

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

## **NOTICE IS GIVEN**

that the next meeting of the **Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee** will be held in **Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga** on:

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**Wednesday, 5 February 2020 commencing at 9.30 AM**

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Fiona McTavish  
Chief Executive  
28 January 2020





# Proposed Plan Change 9 (Region-wide Water Quantity) Appeals Subcommittee

## Membership

<b>Chairperson</b>	Cr Jane Nees
<b>Deputy Chairperson</b>	Cr Paula Thompson
<b>Members</b> All members must hold current RMA Commissioner Accreditation	Cr Matemoana McDonald
<b>Quorum</b>	Two members, consisting more than half the number of members
<b>Meeting frequency</b>	As required

## Purpose and Role

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

## Power to Act

To make all decisions necessary to fulfil the role and scope of the Subcommittee, subject to the limitations imposed 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 Strategy and Policy Committee.

## Power to Recommend

Proposed Plan Change 9 (Region-wide Water Quantity) Appeals Subcommittee recommends and reports to the Strategy and Policy Committee.

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.



## 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.



# Agenda

- 1 Apologies
- 2 Public Forum
- 3 Acceptance of Late Items
- 4 General Business
- 5 Declarations of Conflicts of Interests
- 6 Previous Minutes
- 6.1 Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee Minutes - 04 March 2019 – For information 9
- 7 Public Excluded Section 13

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:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
<p>8.1 Region-wide Water Quantity Proposed Plan Change 9 Mediation Outcome Decisions</p> <p><u>Note: This report will be circulated under separate cover.</u></p>	<p>To deliberate in private, Council's decision where a right of appeal lies.</p>	<p>Good reason for withholding exists under Section 48(1)(a)</p>

- 8 Confidential Business to be Transferred into the Open
- 9 Readmit the public
- 10 Consideration of Late Items
- 11 Consideration of General Business





# Previous Minutes



# **Minutes of the Region-wide Water Quantity - Proposed Plan Change 9 Appeals Subcommittee Meeting held in the Wairoa Room, Bay of Plenty Regional Council, First Avenue, Tauranga on Monday, 4 March 2019 commencing at 9.33 a.m.**

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## **Present:**

**Councillors:** Paula Thompson, Jane Nees, Andrew von Dadelszen, Matemoana McDonald

**In Attendance:** James Low – Team Leader Policy (Freshwater), Glenys Kroon – Senior Policy Analyst (Water Policy), Sue Simpson – Planning Coordinator, Shari Kameta – Committee Advisor

**Apologies:** Nil

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## **1 Apologies**

Nil

## **2 Public Forum**

Nil

## **3 Acceptance of Late Items**

Nil

## **4 General Business**

Nil

## **5 Declaration of conflicts of interest**

Nil

## **6 Reports**

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

The report sought the Subcommittee appoint a Chair and Deputy Chair and approve its Terms of Reference. Committee Advisor Shari Kameta advised the Subcommittee they would be required to select a voting system for appointing a Chair and Deputy Chair, prior to calling for nominations.

### **Resolved**

**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.**

**von Dadelszen/Nees  
CARRIED**

- 2 Selects Voting System B as the voting system for appointment of the Subcommittee Chair and Deputy Chair**

**von Dadelszen/Nees  
CARRIED**

**Appointment of Subcommittee Chair**

Committee Advisor Shari Kameta called for nominations.

- a) Cr Paula Thompson nominated Cr Jane Nees and Cr Andrew von Dadelszen seconded the nomination.

As no further nominations were received, Ms Kameta put the nomination to a vote, which was unanimously supported by members. Cr Jane Nees was duly declared the Chair and assumed the chair.

**Appointment of Subcommittee Deputy Chair**

Subcommittee Chair Jane Nees called for nominations.

- b) Cr Jane Nees nominated Cr Paula Thompson and Cr Andrew von Dadelszen seconded the nomination.

As no further nominations were received, the Chair put the nomination to a vote, which was unanimously supported by members. The Chair duly declared Cr Thompson as the Subcommittee Deputy Chair.

**Resolved**

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

- 3 Appoints Cr Janes Nees as Chair and Cr Paula Thompson as Deputy Chair of the Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee.**

**von Dadelszen/McDonald  
CARRIED**

- 4 Approves the Terms of Reference for the Region-wide Water Quantity Proposed Plan Change 9 Appeals Subcommittee.**

**von Dadelszen/Thompson  
CARRIED**

**The meeting closed at 9:39 am.**

CONFIRMED 3 October 2019

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Councillor Jane Nees  
Chairperson

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Fiona McTavish  
Chief Executive

