

4. APPROVAL OF CHANGES TO PROVISIONS IN THE CITY PLAN

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	Programme Manager District Planning
Author:	David Punselie

PURPOSE OF REPORT

1. This report seeks that the Council approve changes to the City Plan introduced by its decision on Plan Change 25 to the District Plan (**Attachment 1**).

EXECUTIVE SUMMARY

2. Plan Change 25 was initiated by the Council in September 2008. It sought to change the zoning for a number of school sites across Christchurch from their current Living, Rural and Special Purpose zonings (which do not specifically cater for education activities) to Cultural 3 Zoning (Cu3). This zone enables development for educational activities to occur as a permitted activity provided the zone's performance standards are met. In addition, the Plan Change made some minor amendments to Cultural 3 zone provisions to ensure consistency and to update provisions to reflect a decision of the Environment Court. Some site specific rules were also included to reflect conditions imposed when schools were established through the resource consent process.
3. A Hearings Panel heard submissions on the plan change in June 2009. Its recommendation that the plan change be approved with modifications was adopted by the Council as its decision on 26 November 2009. There have been no appeals against the decision. The Council can now take the procedural step to make the plan change operative.

FINANCIAL IMPLICATIONS

4. There are no direct financial implications.

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

5. Covered by existing budgets.

LEGAL CONSIDERATIONS

6. The recommendation in this report is for the Council to take a procedural step to make operative the changes introduced by its decision on Plan Change 25. Under Clause 10 of Schedule 1 of the Resource Management Act the City Plan is amended in accordance with the Council's decision from the date public notice of the decision is given. Following the closing of the appeal period and the resolution of any appeals the Council must formally approve the plan change under Clause 17 of Schedule 1 before the plan change becomes operative on a date that is nominated in a public notice of the Council's approval. The Council's decision on this plan change was not appealed so the change has reached the stage where it can be made operative.

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

7. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. Aligns with District Plan Activity Plan.

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

9. Yes. Supports the enhancing the City Plan project.

ALIGNMENT WITH STRATEGIES

10. Yes.

Do the recommendations align with the Council's strategies?

11. The recommendations do not conflict with any of Council's strategies.

CONSULTATION FULFILMENT

12. This procedural step does not require consultation.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Approve, pursuant to Clause 17(2) of the Resource Management Act 1991, the changes to the District Plan introduced by its decision on Plan Change 25.
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by Plan Change 25 become operative.

COMMITTEE RECOMMENDATION

That the staff recommendation be adopted.