

Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee

NOTICE IS GIVEN

that the inaugural meeting of the **Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee** will be held in the **Wairoa Room, Bay of Plenty Regional Council, First Avenue, Tauranga** on:

Monday, 4 March 2019 commencing at 9.30 am.

Fiona McTavish
Chief Executive
22 February 2019



Public Forum

1. A period of up to 15 minutes may be set aside near the beginning of the meeting to enable members of the public to make statements about any matter on the agenda of that meeting which is open to the public, but excluding any matter on which comment could prejudice any specified statutory process the council is required to follow.
2. The time allowed for each speaker will normally be up to 5 minutes but will be up to the discretion of the chair. A maximum of 3 public participants will be allowed per meeting.
3. No statements by public participants to the Council shall be allowed unless a written, electronic or oral application has been received by the Chief Executive (Governance Team) by 12.00 noon of the working day prior to the meeting and the Chair's approval has subsequently been obtained. The application shall include the following:
 - name of participant;
 - organisation represented (if any);
 - meeting at which they wish to participate; and matter on the agenda to be addressed.
4. Members of the meeting may put questions to any public participants, relevant to the matter being raised through the chair. Any questions must be asked and answered within the time period given to a public participant. The chair shall determine the number of questions.

Membership

Chairperson:	To be appointed
Deputy Chairperson:	To be appointed
Councillors:	M McDonald, J Nees, P Thompson, A von Dadelszen
Committee Advisor:	S Kameta

Recommendations in reports are not to be construed as Council policy until adopted by Council.

Agenda

- 1 Apologies**
- 2 Public Forum**
- 3 Acceptance of Late Items**
- 4 General Business**
- 5 Declarations of Conflicts of Interests**
- 6 Reports**
 - 6.1 Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee Terms of Reference** **9**
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- 7 Consideration of General Business**

Reports



Report To: Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee

Meeting Date: 04 March 2019

Report From: James Low, Team Leader Policy (Freshwater)

Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee Terms of Reference

Executive Summary

The Regional Direction and Delivery Committee established a Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee at its meeting on 19 February 2019 to consider the scope of mediation and resolution of Environment Court appeals on Proposed Plan Change 9. The Subcommittee is required to appoint a Chair and Deputy Chair and approve its Terms of Reference.

Recommendations

That the Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee:

- 1 Receives the report, Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee Terms of Reference;**
- 2 Appoints Cr _____ as Chair and Cr _____ as Deputy Chair of the Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee.**
- 3 Approves the Terms of Reference for the Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee.**

1 Background

The Regional Direction and Delivery (RDD) Committee received an update report on appeals to Region-wide Water Quantity Proposed Plan Change 9. As a result the Committee resolved to establish a subcommittee of the Regional Direction and Delivery Committee to consider the scope of mediation and resolution of Environment Court appeals on Proposed Plan Change 9.

2 Statutory Requirements

The Regional Direction and Delivery Committee has the power to appoint a subcommittee under Schedule 7 section 30(2) of the Local Government Act 2002.

3 Terms of Reference

Councillors: von Dadelszen; Nees; McDonald and Thompson, being Councillors with RMA Commissioner accreditation, were appointed to the Subcommittee by the Regional Direction and Delivery Committee. The Subcommittee is required to consider amend as necessary and approve its Terms of Reference (Appendix 1) and appoint a Chair and Deputy Chair for the duration of the Subcommittee.

4 Budget Implications

4.1 Current Year Budget

Provision has been made in the Regional Planning activity for costs associated with resolving appeals to the Proposed Plan Change 9.

4.2 Future Budget Implications

The current Long Term Plan budget for 2018/19 is considered sufficient to resolve appeals.

5 Community Outcomes

The establishment of a subcommittee directly contributes to the Freshwater for Life Community Outcome in the Council's Long Term Plan 2018-2028.

Yvonne Tatton
Governance Manager

for Team Leader Policy (Freshwater)

22 February 2019

APPENDIX 1

Terms of Reference -Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee

Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee - Terms of Reference

Delegated Function

The Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee was established by the Regional Direction and Delivery Committee 19 February 2019 for the purpose of guiding the resolution of Environment Court appeals on the Region-wide Water Quantity Proposed Plan Change 9.

Membership

Four Councillors with RMA Commissioner Accreditation.

Quorum

In accordance with Council standing order 10.2, the quorum at a meeting of the subcommittee is not fewer than two members of the subcommittee.

Term of the Committee

For the duration of Environment Court Appeals on Region-wide Water Quantity Proposed Bay of Plenty Regional Plan Change 9 unless discharged earlier by the Regional Direction and Delivery Committee.

Specific Responsibilities and Delegated Authority

The Region-wide Water Quantity Plan Change 9 Appeals Subcommittee is delegated the power of authority to:

- Guide the resolution of Environment Court appeals on Region-wide Water Quantity Proposed Plan Change 9.

Note:

- *Council has delegated the authority to resolve appeals to regional plans to the Chief Executive. She has in turn delegated her authority to the Freshwater Policy Team Leader to negotiate and resolve appeals in a manner that is consistent with direction received from the Subcommittee. For the avoidance of doubt, this shall include Senior Planning staff, on behalf of the Freshwater Policy Team Leader, resolving appeals consistent with direction received from the Subcommittee.*

