

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 Meeting Room, Bay of Plenty Regional Council, 87 First Avenue, Tauranga** on:

Tuesday, 27 June 2017 commencing at 10.30 am.

Morning tea will be available at 10 am prior to the commencement of the meeting at 10.30 am.

Mary-Anne Macleod
Chief Executive
19 June 2017



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: | N Moore |

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

Agenda

1 Apologies

2 General Business and Tabled Items

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be delayed until a subsequent meeting.

3 Public Forum

4 Declarations of Conflicts of Interests

5 Previous Minutes

5.1 Regional Coastal Environment Plan Appeals Subcommittee minutes - 27 February 2017 9

6 Reports

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:

7.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 27 February 2017 15

Grounds

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Reason

Please refer to the relevant clause in the minutes.

7.2 Proposed Regional Coastal Environment Plan Appeals Update - June 2017 19

Grounds

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Reason

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to maintain legal professional privilege.

APPENDIX 1 - Final Environment Court decision on Mangrove Management [2017] NZEnvC 54 27

APPENDIX 2 - Interim Environment Court decision on Natural Heritage [2017] NZEnvC 45 49

APPENDIX 3 - Interim Environment Court decision on Iwi Resource Management [2017] NZEnvC 72 85

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 Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Monday, 27 February 2017 commencing at 12.30 pm.

Present:

Chairperson: P Thompson

Deputy Chairperson: J Nees

Councillors: J Cronin

In Attendance: D Phizacklea (Regional Integrated Planning Manager), J Noble (Senior Planner), N Moore (Committee Advisor), D Llewellyn (Legal Specialist), R Boyte (Legal Counsel, Cooney Lees Morgan)

1 Tabled Item

The following item was tabled for consideration:

- 1 Matakana Island appeals topic

Resolved

That the Regional Coastal Environment Plan Appeals Subcommittee under its delegated authority:

- 1 Under section 46A of the Local Government Official Information and Meetings Act 1987, receives and considers Tabled Document 1 in public excluded, as part of Agenda Item 7.2.

Thompson/Cronin
CARRIED

2 Declaration of conflicts of interest

There were no conflicts of interest declared.

3 Regional Coastal Environment Plan Appeals Subcommittee minutes - 9 December 2016

Resolved

That the Regional Coastal Environment Plan Appeals Subcommittee under its delegated authority:

- 1 **Confirms the minutes of the Regional Coastal Environment Plan Appeals Subcommittee meeting held on 9 December 2016 as a true and correct record.**

Thompson/Nees
CARRIED

4 **Public Excluded Section**

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:

4.1 **Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes – 9 December 2016**

Grounds

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Reason

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to maintain legal professional privilege.

4.2 **Regional Coastal Environment Plan Appeals, February 2017 Update**

Grounds

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Reason

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to maintain legal professional privilege.

Thompson/Nees
CARRIED

The meeting closed at 1.55 pm.

Reports

