

REPORT

TO: Tim Harris – Group Manager Environmental and Regulatory Services

FROM: Robert Love – Team Leader Strategy and Policy

DATE: 07 May 2021

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

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.

Note this is the third tranche of amendments with the first tranche being approved on 16 December 2020, and the second tranche being approved on 23 February 2021.

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
TCZ-R1	The rule references TCZ-REQ10 twice, which is a rule requirement that does not exist.	Delete references to 'TCZ-REQ10 Visitor accommodation'.
EIB-R1.22	Incorrect numbering, the reference to EIB-R1.26 within this rule is incorrect, it should reference EIB-R1.24.	Amend EIB-R1.22 to: "22. Except where provided for in EIB-R1.4, EIB-R1.6, or EIB-R1.264 the clearance of indigenous vegetation"
Tables (throughout plan)	Inconsistent numbering of Tables throughout the plan - some chapters use TOPIC-Table X, others use Table-TOPIC-X, 'table' is inconsistently all caps or not.	Check all table headings for consistency with the drafting protocol and amend table headings and cross references as required (no changes to actual table numbers)
GRUZ-REQ1.3.b	Spelling mistake within the Matter title.	Amend to 'Wildfire'.
EIB-R1.4.i	The provision is linked to the incorrect provision, and also has a coding error where 'link' is displayed.	Amend from 'EIB-R1.4j' to 'EIB-R1.24b' and fixing coding.
EIB-R1.24b	The provision is linked to the incorrect provision.	Amend from 'EIB-R1.4.j.' to 'EIB-R1.4.i'.
GRUZ-R28	Amend rule to improve clarity.	Amend N.B. to remove the listed REQs, and add '...are exempt from the rule requirements listed above.
TEMP-R4	Wrong numbering of rule requirement	Amend reference to 'TEMP-REQ6 Commercial filming' to 'TEMP-REQ5 Commercial filming'.
GRUZ-R6	GRUZ-R6 1 d. – should refer to a “relocated building” not relocatable building	Amend to 'relocated building' as stated in the interpretation section.
NCZ-R9	Incorrect term for 'Trade Retail and Trade Suppliers' is used in the Rule list and within the Rule	Amend to 'trade retail and trade suppliers' as stated in the interpretation section.
NCZ-R22	Incorrect term for 'Waste and Diverted Material Facility' is used within the Rule list and within the Rule.	Amend to 'waste and diverted material facility' as stated in the interpretation section.
LCZ-R21	Incorrect term for 'Airfield' is used within the Rule list and within the Rule	Amend to 'airfield' as stated in the interpretation section.
LFRZ-R13	Incorrect term for 'Firearms Range' is used within the Rule	Amend to 'firearms range' as stated in the interpretation section.
LFRZ-R19	Landfill' is not being linked to its definition	Amend coding within the rule so 'landfill' is displayed as a defined term.

LFRZ-R20	Incorrect term for 'Waste and Diverted Material Facility' is used within the Rule list and within the Rule.	Amend to 'waste and diverted material facility' as stated in the interpretation section.
TCZ-R21	Incorrect term for 'Airfield' is used within the Rule list and within the Rule	Amend to 'airfield' as stated in the interpretation section.
TCZ-R24	Incorrect term for 'Waste and Diverted Material Facility' is used within the Rule list and within the Rule.	Amend to 'waste and diverted material facility' as stated in the interpretation section.
GIZ-R11	Incorrect term for 'Educational Facility' is used within the Rule list and within the Rule	Amend to 'educational facility' as stated in the interpretation section.
GIZ-R22	Incorrect term for 'Waste and Diverted Material Facility' is used within the Rule list and within the Rule.	Amend to 'waste and diverted material facility' as stated in the interpretation section.
GRAZ-REQ7.1.a	Reference to 'Schedule 2' should be to 'Figure 2'.	Amend reference from 'Schedule 2' to 'Figure 2'.
KNOZ-R19	Incorrect term for 'Motor Sports' is used within the Rule list and within the Rule	Amend to 'motor sports' as stated in the interpretation section.
MPZ-R5	Incorrect term for 'Community Facility' is used within the Rule	Amend to 'community facility' as stated in the interpretation section.
MPZ-R7.6	Incorrect term for 'Community corrections activity' used within the Rule.	Amend to 'community corrections activity' as stated in the interpretation section.
UG-P10.2	'sites' is being displayed as a defined term when it shouldn't be.	Amend coding within the provision so 'site' does not show as a defined term.
NFL-SCHED1	NFL-SCHED1 includes links to the Selwyn District Landscape Study 2018 identifying the potential threats and values of the various ONL areas. This information is already included in NFL SCHED1 so providing a link to an external document containing the same information is considered unnecessary	Amend NFL-SCHED1 as follows: The tables below provide a summary of the key values and attributes identified for the ONL areas. More information on these areas, their values and potential threats can be found in the Selwyn District Landscape Study 2018.
NFL-SCHED2	NFL-SCHED2 includes links to the Selwyn District Landscape Study 2018 identifying the potential threats and values of the various VAL areas. This information is already included in NFL SCHED2 so providing a link to an external document	Amend NFL-SCHED2 as follows: The tables below provide a summary of the key values and attributes identified for the VAL areas. More information on these areas, their values and potential threats can be found in the Selwyn District Landscape Study 2018.

	containing the same information is considered unnecessary	
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