

Report 99.693

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Report to the Environment Committee
from Rob Forlong, Manager, Consents Management

Hearings Commissioners – Update for the Committee

1. Purpose

To provide the Committee with previous reports on delegations for Hearings Commissioners.

2. Background

At the last Environment Committee a number of Councillors requested that they be provided with reports on the delegation of powers to hearings commissioners. Those reports were adopted in the previous triennium and thus they were not familiar to many of the Committee.

The reports are included as Attachments one and two. For your information I have also attached a copy of our Guidelines for Commissioners (Attachment three) and Procedures for Hearings (Attachment four).

The reports are largely self-explanatory. Our policy up to 1997 was for the Divisional Manager and Chair of the Environment Committee to select Hearings Commissioners on a case by case basis. However, in 1997 our delegations to Hearings Commissioners came under considerable scrutiny as a result of a complicated and controversial resource consent application. At that time, our solicitors advised us that while our delegations were reasonably robust they could be enhanced if we altered our approach and selected commissioners from a list which had been pre approved by the Environment Committee.

The Environment Committee adopted the recommendations in report 99.373 at its meeting on 23 October 1997. The recommendation included a list of individuals who had the appropriate skills to be Hearings Commissioners. The list was primarily made up of Commissioners we had successfully used in the past. The report noted that the list did not include anyone with expertise in Maori issues and that commissioners may need to be added to the list, or deleted from it, from time to time.

The approved list was altered at the Environment Committee meeting on 10 September 1998 where the Committee accepted a recommendation to add three people to the approved list (Report 98.409).

3. Recommendation

That the Committee receives the report and notes the information.

Report prepared by:

Approved for submission:

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Attachments: 4