Area Provisions

Policies	<p>NFL-P1 Protection of Outstanding Natural Features and Landscapes</p> <p>Recognise the values of the identified ONF and ONL overlays on the planning maps and protect these values from adverse effects by:</p> <ol style="list-style-type: none"> 1. avoiding inappropriate subdivision, use and development in those parts of outstanding natural features and landscapes with limited capacity to absorb such change; 2. avoiding inappropriate use and development that detracts from extensive open views, or detracts from or damages the unique landforms and landscape features;
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	<ol style="list-style-type: none"> 3. managing building density, scale and form to ensure it remains at a low level, maintains a predominance of vegetation cover and sense of low levels of human occupation; 4. avoiding buildings and structures that break the skyline; 5. ensuring buildings and structures are designed to minimise glare and the need for earthworks, and are mitigated by plantings to reduce their visual impact where appropriate; 6. recognising and providing protection for identified values in sites and areas of significance to mana whenua; and 7. recognising the existence of working pastoral farms and their contribution to the outstanding natural features and landscapes of the Mackenzie District. <p>NFL-P9 Forestry Management Areas Manage the adverse effects of commercial forestry and woodlots in the Forestry Management Area Overlay to recognise the significant landscape values.</p>
Rules	NFL-R1 Building and Structures (excluding Residential Units); NFL-R5 Earthworks; NFL-R9 Non-farm Buildings including Residential Units; NFL-R10 Commercial Forestry and Woodlots; NFL-R11 Shelterbelt; NFL-R12 Quarrying Activities and Mining; NFL-R13 Landfills; NFL-S1 Height; NFL-S2 Building Footprint; NFL-S3 Building Coverage; NFL-S4 Reflectivity; NFL-MD1 and NFL-MD2.
Definitions	<i>Earthworks, Farm Building, Irrigation, Landfill, Mining, Commercial Forestry, Primary Production, Residential Unit, Quarrying Activities, Shelterbelt, Woodlot</i>
Overlays	<i>Outstanding Natural Features and Landscapes; Forestry Management Area</i>

13.10. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 11: ONF, ONL and FMA - Assessment Against Relevant Objectives

<p>Relevant Strategic Directions</p> <p><i>ATC-O1 Live, Work, Play and Visit</i> <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> 2. <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> 3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p><i>NE-O1 Natural Environment</i> <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p> <ol style="list-style-type: none"> 1. <i>mahika kai resources;</i> 2. <i>night sky darkness;</i> 3. <i>outstanding natural features and landscapes;</i> 4. <i>significant indigenous biodiversity; and</i>
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5. <i>water bodies and their margins.</i>		
Relevant Objective		
NFL-O1 Outstanding Natural Features and Landscapes Values		
<i>Protection of outstanding landscape values, the natural character of the margins of lakes, rivers and wetlands and of those natural processes and elements which contribute to the District's overall character and amenity.</i>		
NFL-O3 Forestry Management Areas		
<i>The landscape values of visual amenity landscapes are maintained by managing commercial forestry and woodlots.</i>		
	Benefits	Costs
Environmental	Clearly identified new ONF and ONL areas have been independently assessed as having outstanding natural landscape values. Proposed FMA have been assessed and identified as significant and highly valued. The specialist assessments undertaken provide a clear understanding of the values, threats, and what activities need to be managed to protect landscape values.	No costs identified
Social	ONF, ONL and FMA values contribute to sense of wellbeing (both individually and at a community level). Community understands the way in which the Landscape Studies were undertaken and what values are identified. Decision makers are provided with reliable information on landscape values to make a judgement on the effects of a future consent proposal.	There may be conflict between parts of the community with different opinions over the value of landscapes and the need for regulatory protection.
Economic	Proposed rule framework provides for on-going farming activities. Enables activities that do not undermine the ONF/ONL/FMA values. Tourism opportunities facilitated from protection of ONF/ONL/FMA values and attributes.	Cost of undertaking detailed analysis of landscape values across the district. Land uses are restricted on the areas identified as ONF, ONL and to a lesser extent FMA (which is restricted to commercial forestry and woodlots only). Costs of obtaining consent where landowner wishes to undertake an activity managed through plan provisions.
Cultural	Recognition of cultural values as a key part of the landscape assessment	No costs identified.

	<p>process. Significant cross-over between SASM and the new ONF and ONL areas identified for protection.</p>	
Efficiency		
<p>Resource consents will be required to undertake commercial forestry in the ONF, ONL and FMA. These rules would preclude forestry as a permitted activity and thus would impose a greater degree of restriction on this activity than what is generally provided for in the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023 (NES-CF). However, the NES-CF specifically anticipates that District Plan rules may be more stringent than the regulations in certain circumstances, including where a rule recognises and provides for the protection of ONF and ONL.</p> <p>In this case it is proposed that the rules be more stringent to provide the appropriate level of protection to the landscape values in the areas specifically assessed and identified as being outstanding.</p> <p>In relation to the management of second tier landscapes (FMA), community feedback received sought to limit regulatory control of forestry activity only. In accord with the previous NES-PF (Regulations 6, 13 and 15), forestry activity in a second tier landscape/Visual Amenity Landscape could not be more restrictive than what is set out in the NES-PF, which was a controlled activity. The introduction of the NES-CF (2023) means that Regulation 7 of the NES-CF has amended regulation 6 of the NES-PF so that now a rule in a plan may be more stringent or lenient than subpart 1 of Part 2 of the regulations. Based on the amendment to Regulation 6 it is now an option to place a more restrictive status than controlled on commercial forestry activities in the identified FMA areas. On the basis of that change to the NES-CF provisions, NFL-R10 now makes commercial forestry within a FMA a restricted discretionary activity.</p> <p>Overall, the benefits to the environment are considered to outweigh the costs, which are principally economic. Environmental benefits are greater than for any alternative approach and outweigh any increase in compliance costs.</p>		
Effectiveness		
<p>The proposed provisions are considered to be the most effective means of achieving the objective(s) as together they enable the Council to fulfil its statutory obligations, including s6(b), s7(c), s7(f); give effect to the provisions of the CRPS; ensure that adverse effects on ONF/ONL/FMA areas are managed appropriately by ensuring activities that generate adverse effects that are likely to impact values require resource consent; and enable the Council to effectively administer its District Plan and monitor the outcomes of the proposed provisions in a clear and consistent manner.</p> <p>The proposed rules for the new ONF/ONL areas identified in the East Mackenzie are not the same as those applying to Te Manahuna / the Mackenzie Basin and recognise the topographical and climatic differences between the areas and the resulting ability to absorb land use change. For example, the topography of the East Mackenzie ONL is such that cultivation and irrigation is not possible with currently available technology. Furthermore, topdressing and oversowing of the East Mackenzie ONL will not lead to the extent of visual change that would be apparent in the Mackenzie Basin ONL. On that basis pastoral intensification is not excluded from taking place within the ONL areas identified in East Mackenzie.</p>		
Alternative Approach		
Status Quo		
Appropriateness Assessment		
<p>The lack of landscape protection within the Mackenzie District beyond Te Manahuna / the Mackenzie Basin means that the Council is not meeting its statutory obligations in terms of section 6 of the RMA and the CRPS.</p>		

Alternative Approach
Do not identify and protect second tier 'significant' landscapes.
Appropriateness Assessment
The CRPS provides for the identification of second tier landscapes and these areas are valued by the community. They also hold important ecological and landscape values that whilst not outstanding, contribute to the character of the District. They also often form the foreground to ONL and enable the management of activities that could adversely impact on the context of the adjacent ONL. If not identified, the values of these areas could be adversely affected by forestry development that does not accord with its character, amenity and the quality of the environment. As such, it is considered that it is appropriate to identify and maintain the values of these significant landscapes via identification as a FMA and regulatory control of commercial forestry and woodlots as a restricted discretionary activity.
Alternative Approach
Controlled activity status for commercial forestry and woodlots within the identified Forestry Management Areas.
Appropriateness Assessment
This doesn't allow the Council the ability to decline consents for commercial forestry and woodlots that would have significant adverse landscape effects on the identified second tier landscapes. Whilst not meeting the threshold for being outstanding, these identified FMA areas are in some cases visually prominent and inappropriate land use would adversely effect visual amenity values.

