Proposed Waitaki District Plan

Hearing Stream 1
Strategic Direction

Reporting Officer's Interim Reply Report

In response to Minute 3 (issued 26 August 2026)

Reporting Officer: Katrina Clark

Date: 9 September 2026

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1.0 Purpose and status of this interim reply

1. This document is provided as an interim right of reply in accordance with directions provided by the Hearing Panel following the Strategic Direction hearing held on 19 August 2026.

2. The purpose of this interim reply is to:
   - respond to matters specifically raised by the Panel in Minute 3 issued on 26 August 2026;
   - address any matters arising from submitter evidence;
   - identify any amendments to my recommendations arising from the evidence presented to date; and
   - assist the Panel in its ongoing consideration of the Strategic Direction chapter.

3. I note that a number of matters discussed during the hearing have implications that extend beyond the Strategic Direction chapter and are dependent upon issues that will be considered through later hearing streams. These include matters relating to the interaction between the Strategic Direction chapter and provisions that either remain under consideration elsewhere in the Proposed District Plan or have been withdrawn from the current hearing process.

4. Consistent with the Panel's indication that the Strategic Direction hearing remain open while these broader matters are considered, this interim reply should not be regarded as the Council's final response on the Strategic Direction issues addressed in Hearing Stream 1. Further comment may be provided through:
   - subsequent right of reply reports prepared for later hearing streams;
   - any cross-chapter reporting directed by the Panel;
   - any supplementary information specifically requested by the Panel; or
   - a final Strategic Direction reply or closing memorandum if directed by the Panel.

5. Accordingly, where a matter cannot yet be conclusively resolved because it depends on evidence, recommendations or decisions arising from later hearings, I have identified that issue and explained the reason why a final recommendation is not presently possible.

2.0 Matters raised by the Hearing Panel

6. The Hearing Panel raised a number of questions in Minute 3 issued on 26 August 2026, requesting further consideration of certain matters through this interim right of reply. My responses to these questions are provided in the table below.

Table 1: Matters raised by the Hearing Panel

MINUTE 3 Questions	
Panel Question	**Response**
Mr Anderson for Forest and Bird submitted that the Strategic Directions can no longer be considered to "provide a lawful "overarching direction" for the plan" and proposed amendments to address the impact of the Plan Stop legislation at his paragraph 39, which he considers to be consequential to Forest and Bird's submission. The Panel have some sympathy for this view. Can you please respond to the Forest and Bird submission on this matter. You may need to seek legal advice in relation to the scope for the amendments proposed by Forest and Bird. Associated with this matter was the discussion had around the PDP integration and relationship to the ODP, particularly in relation to a number of s6 matters that are no longer the subject of SDs. As this is a matter related to Forest and Bird's concern, please consider options to address this issue in conjunction with Ms McEwan. The Panel would appreciate drafting options, whether you agree or not with Forest and Bird.	Legal advice on this matter has been received from Mr Garbett. Mr Garbett advises that making changes to the introduction for the Strategic Direction introduction text is reasonable for the Panel to consider and change under clause 10(2)(b)(ii) Schedule 1. I have also discussed this matter with Ms McEwan and considered Forest and Bird's concerns regarding the relationship between the PDP and the ODP. Forest and Bird submits that the withdrawal of provisions relating to matters such as indigenous biodiversity, natural character and outstanding natural landscapes has reduced the extent to which those matters are reflected within the Strategic Direction chapter. While the remaining Strategic Direction objectives continue to provide guidance for the parts of the PDP that are proceeding, I acknowledge that a number of section 6 matters are now addressed through operative district plan provisions rather than through the PDP. While this alters the integrated framework that was originally notified, I consider that the issue can be appropriately addressed through amendments to the chapter introduction rather than through the insertion of additional Strategic Direction objectives. In response, I have recommended amendments to the introductory text of the chapter to better explain the relationship between the PDP, the ODP, and to acknowledge the limited scope of the chapter following the withdrawal process. These amendments are intended to assist plan users in understanding how the relevant provisions operate together and are set out in Appendix B. Ms McEwan has considered corresponding matters for the General Approach section of the PDP in her Interim Reply and amendments to the Strategic Direction section of the General Approach chapter have been made to align with the recommendations in this report.
The Panel acknowledges that you now accept the OceanaGold's submission to incorporate 'heritage values' into SD-CHI-O2. Please include this in your reply report.	I accept OceanaGold's submission [295.79] insofar as it seeks recognition of heritage values within the Strategic Direction objectives. As discussed in response to the Panel's question concerning potential duplication between SD-CHI-O1 and SD-CHI-O2, expert conferencing resulted in agreement that the two objectives should be consolidated into a single objective. The consolidated wording I recommend includes express reference to 'historic and cultural heritage values' and therefore gives effect to this aspect of OceanaGold's relief. The final recommended wording and the matters remaining unresolved between the experts are addressed in my response to that question and recorded in the Joint Witness Statement provided as Appendix C of this report.
At the Hearing, you responded to questions around Meridian's concern that that SD-CHI-O1 and O2 are repetitive by noting that SD-CHI-O2	In accordance with the Panel's direction, I conferred with Sue Ruston, planning expert for Meridian Energy, and Ethan Glover, planning expert for OceanaGold, on 18 September

