



27. 10. 2004

REPORT OF THE GENERAL MANAGER CITY ENVIRONMENT

1. RECOVERED MATERIALS FOUNDATION (RMF) PROPOSAL – SOLID WASTE

Officer responsible General Manager City Environment	Author Ian Thomson, Solicitor – Legal Services, DDI 941-6343
--	--

At its meeting on 26 August 2004, the Council resolved that the RMF proposal in response to the Council's Request for Information 03/04-58 best meets the Council's objectives for waste minimisation and disposal and that the proposal be put out for public consultation pursuant to the Local Government Act 2002 (Section 83).

The Council also adopted the following timetable:

- Public notification – Wednesday 1 September 2004
- Submissions close – Wednesday 20 October 2004
- Hearings Panel appointed – Inaugural Council meeting
- Submissions heard – November 2004
- Final Council decision – by 10 December 2004

The Council resolved that to meet this timetable, the new Council appoint a Hearings Panel at its inaugural meeting to consider submissions on the proposal.

The RMF proposal was publicly notified and submissions closed on Wednesday 20 October 2004. It is therefore necessary for the Council to appoint a Hearings Panel to consider the submissions received. If a hearing can be held as soon as practicable in November 2004, it should be possible for a recommendation from the panel to be presented to the Council for a final decision to be made no later than 10 December 2004, the date referred to in the resolution of 26 August 2004.

In appointing the Hearings Panel, the Council has the following options:

- Option 1. Have a Hearings Panel that comprises all Councillors. Whilst this may result in the panel being able to make its decision immediately following the hearing of submissions, if that was appropriate, it is felt that the circumstances do not warrant this. To date, 16 submissions have been received. Two submitters wish to be heard in support of the proposal and one against it.
- Option 2. A panel of three Councillors. This should result in them reaching agreement on a recommendation to be put to the next Council meeting relatively quickly following the hearing of submissions. It is likely that only one hearing date will need to be set.

- Recommendation:**
1. That the Council appoint a Hearings Panel of three Councillors to consider submissions made in respect of the RMF proposal put out for public consultation.
 2. That this panel hear those submissions as soon as practicable in November 2004 and report its recommendation to the Council in time for a final decision to be made in respect of the proposal before 10 December 2004.