

12. MAKING PARTS OF THE CITY PLAN OPERATIVE



General Manager responsible:	General Manager Regulation and Democracy Services DDI 941-8549
Officer responsible:	Environmental Services Manager
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PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council approve parts of the City Plan that are now beyond challenge and resolve to make those provisions operative.

EXECUTIVE SUMMARY

2. On 20 October 2005 the Council approved the City Plan with the exception of certain identified provisions that were still subject to unresolved proceedings. Since that time the proceedings set out in the following table have been resolved.

Proceeding	Subject	How resolved
Variation 90	Location of residential dwelling.	Council decision issued – no appeals.
Variation 91	Financial contributions.	Council decision issued – no appeals.
A407	Stopping of Worcester Street at Latimer Square.	Court decision on appeal against Council decision on Variation 82.
A 377, 381 -383	Various issues relating to noise from airport operations.	Court decisions.
A 251	Living zone and Subdivision rules for Living HA and HB zones.	Appeal withdrawn.

3. The provisions that are subject to these proceedings are now beyond challenge and can be approved by the Council.

FINANCIAL AND LEGAL CONSIDERATIONS

4. Approving the City Plan and making it operative are steps required by the Resource Management Act 1991. As a consequence of approving the provisions set out in the attached table the equivalent provisions in the former transitional district plans will no longer apply. This may result in some cost savings for both the Council and applicants for resource consent.

STAFF RECOMMENDATIONS

It is recommended:

- (a) That the Council approve, pursuant to clause 17(2) of the First Schedule of the Resource Management Act 1991, the provisions of the City Plan identified in the attached table.
- (b) That the General Manager Regulatory and Democracy Services be given authority to determine the date on which the provisions become operative.