

Private Plan Change 78: Internal Hearing Commissioner

Meeting: Kaipara District Council
Date of meeting: 29 July 2020
Reporting officer: Wendy Robinson, Planning Manager

Purpose/Ngā whāinga

To seek a decision to appoint Deputy Mayor Curnow as an Internal Hearing Commissioner for the Private Plan Change 78 (PPC 78) hearing panel.

Executive summary/Whakarāpopototanga

Council needs to approve the appointment of Deputy Mayor Curnow as an Internal Hearing Commissioner for the PPC 78 hearing panel.

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Approves the appointment of Deputy Mayor Curnow as an Internal Hearing Commissioner for the Private Plan Change 78 hearing panel.
- b) Approves the appointment of Councillor Del la Varis-Woodcock as an Internal Hearing Commissioner for the Private Plan Change 78 hearing panel only for the circumstance that Deputy Mayor Curnow becomes unavailable.
- c) Notes that the two remaining Independent Hearing Commissioners will be selected using the Hearing Commissioners Policy.

Context/Horopaki

Following the adoption of the Hearing Commissioners Policy (dated 27 May 2020 and Attachment A), appointment of an internal hearing commissioner to the PPC 78 hearing panel has followed due process with appointment to be confirmed by Council resolution.

Discussion/Ngā kōrerorero

Those qualified as internal hearing commissioners have been contacted in alphabetical order to determine availability and interest. Deputy Mayor Curnow has been approached as a certified commissioner who does not have any actual or perceived conflict of interest or potential bias. Deputy Mayor Curnow has confirmed her availability for a hearing possibly in November (please note that the exact timeframe is to be confirmed) and her ability to take on the workload as required.

Factors to consider

Hearing Commissioners

Hearing Commissioners are required to provide sound advice and make sound decisions, following robust practice, without any conflicts of interest or bias. The Hearing Commissioners Policy outlines how Council will appoint appropriately accredited elected members to act as Internal Hearing Commissioners alongside Independent Hearing Commissioners. This policy has been implemented to form this recommendation.

Certification

Deputy Mayor Curnow holds the required Ministry for the Environment certificate under the Making Good Decisions programme. Her existing certificate is valid until December 2020 and she is currently in the process of getting this accreditation renewed. It is anticipated that a hearing would be held in November 2020.

Hearing Panel

PPC 78 will require a hearing panel of three commissioners with two Independent Hearing Commissioners being selected, as per the Hearing Commissioner's policy. One of the selected Independent Commissioners will act as Chair and attend any pre-hearing meetings required.

Independent Hearing Commissioners have been selected from the existing list of commissioners due to the competing timeframes of confirming commissioners for PPC 78 and advertising a new list of Independent Hearing Commissioners. The process for the advertisement of a new list of Independent Hearing Commissioners has commenced and will be reported to Council in due course.

Remuneration

Remuneration for Internal Hearing Commissioners is set by the current Local Government Members Determination.

Remuneration for Independent Hearing Commissioners shall be standardised.

Alternative

Should Deputy Mayor Curnow become unavailable, Councillor de la Varis-Woodcock shall be her replacement. Councillor Del la Varis-Woodcock was contacted as the second qualified member on the list noting that any involvement would be subject to the unavailability of Deputy Mayor Curnow. Councillor de la Varis-Woodcock has indicated that she is suitably qualified and available as required subject to Deputy Mayor Curnow.

Next steps/E whaiake nei

Hearing Commissioners will proceed with the PPC 78 process.

Attachments/Ngā tapiritanga

	Title
A	Hearing Commissioners Policy