MINUTE 3 Questions	
Panel Question	**Response**
references the resources that require protection. In response to questions around this, Mr Glover for OceanaGold considered that there was significant duplication across the two objectives, suggesting components of SD-CHI-O2 were possibly more appropriate in a lower order policy context. The Panel share the concerns of the submitters in this regard. As a consequence, can you please confer with Ms Ruston (planning expert) for Meridian and Mr Glover (planning expert) for Oceana, as directed by Minute 2, to address these concerns and provide alternative drafting response, including the possibility of merging the two objectives into one. We acknowledge that this may well be an issue that cannot be fully resolved until such time as the Historic Heritage section is considered	2026. The outcomes of that conferencing are recorded in the Joint Witness Statement provided as Appendix C of this report. The experts agreed that SD-CHI-O1 and SD-CHI-O2 contain overlapping concepts and should be merged into a single objective. We also agreed that the merged objective should protect historic heritage and recognise the contribution historic heritage makes to Waitaki's character and identity, rather than directly requiring protection of character and identity as a separate outcome. The objective should retain both ongoing use and adaptive reuse and encompass historic heritage buildings, items, areas and features. The experts further agreed that retaining strategic direction for historic heritage remains appropriate notwithstanding the incomplete lower-order provisions resulting from the withdrawal of the wider Historic Heritage provisions. The Joint Witness Statement records that the strategic objective may continue to guide the remaining Oamaru Historic Area provisions and the assessment of future private plan changes. On this basis, I recommend that SD-CHI-O1 and SD-CHI-O2 be replaced with the following consolidated objective: *'Waitaki's historic and cultural heritage values are recognised and protected, recognising their contribution to the District's character and identity, while providing for the ongoing use and adaptive reuse of historic heritage buildings, items, areas and features.'* The experts did not reach agreement on the precise formulation of the protection component of the merged objective. Ms Ruston and Mr Glover support expressly qualifying protection by the words 'from inappropriate subdivision, use and development', whereas I reserved my position on whether it is necessary to reproduce the full section 6(f) formulation within a strategic, outcome-focused objective. My recommended wording above reflects my position following consideration of the matters discussed during conferencing.
In your s42A summary statement you state that you remain of the view that explicit reference to functional and operational need is not necessary within SD-UFD-O3 itself. The Panel is interested to know whether other District Plans elevate these terms within strategic directions, and if so, does this have any bearing on your assessment of this matter?	I reviewed a selection of second-generation district plans[1] and did not identify any references to 'functional need' and 'operational need' within strategic urban growth or activity-location objectives. Strategic provisions generally focus on urban form, growth management, infrastructure integration, amenity and compatibility of activities. Consequently, this review does not alter my assessment that these matters are more appropriately addressed through the objectives and policies applying to specific activities or zones, rather than through SD-UFD-O3 itself.

[1] Proposed Kaipara District Plan 2025, Full Porirua District Plan 2025, Far North Proposed District Plan - Appeals Version 2026, Partially Operative Selwyn District Plan (Appeals Version) 2026, Napier Proposed District Plan Appeals Version 2026, New Plymouth Part Operative District Plan 2025, Partially Operative Timaru District Plan 2026

3.0 Matters arising from submitter evidence

17. Further to answers to the questions raised in Minute 3, a detailed schedule of all matters raised through submitter and officer evidence, including any actions undertaken following the hearing and descriptions of updated recommendations, is provided in Appendix A.

18. Six submitters addressed in the Strategic Direction S42A report presented at the hearing and tabled copies of their statements/legal submissions. They were:

    a) OceanaGold (New Zealand) Limited, represented by Jackie St John, Legal Counsel and Ethan Glover, Planner;

    b) Canterbury Regional Council, represented by Rachel Tutty, Principal Planner;

    c) Hampden Community Energy Society Inc, represented by Dugald MacTavish, Chair and Rachel Welton, Secretary;

    d) Forest and Bird Protection Society of New Zealand, represented by Peter Anderson, Legal Counsel;

    e) Fish & Game, represented by Steve McKnight, Chief Executive of Central South Island Fish and Game; and

    f) Federated Farmers of New Zealand, represented by Otto Dogterom, North Otago Provincial President of Federated Farmers.

5.0 Recommended amendments

19. A full set of the changes recommended to provisions are contained in Appendix B to this report, incorporating recommendations made in my S42A Report, Summary Statement and Hearing Statement.

20. Recommended changes are shown by way of ~~strikethrough~~ for deletions and underlining for additions. References to the relevant submitter(s) to identify the scope for each recommended change are provided as footnotes.

5.1 Section 32AA Evaluation

5.1.1 Strategic Direction: Introductory Text

21. I have recommended changes to the introductory text of the Strategic Direction chapter. These changes are recommended under cl.10(2)(b)(ii) Schedule 1, as matters relevant to the plan arising from submissions from Forest & Bird [253.2].