Risk of Acting or Not Acting

13.11. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. Given the Council's management of Te Manahuna / the Mackenzie Basin ONL, the guidance in the CRPS and best practice, it is considered that there is a low risk of acting in the manner proposed.

Overall Evaluation of Appropriateness

13.12. The approach proposed is to have two directive objectives supported by two clear and focussed policy statements. This policy framework sets out to identify and protect/maintain the landscape values of ONF, ONL and those second tier FMA areas. This approach is then supported by a range of rules focussing on the activities that could threaten landscape values.

13.13. Overall, the proposed provisions are appropriate in achieving the relevant objectives, strategic objectives and align with best planning practice.

Wilding Conifer Removal and Control Provisions

13.14. The proposed provisions relating to wilding conifer removal and management, have been grouped for the purposes of this assessment, as set out below.

13.15. These provisions apply only within the Mackenzie Basin ONL, as the proposed provisions effectively provide an exception to the provisions relating to agricultural conversion and pastoral intensification introduced through PC13. There are no known areas of closed canopy wilding infestations requiring mechanical harvest beyond Te Manahuna / the Mackenzie Basin ONL. Otherwise, there is no proposed control on topdressing and oversowing within the

balance of the Mackenzie District. On that basis proposed NFL-R7 and NFL-R8 need not apply beyond the Mackenzie Basin ONL.

13.16. To inform this assessment, the Council commissioned Mr Rob Young of Te Manahuna Consulting Ltd to prepare an overview of the post-harvest wilding conifer issue developed for the Mackenzie District Council for future management of wilding conifer infested lands via the District Plan (see report attached as **Appendix 4**). This report sets out the scale of the wilding conifer issue, the relevant statutory planning background and potential regulatory changes necessary to better manage the issues.

Table 12: Wilding Conifer Provisions

Policies	<p>NFL-P10 Harvest of Closed Canopy Wilding Conifers To enable the mechanical harvest of dense closed canopy wilding forests and the subsequent land rehabilitation to achieve a productive use.</p> <p>NFL-P11 Wilding Conifer Spread To provide for the use of stock grazing to control wilding conifer spread in areas known to be susceptible to re-invasion of wilding conifer species.</p>
Rules	NFL-R6 Harvesting of Closed Canopy Wilding Conifers; NFL-R7 Land Rehabilitation following Harvest of Closed Canopy Wilding Conifers; NFL-R8 Topdressing and Oversowing within Wilding Conifer Overlay Areas; NFL-MD2
Definitions	<i>Harvest of closed canopy wilding conifers, Land Rehabilitation, Wilding Conifer Species</i>
Overlays	Wilding Conifer Removal Overlay; Wilding Conifer Management Overlay

13.17. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 13: Wilding Conifer Provisions - Assessment Against Relevant Objectives

Relevant Strategic Directions
<p>NE-O1 Natural Environment <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p> <ol style="list-style-type: none"> 1. mahika kai resources; 2. night sky darkness; 3. outstanding natural features and landscapes; 4. significant indigenous biodiversity; and 5. water bodies and their margins.
Relevant Objectives
NFL-O1 Outstanding Natural Features and Landscapes Values

Protection of outstanding landscape values, the natural character of the margins of lakes, rivers and wetlands and of those natural processes and elements which contribute to the District's overall character and amenity.

NFL-O2 Te Manahuna / Mackenzie Basin ONL

1. Subject to 2.(a), ~~to~~ To protect and enhance the outstanding natural landscape of **Te Manahuna / the Mackenzie Basin ONL subzone**, in particular the following characteristics and/or values:
 - (a) the openness and vastness of the landscape;
 - (b) the tussock grasslands;
 - (c) the lack of houses and other structures;
 - (d) residential development limited to small areas in clusters;
 - (e) the form of the mountains, hills and moraines, encircling and/or located in, **Te Manahuna / the Mackenzie Basin; and**
 - (f) undeveloped lakesides and State Highway 8 roadside;
2. Subject to **objective 3B(1) NFL-O2.1** above and to **the rural objectives 1, 2 and 4:**
 - (a) to enable pastoral farming;
 - (b) to manage pastoral intensification and/or agricultural conversion throughout **Te Manahuna / the Mackenzie Basin** and to identify areas where they may be enabled (such as Farm Base Areas); **and**
 - (c) to enable rural residential subdivision, cluster housing and farm buildings within Farm Base Areas around existing homesteads (where they are outside hazard areas).

	Benefits	Costs
Environmental	Removal of wilding conifers benefits indigenous biodiversity values within the Mackenzie Basin.	Land rehabilitation and subsequent pastoral intensification will delay recolonisation by indigenous species.
Social	The well-being derived from the iconic Te Manahuna / Mackenzie Basin landscape will be protected from the threat of wilding conifer infestation.	There will be some localised change in appearance of the land due to increased pastoral intensification and greater stocking densities which will not be favoured by all.
Economic	Economic costs to primary industry from continued loss of productive land to wildings can be alleviated. Use of stock grazing to control emergent wilding seedlings is less costly than traditional forms of wilding control.	Costs associated with the consenting process remain, but this comes with the certainty of a controlled activity consent.
Cultural	Effective wilding control retains the cultural values present within Te Manahuna.	No costs identified.

Efficiency

The current provisions discourage land use activity that is required to appropriately address the wilding conifer threat to Te Manahuna / the Mackenzie Basin landscape values. The proposed new rules are considered more effective and efficient at meeting the objectives and preserving the outstanding landscape values in the medium to long term. The environmental and economic benefits of wilding control outweigh any environmental costs associated with short term pastoral intensification within identified areas.

Effectiveness

The proposed provisions alone will not solve the wilding issues facing the Mackenzie Basin, but they will be effective in providing greater certainty to land managers seeking to utilise other methods to control wilding spread by providing a more permissive activity framework for the consent required.

Alternative Approach
Status Quo – require fully discretionary resource consent for wilding conifer harvest and subsequent land rehabilitation. Rely on traditional control methods in adjoining areas.
Appropriateness Assessment
The current regulatory framework is seen as a barrier to wilding conifer control given the uncertainty and costs involved in the consenting process. Community feedback and consultation with stakeholders has determined that the more appropriate approach is to require a controlled activity consent so impacts can be considered at the property scale whilst still having the certainty that consent will be approved subject to consideration of the matters set out in NFL-MD2. This approach is consistent with the specialist advice received by the Council to inform the District Plan review process (Te Manahuna Consulting Ltd, 2023).
Alternative Approach
Permitted activity status for cultivation and pastoral intensification.
Appropriateness Assessment
This approach was considered to undermine the outcomes set out in PC13 and does not include the ability for Council to assess the proposed frequency and rate of topdressing and oversowing as being appropriate to address the wilding issue without otherwise compromising landscape or ecological values.

Risk of Acting or Not Acting

- 13.18. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 13.19. The potential scale of the wilding conifer issues facing the Mackenzie District are such that some regulatory action is required to provide land managers with other options for wilding conifer management. The risk of not acting would mean that the outstanding landscape values and significant ecological values of Te Manahuna / the Mackenzie Basin would be further compromised.
- 13.20. Proceeding with a controlled activity status for topdressing and oversowing still allows the Council to assess the potential landscape and ecological impacts of a proposal, in the context of the particular risk to that property from wilding conifer infestation. This mitigates the risk of including such provisions in the District Plan.

