



Section 32 Report: Strategic Direction Chapters
Plan Change 20 Mackenzie District Plan

Date: July 2022

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 20 (PC20). 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

- 1.2. This s32 report relates to the introduction of Strategic Direction chapters to the District Plan. These chapters, along with the chapters within Part 1 – Introduction and General Provisions, form PC20, which is part of Stage 1 of the overall District Plan review. A separate summary report describes the Plan Change more fully, including the chapters to which an evaluation in terms of s32 is not required, along with including how PC20 fits with the remaining stages of the District Plan Review.

Provisions

- 1.3. This s32 report relates to the following chapters proposed within the Strategic Direction section in Part 2 – District-Wide Matters of the District Plan:
 - A Thriving Community
 - Mana Whenua
 - Natural Environment
 - Urban Form and Development
- 1.4. PC20 also proposes to introduce:
 - the definitions of 'infrastructure' and 'intrinsic values' from the RMA; and
 - the definitions from the National Planning Standards for:
 - Amenity values
 - Bed
 - Effect
 - Fresh water
 - Lake
 - Land
 - Natural and physical resources
 - Natural hazards
 - River
 - Water
 - Waterbody

- 1.5. As Section 3 of the Operative District Plan contains definitions for 'lake' and 'river' it is proposed as part of PC20 to delete these, as they will be replaced with those from the National Planning Standards. While the wording is slightly different, the change is not considered to make a material difference to the effect of any provisions that rely on these definitions.
- 1.6. **Appendix A** contains a list of all the provisions that are affected by PC20.

Relationship with other stages

- 1.7. The Strategic Direction chapters will provide overarching direction to be achieved through the remainder of the District Plan. As such, they are intended to guide the review of provisions within other chapters.

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 District 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 this topic.

Functions under s31

- 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, under section 31(1)(a) territorial authorities are required to establish, implement and review 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; and under section 31(1)(b) which requires territorial authorities to control the actual and potential effects of use, development or protection of land.

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

- 2.3. Section 5 of the RMA sets out the purpose of the Act 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. This is relevant to the Strategic Direction chapters, as these chapters seek to articulate how community well-being is to be provided for in the management of resources, including in terms of future generations, as well as providing a framework for the management of adverse effects.
- 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. Of relevance to the Strategic Direction chapters, this includes the preservation of the natural character of wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development (s6(a)); protecting outstanding natural

features and landscapes from inappropriate subdivision, use, and development (s6(b)); protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna (s6(c)); maintaining and enhancing public access to and along lakes and rivers (s6(d)); recognising and providing for the relationship of mana whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga (s6(e)); and the protection of customary rights (s6(g)).

- 2.6. Section 7 includes other matters to which particular regard must be had and relevant to the Strategic Direction provisions, includes kaitiakitanga (s7(a)) and the ethic of stewardship (s7(aa)); the efficient use and development of natural and physical resources (s7(b)); the maintenance and enhancement of amenity values and the quality of the environment (s7(c) and s7(f)); the intrinsic values of ecosystems (s7(d)); the effects of climate change (s7(i)); and the benefits to be derived from the use and development of renewable energy (s7(j)).
- 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 Strategic Direction chapters, particularly in terms of how mana whenua values are acknowledged, as well as direction on how mana whenua are involved in resource management matters.

National Planning Standards

- 2.8. Section 75(3)(ba) of the RMA requires a district plan to give effect to any national planning standard (NP Standards).
- 2.9. The NP Standards require that a Strategic Direction chapter is included which addresses urban form and development; other strategic direction matters are provided for but are not compulsory. The NP Standards also provide for the Strategic Direction chapters to include an outline of the key strategic or significant resource management matters for the district, and issues, and objectives that address those matters and guide decision making at a strategic level. This includes resource management issues of significance to iwi authorities.

Planning Documents

National Policy Statements		
Relevance: District Plan must give effect to (Section 75(3)(a))		
Document	Summary	Relevance
Renewable Electricity Generation 2011	Requires district plans to recognise the national significance of, and provide for, renewable electricity generation.	Proposed direction in the 'A Thriving Community' chapter of the Strategic Direction section applies to renewable electricity generation activities.
Electricity Transmission 2008	Requires district plans to recognise the national significance of and facilitate the electricity transmission network.	Proposed direction in the 'A Thriving Community' chapter of the Strategic Direction section applies to electricity transmission.
Regional Policy Statements		
Relevance: District Plan must give effect to (Section 75(3)(c))		
Canterbury Regional Policy Statement	Provisions of relevance to the Strategic Direction chapters include: <ul style="list-style-type: none"> Chapter 4 – Provision for Ngāi Tahu and their Relationship with Resources: requires district plans to include provisions for the relationship between 	The Strategic Direction chapters include direction that relates to these matters, either specifically, or in broad terms.

