

# REPORT

**TO:** Tim Harris – Group Manager Environmental and Regulatory Services

**FROM:** Robert Love – Team Leader Strategy and Policy

**DATE:** 16 December 2020

**SUBJECT:** **CLAUSE 16(2) AMENDMENTS TO THE PROPOSED DISTRICT PLAN**

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## RECOMMENDATION

*'That the suggested clause 16(2) amendments to the Proposed District Plan are approved.'*

### 1. PURPOSE

To seek amendments to the Proposed District Plan through the use of cl.16(2) to correct minor errors in the Plan.

### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

This is a procedural matter under the Resource Management Act 1991.

### 3. HISTORY/BACKGROUND

As the Proposed District Plan has been developed, further integrated, and moved through the submission phase, errors in the Plan have been found. Council has erred on the side of caution and has included some of these errors as submission points where there may be a perceived or actual material effect as a result of the proposed change.

Clause 16(2) allows a local authority to make an amendment to a proposed plan without using a schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors.

### 4. PROPOSAL

See proposed amendments in Appendix 1.

### 5. OPTIONS

- a) To accept the recommended cl.16(2) amendments; or
- b) To not accept the recommended cl.16(2) amendments.

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

### **(a) Views of those affected**

No party is considered to be affected.

### **(b) Consultation**

Given that the proposed amendments will have no more than a minor effect, no consultation has occurred.

### **(c) Māori implications**

There are no implications on Māori.

### **(d) Climate Change considerations**

There are no climate change considerations.

## **7. FUNDING IMPLICATIONS**

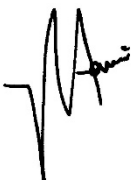
There are no funding implications other than staff time.



Robert Love

**TEAM LEADER – STRATEGY AND POLICY**

The Group Manager Environmental and Regulatory Services exercises his delegation to approve the minor changes set out in Appendix 1 to the Proposed Plan in accordance with clause 16(2) of the First schedule of the Resource Management Act 1991.



Tim Harris

**GROUP MANAGER ENVIRONMENTAL AND REGULATORY SERVICES**

## Appendix 1: Proposed cl.16(2) amendments to the Proposed District Plan

Provision	Issue	Amendment
Nga Wai Overlay	Current overlay does not track along water bodies accurately.	Amend the overlay to better reflect the actual location of the water body.
SCA (Rural Density)	Boundary lines have diverted from the existing situation, over areas not intended to have been covered.	Re-alignment of SCA boundaries to reflect existing situation.
SCA-RD2/3	Boundary lines should have been along roads and within the bed of the river, whereas they have been run through properties.	The boundary between SCA-RD2 and 3 to be re-aligned to reflect the intended path, and to avoid split zoning properties.
Notable Tree Overlay	Some of the tree locations as indicated by the mapping shows the tree within the road reserve, when they should be located within an adjacent property, as indicated by the notable tree schedule.	Amend the indicated location of the notable trees listed below to reflect their actual location. T03 T05 T06a T32 (1 of 2) T55 T76 (1 of a group) T81 T86 (multiple trees of a group of 170) T89a (all 5 of the group) T90 T103
Zone Maps	In places the zone mapping either does not go entirely to the district boundary, or exceeds it into a neighbouring Territorial Authority.	Amend the zone maps so the zone boundary aligns with the district boundary.
Road Classification layer	The lines indicating the different road classifications are thin and use colours that make it difficult to distinguish between the different classifications.	Amend the layer so the lines are thicker, and use colours with increased contrast.
GRUZ-R4.1, GRUZ-R4.3, & GRUZ-R4.5	With the absence of the word 'site' in some of the assessment criteria within each rule, there could be potential confusion around if the criteria applies to the whole site the residential unit is on, or just the site.	Amend the provision to include 'the site' at the start of: GRUZ-R4.1.b GRUZ-R4.1.c GRUZ-R4.3.b GRUZ-R4.3.c GRUZ-R4.5.b GRUZ-R4.5.c GRUZ-R4.5.d
TREE-SCHED2 - Notable Tree - Record Form T90	Legal description within the record is incorrectly listed.	Amend the legal description to "Lot 1 DP 508769"
TREE-SCHED2 - Notable Tree - Record Form T85b	Notable tree has been incorrectly listed as being within RES 4918, when it is actually located within the road reserve.	Amend the record by removing "RES 4918"

TREE-SCHED2 - Notable Tree - Record Form T21	Legal description within the record is incorrectly listed.	Amend the legal description to "Section 1 SO 425744"
TREE-SCHED2 - Notable Tree - Record Form T65	Legal description within the record is incorrectly listed.	Amend the legal description to "Part Lot 1 DP 6070"
NFL-R3.1 (Column 1)	The intended rule was only meant to apply to the Rakaia and Waimakariri <u>Catchment</u> ONL overlays, whereas in the Proposed District Plan it applies to the Rakaia and Waimakariri ONL overlays.	Amend Column 1 of NFL-R3.1 to include 'catchment' into Rakaia and Waimakariri ONL Overlay descriptor.
NOISE-R2	Minor corrections to rule references.	Amend Column 3 of NOISE-R2 as follows: <i>Activity status when compliance not achieved: <del>N/A</del></i> <i>2. When compliance with any rule NOISE-R2.1-<del>2</del> is not achieved: DIS</i> <i>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to <del>NOISE-REQ2</del> <b>NOISE-Rule Requirements</b></i>
Lincoln Development Areas	Maps incorrectly label some of the Development Areas in Lincoln. Some are missing entirely.	Amend to include DEV-LI2 and DEV-LI3 in the planning maps. Remap DEV-LI4 to accurately reflect boundaries in plan schedule. Relabel 'DEV-LI2' to 'DEV-LI4'. Relabel 'DEV-LI4' to 'DEV-LI5'. Relabel 'DEV-LI5' to 'DEV-LI6'. Amend to include DEV-LI7 in the planning maps. Delete what is currently mapped as DEV-LI3.
Planning Maps – Designations layer	Rollover designation for MEDU-30 Acland Park School not shown on maps.	Amend Designations layer to show Lot 2003 DP 538296 as subject to the designation.