

**WAIMAKARIRI DISTRICT COUNCIL**

**MEMO**

**FILE NO AND TRIM NO:** DDS-06-05-06-08 / 221201208252

**DATE:** 20 October 2022

**MEMO TO:** Tracy Tierney, General Manager Planning, Regulation & Environment

**FROM:** Neil Sheerin, Senior Planner

**SUBJECT:** Minor amendments to the notified Proposed Waimakariri District Plan

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Since notification, a number of minor errors in the proposed Plan have been identified and require amendment. This is to be expected, given the complexity of the proposed Plan.

None of the proposed amendments alter the substantive content of the proposed Plan. As such, it is proposed to use clause 16(2) of Schedule 1 of the Resource Management Act 1991 (RMA) to make the amendments.

Clause 16(2) states:

*“A local authority may make an amendment, without using the process in this schedule, 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.”*

The amendments, and the reason for them, are outlined in the attached table.

Some of the amendments may take some time. If you agree, it is intended to commence making the amendments as soon as possible.

**Recommendation:**

That the proposed amendments are approved under clause 16(2) of Schedule 1 to the RMA under Waimakariri District Council delegation S-DM 1049A.



Tracy Tierney  
**General Manager Planning, Regulation and Environment**

Item	Proposed Plan Provision	Issue	Proposed Amendment
1	Energy and Infrastructure rule EI-R40(4)	Legal effect hammer missing. The same clause has been used in 5 other places in this chapter and been given the legal effect hammer, so is nothing new, it has just been missed out for this clause in error. Adding legal effect hammer is consistent with s86B(3)(d) RMA.	Add legal effect hammer to EI-R40(4).
2	Noise Matters of Discretion	All Noise Matters of Discretion have no hyperlink.	Hyperlink all Noise Matters of Discretion.
3	Historic Heritage rule HH-R8	Rule is for a non-complying activity but has orange colouring as for a discretionary activity.	Change colouring of HH-R8 to light red as for a non-complying activity.
4	Definition for “unacceptable risk”	This definition only applies in relation to “major hazard facilities” (Hazardous Substances chapter) but the hyperlink to this definition also appears in Notable Trees policy TREE-P2(1) where it is not relevant.	Turn off hyperlink to definition for “unacceptable risk” in TREE-P2(1).
5	Historic Heritage schedule HH-SCHED2	Missing a line between listed items 080 and 081.	Insert line between listed items 080 and 081.
6	Transport standards Table TRAN-3	Maximum length for a Low Volume Local Road should be 150m not >150 as currently shown. A maximum is an upper limit not a minimum so you can't have a maximum length that is greater than. Typo.	Delete the “>” symbol.
7	Noise Table NOISE-2 Noise Limits	Heading for the ‘Night Time Noise Limits’ misaligned to the right and makes it look like the Lmax noise limits are part of the ‘Night Time’ provisions.	Centre ‘Night Time’ heading over second (middle) column.
8	National Grid lines on Planning Map	National Grid lines missing voltage labels which are needed to help distinguish applicable setbacks. Are shown in operative Plan but missed out being carried over into proposed Plan by error.	On Planning Map add labels to the National Grid lines as follows: 350kV (westernmost line), 220kV (two central lines) and 66kV (all lines east of the 220kV lines).
9	Noise Table NOISE-2 Noise Limits	Table heading refers to noise received at or within the boundary of any site, but for sites in Rural zones needs to refer to the notional boundary.	Amend Table NOISE-2 to include reference to the boundary for noise received at sites in Rural zones is the notional boundary.

