

Mayor and Councillors
COUNCIL

13 APRIL 2017

Meeting Status: **Public**

Purpose of Report: For Decision

**PROPOSED DISTRICT PLAN (PDP) COMMISSIONERS
DELEGATION EXTENSION**

PURPOSE OF REPORT

- 1 This report proposes the extension of the Hearing Commissioners delegation until 30 June 2017.

DELEGATION

- 2 Only Council has the authority to consider this matter.

BACKGROUND

- 3 In December 2015 the Elected Member hearing commissioners Cr Diane Ammundsen and Cr Mike Cardiff had their term as hearing commissioners extended until 23 December 2016, to provide contingency should PDP hearings and recommendations have to be considered post-election. In September 2016 this period was extended again, to 30 April 2017, for Diane Ammundsen and Cr Mike Cardiff (as independent hearing commissioners). The appointments of the independent Commissioners Alistair Aburn, David McMahon and Miria Pomare did not have an end date specified at their appointment.
- 4 PDP hearings are now expected to extend and the panel's recommendations have to be considered beyond 30 April 2017. Therefore Council is asked to extend Diane Ammundsen and Councillor Mike Cardiff's term again to 30 June 2017.

ISSUES AND OPTIONS

Issues

- 5 The delegations for Council's resource management powers are under section 34A of the Resource Management Act 1991. Section 34A(1) of the RMA provides that Council *may delegate to a ... hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any of its functions, powers or duties under this Act, except the following:*
 - a) *the approval of a policy statement or plan...;*
 - b) *the power of delegation*
- 6 Section 34A(2) of the RMA provides that:
 - (2) *A local authority may delegate to any other person any functions, powers, or duties under this Act except the following:*

- a) *the powers in subsection (1)(a) and (b)*
- b) *the decision on an application for a resource consent*
- c) *the making of a recommendation on a requirement for a designation*

CONSIDERATIONS

Policy considerations

7 There are no policy considerations.

Legal considerations

8 There are no legal considerations.

Financial considerations

9 The Hearing Commissioners are remunerated. There is sufficient budget to meet those costs.

Tāngata whenua considerations

10 There are no Tāngata whenua considerations.

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

11 This matter has a low level of significance under Council policy.

Engagement planning

12 An engagement plan is not needed to implement this decision.

Publicity

13 The decisions will be posted to the Council website.

RECOMMENDATIONS

14 That Council extends the appointments of:

- (i) Diane Ammundsen as Independent Hearing Commissioner and
- (ii) Councillor Mike Cardiff as Elected Member Hearing Commissioner

for the Proposed District Plan hearings until 30 June 2017.

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