

CONFIDENTIAL MEMORANDUM

TO: Council

MEETING DATE: 25 February 2019

TITLE: Notice of Requirement for Te Ahu a Tūranga - Manawatū Tararua Highway: Appointment of Commissioners

DATE: 4 February 2019

PRESENTED BY: David Murphy, City Planning Manager, Strategy and Planning
John Annabell, Legal Counsel, Strategy and Planning

APPROVED BY: Sheryl Bryant, General Manager - Strategy & Planning

REASON FOR CONFIDENTIALITY

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

s7(2)(a) Privacy

RECOMMENDATION(S) TO COUNCIL

1. That with regard to the Council resolutions made on 26 November 2018, tikanga Māori experts Miria Pomare and Rawiri Faulkner be added to the existing list of Commissioners appointed for the Notice of Requirement for Te Ahu a Tūranga – Manawatū Tararua Highway.
 2. That in the event that any Commissioner formally assigned to a Hearings Panel for the Notice of Requirement for the Te Ahu a Tūranga – Manawatū Tararua Highway becomes unavailable and a replacement within the same expert area is also unavailable (i) if the hearing has not commenced, the Hearings Panel may continue without the unavailable Commissioner or an alternative Commissioner with a different expert area may be assigned, and (ii) if the hearing has commenced, the Hearings Panel may continue without the unavailable Commissioner.
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1. ISSUE

Palmerston North City Council, along with Manawatū District Council and Tararua District Council, passed a series of resolutions in November 2018 regarding the joint processing and appointment of Commissioners for the Notice of Requirement for Te Ahu a Tūranga – Manawatū Tararua Highway.

Due to changing circumstances and the unavailability of some Commissioners, it is recommended that an additional two Commissioners with expertise in tikanga Māori be added to the existing list of Commissioners appointed for the Notice of Requirement for Te Ahu a Tūranga – Manawatū Tararua Highway.

2. BACKGROUND

Four Commissioners from the existing list of Commissioners were formally assigned for the hearing, including one Commissioner with expertise in tikanga Māori.

The Hearings Panel released its first minute on 28 January 2019. This minute confirmed a 25 March 2019 start date for the hearing, which is earlier than the three councils had previously anticipated.

Two of the four Commissioners assigned for the hearing, the planner and tikanga Māori Commissioners, were unavailable for a hearing starting 25 March 2019. The planner was replaced with another planner from the existing list. The alternative tikanga Māori Commissioner was also unavailable for a 25 March 2019 hearing.

It is therefore recommended that Miria Pomare and Rawiri Faulkner be added to the existing list of Commissioners appointed for the Notice of Requirement for Te Ahu a Tūranga – Manawatū Tararua Highway. A copy of their bio / profile statement is attached.

Given the pending Hearing date, recommendation 2 of this memorandum provides additional flexibility to the three councils should a Commissioner assigned to the Hearings Panel become unavailable.

3. NEXT STEPS

The Council officers with the existing delegations approved in November 2018 formally assign a replacement tikanga Māori Commissioner. Miria Pomare is the preferred replacement. At the time of writing this report Rawiri Faulkner was available should Miria become unavailable.

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 and Enabling Council	
The recommendations contribute to the outcomes of the Driven and Enabling Council Strategy	
The recommendations contribute to the achievement of action/actions in a plan under the Driven and Enabling Council Strategy	
Contribution to strategic direction	Efficient decision making.

ATTACHMENTS

1. Miria Pomare Bio
2. Rawiri Faulker Profile