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10	Noise rule NOISE-R3(1)(a) Construction Noise	That part of the rule referring to the “notional boundary of a zone” should include the word “rural” before “zone” as “Rural Zones” is a defined term.	Amend NOISE-R3(1)(a) to read (new text underlined): “...or within the notional boundary of <u>any Rural zones</u> ...”
11	Historic Heritage schedule HH-SCHEM2	For item HH001 the HNZPT list number and category are incorrect.	Amend HH001 HNZPT list number to 3677 and category to category 1.
12	Ecosystems and Indigenous Biodiversity rule ECO-R1 (1)(a) and (1)(g)	The numbering of sub clauses under (1)(a) and (1)(g) should be by roman numerals, not letters.	Amend numbering of sub clauses under ECO-R1 (1)(a) and (1)(g) to roman numerals.
13	Transport rules	In the section titled “How to interpret and apply the rules”, items 1 and 3 should be amended to clarify it is District formed <b>public</b> roads that are to be designated.	In the section titled “How to interpret and apply the rules”, amend items 1 and 3 to clarify it is District formed <b>public</b> roads that are to be designated.
14	Subdivision rule SUB-R4	The wording at the beginning of clauses SUB-R4 (2) and (3) is unclear and does not make sense.	Amend clauses SUB-R4 (2) and (3) to begin (new text underlined): “ <u>if located within...</u> ”
15	Special Purpose Zone (Kainga Nohoanga)	The second to last sentence in the Introduction contains minor errors.	Amend the second to last sentence in the Introduction to read (new text underlined): “The provisions <del>is</del> <u>in</u> this chapter also <del>gives</del> <u>give</u> effect to...”
16	Appendix 1 Regeneration Area Remaining Private Residences and Alternate Zone	Incorrect address and new zone for “10 Feldwick Drive, Kaiapoi”. Address now 10 Kirk Place, Kaiapoi. New zone should be Special Purpose Zone (Kaiapoi Regeneration), as shown on Planning Map, not Rural Lifestyle Zone as listed in Appendix 1.	In Appendix 1, for “10 Feldwick Drive, Kaiapoi”, amend address to 10 Kirk Place, Kaiapoi; and amend new zone to Special Purpose Zone (Kaiapoi Regeneration).
17	Large Lot Residential Zone rule LLRZ-R2	In the right hand column, activity status when compliance not achieved reads non-complying activity, but there are no standards to meet so should instead read n/a.	In rule LLRZ-R2, amend the activity status when compliance not achieved to read “N/A” instead of “NC”.
18	Transport standards Table TRAN-7 Design Standards for New Vehicle Accessways	In the first row, the maximum formed width (m) should read 5.0 instead of 4.0. Typo.	In Table TRAN-7: <ul style="list-style-type: none"> <li>• in the first row amend the maximum formed width (m) to read 5.0 instead of 4.0;</li> <li>• in the second row amend the minimum legal width (m) to read 6.0 instead of 5.5 and amend the</li> </ul>

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		<p>In the second row, the minimum legal width (m) should read 6.0 instead of 5.5 and the maximum formed width (m) should read 5.5 instead of 6.0. Typos.</p> <p>Also, in first row right hand column, add note that requirement for passing bays only applies to 2 or more residential units. This is a clarification only of the application of the rule.</p>	<p>maximum formed width (m) to read 5.5 instead of 6.0; and</p> <ul style="list-style-type: none"> <li>• in the first row right hand column clarify requirement for passing bays only applies to 2 or more residential units.</li> </ul>
19	Definition of “upgrading”	<p>The definition only applies in relation to Natural Hazards but the hyperlink to this definition also appears in the following other provisions where it is not relevant:</p> <ul style="list-style-type: none"> <li>• Energy and Infrastructure <ul style="list-style-type: none"> <li>- Objective EI-O3</li> <li>- Policy EI-P6</li> <li>- Rule EI-R9</li> <li>- Rule EI-R10</li> <li>- Rule EI-R11</li> <li>- Rule EI-R16</li> <li>- Rule EI-R32</li> <li>- Rule EI-R33</li> <li>- Rule EI-R39</li> <li>- Rule EI-R40</li> <li>- Rule EI-R41</li> <li>- Rule EI-R44</li> <li>- Rule EI-R46</li> <li>- Matter of discretion EI-MD3</li> <li>- Matter of discretion EI-MD12</li> <li>- Matter of discretion EI-MD13</li> </ul> </li> <li>• Transport policy TRAN-P15</li> <li>• Subdivision <ul style="list-style-type: none"> <li>- Policy SUB-P1</li> </ul> </li> </ul>	Turn off hyperlink for the definition of “upgrading” in these other provisions where it is not relevant.

