

(Note: The following item was dealt with in the Public Excluded section of the meeting, but is now a public document.)

## 26. COMMISSIONER'S RECOMMENDATION ON PLAN CHANGE 31 TO THE CITY PLAN



<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941-8281
<b>Officer responsible:</b>	Strategy Support Manager
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### PURPOSE OF REPORT

1. The purpose of this report is to present the report and recommendations of Commissioner Ken Gimblett who was appointed to conduct a hearing on Plan Change 31 to the City Plan.

### EXECUTIVE SUMMARY

2. Plan Change 31 is a privately requested change that seeks to amend Living 3 Zone provisions and introduce an area of Business 1 Zone on the land bounded by Packe, Purchas, Madras and Canon Streets in St Albans, a site formerly used as an Orion depot.
3. The change proposes the retention of a Living 3 zoning but provides for an increase to the permitted height limits for part of the site, and an exemption from the rules relating to continuous building length. It also proposes a 1 hectare Business 1 zoning on the south-western central quadrant of the block that would be used to facilitate the development of a small supermarket and up to 15 small shops so as to meet demand from the residential development generated from the remainder of the Plan Change.
4. The Council resolved on 26 June 2008 to notify the plan change. Public notification attracted 16 submissions and Commissioner Ken Gimblett conducted a hearing over three days in June 2009. The Commissioner has concluded that the plan change should be approved subject to some modification. His report and recommendations have been separately circulated.

### FINANCIAL IMPLICATIONS

5. Approval of the Commissioner's recommendation will not result in any additional expenditure. If an appeal is lodged against the decision the Council would need to be represented at the Environment Court. Such representation can be accommodated within existing budgets.

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. The recommendation will not impose on the LTCCP budget.

### LEGAL CONSIDERATIONS

7. The Resource Management Act 1991 sets out a process for considering changes to district plans. This process has been followed.

### Have you considered the legal implications of the issue under consideration?

8. As above.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Aligns with District Plan Activity Management Plan.

### Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

10. Yes. Supports the maintenance and review of the District Plan project.

### ALIGNMENT WITH STRATEGIES

11. Yes.

**Do the recommendations align with the Council's strategies?**

12. The Commissioner's recommendations do not conflict with the Greater Christchurch Urban Development Strategy that seeks to manage metropolitan urban growth through consolidation and intensification.

**CONSULTATION FULFILMENT**

13. The consultation requirements of the Resource Management Act 1991 have been fulfilled.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Receive the report and recommendations of Commissioner Ken Gimblett.
- (b) In accordance with clause 29(4) of the First Schedule of the Resource Management Act 1991, adopt the recommendation of Commissioner Gimblett on Plan Change 31 as its decision, for the reasons set out in the Commissioner's report.