

CANTERBURY REGIONAL COUNCIL  
*Kaunihera Taiao ki Waitaha*

# AGENDA|2017

## REGULATION HEARING COMMITTEE

Thursday, 29 June 2017

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Time: 8.30am

Venue: Council Chamber,  
200 Tuam Street, Christchurch



## **Regulation Hearing Committee**

### **Membership**

#### **Chair**

Councillor Peter Skelton

#### **Members**

Councillors Lan Pham, Tom Lambie  
Elizabeth Cunningham





# Regulation Hearing Committee

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**REGULATION HEARING COMMITTEE**

Minutes of the meeting held in the Council Chamber,  
200 Tuam Street, Christchurch, on  
Thursday, 15 June 2017 at 8.30am

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**PRESENT**

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

**OFFICERS PRESENT**

Alison Cooper, Consents Hearings Officer and Vivienne Ong, Senior Administration Officer

**1. APOLOGIES**

There were no apologies

**2. CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**3. MINUTES OF PREVIOUS MEETING – 27 APRIL 2017**

**Resolved:**

***That the Committee confirms as a true and correct record, and adopts the minutes of, the meeting held on 27 April 2017.***

Cr Cunningham / Cr Pham  
CARRIED

**4. MATTERS ARISING**

The agenda item after 8.0, Good Decisions Resource Management Act Certification, will be discussed after the Decisions Items of this meeting.

There were no other matters arising from the minutes.

**5. DEPUTATIONS AND PETITIONS**

There were no deputations or petitions.

**6. DECISION ITEMS**

**6.1 Appointment of Decision Maker to decide a request to extend a lapse date for resource consent CR122256 held by Mr BL, Ms LH & Ms DA Baggott and Ms CE McKay**

**Resolved:**

*That the Committee, in regard to a decision to extend a lapse date for resource consent CR122256 held by Mr BL, Ms LH & Ms DA Baggott and Ms CE McKay*

- (a) Appoints Ken Lawn as a Hearings Commissioner under s34A of the Resource Management Act 1991; and*
- (b) Delegates Ken Lawn pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; and decide the request for an extension to lapse date.*

*Cr Lambie / Cr Cunningham*  
**CARRIED**

**6.2 Appointment of Decision Maker to decide an objection to decision on resource consent CRC175779 – Mr GS & Mrs JM Lovett**

**Resolved:**

*That the Committee in regard to an objection to decision on resource consent application CRC175779 by Mr GS & Mrs JM Lovett*

- (a) Appoints Ken Lawn as a Hearings Commissioner under s34A of the Resource Management Act 1991; and*
- (b) Delegates to Ken Lawn 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*

*Cr Pham / Cr Cunningham*  
**CARRIED**



**7. EXTRAORDINARY AND URGENT BUSINESS**

**7.1 Good Decisions Resource Management Act Certification**

Further to the list of hearing commissioners that had been distributed. It was decided to add Cr Cunningham, Cr Caygill and Cr Pham back onto the list (with an asterisk noting they were Environment Canterbury Councillors).

**ACTION:**

Alison Cooper to add additional councillors to the hearing commissioners list and redistribute.

**7.2 Training Provision for New Hearing Commissioners**

Cr Cunningham had an informal discussion with Arihia Bennett, CEO, Ngāi Tahu; regarding sharing of costs for training of new hearing commissioners; reporting there should be no difficulty in such an arrangement.

Cr Skelton informally had the same discussion with Bill Bayfield, CE, Environment Canterbury; also reporting there should be no difficulty in providing such an opportunity.

It was thought a budget of \$20,000 would cover training costs.

**ACTION:**

Cr Cunningham to make further enquiries regarding budget, and formalising the arrangement with a letter to Phil Burgess, Environment Canterbury Consents Manager

**8. NEXT MEETING**

The date of the next meeting is to be confirmed

As Cr Skelton would be on leave 22 June – 12 July 2017 a temporary Chair was nominated.

**Resolved:**

*That Cr Lambie be temporary Chair whilst Cr Skelton is on leave*

Cr Cunningham / Cr Pham  
CARRIED

**9. CLOSURE**

Chairman Skelton declared the meeting closed at 8.45am.

**CONFIRMED**

**DATE:** \_\_\_\_\_

**CHAIRPERSON:** \_\_\_\_\_



<b>Agenda Item No: 6</b>	<b>Subject Matter:</b> Operations Group - Consents
<b>Report:</b> Regulation Hearing Committee	<b>Date of Meeting:</b> 29 June 2017
<b>Report By:</b> Alison Cooper	

## Title

Appointment of Decision Maker to consider and decide resource consent applications

## Purpose

To appoint a Hearing Commissioner to decide resource consent applications CRC173284, CRC173285, CRC173286, CRC173287, CRC173288, and CRC173289 to be held by Barrhill Chertsey Irrigation Limited.

## Recommendations

*That the Committee, in regard to resource applications: CRC173284, CRC173285, CRC173286, CRC173287, CRC173288, and CRC173289 to be held by Barrhill Chertsey Irrigation Limited.*

- (a) Appoints Paul Rogers as a Hearings Commissioner, under s34A of the Resource Management Act 1991; and*
- (b) Delegates to Paul Rogers, pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to consider and to decide the applications*

## Proposal

## Background

Barrhill Chertsey Irrigation Limited has applied for consents to construct, maintain and operate a water storage facility to store up to 1.6 million cubic metres at 577 Barkers Road, Methven. The water is intended to improve the reliability of the already consented BCI scheme.

A 35 year duration is sought for all consents, with the exception of aCRC173288 – discharge to air from earthworks – where a 5 year duration is proposed.

The applications were publicly notified in conjunction with Ashburton District Council. Eight submissions were received; and three wished to be heard. The majority of submitters supported the proposal, with one being neutral. A hearing is no longer required as those submitters have subsequently withdrawn their right to be heard. The decision will be jointly made with Ashburton District Council.

## **Discussion**

The proposed commissioner, Paul Rogers 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.

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