

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 **Waikareao Room, Bay of Plenty Regional Council Building, Level 1, 87 First Avenue, Tauranga** on:

Wednesday, 6 June 2018 commencing at 1.00 pm.

Mary-Anne Macleod
Chief Executive
29 May 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.

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: | P Thompson |
| Deputy Chairperson: | J Nees |
| Councillors: | J Cronin |
| Committee Advisor: | M Pansegrouw |

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 Previous Minutes**
- 7.1 2018-05-02 Regional Coastal Environment Plan Appeals
Subcommittee minutes - 02 May 2018 11**
- 8 Public Excluded Section 15**

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 | Reason for passing this resolution in relation to this | Grounds under Section 48(1) LGOIMA 1987 for |
|------------------------------|--|---|
|------------------------------|--|---|

| be Considered | matter | passing this resolution |
|--|---|--|
| 9.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 02 May 2018 | Good reason for withholding exists under Section 48(1)(a) | To maintain legal professional privilege |
| 10.1 Update on Proposed Regional Coastal Environment Plan appeals - June 2018 | Good reason for withholding exists under Section 48(1)(a) | To maintain legal professional privilege |

9 Previous Minutes

| | |
|---|-----------|
| 9.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 02 May 2018 | 17 |
|---|-----------|

10 Reports

| | |
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| 10.1 Update on Proposed Regional Coastal Environment Plan Appeals - June 2018 | 21 |
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APPENDIX 1 - Joint proposal on Natural Heritage amendments

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APPENDIX 2 - Report from BOPRC Legal Counsel on Interim Decision on MRMT Appeal (Marine Spatial Planning topic)

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11 Confidential Business to be Transferred into the Open

12 Readmit the Public

13 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 Building, Level 1, 87 First Avenue, Tauranga on Wednesday, 2 May 2018 commencing at 1.11 p.m.

Present:

Chairman: P Thompson

Deputy Chairman: J Nees

Councillors: J Cronin

In Attendance: D Phizacklea (Regional Integrated Planning Manager), J Noble (Senior Planner, RIN), M Akurangi (Senior Planner, RIN), J Durham (Committee Advisor)
M Hill (Legal Counsel, Cooney Lees Morgan)

Apologies: Nil

1 Apologies

Nil

2 Public Forum

Nil

3 Acceptance of Late Items

Nil

4 General Business and Tabled Items

Resolved

That pursuant to section 46A of the Local Government Official Information and Meetings Act 1987, the Regional Coastal Environment Plan Appeals Subcommittee, considers the following tabled item at the meeting:

| | | | |
|-----------------------------|--|--|--|
| Tabled document 1 | Proposed Joint Proposal for Final Approval – 2 May 2018 | Public Excluded Agenda Item 10.1 | Update on Proposed Regional Coastal Environment Plan appeals – April 2018 |
|-----------------------------|--|--|--|

Thompson/Cronin
CARRIED

5 **Confidential Business to be transferred into the open**

Nil

6 **Declaration of Conflicts of Interest**

Nil

7 **Previous Minutes**

7.1 **Regional Coastal Environment Plan Appeals Subcommittee minutes - 08 March 2018**

Resolved

That the Regional Coastal Environment Plan Appeals Subcommittee:

- 1 Confirmed the Regional Coastal Environment Plan Appeals Subcommittee minutes - 08 March 2018 as a true and correct record.

Thompson/Nees
CARRIED

8 **Public Excluded Section**

Resolution to exclude the public

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| 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 |
|---|---|---|
| 9.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes – 8 March 2018 | Good reason for withholding exists under Section 48(1)(a). | To maintain legal professional privilege. |
| 10.1 Update on Proposed Regional Coastal Environment Plan appeals – April 2018 | Good reason for withholding exists under Section 48(1)(a). | To maintain legal professional privilege. |

Thompson/Nees
CARRIED

9 **Consideration of General Business**

Nil

The meeting closed at 1.58pm

Confirmed

Chair, Regional Coastal Environment Plan Appeals Subcommittee

Date