Ngāi Tahu, their culture and traditions, and their ancestral lands, water, sites, wāhi tapu and other taonga within district plans (4.15).

- Chapter 5 – Land use and Infrastructure: includes direction on how development is to be designed and located to achieve consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating growth (Objective 5.2.1 and Policy 5.3.1); and to ensure integration between urban growth and provision of infrastructure (Objective 5.2.2 and Policy 5.3.5). It also includes direction in relation to rural production, including that development is located and designed so that rural activities that support the rural environment are enabled (Objective 5.2.1(2)(e)) and directs how resources contributing to the rural productive economy in areas which are valued for existing or foreseeable future primary production are to be maintained and enhanced (Policy 5.3.12). It also includes direction in relation to infrastructure more broadly, including recognising and providing for regionally significant infrastructure (Objective 5.2.2); and supporting a safe, efficient and effective transport system (Objective 5.2.3).
- Chapter 7 – Fresh Water: relates to the sustainable management of freshwater and includes direction seeking that it is managed in an integrated way, including across agencies (Objective 7.2.4). This includes direction relating to management of riparian margins.
- Chapter 9 – Ecosystems and Indigenous Biodiversity: contains direction in relation to areas of indigenous vegetation and habitats of indigenous fauna. It seeks that The decline in the quality and quantity of Canterbury's ecosystems and indigenous biodiversity is halted and their life-supporting capacity and mauri safeguarded (Objective 9.2.1); Restoration or enhancement of ecosystem functioning and indigenous biodiversity, in appropriate locations, particularly where it can contribute to Canterbury's distinctive natural character and identity and to the social, cultural, environmental and economic well-being of its people and communities (Objective 9.2.2); and the identification and protection of areas

	<p>of significant indigenous vegetation and significant habitats of indigenous fauna (Objective 9.2.3).</p> <ul style="list-style-type: none"> • Chapter 12 – Landscapes: directs how outstanding natural features and landscapes are to be identified and managed to protect them from inappropriate subdivision, use and development (Objective 12.2.1); and in a consistent way across the region (Objective 12.2.3). • Chapter 16 – Energy: includes direction regarding the location and design of development in respect to efficiency of energy use (Objective 16.2.1); and in relation to renewable electricity activities. The latter includes having a reliable and resilient generation and supply of energy for the region and recognising and providing for the benefits of renewable energy generation facilities and the electricity transmission network (Objective 16.2.2, Policy 16.3.3 and Policy 16.3.4). 	
<p>Plans or strategies prepared under other legislation Relevance: District Plan must have regard to (Section 74(2)(b)(i))</p>		
Mackenzie Spatial Plans 2021	Set a 30-year vision for the future of the District's towns and settlements.	The Urban Form and Development chapter within the Strategic Direction section includes direction which aligns with the Spatial Plans.
Economic Development Strategy 2021 - 2025 (EDS)	Sets out the criteria that Council uses to guide decision making relating to the District's economic and business sector development.	The 'A Thriving Community' chapter within the Strategic Direction section includes direction which aligns with this strategy.
Te Manahuna Ki Uta / Destination Mackenzie Destination Management Plan (DMP)	<p>Is intended to provide strategic direction on how tourism within the District will be managed, to guide planning within and across agencies.</p> <p>Its vision is <i>"Te Manahuna's wonder and treasures are restored, protected and thriving – to be loved and valued while sustaining us, our visitors, and those who come after us."</i></p>	The 'A Thriving Community' chapter within the Strategic Direction section includes direction which aligns with this strategy.
<p>Iwi Management Plans Relevance: District Plan must take into account (Section 74(2A))</p>		
Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region 1990	<p>Provides Ngai Tahu views on resource management in Canterbury. Policies that are particularly relevant to this topic include:</p> <ul style="list-style-type: none"> - A responsibility to recognise and protect the Tribe's ownership and authority rights (tino rangatiratanga) over its taonga, including the rights to use and have access to them. - A responsibility to protect Ngai Tahu values, including those attached to 	These are matters traversed in both the 'Natural Environment' and 'Mana Whenua' chapters within the Strategic Direction section.

