

Report 15.338  
Date: 21 September 2015  
File: CCAB-11-35

Committee: Council  
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## **Establishment of a hearing panel to hear and decide on submissions on the Proposed Natural Resources Plan for the Wellington Region**

### **1. Purpose**

To establish a hearing panel to hear and decide on submissions on the Proposed Natural Resources Plan for the Wellington Region (PNRP).

### **2. Background**

On 31 July 2015 the PNRP was publicly notified and opened to submissions. Submissions on the PNRP are due to close on 25 September 2015.

After the closing of submissions, there is the opportunity for further submissions in support or in opposition to the submissions already made.

Once all submissions have been received, and after any minor matters have been resolved in pre-hearing meetings, the Proposed Natural Resources Hearing Panel will need to convene to consider the submissions received, hear those submitters who wish to be heard, and decide on the matters raised in the submissions.

### **3. Establishment of Proposed Natural Resources Plan Hearing Panel**

It is proposed that the Council establishes the Proposed Natural Resources Plan Hearing Panel, comprising of two independent commissioners and one member of the Te Upoko Taiao – Natural Resource committee, and delegates to the panel all the Committee's necessary powers under the Resource Management Act 1991 to hear and decide submissions on the PNRP.

The matters considered in this report have been discussed at a recent workshop of Te Upoko Taiao – Natural Resource Management Committee. Committee members were comfortable with the approach and noted that while the Committee has the power to establish a hearing panel and appoint the panel's

members only the Council has the power to determine panel member remuneration; on this basis the Committee members considered that all relevant decisions should rest with Council to ensure an integrated decision-making approach.

The draft terms of reference for the Proposed Natural Resources Plan Hearing Panel (**Attachment 1**) set out the proposed arrangements for the panel.

A separate report to this meeting (Report 15.339) addresses the proposed appointees for the panel and their remuneration.

#### **4. Communication**

Information on the hearing panel role and membership will be made available once all the arrangements are in place.

#### **5. The decision-making process and significance**

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

##### **5.1 Significance of the decision**

Officers have considered the significance of the matter, taking into account the Council's significance and engagement policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

##### **5.2 Engagement**

Engagement on this matter is unnecessary.

#### **6. Recommendations**

*That the Council:*

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Establishes the Proposed Natural Resources Plan Hearing Panel to hear and decide on submissions on the Proposed Natural Resources Plan for the Wellington Region.*
4. *Delegates to the Proposed Natural Resources Plan Hearing Panel all necessary powers under the Resource Management Act 1991 to hear and decide on submissions on the Proposed Natural Resources Plan for the Wellington Region.*
5. *Adopts the Terms of Reference for the Proposed Natural Resources Plan Hearing Panel as set out in Attachment 1.*

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**Attachment 1:** Draft terms of reference for the Proposed Natural Resources Plan Hearing Panel

# **Terms of Reference for the Proposed Natural Resources Plan Hearing Panel**

September 2015

## **1. Membership**

The membership of the Proposed Natural Resources Plan Hearing Panel shall comprise three persons appointed by Council.

Each member shall hold a current certification under the RMA Making Good Decisions Programme.

The Chairperson of the panel shall be appointed by Council.

## **2. Quorum**

The quorum is two members.

## **3. Meeting Procedures**

All members have equal speaking rights.

The panel shall endeavour to reach its decision on any relevant matter by consensus. In the event that a consensus is unable to be reached then decisions shall be made via a majority vote. Each member has a deliberative vote. The Chairperson does not have a casting vote.

## **4. Powers**

The Proposed Natural Resources Plan Hearing Panel is delegated all necessary powers under the Resource Management Act 1991 to hear and decide on submissions on the Proposed Natural Resources Plan for the Wellington Region.

## **5. Responsibilities**

The Proposed Natural Resources Plan Hearing Panel shall ensure that:

- The hearing and consideration process is carried out in a way that is effective and timely
- Submitters are provided with the best possible opportunity to be heard in support of their submission
- Panel members receive submissions with an open mind and give due consideration to each submission; and
- The decision-making process is robust and transparent.

## **6. Duration**

The Proposed Natural Resources Plan Hearing Panel is deemed to be dissolved at the end of the decision-making process on the submissions received on the Proposed Natural Resources Plan.