

CONFIDENTIAL MEMORANDUM

TO: Council

MEETING DATE: 14 June 2023

TITLE: Proposed District Plan Change G: Aokautere Urban Growth - Appointment of Commissioner

PRESENTED BY: Desiree Harvey, Legal Counsel, and David Murphy, Chief Planning Officer

APPROVED BY: Donna Baker, Acting Chief Executive Unit Manager
David Murphy, Chief Planning Officer

It is recommended that this report be considered with the public excluded, as permitted by the Local Government Official Information and Meetings Act 1987 under clause:

s7(2)(a) Privacy - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person

RECOMMENDATION FOR PUBLIC RELEASE

That the decision be released to the public following notification to the Commissioner.

RECOMMENDATION(S) TO COUNCIL

1. To appoint and assign Sharon McGarry as independent commissioner on the hearings panel for Proposed District Plan Change G.
 2. To release the decision on confirmation of the appointment following notification to the commissioner.
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1. ISSUE

- 1.1 Officers seek approval from Council for the appointment of a non-listed commissioner.
- 1.2 The Council is preparing to schedule hearings for Proposed Plan Change G: Aokautere Urban Growth according to the process set out under the Resource Management Act 1991. The Council is planning to hold hearings in early December.

- 1.3 Officers recommend the appointment of an independent commissioner that is currently not on the schedule of Council appointed Hearings Commissioners.
- 1.4 The Delegations Manual sets out the appointment of non-listed commissioners under clause 3.4.12.:

"In the event a Commissioner is sought, who is not referred to in the schedule of Council appointed external Hearings Commissioners, the appointment and assignment will be made by the Council".

2. BACKGROUND

- 2.1 Mr David McMahon, Council's appointed hearings panel chair for District Plan Change Hearings 2022-2024, is comfortable with the recommendation of Ms McGarry. Sharon McGarry is considered to hold the skills and experience required to assist in decision-making for Proposed Plan Change G.
- 2.2 Ms McGarry has extensive hearings experience and is experienced with environmental planning, consents and compliance monitoring. She has a science background, with experience in discharges, freshwater, and stormwater matters. This experience is necessary for effective hearing of submitter issues and examination of expert evidence for the key issues related to Aokautere's urban growth.
- 2.3 Ms McGarry's CV is attached.
- 2.4 Ms McGarry has confirmed she is willing and able to attend hearings for Proposed Plan Change G.

3. NEXT STEPS

- 3.1. If the recommendations are adopted, Sharon McGarry will be formally advised of the appointment and assignment as a commissioner on the hearings panel for Proposed Plan Change G: Aokautere Urban Growth.
- 3.1 The composition of the remaining members of the hearing panel for Proposed Plan Change G will be determined according to the usual assignment process set out in the Delegations Manual.

4. COMPLIANCE AND ADMINISTRATION

Does the Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in City Growth	
The action is: Not applicable.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The appointment of commissioners with experience in the resource management issues related to Proposed Plan Change G will provide greater effectiveness in the assessment decision-making of submissions and evidence presented.

ATTACHMENTS

1. CV Sharon McGarry