

REPORT

TO: Tim Harris – Group Manager Development and Growth
FROM: Jessica Tuilaepa – Senior Policy Planner
DATE: 16 June 2023
SUBJECT: **CLAUSE 16(2) AMENDMENTS TO THE PROPOSED DISTRICT PLAN**

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 seventh 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.

Jessica Tuilaepa

SENIOR POLICY PLANNER

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 DEVELOPMENT AND GROWTH

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

Provision	Reason	Amendment
EIB-R3	Typo in Table 1	Buddleia <u>Buddleja</u>
EIB-MAT1.a	Cross-reference error	ECO-SCHED 1 <u>ECO-SCHED1 - Criteria for Determining Significant Indigenous Vegetation and Significant Habitat of Indigenous Fauna</u>
EI-REQ5.1	Typo	occurring <u>occurring</u>
EI-REQ5.3	Typo	occurring <u>occurring</u>
EI-REQ5.5	Typo	occurring <u>occurring</u>
IE-REQ5.7	Typo	occurring <u>occurring</u>
EI-REQ5.9	Typo	occurring <u>occurring</u>
MEDU-18 West Rolleston School	Typo in Condition 6	Mon-Sun, 7.00am – 40.0pm <u>(0700m – 2200 10.00pm (0700 – 2200))</u>
MEDU-18 West Rolleston School	Advice Note 1 replicates the 'additional information' at the top of the table	Delete Advice Note 1 for consistency with original Ministry request and other MEDU designations, then consequential renumber remaining advice notes
TCZ-REQ2	Refers to CMUZ-MAT5 Height in relation to boundary instead of CMUZ-MAT4 Height	a. <u>CMUZ-MAT4 Height</u>
Definition of "Strategic Transport Network"	Need to add an "s" to the end of "State Highway" in (a). Noting that the hyperlink for the defined term of "State Highway" still needs to work in plural.	a. State Highways <u>s</u> ;
ECO-SCHED1	The phrase <i>indigenous vegetation</i> has unnecessary punctuation marks in many instances throughout the schedule - presumably as a reminder during drafting that it is a defined term.	Amend to read 'indigenous vegetation' everywhere it occurs
HPW20	The description of 'Settlement Zone' has the word 'cluster' linked to the definition of 'cluster'. The defined term relates to subdivision in GRUZ, and so should not apply to this zone description	Un-link the word 'cluster' from the defined term, in the description of 'Settlement Zone'
SUB-R12	SUB-R12.1c (controlled activity criteria for GRUZ boundary adjustments) refers to GRUZ-REQ1 Minimum Site Size for the Erection of a Residential Unit, instead of GRUZ-SCHED2 Residential Density for the minimum site size to erect a unit. GRUZ-REQ1 is Building Coverage.	SUB-R12.1.c.i. for any site in the General Rural Zone - GRUZ-REQ1 Minimum Site Size for the Erection of a Residential Unit <u>GRUZ-SCHED2 - Residential Density - Specific Control Areas;</u> and
TRAN-REQ16	Typo in TRAN-REQ16.1	1. All activities shall provide sufficient <u>sufficient</u> on-site manoeuvring ...
SASM-SCHED2	The description of SASM30 uses the term 'addition' in its usual meaning of 'and', but the hyperlinked definitions are turned on, so that 'addition' is using the defined term relating to building additions	Turn off the automatic use of the defined term of 'addition' for SASM 30