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		<ul style="list-style-type: none"> <li>- Matter of control or discretion SUB-MCD11</li> <li>• General Residential Zone built form standard GRZ-BFS5</li> <li>• Medium Density Residential Zone built form standard MRZ-BFS5</li> <li>• Rural Zones matter of discretion RURZ-MD3</li> </ul>	
20	Natural Hazards policy NH-P14(1)	Policy incorrectly refers to “ <b>not</b> critical infrastructure” but should read “ <b>non</b> critical infrastructure” which is a defined term. Typo.	Amend NH-P14(1) to read “... <del>not</del> <u>non</u> critical infrastructure...”.
21	Residential Zones Matters of Discretion RES-MD2	Text in hyperlink pop-up is truncated. This may be caused by an ePlan character limit for provisions within the part of the ePlan where the Matters of Discretion are located.	Overcome character limit issue (which is a programming issue) by creating link to the Matter of Discretion (ie not a pop up).
22	Commercial and Mixed Use Zones Matters of Discretion CMUZ-MD11	Text in hyperlink pop-up is truncated. This may be caused by an ePlan character limit for provisions within the part of the ePlan where the Matters of Discretion are located.	Overcome character limit issue (which is a programming issue) by creating link to the Matter of Discretion (ie not a pop up).
23	Residential Zones Matters of Discretion RES-MD9	RES-MD9 has no hyperlink.	Hyperlink RES-MD9.
24	Signs Matters of Discretion	All Signs Matters of Discretion have no hyperlink.	Hyperlink all Signs Matters of Discretion.
25	Nga Wai overlay	In some places the Nga Wai layer does not align with water bodies.	Review and amend as necessary.
26	Definition of “demolition”	The definition only applies in relation to Historic Heritage but the hyperlink to this definition also appears in the following other provisions where it is not relevant: <ul style="list-style-type: none"> <li>- Open Space and Recreation Zones matter of control or discretion OSRZ-MCD12</li> <li>- Temporary Activities policy TEMP-P3</li> </ul>	Turn off hyperlink for the definition of “demolition” in OSRZ-MCD12 and TEMP-P3.
27	Definition of “project”	The definition of “project” only applies to the Waka Kotahi existing designation for the Woodend Bypass, specifically construction of the Bypass. This defined term is used 70 times in many of the 103 conditions of the designation. As	Turn off hyperlink for the definition of “project” in these other provisions where it is not relevant.

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		<p>the designation is confirmed and is being rolled over from the operative Plan to the proposed plan it is beyond challenge and cannot be altered. However, the hyperlink to this definition appears in the following other provisions where it is not relevant:</p> <ul style="list-style-type: none"> <li>- Historic Heritage advice note HH-AN2</li> <li>- Earthworks advice note EW-AN1</li> <li>- General Residential Zone built form standard GRZ-BFS7</li> <li>- Medium Density Residential Zone built form standard MRZ-BFS7</li> <li>- Settlement Zone built form standard SETZ-BFS7</li> <li>- Neighbourhood Centre Zone built form standard NCZ-BFS2</li> <li>- Local Centre Zone built form standard LCZ-BFS2</li> <li>- Large Format Retail Zone built form standard LFRZ-BFS2</li> <li>- Mixed Use Zone built form standard MUZ-BFS2</li> <li>- Town Centre Zone built form standards TCZ-BFS2 and TCZ-BFS3</li> <li>- Light Industrial Zone built form standard LIZ-BFS2</li> <li>- General Industrial Zone built form standard GIZ-BFS2</li> <li>- Natural Open Space Zone built form standard NOSZ-BFS3</li> <li>- Open Space Zone built form standard OSZ-BFS3</li> <li>- Sport and Active Recreation Zone built form standard SARZ-BFS3</li> <li>- Special Purpose Zone (Hospital) built form standards SPZ(HOS)-BFS2 and SPZ(HOS)-BFS5</li> <li>- Special Purpose Zone (Kainga Nohoanga) built form standard SPZ(KN)-BFS4</li> <li>- Special Purpose Zone (Kaiapoi Regeneration) built form standard SPZ(KR)-BFS2</li> <li>- Special Purpose Zone (Pines Beach and Kairaki Regeneration) built form standard SPZ(PBKR)-BFS3</li> </ul>	

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		<ul style="list-style-type: none"> <li>- Special Purpose Zone (Museum and Conference Centre) built form standard SPZ(MCC)-BFS2</li> <li>- West Kaiapoi Development Area built form standard DEV-WKP-BFS1</li> <li>- North Woodend Development Area built form standard DEV-NWD-BFS1</li> <li>- Pegasus Development Area built form standard DEV-PEG-BFS1</li> <li>- Ministry of Education designation MEDU-22</li> <li>- Definition of “utility”</li> </ul>	
28	Definition of “alteration”	<p>The definition only applies in relation to Historic Heritage but the hyperlink to this definition also appears in the following other provisions where it is not relevant:</p> <ul style="list-style-type: none"> <li>- Energy and Infrastructure rule EI-R51</li> <li>- Notable Trees rules TREE-R2 and TREE-R4</li> <li>- Earthworks matter of discretion EW-MD3</li> <li>- Temporary Activities matter of discretion TEMP-MD3</li> <li>- Large Lot Residential Zone rule LLRZ-R1</li> <li>- General Residential Zone rule GRZ-R1</li> <li>- Medium Density Residential Zone rule MRZ-R1</li> <li>- Settlement Zone rule SETZ-R1</li> <li>- General Rural Zone GRUZ-R1</li> <li>- Rural Lifestyle Zone rule RLZ-R1</li> <li>- Neighbourhood Centre Zone rule NCZ-R1</li> <li>- Local Centre Zone rule LCZ-R1</li> <li>- Large Format Retail Zone rule LFRZ-R1</li> <li>- Mixed Use Zone rule MUZ-R1</li> <li>- Town Centre Zone rule TCZ-R1</li> <li>- Light Industrial Zone rule LIZ-R1</li> <li>- General Industrial Zone rule GIZ-R1</li> <li>- Heavy Industrial Zone rule HIZ-R1</li> </ul>	Turn off hyperlink for the definition of “alteration” in these other provisions where it is not relevant.

