

Appointment of Commissioners to Hear Council Applications Policy

Adopted: 23 November 1998
Reviewed: November 2016

Background

From time to time Council itself is required to apply for a resource consent, which results in the one Council department applying to another for the consent.

One purpose of Local Government reform is to provide a clear separation of its activities and to act in a transparent manner. This can partially be achieved by employing outside consultants to either make the application or to prepare a report for determination. However, this does not overcome the situation that Council as a whole may have approved funds for the proposal and that some of those Council members may be hearing the application. In either situation Council can be seen to be hearing an application in which it has a vested interest.

To ensure that the decisions of Council are transparent, it is therefore recommended that Council appoint commissioners to partake in or determine resource consents where Council is the applicant.

Objective

To provide a clear separation of Council's activities and to act in a transparent manner in planning related matters.

Policies

1. Where Council is the applicant in any matter requiring a Resource Consent of Council, it will, in terms of Section 34(3) of the Resource Management Act 1991, appoint such person or persons to act as commissioners for the purpose of determining such application.
2. Where Council is the applicant in any matter requiring a Resource Consent of Council and the Northland Regional Council, it will, in terms of Section 34(3) of the Resource Management Act 1991, appoint two persons as commissioners to act in all respects as Council's appointees to any joint hearings committee convened for the purpose of determining such applications.
3. Council will undertake the appointment of such commissioners as required.