	<p>ancestral lands, regardless of the current ownership.</p> <ul style="list-style-type: none"> - The right of Ngai Tahu to be involved in, and contribute to, resource management decisions that impact on tribal resources. 	
Iwi Management Plan of Kāti Huirapa 1992	<p>Describes the values of Kāti Huirapa (hapū), issues relating to environmental matters of concern. Includes direction to consult with mana whenua on all Māori matters relating to the RMA; to protect their taonga in accordance with the RMA; and to affect a fair and equitable partnership. It also calls on all people to <i>“respect all living things in this land and act as guardians to ensure future generations can also enjoy them.”</i></p>	<p>These are matters traversed in both the ‘Natural Environment’ and ‘Mana Whenua’ chapters within the Strategic Direction section.</p>
Resource Management Plan of Kāti Huirapa 2022	<p>Describes the values of Kāti Huirapa, issues relating to these, the expectations of Kāti Huirapa in remedying the issues, and the outcomes required to address the issues in order to meet resource management values. This plan is prepared by Kāti Huirapa (hapū), on behalf of Te Rūnanga o Arowhenua and covers the area from the Rakaia River in the north to the Waitaki River in the south, and from the coast to the main divide.</p>	<p>These are matters traversed in both the ‘Natural Environment’ and ‘Mana Whenua’ chapters within the Strategic Direction section.</p>
Waitaki Iwi Management Plan 2019	<p>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 IMP 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 IMP includes its own ‘Strategic Directions, as follows:</p> <ul style="list-style-type: none"> - <i>Ka Rūnaka can undertake their kaitiaki role in the Waitaki and this role is recognised and supported.</i> - <i>Management of the Waitaki and its resources is undertaken ki uta ki tai – from the mountains to the sea.</i> <p>Other outcomes sought include effective and genuine partnerships with local councils; and protection, restoration and enhancement of identified values or resources.</p>	<p>These are matters traversed in both the ‘Natural Environment’ and ‘Mana Whenua’ chapters within the Strategic Direction section.</p>

3. Current Approach

- 3.1. The District Plan does not include a strategic direction chapter.
- 3.2. The current ‘Takata Whenua’ section, as well as explaining takata whenua’s history and relationship with the District’s natural resources; outlining their issues; and detailing statutory

acknowledgement areas also contains two overarching objectives. These relate to recognition of: the relationship of takata whenua with the District's resources; and the Treaty of Waitangi partnership between takata 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 takata whenua in resource management processes.

4. Issues

Key Issues Identified Through Investment Logic Mapping Process

- 4.1. Mackenzie District Council used Investment Logic Mapping (ILM) to determine four key issues which the Plan Review should address, which were developed through a workshop between the Council, iwi and agency partners:
 1. *Uncoordinated & fragmented development is enabled, disrupting social & economic wellbeing, putting pressure on infrastructure.*
 2. *Failure to protect our natural landscapes, water & indigenous biodiversity, erodes Mackenzie's unique environment.*
 3. *Mana whenua values & footprint are missing, reducing the strength of the plan & inhibiting the ability of our mana whenua & mokopuna to thrive.*
 4. *The outdated & permissive nature of the plan, results in inconsistent and ad hoc decision making, creating perverse & undesirable outcomes.*
- 4.2. These issues then informed the prioritisation process for the staging of the District Plan Review. The Strategic Direction chapter contributes to solving each of the four issues, with future plan changes addressing them more specifically.

Urban Development

- 4.3. ILM Issue 1 identifies that the District Plan has enabled uncoordinated and fragmented development, which in turn has adversely affected social and economic wellbeing, and placed pressure on infrastructure. This includes a permissive regime applying to subdivision in rural areas which allows for small-lot, unconsolidated development in rural areas. The provisions also provide for a broad range of activities to establish in many urban zones, and lack direction about what the role of different zones is. This allows for development of activities in areas where that type of development may not have been anticipated, but which is facilitated under the current planning framework.
- 4.4. In response to this, Council undertook strategic planning to consider how the growth of the District's townships and smaller settlements could be undertaken in a co-ordinated and integrated manner. This resulted in Spatial Plans being developed, which provide a starting point for where and what types of growth are anticipated. However, the District Plan will need to provide direction on how the growth is managed.

