



## MINUTES OF A MEETING OF THE HEARINGS COMMITTEE

**Date:** Wednesday 14 April 2021

**Time:** 8.30am

**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

**Present:** M Williams - Chairman  
R Barker  
T Huata  
K Kawana (*via Zoom*)  
R Maaka  
M Mohi  
H Ormsby (*via Zoom*)

**In Attendance:** M Miller – Consents Manager  
K Brunton – Group Manager Policy & Regulation  
L Hooper – Team Leader Governance

## 1. Welcome/Karakia /Apologies/Notices

The Chair welcomed everyone and Roger Maaka opened the meeting with a karakia.

### Resolution

HC1/21 That the apologies for absence from Cr Craig Foss be accepted.

**Williams/Barker  
CARRIED**

## 2. Conflict of Interest Declarations

Martin Williams declared an interest in item 4 Omarunui Landfill Resource Consent Applications as past advisor to the Hastings District Council resource consent team.

Dr Roger Maaka declared an interest in Item 4 as an alternate candidate for Hearing Panel appointment.

## 3. Confirmation of Minutes of the Hearings Committee meeting held on 16 September 2020

HC2/21 **Resolution**

Minutes of the Hearings Committee meeting held on Wednesday, 16 September 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Barker/Huata  
CARRIED**

- There was a discussion about Māori representatives getting experience on Hearing panels and potential to appoint newly qualified commissioners so that they can gain experience and to enable some succession planning.
- Suggest inexperienced commissioners are appointed as an additional member of the Panel, and that Council pays for their position as unfair to charge applicants for more than what's required
- Agreement reached that inexperienced commissioners be considered for all Panels on less complex hearings as full members

## 4. Omarunui Landfill Resource Consent Applications

Having declared a conflict of interest in the item, Martin Williams left the room at 8.54am and Councillor Rick Barker assumed the Chair.

Through discussion it was agreed that the third member of the Panel, a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū, is to be confirmed by the Hearings Committee upon provision by staff of the names and qualifications of recently qualified commissioners with the relevant cultural competency.

HC3/21 **Resolution**

That the Hearings Committee:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make decisions on this issue in accordance with its Terms of Reference without conferring directly with the community or persons likely to have an interest in the decision.
2. Appoints the following people as commissioners to hear the resource consent applications required to undertake activities and discharges associated with the construction and operation of Area B of the Omarunui Landfill (APP-125003):
  - 2.1. Councillor Martin Williams (chair)

- 2.2. Nigel Mark-Brown
- 2.3. to be confirmed via email.
3. Appoints the following people as alternates:
  - 3.1. Christine Scott
  - 3.2. Dr Roger Maaka
  - 3.3. No alternative is proposed for Nigel Mark-Brown.
4. That the commissioners are appointed under section 34A of the RMA and are delegated authority under sections 39, 40 41, 41A, 41B, 41C, 42, 42A, and 104 – 108 to hear, consider and decide the application and submissions.

**Barker/Mohi  
CARRIED**

Martin Williams re-joined the meeting at 8.58am and reassumed the Chair.

## 5. **HBRC Gravel Consent Applications**

Through discussion it was agreed that clarification of conflicts of interest and delegations will be provided at a Committee to be scheduled for that purpose.

Through discussion it was agreed that the third alternate member of the Panel, a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū, is to be confirmed by the Hearings Committee upon provision by staff of the names and qualifications of recently qualified commissioners with the relevant cultural competency.

HC4/21

### **Resolutions**

That the Hearings Committee:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make decisions on this issue in accordance with its Terms of Reference without conferring directly with the community or persons likely to have an interest in the decision.
2. Appoints the following people as commissioners to hear the resource consent applications required to undertake activities and discharges associated with the construction and operation of Area B of the Omarunui Landfill (APP-125003):
  - 2.1. Paul Cooney (chair)
  - 2.2. Dr Malcolm Green
  - 2.3. Rau Kirikiri.
3. Appoints the following people as alternates:
  - 3.1. Christine Scott (chair)
  - 3.2. Jim Cook
  - 3.3. to be confirmed via email.
4. Confirms that the commissioners are appointed under section 34A of the RMA and are delegated authority under sections 39, 40 41, 41A, 41B, 41C, 42, 42A, and 104 – 108 to hear, consider and decide the application and submissions.

**Barker/Mohi  
CARRIED**

**Closure:**

There being no further business the Chairman declared the meeting closed at 9.07am on Wednesday, 14 April 2021.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....