

16 September 2021

Proposed Plan Change 13

MINUTE FROM THE CHAIR

- 1 Waipa District Council appointed independent Commissioner Michael Lester to hear and determine proposed Plan Change 13: Uplifting deferred zones.
- 2 Following public notification of the decision (9 September 2021), Council was advised of some errors in the decision. These errors are of an administration and technical nature and related to incorrect referencing and some of the maps not having been updated to implement the decisions.
- 3 The schedule of corrections is appended to this Minute.
- 4 Staff have reviewed the decision and all maps to check for further errors, and are now confident that any errors have been picked up.
- 5 A submitter has also contested that I have not taken into account evidence presented as a result of an incorrect reference to one of their experts. This is not a matter that is within the scope of the administrative and technical corrections covered by this minute. It is open to submitters to appeal my decision if the consideration of evidence is in dispute.
- 6 I have reviewed the schedule of corrections, and can confirm:
 - a I am satisfied that these corrections are of an administrative and technical nature and do not alter any of my decisions on submissions.
 - b I reconfirm that all evidence has been considered in reaching my decision.
- 7 Procedurally, legal advice has been received that due to the nature of these errors, Council should re-notify the decision and the decision date. This means the period for appeals will be reset from the date of re-notification of the plan change decision.
- 8 The corrected decision on Plan Change 13 will be re-notified on 20 September and the new appeal closing date will be 1 November.

DATED this 16th Day of September 2021

Michael Lester
INDEPENDENT COMMISSIONER

Proposed Plan Change 13 – Schedule of Corrections

	Reference	Error identified	Correction
Decision date	Date of corrected decision	Date of corrected decision updated.	Date of corrected decision updated to 20/09/2021 which is date of renotification.
Decision	Executive Summary	Closing date of hearing (9 July 2021) inconsistent with executive summary which refers to 8 July.	Correct date is 9 July 2021, amend date in executive summary.
Decision	Executive Summary	Incorrect reference to “3MS of Cambridge Partnership Ltd”.	Change to “3MS of Cambridge GP Limited”.
Decision	Executive Summary	Incorrect date for when the hearing was reopened.	Change date hearing was reopened to 10 August 2021.
Decision	Executive Summary	Incorrect reference used PC 13.	Change to Proposed Plan Change 13.
Decision	1.4.2 Table of submitters and tabled evidence table	Incorrect name for 3Ms.	Amend reference to 3Ms of Cambridge Partnership Ltd to 3MS of Cambridge GP Ltd.
Decision	Para 1.4.3, 1.4.6 and 1.4.8	Incorrect reference to 3Ms subdivision application (SP/1079/20).	Amend all references to SP/1079/20 to read “SP/0179/20”.
Decision	Para 1.4.6; 1.4.7 and 1.4.11	Incorrect reference to “3MS of Cambridge Partnership Ltd”.	Change to “3MS of Cambridge GP Limited”.
Decision	Para 1.4.5	Closing date of hearing (9 July 2021) inconsistent with executive summary which refers to 8 July.	Correct date is 9 July 2021, amend date in executive summary.
Decision	Para 1.7.18	Incorrect reference to RPS Objective 3.17.	Amend to “RPS Objective 3.12”.
Decision	Para 1.8.21	Sentence as written is inconsistent with Commissioner’s decision.	<ul style="list-style-type: none"> ▪ Insert after the phrase “vested reserve areas” the statement “...as reserve zone”. ▪ Add the word ‘not’ in after the word ‘am’ in the second sentence.
Decision	Para 1.8.24	Sentence as written is not clear.	Add the word ‘submissions’ in after the name at the start of the sentence.
Decision	Para 1.8.40	Inappropriate full stop.	Delete full stop after Kotare Properties limited on last line of paragraph.
Decision	Para 1.8.42	Paragraph refers to expert traffic evidence provided by Ms Hills. Ms Hills provided expert evidence in the submission, but traffic evidence was presented at the hearing by Ms Makinson.	<ul style="list-style-type: none"> ▪ Amend para 1.8.42 to refer to “...expert traffic evidence presented at the hearing by Ms Makinson which included traffic evidence from Ms Hills which formed part of the submission to the plan change.” ▪ Also add a new sentence which reads “I have considered the evidence of both Ms Makinson and Ms Hill”.
Decision	Para 1.8.55	Incorrect reference to Mr Sean Hayes appearing for Papamoa TA Limited Partnership.	Reference should be to Ms Bronwyn Rhynd. Correction done 10/09/2021, ensure the correction is carried over into this round of amendments.

	Reference	Error identified	Correction
Decision	Para 1.8.63	Incorrect rule reference.	Amend rule 2.4.1.3(1) to read 2.4.1.3 (i).
Decision	Para 1.8.65	Inaccurate referencing of submissions. Inappropriate full stop.	<ul style="list-style-type: none"> ▪ Change 'submissions 23/2 to 23/6' to read Submissions 23/2 and 23/4 to 23/6. ▪ Delete the word 'inclusive' from the first sentence. ▪ Last sentence, remove full stop after '23/4' and replace with a comma.
Appendix S2	Deferred zone overlays	Figure 1, page 13 shows deferred zoning (pre 2035 growth areas).	Amend Figure 1 to delete reference to "deferred" from the legend.
Maps	Zone maps 04, 22, 23 and 24	Maps incorrectly show reserve zoning on the 3MS site inconsistent with the Commissioner decision to retain residential zoning on the entire site.	Amend maps 04, 22, 23 and 24 to remove the Reserve Zone from the 3MS site.
Maps	Zone map 24	For 60 to 80 and 100 to 102 Laurent Road (South), the reserve zoning and indicative roading, walking and cycle tracks are still showing on map.	Amend map to remove indicative roading layout, walking and cycling tracks and reserve zoning from specified area.
Maps	Zone maps 08, 37 and 39	Maps do not reflect the decision (submitter 30/5) to accept the decision to amend the maps to delete structure plan from 836 Bond Rd (growth cell T3).	Amend maps 37 and 39 as to remove "structure plan area" from 836 Bond Rd.
Miscellaneous	Structure plan variation to PC13	Zone maps changed for road noise boundary and 3MS reserve zone, but structure plans not updated as it was not asked for in any submissions.	No changes, outside the scope of Proposed Plan Change 13. Amending the structure plans did not form part of Proposed Plan Change 13 and changes were not sought in submissions.