

## Memorandum

To District Plan Manager  
From Support Assistant (District Plan)  
Copies  
Subject **Clause 16(2) Minor Amendment - Urban and Services, Recommendations of the Hearing Panel**  
Date 28 May 2020  
Ref

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### Introduction

Council has the capacity to correct errors and “make an amendment, without further formality, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.” under Clause 16 (2) of the First Schedule to the Resource Management Act 1991.

The correction of minor errors, has to be considered according to guidelines developed through case law.

Case law states that the test in determining whether an amendment is authorized by Clause 16(2) is “does the amendment affect (prejudicially or beneficially) the rights of some members of the public, or is it neutral?” Only if it is neutral is an amendment permitted by Clause 16(2).

The decision to correct minor errors was delegated in terms of Section 34 of the Resource Management Act to the District Plan Manager.

### Issue

1. The identification of minor errors in the Decision Chapters of the Urban and Services Plan Changes.

### Resolution

1. Pursuant to Clause 16(2) of the First Schedule to the Resource Management Act 1991, that Decision Chapters be amended to correct the errors outlined below.
  - CCZ-R3 rule numbering errors.
  - MUZ-R3 rule numbering errors.
  - MUZ-R4, R21 and R40 have strikethrough and underline still showing.
  - MUZ-R22 and R23 are missing numbers in the rules.
  - WZ-R15 – R18 rule numbering error.
  - WZ-R33 – Underline showing in title.
  - WZ Appendix 1 map needs to be updated with new mapping colours.
  - COMZ-R1 has underline in title.
  - SCZ-R8.2 has strikethrough showing.
  - PREC3 Issues section first paragraph has a spelling mistake: “TThe”.
  - PREC3-R2 and R4 the m2 should be superscript.
  - LIZ-R8 – R11: Numbering error.
  - LLRZ-P14 has underline showing.
  - LLRZ-R4, R5, R14 and R14 have strikethrough showing.
  - LRZ-P5, R5, R7, R8 and R11 have strikethrough showing.
  - LRZ-R13 and R14 - amendment to (f) as shown below:  
Does not Operates or and is not open for visitors, clients, deliveries or servicing outside of the hours of 06:00 - 22:00.
  - GRZ-P11, P12, and R6.1(b) have strikethrough showing.

- Update Precinct chapters to use “PREC#” instead of the name abbreviation.
- MRZ-R7.2 has strikethrough showing.
- PORTZ-R5: rule numbering error.
- PORTZ-R12 – R17: rule numbering error.
- PORTZ Appendix 1 map should be updated to reflect change to mapping colours.
- TRA Appendix 2A Note 1 has blue highlight.
- PNDA-R14 note has a highlight to a reference that doesn’t exist. Should be 14.1.
- PNDA-R15 – rule numbering error.
- PNDA-R69.1 “Clearance” should be lower case.
- HPW-R1 – R3 – still have green highlight.
- PNDA-R67.2(a) – amend to read “Open Space and Recreation Zone.
- UFD-P5 – P13 all have the label “DGD-P#” when it should be “UFD-P#”.
- In SARZ-R2 and OSZ-R2 add in “is” in 1. The activity “is” in accordance with Section 4(3) of the RMA 1991.

**Reasons:**

**ACCEPT / ~~DECLINE / AMEND~~ RECOMMENDATION**



Melissa McGrath  
**Manager District Plan**