22. The amendments recommended to the Strategic Direction chapter introduction are proposed in response to matters raised through submissions, hearing evidence, and legal submissions regarding the relationship between the Strategic Direction chapter, the Operative District Plan 2013 and the wider planning framework.

23. The recommended amendments provide clarification on the limited application of the remaining strategic direction objectives and the relationship of the PDP with the ODP, noting that the terminology recommended aims to provide an enduring and future-proof explanation of this relationship, rather than drawing on the procedural history of the plan review process and plan stop legislation, which can be found on Council's website.

24. I consider the amendments are the most appropriate way to achieve the purpose of the introductory text. The amendments improve the effectiveness of the chapter by clarifying that the Strategic Direction objectives are not the sole source of direction for all resource management matters within the district and that relevant operative provisions will continue to apply. This provides greater certainty for plan users and assists in understanding how the various components of the District Plan framework are intended to operate together. I note that in her Interim Reply Report, Ms McEwan is recommending that further details on the relationship between the PDP and ODP are provided by way of a user guide or similar on the Council website. I agree with this approach.

25. The amendments are also efficient, as they address the concerns raised through submissions without requiring the reintroduction of additional strategic objectives that are not supported by corresponding policies, rules or methods within the remaining PDP framework. In this regard, I agree with the legal submissions presented by Mr Garbett that reintroducing strategic objectives for matters now addressed through operative provisions could alter the planning balance of those operative provisions, despite those provisions not being before the Panel.

26. I also consider the recommended wording to be more enduring than the alternatives proposed by submitters. Rather than relying on references to withdrawn provisions, specific chapters, or the procedural history of the District Plan review, the amendments focus on the ongoing relationship between the Strategic Direction chapter, operative District Plan provisions, and the wider planning framework. This ensures the introductory text will remain relevant as the District Plan progresses through future stages of the plan-making process and ultimately becomes operative.

27. Overall, I consider the amendments improve the clarity, usability and effectiveness of the Strategic Direction chapter and represent the most appropriate response to the issues raised through submissions and hearing evidence. They are non-regulatory in nature and do not affect the application or interpretation of the regulatory provisions. Therefore, the changes are considered relatively minor in their scale and significance.

5.1.2 Strategic Direction: SD-RRNH-O2

28. I have recommended an amendment to clause 3 of RD-RRNH-O2. In my S42A report I considered that the term 'actively facilitating' was unnecessarily directive. Upon further consideration of the Hampden Community Energy Society submission point 232.12 and the Panel's question in Minute 2, I now accept that the distinction between 'encouraging' and 'actively facilitating' is limited in the context of a strategic objective.

29. This amendment increases the effectiveness of the objective by better reflecting the proactive role of the planning framework in achieving efficient urban form, settlement and

development patterns. This is consistent with the National Policy Statement on Urban Development, which promotes strategic and integrated urban development and well-functioning urban environments.

30. In the context of a strategic objective, I consider the amendment represents a minor refinement that improves clarity without materially altering the intent of the provision. Accordingly, I consider the amended wording to be the most appropriate way to achieve the objective.

6.0 Matters reserved for further consideration

31. A number of matters raised during the hearing cannot be conclusively resolved through this interim right of reply because they have implications beyond the Strategic Direction chapter, depend on the outcome of future hearing streams, or require further consideration by the Hearing Panel.

32. Consistent with the interim nature of this report, these matters are identified below to assist the Panel in tracking issues that may warrant further assessment as the hearing process progresses. Further details on these matters are addressed in Appendix A.

- **Matter 1**
  Strategic recognition of mining activities and activities with operational and locational constraints.
- **Matter 2**
  Strategic recognition of historic heritage, including heritage values, adaptive reuse and overlap between SD-CHI-O1 and SD-CHI-O2.
- **Matter 3**
  Recognition and implementation of Te Mana o te Wai within the PDP.

Appendix A

Status of Issues Raised in Evidence/Submitter Presentations:

