

## 9. DRAFT SOUTH WEST AREA PLAN – ESTABLISHMENT OF HEARINGS PANEL

<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941-8177
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### PURPOSE OF REPORT

1. The purpose of this report is to establish the Hearings Panel to hear submissions on the Draft South West Area Plan (SWAP).

### EXECUTIVE SUMMARY

2. At its August meeting the Council resolved that any submissions on the Draft SWAP be heard by a hearings panel comprising the Regulatory and Planning Committee (or part thereof). At that time it was proposed that the hearings occur the week beginning 20 October 2008. Submissions on the draft SWAP close on 10 October.
3. The Committee now needs to establish a panel to undertake the hearings process.

### FINANCIAL IMPLICATIONS

4. Financial implications arise in relation to Hearings Panel costs. These can be met from within existing SWAP budgets.

### Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

5. Yes.

### LEGAL CONSIDERATIONS

6. See below.

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

7. Potential legal implications arise in relation to Councillors being perceived to have bias in two areas: process bias and financial bias. In relation to process bias, the SWAP has been in development for a number of years. During that time several consultation processes have taken place, the most recent prior to 2008 was in August 2007 when a Concept Plan was consulted upon. There has also been ongoing consultation with individual landowners who may be affected particularly by stormwater management proposals.
8. In relation to financial bias, this would relate to any pecuniary interest the Council might gain through land holdings where any zoning change might alter land value. While the Council does own land in South West Christchurch, most of the land is within Henderson's Basin which has been the subject of Variation 48. Legal implications in relation to bias are considered unlikely.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Not applicable.

### Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

10. Not applicable.

**ALIGNMENT WITH STRATEGIES**

11. Not applicable.

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

12. Not applicable.

**CONSULTATION FULFILMENT**

13. There are no consultation requirements in relation to establishment of a Hearings Panel.

**STAFF RECOMMENDATION**

It is recommended that a Hearings Panel comprising (the members thereof to be named at the present Regulatory and Planning Committee meeting) be appointed to consider and where necessary hear any submissions on the Draft South West Area Plan, and report back to the Council with its recommendations thereon.