

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

**25. PLAN CHANGE 28 TO CITY PLAN: REZONING OF 320-320A CUMNOR TERRACE
- REPORT AND RECOMMENDATION OF COMMISSIONER DAVID COLLINS**



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| General Manager responsible: | General Manager Strategy and Planning DD: 941 8281 |
| Officer responsible: | 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 David Collins who heard submissions on Plan Change 28 to the City Plan.

EXECUTIVE SUMMARY

2. Plan Change 28 is a private change initiated by Kennaway Park Joint Venture Partnership. It seeks the rezoning of approximately 30 hectares of land bounded by Tunnel Road, the Heathcote River and the existing industrial development off Kennaway Road, to enable commercial/industrial activities to be established.
3. The site is currently zoned Special Purpose (Ferrymead). This zoning was established in 1999 as an interim measure to allow further investigation into an appropriate zoning pattern for the area. The Rural 2 zone rules apply to land zoned Special Purpose (Ferrymead). The plan change requests that Council rezone the site as Business 4.
4. Public notification of the plan change on 22 November 2008 attracted 49 submissions. Mr David Collins was appointed as Commissioner and conducted a hearing over five days in June 2009. His report, which recommends that the plan change be approved with modifications, has 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. As above.

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. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Aligns with City 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.

CONSULTATION FULFILMENT

13. Consultation required by the Resource Management Act 1991 has been fulfilled.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Receive the report and recommendations of its Commissioner.
- (b) In accordance with clause 29(4) of the First Schedule of the Resource Management Act 1991, adopt the recommendations of the Commissioner as its decision on Plan Change 28 to the City Plan, for the reasons set out in the Commissioner's report.