

# REPORT

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

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

**DATE:** 24 May 2022

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

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## RECOMMENDATION

*‘That the recommended clause 16(2) amendments to the Proposed District Plan are approved.’*

### 1. PURPOSE

To seek amendments to the Proposed District Plan (PDP) through the use of cl.16(2) of the Resource Management Act 1991 (RMA) to correct minor errors in the PDP.

### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

This is a procedural matter under the RMA.

### 3. HISTORY/BACKGROUND

As the PDP has been developed, further integrated, and moved through the submission and s42A report evidence 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. Other submission points have also been received seeking amendments to the PDP, which can instead be made using cl.16(2).

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.

Note this is the sixth tranche of amendments.

### 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 and Consultation

No party is considered to be affected, however a number of submitters have sought to correct minor errors or make an alteration to the PDP of minor effect, which can be more effectively dealt with via cl.16(2) of the RMA. The s42A reports addressing submissions on the PDP identify which submission points contain relief that can be addressed in this manner.

### (b) Māori and Treaty implications

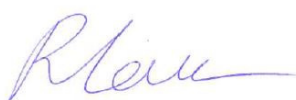
There are no implications on Māori.

### (c) 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	Reason	Amendment
Antenna	The definitions does not match word for word the National Environmental Standards for Telecommunication Facilities definition	<del>Means a</del> A device that receives or transmits radiocommunication or telecommunication signals, but not <del>a excludes</del> small cell unit.
EI-R8 (Rule List)	Spelling error in the word "Temporary"	New and Temporary Customer Connections
SDC-69	Table heading does not match the template	<del>SDC-69</del> ESSS (STP) Pines
SDC-132	Error in designation file number	The Notice of Requirement documentation associated with this designation is held in Selwyn District Council file D200139.
ASW-R1 (title) and in Rule List	Heading title is inconsistent with the activities within the Rule	Use of <del>motorised</del> watercraft
ASW-R1.3	Unnecessary hyperlinks to the definition of 'lake' in lake names	Remove hyperlinks to the definition of 'lake' in the names of the listed lakes
SUB-REQ5	Repeated word in SUB-REQ5.5	5. The subdivision shall result in a number of fee simple, freehold residential sites <del>sites</del> within each area shown on the ODP that does not exceed that shown Table SUB-7 – Maximum number of sites, Porters Ski Zone
Ecosystems and Indigenous Biodiversity	Incorrect Planning Standards code used for all provisions within the Ecosystems and indigenous biodiversity Chapter	<del>EIB</del> <u>ECO</u>
EIB-R1.4.l	Typo	Resource <del>Managment</del> <u>Management</u> Act
EIB-R1.7	Typo	<del>acheived</del> <u>achieved</u>
EIB-R1.10	Typo in heading	Activity status when compliance <del>with not</del> <u>not</u> achieved
EIB-R3.1	Spaces in table name that are inconsistent with the drafting protocol	Amend to 'ECO-TABLE1 - Plant Species'
EIB-R3.2	Spaces in table name that are inconsistent with the drafting protocol	Amend to 'ECO-TABLE2 - Plant Species'
EIB-MAT1.2	Grammar	site-specific
EIB-SCHED2 Purpose of a Biodiversity Management Plan d.iii	Incorrect cross-reference - refers to APP1 (how to apply for a private plan change) instead of ECO-SCHED1	<del>APP-1</del> <u>ECO-SCHED1</u>
EIB-SCHED2 Biodiversity Values h.	Incorrect cross-reference - refers to EIB-APP1) instead of ECO-SCHED1 (criteria for determining SNAs)	<del>EIB-APP-1</del> <u>ECO-SCHED1</u>

