



**HURUNUI**  
*District Council*

# AGENDA

FOR AN ORDINARY MEETING OF THE:

**REGULATORY  
COMMITTEE**

TO BE HELD ON:

**THURSDAY 2 DECEMBER 2010  
COMMENCING AT 9.30 AM**

IN THE COUNCIL CHAMBERS, CARTERS RD., AMBERLEY

In Hurunui we live the lives the rest of the world would love to live

REGULATORY COMMITTEE

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**For the meeting timetable and order of business please refer to the back page fold-out.**

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**Committee Membership:**

Cr R Little (Chairperson)  
Mayor W Dalley  
Cr Marie Black  
Cr Russell Black  
Cr Gary Cooper  
Cr Vince Daly  
Cr Dick Davison  
Cr Jim Harré  
Cr Michael Malthus  
Cr Judith McKendry

**Quorum: no less than 5 members**

**REGULATORY COMMITTEE – 2 DECEMBER 2010**

<b>Time</b>	<b>Item</b>
9.30 am	Meeting commences.
10.00 am	Staff introductions
10.30 am	Morning tea.

<b>ITEM</b>	<b>ORDER OF BUSINESS</b>	<b>Pages</b>
	<ul style="list-style-type: none"> <li>• Apologies</li> <li>• Urgent Business</li> <li>• Conflict of Interest Declarations</li> <li>• Recording Device</li> </ul>	
<b>1</b>	<p><b>Administration:</b></p> <p>1.1 Environmental Services Work Plan update</p> <p>1.2 Meeting Schedule</p> <p>1.3 Committee Delegations to Officers</p> <p>1.4 Delegations - Composition of Hearing Panels</p>	<p>3 - 4</p> <p>5 – 22</p> <p>23 - 26</p>
<b>2</b>	<p><b>District Plan:</b></p> <p>2.1 Plan Change 23</p> <p>2.2 Plan Change 26</p>	<p>27 – 30</p> <p>31 - 33</p>
<b>3</b>	<p><b>Compliance:</b></p> <p>No reports</p>	

**HURUNUI***District Council***Meeting Date:**

2 December 2010

**REPORT TO:** Regulatory**SUBJECT:** Environmental Services Work plan update**REPORT BY:** Manager Environmental Services*J. m. Batchelor*

Signature:

Author  
Judith Batchelor

Manager

**Summary Report**

Attached for the Committee's information is the work plan for the Environmental Services team which highlights projects under action or projects that have been identified as needing resourcing. Each project identifies the timing and the lead officer involved in the project.

**Recommendation**

THAT THE INFORMATION BE RECEIVED.

**Environmental Services Project Planning – July 2010/ June 2011  
Updated November 2010**

**District Plan Changes/Investigation**

<b>Project</b>	<b>Timing</b>	<b>Lead Officers</b>
Plan Change 18 Frost Fan – Reverse Sensitivity	Appeal	Liz White
Plan Change 21 Waipara Oaks	Hearing	Helga Rigg
Plan Change 23 Urban Subdivision Review		Rachel McClung
Plan Change 24 St James Estate, Hanmer Springs	Current	Liz White
Plan Change 25 Business Industrial Zoning	Operative	
Plan Change 26 Conway Hills	Hearing	Jan Weaver
Plan Change 27 Dependent Dwelling Units	Notified	Helga Rigg
Plan Change 28 Apartment Living Hanmer Springs	Current	Helga Rigg
Subdivision Rural Review	Current	
Subdivision Coastal Management	Current	
Woodbank Road Subdivision Review	Current	
Hanmer car parking forward Strategy	Current	Jan Weaver



**HURUNUI**  
*District Council*

**Meeting Date:**

2 December 2010

**REPORT TO:** Regulatory

**SUBJECT:** Committee delegations to officers

**REPORT BY:** Manager Environmental Services

*J. M. Batchelor*

Signature: Author Manager  
Judith Batchelor

**Summary Report**

The Environmental Services Committee had approved a number of delegations to Council officers to carry out duties under various sections of various Acts'. With the dissolution of the Environmental Services Committee, the Regulatory Committee needs to reconfirm the delegations.

**Recommendation**

THAT THE COMMITTEE AGREE TO AMMEND THE OFFICER DELEGATIONS IN THE POLICY MANUAL TO REFLECT THE CHANGE FROM THE ENVIRONMENTAL SERVICES COMMITTEE TO THE REGULATORY COMMITTEE AS SET OUT IN THE ATTACHED SCHEDULES.

## **BACKGROUND**

The Environmental Services Committee had approved a number of delegations to Council officers to carry out duties under various sections of various Acts'. With the dissolution of the Environmental Services Committee, the Regulatory Committee needs to reconfirm the delegations.

Attached to this report is a copy of the various delegations from the Council's Policy Manual with track changes showing where the words Environmental Services Committee has been replaced with Regulatory Committee. Under some of the delegations the position delegated to no longer exists so the delegations have also been updated to reflect those positions. This report does not propose to extend any of the existing delegations.

## **OPTIONS CONSIDERED**

### **Do Nothing**

Doing nothing will result in Council officers not having any delegated approval to carry out normal functions that the relevant Act's provide and anticipate will be carried out by officers. Under this option many decisions would have to be referred to the Committee for determination. As it is proposed that the Committee meet between 4 and 6 times a year this would result in extensive time delays in decision making. This would have a significant impact on customer satisfaction.

### **1<sup>st</sup> Option - Approve the delegations**

This will allow officers to continue to make decisions where a level of officer delegation is appropriate. This would retain the status quo. Delegations in the resource management area require reporting to Councillors of decisions made under delegation. Where appropriate officers may bring reports to the Committee for determination instead of using the delegated authority.

Approving the delegations enables officers to ensure decisions are made within statutory timeframes and within the expectations of customers for efficient and timely decision making.

## **POLICY AND PLAN CONSIDERATIONS**

A copy of all Council delegations sit within the Councils Policy Manual. Council officers must ensure that any decisions made under the relevant Acts are in accordance with the relevant Act's provisions and that they have the appropriate delegation and that such delegation is exercised under the terms and conditions of that delegation.

Any changes to delegations must be considered and approved by the Regulatory Committee if it relates to the determination of matters under the Act's delegated to the Regulatory Committee.

## **SIGNIFICANCE**

The recommendation is not deemed significant.

## **MĀORI IMPLICATIONS**

Reference has been made to Te Poha o Tohu Raumatī (Te Rūnanga o Kaikōura's Environmental Management Plan) on this issue, and no implications for Māori have been identified.