Protection of Values

- 4.5. There are a range of natural resources contained within the District that are significant on a local, regional and national basis. This is in terms of not only their intrinsic value, but also the contribution they make to the District's character and identity, their importance to mana whenua, and the economic value derived from them. As noted in ILM Issue 2, if these values are not adequately protected, they could lead to the erosion of those aspects of the District's

environment that make it unique. This would in turn adversely affect the social, cultural and economic well-being of the community.

Mana Whenua

- 4.6. As noted in ILM Issue 3, mana whenua values and their footprint are missing from the District Plan. The introductory section of the District Plan currently outlines section 8 of the RMA (part six) and the need for Council to take into account the principles of the Treaty of Waitangi in exercising its powers and functions. Within this section it is however acknowledged that the provisions may not fully implement those principles and may need to be addressed in subsequent plan changes. However, a fulsome review of all provisions, as indicated in the existing introduction, has not occurred and therefore not all objectives, policies and methods of the current District Plan have been reviewed against the principles of the Treaty of Waitangi, other than those which overlap with general concerns about the quality of the physical environment. Mana whenua values are therefore not clearly identified, nor integrated throughout the Plan. The District Plan review provides an opportunity for all provisions to be reassessed in this light.
- 4.7. In addition to this, the current Takata Whenua section emphasises the partnership between mana whenua and the Crown, but excludes the role of the Council as a representative of the Crown in the consultation process. The objectives, policies and methods are also out of date and do not represent good practice. In particular, the current plan outlines how Council will determine when, how and why consultation should occur. It is now best practice for environmental entities such as Aoraki Environmental Consultancy Limited (AEC) and Aukaha, to support mana whenua to communicate with councils, landowners, and other entities on resource management matters. There is also an opportunity for the proposed Plan to better articulate how the Council and mana whenua wish to continue building on their relationship in respect of resource management matters.

Enabling Well-Being

- 4.8. As noted above, ILM Issue 4 identifies that the current Plan is permissive in nature, resulting in inconsistent and ad hoc decision making and creating perverse and undesirable outcomes. While it is important that the Plan review addresses this, it is also important to ensure that it still appropriately enables people and communities to provide for their well-being. This includes identifying those things that make the District a desirable place to be, as well as ensuring that that District Plan is sufficiently flexible to support new opportunities that will benefit the community's well-being and to respond to change.
- 4.9. In the Mackenzie District, there are some activities that particularly contribute to the District's social and economic well-being. This includes activities undertaken within, and reliant on the resources of, rural areas. This reflects that the District is predominately rural in nature, and is a significant contributor to the local economy. It also includes infrastructure located within the District which is necessary to support not on the local community, but also regional and national communities.

Lack of Strategic Direction

- 4.10. The District Plan does not include a strategic direction chapter. This means that there is no comprehensive outline of the key issues that the Plan seeks to address and the overarching outcomes that are sought in order to address those issues. There is also no priority given to

the different outcomes sought across the Plan. There is the potential for this approach to be less integrated, with each chapter containing provisions that generally only relate to the matters addressed in that chapter; and more risk that when there is overlap, plan users may not consult other relevant chapters.

5. Consultation

- 5.1. 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 the plan change, adjoining local authorities who may be affected, the regional council, and tangata whenua. In addition, the Council undertook targeted engagement with various stakeholder groups and provided the opportunity to the wider community to participate via Council's "Let's Talk" webpage.
- 5.2. Mana Whenua, via Aoraki Environmental Consultants Limited staff being part of the project team, assisted with drafting the Mana Whenua objectives, and also fed into the remaining objectives. All three runaka who have Mana Whenua in Mackenzie, being Te Rūnanga o Arowhenua, Te Rūnanga o Waihoa and Te Rūnanga o Moeraki, along with Te Rūnanga o Ngāi Tahu (TRoNT) staff reviewed the relevant objectives and confirmed they are comfortable with them.
- 5.3. The stakeholder meetings and feedback received was broadly supportive of the high-level approach proposed to the Strategic Direction chapters, with stakeholders cognisant that more detail, including teasing out potential tensions between the values identified will occur in later chapters. Feedback provided on the specific drafting of provisions was also used to inform the wording of the Strategic Direction chapters. This included:
 - Providing more specificity around nationally significant infrastructure located within the District.
 - Incorporating specific provision for managing the effects of climate change in terms of resilience and adaptation, along with other forms of adaptation.
 - Explicitly referring to recreation as part of values and activities of importance to the community.

