

Plan Change 13 and 19



Rural Zone and Activities on or within Waterbodies

Mackenzie
DISTRICT COUNCIL

Public notice is hereby given that at an ordinary Council meeting held on 20 September 2022, the Mackenzie District Council formally approved Plan Change 13 and Plan Change 19 to the Mackenzie District Plan in accordance with Clause 17(1) of the First Schedule to the Resource Management Act 1991 (the Act).

The purpose of Plan Change 13 was to insert provisions into the District Plan to protect the Mackenzie Basin's outstanding natural landscapes. Plan Change 13 incorporates rezonings within the Mackenzie Basin Subzone, additional objectives and policies, additional rules and changes to the planning maps.

Plan Change 13 (Rural Zone – Mackenzie Basin) was notified on 19 December 2007. Notice of Council's decisions on Plan Change 13 was given on 5 September 2009. A number of appeals to the Environment Court were lodged. The Environment Court released its first decision on 14 December 2011 and its final decision (Farm Base Rules) on 18 December 2018. The Court's decisions were made under sections 279(1)(b), 290 and 293 of the Act.

Plan Change 13 was subject to a process under s293 of the Act. The proposed s293 package was notified on 15 November 2015. The Environment Court has determined that the rules of Plan Change 13 (s293 as notified) had legal effect from 15 December 2015, and the rules of Plan Change 13 in its final version must be treated as operative from 13 April 2017, the date of the Court's Eleventh Decision.

The final Plan Change 13 policies, rules and maps were lodged with the Registrar of the Environment Court on 16 June 2017 and approved by the Environment Court on 8 September 2017. The provisions included Rural Objective 3B(3)(b), additional explanations and reasons, Policy 3B1, Policy 3B2, Policy 3B3, Policy 3B4, Policy 3B5, Policy 3B6, Policy 3B7, Policy 3B8, Policy 3B9, Policy 3B10, Policy 3B11, Policy 3B12, Policy 3B13 – Pastoral intensification and agricultural conversion, additions and changes to definitions including 'agricultural conversion', 'farm building', 'tussock grasslands', and various changes and additions to rules relating to the Mackenzie Basin Subzone, together with additional assessment matters and appendices. Farm Base Areas in Appendix R were confirmed by the Court by decisions of 16 December 2017 and 12 May 2018 with additional building standards, rules, assessment matters, and inclusion of Appendix U Hydroelectricity Inundation Hazard Area maps. Additional rules were included by further Environment Court decision 18 December 2018. To give effect to the Council's decision (where not appealed) and the Court's various directions, the District Plan has been amended to incorporate those decisions once treated as operative.

Plan Change 19 (Activities on or within Waterbodies) was publicly notified in December 2017. Following the issuing of Council's decision, one appeal was received on 3 July 2019. That appeal sought an amendment to Rules 7A.1.1.a, 7A.2.1.a, 7A.3.1.a and 7A.4.1.a to delete the words "granted prior



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to 17 May 2019” from those rules. That appeal was resolved by Consent Order dated 4 October 2019. Pursuant to Clause 86(F) Plan Change 19 has been treated as operative since the appeal was resolved.

The operative Mackenzie District Plan is available for viewing, and free download, from the Mackenzie District Council website:

<https://www.mackenzie.govt.nz/council/strategies-plans-and-reports/district-plan>

If you have any questions regarding Plan Change 13 and 19, please do not hesitate to contact the Planning Department at 03 685 9010 or via email districtplan@mackenzie.govt.nz

Angela Oosthuizen, Chief Executive
On behalf of Mackenzie District Council

Notification Date 27th April 2023

Operative Date 4th May 2023