**FINANCIAL CONSIDERATIONS**

The matter is provided for in the approved annual plan and is within budget.

**LEGAL CONSIDERATIONS**

Officers must ensure that they have the appropriate delegations before making decisions where the Act requires that officer to have delegated authority to make that decision. All the Act's falling within the Regulatory committee's jurisdiction provide for officers having delegation to make decisions.

**CONCLUSION**

After considering all issues, options and the known views of those affected, as well as giving consideration to the level of significance and the legal and financial implications, the conclusion / recommendation of this report is THAT THE COMMITTEE AGREE TO AMEND THE OFFICER DELEGATIONS IN THE POLICY MANUAL TO REFLECT THE CHANGE FROM THE ENVIRONMENTAL SERVICES COMMITTEE TO THE REGULATORY COMMITTEE AS SET OUT IN THE ATTACHED SCHEDULES.



## S1 Swimming and Spa Pool Fencing

### S1/1 Inspection and ongoing compliance monitoring

1. All applications for exemptions in terms of the Fencing of Swimming Pools Act 1987 are to be addressed to The Manager, Environmental Services Department and will be reported on to the ~~Environmental Services Committee~~ Regulatory Committee and be dealt with by resolution of that committee.
2. That owners of pools found to be non-complying subsequent to the 2 month follow up inspection be issued with a notice to rectify requiring the offending pools to remain drained of water to a level of 400mm or less. Either until the pool fencing complies with the Act or an exemption from the Act has been obtained.
3. Inspection Procedure Flowchart (appendix 2) be approved as a guide for dealing with existing pools.
4. That it be affirmed that prosecution proceedings may be undertaken against owners who's pool fencing fails to comply with the Act and who insist in continuing to use their pool despite the Act's requirement that the pool remain drained of water.
5. That Council delay assigning an on-going Monitoring Compliance Policy until March 1999 when accurate figures on the status of the District's pools is available.
6. That enforcement goals in future be included in the Annual Plan.
7. Fees for the ~~1998/99~~ pool inspection programme will be set in the Council's Schedule of Fees and Charges, ~~that the first inspection is free. Any further re-inspections will be charged at \$93.75 per inspection, the exception being a second inspection within two months that reveals all items of non-compliance have been rectified.~~
- ~~8.~~ That an application fee for special exemptions of \$100<sup>00</sup> be affirmed as per Building Dept's Schedule Of Fees. Formatted: Bullets and Numbering
- ~~9.~~8. Criteria of defining the immediate pool area be approved as per Appendix 1. Formatted: Bullets and Numbering
- ~~10.~~9. That a designated council officer be appointed to ensure that: Formatted: Bullets and Numbering
  - (a) The pool register is maintained accurately and a data base be established and maintained in both NCS Property Records and on a GIS layer.
  - (b) That pool register contain sub registers for exempted and non-complying pools.
- ~~11.~~10. That a Temporary Fencing Policy be approved as criteria set down in appendix 3 Formatted: Bullets and Numbering
- ~~12.~~11. That the three proposed alternative solutions be approved as acceptable solutions to satisfy both the Building Act 1991 and the Fencing Of Swimming Pools Act 1987. Formatted: Bullets and Numbering
  - (a) Where rails on the outside of the fence are spaced less than 900mm apart, fixing a fillet/plinth to the top side of the rails closer than 900mm, per the diagram in Appendix 5.
  - (b) Where sliding doors self-closing requirements are impossible or unreasonable, this requirement be substituted by locking device (height of 1.5 metres) that prevents the door from being opened by children under 6 years of age.
- ~~13.~~12. That windows opening directly onto the pool enclosure be fitted with opening restrictors (100mm opening max). Formatted: Bullets and Numbering

- | ~~14~~.13. That building officers be issued with warrants pursuant to Clause 4 Section 11 of the Fencing Of Swimming Pools Act 1987.

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*Environmental Services Committee 17 September 1998  
Council meeting 28 November 2002*

## **C1/1 Sale of Liquor Act 1998 – Delegations**

That pursuant to Section 104 of the Sale Of Liquor Act 1989, (that Act) the [Environmental Services](#) Regulatory Committee delegates the following powers, duties and discretions to the Secretary of the Hurunui District Licensing Agency (Resource and Regulatory Officers) as set out in the following schedule.

### Schedule 1

Determine any unopposed application for an On Licence pursuant to Section 12 of the Act.

Designate the whole or one or more parts of the premises as restricted or supervised areas pursuant to Section 14 (4) of the Act.

Pursuant to Section 14(5) of the act impose conditions relating to the following matters:

- The days on which and the hours during which liquor may be sold
- The provision of food for consumption on the premises or conveyance
- The sale and supply of low-alcohol beverages
- The provision of assistance with or information about alternative forms of transport from the licensed premises
- Any other matter aimed at promoting the responsible consumption of liquor
- The steps to be taken by the licensee to ensure that the provisions of this Act relating to the sale of liquor to prohibited persons are observed
- The designation of the whole or any part or parts of the premises or conveyance as a restricted area or supervised area
- The persons or types of persons to whom liquor may be sold or supplied

Pursuant to Section 16 of the Act determine an unopposed application for a variation or cancellation of conditions attached to a licence.

Pursuant to Section 18(2)(b) of the Act extend the period which an application to renew an On Licence may be accepted, providing that the extension must not be later than the date of expiry of the licence.

Grant an unopposed application to renew an On Licence pursuant to Section 21 of the Act.

Determine any application for a Temporary Authority in respect of an On Licence pursuant to Section 24 of the Act.

Determine any unopposed application for an Off Licence pursuant to Section 34 of the act.

Pursuant to Section 37(4) of the Act impose conditions relating to the following matters:

- The days on which and the hours during which liquor may be sold or delivered.
- The designation of the whole or any part or parts of the premises as a restricted area or a supervised area.
- The steps to be taken by the licensee to ensure that the provisions of the Act relating to the sale of liquor to prohibited persons are observed.

Pursuant to Section 37(6) of the Act impose a condition relating to the kind or kinds of liquor that may be sold or delivered pursuant to the licence.

Pursuant to Section 39 of the Act determine an unopposed application for a variation or cancellation of conditions attached to an Off Licence.

Pursuant to Section 41(2)(b) of the Act extend the period during which an application to renew an Off Licence may be accepted, provided that the extension must not be later than the date of expiry of the licence.

Grant an unopposed application to renew an Off Licence pursuant to Section 44 of the Act.

Determine any application for a Temporary Authority in respect of an Off Licence pursuant to Section 47 of the Act.