Overall Evaluation of Appropriateness

- 13.21. Wilding conifers are a significant threat to the achievement of the policy outcomes introduced through PC13. The provisions provide a more permissive pathway for removal of dense wilding infestations and rehabilitation of the land back to a productive rural use. In adjoining areas currently subject to expensive on-going wilding control efforts, the provisions facilitate the use of stock grazing to control emergent wilding seedlings. While this is likely to have some short term impacts on the composition of indigenous vegetation within the pasture, it is considered to overall be more effective at achieving the outcomes sought than simply relying on the status quo.

13.22. The proposed provisions act as exceptions to the provisions introduced through PC13. The approach is considered appropriate in that consent is still required and allows the Council to assess the proposal on a case by case basis depending on the sensitivity of the site and the extent of the wilding control required.

14. Evaluation of General Rural Zone Policies, Rules and Other Methods

14.1. The proposed provisions relating to the General Rural Zone have been grouped for the purposes of this assessment, as follows:

- Primary Production;
- Other Activities;
- Wilding Conifers; and
- Takamana / Lake Alexandrina Huts (PREC3).

14.2. These are assessed in turn below.

Primary Production

Table 14: Primary Production Provisions

Policies	
	<p>GRUZ-P1 Primary Production and Supporting Activities Enable a range of primary production activities to occur in the General Rural Zone, while maintaining the character and amenity of the Zone, by:</p> <ol style="list-style-type: none"> 1. Managing the adverse effects from intensive primary production to minimise effects on the surrounding area; and 2. Providing for quarrying activities in the rural area to meet local demand subject to maintaining the values of any Site of Significance to Māori and the anticipated amenity of the receiving environment. <p>GRUZ-P3 Reverse Sensitivity Avoid reverse sensitivity effects of non-farm development and residential activity on lawfully established primary production activities, activities that have a direct relationship with or are dependent on primary production, existing renewable electricity generation activities and the Tekapo Military Training Area.</p> <p>GRUZ-P4 Protecting Highly Productive Land Maintain the productive capacity of highly productive land, by:</p> <ol style="list-style-type: none"> 1. Avoiding the irreversible loss of highly productive land from inappropriate subdivision, use or development. 2. Encouraging opportunities that increase that productive capacity of highly productive land. <p>GRUZ-P5 Existing Activities on Highly Productive Land Enable the maintenance, operation, or upgrade of any existing activities on highly productive land.</p> <p>GRUZ-P6 Residential Density</p>

	Control the density and location of residential activities within the General Rural Zone to: <ol style="list-style-type: none"> 1. Retain low overall building density with a predominance of open space and vegetation cover; and 2. Ensure consistency with the anticipated character and amenity values of the receiving environment.
Rules	GRUZ-R1 Primary Production; GRUZ-R2 Residential Unit; GRUZ-R3 Minor Residential Units; GRUZ-R4 Relocated Residential Unit/Minor Residential Unit; GRUZ-R5 Buildings and Structures Not Otherwise Listed; GRUZ-R13 Commercial Forestry and Woodlots; GRUZ-R14 Shelterbelt; GRUZ R15 Aircraft and Helicopter Movements; GRUZ-R17 Quarrying Activities; GRUZ-R19 Intensive Primary Production; GRUZ-S1 Density, GRUZ-S2 Boundary Setbacks; GRUZ-S3 Building Coverage; GRUZ-S4 Height; GRUZ-S8 Wastewater; GRUZ-S9 Water Supply for Firefighting
Definitions	<i>Agricultural Conversion, Commercial Forest or Commercial Forestry, Commercial Forestry Activity, Earthworks, Exotic Continuous-cover Forest or Exotic Continuous Cover Forestry, Farm Building, Intensive Primary Production, Irrigation, Landfill, Mining, Minor Residential Unit, Pastoral Intensification, Plantation Forestry, Primary Production, Quarrying Activities, Residential Unit, Shelterbelt, Tussock Grasslands, Woodlot</i>
Overlays	Eastern Plains Specific Control Area 13

14.3. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions related to primary production and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

14.4. To inform this assessment, and in particular the introduction of density standards in the East Mackenzie, the Council commissioned Boffa Miskell Ltd to undertake a Rural Zone Character Assessment. The resultant report 'Eastern Mackenzie Rural Character Study, (**Appendix 3**) was used to prepare the draft provisions and inform the consultation process. These provisions were then reviewed in the context of the potential impact on rural production, as set out in the report prepared by Macfarlane Rural Business Ltd (**Appendix 5**).

Table 15: Primary Production - Assessment Against Relevant Objectives

Relevant Strategic Directions
ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i> <ol style="list-style-type: none"> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> 2. <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> 3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i>
ATC-O2 Rural Areas

<p><i>The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.</i></p> <p>ATC-O6 Incompatible Activities</p> <p><i>The location and effects of activities are managed to:</i></p> <ol style="list-style-type: none"> <i>1. minimise conflicts between incompatible activities; and</i> <i>2. protect important existing activities from reverse sensitivity effects.</i> 		
<p>Relevant Objectives</p>		
<p>GRUZ-O1 Zone Purpose</p> <p><i>The General Rural Zone prioritises primary production and activities that support primary production, and provides for other activities where they rely on the natural resources found only in a rural location.</i></p> <p>GRUZ-O2 Zone Character and Amenity Values</p> <p><i>The adverse effects of activities and built form within the General Rural Zone are managed in a way that:</i></p> <ol style="list-style-type: none"> <i>1. Maintains a rural character consisting of a low overall building density with a predominance of open space and vegetation cover;</i> <i>2. Supports, maintains, or enhances the function and form, character, and amenity values of the zone;</i> <i>3. Recognises the functional needs and operational needs of activities within the zone; and</i> <i>4. Allows primary production and activities that directly support primary production to operate without risk of being compromised by reverse sensitivity.</i> 		
	Benefits	Costs
Environmental	<p>Introduction of density standards protects the open rural character of the East Mackenzie and prevents ad hoc rural-residential development fragmenting the rural land resource. The introduction of setbacks for farm quarries and will reduce effects beyond the site and assist to prevent reverse sensitivity effects on extraction activities.</p>	<p>The greater use of setbacks from sensitive activities for quarrying/mining activity could lead to increased transportation distances and additional greenhouse gas emissions.</p>
Social	<p>The provisions seek to prioritise rural primary production and recognise its importance to the economy of the District and contribution towards social wellbeing.</p>	<p>Loss of ability to subdivide and to establish dwellings on vacant titles may impact on land value and farm succession planning. Provisions place additional locational constraints on sensitive activities in rural areas.</p>
Economic	<p>Density standards protect the rural area for primary production, decreasing the potential for land fragmentation and potential for reverse sensitivity. Enabling small scale mineral extraction as a rural activity, there will be direct economic benefits through ensuring a cost effective on farm aggregate supply.</p>	<p>Introduction of density standards will reduce development potential in Eastern Mackenzie, potentially, leading to a reduction in land values. These costs can be offset through the inclusion of a 'legacy clause' applying to existing titles. Constraints and restrictions on where sensitive activities can establish (sensitivity activity</p>

	Setbacks will help to prevent reverse sensitivity effects on intensive primary production, giving them more security to operate.	setbacks) within rural areas can potentially lower land values.
Cultural	Ensures that the areas of concern raised within the Iwi Management Plan in relation to farming and the discharge of odour and dust from intensive farming, are managed and regulated.	No costs identified.
Efficiency		
<p>The introduction of minimum density standards to protect the rural land resource is considered the most efficient way for the Council to meet its obligations to give effect to the NPS-HPL. The proposed minimum density standards (minimum 100ha GRUZ and 20ha within the Eastern Plains Specific Control Area 13) are considered sufficiently large that it protects highly productive land from inappropriate use and development. There is limited provision for subdivision and density down to 4ha (within SCA-13), but this is as a fully discretionary activity. It is anticipated that consideration of such development against the policy framework, namely GRUZ-P4 and GRUZ-P5 would ensure that where this is proposed on highly productive land, it is not inappropriate in terms of the guidance included within the NPS-HPL.</p> <p>The primary economic cost is associated with the introduction of minimum density standards applying to the East Mackenzie (where there are currently none). However, such development has given rise to environmental costs in terms of land fragmentation, loss of rural character, reverse sensitivity and increased demand for Council services. The inclusion of a 'legacy' clause to allow residential units to be established on existing smaller titles is an efficient way to alleviate this economic cost. The proposed provisions allow an existing title not less than 10ha within the GRUZ and not less than 4ha in the Eastern Plains SCA-13 to be built on. No legacy clause is included for areas identified as ONF or ONL in recognition of the sensitivity of such areas to change and that each dwelling needs to be assessed on its merits in terms of location, design and appearance.</p> <p>While the proposed option does result in some economic adversity to individual landowners who may lose development potential, this is outweighed by the environmental, social and economic benefits from the option which will see a greater opportunities for rural production, and maintain the open space character of the rural area. Furthermore, the option will provide a better utilisation of rural land for rural production, which is a finite resource. The proposed minimum rural allotment sizes are largely supported by the Rural Economic Advice (Appendix 5). Whilst this report identifies some other areas that display similar productivity potential as the land identified in SCA-13, they are much smaller and spatially separated. Furthermore, the inclusion within the SCA and the increased density was not supported by Boffa Miskell on rural character and visual amenity grounds.</p>		
Effectiveness		
<p>The proposed provisions are considered effective at meeting the Objectives and higher order planning instruments. The clear priority is on the use of rural land for primary production and avoidance of reverse sensitivity.</p> <p>The proposed provisions are considered to be the most effective means of achieving the objective(s) as together they support primary production activity and retain a spacious open rural character by introducing density standards that prevent the fragmentation of rural land and protect land identified as being highly productive.</p>		
Alternative Approach		
Status Quo (no minimum density standard for East Mackenzie).		
Appropriateness Assessment		

The current provisions are not considered the most appropriate way in which to achieve the objectives. They also do not give effect to the higher order NPS-HPL and CRPS. The development potential currently provided does not reflect the character and amenity value of the rural area. Inappropriate development has already lead to servicing issues and demands on infrastructure upgrades that are not Council priority. Such ad hoc development fragments the land resource and potentially leads to reverse sensitivity, which is at odds with prioritising primary production activities in this zone.

Risk of Acting or Not Acting

- 14.5. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 14.6. Not acting would lead to the further compromising of rural production by potentially allowing development at a density that would reduce the land available for primary production, fragment the land resource, not protect highly productive land and increase the potential for reverse sensitivity. The proposed density standards align with standards applied in other comparable environments.
- 14.7. It is considered that the risk of not acting is greater than the risk of introducing minimum densities and the economic costs that might arise as a result.

Overall Evaluation of Appropriateness

- 14.8. Overall, the proposed provisions are appropriate in achieving the relevant objectives, strategic objectives and align with best planning practice. The provisions prioritise primary production and provide a framework to protect highly productive land from inappropriate development.

Other Activities

- 14.9. The proposed provisions relating to other activities, i.e., those not falling under the definition of primary production, have been grouped for the purposes of this assessment, as set out below:

Table 16: Other Activities Provisions

Policies	GRUZ-P2 Other Activities
	<p>Recognise the importance of primary production activities to the wellbeing of the district economy, and prioritise primary production and activities which support primary production, within the General Rural Zone, by:</p> <ol style="list-style-type: none"> 1. Providing for new economic activity that directly supports, is dependent on, or is ancillary to primary production; 2. Enabling recreation and tourism activities based on farming experiences or conservation activities; 3. Enabling aircraft and helicopter movements within the General Rural Zone on a seasonal or short terms basis where required to support primary production. 4. Ensuring the land resource of the General Rural Zone is not compromised by activities with no functional need or operational need to locate in the zone.

	<p>GRUZ-P3 Reverse Sensitivity Avoid reverse sensitivity effects of non-farm development and residential activity on lawfully established primary production activities, activities that have a direct relationship with or are dependent on primary production, , existing renewable electricity generation activities and the Tekapo Military Training Area.</p> <p>GRUZ-P8 Airfields and helicopter landing areas Enable aircraft and helicopter movements within the rural area when ancillary to rural production, or for personal, emergency, conservation and non-commercial recreational use. Manage the location and scale of airfields and helicopter landing areas to maintain the anticipated character and amenity values of the receiving rural environment.</p> <p>GRUZ-P9 Aircraft take-off/ landing approaches Manage the location and height of any structure and vegetation in the vicinity of a Special Purpose Airport Zone to ensure the safety of aircraft take-off/ landing approaches and wider public safety.</p>
Rules	<p>GRUZ-R6 Home Business; GRUZ-R7 Rural Selling Place; GRUZ-R8 Rural Industry; GRUZ-R9 Rural Tourism Activity; GRUZ-R10 Visitor Accommodation (Excluding Camping Grounds); GRUZ-R11 Camping Grounds; GRUZ-R12 Conservation Activity; GRUZ-R15 Aircraft and Helicopter Movements; GRUZ-R16 Airfields and Helicopter Landing Areas; GRUZ-R18 Community Facilities; GRUZ-R20 Landfill; GRUZ-R22 Other Activities; GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production; GRUZ-S6 Sensitive Activity Setback from Quarrying Activities and Mining; GRUZ-S7 Sensitive Activity Setback from Commercial Forestry; GRUZ-S10 Airport Height Restrictions; GRUZ-S11 Hours of Operation; GRUZ-S12 Staff Numbers; GRUZ-MD1; GRUZ-SCHED1</p>
Definitions	<p><i>Home Business ; Rural Selling Place; Rural Industry; Rural Tourism Activity; Visitor Accommodation (Excluding Camping Grounds); Camping Grounds; Conservation Activity; Aircraft and Helicopter Movements; Community Facilities</i></p>

14.10. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 17: Other Activities – Assessment Against Relevant Objectives

<p>Relevant Strategic Directions</p> <p>ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>ATC-O2 Rural Areas <i>The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.</i></p>

<p>ATC-O6 Incompatible Activities</p> <p>The location and effects of activities are managed to:</p> <ol style="list-style-type: none"> 1. minimise conflicts between incompatible activities; and 2. protect important existing activities from reverse sensitivity effects. 		
<p>Relevant Objectives</p>		
<p>GRUZ-O1 Zone Purpose</p> <p>The General Rural Zone prioritises primary production and activities that support primary production, and provides for other activities where they rely on the natural resources found only in a rural location.</p> <p>GRUZ-O2 Zone Character and Amenity Values</p> <p>The adverse effects of activities and built form within the General Rural Zone are managed in a way that:</p> <ol style="list-style-type: none"> 1. Maintains a rural character consisting of a low overall building density with a predominance of open space and vegetation cover; 2. Supports, maintains, or enhances the function and form, character, and amenity values of the zone; 3. Recognises the functional needs and operational needs of activities within the zone; and 4. Allows primary production and activities that directly support primary production to operate without risk of being compromised by reverse sensitivity. 		
	<p>Benefits</p>	<p>Costs</p>
<p>Environmental</p>	<p>Allows activity that supports the rural economy to establish at a small scale where the risk to the amenity values of the rural environment are low.</p> <p>Air movements for the purpose of rural production are enabled in recognition of the importance of this sector for district economic wellbeing and prosperity.</p> <p>Ensuring the on-going safe operation of existing airfields will support the facilities and the opportunities for economic growth.</p>	<p>By taking an enabling approach for rural related business to establish, there is a risk that undesirable activities could establish to the detriment of the character and amenity values of the rural area. Provisions will continue to limit land use development height in the vicinity of the existing airfields. Please note that noise rules will be addressed as part of Stage 4 and the specific provisions within the Noise District Wide Chapter.</p>
<p>Social</p>	<p>Maintains and enhances where possible the open spacious character of the rural environment for the benefit for the community.</p> <p>Enabling provisions can encourage appropriate supporting businesses to establish providing further employment opportunities.</p> <p>In rural areas growing produce, provisions provide local options for consumers.</p> <p>Airfield and Helicopter Landing Area permitted activity requirements control setbacks to sensitive activities and restrict flight numbers</p>	<p>Greater management of other activities may result in the loss of an activity or service which may have been available to the local community under a more permissive planning framework.</p>