SASM-SCHED2	The name of Te Waihora/Lake Ellesmere is hyperlinking to the defined term 'lake'	Turn off the automatic use of the defined term of 'lake' for SASM 30
SASM-SCHED2	The description of SASM30 uses 'sites' in the context of 'places', but the hyperlinks are turned on, so that 'site' is using the defined meaning which is out of context	Turn off the automatic use of the defined term of 'site' for SASM30
SASM-SCHED2	The description of SASM30 uses 'whenua' in the context of 'mana whenua', but the hyperlinks are turned on, so that 'whenua' is using the defined meaning which is out of context	Turn off the automatic use of the defined term of 'whenua' for SASM30
SASM-SCHED3	The names of rivers is hyperlinking to the defined term 'river'	Turn off the automatic use of the defined term of 'river' for SASM-SCHED3
SASM-SCHED3	Typo in description of SASM 36 - space missing between first and second sentences	Multiple original Māori names (Ngā ingoa) recorded. Mahinga kai associations.
SASM-SCHED3	Typo in description of SASM 37 - space missing between first and second sentences	Multiple original Māori names (Ngā ingoa) recorded. Mahinga kai associations.
SASM-SCHED4	The names of lakes is hyperlinking to the defined term 'lake'	Turn off the automatic use of the defined term of 'lake' for SASM 58 and SASM 59
SASM-SCHED5	The names of rivers is hyperlinking to the defined term 'river'	Turn off the automatic use of the defined term of 'river' for SASM 62
SASM-SCHED1	The descriptions use 'sites' in the context of 'places', but the hyperlinks are turned on, so that 'site' is using the defined meaning which is out of context	Turn off the automatic use of the defined term of 'site' throughout SASM-SCHED1
SASM-SCHED1	The names of lakes is hyperlinking to the defined term 'lake'	Turn off the automatic use of the defined term of 'lake' throughout SASM-SCHED1
SASM-SCHED1	The names of rivers is hyperlinking to the defined term 'river'	Turn off the automatic use of the defined term of 'river' throughout SASM-SCHED1
RESZ-P15	Community facility' is a defined term, but it is not hyperlinking in the policy	Ensure that the definition of 'community facility' includes the plural as an alternative term, and that the definition is not 'turned off' in RESZ-P15
SASM 42	Typo in column 2	Te Awapunapuna, including Te Waipupu/ Maclelands <u>McLachlan's</u> Drain
HPW25	Heading does not conform to drafting protocol	Reformat to white text
HPW26	Heading does not conform to drafting protocol	Reformat to white text
HPW27	Heading does not conform to drafting protocol	Reformat to white text
HPW28	Heading does not conform to drafting protocol	Reformat to white text
HPW29	Heading does not conform to drafting protocol	Reformat to white text
SUB Chapter Tables	Tables have been incorrectly labelled e.g. Table-SUB4 instead of SUB-TABLE4 rename to align with drafting protocol	Apply PDP formatting
All Chapters	Adjust spacing between headings and provisions across all chapters in	amend spacing as per drafting protocol

	plan to ensure consistency with drafting protocol	
All Chapters	Ensure colour of font and background of headings across each chapter aligns with drafting protocol. White font on green background	Ensure colour of font and background of headings across each chapter aligns with drafting protocol. White font on green background
SD-UFD	Heading includes reference to policies, but chapter only contains objectives	Remove 'and policies' from heading
Definitions Chapter	Add shortcuts to get to different locations within the definition's chapters more easily	Alphabet shortcuts added to top of chapter
GRUZ Objectives heading	GRUZ referencing missing from Objectives and Policies headings, add for consistency	<u>GRUZ</u> -Objectives
GRUZ Policies heading	GRUZ referencing missing from Objectives and Policies headings, add for consistency	<u>GRUZ</u> -Policies
All advice notes across all Chapters	Italicising advice note font and ensuring background aligns with drafting protocol	Add correct background colour and Italicise all font in advice notes.
SUB-R17	adjust width of column 1 in rule to ensure overlays can be read easily	increase width from 10% to 15%
SUB-R21	adjust width of column 1 in rule to ensure overlays can be read easily	increase width from 10% to 15%
SUB-R23	adjust width of column 1 in rule to ensure overlays can be read easily	increase width from 10% to 15%
SUB-R25	adjust width of column 1 in rule to ensure overlays can be read easily	increase width from 10% to 15%
SUB-R26	adjust width of column 1 in rule to ensure overlays can be read easily	increase width from 10% to 15%
SUB-R27	adjust width of column 1 in rule to ensure overlays can be read easily	increase width from 10% to 15%
Image in Purpose Chapter	Image includes DPR Logo and the wording 'make a submission'. This is no longer relevant	delete image
All abbreviations	Abbreviated terms appear in headings, because we have inserted each chapter name as an abbreviation, edit eplan to provide exceptions to remove abbreviations from headings	provide exceptions to remove abbreviations across all chapters
SASM-SCHED3	Typo in description of SASM 57	Includes parts of SASM_1 and SASM_60.
SASM-SCHED4	Typo in description of SASM 60	Includes parts of SASM_1 and SASM_57.
SASM-SCHED5	Typo in description of SASM 62	Includes Wahi tapu SASM_6.
SUB-REQ6	Typo in SUB-REQ6.6	6. Every site created, including any balance site, has legal access to a road that is not an Arterial Road listed in APP2 – Roading Hierarchy <u>Hierarchy</u> where the posted speed limit is 60km/hr or greater.
SUB-Overview	It's not possible to 'achieve' a matter of control or discretion - and there's more than one of them	...Where conditions are placed on subdivision consents within the matters of control or discretion specified in this chapter, such conditions may reference documents, including the following, as a means of achieving <u>applying</u> the matters of control or discretion:

UG-P15	Abbreviation link not working for 'BDCA' in clauses 1 and 3 of UG-P15.	Add new abbreviation BDCA means Business development capacity assessment. Apply abbreviation to 'BDCA' to read: "Business Development Capacity"
GRUZ-R4	Needs to be amended for plain English, consistent with the direction of the Planning Standards	Amend GRUZ-P2.a: the development has been provided for through a grandfather <u>legacy</u> clause;
GRUZ-P2	Needs to be amended for plain English, consistent with the direction of the Planning Standards	Amend rule name: Residential Unit on an Undersized Site – Grandfather <u>Legacy</u> Clause
EI-FIG1	PDP formatting has not been applied to the heading	Apply PDP formatting
EI-FIG2	PDP formatting has not been applied to the heading	Apply PDP formatting
EI-REQ23	Column 1 needs to refer to the PREC where the REQ applies	GRUZ <u>PREC9</u>
EI-REQ23	Wording is inconsistent with PDP drafting directions and Planning Stds	1. Within the <u>PREC9</u> - West Melton Aerodrome Approach and Take-Off Height Restriction Precinct the erection or expansion of any structure, or the planting of any vegetation which at any stage of growth, shall be of a height that will not intersect with the max height limit as indicated by EI-Figure 2 <u>EI-FIG2</u> .
HPW26	The precinct name for PREC9 does not match that used in the Plan text, and the description refers to 2 different precincts	Amend to read PREC9 West Melton Aerodrome Approach and Take-Off Height Restriction Precinct: The purpose of this precinct is to protect the approach and take-off slopes at the West Melton Aerodrome in the interests of safe aircraft operation and the safety of the general public.
HPW26	The precinct name for PREC9 does not match that used in the Plan text, and the description refers to 2 different precincts	New PREC10 Springfield Airfield Approach and Take-Off Height Restriction Precinct: The purpose of this precinct is to protect the approach and take-off slopes at Springfield Airfield in the interests of safe aircraft operation and the safety of the general public.
GRUZ-REQ16	Column 1 needs to refer to the PREC where the REQ applies	<u>PREC10</u>
GRUZ-REQ16	Wording is inconsistent with PDP drafting directions and Planning Stds	1. The erection or expansion of any structure, or the planting of any vegetation which at any stage of growth, within the mapped <u>PREC10</u> - Springfield Airfield Approach and Take-Off Height Restriction Precinct, shall be of a height that will not intercede with the max height limit as indicated by GRUZ-Figure 4 <u>GRUZ-FIG1</u> .
GRUZ-FIG1	PDP formatting has not been applied to the heading	Apply PDP formatting
NOISE all tables	Table headings to not align with drafting protocol colours/naming conventions	Apply PDP formatting
LIGHT all Tables	Table headings to not align with drafting protocol colours/naming conventions	Apply PDP formatting
Signs all tables	Table headings to not align with drafting protocol colours/naming conventions	Apply PDP formatting