EIB-SCHED2 Description of Development Activities, Management Vision and Objectives, and Adaptive Management. Review Period and Plan Duration	Use of italics	Remove italics
EIB-SCHED2 Management Vision and Objectives	Missing bold text	<del>Management Vision and Objectives</del> <b>Management Vision and Objectives</b>
EIB-SCHED2 Adaptive Management. Review Period and Plan Duration	Typo	Adaptive Management, Review Period, and Plan Duration
Temp - Note for Plan Users	Includes reference to 'Area Specific Chapters' which it shouldn't as this chapter should only apply alongside the 'District Wide Chapters'. The main reason for this being is that the point of this chapter is to give activities of temporary nature an exemption from typical zone based planning provisions	<b>Note for Plan Users:</b> <i>There may be a number of Plan provisions that apply to an activity, <a href="#">building</a> or <a href="#">structure</a> and <a href="#">site</a>. In some cases, consent may be required under rules in this Chapter as well as rules in other District Wide or Area Specific Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules, specifically <a href="#">SIGN-R2</a>, and <a href="#">LIGHT chapter</a>. Details of the steps Plan users should take to determine the status of an activity is provided in the <a href="#">How the Plan Works</a> section.</i>
SASM - SCH3 -SASM 36	Grammar error - space insertion	Waikekewai including Waiwhakaheke Tūpāpaku, Papatahora, Rakinui, Matatiki.
SASM - SCH3 - SASM 38	English name insertion	Hiriwhare/ <b>Jollies Brook</b>
SASM-SCH3 -SASM 39	English name insertion	Ōmuku/ <b>Jollies Brook</b>
SASM-SCH3 -SASM 40	English name insertion	Ōhiahia/ <b>Jollies Brook</b>
SASM-SCH3 -SASM 41	English name insertion	Te Arahaia/ <b>Youngs Creek</b> (Taylor)/Tuarahua (Ellison Map)
Noise Sensitive Activity definition	Typo	d. Hospital or <del>healthcare</del> health care facility
GRAZ-P1	Schedule label is incorrect	... shown in <del>Schedule 1</del> <u>GRAZ-FIG1</u> or the...
GRAZ-P2	Schedule label is incorrect	...shown in <del>Schedule 1</del> <u>GRAZ-FIG1</u> .

GRAZ-P3	Schedule label is incorrect	...shown in <del>Schedule 1</del> <u>GRAZ-FIG1</u> .
GRAZ-P4	Schedule label is incorrect	...shown in <del>Schedule 1</del> <u>GRAZ-FIG1</u> .
GRAZ-R1.a	Schedule label is incorrect	...in <del>Schedule 1</del> <u>GRAZ-FIG1</u> .
GRAZ –P1	Unnecessary hyperlinks to the definition of 'sub' in 'sub-areas'	Remove hyperlinks to the definition of 'sub' where reference is to sub-areas
GRAZ-R1.a	Unnecessary hyperlinks to the definition of 'sub' in 'sub-areas'	Remove hyperlinks to the definition of 'sub' where reference is to sub-areas
GRAZ-R1	Unnecessary hyperlinks and dashes in list of reqs	Applicable to all REQs listed in rule e.g. <del>GRAZ-REQ1 – Sewage Treatment and Disposal</del> <u>GRAZ-REQ1 Sewage Treatment and Disposal</u>
GRAZ-R2	Unnecessary hyperlinks and dashes in list of reqs	Applicable to all REQs listed in rule e.g. <del>GRAZ-REQ1 – Sewage Treatment and Disposal</del> <u>GRAZ-REQ1 Sewage Treatment and Disposal</u>
GRAZ-R3	Unnecessary hyperlinks and dashes in list of reqs	Applicable to all REQs listed in rule e.g. <del>GRAZ-REQ3 – Building Coverage</del> <u>GRAZ-REQ3 Building Coverage</u>
GRAZ-Rule List	Unnecessary comma in GRAZ-R1 title	Remove comma
GRAZ-Rule List	Incorrect title for GRAZ-R10	Any activity not otherwise listed in this table <u>GRAZ-Rule List</u>
GRAZ-P2	Add in 'sub' & link to ODP	...within the tourist <del>m</del> accommodation <u>sub</u> -area shown...
GRAZ-P1	Unnecessary capitals	...within the <del>S</del> sub-A <del>a</del> reas.
GRAZ-P3	Improve link to ODP	...within the residential <del>accommodation</del> <u>sub</u> -area shown...
GRAZ-P4	Improve link to ODP	...within the natural resource <u>sub</u> -area shown on the...
GRAZ-R1.1	Unnecessary comma in GRAZ-R1.1 Rule Sentence	Remove comma between GRAZ-R2, or GRAZ-R3
GRAZ-R1.1.a	Improve link to ODP	...within the Tourist <del>m</del> Accommodation <del>S</del> sub-A <del>a</del> rea, as...
GRAZ-R1.1.a.	Improve link to ODP	...in <del>Schedule 1</del> <u>GRAZ-FIG1</u> .
GRAZ-R1.2.a.i	Improve link to ODP	...with the outline development plan <u>GRAZ-FIG1</u> where...
GRAZ-R1.2.	Hyperlink required	Hyperlink 'GRAZ-R1.1' to GRAZ-R1
GRAZ-R2.1.a	Improve link to ODP	...within Residential Accommodation <del>S</del> sub-A <del>a</del> rea, as shown on the outline development plan in <del>Schedule 1</del> <u>GRAZ-FIG1</u> .
GRAZ-R2.1.c	Improve link to ODP	...within the Residential Accommodation <del>S</del> sub-A <del>a</del> rea.
GRAZ-R2.3	To align with drafting protocol	When compliance with <u>any of</u> <del>GRAZ-R2.1.a, GRAZ-R2.1.b., or GRAZ-R2.1.c.</del> <b>GRAZ-R2.1</b> is not achieved...
GRAZ-R2.2	Amend Rule reference and hyperlink required	...to GRAZ-R2 <del>,1</del> is... Hyperlink to GRAZ-R2
GRAZ-R3.1.a	Improve link to ODP	...within the Residential Accommodation <del>S</del> sub-A <del>a</del> rea, as shown on the outline development plan in <del>Schedule 1</del> <b>GRAZ-FIG1</b> ; and