	<p>for non-permitted activity to ensure they are located and operate appropriately to reduce amenity effects from noise.</p> <p>Air Movement provisions are enabling of the use of aircraft for personal transport and recreational enjoyment.</p>	
Economic	<p>Enables the establishment of small scale business activities that support rural activity, and encourage other businesses that do not have a functional or operational need to locate in a rural area to seek an urban location.</p> <p>Provisions restricting non-rural business will reduce the pressure on roading infrastructure and land availability for primary production.</p> <p>Enabling rural industry can assist and enhance primary production.</p>	<p>Provisions seek to avoid large scale and non-rural related business activity to urban areas. This will either remove the opportunity for a business to establish or push these activities into commercial zones.</p>
Cultural	None identified	<p>Restrictions on business within the rural area may reduce opportunities for economic development for mana whenua.</p>
Efficiency		
<p>The benefits of enabling small scale business activity that supports primary production significantly outweighs the costs.</p> <p>The Operative Plan is largely permissive in its approach to aircraft movements and this is carried over into PC23. The proposed new provisions differentiate between movements and the places that movements originate from. The permitted activity rules set appropriate setbacks for airfields and helicopter landing areas to avoid potential conflict with noise sensitive activities.</p> <p>The restricted discretionary activity status for larger scale quarrying, mining and discretionary for landfills, enables the council to undertake a robust case by case assessment of environmental effects and the ability to notify applications where required. Operators identified that there is no significant concern with requiring a consent for a restricted discretionary activity for quarrying as the industry are aware of the potential effects and mitigation measures.</p>		
Effectiveness		
<p>The proposed provisions are considered to be the most effective means of achieving the GRUZ objectives as they ensure that adverse effects on rural amenity values are managed appropriately by restricting inappropriate non-rural and other business development, thereby protecting legitimate rural activities. In this way the provisions fulfil Council's statutory obligations, including Part 2 by providing for the economic and social wellbeing of the community, and in terms of section 7, maintaining amenity values. The provisions give effect to the CRPS, particularly concerning the establishment of urban type activities with rural areas.</p>		
Alternative Approach		
Require consent for all commercial and industrial activities to establish in rural areas.		
Appropriateness Assessment		

This approach is not considered the most appropriate way in which to achieve the GRUZ objectives because it does not provide for the community’s economic wellbeing and may result in higher costs of transporting goods. It may also result in unnecessary consenting costs to both the Council and the community, which has the potential to diminish economic and rural development potential in the district and imposes higher regulatory costs. It is also not consistent with the Strategic Objectives for the District in that regard.

Risk of Acting or Not Acting

14.11. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

14.12. The baseline and preferred approach reports provided sufficient information regarding the issues and strategic justification for the policies and rules proposed. As a result Council has sufficient information available to determine the proposed provisions associated with other activities establishing in the GRUZ. Feedback on the draft provisions supported the proposed approach and did not raise any fundamental issues with acting in the manner proposed. Overall, there is considered to be a low risk in pursuing the proposed approach.

Overall Evaluation of Appropriateness

14.13. The provisions recognise that the rural environment is a place of rural business, and that businesses that support primary production activity appropriately be enabled as part of a healthy and vibrant rural economy. Larger scale business and those that do not have a functional or operational need to locate in the GRUZ are discouraged. Overall, the proposed provisions are appropriate in achieving the relevant objectives, strategic objectives and align with best planning practice.

Wilding Conifers

14.14. The proposed provisions relating to the avoidance of further wilding prone conifer species and the promotion of efforts to eradicate wilding conifers from the Mackenzie District have been grouped for the purposes of this assessment, as set out below:

Table 18: Wilding Confer Provisions

Policies	<p>GRUZ-P7 Wilding Conifers</p> <p>Reduce the adverse effects of wilding conifers on the rural land resource, including by:</p> <ol style="list-style-type: none"> 1. Avoiding the further planting of wilding conifer species; and 2. Promoting land use activities that contain or eradicate wilding conifers in Te Manahuna / the Mackenzie District.
Rules	<p>GRUZ-R21 Planting of Wilding Conifers</p>

14.15. The following table identifies the strategic directions and objectives that are relevant to the assessment of the provisions relating to wilding conifers, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The

assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 19: Wilding Conifers - Assessment Against Relevant Objectives

Relevant Strategic Directions		
<p>ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>NE-O1 Natural Environment <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p> <ol style="list-style-type: none"> <i>mahika kai resources;</i> <i>night sky darkness;</i> <i>outstanding natural features and landscapes;</i> <i>significant indigenous biodiversity; and</i> <i>water bodies and their margins.</i> 		
Relevant Objective		
<p>GRUZ-O1 Zone Purpose <i>The General Rural Zone prioritises primary production and activities that support primary production, and provides for other activities where they rely on the natural resources found only in a rural location.</i></p>		
	Benefits	Costs
Environmental	Discouraging the planting of, and removal of existing wilding conifers benefits indigenous biodiversity values within Te Manahuna / the Mackenzie Basin.	No cost identified.
Social	The well-being derived from the iconic Te Manahuna / Mackenzie Basin landscape will be protected by preventing further planting of wilding prone species.	No costs identified.
Economic	Economic costs to primary industry from continued loss of productive land to wilding conifers can be alleviated by not allowing any further plantings.	No costs identified. The species identified as wilding are typically not planted commercially.
Cultural	Effective wilding control retains the cultural values present within Te Manahuna.	No costs identified.
Efficiency		

Non-complying activity status for the further planting of wilding prone species is considered an efficient way to encourage more appropriate widely available alternatives. The benefits of preventing further wilding plantings outweigh the costs, which are few given the alternatives available.
Effectiveness
The further planting of wilding conifer species does not accord with the GRUZ zone purpose objective of prioritising land use for primary production. The spread of wilding conifers is a significant threat to primary production within the Mackenzie District. Discouraging the planting of such species achieves the strategic directions and accords with requirements set out in the CRPMP.
Alternative Approach
Prohibited Activity Status
Appropriateness Assessment
An alternative approach considered at the drafting stage was prohibited activity status. However, it was considered that there may be a legitimate need to plant wilding conifers for research purposes under strictly controlled conditions. In order to not discount such an option, non-complying activity status was seen as being more appropriate.

Risk of Acting or Not Acting

14.16. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The scale and significance of the wilding conifer issues facing the Mackenzie District are well understood. On that basis there is little risk in taking the regulatory approach set out above.

Overall Evaluation of Appropriateness

14.17. The proposed provision is considered an appropriate way for the Council to carry out its statutory obligations and seek to preserve and protect the existing landscape and ecological values of the district which are matters of national importance in terms of section 6 of the RMA.