SKIZ all tables	Table headings to not align with drafting protocol colours/naming conventions	Apply PDP formatting
HPW Chapter table headings	Formatting of name/code/description does not align with information in columns below, amend accordingly	align name/code/description headings with information in subsequent columns in HPW Chapter
Hyphen and en dash use across all Chapters	Ensure consistency with Planning Standards requirements	Ensure consistency with Planning Standards requirements
EW all tables	Table headings to not align with drafting protocol colours/naming conventions	Apply PDP formatting
All Figures, Tables and Diagrams	Ensure use of FIG, TABLE and DIAGRAM across all chapters consistent with Planning Standards requirements	Ensure use of FIG, TABLE and DIAGRAM across all chapters consistent with Planning Standards requirements
NDI2	Environment spelt wrong in heading	Environmenal <u>Environmental</u>
Relationship Between Spatial Layers Chapter	Incorrect spelling of "Recurrence"	Identified areas where flooding from a 200-year Average Reccurrence <u>Recurrence</u> Interval (ARI) flood event needs to be managed.
Relationship Between Spatial Layers Chapter	Inconsistent spelling of "mudfish".	Identifies areas where Canterbury mud-fish <u>mudfish</u> habitat is to be protected.
Definitions Chapter	Incorrect spelling of "Acquired" in the ALLOTMENT definition.	b. not subject to that Act and was acquired <u>acquired</u> by its owner under 1 instrument of conveyance:
Definitions Chapter	Incorrect spelling of "Hierarchy" in both COLLECTOR ROAD & STATE HIGHWAY.	means any road identified as a Collector Road in the road network classification listed in Appendix listen in APP2-Roading Heirarchy <u>Hierarchy</u> . And The state highways within Selwyn district are illustrated APP2 - Roading Heirarchy <u>Hierarchy</u> .
Definitions Chapter	Incorrect spelling of "Commercial".	In relation to the Knowledge Zone is a Rural Sector Commerical <u>Commercial</u> activity which includes:
Definitions Chapter	Incorrect spelling of "Chief".	means material infected by unwanted organisms as declared by MPI Chieif <u>Chief</u> Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.
Definitions Chapter	Incorrect spelling of "occurrences".	Any activity undertaken for the purpose of identifgying land likely to contain mineral deposits or occurences <u>occurrences</u> and includes the following activities:
Definitions Chapter	Multiple spelling mistakes: "facilities", "disaster" and "ancillary".	Buildings and facilities <u>facilities</u> designated as essential facilities; buildings and facilities with special post-disaster <u>post-disaster</u> function; medical emergency or surgical facilities <u>facilities</u> ; emergency service facilities; emergency service facilities such as fire, police station and emergency vehicle garages; designated emergency shelters, centres and ancillary <u>ancillary</u> facilities; and utilities required as backup for these buildings and facilities
NPS CPS Chapter	Incorrect spelling of "policies".	NPSs and the NZCPS contain objectives, polices <u>policies</u> and methods that must be given effect to by policy statements and plans.

Part 4/APP2	Hierarchy spelt wrong in heading	Hierar <u>ch</u> y
TEZ/GRAZ/NFL Chapters	Incorrect spelling of word centered in each Chapters overview	...center <u>e</u> d...
SKIZ Chapter	Incorrect spelling of 'buildings' in SKIZ-Table 5	...buildings...
KNOZ Chapter	Incorrect spelling of 'listed' in column 2 of KNOZ-R8	...Liste <u>d</u> lited...
LCZ Chapter	Incorrect spelling of 'to' in LCZ-R11.2	...T <u>i</u> to...
UG Chapter	Incorrect spelling of 'Activities' in UG-R1	...Activit <u>i</u> ties...
NOISE Chapter	R9.7.b	...sensit <u>i</u> ve...
CE Chapter	Additional 'an' in provision CE-R2	... an an area...
CE Chapter	Incorrect spelling of 'Ellesmere' in CE-R5	...Elles <u>m</u> ere...
SUB Chapter	Incorrect spelling of 'publicly' in SUB-REQ7	...publica <u>l</u> ly...
PA Chapter	Incorrect spelling of 'Required' in PA-SCHED1	...Requ <u>i</u> redrequired...
SASM Chapter	Incorrect spelling of 'Infrastructure' in MAT2	...infrast <u>u</u> ructure...
SASM Chapter	Incorrect spelling of 'Canterbury' in SASM4	...Canter <u>b</u> ury...
HH-SCHED2	Incorrect abbreviations of 'Corner' in H26	...C <u>m</u> cnr...
HH-SCHED2	Incorrect abbreviations of 'Corner' in H25	...C <u>m</u> cnr...
HH-SCHED2	Incorrect abbreviations of 'Corner' in H47	...C <u>m</u> cnr...
HH-SCHED2	Incorrect abbreviations of 'Corner' in H53	...C <u>m</u> cnr...
HAZS Chapter	Incorrect spelling of 'hazardous' in HASZ-R1	...Haz <u>a</u> zardous...
EI Chapter	Incorrect spelling of 'associated' in EI-Rule List in EI-R19	...assoc <u>a</u> ited <u>associated</u> ...
EI Chapter	Incorrect spelling of 'Infrastructure' in EI-R3	...infrast <u>u</u> ructure...
SD Chapter	Incorrect spelling of 'Whenua' SD-MWVO1	...Whe <u>u</u> nua...