GRAZ-R3.3	To align with drafting protocol	...When compliance with <del>GRAZ-R3.1.a., or GRAZ-R3.1.b., any of GRAZ-R3.1</del> is not achieved...
GRAZ-R3.2	Amend Rule reference and hyperlink required	...to <u>GRAZ-R3.1</u> is... Hyperlink to GRAZ-R3
GRAZ-R3 - 10	Correct alignment of 1.	Shift alignment back to left hand side of column 2, immediately underneath Activity Status
GRAZ-R4 & 5	Improve link to ODP	...in the Tourism <del>Accommodation</del> <u>Ssub-Aarea</u> .
GRAZ-R4	To align with drafting protocol	...when compliance with <del>GRAZ-R4.1.a.</del> <u>any of GRAZ-R4.1</u> is not...
GRAZ-R5	To align with drafting protocol	...when compliance with <del>GRAZ-R5.1.a.</del> <u>any of GRAZ-R5.1</u> is not...
GRAZ-R6	To align with drafting protocol	...when compliance with <del>GRAZ-R6.1.a.</del> <u>any of GRAZ-R6.1</u> is not...
GRAZ-R7	To align with drafting protocol	...when compliance with <del>GRAZ-R7.1.a.</del> <u>any of GRAZ-R7.1</u> is not...
GRAZ-R10 Title and GRAZ-R10.1	To align with drafting protocol	Any activity not otherwise listed in <del>this table</del> <u>GRAZ-Rule List</u> Any activity not otherwise listed <u>in GRAZ-Rule List</u> .
GRAZ-REQ 1.2, 2.2, 3.2, 4.2, 8.2, & 9.2	To align with drafting protocol	Add '.1' after each REQ reference e.g. <u>GRAZ-REQ1.1</u>
GRAZ-REQ5	To align with drafting protocol	...When compliance with <u>either of GRAZ-REQ5.1 or GRAZ-REQ5.2</u> is not...
GRAZ-REQ6	To align with drafting protocol	...When compliance with <u>either of GRAZ-REQ6.1 or GRAZ-REQ6.2</u> is not...
GRAZ-REQ7	To align with drafting protocol	...When compliance with <u>any of GRAZ-REQ7.1</u> is not...
GRAZ-REQ7.1.a	Improve link to Figure	...plan in <del>Figure 2</del> <u>GRAZ-FIG2</u> ;
GRAZ-REQ8	Improve link to ODP	...within the Residential <del>Accommodation</del> <u>Ssub-Aarea</u>
GRAZ-FIG1 Title	Remove unnecessary spaces	<del>GRAZ – FIG1</del> <u>GRAZ-FIG1</u>
GRAZ-FIG2 Title	Remove unnecessary spaces	<del>GRAZ – FIG2</del> <u>GRAZ-FIG2</u>
SKIZ-SCHED1 Title	Alignment with drafting protocol	<del>SKIZ-SCHED1 – Figures</del>
SKIZ-FIG1 Title	Alignment with drafting protocol	<del>SKIZ – FIG1 – Sub-Areas</del> <u>SKIZ-FIG1 Location of Sub-Areas</u>
SKIZ-FIG2 Title	Alignment with drafting protocol	<del>SKIZ – FIG2 Village Sub-Area Plan</del> <u>SKIZ-FIG2 Village Sub-Area Plan</u>
SKIZ-FIG3 Title	Alignment with drafting protocol	<del>SKIZ – FIG3 Landscaping Plan and Mix</del> <u>SKIZ-FIG3 Landscaping Plan and Plant Mix</u>
SKIZ-FIG3 New Table	Alignment with drafting protocol	Insert new table heading 'SKIZ-TABLE[x] Plant Mix
SKIZ-FIG4 Title	Alignment with drafting protocol	<del>SKIZ – FIG4 Plant List</del> <u>SKIZ-TABLE[x] Plant List</u>
SKIZ-MAT1	Unnecessary hyperlink	Remove hyperlink to 'sub' in title and in column 1
SKIZ-MAT1.6	Inconsistent reference to ODP	...with the <del>outline development plan</del> <u>SKIZ-SCHED1</u> .
SKIZ-P1	Inconsistent reference to ODP	...shown in <del>Schedule 1</del> <u>SKIZ-SCHED1</u> or the...
SKIZ-P1	Incorrect hyperlink	Amend hyperlink to include all of 'outline development plans'
SKIZ-P1	Unnecessary hyperlink	Remove hyperlink to 'Sub'
SKIZ-P2	Unnecessary hyperlink	Remove hyperlink to 'Sub'

