

10. MAKING PARTS OF THE CITY PLAN OPERATIVE

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941 8549
Officer responsible:	Resource Management 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. On 20 April 2006 further parts of the plan were approved and made operative. Since that time the proceedings set out in the following table have been resolved.

Proceeding	Subject	How resolved
A185	Meadow Mushrooms site	Court decisions issued
A236, A322	CIAL, BARNZ	Court decision issued
A248	A T M Thacker	Court decision issued
A305	Aidanfield Holdings Ltd	Court decisions issued
A409	Stonehurst Accommodation Ltd	Court decision issued
A412 - 416	Rezoning 207-215 Johns Road	Appeals withdrawn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 following table the equivalent provision 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 to the Resource Management Act 1991, the provisions of the City Plan identified in the following table.
- (b) That the General Manager Regulation and Democracy Services be given the authority to determine the date on which the provisions become operative.

Table of City Plan provisions to be approved and made operative

Clause in Plan	Resolved proceeding
Volume 3, Part 2 Living Zones	
Rule 2.1.3 - Deferred Zones	A412 - A416
Appendix 3f - Development plan (Styx)	A412 - A416
Volume 3, Part 3 Business Zones	
Clause 1.15 - Zone description Business 7 Zone	A185
Appendix 12 - Special provision Business 7 Zone	A185
Volume 3, Part 4 Rural Zones	
Rule 2.5.7 - Aircraft noise exposure	A248
Volume 3, Part 8 Special Purpose Zones	
Zone description 1.11 - Special Purpose (Awatea) Zone	A185
Rule 3.3.3 - Activities within Airport Zone	A236, A322
Reason for rule 14.10 - Special Purpose (Awatea) Zone	A185

Clause in Plan	Resolved proceeding
Volume 3, Part 9 General City Rules	
Rule 3.8.3 - Scheduled metropolitan facilities in Living 4	A409
Volume 3, Part 14, Subdivision	
Rule 4.3.1 - Minimum standards - Rural zones	A248
Planning Maps	
Map 17A - 207 - 215 Johns Road	A416-420
Map 18A - 207 - 215 Johns Road	A416-420
Map 44A - Aidanfield and Meadow Mushrooms sites	A185, A305
Map 45A - Aidanfield site	A305
Map 51A - Aidanfield and Meadow Mushrooms sites	A185, A305