

2. VARIATION TO THE PROPOSED CITY PLAN – NICHOLLS GARAGE, 345 HALSWELL ROAD

Officer responsible Environmental Services Manager	Author Sean Elvines, DDI 941-8295
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The purpose of this report is to recommend to the Council that a variation to the plan be notified regarding the need to update and correct the listing of Nicholls Garage as a scheduled service station at 345 Halswell Road.

An assessment of the proposed variation 80 is attached.

BACKGROUND

The service station was established by way of a planning consent for specified departure circa 1968 on Lot 1 DP 26385 which had an area of 4046m². In November 1981 a boundary adjustment was undertaken for this site and the adjoining site Lot 1 DP 4815 (area 1.6 ha). As a result Lots 1 and 2 DP 46884 were created. At the time the Paparua District Scheme was notified the subdivision was not completed and consequently the legal description for the site was given in that planning document as Lot 1 DP 26385.

Further subdivision of Lots 1 and 2 DP 46884 has resulted in the creation of Lots 1, 2 and 3 DP 82813, with the service station located on Lot 2 DP 82813 and Lot 3 DP 82813 to be vested in the Crown for road widening. The land area occupied by Lot 1 DP 26385 is the same as the land now encompassing Lot 2 DP 82813 (with the exception of 5m fronting Halswell Road which has been taken for road widening). Consequently, the effects of a service station on this land are no different to those considered when approval was given for the service station in 1968.

As a result of the redundant and now inaccurate information in the City Plan there is some uncertainty for the land/business owner and administrative difficulties for Council staff, particularly regarding future development and redevelopment of the service station. To address these concerns it is proposed that the Council initiate a variation to specifically identify and correct the inaccuracies in the City Plan.

NEED FOR VARIATION

The proposed variation will:

- Provide certainty to the land/business owner.
- Avoid administrative difficulties for Council staff.
- Avoid the need for unnecessary resource consents for future development and redevelopment of the service station.
- Accurately describe current land parcel and zoning notations in the City Plan pertaining to the service station.
- Correct and bring up-to-date land parcel and zoning notations in the City Plan pertaining to the service station.

A full version of the proposed variation is appended.

Recommendation: That the Council initiate Variation 80 pursuant to Clause 16A of the First Schedule of the Resource Management Act 1991.