6. Scale and Significance

- 6.1. Section 32(1)(c) of the RMA requires that the s32 evaluation report contains a level of detail that corresponds with the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- 6.2. The scale and significance of the matters addressed in the PC20 is considered **moderate - high** because:
 - It introduces new overarching direction within the District Plan, which is currently absent.
 - While it traverses those matters of most importance to the District, these are matters that have largely been identified from community feedback on other strategic documents, and therefore reflect outcomes that have previously been supported by the community.
 - The direction of the Strategic Direction chapters will influence the content of the rest of the Plan as it is reviewed.

- The Strategic Direction chapters will apply to existing District Plan provisions, and will assist applicants and consent processors to better understand the intent of the District Plan in terms of management of resources.
- These chapters traverse matters that are not only of local importance, but also regional and national significance.
- The Strategic Direction chapters respond to matters traversed in a range of other strategic documents, including, at a local level, the Mackenzie Spatial Plans, EDS and the draft DMP. At a regional level they address matters contained in Iwi Management Plans and the CRPS, and at a national level respond to various matters of national importance set out in s6 of the RMA, as well as national policy statements pertaining to renewable electricity generation and electricity transmission.

7. Evaluation of objectives

Introduction

- 7.1. 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. This section of the report therefore considers whether the proposed Strategic Direction objectives are the most appropriate way to achieve this purpose.

<p>Proposed Objective</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>1. there are a range of living options, businesses, and recreation activities to meet community needs;</i> <i>2. activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for;</i> <i>3. the amenity values and character of different areas are maintained or enhanced.</i>
<p>Assessment</p> <p>The objective is considered the most appropriate way to achieve the purpose of the Act because it:</p> <ul style="list-style-type: none"> - Addresses an identified resource management issue, in terms of how wellbeing is best enabled in the Mackenzie District. - Assists in achieving the purpose of the RMA, as it directly relates to ensuring that social, economic and cultural well-being are provided for in the management of resource use through the proposed District Plan. It also responds to the need to manage adverse effects of activities on the environment (s5(2)(c)). - Relates to maintaining and enhancing amenity values and quality of the environment (s7(c) and s7(f)). - Will assist the council to carry out its functions under s31, by helping to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District. - Aligns with the issues identified, and the direction contained in Council's EDS and the draft DMP, which in turn reflects feedback from consultation with iwi and the community through those documents. - Will not result in unjustifiably high costs on the community or parts of the community. Any requirements or restrictions that may result from provisions designed to achieve this outcome are considered to be justified by the outcomes sought. - Is considered to be sufficiently certain and does not have high risk.

An alternative option considered was to focus this objective more on resolving conflicts and managing incompatible activities. This option was rejected because it was considered that these matters are actually a sub-set of the overarching outcome sought, being the desirability of the District. Management of conflict and compatibility are therefore considered to relate to more specific management of particular activities that are undertaken in order to achieve this broader outcome.

Proposed Objective

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.

Assessment

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

- Is directed towards addressing an identified resource management issue, by acknowledging the contribution that rural activities make to the District’s social and economic well-being.
- Provides particular direction on how, in the context of the Mackenzie District, economic and social well-being can be provided for in the management of resource use through the District Plan.
- Relates to sustaining the resources of rural areas to meet the needs of future generations (s5(2)(a)) and ensuring the efficient use and development of natural and physical resources in rural areas (s7(b)).
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the rural areas of the District.
- Aligns with Objective 5.2.1(2)(e) and Policy 5.3.12 of the CRPS as it will help enable rural activities and other compatible activities that support the rural environment.
- Aligns with the issues identified, and the direction contained in Council’s strategic documents, which in turn reflects feedback from consultation with iwi and the community through those documents.
- Will not result in unjustifiably high costs on the community or parts of the community.
- Is considered to be sufficiently certain and does not have high risk.

Another option considered was to limit the objective to recognition of the significant contribution rural areas make, rather than extending this to include providing for this contribution. Limiting the objective to recognition only was not considered to sufficiently reflect that the majority of the District is rural, and activities within rural areas are important contributors to the social and economic well-being of the community. Provision for this contribution is therefore considered to be appropriate.

Proposed Objective

ATC-O3 Infrastructure

The importance of infrastructure to the District and beyond is recognised and provided for.

Assessment

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

- Addresses an identified resource management issue. Specifically, it recognises that infrastructure located within the District is necessary to support the wellbeing of not only the Mackenzie community, but regionally and nationally.
- Assists in achieving the purpose of the RMA, by recognising the contribution that infrastructure makes to the district, region and nation’s well-being are provided for in the management of resource use through the District Plan.

