

9. CITY PLAN REFERENCES SUBCOMMITTEE - EXTENSION OF DELEGATED AUTHORITY FOR BANKS PENINSULA DISTRICT PLAN

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8549
Officer responsible:	Environmental Policy and Approvals Manager
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PURPOSE OF REPORT

1. The purpose of this report is to:
 - (a) extend the delegated authority of the City Plan References Subcommittee so that it can consider appeals on the Proposed Banks Peninsula District Plan; and
 - (b) add local representation to the subcommittee.
2. Some minor amendments are also proposed.

EXECUTIVE SUMMARY

3. The Proposed Banks Peninsula District Plan is and has been the subject of numerous appeals dating as far back as December 2001. Many of these appeals have been resolved. However, 38 appeals are still 'alive' insofar as they are either in the process of being resolved or have alternatively been adjourned pending further work.
4. Where appeals are mediated they often result in agreements between the parties which involve proposed amendments to the District Plan.
5. Prior to the abolition of the Banks Peninsula District Council, such changes were ratified by a subcommittee of the Council, in much the same manner as changes to the City Plan are approved by the City Plan References Subcommittee.
6. In the post-abolition period, changes to the Banks Peninsula District Plan have been approved by the full Council of the Christchurch City Council because the City Plan References Subcommittees does not have delegated authority for the Banks Peninsula District Plan.
7. It is proposed to extend the existing delegations of the City Plan Reference Subcommittee to include appeals on the Banks Peninsula District Plan. Other amendments proposed:
 - provide for local representation on the subcommittee by adding Councillor Bob Parker to the committee membership.
 - make minor adjustments to reflect changes in job titles.
 - rename the committee to reflect its extended responsibilities.
 - replace the word 'reference' with 'appeals' in accordance with the Resource Management Act amendments.
8. The City Plan References Subcommittee was formed on 9 December 2004. Its membership comprises Councillors Broughton, Cox, Crighton, Wells and Sheriff. Its delegations are set out in Attachment A with the proposed amendments shown as tracked changes.
9. There are several options available to the Council:
 - (a) Status quo – agreements approved by the full Council;
 - (b) Recommended option – agreements approved by the City Plan References Subcommittee;
 - (c) Form a new subcommittee - agreements approved by the new subcommittee.
10. Option (a) is the status quo which involves gaining full Council approval for any agreement reached through mediation. This approach is different to that provided for the City Plan and has the potential to become cumbersome and unwieldy given mediation has the potential to require several meetings with Councillors.

11. Option (b) is the recommended option. It appears to be the most efficient and effective option because of the ability of the subcommittee to meet as and when required. This option includes adding the ward member for Banks Peninsula for local knowledge. It also renames the subcommittee. Since amalgamation, the Council now has one district plan with two sections, as allowed by the RMA, being the City Plan and the Banks Peninsula District Plan.
12. Option (c) involves establishing a separate committee to consider appeals on the Banks Peninsula District Plan. It is the least preferred option as it would create unnecessary duplication having two separate committees undertaking similar tasks on similar issues.

FINANCIAL AND LEGAL CONSIDERATIONS

13. There are financial implications for each of the options although they are all relatively minor. The recommended option has the least impact in terms of financial implications given it does not require the establishment and funding of a separate committee (option (c)).

STAFF RECOMMENDATION

It is recommended:

- (a) That the Council approve the amendments to the delegations of the City Plan References Subcommittee as set out in Attachment A.
- (b) That Councillor Bob Parker be appointed as an additional member of the Subcommittee.
- (c) That it be a condition of the amended delegations proposed that Councillor Parker is in attendance at the Subcommittee meeting whenever the Subcommittee is meeting for the purpose of exercising its delegations in respect of the Banks Peninsula District Plan.
- (d) That the Subcommittee be renamed the 'District Plan Appeals Subcommittee'.