Takamana / Lake Alexandrina Hut Settlements Provisions (PREC3)

14.18. The proposed provisions relating to the management of built form at the three separate Takamana / Lake Alexandrina Hut Settlements (which have been identified as PREC3) have been grouped for the purposes of this assessment, as set out below:

Table 20: Takamana / Lake Alexandrina Hut Settlements Provisions

Policies	<p>PREC3-P1 Adverse Effects</p> <p>Control the scale, appearance and location of buildings and structures to ensure that:</p> <ol style="list-style-type: none"> the built form character of the Takamana / Lake Alexandrina Hut Settlements is maintained and enhanced; development is integrated with the landscape setting, including the topography, landform, and views to and from the area; accessibility to public areas and Takamana / Lake Alexandrina are maintained; and water quality within Takamana / Lake Alexandrina from wastewater discharge is not diminished further.
Rules	<p>PREC3-R1 Buildings and Structures; REC3-S1 Maximum Floor Area, PREC3-S2 Maximum Height; PREC3-S3 Shape, Colour and Design; PREC3-S4 Separation; PREC3-S5 Setbacks; PREC3-S6 Fencing and Landscaping; PREC3-S7 Waste Disposal; PREC3-S8 Encroachment onto Roads</p>
Definitions	N/A
Overlays	<i>Precinct 3</i>

14.19. The following table identifies the strategic directions and objectives that are relevant to the assessment of the provisions relating to the Hut Settlements at Takamana / Lake Alexandrina, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 21: Takamana / Lake Alexandrina Hut Settlements – Assessment Against Relevant Objectives

<p>Relevant Strategic Directions</p> <p>ATC-O1 Live, Work, Play and Visit</p> <p><i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>NE-O1 Natural Environment</p> <p><i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p>
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<ol style="list-style-type: none"> 1. mahika kai resources; 2. night sky darkness; 3. outstanding natural features and landscapes; 4. significant indigenous biodiversity; and 5. water bodies and their margins. 		
Relevant Objectives		
PREC3-O1 Precinct Purpose		
Development within the Takamana / Lake Alexandrina Hut Settlements maintains the existing distinctive character and identity of the settlements and is also complementary to the surrounding outstanding natural landscape.		
	Benefits	Costs
Environmental	The provisions recognise the special character of the settlements and ensure that any impacts from built form on the adjacent ONL values are minimised.	No costs identified.
Social	The Hut Settlements contribute to the well-being of the community.	Some of the Huts are located on public land and effectively prevent public access to the lake shore. However this is an existing situation.
Economic	The proposed provisions provide greater certainty and reduced consent costs to Hut owners than the non-complying activity consent required under the Operative Plan.	Resource consent is required to be obtained for all building and structures within the Hut Settlements (no change from existing situation).
Cultural	Access is to be maintained.	The natural character of Takamana / Lake Alexandrina is impacted by the Settlements located directly on the margin. However this is an existing situation.
Efficiency		
<p>At present the existing development within the Hut Settlements are not recognised and located within an ONL overlay and the Lakeside Protection Area. On that basis a non-complying activity consent is required for all building work. A set of 'Management Guidelines' were developed in 1999 to assist with decision-making and the resource consent process.</p> <p>Many of the standards included in those Management Guidelines now form part of the proposed rule framework. This is considered to be more efficient than the current process.</p> <p>The benefits of the proposed provisions outweigh the costs identified.</p>		
Effectiveness		
The built form standards seek to ensure that the scale and character of the existing Settlements are maintained. The provisions are effective at meeting the overall Objective for the Precinct without placing undue consenting costs on Hut owners. The provisions are designed to provide greater certainty and guidance in terms of the design and appearance of building work.		
Alternative Approach		
Retain Status Quo (no recognition)		
Appropriateness Assessment		
The Hut Settlements are located within an ONL, this makes consenting any required building work face a high consenting threshold. Whilst the Council has full discretion to consider any matter its wishes when considering such an application, there are instances where the development approved		

is not considered to complement the existing character and identity. The greater guidance provided by the proposed provision framework is considered a more appropriate approach to recognise the Settlements and ensure that visual amenity and the wider ONL values are protected.

Risk of Acting or Not Acting

14.20. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The Settlements exist and there is considered to be little risk of adopting either option.

Overall Evaluation of Appropriateness

14.21. The provisions provide a consenting framework for assessment rather than relying on a set of Rural Zone provisions that do not recognise or anticipate the type of development already existing at each of the Hut Settlements. On that basis the provisions are appropriate, meet the stated objective and better reflect the strategic objectives.

15. Overall Conclusion / Reasons

- 15.1. This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the benefits and costs arising from the provisions within PC23 and to assess the appropriateness of the current and proposed methods having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act. This has included considering their efficiency and effectiveness, their alignment with relevant direction in other statutory documents, and their contribution towards achieving the Strategic Directions introduced through PC20.
- 15.2. The Natural Character provisions will provide a clear framework to protect the riparian margins of surface waterbodies from inappropriate use and development. The provisions largely carry over from the setbacks included within the Operative Plan. The NATC-SCHED1 is based on those surface waterbodies identified by mana whenua as being SASM and those listed in Schedule B of the Operative Plan. The selected approach addresses the issues associated with the status quo and is consistent with the higher order documents and relevant Strategic Objectives.
- 15.3. The Natural Features and Landscapes provisions applying to Te Manahuna / the Mackenzie Basin are largely carried over from the Operative Plan (as amended by PC13). Targeted provisions seek to make the existing rules more efficient, namely in terms of the proposed change to the definition of pastoral intensification, or are seeking to address a specific resource management issue, such as the case with wilding conifers. The proposed option for wilding conifer control takes an integrated approach dealing with both landscape and indigenous biodiversity in a single set of provisions. The new rules are recognition that the current Operative Plan rules impose a barrier to effective wilding management removal and control. The proposed rules seek to impose a site by site assessment of the most effective way to manage wilding conifers in the short to medium, whilst maintaining landscape and

indigenous biodiversity values and seeking to ultimately return the land to traditional high country pastoral grazing. The provisions recognise the significant threat wilding conifers present to existing landscape and indigenous biodiversity values of Te Manahuna / the Mackenzie Basin.

- 15.4. The General Rural Zone provisions seek to prioritise primary production and the protection of highly productive land for farming purposes. The introduction of density standards within the Eastern Mackenzie, including the introduction of the Eastern Plains SCA-13, will better protect primary production and reduce the likelihood of reverse sensitivity. These density amendments will better maintain the character and amenity values of the district. The introduction of a legacy clause for existing sites within the GRUZ of 10ha and the Eastern Plains SCA-13 of 4ha will reduce the costs associated with the introduction of these provisions.
- 15.5. The provisions recognise the rural environment as a place of business, and enables rural industry and other activity that supports primary production. The policy framework sets out to define what types of business activities are to be provided for in rural areas. This approach is then supported by a range of rules focusing on the scale of activities, as it is considered that this is most likely to affect the nature and extent of any adverse effects on rural character, amenity values and primary production.
- 15.6. The review of the factory farming/intensive farming provisions of the Operative Plan identified that retaining the existing provisions largely reflect the nature of this activity within the district. It is acknowledged that these activities have a functional and locational need to be rurally located and therefore, where it is appropriate to do so, should be provided for. However, it is important that these activities do not adversely affect rural character and the amenity values anticipated within the District. The selected option addresses the issues associated with the status quo and is consistent with the relevant Strategic Objectives.
- 15.7. The review of the provisions of the Operative Plan relating to airfields and helicopter landing areas are largely supported by the community and recognise the importance of aircraft movements to support rural activity. The review of available options has concluded that the preferred approach is to continue to provide a permissive approach for certain aircraft and helicopter movements, but to be more restrictive when providing for commercial airfield and helicopter landing areas. Overall, the recommended provisions seek to provide for the continued use and development of rural land for aircraft movements, but to direct commercial operations to the identified Special Purpose Airport Zones.
- 15.8. Overall, the provisions within PC23 are considered to be the most appropriate to achieve the purpose of the RMA and the higher level proposed Strategic Directions. Taking into account efficiency and effectiveness, including costs and benefits, PC23 is considered to be the most appropriate way to achieve the objectives.