- Helps ensure the efficient use and development of particular physical resources (s7(b)) and the benefits to be derived from the use and development of renewable energy (s7(j)).
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management, particularly in relation to physical resources of the District, and infrastructure that is dependent on the District's natural resources.
- Will assist in giving effect to direction in the CRPS to: recognise and provide for regionally significant infrastructure (Objective 5.2.2); and supporting a safe, efficient and effective transport system (Objective 5.2.3);
- Aligns with the wakamana/managing infrastructure principle in the Spatial Plans.
- Will not result in unjustifiably high costs on the community or parts of the community.
- Is considered to be sufficiently certain and does not have high risk.

Another option considered was providing a direction relating to only 'significant' infrastructure (with a definition of that). Limiting the objective to only significant infrastructure was not considered more appropriate, as this would not acknowledge that for the local community, all infrastructure is important to their well-being regardless of its wider significance in the region or at a national level.

Proposed Objective

ATC-O4 Renewable Electricity

The local, regional and national benefits of the District's renewable electricity generation and electricity transmission assets are recognised and their development, operation, maintenance and upgrade are provided for.

Assessment

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

- Addresses an identified resource management issue. Specifically, it recognises a particular type of infrastructure that is located within the District, which is necessary to support the wellbeing of the community, at a local, regional and national level.
- Assists in achieving the purpose of the RMA, by recognising the contribution that this type of infrastructure makes to the district, region and nation's well-being and how it will be provided for in the management of resources through the District Plan.
- Helps ensure the efficient use and development of particular physical resources (s7(b)) and the benefits to be derived from the use and development of renewable energy (s7(j)).
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management, particularly in relation to physical resources of the District, and particular types of infrastructure that are dependent on the District's natural resources.
- Will assist in giving effect to the NPS' for Renewable Electricity Generation and Electricity Transmission, which specifically relate to these types of infrastructure.
- Will assist in giving effect to the CRPS in terms of achieving the reliable and resilient generation and supply of energy for the region and beyond, and recognising the benefits of these types of infrastructure (Objective 16.2.2, Policy 16.3.3 and Policy 16.3.4).
- Aligns with the wakamana/managing infrastructure principle in the Spatial Plans.
- Will not result in unjustifiably high costs on the community or parts of the community.
- Is considered to be sufficiently certain and does not have high risk.

An alternate option considered was not to include specific direction in relation to this type of infrastructure, and instead rely on ATC-O3. However this option was not favoured, given the

specific direction in the NPS' for Renewable Electricity Generation and Electricity Transmission and the CRPS relating to these particular activities. As such, it was considered more appropriate to include a direction specific to renewable electricity, that also includes greater specificity as to what aspects of this infrastructure are to be recognised and provided for.

Proposed Objective

ATC-O5 Adaption and Resilience

The approach to managing resources allows the community to be resilient and adapt appropriately to change, including the effects of climate change.

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 seeking to ensure that the District Plan is sufficiently flexible to respond to change.
- Assists in achieving the purpose of the RMA, by taking a flexible approach to how community wellbeing is provided for which also takes into account future generations.
- Responds to the need to manage significant risks from natural hazards (s6(h) and explicitly has regard to the effects of climate change (s7(i)).
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management which takes into account the impacts of changes and the need to respond to them appropriately in the way resources are managed.
- Will assist in giving effect to the NPS' for Renewable Electricity Generation.
- It is consistent with the direction in the CPRS relating to natural hazards (Objective 11.2.3).
- Will not result in unjustifiably high costs on the community or parts of the community.
- Is considered to be sufficiently certain and does not have high risk.

Another option considered was to include the intent of this objective as part of ATC-O1. However it was considered that the outcome sought in relation to adaption and resilience extends beyond the desirability of the District as a place to live, work, play and visit. In particular, a standalone objective acknowledges that there is a need for management of resources within the District to be considered in the context of how it might help achieve resilience and adaption beyond the District itself.

Proposed Objective

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.

Assessment

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

- Is targeted towards ensuring that the values and footprint of mana whenua are acknowledged within the Plan.
- Directly aligns with section 6(e) by recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District.

