

MEETING OF THE REGULATION HEARING COMMITTEE

TO THE CHAIRPERSON AND MEMBERS OF THE
COMMITTEE

MEMBERSHIP OF THE COMMITTEE

Peter Skelton (Chairperson)
Lan Pham
Tom Lambie
Elizabeth Cunningham

A meeting of the Committee will be held on
Thursday 16 March 2017 at 8.30 am

VENUE: Council Chamber
200 Tuam Street
Christchurch

BUSINESS: As per Order Paper attached
Agendas are available on our website three days prior to the date of the meeting

Bill Bayfield
CHIEF EXECUTIVE

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE TAKEN
AS COUNCIL POLICY UNTIL ADOPTED BY COUNCIL**

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Regional Council**
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CANTERBURY REGIONAL COUNCIL
REGULATION HEARING COMMITTEE
ORDER PAPER

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REGULATION HEARING COMMITTEE

Minutes of the meeting held in the Council Chamber,
200 Tuam Street, Christchurch on
Thursday 2 February 2017 at 8:30 am

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- 6.1 **Appointment of Decision Makers to consider and decide resource consent applications** - CRC1170651, CRC170652, CRC170653, CRC170654, CRC170655, CRC170656, CRC170657, CRC170658, CRC170659, CRC170660, CRC170661, CRC170662 made by Rangitata Diversion Race Management Limited
- 6.2 **Appointment of a Facilitator for a pre-hearing of resource consent applications to be held by Lyttelton Port Company Limited** - CRC172455, CRC172456, CRC172522 and CRC172523
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PROCEDURAL ITEMS

7. EXTRAORDINARY AND URGENT BUSINESS
8. NEXT MEETING
9. CLOSURE

PRESENT

Councillors Peter Skelton (Chairperson), Lan Pham and Tom Lambie

OFFICERS PRESENT

Alison Cooper, Consents Hearings Officer and Therese Davel, Senior Administration Officer

1. APOLOGY

Cr Elizabeth Cunningham

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF PREVIOUS MEETING – 1 DECEMBER 2016

Resolved:

That the Committee confirms as a true and correct record, and adopts the minutes of, the meeting held on 1 December 2016.

Cr Lambie / Cr Pham
CARRIED

4. MATTERS ARISING

There were no matters arising from the minutes.

5. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

6. DECISION ITEMS

6.1 Appointment of Decision Makers to consider and decide resource consent applications - CRC1170651, CRC170652, CRC170653, CRC170654, CRC170655, CRC170656, CRC170657, CRC170658, CRC170659, CRC170660, CRC170661, CRC170662 made by Rangitata Diversion Race Management Limited

Resolved:

That the Committee, in regard to resource applications CRC1170651, CRC170652, CRC170653, CRC170654, CRC170655, CRC170656, CRC170657, CRC170658, CRC170659, CRC170660, CRC170661, CRC170662 made by Rangitata Diversion Race Management Limited

- (a) Appoints Paul Rogers as a Hearings Commissioner, and member and Chair of the Hearing Panel under s34A of the Resource Management Act 1991; and*
- (b) Appoints Richard Allibone as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and*
- (c) Appoints Yvette Couch-Lewis as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and*
- (d) Delegates to Paul Rogers, Richard Allibone and Yvette Couch-Lewis, pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide the application*

Cr Pham / Cr Lambie
CARRIED

6.2 Appointment of a Facilitator for a pre-hearing of resource consent applications to be held by Lyttelton Port Company Limited - CRC172455, CRC172456, CRC172522 and CRC172523

Resolved:

That the Committee, in regard to resource applications CRC172455, CRC172456, CRC172522 and CRC172523 made by Lyttelton Port Company Limited

UNCONFIRMED

- (a) *Appoints Ken Gimblett as a Facilitator under s99 of the Resource Management Act 1991; and*
- (b) *Delegates to Ken Gimblett pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required under s99 to facilitate a pre-hearing meeting.*

Cr Lambie / Cr Pham
CARRIED

6.3 Appointment of Decision Makers to consider and decide resource consent applications - CRC172455, CRC172456, CRC172522 and CRC172523 to be held by Lyttelton Port Company Limited

Resolved (as amended):

That the Committee, in regard to resource applications CRC172455, CRC172456, CRC172522 and CRC172523 made by Lyttelton Port Company Limited

- (a) *Appoints Sir Graham Pankhurst as a Hearings Commissioner, and member and Chair of the Hearing Panel under s34A of the Resource Management Act 1991; and*
- (b) *Appoints Peter Atkinson as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and*
- (c) *Appoints Raewyn Solomon as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and*
- (d) *Delegates to Sir Graham Pankhurst, Peter Atkinson and Raewyn Solomon, pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide the applications; and*
- (e) *Add Addendum to Item 6.3*

Cr Lambie / Cr Pham
CARRIED

7. EXTRAORDINARY AND URGENT BUSINESS

None

8. NEXT MEETING

To be confirmed.

9. CLOSURE

Chairman Skelton declared the meeting closed at 9.02 am.

CONFIRMED

DATE: _____

CHAIRPERSON _____

Addendum to Item 6.3

When making these appointments the Committee has had regard to a matter raised by Peter Atkinson concerning his professional consultancy engagements with a company called MetOcean Ltd.

This company is a consultant to the Lyttelton Port Company in respect of the dredging activities that are the subject of its consent application.

In accordance with the Regional Council's Hearings Policy the Committee has decided that the matter of any actual or perceived conflict of interest concerning Peter Atkinson should, in the first instance, be the subject of a Minute to be issued by Sir Graham Pankhurst as Chair of the Hearing Panel, addressed to all the parties participating in the hearing. The Minute is to canvass the issue of Peter Atkinson's involvement with MetOcean Ltd and seek advice from the parties about any difficulties they may have with Peter Atkinson continuing to be a member of the Panel.

Regulation Hearing Committee paper

General Information

Agenda item number	6	Date	16 March 2017
Portfolio	Operations Group - Consents	Commissioner	Regulation Hearing Committee
Author	Alison Cooper	Endorsed by	Philip Burge

Title

Appointment of Decision Maker to decide an objection to decision.

Purpose

To appoint a Hearing Commissioner to hear and decide an objection to decision on resource consent CRC173829 held by Wolff Farm Holdings Limited

Recommendations

That the Committee, in regard to an objection to decision on resource consent CRC173829 by Wolff Farm Holdings Limited

- (a) Appoints Robert Nixon as a Hearings Commissioner under s34A of the Resource Management Act 1991; and*
- (b) Delegates to Robert Nixon pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide the objection to decision.*

Proposal

Background

Wolff Farm Holdings Limited applied for and was granted consent to change conditions of CRC143992 – to take and use water. Wolff Farm Holdings Limited has objected to conditions of the consent limiting the daily volume to be taken; and the requirement to undertake a review of the maximum daily and seasonal volumes.

Discussion

The proposed commissioner, Robert Nixon has satisfied Council staff he has the necessary criteria, including technical ability, RMA Accreditation certification, availability and timeframe commitments to carry out the duties required.

Legal compliance

S34A of the Resource Management Act 1991 allows Council to delegate functions to Hearing Commissioners appointed by the Canterbury Regional Council.

The Regulation Hearing Committee appoints Hearing Commissioners in relation to consent authority matters under the Resource Management Act 1991.