Strategic Direction Topic – Hearing Stream 1

Issue raised	Submitter Reference	Relevant Provision(s)	Status	Relevant Submitter(s) Evidence	Post-Hearing Officer's Interim Reply
Additional introductory text for Strategic Direction chapter	Federated Farmers NZ [246.42]	Strategic Direction Introduction	Partly resolved*	Ms Kate Sannazzaro pre-circulated planning evidence for FFNZ and was generally supportive of my recommendation to amend the SD introduction but considered greater specificity was needed regarding the issues and challenges the PDP is intended to address. There was no further discussion of Ms Sannazzaro's evidence at the hearing in relation to the Strategic Direction topic, except in relation to broader plan drafting and implementation matters, including plan usability and the identification of resource management issues.	Ms Sannazzaro considered that the proposed introductory text should more clearly identify the resource management issues addressed by the Strategic Direction chapter. However, no alternative drafting was provided. I remain of the view that the amendments recommended in my S42A report improve the context and usability of the chapter and provide an appropriate introduction to the Strategic Direction provisions. While the exact wording is ultimately a matter for the Hearing Panel, I do not recommend any further amendments in response to this submission, other than the addition of a reference in the amended text to operative provisions of the Waitaki District Plan 2013 to reflect the legal submissions from Forest and Bird and the recommended changes made under clause 10(b)(ii) Schedule 1.
Amendments to the chapter introduction to reflect relationship between Strategic Direction provisions, operative plan provisions and higher-order planning documents	Forest and Bird [253.2, 253.6, 253.7]	Strategic Direction Introduction	Partly resolved*	Mr Anderson, on behalf of Forest & Bird, submitted that the withdrawal of biodiversity, landscape and natural character provisions has left the Strategic Direction chapter incomplete and no longer capable of functioning as a comprehensive overarching framework for the District Plan. He sought amendments to the chapter introduction to acknowledge this position and argued that decision-makers should continue to have regard to operative district plan provisions and higher-order planning documents that address these matters. Mr Anderson further submitted that strategic direction relating to biodiversity and other section 6 matters should be reinstated, contending that the strategic direction framework should continue to recognise these nationally important resource management issues despite the withdrawal of associated topic chapters. During questions from the Panel, he emphasised that his primary concern	I have obtained legal advice from Mr Garbett and discussed this matter with Ms McEwan (refer to Table 1 of this report). While I acknowledge Forest and Bird's concern that the withdrawal of provisions relating to indigenous biodiversity, natural character and outstanding natural landscapes has reduced the extent to which these matters are reflected in the Strategic Direction chapter, I consider this issue can be appropriately addressed through amendments to the chapter introduction. I have therefore recommended amendments to the introductory text (refer Appendix B) to better explain the relationship between the PDP and the ODP and to acknowledge the more limited scope of the Strategic Direction chapter following the withdrawal process.

Issue raised	Submitter Reference	Relevant Provision(s)	Status	Relevant Submitter(s) Evidence	Post-Hearing Officer's Interim Reply
				was ensuring the Strategic Direction chapter accurately reflects its reduced scope and the continued relevance of operative provisions and higher-order policy direction.	I do not consider that additional Strategic Direction objectives should be reintroduced. In my view, doing so would result in objectives without a corresponding implementation framework within the remaining PDP provisions. I agree with Mr Garbett's view, expressed during the hearing, that reintroducing strategic objectives for matters now addressed through the ODP could alter the balance of the operative provisions without those provisions being before the Panel for consideration. Accordingly, I consider amendments to the introductory text provide a more appropriate response to the concerns raised.
Strategic recognition of mining activities and activities with operational and locational constraints.	OceanaGold (NZ) Ltd [295.82]	New Strategic Direction objective	Outstanding	OceanaGold, through legal counsel Ms St John, emphasised the importance of ensuring the PDP operates as a coherent and integrated framework for the Special Purpose Zone Macraes Mining and future mining activities. Ms St John submitted that strategic direction provisions should appropriately recognise activities with operational and locational constraints, including mineral extraction, and highlighted concerns regarding the uncertainty arising from the partial withdrawal of plan provisions.	I have no recommendation to make on this matter and note that the Panel indicated that consideration of a strategic framework for the Special Purpose Zone Macraes Mining will be considered in the hearing topic for the SPZMM (Hearing Stream 3A).
Inclusion of 'heritage values' within SD-CHI-O2 and duplication of SD-CHI-O1 and SD-CHI-O2	OceanaGold (NZ) Ltd [295.79] Meridian Energy Limited [294.14]	SD-CHI-O1 SD-CHI-O2	Outstanding	Mr Glover for OceanaGold supported amendments to SD-CHI-O1 and the inclusion of a reference to the protection of heritage values within SD-CHI-O2. Mr Glover considered this amendment would better recognise that mining activities may coexist with historic heritage resources and provide greater clarity regarding the management of heritage values where avoidance is not always practicable. Mr Glover also noted some overlap between SD-CHI-O1 and SD-CHI-O2 but accepted that SD-CHI-O2 provides a more specific focus on heritage values and adaptive reuse, supporting its retention as a separate objective. In response to a Panel question, he indicated that if SD-CHI-O1 were the only remaining heritage objective, he would not necessarily regard that as a flaw in the plan because more detailed direction could be provided elsewhere in the policy framework. Pre-hearing submitter evidence was also received on this matter from Ms Kate Ruston on behalf of Meridian Energy Limited. Ms Ruston's evidence submitted that SD-CHI-O2 should be deleted, considering it substantially overlaps	Following the hearing, expert conferencing was undertaken with Sue Ruston, planning expert for Meridian Energy, and Ethan Glover, planning expert for OceanaGold, on 18 September 2026. The outcomes are recorded in the Joint Witness Statement provided as Appendix C to this report. The experts agreed that SD-CHI-O1 and SD-CHI-O2 contain overlapping concepts and should be merged into a single objective. It was agreed that the consolidated objective should: - protect historic heritage and recognise its contribution to Waitaki's character and identity, rather than require the protection of character and identity as separate outcomes; - retain reference to both ongoing use and adaptive reuse; - apply to the full range of historic heritage buildings, items, areas and features; and

