

## MEMO

**TO:** Robert Love – Acting Executive Director Development and Growth

**FROM:** Jocelyn Lewes – Policy Planner

**DATE:** 25 January 2024

**SUBJECT:** **CLAUSE 16(2)/CLAUSE 20A AMENDMENTS TO THE PARTIALLY OPERATIVE DISTRICT PLAN (Appeals Version) – SET 4**

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### 1. PURPOSE

To seek approval for amendments to the Partially Operative District Plan (Appeals Version) (PODP) using Clause 16(2)/Clause 20A of the Resource Management Act 1991 (RMA) to correct minor errors in the Plan.

### 2. BACKGROUND

Council has the ability, under cl16(2) and cl20A of Schedule 1 of the RMA, without using the Schedule 1 process “*to alter any information, where such an alteration is of minor effect, or may correct any minor errors*”. This ability has been delegated to the Group Manager Development and Growth through RS-202 of Council’s Delegation Manual.

The nature of the errors identified generally include:

- data entry errors such that decisions are not accurately reflected in Plan provisions;
- broken links;
- formatting inconsistent with the Drafting Protocol; and
- spelling and grammatical issues.

It is considered that the proposed amendments do not change the nature or intent of the provisions of the PODP.

### 3. PROPOSAL

**Set 4** of amendments to the Appeals Version of the PODP includes:

- Inclusion of EI-R2A in the Rule List of the Energy and Infrastructure chapter.
- Application of the Rural Density Overlay (SCA-RD2) over Lot 3 DP 524058 (110 Kimberley Road, Darfield), consistent with the zoning of the site and surrounds.
- Clarification of extent of appeals in relation to MRZ in the Transport and Subdivision chapters, by the removal of red text boxes to TRAN-REQ7.11B, C, D & E; TRAN-REQ7.16A, B, C & D; TRAN-TABLE3; SUB-R1.5, 6, 7, 7A & 8; SUB-R12.17, 18, 19 & 21; SUB-REQ13 DEV-LI8, DEV-PR3, DEV-RO12; and SUB-MAT13 DEV-LI8 and DEV-LIC.
- Clarification that the appeal of HortNZ, in relation to shelterbelts, should also apply to NFL-R3 Horticultural Planting, Woodlots and Shelterbelts.

Prepared by:

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Jocelyn Lewes  
**POLICY PLANNER**

Approved by:

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Robert Love  
**ACTING EXECUTIVE DIRECTOR  
DEVELOPMENT AND GROWTH**