

IN THE MATTER of
the Resource Management Act 1991

AND

IN THE MATTER of
Hearing of submissions and further
submissions on the Proposed Te Tai O
Poutini Plan

MINUTE 16 – STRATEGIC DIRECTIONS

1. The Hearings Panel has now received feedback from various submitters and the reporting officer in relation to the Strategic Directions chapter of the Proposed Te Tai O Poutini Plan (TTPP). That feedback included amongst other things:
 - a response from Bathurst Resources Limited and BT Mining Limited (contained on the website) who submit that the National Planning Standards do not impose a requirement for a hierarchy in the strategic directions chapter of a district plan, rather they simply confirm the role of the strategic directions chapter applying on a district wide basis and provide requirements as to what must be included in that chapter.
 - They also note that the only Environment Court authority on this point that Counsel is aware of is in relation to the Queenstown Lakes Proposed District Plan¹ which suggests that the standard approach to drafting does not include placing any primacy on strategic objectives. The Court observed that it was a relatively standard approach for strategic objectives not to be treated in isolation or with primacy but rather that they be considered according to relevant groupings.
 - a further response from Bathurst Resources Limited and BT Mining Limited (contained on the website) which restructured the Mining Extraction – Te Tango Kohuke section of the chapter into one objective and a suite of policies.
 - a response from the Reporting Officer Ms Easton (contained on the website) which clarified a number of matters including the scope available to consider alterations to the Strategic Directions chapter; that there is a gap in the strategic directions around natural hazards; that an emissions reductions strategic objective, may require a consequential review of other sections of the Plan; that there is significant scope for Climate Change strategic direction both in objectives and policies; and there is scope to include a cross industry strategic objective around reverse sensitivity.
2. The Hearings Panel considers there is merit in reviewing the approach to the Strategic Directions chapter. We also note that as drafted some of the present strategic objectives appear to be more akin to policies rather than objectives.
3. The Hearing Panel considers consideration should be given to an overarching enabling economic development objective for all sectors of the economy along with provisions related to incompatible activities and reverse sensitivity effects for relevant activities. We consider an objective and policy approach along the lines proposed by Bathurst Resources Limited and BT Mining Limited may be more appropriate for some strategic objectives given they do not have specific chapters in the remainder of the TTPP.
4. Further, consideration needs to be given as to whether there are overlaps between objectives and conversely whether there are any further gaps that need addressing within the Strategic Directions chapter, in addition to that identified by Ms Easton in relation to natural hazards.
5. The Hearings Panel considers the review should consider both enabling and effects

¹ Darby Planning Limited Partnership v Queenstown Lakes District Council [2019] NZEnvC 133

based provisions for each set of objectives with policies where appropriate. It should also consider whether there is a need for further climate change provisions and whether the apparent 'hierarchy' approach in the strategic directions chapter is appropriate.

6. We therefore direct that the Reporting Officer review the above sections in light of the comments provided and provide a response to the above by Friday 5th of April 2024. The Panel intends to circulate the response for further comments from submitters to be provided by Monday 22nd of April 2024.



Dean Chrystal

Independent Commissioner – Chair - on behalf of the Hearing Panel members

19 January 2024