

Report 05.292

26 May 2005

File: E/6/18/2

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Minutes of the Meeting of the Environment Committee held in the Council Chamber, The Regional Council Centre, 142 Wakefield Street, Wellington, on Thursday, 26 May 2005 at 9.32am

Present

Councillors Turver (Chairperson), Baber, Buchanan, Laidlaw, McDavitt and Shields

Officers Present

Messrs Corry, Hart, Jackson, McLea, Pryce, Sherriff, Skene, Van Schalkwyk, Waddy, Sonia Ellis, Juliet Milne, Amy Norrish, Tami Woods, Drs Bradbury and Hastie.

Public Business

Procedural Items

E 48 **Apologies**

Resolved

(Cr Turver/Cr Baber)

That the Committee

- (1) Accept the apologies for lateness from Councillors Buchanan and Shields.*
- (2) Accept the apology for absence from Councillor Evans.*

E 49 **Public Participation**

There were no members of the public who wished to participate in the meeting.

E 50 **Confirmation of Minutes**

Resolved (Cr Turver/Cr Laidlaw)

That the Committee

Confirm the Minutes of the meeting held on 5 April 2005, Report 05.238.

E 51 **Late Item**

The Chairperson explained to the meeting that:

(1) The item (Report Back on the New Zealand Planning Institute Conference April 27 – May 1) tabled by Councillor Baber was for information, had not been received when the agenda was finalised, and its timeliness would be lessened if it was deferred until a subsequent meeting.

(2) Would be considered after the Divisional Manager's Report.

Resolved (Cr Turver/Cr Baber)

That the Committee:

Deal with this item (Report Back on the New Zealand Planning Institute Conference April 27 – May 1) pursuant to Standing Order 25.5.

Harbour Matters

There were no Harbour matters for consideration.

Civil Defence Matters

Matter for Recommendation

E 52 **Changes to Regional Civil Defence Functions**

Report 05.236

File: Z/4/5/1

Resolved

(Cr Baber/Cr McDavitt)

That the Committee recommends that Council

- (1) Receive the report.*
- (2) Note the contents of the report.*
- (3) Amend the terms of reference for the Environment Committee as outlined in this report.*

Environmental Matters

Matter for Decision

9.55am Councillor Shields entered the meeting.

E 53 **Delegations for Conducting Hearings for Resource Consent Applications**

Noted

The Chairperson advised it is his intention to ensure, as far as possible, that regional councillors, certified as resource consent hearing commissioners, will be rotated during this triennium.

Report 05.237

File: E/01/06/13

Resolved

(Cr Baber/Cr Laidlaw)

That the Environment Committee

- (1) Revokes the previous delegations it made to the Chairperson of the Environment Committee and the Divisional Manager, Environment in relation to hearing and deciding on resource consent applications.*

- (2) *Delegates to the Chairperson of the Environment Committee, Chris Turver, the following powers in relation to conducting hearings for deciding on resource consent applications that have been notified under section 93(1) or 94(1) of the Resource Management Act 1991 and require a hearing:*
- (i) *The power to establish a hearing panel where required.*
 - (ii) *The power to establish a hearing sub-committee where required.*
 - (iii) *The power to choose, on a case-by-case basis, whether to conduct a hearing through a single commissioner, or a hearing panel, or a hearing sub-committee.*
 - (iv) *The power to decide, on a case-by-case basis, the appropriate commissioner or composition of each hearing panel or hearing sub-committee.*
 - (v) *The power to delegate to hearing panels (the composition of which is to be determined on a case-by-case basis) the power to hear and decide on resource consent applications. Where a hearing panel cannot reach a unanimous decision on a resource consent application, the Environment Committee must hear and decide on the resource consent.*
 - (vi) *The power to delegate to hearing sub-committee (the composition of which is to be determined on a case-by-case basis) the power to hear and decide on resource consent applications. Where a hearing sub-committee cannot reach a unanimous decision on a resource consent application, the Environment Committee must hear and decide on the resource consent.*
- (3) *Notes that the Chairperson of the Environment Committee will exercise the powers in (2) in consultation with the Divisional Manager, Environment.*
- (4) *Notes that the chief executive will sign off any delegation to a commissioner or commissioners until the RMA is amended.*
- (5) *Limits the ability of the Chairperson of the Environment Committee to sub-delegate his powers relating to conducting hearings for resource consent applications to the Deputy Chairperson of the Environment Committee.*

- (6) *Requires the Chairperson of the Environment Committee to note the rules on when to use a single commissioner, hearing sub-committee or hearing panel as set out in 4.2 of this report when he is exercising the powers given to him in 2 above.*
- (7) *Stipulates that the delegations set out in Report 05.237 be subject to the general conditions provided in Attachment 2 to Report 05.237.*

Noted

Councillor Turver abstained from voting on the above.

Matters for Information

E 54 Divisional Manager's Report

10.35am Morning Tea Adjournment

10.52am Meeting Resumed

Report 05.212

File: E/06/18/03

Resolved

(Cr Turver/Cr McDavitt)

That the Committee:

(1) *Receive the report.*

(2) *Note the contents.*

E 55 Report Back on the New Zealand Planning Institute Conference April 27 – May 1

Councillors Baber and Evans reported on the New Zealand Planning Institute Conference.

Resolved

(Cr Turver/Cr McDavitt)

That the Committee:

Receive the report.

E 56 **Decisions on Non-notified Resource Consent Applications**

11.42am Councillor Buchanan entered the meeting
11.52am Councillor Shields retired from the meeting

Report 05.206

File: ENV/01/08/04

Resolved

(Cr Laidlaw/Cr Baber)

That the Committee:

- (1) Receive the report.*
- (2) Note the contents.*

E 57 **Regional Council Input to Statutory Planning**

Report 05.211

File: X/26/1/1

Resolved

(Cr Turver/Cr Buchanan)

That the Committee:

- (1) Receive the report.*
- (2) Note the contents.*

E 58 **Pollution Control Report for the Period 11 March to 1 May 2005**

Report 05.213

File: ENV/17/02/01

Resolved

(Cr Baber/Cr Laidlaw)

That the Committee:

- (1) Receive the report.*
- (2) Note the contents.*

Other Matters

E 59 Questions

There were no questions.

E 60 General

There were no matters of general business.

12.11am The meeting closed.

CR C TURVER
Chairperson

Date: