



Christchurch City Council

**DISTRICT PLAN APPEALS SUBCOMMITTEE
AGENDA**

TUESDAY 26 FEBRUARY 2008

AT 10AM

IN MEETING ROOM 4/17, CIVIC OFFICES

Subcommittee: Councillor Sue Wells (Chairperson), Councillor Helen Broughton and Mr Stewart Miller.

Assistant Council Secretary

Kevin Roche

Telephone: 941-8112

Fax: 941-8696

1. **APOLOGIES**
2. **DECLARATION OF INTEREST**
3. **RESOLUTION TO EXCLUDE THE PUBLIC**

We're on the Web!

www.ccc.govt.nz/Council/Agendas/

DISTRICT PLANS APPEALS SUBCOMMITTEE

Delegations

1. To consider and resolve any consent orders requested in respect of any proceedings before the Environment Court regarding any appeal on the Christchurch City Plan ('City Plan') or Banks Peninsula District Plan ('District Plan').
2. to authorise counsel and Council witnesses to call evidence in support of a compromise position or positions in the alternative for the purpose of endeavouring to agree with the parties in terms of a consent order in respect of any proceedings before the Environment Court arising out of the Council's decisions on the City Plan or District Plan.
3.
 - (a) To authorise any one or more officers holding the positions listed below to participate in a mediation of any proceeding before the Environment Court arising out of the First Schedule to the Resource Management Act 1991. This authority shall include the power to commit the Council to a binding agreement to resolve the proceeding, provided it does not require any Council expenditure not authorised by a Council delegation.
 - (b) Any authority given under this delegation shall be on such terms and conditions as the Subcommittee considers appropriate.

Authorised positions:
 - Resource Management Manager
 - Team Leader, City Plan
 - Solicitor, Legal Services Unit
 - Senior Planner, City Plan
 - (c) The exercise of such delegated powers be reported to the Council on a six-monthly basis.
4. To authorise any two or more officers who, for the time being, hold any of the following positions to jointly consider, and resolve by consent order, any appeal to the Environment Court against a decision of Council on submissions to the City Plan or district Plan, where the appeal relates to an alteration of minor effect or the correction of a minor error.

Authorised positions:
 - Resource Management Manager
 - Team Leader, City Plan
 - Solicitor, Legal Services Unit
 - Senior Planner, City Plan
5. To make decision, on behalf of the Council, in relation to any High Court proceedings arising out of decisions by the Environment Court on the City Plan or district Plan provided such decisions are consistent with professional advice. Where the Subcommittee is not able to do so the Subcommittee will refer its recommendation to the Council for a decision.

Christchurch City Council
13 December 2007

1. APOLOGIES

2. DECLARATION OF INTEREST

This clause is inserted to allow members to declare any conflicts of interest in respect to the items on the agenda.

3. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.

TUESDAY 26 FEBRUARY 2008

DISTRICT PLAN APPEALS SUBCOMMITTEE

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items 6 and 7.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
4. BELFAST SECTION 293 SETTLEMENT) GOOD REASON TO WITHHOLD EXISTS	SECTION 48(1)(a)
5. CHANGE OF POSITION ON 'THACKER 1999' APPEAL) UNDER SECTION 7	

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item 4	Conduct of Negotiations	(Section 7(2)(i))
Item 5	Conduct of Negotiations	(Section 7(2)(i))

Chairman's

Recommendation: That the foregoing motion be adopted.

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- "(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):
- (a) Shall be available to any member of the public who is present; and
 - (b) Shall form part of the minutes of the local authority."