Issue raised	Submitter Reference	Relevant Provision(s)	Status	Relevant Submitter(s) Evidence	Post-Hearing Officer's Interim Reply
				with SD-CHI-O1. The submission raised concerns regarding duplication between the two objectives and preferred a simpler strategic framework where historic heritage outcomes are addressed through a single objective.	- retain strategic direction for historic heritage, notwithstanding the incomplete lower-order provisions resulting from the withdrawal of the wider Historic Heritage provisions. The experts also agreed that a consolidated objective would provide a clearer and more efficient response to the duplication identified by the Panel. The merits and practical application of ongoing use and adaptive reuse can be addressed in relation to the particular historic heritage resource and through lower-order provisions where these are available. I therefore accept OceanaGold's submission [295.79] insofar as it seeks recognition of heritage values within the Strategic Direction objectives. I recommend that SD-CHI-O1 and SD-CHI-O2 be replaced with the following consolidated objective: *'Waitaki's historic and cultural heritage values are recognised and protected, recognising their contribution to the District's character and identity, while providing for the ongoing use and adaptive reuse of historic heritage buildings, items, areas and features.'* The experts did not reach agreement on whether the protection direction should be expressly qualified by the words 'from inappropriate subdivision, use and development'. Ms Ruston and Mr Glover support including this qualification to align the objective with section 6(f) of the RMA and clarify that protection is not absolute. I reserved my position on whether it is necessary to reproduce the full statutory formulation within a strategic, outcome-focused objective, noting that comparable Strategic Direction objectives do not generally repeat the relevant statutory qualification. Having considered the matters raised through conferencing, I prefer the wording set out above. It expressly recognises and protects historic and cultural heritage values, recognises the contribution of those values to the District's character and identity, and balances protection with opportunities for the ongoing use and adaptive reuse of historic heritage resources. The wording addresses the duplication identified by the Panel

Issue raised	Submitter Reference	Relevant Provision(s)	Status	Relevant Submitter(s) Evidence	Post-Hearing Officer's Interim Reply
					while retaining an appropriate strategic outcome for historic heritage.
Strategic recognition of the Mackenzie Basin	Canterbury Regional Council [271.66]	New Strategic Direction objective	Resolved	Ms Tutty, on behalf of Canterbury Regional Council, generally supported provisions that would assist plan users to understand regional consenting requirements and emphasised the need to recognise both Canterbury and Otago regional interests given Waitaki spans two regions. She raised Canterbury Regional Council's submission seeking strategic recognition of the Mackenzie Basin, including its outstanding natural values and the importance of coordinated management across territorial authority boundaries. While acknowledging the scope constraints arising from the withdrawal of rural and natural environment chapters, Ms Tutty maintained that the Mackenzie Basin remains a regionally significant landscape and that a consistent cross-boundary management approach remains desirable.	I retain my recommendation to reject the relief sought. In my view, introducing a new objective in the absence of the associated rural, landscape and natural environment provisions would create an isolated provision without an effective implementation pathway. Although I recommend amendments to the chapter introduction to acknowledge that the Strategic Direction chapter is no longer a complete strategic framework, this does not alter my conclusion that the proposed objective would be unsupported within the remaining PDP provisions.
Inclusion of Te Mana o te Wai in strategic direction	Fish and Game [256.22]	SD-UFD-O3 and Cross-plan	Outstanding	Mr McKnight, on behalf of Central South Island and Otago Fish & Game, submitted that Te Mana o te Wai should be recognised within the Strategic Direction chapter and reflected throughout later plan provisions where land use activities have the potential to affect freshwater values. He acknowledged that the District Plan is not responsible for freshwater management in the same manner as regional plans but considered that district plan decisions should nevertheless align with freshwater outcomes and the direction contained within the NPS-FM and that freshwater values should remain an active consideration in strategic planning and land-use decision-making rather than being treated as matters solely for regional planning instruments.	In my S42A report and summary statement, I recommended amendments to SD-UFD-O3 to recognise Te Mana o Te Wai. However, during the hearing, the Panel questioned whether the treatment of Te Mana o Te Wai is more appropriately considered through subsequent hearing streams, given its potential relevance across a wider range of chapters and provisions. Minute 3 directs that all S42A report authors follow the approach set out in Ms McEwan's Summary Statement for '*…all recommendations made through the preceding hearings regarding provisions that affect freshwater can be considered* [at the final mop-up hearing*], including any s32AA evaluations on how any changes give effect to the NPS-FM*' I therefore make no recommendation on this amendment at this time and consider the matter should be addressed through a final Reply Report at a later hearing stream as directed by the Panel.
Stronger strategic direction on sustainability, climate change	Hampden Community Energy Society [232.3, 232.12,	SD-CHI-O2 SD-RRNH-O2 SD-UFD-O1 SD-UFD-O2 SD-UFD-O4	Resolved	Mr MacTavish, on behalf of the Hampden Community Energy Society, submitted that the Strategic Direction chapter should provide stronger and more explicit direction regarding sustainability, climate change adaptation,	I have reconsidered the submissions and evidence presented by the Hampden Community Energy Society (HCES) and generally retain the recommendations set out in my S42A report.

