

3 October 2022

Mackenzie District Plan Review

**Further Submission on Plan Change 20 – Stage One: Strategic Direction Chapters –
Mackenzie District Plan Review**

Name of Submitter: Waka Kotahi New Zealand Transport Agency

1. This is a further submission on Plan Change 20 – Stage One of the Mackenzie District Plan Review.
2. Waka Kotahi New Zealand Transport Agency (Waka Kotahi) is an agency/person that has an interest in the proposed plan change that is greater than the interest of the general public. This is because Waka Kotahi has particular interests in ensuring the Mackenzie District Plan Review enables the continued and efficient operation and development of regionally significant infrastructure in the Mackenzie District.
3. Waka Kotahi further submissions are set out in **Table 1**.
4. Waka Kotahi wish to be heard in support of the submissions.
5. If others make a similar submission Waka Kotahi will consider presenting a joint case with them at a hearing.

Signed by:



Richard Shaw
Team Leader – Environmental Planning
Waka Kotahi New Zealand Transport Agency

Pursuant to authority delegated by the New Zealand Transport Agency

Date: 3 October 2022

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Table 1: Waka Kotahi Further Submission Points on Plan Change 20 – Mackenzie District Plan

Submitter Name (Submitter Number)	Decision/relief requested by Submitter	Position on submission point	Reasons Waka Kotahi Support/Opposition	Decision Sought by Waka Kotahi
Forest and Bird (5)	<p>Amend NE-O1 to: The values of the natural environment that make the District unique, contribute to its character, identity and wellbeing, and or have significant or <u>outstanding</u> intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes values associated with:</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 <p>And add a new Strategic Objective as NE-O2: <u>Across the District:</u></p> <ol style="list-style-type: none"> <u>1. mahika kai resources are protected and enhanced;</u> <u>2. night sky darkness is protected, and enhanced;</u> <u>3. there is an overall net gain in the quality and quantity of indigenous ecosystems and habitat, and indigenous biodiversity across the district and significant indigenous vegetation and habitats are protected;</u> <u>4. the natural character of freshwater bodies including wetlands is preserved or enhanced, or restored where degradation has occurred;</u> 	Support in part	Waka Kotahi are interested to understand the implications of the amendments to objective NE-O1 and the proposed new Strategic Objective, and how these will be applied in practice.	Clarification on how the objectives will be applied in practice.

	<p><u>5. outstanding natural features and outstanding natural landscapes are identified and their values recognised and protected;</u></p> <p><u>6. people have access to a network of natural areas for open space and recreation, conservation and recognized that s6 requires the protection of some natural values but not all of them. It said that these are intended to be teased out in subsequent stages of the review.</u></p> <p><u>Forest & Bird argues that this is place for some of this discussion to take place and it is critical that the strategic directives reflect the RMA requirements accurately because of the intended purpose of the strategic directives (i.e. guide future plan revisions, guide resource consent applicant and consent processors) education, including within riparian areas, the western ranges, and within urban environments;</u></p> <p><u>7. land and water resources are managed through an integrated approach which recognises the importance of ki uta ki tai to Ngāi Tahu and the wider community, and the inter-relationships between ecosystems, natural processes and with freshwater; and</u></p> <p><u>8. the mauri of ecosystems and indigenous biodiversity is safeguarded and freshwater is managed in a way that gives effect to “Te Mana o te Wai.”</u></p>			
Genesis Energy Ltd (7)	Amend UFD-O1 to include '6. Protects significant infrastructure and activities in the District from reverse sensitivity effects.'	Support	Waka Kotahi supports the requested amendment to ensure significant infrastructure is protected from potential reverse sensitivity effects.	Amend to include provision to protect significant infrastructure and activities from reverse sensitivity effects.

