

# REPORT

**TO:** Chief Executive  
**FOR:** Council Meeting – 14 October 2009  
**FROM:** Assistant Policy Planner  
**DATE:** 30 September 2009  
**SUBJECT:** Decision and Operative Status for Plan Change 13

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## 1. RECOMMENDATION

**That the Council:**

- a) Accept all amendments to the Selwyn District Plan as requested in Plan Change 13.
- b) Approve those parts in the Selwyn District Plan changed by Plan Change 13 to be made operative on 27<sup>th</sup> October 2009 (pursuant to Schedule 1 clause 20 of the RMA).

## 2. PURPOSE

To make a formal decision on the outcome of Plan Change 13 and if accepted, to make those changes formally operative (following set RMA procedures).

## 3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Low significance.

## 4. HISTORY/BACKGROUND

Plan Change 13 was developed after a number of inconsistencies in the District Plan were identified by both planners and users of the plan. The inconsistencies were of a sufficient size that required a plan change under the RMA.

Planit Associates were contracted by the Council to investigate suitable changes and compile a Section 32 report for public notification. On 22 July 2009 the Council resolved to publicly notify Plan Change 13 upon receiving the Section 32 report. Submissions opened on 8 August 2009 and closed on 4 September 2009. One submission in support was received and after discussion with the Council was subsequently withdrawn (by the submitter).

No further submissions were sought as a result of the one submission being withdrawn and no hearing process was undertaken.

## 5. PROPOSAL

The RMA requires a decision on whether the plan change is adopted or not, and that those changes (if adopted) be made fully operative.

## **6. OPTIONS**

- a) **Accept Plan Change 13 – Recommended.** By accepting the changes made by Plan Change 13 it would allow for the updating of the district plan text and allow for clearer understanding and application.
- b) **Do Nothing** – The Council would not be fulfilling its function under the RMA, of making a decision on a plan change within two years of notification.
- c) **Accept Plan Change 13 with changes** – accept the Plan Change with minor amendments that the Council sees fit.
- d) **Reject the Plan Change** – The Council would not benefit from this option as it would not fix the inconsistencies that have been identified and it would continue to make it difficult for both those administering the plan and plan users.

## **7. VIEWS OF THOSE AFFECTED/CONSULTATION**

The Plan Change was publicly notified in accordance with the requirements of the RMA.

## **8. RELEVANT POLICY/PLANS**

n/a

## **9. COMMUNITY OUTCOMES**

n/a

## **10. NEGATIVE IMPACTS**

No negative impacts have been identified.

## **11. LEGAL IMPLICATIONS**

No legal implications. Plan Change 13 follows the Schedule 1 RMA process.

## **12. FUNDING IMPLICATIONS**

Contained within approved budgets.

## **13. HAS THE INPUT/IMPACT FROM/ON OTHER DEPARTMENTS BEEN CONSIDERED?**

No other department has been considered for this report.

Emma Bishop  
**ASSISTANT POLICY PLANNER**

**ENDORSED FOR AGENDA**

Tim Harris  
**PLANNING MANAGER**

David Smith  
**STRATEGY POLICY TEAM  
LEADER**

John Christensen  
**ENVIRONMENTAL SERVICES  
MANAGER**