

CONFIDENTIAL MEMORANDUM

TO: Council

MEETING DATE: 28 October 2020

TITLE: Resource Management Act Commissioner Appointments - 2020-2023

PRESENTED BY: Desiree Harvey - Legal Counsel

APPROVED BY: David Murphy, Acting General Manager - Strategy and Planning

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 Report and Schedule be released upon notification to the applicants, which will be as soon as possible and within a week of the date of this Meeting.

RECOMMENDATIONS TO COUNCIL

- 1. To receive the report titled "Resource Management Act Commissioner Appointments - 2020- 2023", dated 28 October 2020.**
- 2. That the persons listed on the Resource Management Act Commissioner Schedule 2020-2023 (attachment 1) be approved as Independent Hearings Commissioners under the Resource Management Act 1991, and that the Commissioners shall have the powers and responsibilities as delegated by the Council to Commissioners.**
- 3. That the term of appointment for each external commissioner commence immediately to conclude on 31 December 2023, or earlier upon review of the Resource Management Act Commissioner Schedule prior to expiry of the term.**
- 4. That the names of Commissioners appointed to the Resource Management Act Commissioner Schedule 2020-2023 be made public once the appointments have been confirmed by the Council and applicants have been advised of the outcome of the process.**
- 5. That it be noted that a separate report will be put to Council to address the composition of panels for District Plan review hearings, including the appointment of a**

Chairperson from the Resource Management Act Commissioner Schedule.

1. ISSUE

1.1 The Resource Management Act (RMA) Commissioner Schedule for the period 2017-2020 is due to expire. Council approved the manner for review described in the memorandum titled “Resource Management Commissioner Schedule” on 26 August 2020.

2. BACKGROUND

2.1 The review was undertaken with 20 applications received. The Selection panel (comprising of the Chairperson of Hearings Committee, Chairperson of the Planning and Strategy Committee, Head of Planning Services, City Planning Manager and the Legal Counsel), met to discuss the applications and have recommended 14 applicants to be included in the RMA Commissioner Schedule for the period ending at 31 December 2023.

2.2 Officers advertised in particular seeking commissioners with tikanga knowledge and/or those interested in participating as Chair or Deputy Chair of District Plan hearings, canvassed current commissioners, and approached commissioners active regionally.

2.3 The appointed selection panel of Chairperson of the Hearings Committee, the Chairperson Planning and Strategy Committee, Legal Counsel, City Planning Manager and Head of Planning Services has met, considering applicant accreditation status and suitability. The panel’s recommendations for appointment are set out in the attachment.

3. NEXT STEPS

3.1 Council appoint the individuals on the attached RMA Commissioner Schedule, and the applicants are notified as soon as possible.

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?		No
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 Not Applicable		
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The approval of a skilled Independent Hearings Commissioner list provides Council with the ability to appoint external Commissioners in an efficient manner.	

ATTACHMENTS

1. PNCC RMA Commissioner Schedule - 2020-2023