

Notice of Schedule 1 Clause 16(2) Amendment to Plan Change 18 to the Mackenzie District Plan

Clause 16(2) of Schedule 1 of the Resource Management Act 1991 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 following correction is made on Plan Change 18 to the Mackenzie District Plan:

1.3.2 Any indigenous vegetation clearance in the following locations, unless specified as a permitted activity under Rule 1.1.1.1, 1.1.1.5 or 1.1.1.6 or a restricted discretionary activity under Rule 1.2.3:

It was deemed appropriate to use Clause 16(2) to Schedule 1 of the Resource Management Act 1991 to amend Plan Change 18 to the Mackenzie District Plan for the following reasons:

- All other Permitted Activity Rules clearly state that the activities listed are only permitted if they do not occur within the locations listed under Rule 1.3.2; the listed rules do not. Staff noted that the wording of Rule 1.3.2 could have been interpreted to override the listed rules and questioned whether this was the intent to the Commissioners who heard Plan Change 18.
- The Commissioners discussed the interpretation and agreed with the amendment using Clause 16(2) of Schedule 1 of the Resource Management Act, with the wording confirmed to Mackenzie District Council.
- The Mackenzie District Council adopted Plan Change 18 having considered the amended wording as confirmed by the Commissioners.

Accordingly, the above change is approved as a minor correction under Clause 16(2), and a copy of this notice and the amended text is displayed on the Mackenzie District Council Website.

Delegated Authority: Aaron Hakkaart, Manager Planning

Signature:



22 June 2021