Impose conditions in respect of an Off Licence issued with a catering endorsement relating to the provisions on non-alcoholic refreshments and food pursuant to Section 51 of the Act.

Determine any unopposed application for a Club Licence pursuant to Section 58 of the Act.

Pursuant to Section 60(2) of the Act, on granting an application for a Club Licence, consider imposing conditions relating to the following matters:

- The days on which and the hours during which liquor may be sold.
- The provision of food for consumption on the premises.
- The sale and supply of low-alcohol beverages.
- The provision of assistance with or information about alternative forms of transport from the licensed premises.
- Any other matter aimed at the responsible consumption of liquor.
- The steps to be taken by the licensee to ensure that the provisions of this Act relating to the sale of liquor to prohibited persons are observed.
- The designation of the whole or any part or parts of the premises as a restricted area or supervised area.
- The persons or types of persons to whom liquor may be sold or supplied.

Pursuant to Section 60(3) of the Act, where the application for a Club Licence is made by or on behalf of an unincorporated association of persons to determine whether to impose a condition of the licence that the association become incorporated.

Pursuant to Section 62 of the Act determine an unopposed application for a variation or cancellation of conditions attached to a Club Licence.

Pursuant to Section 64(2)(b) of the Act extend the period during which an application to renew a Club Licence may be accepted, provided that the extension must not be later than the expiry of the licence.

Grant an unopposed application to renew a Club Licence pursuant to Section 67 of the Act.

Consider and determine any application for a Special Licence pursuant to Section 79 of the Act.

Pursuant to Section 80 of the Act, when granting a Special Licence, impose conditions relating to the following matters:

- The days on which and the hours during which liquor may be sold.
- The provision of food for consumption on the premises or conveyance.
- The designation of the whole or any part or parts of the premises or conveyance as a restricted area or a supervised area.
- The steps to be taken by the licensee to ensure that the provisions of this Act relating to the sale of liquor to prohibited persons are observed.
- The exclusion of the public.
- The filing of returns relating to liquor sold pursuant to the licence.

Pursuant to Section 84(2) of the Act to exempt the holder of a special licence from the requirement to appoint at least one manager in accordance with Part vi of the Act.

Pursuant to Section 103 of the Act appoint one or more inspectors.

Pursuant to Section 111 of the Act where any person has neglected or omitted to do any act or thing in the precise manner or within the precise time prescribed by the act if satisfied that the neglect or omission was not wilful to grant a waiver.

Determine any unopposed application for a Managers Certificate pursuant to Section 120 of the Act.

Determine any unopposed application for the renewal of a Managers Certificate pursuant to Section 125 of the Act.

~~That pursuant to Section 104(2) of the Sale Of Liquor Act 1989, the Hurunui District Licensing Agency Committee, (the Environmental Services Regulatory Committee), be authorised to sub delegate to, first, the Secretary of the District Licensing Agency, and in his absence, to the Manager Environmental Services, all its powers, duties and discretions in terms of the Sale Of Liquor Act 1989.~~

*Environmental Services Committee 6 April 2000*

## Dog Control Act 1996 and Dog Control Amendment Act 2003 and 2006 Staff Delegations Schedule

### Note 1

All references to sections relate to sections of the Dog Control Act 1996 ~~and the Dog Control Amendment Act 2003~~ unless otherwise specified.

### Note 2

In giving effect to the delegations below they will be read in conjunction with the Councils enforcement policy.

That the ~~Environmental Services Committee~~ Regulatory Committee delegate the following powers, functions and duties to the Environmental Services Manager, in his/her absence the Chief Executive Officer or in the case of the absence of both the ~~Emergency Services Officer~~ Compliance Officer:

To commence, pursuant to section 66, proceedings in accordance with section 21 of the Summary Proceedings Act 1957 where an infringement notice has been issued and to make any decision in any matter relating to such proceedings.

To classify any person as a probationary owner pursuant to section 21.

To disqualify any person from being the owner of any dog pursuant to section 25.

To extend any period of disqualification, pursuant to section 28(6).

To classify any dog as a dangerous or menacing dog, pursuant to section 31 , 33A or 33C (authorized under schedule 7, clause 32 of the local Government Act 2002 )..

~~To classify any dog as a menacing dog under sections 33A and 33C.~~

To remit, reduce or refund dog control fees or part thereof, pursuant to section 39(3).

That the ~~Environmental Services Committee~~ Regulatory Committee delegate the following powers, duties and functions to the ~~Manager~~ Environmental Services Manager, the ~~Emergency Services~~ Compliance Officer and Dog Control Contractor:

To consent to the disposal of a dangerous dog pursuant to section 33

To dispose of any dog pursuant to sections 69 and 70(7).

To exercise all of the Council's powers pursuant to section 71 (retention of dog threatening public safety).

To provide register information pursuant to section 35(4).

To determine whether or not a dog should be delivered into custody of a Dog Control Officer or Dog Ranger pursuant to section 35(5)(c).

To issue a replacement label or disc pursuant to section 46(3).

To require a probationary owner to undertake a dog owner education program or a dog obedience course (or both) under section 23A.

To disqualify a person from being the owner of a dog pursuant to section 25.

To extend any period of disqualification under section 28(6).

To exempt, under section 33E(5), any dog or class of dog classified as menacing from the muzzling or control requirements under section 33E(l)(a).

To authorise the release of a dog from custody pursuant to sections 32(5)(b) and ~~33E(3)(b)~~.

Comment [RC1]: repealed

To issue instructions, under section 36A(3)(a), relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder.

Environmental Services Committee 12 May 2004  
Environmental Services Committee 17 April 2008

## C

### C1 DELEGATIONS

Note - for delegations to committees see committees section.**Error! Reference source not found.**

#### C1/1 Resource Management (Delegation) - Decisions on Resource Consents

##### Delegations

All resource management matters (with the exception of policy adoption under the District Plan) are delegated to the [Environmental Services](#) Regulatory Committee in accordance with those delegations to committees set out in section C3/1/1 of the Policy Manual. The [Environmental Services](#) Regulatory Committee delegates the powers, duties and functions in accordance with the delegations set out below pursuant to Sections 34 and 34A of the Resource Management Act 1991. The delegations are set out in two parts, firstly the general delegations structure and secondly the schedule of delegations.

##### General Delegation Requirements

If no delegation is made through the schedule of delegations or the general requirements then a decision has to be made by the [Environmental Services](#) Regulatory Committee. Delegations have been specified to the lowest level considered appropriate, however a decision may also be considered by a higher level or the [Environmental Services](#) Regulatory Committee.

