

**BEFORE THE MACKENZIE DISTRICT COUNCIL**

Under **The Resource Management Act 1991**

And

In the matter of **Proposed Plan Change 20 to the Mackenzie District Plan**

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**Evidence of Lisa Thorne**  
**on behalf of the Director-General of Conservation *Tumuaki Ahurei***  
**Submitter Number: 16**  
**Dated: 17 November 2022**

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**Department of Conservation | *Te Papa Atawhai***

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## **Introduction**

1. My full name is Lisa Thorne.
2. I have been asked by the Director-General of Conservation *Tumuaki Ahurei* ('D-G') to provide expert evidence on Proposed Plan Change 20 to the Mackenzie District Plan.

## **Qualifications and Experience**

3. I am employed by the Department of Conservation ('DOC') as a Senior Resource Management Planner. I have worked for DOC for six months.
4. I have 14 years' experience in resource management planning, policy, and strategy. This has included working in the local government, consulting, and central government sectors.
5. Prior to joining DOC, I spent the previous five years as a planning consultant. I was the Otago and Southland Manager employed by 4Sight Consulting Limited, and prior to that I was an Associate Planner employed by Mitchell Daysh Limited. I spent my first 8 years of practice as a local government planner in resource consenting, policy and strategy roles in district, regional and unitary authorities in Auckland and Dunedin.
6. I hold a Master of Environmental Planning, and a bachelor's degree with a double major in Environmental Planning and Geography, from the University of Waikato.

## **Code of Conduct**

7. Although this is not an Environment Court hearing, I have read the code of conduct for expert witnesses as contained in the Environment Court's Practice Note 2014 (the Code). I have complied with the Code when preparing my written statement of evidence.
8. The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the opinions expressed are also set out in the evidence to follow.

9. Unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **Summary of the D-G's Submission**

10. The D-G's submission sought that all of Proposed Plan Change 20 to the Mackenzie District Plan, except for the Natural Environment Chapter, be retained as notified.
11. The Natural Environment introduction was supported subject to a minor amendment to correct an error.
12. The Natural Environment Objective NE-O1 was supported subject to an addition to the objective in order to clarify that the objective applies to all natural environment values, while still ensuring that the more significant values are explicitly considered.

### **Scope of Evidence**

13. I have been asked to provide evidence in relation to Proposed Plan Change 20 to the Mackenzie District Plan and the D-G's submission.
14. The scope of this planning evidence is confined to Objective NE-O1 in the Natural Environment Chapter.

### **Material Considered**

15. In preparing my evidence I have read and relied upon the following documents:
  - a. Plan Change 20 as notified;
  - b. Plan Change 20 - Section 32 Strategic Directions;
  - c. The D-G's submission dated 9 September 2022;
  - d. The Summary of Submissions;
  - e. The Section 42A Report; and
  - f. National Planning Standards 2019.

### **Natural Environment Objective NE-O1**

16. I am not supportive of the amendments sought to Objective NE-O1 in the section 42A report for the reasons set out below, and seek that the term 'important' be removed, and the list of values in the notified version of the objective be retained.

17. The D-G's submission sought the following change to the notified objective (additions in underline):

*The values of the natural environment, and particularly those that make the District unique, contribute to its character, identity and wellbeing, and have significant intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes values associated with:*

- 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.*

18. The addition was sought to strengthen the objective and to clarify that the objective applies to all natural environment values, while still ensuring that the more significant values are explicitly considered.

19. Other submissions that sought amendments to Objective NE-O1 include the Royal Forest and Bird Protection Society of New Zealand, Pukaki Tourism Holdings Limited Partnership and Pukaki Village Holdings Limited, and Environment Canterbury.

20. Having considered the submissions received, the section 42A report recommended the following change to the objective (additions in underline, deletions in ~~strikethrough~~):

*The important values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, ~~and~~ or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced.*

*~~This includes values associated with:~~*

- ~~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.~~*

21. The reasons provided for these recommended changes are set out in paragraphs 121-128 of the section 42A report.
22. I understand that the reason in the section 42A report to amend the chapeau was to provide greater clarity that not all natural values of importance may necessarily be unique, or contribute to the character, identity and wellbeing of the Mackenzie District, but should still be recognised and provided for.
23. I do not disagree with this reason, however the addition of the term 'important' is unnecessary and implies a hierarchy of natural values, whereby they must be considered 'important' in order for this objective to apply. What may be considered 'important' and what may not be is not clear. To avoid any ambiguity, the objective should be further amended to remove the term 'important', so that the objective simply applies to 'The values of the natural environment'. The level of importance or significance, and the associated extent to which the values are to be recognised, provided for, and where appropriate protected and enhanced, can then be appropriately addressed in the other chapters relating to these values.
24. I support all other additions to the chapeau recommended in the section 42A report as they clarify that the values listed in it are not exclusive, providing breadth for other values to be relevant. This accords with similar reasons in the D-G's submission, and although this relief varies from that sought by the D-G, the same outcome is achieved.
25. I understand that the reason in the section 42A report to delete the list of values is to provide greater clarity, and to reduce the risk associated with elevating these particular matters over other values that may also be important in the Mackenzie District.
26. The Mandatory Directions in the National Planning Standards 2019 set out:  
  
*If the following matters are addressed, they must be located under the Strategic direction heading:*  
  
*a. an outline of the key strategic or significant resource management matters for the district*

*b. issues, if any, and objectives that address key strategic or significant matters for the district and guide decision making at a strategic level...<sup>1</sup>*

27. Although I do not disagree with the intent of the amendment proposed in the section 42A report, the deletion of the listed values strips out any reference in the objective to those values that are unique and relevant to the Mackenzie District. The objective as amended in the section 42A report, does not set out the key strategic resource management matters related to the Natural Environment of the Mackenzie District. This does not accord with by the Mandatory Direction.
28. I consider that retaining the list in the objective, and simply adding the qualifier ‘but is not limited to’, will achieve the same intent sought in the section 42A report, while ensuring the objective addresses the key strategic and significant natural environment matters relevant to the Mackenzie District in accordance with the Mandatory Directions.
29. Having considered the reasons for the recommended changes in the section 42A report, and as outlined above, I recommend the following changes (amendments sought are in double underline and ~~double strikethrough~~):
- The ~~important~~ values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, ~~and 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:*
- 1. mahika kai resources;*
- 2. night sky darkness;*
- 3. outstanding natural features and landscapes;*
- 4. significant indigenous biodiversity; and*
30. *5. water bodies and their margins.*
31. In my opinion these amendments better recognise the key strategic and significant Natural Environment matters to the Mackenzie District and will ensure that all natural environment values are appropriately recognised and provided for.

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<sup>1</sup> National Planning Standards November 2019, Section 7, District-wide Matters Standards.

A handwritten signature in blue ink, consisting of several overlapping loops and a trailing stroke.

Lisa Thorne

Date: 17 November 2022