Item	Proposed Plan Provision	Issue	Proposed Amendment
		<ul style="list-style-type: none"> <li>- Natural Open Space Zone rule NOSZ-R2</li> <li>- Open Space Zone rule OSZ-R2</li> <li>- Sport and Active Recreation Zone rule SARZ-R2</li> <li>- Special Purpose Zone (Hospital) rule SPZ(HOS)-R1</li> <li>- Special Purpose Zone (Kaiapoi Regeneration) rule SPZ(KR)-R1</li> <li>- Special Purpose Zone (Pines Beach and Kairaki Regeneration) rule SPZ(PBKR)-R1</li> <li>- Special Purpose Zone (Pegasus Resort) rule SPZ(PR)-R1</li> <li>- Special Purpose Zone (Museum and Conference Centre) rule SPZ(MCC)-R1</li> </ul>	
29	Definition of “esplanade reserve”	In first sentence, reference to Reserves Act is missing (typo).	In first sentence, insert reference to Reserves Act to correct typo.
30	Definition of “coastal water”	In part (b) of the definition, which is from the RMA, the term “estuaries” missing (typo). However, if you add in “estuaries” you have the same problem described in #41 below.	Overcome the problem described in #41 below by deleting that part of the definition below reference to section 2 of the RMA. Does not change the meaning of the definition, just overcomes the incorrect hyperlink.
31	Definition of “frangible vegetation”	In the definition, the word “stem” is hyperlinked to the website for “Standard Tree Evaluation Method” which is used to evaluate whether trees are notable but this is not relevant in the context of frangible vegetation.	Amend the definition of “frangible vegetation” to instead refer to “main stalk”. Does not change the meaning of the definition, just overcomes the incorrect hyperlink.
32	Definition of “addition” – hyperlink relevance	<p>The word “addition” is used extensively throughout the plan and every time it hyperlinks to the definition of “addition” but it applies in the context of buildings only, so in the following places the definition is not relevant:</p> <ul style="list-style-type: none"> <li>• Introduction – How The Plan Works <ul style="list-style-type: none"> <li>- Statutory context – Other relevant legislation and plans (last para)</li> <li>- Cross boundary matters (5<sup>th</sup> para)</li> </ul> </li> <li>• Energy and Infrastructure</li> </ul>	Turn off hyperlinks to the definition of “addition” in these other provisions where it is not relevant.



Item	Proposed Plan Provision	Issue	Proposed Amendment
		<ul style="list-style-type: none"> <li>- policy EI-P6</li> <li>- rule EI-R13</li> <li>• Hazardous Substances policy HS-P1</li> <li>• Natural Hazards <ul style="list-style-type: none"> <li>- rule NH-R4 advisory note</li> <li>- rule NH-R5 advisory note</li> <li>- rule NH-R6 advisory note</li> </ul> </li> <li>• Sites and Areas of Significance to Maori introduction first bullet point</li> <li>• Noise rule NOISE-R16(3)</li> <li>• Temporary Activities advice note TEMP-AN1 first bullet point</li> <li>• Waka Kotahi designation NZTA-3 <ul style="list-style-type: none"> <li>- Condition 31 advice note</li> <li>- Condition 49</li> </ul> </li> </ul>	
33	Definition of “addition” - scope	The definition only applies to increases in the gross floor area of buildings but not height.	Amend definition of “addition” to also apply to additions that increase building height.
34	Definition of “intensive indoor primary production”	In Special Purpose Zone (Kaiapoi Regeneration) rule SPZ(KR)-R4, this term is only partly hyperlinked so the relevant definition does not pop up (i.e. only the words “primary production” are hyperlinked to the definition of “primary production”).	In Special Purpose Zone (Kaiapoi Regeneration) rule SPZ(KR)-R4, hyperlink whole term “intensive indoor primary production” to definition of this term.
35	Transport standard TRAN-S8	References within this standard to Transport appendix TRAN-APP4 not hyperlinked.	Within TRAN-S8, hyperlink references to TRAN-APP4.
36	Energy and Infrastructure rule EI-R44	The defined term “small scale or community scale renewable electricity generation” is not fully hyperlinked to the definition. (Only the words “renewable electricity generation” are hyperlinked to the definition of “renewable electricity generation”.)	In rule EI-R44, hyperlink the full term “small scale or community scale renewable electricity generation” to the definition of this term.