APPENDIX 6: Feedback on Draft PC23 Provisions:

Organisation	Provision:	Comment:	Response:
Environment Canterbury	GRUZ-R2	Where does SCA-RD5 EM SCA fit? Doesn't seem to be a rule for this area.	SCA-RD5 added to rule.
	GRUZ-R9	Consider setbacks from residential areas to prevent reverse sensitivity	A 500m setback from a residential zone added to GRUZ-R9 (Rural Industry).
	GRUZ-R14	For plantation forestry, there is need to ensure that these provisions are consistent with the NES-PF. For example the suggested setbacks seem larger than is allowed under the NES-PF.	Setback reduced to 40m to be consistent with PES-PF (Regulation 14).
	GRUZ-R17	Note the need to be consistent with the NPSIB (no net loss).	GRUZ-R17 deleted.
	GRUZ-R22	Need to be consistent with the NES-PF if planting is of plantation forestry.	Rule is restricted to planting of wilding conifers, which would typically not meet definition of plantation forestry. Rules updated to reflect NES-CF.
	GRUZ-S6	Do the setbacks need to be bigger to reduce fire risk?	50m setback is commonly applied in other district plan and is larger than what a plantation forest is required to be setback from residential units under the NES-PF.
	NATC-R1	Environment Canterbury seek that flood protection works carried out by Environment Canterbury do not require a resource consent. We understand that this could be included in the NH chapter.	Provisions to be included in the Natural Hazards Chapter (Stage 4).
	NATC-R2	Environment Canterbury seek that flood protection works carried out by Environment Canterbury do not require a resource consent. We understand that this could be included in the NH chapter.	Provisions to be included in the Natural Hazards Chapter (Stage 4).
NATC-R3	Note the need to comply with national direction on freshwater, and the NES-PF (for plantation forestry)	Plantation forest removed from NATC-R3 as setbacks are set out in NES-PF and updated NES-CF.	

	NFL-P2	Note that for plantation forestry, a stringency assessment under regulation 6 of the NES-PF should be carried out as part of the s32 analysis.	Discussion included in section 32 report.
	NFL-P10	It would be helpful to have a definition of “dense closed canopy wilding forests” to ensure that this provision is not used to allow cultivation of land that is more sparsely infested.	Areas are mapped and shown on the planning maps. The areas mapped are limited to existing areas of closed canopy wilding conifer forest.
	NFL-R6	<p>There is a need to clarify which areas are covered by this provision. The core consent areas and the fringe consent areas on the map in the discussion document, or the wilding conifer removal overlay included in the email link.</p> <p>Will the harvest management plan include impacts on wetlands? We have seen that wetlands can be revealed when dense stands of wilding conifers are removed.</p> <p>The wilding conifer management team will find this provision helpful, and Environment Canterbury supports it provided that there is a balance between minimising re-infestation and protecting indigenous biodiversity and wetlands.</p>	<p>Rule will apply to the areas shown on the planning maps only.</p> <p>A rule requirement relates to indigenous vegetation and erosion and sediment control, which would protect wetlands.</p>
	NFL-R7/ NFL-R8	<p>There is a need to clarify which areas are covered by this provision. The core consent areas and the fringe consent areas on the map in the discussion document, or the wilding conifer removal overlay included in the email link.</p> <p>It could be useful to have RDIS rather than CON status to enable consents to be declined.</p> <p>The wilding conifer management team will find this provision helpful, and Environment Canterbury supports it provided that there is a balance between minimising re-infestation and protecting indigenous biodiversity and wetlands.</p> <p>While Environment Canterbury supports its intent, Point d in NFL-MD2 seems difficult to achieve. How will the indigenous vegetation</p>	<p>Rule will apply to the areas shown on the planning maps only.</p> <p>CON activity status used so as to provide certainty to Applicant that application will be approved subject to consideration of the appropriate regime to achieve the most effective outcome for both wilding control and indigenous biodiversity protection in the short to medium term.</p> <p>It is acknowledged this may result in short to medium term changes in indigenous vegetation composition within the pasture.</p>

		be maintained when the land can be topdressed, oversown and grazed?	
	NFL-R10	For plantation forestry, a stringency assessment as per regulation 6 of the NES-PF as part of the s32 analysis.	The establishment of the Forestry Management Area within a second tier landscape is addressed in the section 32.
	NFL-S3	Note the need to comply with the requirements of the NPS-HPL	The Rule Standard relates to buildings to support primary industry and therefore would be permitted under the NPS-HPL.
Port Blakely	GRUZ-P7	Questions whether this is consistent with GRUZ-O1?	Wilding conifers are a serious threat to primary production so on that basis GRUZ-P7 is considered to give effect to GRUZ-O1.
	GRUZ-R13	ES-PF Regulation 6 stringency – NES-PF already provides for setback requires as per Reg's 14 and 78	Setbacks from residential units are 10m greater (50m) than the NES-PF. However, 50m setback is consistent with the sensitive activity setback applying from commercial forestry. Therefore greater setback is considered to meet the stringency test and is consistent with the new NES-CF framework.
	GRUZ-S6	Firefighting mitigation , such as water storage minimums Should be included as a permitted activity standard	New Rule Standard relating to water supply for firefighting has been added.
	Table NATC-1	NES-PF Regulation 6 and 14 - Stringency Local rules can be more stringent than a national environment standard where the national environment standard expressly provides for greater stringency. With respect to district plans, local rules can be more stringent than the NES-PF if (relevantly) the rule gives effect to an objective developed to give effect to the National Policy Statement for Freshwater Management; If a local authority intends to propose a local rule that is more stringent than a national environment	Plantation forestry has been deleted from NATC-R3. Setbacks included in Table NATC-1 would not apply.

		standard, then the local authority must complete an evaluation (S32 assessment) that examines whether the restriction is justified, in the circumstances of each region or district in which the restriction would have effect.	
	NFL-P2	If these areas contain visual amenity values, then the effects of other activities within those overlays should also be considered and managed – i.e. subdivision, location of built form, earthworks etc	Given density standard protects areas from subdivision and built development, controls specific to plantation forestry and woodlots were seen as being the most effective and efficient.
	NFL-R8	Wouldn't this have an impact on indigenous vegetation potentially displacing it?	Potentially in the short term only in order to appropriately deal with the Wilding Conifer issue.
	NFL-R10	Seems an appropriate activity status and is consistent with NES-PF Regulation 13 and 15.	No comment required.
Transpower	GRUZ Intro (2 nd Para)	Add words: <i><u>along with those activities that have an operational need or functional need for their location in the Zone.</u></i>	Change accepted (but used slightly different wording to like effect).
	GRUZ-P2	Transpower considers that the Policy should include explicit direction that regionally and nationally significant infrastructure is enabled in the zone	Dealt within the infrastructure chapter – no change required.
	NFL-P3	Seeks the insertion of “inappropriate” into clause (a) and (b) to better reflect section 6.	Change accepted, “inappropriate” added.
Glentanner Station Ltd/Glentanner Park Ltd	GRUZ-R15	Seeks exemptions for tourism and conservation flights.	Changes largely accepted, other exemptions added to GRUZ-R15.
Land Play	GRUZ-P3	Replace “avoid” with “manage”	Change not accepted – avoid appropriate when referring to effects.
	GRUZ-R2/R3	Consistency in terms of “new” residential units.	Change accepted, deleted the term “new” from GRUZ-R2.

	GRUZ-R10	250m ² areas is small when compared to visitor numbers per day.	Combined maximum GFA in GRUZ-R10 increased to 500m ² .
	GRUZ-R10/R11	Inconsistency with overnight stays allowable under the different rules.	Maximum number of overnight guests in GRUZ-R10 reduced from ten to six to provide consistency.
	SCA-RD3 / FBA	4ha minimum allotment size is to big – seeks clustering approach.	SCA-RD3 removed from GRUZ-R2.
Balmoral/Mt Hay Stations	Wilding Conifer Management Overlay	Seeks it include area east of Tekapo Regional Park / Mt Hay Station.	Updated mapping included based on work by Rob Young. Includes this area.
Ben Simpson	GRUZ-R15	We require ongoing maintenance and use of airstrips for farming operations and personal use. They also function as a safety for use when local operators cannot land at the airstrip. As far as I am aware no noise complaints have ever been made regarding the use of these strips, nor any other issues raised with them.	GRUZ-R15 updated.
Department of Conservation	Definitions	(Intensive Primary Production & Sensitive Activities)	Definitions provided.
	GRUZ-O1	Prioritisation of primary production should not be at the expense of indigenous biodiversity.	Indigenous biodiversity addressed in Section 19/PC18 provisions. No change required.
	GRUZ-P7	Inclusion of other pest species (e.g. rowan, alder, crack/grey willow) which also warrant a response.	This policy is specific to wilding conifers. No change required.
	GRUZ-R12	Add definition of conservation activities	Definition updated to reflect Conservation Act definition.
	GRUZ-R13	Should not occur in areas of significant indigenous vegetation or habitat for indigenous fauna, along with appropriate setbacks.	Indigenous biodiversity addressed in Section 19/PC18 provisions. No change required.
	GRUZ-R17	Should include a condition requiring that the extraction of material does not take place in an area of significant indigenous vegetation or significant habitat of indigenous fauna (subject to the outcome of the PC18 appeal) or mapped area	Indigenous biodiversity addressed in Section 19/PC18 provisions. No change required.