SKIZ-P2	Remove capitals to ODP	... <del>O</del> utline <del>D</del> evelopment <del>P</del> lan...
SKIZ-P2	Inconsistent reference to ODP	...in <del>Schedule 1</del> , SKIZ-SCHED1,...
SKIZ-P3	Inconsistent reference to ODP	...in <del>Schedule 1</del> SKIZ-SCHED1.
SKIZ-P3	Unnecessary hyperlink	Remove hyperlink to 'Sub'
SKIZ-P3	Unnecessary hyperlink	Remove hyperlink to 'water'
SKIZ-P5	Inconsistent reference to ODP	...in <del>Schedule 1</del> SKIZ-SCHED1.
SKIZ-P5	Unnecessary hyperlink	Remove hyperlink to 'Sub'
SKIZ-R1.1.a	Inconsistent reference to ODP	...on the <del>outline development plan</del> , in <del>Schedule 1</del> SKIZ-SCHED1.
SKIZ-R1.1.a	Unnecessary hyperlink	Remove hyperlink to 'Sub'
SKIZ-R1.2.c	Inconsistent reference to ODP	...in <del>Schedule 1</del> SKIZ-SCHED1...
SKIZ-R1.2.c	Unnecessary hyperlink	Remove hyperlink to 'Sub'
SKIZ-R1.5.a	Inconsistent reference to ODP	... <del>on the outline development plan</del> , in <del>Schedule 1</del> in SKIZ-SCHED1.
SKIZ-R1.5.a	Unnecessary hyperlinks	Remove hyperlinks to 'Sub'
SKIZ-R1.9.a	Unnecessary hyperlinks	Remove hyperlink to 'Sub', 'Waste', and 'Water'
SKIZ-R1.9.a	Inconsistent reference to ODP	... <del>on the outline development plan</del> , in <del>Schedule 1</del> in SKIZ-SCHED1.
SKIZ-REQ2	Alignment with drafting protocol	...areas identified <del>on Schedule 1</del> , <del>Figure 2</del> , in SKIZ-FIG2 shall be in accordance with <del>Table 5</del> SKIZ-TABLE5.
SUB-R13	Captialisation	In Column 1, amend 'All zones' to 'All Zones'
SUB-R15	Unnecessary bold	In SUB-R15.1, remove the bold from CON
SUB-R16.2.a	Broken hyperlink in SUB-R16.2.a	EI-MAT4 needs to be hyperlinked
SUB-MAT6	Typo in zone code	Amend 'PORT' to 'PORTZ' in Column 1
GRZ-R2.5	Incorrect number referencing	...GRZ-R2. <del>54</del> ...
GRZ-R2.6	Incorrect number referencing	...GRZ-R2. <del>54</del> ...
EIB-SCHED5.5	Incorrect schedule reference	...SNA listed in EIB-SCHED- <del>24</del> , offset...
Public Amenity	CRC has been referenced as 'ECan' within definition	...either, SDC, <del>ECan</del> <u>CRC</u> , or DoC...
DoC	Abbreviation for DoC has not been included in the abbreviation list	Add <u>DoC</u> - <u>Department of Conservation</u> into list
GRUZ-R5.1.c	Term not hyperlinked	Hyperlink 'balance land'