Enviro Waste Services Ltd (8)	Amend ATC-O3 – to include regionally significant infrastructure from reverse sensitivity effects	Support	Waka Kotahi supports the requested amendment to ensure significant infrastructure is protected from potential reverse sensitivity effects.	Amend to include provision to protect significant infrastructure and activities from reverse sensitivity effects.
Opuha Water Ltd (9)	Amend ATC to provide for infrastructure to be operated, <u>be maintained and upgraded...</u>	Support	It is supported to include provision for maintenance and upgrading of infrastructure in ATC preamble.	Amend to include provision for infrastructure
Meridian Energy Ltd (11)	Amend UFD-O1 to include '6. Protects significant infrastructure and associated activities from reverse sensitivity effects.'	Support	Waka Kotahi supports the requested amendment to ensure significant infrastructure is protected from potential reverse sensitivity effects.	Amend to include provision to protect significant infrastructure and activities from reverse sensitivity effects.
Environment Canterbury (14)	Amend description of activity in Chapter: Cross Boundary Matters to: 12. seek amendment permitted <u>prohibited</u> , you cannot proceed with the activity.	Support	Support amendment to correct activity description	Amend description to correct description of prohibited activity.
Environment Canterbury (14)	Amend ATC-O1.2 as follows: 1. Activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities , are provided for, while ensuring adverse environmental effects are managed appropriately and, OR add a new Strategic Objective: <u>Avoid significant adverse effects on environment and avoid, remedy or mitigate other adverse effects.</u>	Oppose	It is sought that the objective is retained as notified. However, if either of the recommended changes are adopted, Waka Kotahi prefers the proposed amendment to ATC-O1.2 with the removal of " <u>ensuring adverse environmental effects are managed appropriately</u> " rather than the proposed new Strategic Objective. The reason for this is because there is uncertainty of the implications of this in the implementation of the District Plan.	Retain as notified.
Environment Canterbury (14)	Amend ATC-O3 to the following:	Oppose	Waka Kotahi recognises the notified Strategic objective is an enabling provision	Retain as notified.

	<p><u>The importance of regionally significant infrastructure is recognised and provided for without major constraints from other activities, while managing its adverse effects.'</u></p> <p><u>OR</u></p> <p><u>Regionally significant infrastructure is provided for without major constraints from other activities, while managing its adverse effects.</u></p>		<p>for regionally significant infrastructure and the proposed changes create unnecessary constraints. The intention of the changes to manage adverse effects are anticipated to be addressed in specific chapters of the proposed District Plan i.e. Infrastructure, Transport and Energy Chapters.</p>	
Environment Canterbury (14)	<p>Delete ATC-O5 and replace with the following: <u>The effects of climate change are recognised and an integrated management approach is adopted, that ensures:</u> <u>1. climate change is considered in natural hazards management;</u> <u>2. the community can adapt to climate change;</u> <u>3. energy efficiency in urban form and settlement patterns;</u> <u>4. energy efficiency infrastructure.</u></p> <p>Add a new Strategic Objective ATC-O6: <u>'Natural hazard risks are addressed so that:</u> <u>1. areas subject to natural hazard risk are identified;</u> <u>2. development is avoided in areas where the risks of natural hazards to people, property and critical infrastructure are assessed as being unacceptable; and</u> <u>3. for other areas, natural hazard risks are appropriately mitigated.'</u></p>	Oppose in part	<p>Waka Kotahi has concerns that the proposed amendments could create issues for critical infrastructure.</p> <p>Clarification is sought on the term "unacceptable" and the judgement on how this term could be interpreted in the proposed new objective ATC-O6.</p>	Retain as notified.
Environment Canterbury (14)	<p>Amend UFD-O1 to: <u>'The district's townships and settlements grow and develop in a consolidated</u></p>	Support in part	<p>It is considered that the use of 'avoid' in the proposed amendments may have unintended consequences in preventing</p>	Further consideration is sought on how the proposed

	<p>way that:</p> <ol style="list-style-type: none"> 1. is integrated with into, and respects the surrounding natural and physical environment <u>in a way that protects significant natural values;</u> 2. achieves good connectivity with other parts of the urban areas; 3. <u>avoids increasing the risk of natural hazards within high hazard areas and avoids or mitigates other hazards;</u> 3.4. <u>is integrated with the efficient and effective provision of</u> is supported by appropriate infrastructure; 4.5. maintains the character of each township, and its attractiveness to residents, businesses and visitors; and 5.6. responds to the needs of the community, including diversity in housing and business opportunities.; <u>7. protects community drinking water supplies;</u> <u>8. protects the life supporting capacity, health and productive capacity of highly productive land.</u> 		<p>the maintenance, use and operation of critical infrastructure within the Mackenzie District.</p> <p>Waka Kotahi also seeks to understand the extent of what is intended to be classified as 'other hazards' in proposed point 3.</p> <p>There are some concerns with the use of 'efficient and effective' in relation to the provision of integrated infrastructure as it is assumed this would be considered by the Council rather than the infrastructure provider. This terminology mirrors the Waka Kotahi statutory objective requiring our functions to contribute to an effective, efficient, and safe land transport system in the public interest. In advancing proposals for infrastructure works and projects Waka Kotahi already come to a determination on how this statutory objective is being advanced.</p>	<p>amendments will be implemented in practice.</p>
<p>Retirement Villages Association of NZ Inc (15)</p>	<p>Amend ATC-O1(3) to ensure planned character (not existing character) of different areas is a key consideration and to enable the housing choice needs of the community to be met.</p>	<p>Neutral</p>	<p>Waka Kotahi are interested to understand how the provision for future/planned character would be addressed comparable to the notified ATC-O1(3).</p>	<p>Clarification on how the amended changes would be implemented.</p>