



Mackenzie
DISTRICT PLAN REVIEW

TOMORROW'S MACKENZIE
KA AWATEA HŌU

Overview Report: District Plan Review and Plan Change 20

Date: July 2022

1. Introduction

Purpose of this report

- 1.1. Mackenzie District Council is undertaking a rolling review of its Operative District Plan. The purpose of this report is to:
- provide an outline of all the stages of the review; and
 - provide a more detailed summary of the content of Plan Change 20.

Rolling Review

- 1.2. The Mackenzie District Plan was made operative in May 2004. Under s79(1) of the RMA, a review of any provisions of the District Plan not already reviewed must be commenced within 10 years.
- 1.3. In 2012, the Planning and Regulations Committee, in considering the approach to be taken to the District Plan Review, resolved to commence a partial review of the District Plan, which would cover all provisions aside from those subject to Plan Changes 13 and 15. This was to be undertaken as a single First Schedule process. In October 2017, this approach was revised to provide for a staged process to be undertaken. Following this, Plan Changes 18 & 19 to the Operative District Plan were notified as Stage 1 of the District Plan Review.
- 1.4. In late 2021, Council began considering and planning in more detail how the remainder of the District Plan review would be undertaken. This included undertaking an ‘Investment Logic Mapping’ process (ILM), informed by iwi and key stakeholders, which identified key issues that the District Plan needed to address, as well as helping to inform the preferred approach to the staging of the review to address these issues. It was determined that the review would be progressed in stages, based on based on chapters and issues, by approaching strategic chapters first and then key issues.
- 1.5. The stages, and what they are likely to broadly entail, are set out in the following table. It should be noted that these indicate the intended order and content of each stage, but are subject to change as the review progresses. The stages are being progressed via a series of Plan Changes to the Operative District Plan. Because part of the project is to move the District Plan into the National Planning Standard framework, for the most part, full chapters will be replaced via the Plan Changes.

Stage	Title	Operative Plan Sections	National Planning Standard Plan Sections
1 ¹	Strategic Chapters	<ul style="list-style-type: none">- Section 1 – Introduction- Section 2 – Policy and Legal Framework- Section 3 – Definitions- Section 4 – Takata Whenua	<p>Part 1 – Introduction and General Provisions:</p> <ul style="list-style-type: none">- Introduction- How the Plan Works- Interpretation (part)- National Direction Instruments- Mana Whenua <p>Part 2 – District-wide Matters</p> <ul style="list-style-type: none">- Strategic Direction

¹ Note Plan Changes 18 & 19 are also part of the overall review of the District Plan. Along with PC20, they form Stage 1 of the overall review.

2	Spatial Plans Implementation (urban zones) and Lighting	<ul style="list-style-type: none"> - Section 5 – Business Zones - Section 6 – Residential Zones - Section 12 – Signs and Outdoor Lighting (lighting only) 	Part 2 – District-wide Matters <ul style="list-style-type: none"> - Light Part 3 – Area-specific Matters <ul style="list-style-type: none"> - Residential Zones - Commercial and Mixed Use Zones - Industrial Zones
3	Rural, Subdivision and East Mackenzie Landscape	<ul style="list-style-type: none"> - Section 7 – Rural - Section 7A – Rural-Residential Zone – Manuka Terrace - Section 7B – Ohau River Rural-Residential Zone - Section 8 - Twizel Rural-Residential Zones - Section 13 – Subdivision, Development and Financial Contributions 	Part 2 – District-wide Matters <ul style="list-style-type: none"> - Natural features and landscapes - Subdivision Part 3 – Area-specific Matters <ul style="list-style-type: none"> - Rural Zones
4	District-wide Matters	<ul style="list-style-type: none"> - Section 10 – Hazardous Substances - Section 11 – Heritage Protection - Section 12 – Signs and Outdoor Lighting (excluding lighting) - Section 14 – Temporary Activities and Buildings and Environmental Noise - Section 15 – Transportation - Section 16 – Utilities - Section 17 – Solid Waste Management - Section 18 – Natural Hazards 	Part 2 – District-wide Matters <ul style="list-style-type: none"> - Energy, Infrastructure, and Transport - Hazards and Risks - Historical and Cultural Values - Natural Environment Values (excluding Ecosystems and Indigenous Biodiversity) - General District-Wide Matters (excluding Light)
5	Special Purpose Zones, Open Space and Recreation Zones and Designations	<ul style="list-style-type: none"> - Section 9 – Special Purpose Zones (Opuha Dam, Pukaki Village, Airport, Ruataniwha Rowing, Pukaki Downs); Recreation and Open Space (Recreation P, Recreation A, Open Space H, Open Space G, Special Travellers Accommodation) - Appendix A – Designations 	Part 3 – Area-specific Matters <ul style="list-style-type: none"> - Open Space and Recreation Zones - Special Purpose Zones - Designations
6	Remaining Provisions	TBC	TBC

1.6. It should also be noted that appendices, maps, definitions and abbreviations will also be added at each stage, as relevant to that stage.

