

Information Only

MEMO TO: Daniel Kinnoch - Interim environmental planning manager

FROM: Fiona Dunlop - Committee advisor

COPY TO: Francisco Barraza, Anne Robson

DATE: 21 December 2023

MEETING: Council Meeting of 13/12/2023

Please note for your action / information the following decision arising from the meeting named above:

	Code of Practice – District Plan Change
FILE REF	R/23/9/45741
AGENDA ITEM NO.	7.11

Resolution

Moved Cr Duffy, seconded Deputy mayor Menzies **and resolved:**

That the Council:

- a) **receives the report titled “Code of Practice – District Plan Change”.**
 - b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
 - c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
 - d) **approves withdrawing the proposed plan change to implement the Subdivision, Land Use and Development Code of Practice 2023 in the District Plan.**
 - e) **approves the initiation of a new plan change process for implementing the Subdivision, Land Use and Development Code of Practice 2023 in the District Plan.**
 - f) **approves unbudgeted expenditure of up to \$70,000 for the initiation of a new plan change process as described in resolution (e) to be funded from the District’s Operations Reserve, noting that costs will cover 2023/24 and 2024/25 financial years.**
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SPECIFIC ACTIONS REQUIRED:

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SOUTHLAND
DISTRICT COUNCIL



**Notice of withdrawal of Proposed
Plan Change 2: Subdivision,
Land Use, and Development –
Code of Practice 2023.**

Southland District Council gives notice of the withdrawal of Proposed Plan Change 2: Subdivision, Land Use, and Development – Code of Practice 2023 under clause 8D of Schedule 1 of the Resource Management Act 1991.

The decision was made by resolution of the Council meeting on 13 December 2023.

The reasons for the withdrawal are as follows:

- overall, the proposed Plan Change 2 does not achieve the adequate implementation (enforceability) of the new Code of Practice 2023.
- the proposed use of “or its applicable successor” is not permitted under the RMA regulatory framework.

For further information on Proposed Plan Change 2, please go online at <https://www.makeitstick.nz/subdivision-land-use-and-development-code-or-practicebylaw/>