

**RESOURCE MANAGEMENT COMMITTEE
SUPPLEMENTARY AGENDA**

**17 DECEMBER 1999
AT 1.00PM**

**4. PROCESS ISSUES SURROUNDING THE RESOLUTION
OF THE REFERENCES ON THE CITY PLAN**

RR 11225

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| Officer responsible Environmental Services Manager | Author Fiona Hill |
| Corporate Plan Output: City Plan | |

The purpose of this report is to recommend the establishment of procedures to resolve references on the City Plan.

BACKGROUND

The Committee will be aware that the Council has received copies of references on the City Plan. In total the Council has received references on 360 issues. Over the next year or two a considerable amount of staff time will be dedicated to the resolution of these references either by consent where possible or by the preparation of evidence for hearings at the Environment Court.

DELEGATIONS

Delegations on the responsibilities for authorising and considering consent orders on the proposed Plan have been established.

These delegations effectively mean that a subcommittee of any three member of the Resource Management Committee are authorised to resolve consent orders on the Council's behalf. The only exception to this being minor matters which can be authorised by any two or more identified planning staff.

PROPOSED PROCESS

The overall direction that the Council staff are proposing to take is to firstly consult with referrers. The outcome of this consultation will mean that references may be able to be agreed to by consent, negotiated, mediated or it may be obvious that a hearing is required to resolve the issue.

Following consultation with referrers the following suggestions are made for those references that maybe agreed to by consent, negotiated, or mediated and that fall within the delegations to the Resource Management Committee:

- Once consultation has been completed by planners on a specific issue a report will be drafted. This report will contain a summary of the matter being referred, an assessment and a recommendation. In some cases the recommendation will be on a specific course of action. An example would be where consultation with referrers in the case of a relatively minor matter results in a specific outcome. In more complex situations a report will be written to get a view from the subcommittee prior to entering into formal negotiations with referrers.

- This report will be presented at an agenda meeting of Officers and the Chairman consisting of Charles Manning, John Dryden, Ivan Thomson and Bob Nixon.
- Following this the report will be presented at a meeting of the subcommittee of the Resource Management Committee. The purpose of the meeting will be to obtain a clear resolution from the Resource Management Committee as to the action to be undertaken on this matter.
- Following a resolution being approved by the subcommittee staff will then action the resolution. This may mean the drafting of a consent order to be submitted to the Environment Court.

Along with the overall process there are some procedural issues that the Committee needs to be aware of:

- These meetings, according to legal advice, should be considered as being informal rather than a formal meeting of the Committee, the reason being that the Committee is not hearing the matter, they are settling an issue. Given this it is also not appropriate that referrers are able to speak to the Committee on these matters.
- The Committee may like to consider whether the subcommittee that is considering these matters consists of nominated members.

In order to allow staff to plan for future meetings to discuss issues it would assist staff if the Committee could make dates and times for the next 2-3 months.

Chairman's

Recommendation:

1. That the above process be adopted.
2. That the subcommittee comprise the full committee, of whom any three shall form a quorum.