	GRUZ-R17	As currently worded it permits intensification within Sites of Natural Significance. Is this the intent and what impact will PC18 have? We point out that 5% of the area of a SoNS could comprise much more than 5% of the value of the site, and the rule does not appear to limit cumulative intensification	This rule has been deleted.
	GRUZ-R21	We support the non-complying status for planting of wilding conifer species, but DOC also considers <i>Pinus ponderosa</i> (Ponderosa Pine) as a wilding species in the Mackenzie District.	Change accepted, Ponderosa pine added to list of wilding conifers.
	NFL General Comments	Include Landscape Guidelines as per Appendix K	Reference to Landscape Guidelines included as a matter of control/discretion.
	NFL-O2	The objective and policy are too broad and as such do not provide necessary direction to ensure values that are sought to be maintained are so. Amendments are necessary to understand the purpose of the Forestry Management Areas.	
	NFL-P11	Although we support the plan enabling control of wilding conifers, we are concerned that the broad approach of this policy could be used to justify stock impacts on native vegetation.	The policy is in place to facilitate increased use of topdressing and oversowing as a wilding conifer management tool.
	NFL-R6	DOC supports the intent of the permitted activity standard but questions whether the conditions are sufficiently clear to ensure indigenous biodiversity is protected. We suggest using the definition of significant indigenous vegetation and significant habitat of indigenous fauna as this definition would apply the CRPS criteria. However, this position would be subject to the outcome of the Plan Change 18 Environment Court process. This position would also apply to the matters of control or discretion.	The proposed rule is to protect indigenous biodiversity from wilding conifers. Otherwise, Indigenous biodiversity addressed in Section 19/PC18 provisions. No change required.
	Table NATC-1	Suggests 100m setback for wetlands.	100m considered too large. No changes made.
Pūkaki Downs/George Ormond	Wilding Control Overlays	Use correct map which shows yellow area west of Pūkaki Downs Wilding Forest.	Updated mapping included based on work by Rob Young. Includes this area.

Federated Farmers	GRUZ-R2	Residential Units, the activity status is either permitted or non-complying for RD1,2 and 3, yet for RD4 it goes from permitted to discretionary. A consistent approach should be used.	Rules applying to different SCA are seeking to achieve different things. SCA-RD5 has a discretionary threshold then defaults to NC as with the others. No change required.
	GRUZ-R3	Minor Residential Units, the activity status should mirror that of R2, ideally permitted to discretionary.	GRUZ-R3 activity status changed to discretionary.
	GRUZ-R4	Relocated residential units and minor residential units, as above, goes from permitted to restricted discretionary status.	GRUZ-R4 is dealing with a specific activity (relocation), matters of discretion can be restricted when considering such a narrowly focussed activity. No change required.
	GRUZ-R8	maximum area of land is less than 100m ² , is a very small area. It may be appropriate for SCA-RD2, 3 & 4 but not SCA-RD1. It is more confusing when SCA-RD5 has a maximum area of less than 500m ² . Whilst Rural Industry has a National Planning Standard Definition, there is not one for Rural Service Industry. As the Rural Industry definition includes “services” we consider that R8 is not needed and should be deleted.	GRUZ-R8 has been deleted.
	GRUZ-R9	there is no consistency with area sizes to the associated Specific Control Area, and the areas are small. We suggest these areas are reviewed. It is unclear what heavy industrial activity is, as an example would a business that repairs tractors and other farm machinery be captured by this term?	Heavy industrial activity is defined. The sizes reflect the character and expectations of the identified SCA. No changes required.
	GRUZ-R8 to R10	The inclusion of maximum staff numbers for R8-10 is unnecessary and overly prescriptive. These are employment and/or Health & Safety legal matters not the RMA and effects on the environment.	Staff numbers are related to the scale of the activity and effects. No changes required.
	GRUZ-R15	Strongly support that aircraft/helicopter movements for rural production purposes are exempt from the rule requirements. However, the requirement that activities must be undertaken on	Change made.

		the same site as the site of the helicopter land area and/or airfield may not always be possible. Seeks this proviso be deleted.	
	GRUZ-R16	Seeks that the area is increased from 2,000 to 5,000m ² .	Change accepted, farm quarry provision increased to 5,000m ² .
	NFL Definition of Pastoral Intensification	Change is supported.	No changes required.
	NFL-R2	The limit of 250m ³ and 500m ² over 12 months is very light. We seek these limits are increased, ideally doubled. The plan needs to give effect to the ECAN CLWP with effective volume for offal holes and alike for health and safety purposes.	Changes accepted. Earthworks volume threshold increased to 500m ³ .
	NFL-R5	We seek another point is added to allow for the permitted earthworks required for maintenance and repair of reticulated stock water systems including water troughs.	Change accepted, maintenance and repair of reticulated stock water systems including water troughs is permitted.
	NFL-R6, 7 & 8	Should apply to all ONLs not just those in the Mackenzie Basin Subzone. Wildings do occur outside the Basin and these rules should apply throughout the district. Whilst no areas in the Eastern District may currently be included in the Wilding Conifer Removal Overlay, they may be added in the future.	No areas meet the threshold to be included within NFL-R6/7 at this time. Topdressing and oversowing not regulated in Eastern Mackenzie ONL so no need for NFL-R8 in that area. No changes required.
	GRUZ-R11	It is unclear if the non-complying status applies to all mining and quarry or if farm quarries would be enabled with a different status. Most likely restricted discretionary or discretionary.	Applies to all mining, no changes required.
Fire & Emergency NZ (FENZ)	GRUZ-R2/R4	Include firefighting storage capacity	Changes accepted, firefighting water supply capacity standard added.
AOPA/ Michael Speck/ Mark Pidman/ James Leslie	GRUZ-R15	Current District Plan considered fit for purpose. Rely in setbacks from sensitive activities and roads only. Remove movement & hour restrictions.	Changes made to GRUZ-R15 to better reflect current situation.

Rooney Group	GRUZ-R3	30m separation distance is overly restrictive.	Separation distance increased to 100m.
	GRUZ-SCHED1	There should be no minimum density standard applying within FBA.	Reference to SCA-RD3 removed from GRUZ-R2.
	NATC - Diagram 2	Has potential to include section 13 land as section 9 land.	No changes required.
Meridian and Genesis	GRUZ-Policy	REG-P7 is better implemented within other chapters, and people won't go to look at the REG chapter when they are subdividing or looking at the GRUZ rules, it makes more sense for the policy to sit within the GRUZ and SUB chapters.	GRUZ Chapter already includes a policy relating to reverse sensitivity. Have added "existing renewable electricity generation activities" to that list.
Survey Responses (not otherwise covered above)	Grandfather Clause	57% of respondents wanted a grandfather/legacy clause to apply to all existing titles. Response didn't want grandfather/legacy clause to apply within ONL.	Legacy clause added to rule package. Applies to minimum 10ha existing titles in GRUZ and 4ha in Eastern Plains SCA-13.