- Aligns with direction in the CRPS (4.15) to “Include provisions for the relationship between Ngāi Tahu, their culture and traditions, and their ancestral lands, water, sites, wāhi tapu and other taonga within district plans.”
- Aligns with outcomes sought in the relevant IMPs.
- Is consistent with the ‘Arowhenua Korero’ set out in the Spatial Plans, particularly in terms of recognising the connection Arowhenua whānui have with the District/ Te Manahuna.
- Is consistent with the outcomes sought in the draft DMP, particularly in terms of protecting cultural values and history within the environment; and understanding of the history of mana whenua in Te Manahuna and their vision, values and aspirations for it.
- Will not result in unjustifiably high costs on the community or parts of the community. While it is accepted that achievement of this objective may necessitate restrictions on activities that affect resources of significance to mana whenua, the costs associated with this are considered to be justified by the importance of those values and the direction in s6(e) of the RMA in particular.
- Is considered to be sufficiently certain and does not have high risk.

Other options considered included combining this with MW-O2; or including a more detailed objective which outlines specific values to mana whenua. It was considered more appropriate to have two separate objectives; one focusing more on the recognition and provision for mana whenua’s relationships with the District resources; and another more focussed on matters of process – particularly in terms of how mana whenua will be included in resource management processes, and their relationship with Council. A direction providing more detail on specific values was discounted as it was considered more appropriate to provide this level of detail in subsequent chapters, within which particular values are relevant.

Proposed Objective

MW-O1 Mana Whenua Involvement

Mana whenua are able to:

1. *be actively involved in decision making that affects their values and interests to the extent to which they wish to be involved;*
2. *exercise their kaitiakitaka responsibilities; and*
3. *carry out customary activities in accordance with tikanga.*

Assessment

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

- Responds to concerns that within the District Plan, the values and footprint of mana whenua are missing, which in turn reduces the strength of the Plan and the ability of tangata and mokopuna to thrive.
- Responds to section 6(e) of the RMA in terms of recognising and providing for the relationship of Maori and their culture and traditions with their taonga, and also to section (7(a)) through providing for the exercise of kaitiakitanga.
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District.
- Aligns with outcomes sought in the relevant IMPs.
- Is consistent with the ‘Arowhenua Korero’ set out in the Spatial Plans, particularly in terms of supporting the exercise of kaitiakitanga and the philosophy of rangitiratanga.
- Aligns with the way in which Council and mana whenua have worked together on other strategic planning documents.
- Will not result in unjustifiably high costs on the community or parts of the community.

- Is considered to be sufficiently certain, and will provide clarity for plan users, the Council and mana whenua on how the Council and mana whenua will work together in relation to resource management matters.

Other options considered included combining this with MW-O1. It was considered more appropriate to have two separate objectives; one focusing more on the recognition and provision for mana whenua's relationships with the District resources; and another more focussed on matters of process – particularly in terms of how mana whenua will be included in resource management processes, and their relationship with Council.

Proposed Objective

NE-O1 Natural Environment

The values of the natural environment that make the District unique, contribute to its character, identity and economic well-being, 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.*

Assessment

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

- Helps address the issue that if important values within the District are not adequately protected, it could lead to the erosion of those aspects of the District's environment that make it unique.
- Relates to the management of natural resources that are important for well-being (s5(2)), sustaining the potential of those resources for future generations (s5(2)(a)); safe-guarding the life-supporting capacity of water and ecosystems (s5(2)(c); and provides some high-level direction to guide how adverse effects of activities on these matters are managed (s5(2)(c).
- Recognises and provides for various natural resources that are matters of national importance (s6(a), (b), (c) and (d)).
- Takes into account the amenity values associated with the District's important natural resources (s7(c)), the intrinsic values of ecosystems (s7(d)), the finite characteristics of some natural resources (s7(g)), as well as the ethic of stewardship (s7(aa) and the quality of the environment (s7(f)).
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District.
- Aligns with the direction in the CRPS relating to various important natural resources (including fresh water (Chapter 7); ecosystems and indigenous biodiversity (Chapter 9); and landscapes (Chapter 12)).
- Is consistent with community feedback obtained through the Spatial Plan process on the importance of the natural environment, and reflected in its 'Te Taio Environment' principle.
- Is consistent with the overall vision of the draft DMP, as well as the outcomes sought through it, particularly in terms of managing pressure on conservation values and the environment; and protecting and preserving the environment.
- Will not result in unjustifiably high costs on the community or parts of the community. While it is accepted that achievement of this outcome will likely require restrictions

on activities that affect the values of the resources identified, the costs associated with this are considered to be justified by the importance of those values.

