



Report 07.740  
Date 7 November 2007  
File E/01/06/19

Committee Council  
Author Tim Henwood Policy Analyst

## Resource Consent Delegation

### 1. Purpose

To seek Council's approval of the delegation of its Resource Management Act 1991 responsibilities relating to resource consent hearing arrangements.

### 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

Council committees can exercise those powers, functions and duties that are set out in their Terms of Reference. Once the Council's committee structure is established, the Council will need to determine the powers that it wishes to delegate to its committees. In the meantime, there is a need to establish a resource consent delegation to enable hearing arrangements to be put in place without reference to full Council for decision.

### 4. Resource Consent delegation

There are a number of resource consent hearings required early in the new year. Therefore, there is the need to appoint hearing panels, commissioners or subcommittees for these hearings as soon as possible.

To enable these arrangements to proceed, officers recommend that the Council put in place a delegation to enable the chairperson of the Regulatory Committee to appoint resource consent hearing panels, commissioners or subcommittees in consultation with the Divisional Manager, Environment Management.

## 5. Recommendations

*That the Council:*

1. **Receives** the report.
2. **Notes** the content of the report.
3. **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 power to establish a hearing panel.
  - The power to establish a hearing subcommittee.
  - The power to choose, on a case-by-case basis, whether to conduct a hearing through a single commissioner, or a hearing panel, or a hearing subcommittee.
  - The power to decide, on a case-by-case basis, the appropriate commissioner or composition of each hearing panel or hearing subcommittee.
  - The power to delegate to hearing panels (the composition of which is to be determined on a case-by-case basis) the power to hear and decide on resource consent applications.
  - The power to delegate to a hearing subcommittee (the composition of which is to be determined on a case-by-case basis) the power to hear and decide on resource consent applications.
4. **Notes** that a further report, recommending specific delegations to Council committees, will be prepared for Council consideration at its meeting on 29 November 2007.

Report prepared by:

Report approved by:

Report approved by:

**Tim Henwood**  
Policy Analyst

**Francis Ryan**  
Manager Secretariat

**Jane Bradbury**  
Divisional Manager -  
Corporate and Strategy