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37	Open Space Zone policy OSZ-P1	In OSZ-P1, references to Open Space and Recreation Zones objectives OSRZ-O1 and OSRZ-O2 and policies OSRZ-P1 and OSRZ-P2, and Open Space Zone objective OSZ-O1, not hyperlinked.	In OSZ-P1, hyperlink references to OSRZ-O1, OSRZ-O2, OSRZ-P1, OSRZ-P2 and OSZ-O1.
38	Subdivision rule SUB-R11	The 'zone filter' in the left hand column should refer to that part of the Rural Lifestyle Zone <b>within</b> the 50dBA noise contour for Christchurch Airport.	Amend the 'zone filter' in the left hand column of rule SUB-R11 to read (new text underlined): "Rural Lifestyle Zone <u>within the</u> 50 dBA Ldn Noise Contour for Christchurch International Airport".
39	Signs rule SIGN-R7	The 'zone filter' in the left hand column should refer to 'Open Space <b>and Recreation</b> Zones' which is a defined term, not just 'Open Space Zones' which is not defined.	Amend the 'zone filter' in the left hand column of rule SIGN-R7 to read (new text underlined): 'Open Space <u>and Recreation</u> Zones'.
40	Public Access introduction	In the first sentence of the Introduction to the Public Access chapter, the letter "a" is repeated twice – i.e., "The maintenance and enhancement of public access to and along the CMA, lakes and rivers is <b>a a</b> matter of national importance".	Amend the first sentence of the Introduction by deleting the repeated letter "a", to read: "The maintenance and enhancement of public access to and along the CMA, lakes and rivers is <del>a a</del> matter of national importance".
41	Coastal Environment introduction	In the second sentence of the Introduction to the Coastal Environment chapter, the term "estuaries" is inadvertently hyperlinked to a Landcare Research webpage for "lagoons". However the link is incorrect as the same Landcare Research webpage defines "estuaries" to mean something different.	Amend the second sentence of the Introduction, to instead use the term "estuary" which does not incorrectly hyperlink to the Landcare Research webpage for "lagoons".
42	Town Centre Zone built form standard TCZ-BFS1(2)(a)(ii)	This clause is in relation to the Residential Height Bonus Area Precinct, however this is not specified in the rule.	Amend TCZ-BFS1(2)(a)(ii) as follows so that it is clear which area the rule applies to (new text underlined): "ii. 18m above ground level in <del>identified areas shown on the planning map</del> <u>the Residential Height Bonus Area Precinct</u> where: ..."
43	Natural Open Space Zone policy NOSZ-P1	In NOSZ-P1, reference to NOSZ-O1 is not hyperlinked.	In NOSZ-P1 hyperlink reference to NOSZ-O1.

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44	Sport and Active Recreation Zone policy SARZ-P1	In SARZ-P1, reference to SARZ-O1 is not hyperlinked.	In SARZ-P1 hyperlink reference to SARZ-O1.
45	General District-wide Matters – location of Financial Contributions chapter	Under the National Planning Standards, chapters in the General District-wide Matters section of the proposed plan are meant to be listed in alphabetical order. The Financial Contributions chapter is not positioned in alphabetical order.	Amend the location of the Financial Contributions chapter in the General District-wide Matters section of the proposed plan so it is listed in alphabetical order.
46	General District-wide Matters – Noise rule NOISE-R9(4)	In writing the hours that noise limits would apply, the wrong style has been used – ie, between the hours and minutes full-stops have been used instead of colons. Colons have been used elsewhere in the Noise chapter.	In Noise rule NOISE-R9(4), change the full stops between the hours and minutes to colons.
47	General District-wide Matters – Noise – Table NOISE-2 Noise Limits	The word “retail” is missing from the reference to “Large Format Retail Zone”	Amend Table NOISE-2 Noise Limits to read as follows (new text underlined): “...Large Format <u>Retail</u> Zone...”
48	Existing Development Areas – SBT South Belt rules	There are 3 rules in total but two Rule 2’s and no Rule 3. Typo.	Amend the third rule to read R3 instead of R2.