Issue raised	Submitter Reference	Relevant Provision(s)	Status	Relevant Submitter(s) Evidence	Post-Hearing Officer's Interim Reply
adaptation, resilience and energy efficiency; more aspirational and directive wording	232.20, 232.21, 232.23, 232.24, 232.25]	SD-UFD-O5 SD-UFD-O6		resilience and energy efficiency. He considered that the strategic objectives were the most important provisions in the Plan because they influence all subsequent chapters and should therefore provide clearer guidance on responding to climate change and supporting a transition to a low-carbon future. The Society advocated for more directive and aspirational wording within the strategic objectives, particularly those relating to risk and resilience, natural hazards and urban development, and emphasised the importance of integrating sustainability considerations throughout the planning framework.	I continue to oppose amendments that would introduce additional specificity, directive language or undefined concepts into the Strategic Direction chapter where these are not supported by an implementation framework within the PDP. This includes the proposed addition of 'refurbishment' to SD-CHI-O2, amendments relating to sustainable design, the 15-minute walking principle, integrated land management principles, self-supporting communities, and additional locational criteria for urban growth. In my view, these amendments would either create uncertainty, reduce flexibility, elevate particular outcomes without sufficient policy support, or introduce concepts that are not otherwise defined or implemented within the Plan. However, following consideration of HCES submission point 232.12 and the Panel's questions in Minute 2, in my Summary Statement I revised my recommendation in relation to clause 3 of SD-RRNH-O2. In my S42A report, I originally considered that 'actively facilitating' was unnecessarily directive. In my Summary Statement I accepted that the distinction between 'encouraging' and 'actively facilitating' is not significant in the context of a strategic objective and that achieving efficient urban form, settlement and development patterns generally requires a more proactive planning approach. I therefore altered my initial recommendation and now support HCES's requested amendment to clause 3 of SD-RRNH-O2. I also retain my recommendation to include the terms 'vibrant' and 'resilient' within SD-UFD-O4, as these additions strengthen the objective and are consistent with the intended outcomes of well-functioning urban environments.

Notes:

1. Status: The status of the issue reflects my understanding of the status of resolution as between those submitters who pre-circulated evidence for Hearing Stream 1. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing Stream 1.

2. Status: An asterisk (*) against the status denotes where I have made an assumption based on the amendments I have recommended. However, I am not certain as to that status because the amendments I have recommended are different to that sought by the submitter.

Appendix B

Recommended Amendments:

Strategic Direction Chapter

NOTE: The amended chapter below only shows those parts of the Strategic Direction chapter that are being considered under the Strategic Direction topic for Hearing Stream 1.

Strategic Direction

Introduction

~~The Strategic Direction chapter sets the overarching direction for the District Plan to sustainably manage growth, land use and development in the Waitaki district. The strategic direction objectives help to implement relevant WDC plans, strategies, and policies as well as regulatory planning documents and legislation that the District Plan must give effect to. The strategic direction objectives reflect the intended outcomes to be achieved through the implementation of the District Plan.~~

~~For the purposes of preparing, changing, interpreting, and implementing this District Plan, the objectives and policies in all other chapters of the District Plan are to be expressed and achieved in a manner consistent with the objectives of this Chapter.~~

This chapter sets out the strategic direction for the matters addressed within this District Plan. It forms part of the wider District Plan framework and is not the sole source of direction for all resource management matters in the district. Some resource management matters continue to be addressed through operative provisions of the Waitaki District Plan 2013, and these should also be considered where relevant.

The strategic objectives in this chapter should be read together with other relevant topic objectives, policies and methods of the District Plan, including operative provisions of the Waitaki District Plan 2013 that continue to apply to matters not addressed through this chapter. Together, these provisions provide a framework for the management of the district's natural and physical resources. The strategic direction objectives reflect the intended outcomes to be achieved through the implementation of this District Plan.[2]

~~The strategic direction objectives will be particularly relevant for any future changes to the Plan and any significant or complex resource consent applications. In addition to the specific objectives and policies contained in topic chapters of the Plan, relevant strategic direction objectives in this Chapter will also need to be assessed for any activity identified as discretionary or non-complying~~. The strategic direction objectives are particularly relevant to future plan changes and to the assessment of discretionary or non-complying resource consent applications and notices of requirement. Where relevant, they are to be considered alongside the objectives and policies of topic chapters.[3]

The Waitaki district spans a diverse range of coastal, rural, and high-country landscapes, encompassing valued landscapes, historic and cultural heritage, productive rural land, urban settlements, and rural communities. Key challenges facing the district include growth, rural character, natural hazards, climate change, the provision of open space and recreation, nationally significant infrastructure, renewable energy, alongside recognition of mana whenua relationships. The Strategic Direction objectives, along with the operative provisions of the Waitaki District Plan 2013 provide a framework to guide development, support resilience, and protect the district's character and values.[4]

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[2] Recommended changes made under clause 10(b)(ii) Schedule 1 and to address legal submissions from Forest and Bird in relation to submission point 253.2

