

SUB 05

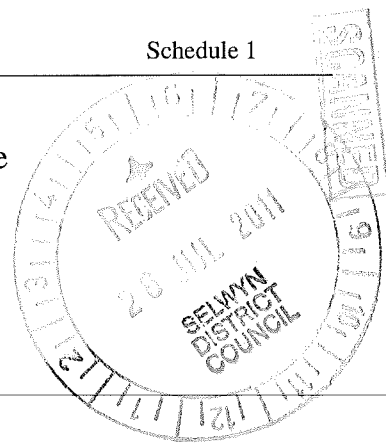
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Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

Form 5
Submission on publicly notified Plan Change
Selwyn District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Selwyn District Council
2 Norman Kirk Drive
PO Box 90
Rolleston
Christchurch 7614
FAX: 03-347-2799

1. Full name of submitter: SELWYN DISTRICT COUNCIL

This is a submission on the following proposed Plan Change:

PLAN CHANGE 26 (name and number of Plan Change)

2. The specific provisions of the proposal that my submission relates to are:
RURAL VOLUME - PART C 1 RURAL RULES EARTHWORKS
NOTE 1
(give details).

3. *My submission in SUPPORT / OPPOSITION is: SEE ATTACHED SHEET.

*Include whether you SUPPORT or OPPOSE specific parts of the plan change or wish to have them amended; and the reasons for your views. Continue on a separate sheet if necessary.

4. †I seek the following decision from Selwyn District Council: DELETE NOTE 1 FROM
PART C - 1 RURAL RULES - EARTHWORKS OF THE RURAL VOLUME
OF THE DISTRICT PLAN AND REPLACE WITH AMENDED NOTE 1
AS OUTLINED ON THE ATTACHED SHEET.

†Give precise details, including the nature of any change sought. Continue on a separate sheet if necessary.

5. I WISH / ~~DO NOT WISH~~ to be heard in support of my submission (delete as applicable)

6. If others make a similar submission, I will consider presenting a joint case with them at a hearing
(delete if you would not consider presenting a joint case)

7. [Signature] 19 July 2011
Signature of submitter (or person authorised to sign on their behalf) Date

8. Address for service of submitter: SELWYN DISTRICT COUNCIL
P.O. Box 90 Rolleston

Telephone: 03 3472 800 Fax: 03 3472 799

Email: tim.harris@selwyn.govt.nz

Contact person: TIM HARRIS Title PLANNING MANAGER (if appropriate)

This submission is in support of Proposed Plan Change 26. However, an error has been identified in Part C of the Rural Volume of the notified Plan Change. This submission requests that the identified error is corrected.

Note 1 in Rule 1 - Earthworks of the Rural Volume of the District Plan (page 54 of PC 26) identifies a number of activities which are exempt from the Earthworks Rules. The intent of the Plan Change for this particular Plan provision was to duplicate the format the note was written so that both volumes of the District Plan provided for a consistent and easy to read format. The intent was not to duplicate the activities which are to be exempt from the Earthworks Rules.

However, in the course of finalising the Proposed Plan Change for public notification, Note 1 in the Rural Volume of the Plan was amended such that it inadvertently duplicated the corresponding Note 1 as found in the Township Volume of the District Plan.

The Draft Plan Change 26 which was notified for public comment correctly identifies the list of activities intended to be exempt from the Earthworks Rules, other than 'Burying Pets' and 'Trenching Compost'. These two activities are to be retained in the amended Note 1 (Rural Volume). The Rakaia Huts Conservation Management Plan specifically identified these two activities as requiring exemption from any "monitoring of major works under 20cm" (Proposed Management Tool (i), page 34 Rakaia Huts Conservation Management Plan).

Note 1 As Amended by Submission

PART C

1 RURAL RULES — EARTHWORKS

Notes

1. Rule 1 –Earthworks, does not apply to any of the following activities, except where the provisions of Rule 1.5 (Earthworks and Protected Trees) apply:
 - Tending or landscaping of gardens, lawns or public spaces;
 - Digging post holes;
 - Drilling bores;
 - Planting trees or removing dead or diseased trees;
 - Cultivation;
 - Burying Pets;
 - Trenching compost;
 - Earthworks required to duct cables except in Wāhi Taonga Management Area C39(a).