

5. PLAN CHANGE 28 – KENNAWAY PARK

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	Programme Manager District Planning
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PURPOSE OF REPORT

1. This report seeks the Council to approve changes to the City Plan introduced by its decision on Plan Change 28 to the District Plan.

EXECUTIVE SUMMARY

2. Private Plan Change 28 was initiated by Kennaway Park Joint Venture Partnership. It sought 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. The site was zoned Special Purpose (Ferrymead) in 1999 as an interim measure to allow further investigation into an appropriate zoning pattern for the area. The plan change requested the site be rezoned as Business 4.
4. Commissioner David Collins conducted a hearing over five days in June 2009. His recommendation that the plan change be approved with modifications was adopted by the Council as its decision on 22 October 2009. There have been no appeals against the decision. The Council can now take the procedural step to make the plan change operative. (The Plan Change as amended is provided in **Attachment 1** separately circulated).

FINANCIAL IMPLICATIONS

5. There are no direct financial implications.

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

6. Covered by existing budgets.

LEGAL CONSIDERATIONS

7. 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 28. 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. The plan change will then become 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?

8. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Aligns with District Plan Activity Plan.

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

10. Yes. Supports the target of processing all privately requested plan changes in compliance with statutory processes and time frames.

ALIGNMENT WITH STRATEGIES

11. Yes.

Do the recommendations align with the Council's strategies?

12. The Council's decision on the Plan Change does not conflict with the Greater Christchurch Urban Development Strategy.

CONSULTATION FULFILMENT

13. Approval of changes to the District Plan under clause 17 of Schedule 1 to the Resource Management Act 1991 is a procedural step that does not require consultation.

STAFF RECOMMENDATION

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 28.
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by Plan Change 28 become operative.

COMMITTEE RECOMMENDATION

That the staff recommendation be adopted.

(Councillor Johanson asked that his vote against the recommendation be recorded.)