

REPORT

TO: Tim Harris – Group Manager Environmental and Regulatory Services

FROM: Robert Love – Team Leader Strategy and Policy

DATE: 05 May 2021

SUBJECT: **SECTION 86F RMA –PROVISIONS OF THE PROPOSED DISTRICT PLAN TO BE TREATED AS OPERATIVE**

RECOMMENDATION

‘That the listed provisions of the Proposed District Plan be treated as operative under s86F of the Resource Management Act 1991 (Act).’

1. PURPOSE

To seek confirmation that the listed provisions of the Proposed District Plan within this report should be treated as operative as per section 86F of the Act.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

This is a procedural matter under the Act.

3. HISTORY/BACKGROUND

Once submissions have been received on a Proposed District Plan, rules not subject to challenge are to be treated as operative as per section 86F of the Act, which states:

‘(1) A rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if the time for making submissions or lodging appeals on the rule has expired and, in relation to the rule,—

(a) no submissions in opposition have been made or appeals have been lodged; or

(b) all submissions in opposition and appeals have been determined; or

(c) all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.

(2) However, until the decisions have been given under [clause 10\(4\)](#) of Schedule 1 on all submissions, subsection (1) does not apply to the rules in a proposed plan that was given limited notification.’

Note for the purposes of this section of the Act, ‘rule requirements’ have been treated as ‘rules’.

Additionally, rules within the Operative District Plan that have been superseded by the listed rules within this report are to now be treated as inoperative.

4. **PROPOSAL**

See provisions listed in Appendix 1.

5. **OPTIONS**

This is a mandatory part of the Act, and as such there are no options.

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

(a) Views of those affected

No party is considered to be affected.

(b) Consultation

Given this is a mandatory component of the Act, no consultation is deemed necessary.

(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



Tim Harris
GROUP MANAGER ENVIRONMENTAL AND REGULATORY SERVICES

Appendix 1: Proposed District Plan Provisions subject to section 86F of the Act

- EI-R25 (Community Wastewater Treatment Facility)
- CE-R1 (Mahinga Kai)
- CE-R4 (Mineral Extraction)
- EW-R6 (Test Pits)
- LLRZ-R1 (Residential Activity)
- LLRZ-R8 (Keeping of Animals)
- LLRZ-R9 (Home Business)
- LLRZ-R13 (Public Amenity)
- LLRZ-R14 (Community Facility)
- LLRZ-R15 (Automotive Activity)
- LLRZ-R16 (Industrial Activity)
- LLRZ-R19 (Mineral Extraction/ Prospecting)
- LLRZ-R20 (Firearms Range)
- LLRZ-R21 (Motor Sports)
- LLRZ-R22 (Waste and Diverted Material Facility)
- LRZ-R1 (Residential Activity)
- LRZ-R8 (Keeping of Animals)
- LRZ-R9 (Home Business)
- LRZ-R15 (Camping Ground Facility)
- LRZ-R18 (Public Amenity)
- LRZ-R21 (Automotive Activity)
- LRZ-R22 (Industrial Activity)
- LRZ-R25 (Mineral Extraction/ Prospecting)
- LRZ-R26 (Firearms Range)
- LRZ-R27 (Motor Sports)
- LRZ-R28 (Waste and Diverted Material Facility)
- GRZ-R1 (Residential Activity)
- GRZ-R8 (Keeping of Animals)
- GRZ-R17 (Public Amenity)
- GRZ-R18 (Community Facility)
- GRZ-R19 (Automotive Activity)
- GRZ-R20 (Industrial Activity)
- GRZ-R23 (Mineral Extraction/ Prospecting)
- GRZ-R24 (Firearms Range)
- GRZ-R25 (Motor Sports)
- GRZ-R26 (Waste and Diverted Material Facility)
- SETZ-R1 (Residential Activity)
- SETZ-R8 (Keeping of Animals)
- SETZ-R9 (Home Business)
- SETZ-R18 (Public Amenity)
- SETZ-R22 (Industrial Activity)
- SETZ-R25 (Mineral Extraction/ Prospecting)
- SETZ-R26 (Firearms Range)
- SETZ-R27 (Motor Sports)
- SETZ-R28 (Waste and Diverted Material Facility)
- GRUZ-R1 (Residential Activity)
- GRUZ-R19 (Commercial Composting)
- GRUZ-R20 (Mineral Prospecting)
- GRUZ-R30 (Keeping of Animals)
- GRUZ-R32 (Public Amenity)
- GRUZ-R34 (Community Correction Activity)
- GRUZ-R38 (Waste and Diverted Material Facility)
- NCZ-R7 (Office Activities)
- NCZ-R8 (Automotive Activities)
- NCZ-R10 (Visitor Accommodation Activities)
- NCZ-R11 (Camping Ground Facilities)
- NCZ-R15 (Firearms Range)
- NCZ-R16 (Public Amenities)
- NCZ-R17 (Keeping of Animals)
- NCZ-R20 (Commercial Composting)
- NCZ-R22 (Waste and Diverted Material Facility)
- LCZ-R13 (Camping Ground Facilities)
- LCZ-R17 (Firearms Range)

- LCZ-R18 (Public Amenities)
- LCZ-R19 (Keeping of Animals)
- LCZ-R22 Commercial Composting)
- LCZ-R24 (Waste and Diverted Material Facilities)
- LFRZ-R2 (Residential Activities)
- LFRZ-R13 (Firearms Range)
- LFRZ-R14 (Public Amenities)
- LFRZ-R15 (Keeping of Animals)
- LFRZ-R18 (Commercial Composting)
- LFRZ-R20 (Waste and Diverted Materials Facility)
- TCZ-R10.3 (Automotive Activities)
- TCZ-R13 Camping Ground Facilities)
- TCZ-R17 (Firearms Range)
- TCZ-R18 Public Amenities)
- TCZ-R20 (Primary Production)
- TCZ-R22 (Commercial Composting)
- TCZ-R24 (Waste and Diverted Materials Facility)
- GIZ-R13 (Firearms Range)
- GIZ-R15 (Public Amenity)
- GIZ-R16 (Keeping of Animals)
- GIZ-R20 (Camping Ground)
- GIZ-R22 (Waste and Diverted Materials Facility)
- GRAZ-R4 (Visitor Accommodation)
- GRAZ-R5 (Conference Facility)
- GRAZ-R7 (Residential Activity)
- GRAZ-R8 (Keeping of Animals)
- GRAZ-R9 (Public Amenity)
- KNOZ-R14 (Keeping of Animals)
- KNOZ-R15 (Firearms Range)
- KNOZ-R18 (Waste and Diverted Materials Facility)
- KNOZ-R19 (Motor sports)
- MPZ-R5.1 (Community Facility)
- MPZ-R7.1 (Community Corrections Activity)
- MPZ-R8 (Residential Activity)
- MPZ-R11.1 (Urupa)
- MPZ-R12.1 (Commercial Activity)
- MPZ-R15 (Firearms Range)
- MPZ-R16 (Motor Sports)
- SKIZ-R3 (Minor Residential Units)
- SKIZ-R6 (Ski Management and Operations)
- SKIZ-R8 (Conference Facility)
- SKIZ-R12 (Educational Facility)
- SKIZ-R16 (Keeping of Animals)
- SKIZ-R17 (Public Amenity)
- TEZ-R8 (Residential Activity)
- TEZ-R10 (Golf Course)
- TEZ-R11 (Hotel and Conference Activities)
- TEZ-R14 (Keeping of Animals)