PC20 – Strategic Chapters

- 1.7. PC20 relates to the strategic and introductory chapters of the District Plan review. This includes the introduction of Strategic Direction chapters, as well as the replacement of the majority of the introductory chapters. The new and replacement chapters will follow the structure required by the National Planning Standards.
- 1.8. A s32 report has been prepared which evaluates the objectives contained in the Strategic Direction chapters. As such, this chapter is not commented on further here. As none of the introductory chapters contain any ‘provisions’ in terms of how they are defined in s32(6) of the RMA, a s32 evaluation report is not required for these chapters. However, to assist with understanding their content, the remainder of this report provides additional information in relation to the proposed introductory chapters.
- 1.9. The following chapters contained within Part 1 – Introduction and General Provisions are included as part of Plan Change 20:
- Mihi
 - Purpose
 - Description of the District
 - Statutory Context
 - General Approach
 - Cross Boundary Matters
 - Relationships Between Spatial Layers
 - Definitions (in part – refer below)
 - Abbreviations (in part – refer below)
 - Glossary
 - National Policy Statements and New Zealand Coastal Policy Statement
 - National Environmental Standards
 - Regulations
 - Water Conservation Orders
 - Mana Whenua
- 1.10. In regards to the Definitions chapter, this stage of the Plan review proposes to only introduce any definitions related to chapters within this stage. Similarly, the abbreviations chapter introduces any abbreviations used within the chapters included within this stage. Additional definitions and abbreviations, and changes to existing definitions will be added as required through further stages.

Relationship with other stages

- 1.11. It is anticipated that additional definitions and abbreviations will be added to these chapters through the subsequent stages of the District Plan Review, as well as updating of the content page. In addition, changes may be required to components of the introductory sections as a consequence of other stages. For example:
- The proposed ‘Relationship Between Spatial Layers’ chapter refers to the range of spatial layers provided for in the National Planning Standards. However, these spatial layers may
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not all be used. If they are not all used, a consequential change would be required to remove reference to any spatial layers that are not relevant.

- To simplify the implementation of the updated District Plan, the proposed drafting approach is to use only permitted, restricted discretionary, discretionary and prohibited activity statuses. The General Approach chapter currently includes reference to controlled and non-complying activity statuses, and would likely need to be amended if these activity statuses are not used.

2. National Planning Standards

- 2.1. Section 75(3)(ba) of the RMA requires the district plan to give effect to any national planning standard (NP Standards). The current NP Standards include Part 1 – Introduction and General Provisions. Some of the chapters within the sections are compulsory, others must be included if relevant to the district plan, and all must follow the order specified. No additional parts may be included in Part 1.
- 2.2. In terms of the mana whenua chapter, the provisions in this chapter must only include context and process-related provisions. Other mana whenua provisions must be integrated throughout the plan where MDC determines it is appropriate. Matters to be considered within this chapter, after engagement with mana whenua, include:
 - Recognition of hapū and iwi (including history, relationships and interests in resource management, significant resources, how hapū or iwi values have been considered in the Plan, relevant settlement agreements and statutory acknowledgements)
 - Mana whenua – local authority relationships (formal relationships agreements between mana whenua and the local authority)
 - Hapū and iwi planning documents lodged with the local authority and how they have been taken into account in the plan
 - Information about involvement and participation with mana whenua in RMA consultation processes.
- 2.3. Standard 6 of the NP Standards also sets out what information, if included in the Plan, must be set out in specified chapters of Part 1.

3. Current Approach - Introductory Chapters

- 3.1. The Operative District Plan contains the following four introductory/explanatory chapters:
 - Introduction - contains a general introduction about the purpose of the Plan, its structure, how it is to be used and its implementation.
 - Policy and Legal – sets out how the District Plan fits in the wider context of the RMA.
 - Definitions - sets out the specific meaning of terms used within the Plan.
 - Mana Whenua - explains mana whenua history and relationship with the district's natural resources; outlines their issues; and details statutory acknowledgement areas. This section also contains two overarching objectives relating to recognition of: the relationship of mana whenua with the district's resources; and the Treaty of Waitangi partnership between mana whenua and the Crown/local government. There are six supporting policies, which largely relate to process or support/advocacy and focus on the involvement of mana whenua in resource management processes.
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4. Issues - Introductory Chapters

- 4.1. The ILM developed for the District Plan review identified the following four key problems which the Plan Review should address:
 1. *Uncoordinated & fragmented development is enabled, disrupting social and economic wellbeing, putting pressure on infrastructure.*
 2. *Failure to protect our natural landscapes, water and indigenous biodiversity, erodes Mackenzie's unique environment.*
 3. *Mana whenua values and footprint are missing, reducing the strength of the plan & inhibiting the ability of our tangata & mokopuna to thrive.*
 4. *The outdated & permissive nature of the plan results in inconsistent and ad hoc decision making which creates perverse and undesirable outcomes.*
- 4.2. With respect to the introductory sections of the District Plan, the fourth issue is relevant, as the current sections include out of date information, such as references to parts of the RMA that no longer apply, or to statutory documents that have been replaced. These sections also do not comply with the structure of the NP Standards.
- 4.3. The current Mana Whenua section also contains objectives and policies, whereas under the NP Standards, the provisions in the Mana Whenua chapter must only include context and process-related provisions.

5. Proposed Approach - Introductory Chapters

- 5.1. In order to address the identified issues and implement the NP Standards, the drafting approach taken is to update the content of the introductory chapters, align them with other plans and keep them brief.
 - 5.2. With respect to the Definitions chapter, it is only proposed to introduce definitions related to chapters within this stage. Similarly, the abbreviations chapter only introduces any abbreviations used within the chapters included within this stage. Additional definitions and abbreviations will therefore be added as required through further stages.
 - 5.3. In terms of the Mana Whenua section, Te Rūnanga o Arowhenua have, with the assistance of Aoraki Environmental Consultancy Limited, documented a significant portion of their history, their cultural values and a large number of culturally significant sites. This information was gathered as part of recent projects including the draft Timaru District Plan, Te Manahuna Aoraki Project and large-scale resource consents. The information has been used as the basis for the proposed Mana Whenua chapter, with additional information on lakes, glaciers and alpine areas.
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