

# Plan Change 13 (Air Quality) Appeals Subcommittee

## **NOTICE IS GIVEN**

that the next meeting of the **Plan Change 13 (Air Quality) Appeals Subcommittee** will be held in **Mauao Room 1, Bay of Plenty Regional Council, 87 First Avenue, Tauranga** on:

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**Thursday, 16 January 2020 commencing at 9.30 am.**

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Fiona McTavish  
Chief Executive  
13 January 2020





# Proposed Plan Change 13 (Air Quality) Appeals Subcommittee

## Membership

<b>Chairperson</b>	Cr Andrew von Dadelszen
<b>Member</b> All members must hold current RMA Commissioner Accreditation	Cr Matemoana McDonald
<b>Quorum</b>	Two members, consisting of the number of members
<b>Meeting frequency</b>	As required

## Purpose and Role

To guide the resolution of any Environment Court appeals on Proposed Plan Change 13 to the Regional Natural Resources Plan.

## Power to Act

- To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed for the duration of Environment Court Appeals on Proposed Plan Change 13 to the Regional Natural Resources Plan unless discharged earlier by the Strategy and Policy Committee.
- The Chief Executive has delegated the authority to resolve Environment Court appeals on Proposed Plan Change 13 to the Regional Natural Resources Plan to, subject to the direction of the Appeals Subcommittee. The Chief Executive has delegated the authority to staff according to the Chief Executive Delegations Manual, subject to the direction of the Appeals Subcommittee and Council's legal advisors. For the avoidance of doubt, this shall include senior planning staff resolving appeals consistent with direction received from the Appeals Subcommittee.
- The Strategy and Policy Committee Chair has delegated authority to appoint replacement members to the Appeals Subcommittee if necessary.

## Power to Recommend

Proposed Plan Change 13 (Air Quality) Appeals Subcommittee recommends and reports to the Strategy and Policy Committee.



## 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

<b>Chairperson:</b>	A von Dadelszen
<b>Councillors:</b>	M McDonald
<b>Committee Advisor:</b>	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 Confidential Business to be Transferred into the Open**
- 6 Declarations of Conflicts of Interests**
- 7 Public Excluded Section 9**

**Resolution to exclude the public**

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

**The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

<b>General Subject of Matter to be Considered</b>	<b>Reason for passing this resolution in relation to this matter</b>	<b>Grounds under Section 48(1) LGOIMA 1987 for passing this resolution</b>
<b>7.1 Plan Change 13 (Air Quality) Updated Direction on Appeal Points for Mediation</b>	<b>To maintain legal professional privilege</b>	<b>To deliberate in private, Council's decision where a right of appeal lies before the Court</b>

<b>7.1 Plan Change 13 (Air Quality) Updated Direction on Appeal Points for Mediation</b>	<b>11</b>
APPENDIX 1 - Proposed Plan Change 13 Version 9.2 track changes - 5 December 2019	29
<b>8 Confidential Business to be Transferred into the Open</b>	
<b>9 Readmit the Public</b>	
<b>10 Consideration of Late Items</b>	
<b>11 Consideration of General Business</b>	