

Regional Coastal Environment Plan Appeals Subcommittee

NOTICE IS GIVEN

that the next meeting of the **Regional Coastal Environment Plan Appeals Subcommittee** will be held in **Wairoa Room, Bay of Plenty Regional Council, First Avenue, Tauranga** on:

Thursday, 8 March 2018 commencing at 1.00pm.

Mary-Anne Macleod
Chief Executive
28 February 2018



Regional Coastal Environment Plan Appeals Subcommittee Terms of Reference

Delegated Function

The Regional Coastal Environment Plan Appeals Subcommittee, was established by the Regional Direction and Delivery Committee on 20 August 2015, for the purpose of guiding the resolution of Environment Court appeals on the Proposed Bay of Plenty Regional Coastal Environment Plan.

Membership

Three councillors.

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 the Proposed Bay of Plenty Regional Coastal Environment Plan, unless discharged earlier by the Regional Direction and Delivery Committee.

Meeting frequency

As required.

Specific Responsibilities and Delegated Authority

The Regional Coastal Environment Plan Appeals Subcommittee is delegated the power of authority to guide the resolution of Environment Court appeals on the Proposed Bay of Plenty Regional Coastal Environment Plan.

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 General Manager Strategy and Science, Regional Integrated Planning Manager and Senior Planner, to negotiate and resolve appeals in a manner that is consistent with direction received from the Subcommittee.

Membership

Chairperson:	P Thompson
Deputy Chairperson:	J Nees
Councillors:	J Cronin
Committee Advisor:	J Durham

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 Previous Minutes**
- 6.1 Regional Coastal Environment Plan Appeals Subcommittee minutes -
20 November 2017** **9**
- 7 Public Excluded Section** **11**

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
7.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 20 November 2017	Please refer to the relevant clause in the open meeting minutes.	Good reason for withholding exists under Section 48(1)(a).
7.2 Regional Coastal Environment Plan Appeals Update - March 2018	Withholding of the information is necessary to maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).

7.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 20 November 2017	13
7.2 Regional Coastal Environment Plan Appeals Update - March 2018	17
APPENDIX 1 - Cooney Lees Morgan - Memorandum regarding when the Proposed Plan can be made operative	29
APPENDIX 2 - Amended wording produced by MRMT during marine spatial planning hearing	37
APPENDIX 3 - Amended map produced by MRMT during marine spatial planning hearing	49
8 Confidential business to be transferred into the open	
9 Readmit the public	
10 Consideration of General Business	

Previous Minutes

Minutes of the Regional Coastal Environment Plan Appeals Subcommittee Meeting held in Waikareao Room, Bay of Plenty Regional Council offices First Ave, Level 1, 87 First Avenue, Tauranga on Monday, 20 November 2017 commencing at 1.36 p.m.

Present:

Chairman: P Thompson

Councillors: J Nees, J Cronin

In Attendance: D Phizacklea (Regional Integrated Planning Manager), Y Tatton (Governance Manager), J Noble (Senior Planner RIN), J Durham (Committee Advisor)

M Hill (Legal Counsel, Cooney Lees Morgan)

Apologies: Nil

1 Apologies

Nil.

2 General Business and Tabled Items

2.1 General Business

Nil.

2.2 Tabled Items

The following replacement document was tabled to replace incorrect documentation that had been included in the agenda:

- 1 Public Excluded Agenda Item 6.2** – Appendix 1 – Judgment (No 2) of Whata J (refer Tabled Document Number 1)

Resolved

That the Regional Coastal Environment Plan Appeals Subcommittee:

Pursuant to section 46A of the Local Government Official Information and Meetings Act 1987, considers the following tabled item as the meeting:

Tabled document 1	Appendix 1 to Agenda Item 6.2	Item 1	Judgment (No 2) of Whata J
------------------------------	--	-------------------	---------------------------------------

**Thompson/Nees
CARRIED**

3 **Public Forum**

Nil.

4 **Declaration of conflicts of interest**

Nil.

5 **Previous Minutes**

5.1 **Regional Coastal Environment Plan Appeals Subcommittee minutes - 30 August 2017**

Resolved

That the Regional Coastal Environment Plan Appeals Subcommittee:

- 1 Confirms the Regional Coastal Environment Plan Appeals Subcommittee minutes - 30 August 2017 as a true and correct record.

Nees/Cronin
CARRIED

6 **Public Excluded Section**

Resolved

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
6.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 30 August 2017	Maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).
6.2 Regional Coastal Environment Plan Appeals Update - November 2017	Maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).

Thompson/Nees
CARRIED

The meeting closed at 2.19pm.