



Report 08.262
Date 17 April 2008
File E/06/02/04

Committee Council
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Resource Management Act Delegations

1. Purpose

To seek Council's approval of a proposed amendment to the delegations to the Chairperson of the Regulatory Committee and a new delegation to commissioners appointed by the Regulatory Committee or Chairperson of the Regulatory Committee to hear and decide on resource consent applications.

2. Significance of the decision

The matters for decision in this report **do not** trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

3. Background and comment

On 29 November 2007 the Council approved the terms of reference for its committees. Following a recent review of the current delegations to the Regulatory Committee, a small number of amendments are proposed to enhance the delegations framework. The following changes are proposed:

3.1 Proposed delegation to the Chairperson of the Regulatory Committee

The Council delegates to the Chairperson of the Regulatory Committee the authority to appoint appropriately qualified people to act as commissioners on behalf of the Council.

3.2 Proposed delegation to commissioners

Where a commissioner or a panel of commissioners is appointed by the Regulatory Committee or its chairperson to determine a particular matter, the Council delegates to that commissioner or panel of commissioners all those functions and powers that are provided to the Regulatory Committee under its Terms of Reference necessary to hear and decide on resource consent applications.

4. Communication

No external communications are required as an outcome of this report.

5. Recommendations

That the Council:

1. ***Receives the report.***
2. ***Notes the content of the report.***
3. ***Where a commissioner or a panel of commissioners is appointed by the Regulatory Committee or its chairperson to determine a particular matter, the Council delegates to that commissioner or panel of commissioners all those functions and powers that are provided to the Regulatory Committee under its Terms of Reference necessary to hear and decide on resource consent applications.***
4. ***Revokes the current delegations to the Chairperson of the Regulatory Committee.***
5. ***Delegates to the Chairperson of the Regulatory Committee, Cr Sally Baber, the following powers, which are to be exercised in consultation with the Divisional Manager, Environment Management:***
 - *The authority to appoint appropriately qualified people to act as commissioners on behalf of the Council.*
 - *The power to establish a hearing panel.*
 - *The power to choose, on a case-by-case basis, whether to conduct a hearing through a single commissioner, or a hearing panel.*
 - *The power to decide, on a case-by-case basis, the appropriate commissioner or composition of each hearing panel.*

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