

Minor change required to Chapter 3 of the Proposed Natural Resources Regional Plan to correct errors and ensure consistency

The following minor change is to be made to the (Proposed) Natural Resources Regional Plan Chapter 3, including Variations 15 and 16 and Plan Change 1, pursuant to Clause 16(2) and 20A of Schedule 1 of the Resource Management Act 1991.

Clause 16(2) states:

"A local authority may 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 error"

Clause 20A states

"A local authority may amend, without using the process in this Schedule, an operative policy statement or plan to correct any minor errors"

Issue

1. Figure 3-1 (now Figure AQL1) "The structure of air quality issue resolution in Canterbury", is intended to all include all issues, objectives and policies in chapter 3. However, decisions, variations and consent orders, subsequent to the original notification of Chapter 3 have omitted to update Figure 3-1. For Figure 3-1 to be accurate, provision headings need to be updated and new provisions added consistent with the provisions in Chapter 3.
2. Throughout Chapter 3 there are many references to "this/the plan". For clarity these references should be changed to refer to the NRRP or the NRRP Chapter 3 depending on the context of the reference. Likewise references to the NRRP, should refer to a specific chapter consistent with the context used, unless it is clearly a reference to the whole NRRP.
3. Policy AQL8 clause (1)(b) (now numbered (a)(ii)) ends with a full stop. However this is inconsistent with the format of the rule. It is clear that sub-clauses (i) to (v) are a list connecting to clause (a), and all other sub-clauses are linked with "; and".
4. Figure 3-3 (now Figure AQL3) is slightly different to the equivalent figure included in NRRP Chapters 4, 5 6, and 7. For consistency and accuracy, the figure used in Chapters 4 – 7 should also be used in Chapter 3.
5. In some rules reference is made to the date the Variation becomes operative. As there have been a number of variations this reference is unclear. Referring to a specific date, as used in other rules would be much clearer. This can be achieved by replacing the reference to the variation with the actual date that specific variation became operative.
6. Consistent with the minor change to amend headings in rules for "standards/terms" to "conditions", all references to standards and terms relating to rules throughout Chapter 3 should also be changed to refer to "conditions".
7. In Table AQL2 (previously Table 3-2) some descriptions of rules are inconsistent with the headings of the rules referred to. For clarity all descriptions should match rule headings. Likewise explanation rule headings should also match the heading of the rule.
8. In the Drift Hazard Guidance Chart in Appendix AQL6, there is a "Factor for Volatility". In the column for "Potential Drift Hazard Scale - High", it has "High (vapour pressure > 10 mPa)" but in the column "Potential Drift Hazard Scale - Low", it has "Low (vapour pressure < 01 mPa)". The value "01 mPa" in the "Low" scale is a typographical error and should be "10 mPa" as it is for the "High" scale. This then clearly delineates the "High" and "Low" scales as above and below the value "10 mPa", as was the original intention.

Solution

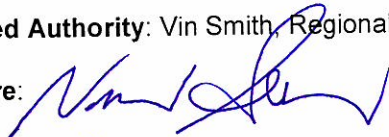
1. Update Figure 3-1 (now Figure AQL1) to correctly reflect the issue, objective and policy provisions in Chapter 3.

2. Change references to "this/the Plan" to "NRRP" or "NRRP Chapter 3" consistent with the context. And change references to "the NRRP" to refer to a specific Chapter where this is consistent with context, e.g. "NRRP Chapter 3".
3. In Policy AQL8, replace the full stop at the end of clause (a)(ii) with "; and"
4. Update Figure AQL3 so that it is the same as equivalent figures in Chapters 4 – 7 NRRP.
5. Replace references to variations becoming operative with the date that the specific variation became operative, or add the date to the reference, depending which is most appropriate to achieve clarity and retain current meaning.
6. Change references to "standards and terms" relating to rules, throughout Chapter 3 to "conditions".
7. Amend Table AQL2 so that all rule descriptions match the heading of the rule referred to. Also amend all rule explanation headings to match the rule being explained.
8. Amend the content of the column for "Potential Drift Hazard Scale - Low" for the factor Volatility, to "Low (vapour pressure < 10 mPa)".

These changes are considered to be minor changes under Clause 16 and 20 of the RMA and have been approved by Environment Canterbury. These changes should be considered as having been made to the NRRP as of the date below.

Delegated Authority: Vin Smith, Regional Planning Manager

Signature:



Date:

23/5/11