The [Environmental Services](#) Regulatory Committee appoints the following persons as hearing commissioners, to carry out the resource management duties and functions of the Council as identified in delegations:

- Matthew McCallum-Clark (Consultant Planner, Incite)
- Michael Singleton (Consultant Planner)
- Emma Frazer (Consultant Planner)

Any enforcement action or investigation shall be carried out in accordance with the Complaints Compliance and Enforcement Policy (refer to Policy Manual E3/1).

The resolution of references, appeals and enforcement action shall be carried out in accordance with the following:

- That the Council delegate to the Manager Environmental Services the power to provide instructions to Council solicitors on its behalf to resolve enforcement action, or resource consent appeals before the Environment Court.  
That where the circumstances permit, the Manager Environmental Services first consult with the [Environmental Services](#) Regulatory Committee Chair (or in his or her absence, the Mayor) where it is proposed to resolve an issue by a means that is different from that decided upon by the Council or a committee in any written decision or in a subsequent direction of the Council or committee. That any position change be reported to the Council and [Environmental Services](#) Regulatory Committee as soon as possible after such a decision has been made.
- That the Council delegate to the Manager Environmental Services the power to provide instructions to Council solicitors on its behalf, in order to resolve district plan proceedings before the Environment Court.  
That the exercise of this delegation be subject to first seeking the authorisation of the [Environmental Services](#) Regulatory Committee Chair (or in his or her absence, the Mayor) where it is proposed to resolve an issue by a means that is different from that decided upon by the Council or a committee in any written decision or in a subsequent direction of the Council or committee. That any position change be reported to the Council and [Environmental Services](#) Regulatory Committee as soon as possible after such a decision has been made.



- That in the case of mediation or negotiation undertaken to resolve appeals on resource consents, district plan references, the draft consent orders and memoranda of counsel be authorised by the [Environmental Services](#) Regulatory Committee Chair (or in his or her absence, the Mayor) prior to being forwarded to the Court.

**Note:** “that in the case of mediation or negotiation undertaken to resolve appeals on resource consents or district plan references, the Council clearly define the parameters for Council officers to negotiate”

In the absence of the Environmental Services Manager, the Chief Executive Officer is authorised to act in the above officer’s capacity subject to the same limitations set out in the above delegation.

The delegations within the schedule are provided that the following conditions are met:

- That a report on any applications approved ~~or refused~~ for consent under the above delegation be reported in a quarterly report to Councillors and the Hanmer Springs Community Board. ~~be lodged at each Environmental Services Regulatory Committee meeting and a copy be sent to the Hanmer Springs Community Board.~~
- All subdivision decisions with the exception of controlled subdivision applications in urban areas, are required to be in consultation with the applicable ward councillor(s) or in his or her absence the [Environmental Services](#) Regulatory Committee Chair or the Mayor.
- All subdivision decisions within the Hanmer Springs Ward with the exception of controlled subdivision applications in the urban area are required to be in consultation with the Community Board Chairman or in the event of the Chairman not being available, the Deputy Board Chairman.
- That all Councillors and all members of the Hanmer Springs Community Board be provided with a weekly summary of resource consent applications received.

~~Section 38 of the Act provides that a local authority may authorise any of its officers to carry out all or any of the functions and powers as an enforcement officer under the Act. Rather than showing the officers who are authorised as enforcement officers, the Delegation Schedule shows the level at which decision are made about enforcement action. The Environmental Services Regulatory Committee decides who should be Enforcement Officers who hold warrant cards under 38(5).~~

## SPECIFIC DELEGATIONS

Specific delegations are set out in the schedule attached. The delegation structure referred to in the schedule is set out below.

### DELEGATION STRUCTURE

The delegation structure is set out below:

#### Resource Management Delegations

##### **Level 1 Any one of the following officers acting alone:**

Environmental Services Manager

Chief Executive Officer

Or any person acting as the Environmental Services Manager, or the Chief Executive Officer

##### **Level 2 Any 2 of the following officers acting together:**

Chief Executive Officer

Environmental Services Manager

Consents Planner

Senior Planner

Team Leader Customer Services [Manager](#); or

A Hearings Commissioner

##### **Level 3 Any one of the following officers acting alone:**

Senior Planner  
 | Team Leader Customer Services ~~Manager~~  
 Consents Planner  
 | ~~Customer Services Officer Planning~~  
 A Hearings Commissioner

#### Level 4 Enforcement/Monitoring

Any one of the following officers acting alone:

Environmental Services Manager  
 | Team Leader Customer Services ~~Manager~~

Any person appointed as an Enforcement Officer under Section 38(5) of the Resource Management Act.

#### Level 5 District Plan Policy

Any two of the following officers acting together:

Environmental Services Manager  
 Policy Planner

#### SCHEDULE OF DELEGATIONS

The Powers, Functions and Duties To:	Delegation to:
S 36. Administrative charges Considering an application for remission of charges To consider requests to depart from a fixed payment charge to a time & cost charge	In accordance with Remissions policy in the Schedule of Fees and Charges Level 1
S 37. Power of waiver and extension of time limits— Power to waive or extend time limits on any application (notified or non-notified)	Level 2 or 3
S 41. Provisions relating to hearings Ability to set a hearing date	Level 2 or 3
S 88. Ability to reject applications Ability to reject applications for inadequate information	Level 3
S 91. Deferral pending application for additional consents To defer processing an application	Level 2 or 3
S 92. Further information power to request further information on non-notified and notified applications power to commission expert reports	Level 3 Level 2
S 93, 94, 94A, 94B, 94C and 94D Public notification or non-notification of consent applications To determine whether a resource consent is required to be publicly notified. This includes the following powers: to determine public notification is required pursuant to Section 93 of the Resource Management Act 1991. to determine when public notification is not required pursuant to Section 94. to determine who may be adversely affected by the application pursuant to Section 94 to determine who must be served with notice pursuant to Section 94(1)	Level 2 Level 2 Level 2 Level 2 Level 2
S 99. Pre-hearing meetings to determine whether a pre-hearing meeting is required to determine who will chair any pre-hearing meeting (if one is required)	Level 2 Level 2