[3] OceanaGold (New Zealand) Limited [295.77] and Transpower New Zealand Limited [309.33]

[4] Federated Farmers of New Zealand Incorporated [246.42]

Historical and cultural identity and values

SD-CHI-O1	Character and Identity
Waitaki's historic and cultural heritage values are recognised and protected, recognising their contribution to the District's character and identity, while providing for the ongoing use and adaptive reuse of historic heritage buildings, items, areas and features.[5] ~~Waitaki's character, historic and cultural heritage, and identity is recognised and protected throughout the District.~~	
~~SD-CHI-O2~~	~~Recognition, protection, and future opportunities for Waitaki's heritage~~
~~Recognise the outstanding contribution that historic heritage makes to the Waitaki district by protecting buildings, items, areas and features and providing opportunities for the ongoing use and adaptive re-use of our heritage buildings and areas.~~	

Risk, resilience, and natural hazards

SD-RRNH-O2	Adapting to climate change
The effects of climate change are recognised, and an integrated management approach is adopted, including through: 1. taking climate change into account ~~in natural hazards management~~; when managing natural hazards and coastal natural hazards[6] and 2. enabling the community and activities[7] to adapt to climate change; and 3. ~~encouraging~~ actively facilitating[8] efficiency in urban form, settlement and development patterns to support a low emissions environment; and 4. supporting natural functioning ecosystems and processes to help build resilience into the natural and built environments; and 5. recognising and providing for the maintenance and repair of existing hard protection structures that provide for the management of natural hazards.[9]	

Urban form and development

SD-UFD-O1	Integrated management
Urban form comprises good quality design and integration with infrastructure.	
SD-UFD-O2	Housing choice and intensification
A variety of housing types, sizes, and tenures are available across the District including: 1. housing that meets the community's diverse social, cultural and economic housing needs; and 2. provision for higher density housing in locations: a. where there is access to infrastructure, the transport network, multi-modal transport options; and b. within or near the Town Centre or a Local Centre where there is access to commercial services, community activities and public open space.	

[5] OceanaGold (NZ) Ltd [295.79] and Meridian Energy Limited [294.14]
[6] Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki [251.46]
[7] Horticulture New Zealand [166.19] and New Zealand Pork [195.10]
[8] Hampden Community Energy Society [232.12]
[9] Otago Regional Council [259.17]

SD-UFD-O3	Location of activities
The location of activities is managed to: 1. ensure the efficient use of land, resources, and infrastructure; and 2. maintain the character and amenity values of different parts of the District; and 3. establish compatible activities with similar effects and functions together in appropriate areas; and 4. avoid potential reverse sensitivity effects and otherwise minimise adverse effects from incompatible activities.	
SD-UFD-O4	**The urban environment**
The District has urban environments and rural settlements that are vibrant, resilient,[10] liveable, connected, accessible, safe and well-designed for the community to live, work and play.	
SD-UFD-O5	**District-wide growth**
Waitaki grows in a cohesive, compact, and structured way while ensuring a sufficient supply of land and resources[11] is available for the community's housing, commercial, industrial, and social infrastructure needs.	
SD-UFD-O6	**Urban growth**
Future urban growth is appropriately located and serviced with relevant infrastructure, and areas within the Future Urban Growth Overlay remain available for future urban residential development.	

[10] Hampden Community Energy Society [232.23] and Cormorants on Waterfront Limited [235.6]
[11] Whitestone Contracting Limited [243.7]

Appendix C

Joint Witness Statement

Strategic Direction Topic

Hearing Stream 1

18 September 2026

1.0 Introduction

1. This joint witness statement is prepared in response to the direction of the Hearing Panel at paragraph [5] and [8] of Minute 3 dated 26 August 2026 that states:

   [5] The Panel noted that there was still concern from submitters in relation to the SD-CHI-O1 and O2, with Ms Ruston (planning expert for Meridian) and Mr Glover (planning expert for OceanaGold) considering these provisions repetitive and containing components that are more suited to lower order policies. The Panel share these concerns and to that end, we hereby direct that expert conferencing occurs between Ms Clarke, Ms Ruston and Mr Glover to address this matter.

   [8] Joint witness statements are to identify points of agreement on the issues, and, where experts disagree, a brief commentary on specific points of disagreement….We direct that the s42A report authors lead the conferencing process.

2. The Hearing Panel recorded in Minute 3 Appendix 1 that:

   At the Hearing, you responded to questions around Meridian's concern that that SD-CHI-O1 and O2 are repetitive by noting that SD-CHI-O2 references the resources that require protection. In response to questions around this, Mr Glover for OceanaGold considered that there was significant duplication across the two objectives, suggesting components of SD-CHI-O2 were possibly more appropriate in a lower order policy context.

   The Panel share the concerns of the submitters in this regard. As a consequence, can you please confer with Ms Ruston (planning expert) for Meridian and Mr Glover (planning expert) for Oceana, as directed by Minute 2[12], to address these concerns and provide alternative drafting response, including the possibility of merging the two objectives into one. We acknowledge that this may well be an issue that cannot be fully resolved until such time as the Historic Heritage section is considered.