- Is considered to be sufficiently certain and does not have high risk given its alignment with local, regional and national direction.

Another option considered was to include a requirement to protect the values outlined, in all instances. It is accepted that in some instances, this will be required in order to achieve the purpose and principles of the RMA, for example, s6(c) requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. However, it is not considered that all values outlined will necessarily need to be protected in all instances, and rather some change may be appropriate. This is intended to be teased out in subsequent stages of the review, while still ensuring that these important values are recognised at the strategic level.

Proposed Objective

UDF-O1 Urban Form and Development

The District's townships and settlements grow and develop in a consolidated way that:

- 1. is integrated into, and respects the values of the surrounding natural and physical environment;*
- 2. achieves good connectivity with other parts of the urban area;*
- 3. is supported by appropriate infrastructure;*
- 4. maintains the character of each township, and its attractiveness to residents, businesses and visitors; and*
- 5. responds to the needs of the community, including diversity in housing and business opportunities.*

Assessment

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

- Provides direction on how the growth will be managed to assist in avoiding uncoordinated and fragmented development that could adversely affect social and economic wellbeing.
- Details how sustainable management, including management of adverse effects, will be achieved in relation to the District's urban areas.
- Will assist the council to carry out its functions under s31, by helping to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District in respect to urban areas; and by ensuring that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the District.
- Meets the requirements of the NP Standards to include a Strategic Direction in relation to urban form and development.
- Will give effect to the direction in the CRPS to locate and design development to achieve consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating growth (Objective 5.2.1 and Policy 5.3.1); and to ensure integration between urban growth and provision of infrastructure (Objective 5.2.2 and Policy 5.3.5);
- Is consistent with community feedback obtained through the Spatial Plan process, and in particular aligns with several of its principles.
- Will not result in unjustifiably high costs on the community or parts of the community
- Is considered to be sufficiently certain and does not have high risk.

Another option considered was to provide more specific direction in relation to different parts of the urban area. This was rejected as it was considered to sit better in the individual zone chapters.

8. Evaluation of proposed policies, rules and other methods

Introduction

- 8.1. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives. As the provisions introduced in PC20 only contain objectives (and no policies or rules), this further evaluation is not required for this plan change.

9. Conclusion / Reasons

- 9.1. This evaluation has been undertaken in accordance with Section 32 of the RMA. It has provided an assessment of the appropriateness of the objectives contained within PC20, being the Strategic Direction chapters, at achieving the purpose of the Act.
- 9.2. The proposed objectives have been identified as those that address key issues that are of most importance to resource management within the Mackenzie District. It ensures that those issues are clearly identified and responded to at a strategic level, 'setting the scene' for the rest of the Plan review and building on the work already undertaken through the other strategic processes. These objectives are consistent with the purpose and principles of the RMA, as well as with relevant direction in NPS', CRPS and IMPs, and align with other strategic documents at the district level.

Appendix 1 – Provisions

Plan Provisions Introduced

Part 1 – Introduction and General Provisions	
Section: Introduction	
Chapter	
Mihi	
Purpose	
Description of the District	
Section: How the Plan Works	
Chapter	
Statutory Context	
General Approach	
Cross Boundary Matters	
Relationship Between Spatial Layers	
Section: Interpretation	
Chapter	Provisions
Definitions	‘amenity values’, ‘bed’, ‘effect’, ‘fresh water’, ‘infrastructure’, ‘lake’, ‘land’, natural and physical resources’, ‘natural hazard’, ‘river’, ‘water’, ‘waterbody’
Abbreviations	
Glossary	
Section: National Direction Instruments	
Chapter	
National Policy Statements and New Zealand Coastal Policy Statement	
National Environmental Standards	
Regulations	
Water Conservation Orders	
Section: Mana Whenua	
Chapter	
Mana Whenua	
Part 2 – District-wide Matters	
Section: Strategic Direction	
Chapter	Provisions
ATC – A Thriving Community	ATC-O1, ATC-O2, ATC-O3, ATC-O4, ATC-O5
MW – Mana Whenua	MW-O1, MW-O2
NE – Natural Environment	NE-O1
UFD – Urban Form and Development	UFD-O1

Operative Plan Provisions Replaced

Section	Provisions
Section 1 – Introduction	All
Section 2 – Policy and Legal	All
Section 3 - Definitions	‘lake’, ‘river’
Section 4 – Takata Whenua	All