

**From:** Jane Batchelor  
**Sent:** Mon, 14 Nov 2022 20:34:36 +1300  
**To:** District Plan  
**Subject:** District Plan - Submission on Proposed Plan Change 21  
**Attachments:** District Plan Change 21 Submission 14 Nov 2022.pdf

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Kia ora,  
Please find attached the submission of The Burkes Pass Heritage Trust to the Mackenzie District Plan, specifically Proposed Plan Change 21 with an Appendix to this submission.

Nga mihi,  
Jane Batchelor  
Chairperson of The Burkes Pass Heritage Trust (Registered Charity CC21800)  
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## **District Plan – Submission on Proposed Plan Change to the Mackenzie District Plan**

Plan Change 21 Implementation of Spatial Plans

### **Details of Applicant:**

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Date: 14 Nov 2022

Contact Person: Jane Batchelor

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**The Burkes Pass Heritage Trust has, for 2 decades, worked tirelessly on improving the heritage, cultural and physical environment of the township, including the purchase and maintenance of a category 1 church, restoration of several cob cottages, creation of a heritage walk complete with interpretation panels, and recorded oral histories. Evidence of these can be seen on our website and facebook pages.**

**<https://www.burkespass.org.nz/>**

### **Submission Details**

The specific provisions of the Proposal this submission relates to are:

- The Burkes Pass Rural Character Area / Heritage Precinct
- Low Density Residential Zone for Te Kopi-O-Opihi/ Burkes Pass
- Large Lot Residential Zone.
- Mixed Use Zone for Te kopi-O-Opihi/ Burkes Pass

Support or oppose these provisions: Oppose as they stand.

### **Reasons for this submission:**

#### **The Burkes Pass Rural Character Area / Heritage Precinct.**

**Note: This is an issue that we feel very strongly about and is a significant injustice.**

This has been omitted from Plan Change 21. It should have been included, or signalled, just like the Takapo/ Lake Tekapo Precinct has with its very detailed description.

The “Burkes Pass Rural Character Area” has been overlaid on the original Burkes Pass Heritage Precinct but is not defined in any way. This area is considered to have special heritage character and provides the township with a distinctive identity and a unique opportunity. The controls applicable within the precinct would be intended to ensure that development within this area are sympathetic to the heritage character of the township. The boundaries of the precinct are clearly designed to include the heritage features and protect their amenity value.

The proposed Burkes Pass Heritage Precinct was THE major feature of the original Spatial Plan and point of difference to other spatial plans in the Mackenzie. The late change of name to this area is a result of flawed planning procedure as outlined in the appendix. This area needs engagement of a Heritage Precinct consultant to consider its name and design requirement which is fit for purpose.

### **Low Density Residential Zone for Te Kopi-O-Opihi/ Burkes Pass and Large Lot Residential Zone**

The low or large lot density residential zones are not suitable for the Burkes Pass Rural Character Area / Heritage Precinct. Much more work needs to be done on identification of design elements for this heritage area.

It is also inconsistent that a Large Lot Residential Zone is suitable for Kimbell but not Burkes Pass.

### **The Mixed Use Zone**

This zone is not suitable for the Burkes Pass Rural Character Area/ Heritage Precinct because it is not consistent with heritage values. It is also inappropriate that a range of commercial activities can be carried out unconditionally in residential areas; e.g. someone setting up a firewood business in their backyard with excessive chainsaw noise for most of the day.

Specific worker accommodation (for workers out of the area and in greater numbers than normal residential accommodation) is not appropriate for Burkes Pass rural character.

## **We seek the following decision from the Mackenzie District Council**

- The name of the Burkes Pass Rural Character Area be changed back to The Burkes Pass Heritage Precinct to accurately reflect its intended nature.
- A Heritage Precinct consultant be engaged to develop design guidelines (as per the Tekapo Precinct).
- The Heritage Precinct be included in Plan Change 21.
- The Residential Zone, outside the heritage precinct, truly reflect the rural character of Burkes Pass.

- Mixed use zone be considered inappropriate for Burkes Pass.

**We DO want to be heard in support of this submission.**

**We would consider presenting a joint case with similar submissions.**

## Appendix.

### The flawed planning process leading to the adoption of the spatial plan for Burkes Pass.

The MDC should not base the new District Plan for Burkes Pass based on the adopted Burkes Pass Spatial Plan because the planning process and notification were flawed and did not follow proper procedure.

The Spatial Plan was developed through two rounds of positive and enthusiastic formal community engagement and presented to the community as the finished plan in an (undated) letter from the Planning Manager, Aaron Hakkaart about March 2021.

Opportunity to comment on final plans in the Mackenzie District were advertised on Facebook for the main centres but from the notice we interpreted that it did not include Burkes Pass as that was to come later. However according to the OIA correspondence the council did notify on their website to include Burkes Pass. This was most confusing and caused us to miss the critical drop-in meeting and lost the opportunity to support the final version.



The image is a screenshot of a Facebook post from Mackenzie District Council, dated 14 April 2021. The post text reads: "If you're interested in the Fairlie spatial plan please call in to the drop-in sessions and see our planning team who are keen to hear your views!". Below the text is a blue banner with the title "Fairlie Spatial Plan Drop-in Session" and the Mackenzie District Council logo. The main body of the post contains the following text: "We're holding drop-in sessions to discuss the spatial plans and give you the opportunity to ask questions and provide feedback to the project team." followed by the dates and times: "Thursday 15 April, Council Chambers, Fairlie 12pm - 2.30pm and 4pm - 7pm". At the bottom, it says "Further sessions will be held in Fairlie on 3 May (12pm - 2.30pm and 4pm - 7pm)." and includes a logo with the slogan "YOUR TOWN, YOUR FUTURE MACKENZIE SPATIAL PLANS". The post shows "1 share".

OIA information released stated that “As it was only drop-ins or informal meetings there were no minutes” but “notes were made for presentation to Councillors as points of discussion”. Oral communication with the Chief Planner indicated that one or two residents “strongly pushed back” on some features of the plan but refused to identify them.

One of those notes was to change the proposed “Heritage Precinct” to “the Burkes pass Rural Character Area”. The Heritage Precinct was **the** major key feature of this Spatial Plan.

OIA information released state that *“The changes were not notified, rather Council adopted the final document.”*

We strongly believe that such major changes should not be made on the basis of;

- An informal drop-in meeting especially at one where the notification was confusing.
- Comments and those making them were not recorded.
- No minutes were taken.
- No formal consultation opportunity.

We strongly request that the Spatial Plan needs to be revisited with proper formal consultation with the community before being adopted by the District Plan.