3. A joint witness meeting took place online at 9am on 18 September 2026.

4. Participants at the meeting were:

   a) Katrina Clark (Section 42A author for Waitaki District Council)

   b) Sue Ruston (Planning expert for Meridian Energy Limited)

   c) Ethan Glover (Planning expert for OceanaGold New Zealand Limited)

5. In preparing this statement, the expert witnesses have read and understood the Code of Conduct for Expert Witnesses as included in the Environment Court of New Zealand Practice Note 2023.

6. This statement records the matters agreed, matters not agreed, and the reasons for any remaining differences arising from the conferencing discussion.

[12] Correction: The quoted Panel statement refers to 'Minute 2'. This appears to be a typographical error. The relevant direction was issued via Minute 3.

2.0 Issue and relevant context

7. The Panel asked the experts to consider concerns that SD-CHI-O1 and SD-CHI-O2 are duplicative, and to provide an alternative drafting response, including the possibility of merging the two objectives.

8. The experts considered the changed PDP context following withdrawal of the wider Historic Heritage provisions, the remaining Oamaru Historic Area provisions, the relationship with retained Operative District Plan provisions, and the role of strategic objectives in assessing future plan changes.

3.0 Matters agreed

9. The following matters were agreed by all parties at the meeting:

   a) SD-CHI-O1 and SD-CHI-O2 contain overlapping concepts and should be merged into a single objective.

   b) The merged objective should protect historic heritage and recognise the contribution that historic heritage makes to Waitaki's character and identity, rather than directly requiring protection of character and identity as separate outcomes.

   c) The merged objective should retain both 'ongoing use' and 'adaptive reuse'. Ongoing use recognises continuation of an original use, while adaptive reuse recognises use for a different purpose.

   d) The concept of ongoing use and adaptive reuse provides an important counterbalance to a protection-only outcome and retains flexibility for use of historic heritage resources.

   e) The merged objective should encompass the full suite of historic heritage buildings, items, areas and features. The merits and practical relevance of ongoing use or adaptive reuse can be addressed for the particular resource concerned and through lower-order provisions where available.

   f) Retention of strategic direction remains relevant notwithstanding incomplete lower-order follow-through, including because the objective may guide the remaining Oamaru Historic Area provisions and the assessment of future private plan changes.

   g) A merged objective provides a clearer and more efficient response to the duplication identified by the Panel.

4.0 Matters unresolved

10. The experts did not reach final agreement on whether the merged Strategic Direction objective should expressly qualify protection by using the words 'from inappropriate subdivision, use and development'.

11. Ms Ruston (Meridian) supports the express qualification. In her view, it clarifies that protection is not absolute, reflects the section 6(f) formulation, and may avoid inefficient disputes or consent arguments based on an unqualified direction to 'protect'. Mr Glover (OceanaGold) supported this view.

12. Ms Clark (WDC) reserved her position on this matter questioning whether the full section 6(f) wording is necessary in a strategic, outcome-focused objective and noted that comparable Strategic Direction objectives do not generally repeat the statutory qualification. She will consider this further in her interim right of reply report.

5.0 Drafting response

13. Ms Ruston and Mr Glover agreed on the following wording for a combined strategic direction historic heritage objective:

> *Waitaki's historic and cultural heritage is recognised and protected from inappropriate subdivision, use and development, while providing opportunities for the ongoing use and adaptive re-use of historic heritage buildings, items, areas and features.*

14. Subsequent to the meeting, Ms Clark circulated the following drafting alternative for consideration:

> *Waitaki's historic and cultural heritage values are recognised and protected, recognising their contribution to the District's character and identity, while providing for the ongoing use and adaptive reuse of historic heritage buildings, items, areas and features.*

15. Ms Ruston does not support the drafting put forward by Ms Clark for the following reasons:

    "I consider that the reference to the District's character and identity is implicit in the recognition and protection of its historic and cultural heritage values. By recognising and protecting those values, the contribution that heritage makes to the District's character and identity is already provided for in the objective.

    I consider that given the role of strategic direction objectives in providing direction to lower-order plan provisions the scope of "protection" should be clearly articulated in the strategic direction objective. Given the requirements of s6 RMA, and other national policy directives, I understand that the protection of historic heritage should not be absolute. Rather it should be clearly expressed as protection from inappropriate subdivision, use and development.

Provided that protection is qualified in alignment with s6 RMA, confining the scope of the objective to “values” is not necessary.

If the objective is to retain reference to protection of values, it should be clear that it is the ‘heritage values’ of historic heritage features that are to be protected rather than blanket historic and cultural heritage values of the district.”

16. Mr Glover also does not support the drafting put forward by Ms Clark, stating “I agree with Ms Ruston that protection needs to be qualified. While confining this to ‘values’ provides some qualification, I am not supportive of the context in which ‘values’ is used here.”

6.0 Confirmation and signatures

The experts confirm that this statement accurately records the outcomes of the expert conferencing.

Dated: 29 September 2026



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Ms Sue Ruston



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Mr Ethan Glover



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Ms Katrina Clark