The Powers, Functions and Duties To:	Delegation to:
S 100. Obligation to hold a hearing to decide if a hearing is required to set a hearing date and organise a notice of hearing	Level 2 Level 3
S 102. Joint hearings by 2 or more consent authorities to decide if a hearing is required	Level 2
S 103, 104B, 104C, 108 and 120 Determination of resource consent applications, including subdivisions and impose conditions to approve and impose conditions on non-notified resource consent and subdivision consent applications Note: by default the decision to decline an application is delegated to the Regulatory Committee	Level 2
S 114. Notification of decisions To organise the release of decisions	Level 3
S 125. Lapsing of consent To consider and make a decision on an application for extension of time for any other consent.	Level 2
S 127. Change of conditions to consider an application to cancel or vary a condition of resource consent that do not require a hearing.	Level 2
S 128. Circumstances when consent conditions can be reviewed To review any other consent under Section 128c because the information provided with the application contain inaccuracies.	Level 2
S 129 & 132 Notice of review To issue a notice of review To decide on a review of consent conditions for applications which did not require a hearing	Level 3 Level 2
S 139. Certificates of compliance to consider an application or certificate of compliance to issue and sign a certificate of compliance as authorised officer	Level 2 Level 3
S 168, 168A, 169, 171 Notice of requirement – notification, hearing and recommendations to notify a requirement in accordance with S93(2) and determine which persons and bodies shall be served notice of requirement and to arrange its public notification to request further information or commission reports	Level 2 Level 1 and 2
S 176A. Outline Plan to consider an application for an outline plan and recommend changes if necessary to consider an application for a waiver of an outline plan	Level 2 Level 2
S 181. Alteration of designation to consider and make decisions on an application for an alteration of a designation	Level 2
S 182(5). Removal of designation to consider an application to remove a designation or remove part of a designation	Level 5

The Powers, Functions and Duties To:	Delegation to:
S 184 & 184A Lapsing of designations to consider and decide on a longer time frame to give effect to a designation	Level 5
189 & 189A, 190 & 191 Notice of requirement for a Heritage Order – notification, hearing and recommendations to notify a requirement for a Heritage Order in accordance with S93(2) and determine which persons and bodies shall be served notice of requirement and to arrange its public notification to request further information or commission reports	Level 5 Level 5
S 221. Issue consent notice impose as a condition requiring a consent notice or vary a condition of relating to a consent notice certify a consent notice as Authorised Officer	Level 2 Level 3
S 222. Completion certificate to certify a completion certificate	Level 3
S 223. Approval of survey plan to certify a survey plan	Level 3
S 224. Restrictions upon deposit of survey plan to issue certificate pursuant to S224	Level 3
S 226. Restriction upon issue of certificates of title to consider an application under S226 to issue a certificate pursuant to S226	Level 2 Level 3
S 240. Covenant against transfer of allotment power to impose a condition requiring a covenant be registered power to cancel a covenant against the transfer of allotment to certify a covenant or cancellation of covenant as Authorised Officer	Level 2 Level 2 Level 3
S 241. Amalgamation of allotments to consider and decide on an application to cancel a condition in whole or in part under Section 241(3) certification of documentation under S241(3)	Level 2 Level 3
S 243. Survey plan approved subject to grant or reservation of easements power to grant, surrender, transfer, vary or cancel or surrender easements 243(a) to certify documentation under S243(a)	Level 2 Level 3

The Powers, Functions and Duties To:	Delegation to:
S 311, 314, 315, 316, 320 and 321 Application for an enforcement order or interim enforcement order To apply to the Environment Court for an enforcement order pursuant to Section 314 or for an interim enforcement order pursuant to Section 320 to make decisions on any matters relating to applications for enforcement orders (including any application to change or cancel enforcement order)	Level 4 To be carried out in accordance with policy <del>Error! Reference source not found.</del>
S 322, 323, 325, 325A& 325B To issue abatement notices and to make decisions relating to abatement notices. Compliance with abatement notice and cancellation of abatement notice Restriction on enforcement orders	Level 4 To be carried out in accordance with policy <del>Error! Reference source not found.</del>
S 327. Issue and effect of excessive noise direction Compliance with excessive noise direction	Level 4 To be carried out in accordance with policy <del>Error! Reference source not found.</del>
S 332 & 333 Power of entry for inspection and survey Power of entry for inspection Power of entry for survey connected with preparation, change or review of a policy statement or plan.	Level 4 To be carried out in accordance with policy <del>Error! Reference source not found.</del>
S 343 A - D. Infringement notices Power to issue infringement notices	Level 4 To be carried out in accordance with policy <del>Error! Reference source not found.</del>
S 357. Objections to certain decisions and requirements of consent authorities consider and make decisions on application for objections for an application which does not require a hearing to decide whether an objection requires a hearing	Level 2  Level 2
First Schedule – Clause 5 To determine which persons and bodies shall be served with a copy of any proposed District Plan, or Change to a District Plan, and to arrange public notification First Schedule – Clause 23 To require further information, or to commission a report, in order to consider a request for a plan change	Level 5  Level 5

## DELEGATIONS UNDER OTHER ACTS

321. Local Government Act 1974 – Legal road frontage To issue certificates pursuant to Section 321	Level 3
348. Local Government Act 1974 – Right of ways To consider and make decisions on applications for rights of way To certify a survey plan pursuant to Section 348	Level 2 Level 3

*Environmental Services Committee minutes 22 February 1996*  
*Environmental Services Committee minutes 17 September 1998*  
*Hanmer Springs Community Board meeting 18 November 1998*  
*Environmental Services Committee minutes 24 June 1999*  
*Environmental Services Committee meeting 5 August 1999*  
*Environmental Services Committee meeting 18 May 2000*  
*Environmental Services Committee meeting 29 June 2001*  
*Environmental Services Committee meeting 31 October 2002*  
*Environmental Services Committee meeting 19 December 2002*  
*Council meeting 13 March 2003*  
*Environmental Services Committee meeting 3 April 2003*  
*Environmental Services Committee meeting 7 August 2003*  
*Environmental Services Committee meeting 30 October 2003*  
*Environmental Services Committee meeting 11 December 2003*  
*Environmental Services Committee meeting 17 February 2009*

**C1/1/1 Resource Consent Hearings Panel**

That the hearing panel for resource consent hearings be either a committee made up of a commissioner and elected members or a commissioner with other commissioners, no more than three. In each case it will be determined by the ~~Environmental Services~~ Regulatory Committee.

That the costs of the commissioners and the elected members be met by the applicant.

*Environmental Services Committee 13 December 2001*



# HURUNUI

## District Council

Meeting Date:

2 December 2010

**REPORT TO:** Regulatory Committee

**SUBJECT:** Delegations – Composition of hearing panels

**REPORT BY:** Senior Planner

Signature: Author  
Helga Rigg

Manager

### Summary Report

In March 2008, the Environmental Services Committee resolved that resource consent hearings be heard by a committee comprising a panel of elected members and a commissioner which in each case would be determined by the Environmental Services Committee.

It is now proposed that members of a hearing panel in respect of any resource consent or plan change hearing be appointed by the Mayor, the Chair of the Regulatory Committee and the Chief Executive Officer acting together. It is intended that all elected members be appointed as general hearing commissioners to sit on Council hearing panels and that external hearing commissioners be selected from a list of commissioners approved by the Regulatory Committee.

### Recommendation

THAT THE REGULATORY COMMITTEE DELEGATE TO THE MAYOR , THE REGULATORY COMMITTEE CHAIR AND THE CHIEF EXECUTIVE OFFICER ACTING TOGETHER THE ABILITY TO DETERMINE THE COMPOSITION OF A HEARING PANEL IN RESPECT OF ANY PARTICULAR RESOURCE CONSENT OR PLAN CHANGE HEARING OR HEARINGS.

THAT THE REGULATORY COMMITTEE DELEGATE PURSUANT TO SECTION 34A OF THE RESOURCE MANAGEMENT ACT 1991, ALL ELECTED MEMBERS AS GENERAL HEARING COMMISSIONERS TO SIT ON COUNCIL HEARING PANELS.

PURSUANT TO SECTION 34A OF THE RESOURCE MANAGEMENT ACT 1991, THE REGULATORY COMMITTEE APPOINTS THE FOLLOWING PEOPLE AS EXTERNAL HEARING COMMISSIONERS.

J ASHLEY

RW BATTY

D CHRYSTAL

R NIXON

D MILLAR

G TAYLOR



R SOLOMON	D CALDWELL	D MCMAHON
PG ROGERS	J ISELI	P MILNE
K GIMBLETT	S DAWSON	J ROPER-LINDSAY
A DOUGLAS	J HARDIE	

## **BACKGROUND**

At the Environmental Services Committee meeting of 13 March 2008, the Committee resolved that resource consent hearings be heard by a committee comprising a panel of elected members and a commissioner which in each case would be determined by the Environmental Services Committee.

With the dissolution of the Environmental Services Committee, it is timely to reconsider the current practise of determining the composition of hearing panels. Under the Resource Management Act 1991 (RMA), the Council must hold a hearing for notified resource consents within 45 working days of the resource consent being notified. Under the existing resolution, the composition of the hearing panel needs to be appointed by the Environmental Services Committee. Given that the Regulatory Committee, which will be taking over the functions of the Environmental Services Committee, will potentially meet only once every 3 months, it will be difficult to meet the prescribed timeframes under the RMA.

It is proposed that members of a hearing panel be appointed by the Mayor, the Chair of the Regulatory Committee and the Chief Executive Officer acting together, in respect of any resource consent or plan change hearing. If it is proposed to include an external commissioner on the hearing panel, it is intended that one or more of these will be selected from a list of commissioners approved by the Regulatory Committee.

In order for elected members and external commissioners to be able to hear and decide on resource consent applications and to hear and make recommendations on proposed plan changes, it is necessary to provide them with the relevant delegations under pursuant to section 34A of the Resource Management Act 1991.

This report seeks to provide the elected members and the external commissioners in the attached list with the relevant delegations.

## **OPTIONS CONSIDERED**

### **Do Nothing**

This is not a recommended option, as it is likely that the composition of a hearing panel will not be determined in a timely manner and as such the Council will not meet the requirements under the Resource Management Act 1991.

### **1<sup>st</sup> Option – Delegate to the Mayor, Regulatory Committee Chair and the Chief Executive Officer acting together, the ability to determine the composition of hearing panels**

This option will result in the composition of hearing panels being determined in a timely and efficient manner. This option is similar to the approach taken by other territorial authorities including Selwyn and Waimakariri District Councils where the Chief Executive Officer is delegated to appoint the members of a hearing panel.

This option requires that elected members and the external commissioners listed in this report be provided with the relevant delegations pursuant to section 34A of the Resource Management Act 1991. This is so that when the composition of the hearing

panel is determined, a separate report is not required to provide the relevant delegations under section 34A of the Act.

## **2<sup>nd</sup> Option – That the Regulatory Committee determine the composition of hearing panels**

This option would continue the current practise. In the case of resource consents requiring a hearing, the Resource Management Act 1991, prescribes that a hearing be held within 45 working days of submissions closing. Given the Regulatory Committee will potentially only be meeting once every 3 months. This option could make it difficult to meet the timeframes under the Act and would have implications in terms of the discount regulations which require that the Council pay a discount on fees for any applications that exceed the timeframes specified in the Act.

## **POLICY AND PLAN CONSIDERATIONS**

The establishment of a hearings committee is standard Council practice. It is consistent with the first schedule to the Resource Management Act 1991.

## **SIGNIFICANCE**

The decision required on this matter is not considered significant under the Hurunui Long Term Community Plan. Under the requirements of the RMA, the proposed Plan Change must go through the public notification and submission requirements set out in that Act.

## **MĀORI IMPLICATIONS**

There are no implications for Māori.

## **FINANCIAL CONSIDERATIONS**

There are no financial considerations.

## **LEGAL CONSIDERATIONS**

The process for proposes a change to the District Plan is set out in the Resource Management Act 1991. The recommendation is consistent with those requirements.

## **CONCLUSION**

After considering all issues, options and the known views of those affected, as well as giving consideration to the level of significance and the legal and financial implications, the conclusion / recommendation of this report is

THAT THE REGULATORY COMMITTEE DELEGATE TO THE MAYOR , THE REGULATORY COMMITTEE CHAIR AND THE CHIEF EXECUTIVE OFFICER ACTING TOGETHER THE ABILITY TO DETERMINE THE COMPOSITION OF A HEARING PANEL IN RESPECT OF ANY PARTICULAR RESOURCE CONSENT OR PLAN CHANGE HEARING OR HEARINGS.

THAT THE REGULATORY COMMITTEE DELEGATE PURSUANT TO SECTION 34A OF THE RESOURCE MANAGEMENT ACT 1991, ALL ELECTED MEMBERS AS GENERAL HEARING COMMISSIONERS TO SIT ON COUNCIL HEARING PANELS.

PURSUANT TO SECTION 34A OF THE RESOURCE MANAGEMENT ACT 1991, THE REGULATORY COMMITTEE APPOINTS THE FOLLOWING PEOPLE AS EXTERNAL HEARING COMMISSIONERS.

J ASHLEY	RW BATTY	D CHRYSTAL
R NIXON	D MILLAR	G TAYLOR
R SOLOMON	D CALDWELL	D MCMAHON
PG ROGERS	J ISELI	P MILNE
K GIMBLETT	S DAWSON	J ROPER-LINDSAY
A DOUGLAS	J HARDIE	

### **COMMUNITY OUTCOME(S)**

A desirable place to live, work and play  
Enhance our environmental responsibility

### **WELLNESS OUTCOMES**

Economic wellbeing – a thriving local economy with prosperity at all levels: individuals (residents), businesses, and communities.

Social wellbeing – a healthy, safe place to live, with strong community spirit, involvement and opportunity for all.

Environmental wellbeing – comprehensive and continuous focus on all environmental responsibilities and sustainable planning.

Landscape & Outlook – recognising, enjoying, and treasuring Hurunui’s rich landscape values: alpine, coastal, rural, townscapes, fresh air & clean skies.

Individual and Community Lifestyle – lifestyles balanced across work and play, residents and visitors, with emphasis on health, happiness and wellness, openness and freedom.



**HURUNUI**  
*District Council*

**Meeting Date:**

2 December 2010

**REPORT TO:** Regulatory Committee

**SUBJECT:** Plan Change 23 – Appointment of Hearing Panel

**REPORT BY:** Senior Planner

Signature:

Author  
Helga Rigg

Manager

**Summary Report**

Proposed Plan Change 23 is a Council initiated plan change that increases the minimum residential allotment area from 250m<sup>2</sup> to 700m<sup>2</sup> to protect the low density country character of Hurunui Townships. Proposed Plan Change 23 also introduces a higher minimum density of 1100m<sup>2</sup> for subdivision of urban land without reticulated sewerage services, but reduces the activity status from non-complying to discretionary.

The plan change also provides for the comprehensive development of 'independent senior living units' within any residential zone, except Rural Lifestyle Zone. This aspect of the plan change relates to the townships listed above and Amberley and Hanmer Springs.

This report seeks the establishment of a hearings panel consisting of a commissioner assisted by elected members, to recommend a decision to the Council.

**Recommendation**

THAT THE COMMITTEE APPOINT A HEARINGS PANEL, WITH ITS MEMBERS APPOINTED PURSUANT TO SECTION 34A(1) OR 34(2) OF THE RESOURCE MANAGEMENT ACT 1991, AS APPROPRIATE, INCLUDING AN INDEPENDENT COMMISSIONER, TO HEAR AND RECOMMEND A DECISION TO THE COUNCIL ON PROPOSED PLAN CHANGE 23 – URBAN RESIDENTIAL SUBDIVISION AND INDEPENDENT SENIOR LIVING UNITS.

## **BACKGROUND**

Proposed Plan Change 23 seeks to increase the minimum residential allotment area standard from 250m<sup>2</sup> to 700m<sup>2</sup> to ensure that the low density country character of the districts townships is retained. The existing low density of Hurunui Townships is a key trait that maintains the country township character. However, the District Plan standards currently allow medium/high density development that if taken advantage of would significantly degrade the established character of these townships.

The review of the minimum residential allotment area raised a secondary issue of whether providing for urban subdivision without connection to reticulated sewerage as a non-complying activity is the most efficient and effective way of controlling development in urban areas without this service. Categorising an activity as non-complying implies that it is not appropriate and would not be supported by the objectives and policies in the District Plan. However, there is support in the existing objectives and policies for appropriate urban subdivision. Therefore, this plan change proposes an alternative method that is to provide a higher minimum allotments size of 1100m<sup>2</sup> for those urban areas without the ability to connect to reticulate sewerage and lower the activity status from non-complying to discretionary. Townships without reticulated sewerage include: Culverden, Gore Bay, Hurunui Mouth, Rotherham, Waiau and Waipara.

The plan change also provides for the comprehensive development of 'independent senior living units' within any residential zone, except Rural Lifestyle Zone. The minimum unit is proposed to be 250m<sup>2</sup> with an average density of 350m<sup>2</sup>. Units are to be developed in clusters of no less than 3 units. A maximum site coverage of 50% is proposed and the units are to be connected to reticulated services. This aspect of the plan change relates to the townships listed above and Amberley and Hanmer Springs.

Proposed Plan Change 23 was notified on 28 June 2010. A total of 25 submissions were received on the Plan Change as well as 1 further submission.

This report addresses the constitution of a hearings panel to hear and make decisions requested on submissions on the plan change and provide Council with a recommended decision.

It is therefore necessary that the Committee consider who should consider the submissions and provide the Council with a recommendation on the Plan Change.

It has been standard practise for localised plan change applications to be heard by a panel comprising of an independent commissioner and two elected members as provided for under Section 34A(1) of the Resource Management Act 1991 if accredited, or if not accredited, as a panel member under section 34A(2). It is a requirement under section 39B(4) of the Resource Management Act 1991 that at least half of the members on the hearings panel are accredited.

## **OPTIONS CONSIDERED**

### **Do Nothing**

This is not a recommended option, as it does not meet the requirements for deciding a plan change under the Resource Management Act 1991.

### **1<sup>st</sup> Option – Appoint a panel comprised of a commissioner and elected member(s)**

Council may choose to appoint a hearings commissioner to the hearings panel. Hearings commissioners have a large amount of experience with plan changes and as such the hearings panel benefits by having the support and guidance of an experienced commissioner who will sit and decide the application with them and write the decision.

The cost for a Hearings Commissioner is around \$200 per hour. Because this is a Council initiated plan change request the cost is borne by the Council. This is discussed further under financial implications.

This option would be consistent with the hearings held for proposed Plan Changes 11(Claverley), 13(Amberley), 14(Beattie), 15(Buxton Gore Bay Ltd), and 16(Micah). Plan Changes 14 and 16 were privately initiated.

Council policy on hearing plan changes is that the hearings committee hears submissions, deliberates and makes a recommendation to Council. The full Council is the body that makes the final decision. This report does not seek to change Council's policy on this issue.

### **2<sup>nd</sup> Option – Appoint a panel comprised of elected members**

The second option is that the hearing panel comprise of a number of elected members. Proposed Plan Change 23 does not involve the introduction of any new objectives to the District Plan, but does involve some changes to the policies relating to Environmental Quality and Urban Areas and could potentially be controversial.

Hearing panels for plan changes are not required to have certified hearing commissioners, as is required for resource consents. However, the hearing and decision-making process is very similar. Consideration should be given to ensure that some of the majority of panel members are certified as hearing commissioners.

This option would require the hearings committee to write the decision. This is usually undertaken by a planning officer who would sit in on the deliberations and then write the decision to reflect the hearings committee's conclusions.

### **POLICY and plan CONSIDERATIONS**

The establishment of a hearings committee is standard Council practice. It is consistent with the first schedule to the Resource Management Act 1991.

### **SIGNIFICANCE**

The recommendation is not deemed significant.

### **MĀORI IMPLICATIONS**

Statutory consultation was undertaken with Te Rūnanga o Kaikōura and Te Ngāi Tūāhuriri Rūnanga prior to notification of the proposed plan change.

### **FINANCIAL CONSIDERATIONS**

There will be a financial cost to Council and the ratepayers as the Council is required to meet the full cost of the process.

## **LEGAL CONSIDERATIONS**

The process for hearing plan changes is outlined in the Resource Management Act 1991. All of the options except 'do nothing' are consistent with the Act.

## **CONCLUSION**

After considering all issues, options and the known views of those affected, as well as giving consideration to the level of significance and the legal and financial implications, the conclusion / recommendation of this report is

THAT THE COMMITTEE APPOINT A HEARINGS PANEL, WITH ITS MEMBERS APPOINTED PURSUANT TO SECTION 34A(1) OR 34(2) OF THE RESOURCE MANAGEMENT ACT 1991, AS APPROPRIATE, INCLUDING AN INDEPENDENT COMMISSIONER, TO HEAR AND RECOMMEND A DECISION TO THE COUNCIL ON PROPOSED PLAN CHANGE 23 – urban residential subdivision and independent senior living units.

## **COMMUNITY OUTCOME(S)**

A desirable place to live, work and play  
Enhance our thriving local economy

## **WELLNESS OUTCOMES**

Economic wellbeing – a thriving local economy with prosperity at all levels: individuals (residents), businesses, and communities.

Social wellbeing – a healthy, safe place to live, with strong community spirit, involvement and opportunity for all.

Cultural wellbeing – opportunities in arts, cultural and social diversity.

Environmental wellbeing – comprehensive and continuous focus on all environmental responsibilities and sustainable planning.



**HURUNUI**  
*District Council*

**Meeting Date:**

2 December 2010

**REPORT TO:** Regulatory Committee

**SUBJECT:** Plan Change 26 - Appointment of Hearing Commissioner or Panel

**REPORT BY:** Policy Planner

Signature: Jan Weaver  
Author

Judith Batchelor  
Manager

**Summary Report**

Proposed Plan Change 26 is a review of Significant Natural Areas 46, 47 and 48 located on Conway Hills Station.

Submissions on the proposal have closed. One submission was received from the Department of Conservation in support of the change. The submitter has withdrawn its right to be heard. This report seeks the appointment of a commissioner acting alone, or the establishment of a hearings panel consisting of a commissioner assisted by elected members, to recommend a decision to the Council.

**Recommendation**

THAT THE COMMITTEE APPOINT A HEARINGS PANEL, WITH ITS MEMBERS APPOINTED PURSUANT TO SECTION 34A(1) OR 34(2) OF THE RESOURCE MANAGEMENT ACT 1991 AS APPROPRIATE, INCLUDING AN INDEPENDENT COMMISSIONER, TO HEAR AND RECOMMEND A DECISION TO THE COUNCIL ON PROPOSED PLAN CHANGE 26 – CONWAY HILLS STATION SIGNIFICANT NATURAL AREAS REVIEW.



## **BACKGROUND**

Proposed Plan Change 26 is a review of Significant Natural Areas 46, 47 and 48 located on Conway Hills Station. The New Zealand Redwood Company has requested that the Council undertake a review of these listings, as provided for in the District Plan, so that the company can manage the property to maximise its biodiversity value and commercial forestry potential.

Submissions on the proposal have closed. One submission was received from the Department of Conservation in support of the change. The submitter has withdrawn its right to be heard. This report seeks the appointment of a commissioner acting alone, or the establishment of a hearings panel consisting of a commissioner assisted by elected members, to recommend a decision to the Council.

It is therefore necessary that the Committee consider who should consider the submission, and provide the Council with a recommendation on the Plan Change.

It has been standard practise for localised plan change applications to be heard by a panel comprising of an independent commissioner and two elected members as provided for under Section 34A(1) of the Resource Management Act 1991 if accredited, or if not accredited, as a panel member under section 34A(2). It is a requirement under section 39B(4) of the Resource Management Act 1991 that at least half of the members on the hearings panel are accredited.

## **OPTIONS CONSIDERED**

### **Do Nothing**

This is not a recommended option, as it does not meet the requirements for deciding a plan change under the RMA.

### **1st Option – Appoint a panel comprised of a Commissioner and elected member(s)**

This option is consistent with usual practice for a localised plan change.

## **POLICY AND PLAN CONSIDERATIONS**

There are no inconsistencies with policies and plans associated with this decision.

## **SIGNIFICANCE**

The recommendation is not deemed significant.

## **MĀORI IMPLICATIONS**

Statutory consultation was undertaken with Te Rūnanga o Kaikōura prior to notification of the proposed plan change.

## **FINANCIAL CONSIDERATIONS**

The matter is provided for in the approved annual plan and is within budget.

## **LEGAL CONSIDERATIONS**

The process for hearing plan changes is outlined in the Resource Management Act 1991. Option 1 is consistent with those requirements.

**CONCLUSION**

After considering all issues, options and the known views of those affected, as well as giving consideration to the level of significance and the legal and financial implications, the conclusion / recommendation of this report is

THAT THE COMMITTEE APPOINT A HEARINGS PANEL, WITH ITS MEMBERS APPOINTED PURSUANT TO SECTION 34A(1) OR 34(2) OF THE RESOURCE MANAGEMENT ACT 1991 AS APPROPRIATE, INCLUDING AN INDEPENDENT COMMISSIONER, TO HEAR AND RECOMMEND A DECISION TO THE COUNCIL ON PROPOSED PLAN CHANGE 26 – CONWAY HILLS STATION SIGNIFICANT NATURAL AREAS REVIEW.

**COMMUNITY OUTCOME(S)**

A desirable place to live, work and play  
Enhance our environmental responsibility

**WELLNESS OUTCOMES**

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Environmental wellbeing – comprehensive and continuous focus on all environmental responsibilities and sustainable planning.

Landscape & Outlook – recognising, enjoying, and treasuring Hurunui's rich landscape values: alpine, coastal, rural, townscapes, fresh air & clean skies.

Heritage and Tradition – treasuring and promoting our traditional rural values and heritage that make Hurunui special and unique.