



## **MINUTES OF A MEETING OF THE HEARINGS COMMITTEE**

**Date:** Wednesday 21 February 2018

**Time:** 3.45pm

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

**Present:** P Beaven - Chairman  
P Bailey  
R Barker  
T Waaka  
B Gregory

**In Attendance:** E Lambert – Group Manager External Relations  
C Leckie – Manager Land Services  
M Mitchell – Principal Biosecurity Advisor  
M Miller – Manager Consents  
L Hooper – Governance Manager

**1. Welcome/Apologies/Notices**

The Chairman welcomed everyone to the meeting, noting that Mr Mike Mohi is absent.

**2. Conflict of Interest Declarations**

There were no conflict of interest declarations.

**3. Confirmation of Minutes of the Hearings Committee Meeting held on 6 June 2017**

**HC1/18 Resolution**

Minutes of the Hearings Committee held on Tuesday, 6 June 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Bailey/Beaven  
CARRIED**

**4. Hearing Panel Appointment for Proposed Regional Biosecurity Management Plan Hearings**

Campbell Leckie and Mark Mitchell spoke to the item, reminding the committee that the Council previously resolved that the Biosecurity Working Party (BWP) members be delegated to hear submissions on the plan. Members on the BWP are Crs Rex Graham, Tom Belford, and Fenton Wilson, and Nicky Kirikiri, Karauna Brown and Apiata Tapine as representatives of the Regional Planning Committee.

Staff recommendation is to appoint John Simmons as an independent technical specialist member of the Hearing Panel as recommended by Environment Canterbury.

Once the training date for the Biosecurity Act workshop has been set, an invitation will be extended to all councillors and members of the Hearings Committee in addition to the BWP, to attend if they wish.

**Recommendations**

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 can exercise its discretion and make this decision without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
2. Appoints the Biosecurity Working Party members to the Hearing Panel to hear submissions and make recommendations to Council on further amendments required prior to adoption of the final Regional Pest Management Plan.
3. Requests that staff circulate the CV of Mr John Simmons to Hearings Committee members for the purposes of confirming his appointment as an Independent member of the Hearing Panel to hear submissions and make recommendations to Council on further amendments required prior to adoption of the final Regional Pest Management Plan.
4. Notes that the Hearing Panel will elect the Chairperson from amongst its members.

**Barker/Waaka  
CARRIED**

## 5. **Hearing Panel Appointments for Upcoming Resource Consent Application Hearings**

Concerns expressed that committee members have not been provided with sufficient information on those being recommended by staff for appointment to panels to enable informed decision making.

Discussions traversed:

- Committee members now qualified and keen to participate on hearing panels, with possible opportunity being the Clifton Revetment application
- Agreement reached to include Paul Bailey on the Hearing Panel for the Clifton Revetment hearing with Mr Wasley
- HBRC is the applicant for the Global Gravel Management consent application so independent commissioners will be appointed to this Panel
- Port of Napier has requested that its applications be notified and it is likely that a hearing will be required. HBRC is the 100% shareholder/owner of Napier Port via its investment company so independent commissioners will be appointed to this Panel
- Committee members to be provided with an HBRC shortlist of qualified hearings commissioners (noting those with Chair accreditation) along with their related experience and qualifications. Staff requested that if committee members have any names of qualified candidates for appointment to future Hearing Panels they pass those on.
- Hearing Panel recommendations for the Global Gravel Management and Port of Napier hearings to be brought to a Hearings Committee meeting, including CVs for those being recommended for appointment, to be scheduled in March.

### **Recommendations**

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 Hearings Committee can exercise its delegation and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
2. For the Clifton Revetment resource consent hearing, appoints Mr Bill Wasley and Councillor Paul Bailey to the Hearing Panel.

**Barker/Waaka  
CARRIED**

### **Closure:**

There being no further business the Chairman declared the meeting closed at 4.13pm Wednesday 21 February 2018.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....