

Environment Committee

Minute extract from meeting held on 26 May 2005

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.

Resolved

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.