

CANTERBURY REGIONAL COUNCIL  
*Kaunihera Taiao ki Waitaha*

# AGENDA|2018

## REGULATION HEARING COMMITTEE

Thursday, 19 April 2018

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Time: 8.30am

Venue: Council Chamber,  
200 Tuam Street, Christchurch





## **Regulation Hearing Committee**

### **Membership**

**Chair**

Peter Skelton

**Members:**

Councillors Lan Pham, Tom Lambie,  
Elizabeth Cunningham



**ENVIRONMENT CANTERBURY**  
**REGULATION HEARING COMMITTEE**

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## **1. Apologies**

## **2. Conflict of Interest**

## **3. Minutes**

### **3.1. Minutes of Meeting held 22 March 2018**

Refer to attachment on following page.

**REGULATION HEARING COMMITTEE**

Minutes of the meeting held in the Council Chamber,  
200 Tuam Street, Christchurch, on  
Thursday, 22 March 2018 at 8.32 am

**CONTENTS**

- 1.0 APOLOGIES
- 2.0 CONFLICTS OF INTEREST
- 3.0 MINUTES OF PREVIOUS MEETING – 15 March 2018
- 4.0 MATTERS ARISING FROM PREVIOUS MINUTES
- 5.0 DEPUTATIONS AND PETITIONS
- 6.0 DECISION ITEMS

**6.1 Appointment of Hearing Commissioner – Longland Dairies Limited**

- 7.0 EXTRA-ORDINARY AND URGENT BUSINESS
- 8.0 NEXT MEETING
- 9.0 CLOSURE

**PRESENT**

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

**OFFICERS PRESENT**

Virginia Loughnan, Consents Planning Manager; Alison Cooper, Consents Hearings Officer

**1. APOLOGIES**

There were no apologies.

**2. CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**3. MINUTES OF PREVIOUS MEETING – 15 MARCH 2017**

**Resolved:**

***That the Committee confirms as a true and correct record the minutes of the meeting held on 15 March 2018.***

Cr Lambie / Cr Cunningham  
CARRIED

**4. MATTERS ARISING**

There were no matters arising

**5. DEPUTATIONS AND PETITIONS**

There were no deputations or petitions.

**6. DECISION ITEMS**

**6.1 Appointment of Hearing Commissioner – Longland Dairies Limited**

**Resolved:**

***That the Regulation Hearing Committee in regard to resource consent application CRC182004 to be held by Longland Dairies Limited:***

- 1. Appoints Emma Christmas as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and***
- 2. Delegates to Emma Christmas pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide the resource consent applications.***

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

Councillor Cunningham left the meeting at 8.40am.

**7. EXTRAORDINARY AND URGENT BUSINESS**

There was no extraordinary or urgent business.

**8. NEXT MEETING**

To be confirmed

**9. CLOSURE**

Chairperson Skelton declared the meeting closed at 8.50am

**CONFIRMED**

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

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



## **4. Matters Arising**

## **5. Deputations and Petitions**

## 6. Items for discussion

### 6.1. Revocation of Appointment of Hearing Commissioner

#### Regulation Hearing Committee paper

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<b>Date of meeting</b>	Thursday 19th April 2018
<b>Agenda item</b>	6.1
<b>Consents Manager</b>	Virginia Loughnan
<b>Author</b>	Alison Cooper

#### Purpose

1. To revoke the appointment of a Hearing Commissioner to hear and decide objections to decision

#### Recommendations

That the Regulation Hearing Committee:

1. **Revokes the appointment of Kenneth Lawn as a Hearings Commissioner, under s34A of the Resource Management Act 1991 to hear and decide objections to decision of resource consent CRC153146 held by Fernwood Dairies Limited; and resource consent application CRC175779 to be held by Mr G S & Mrs J M Lovett**

#### Background

2. Mr Lawn was appointed to hear and decide the objection to decision: of the resource consent CRC153146 held by Fernwood Dairies Limited on 15 March 2018; and of the resource application CRC175799 to be held by Mr G S & Mrs J M Lovett on 15 June 2017.
3. The hearings of the objections have been delayed; and the hearings are now proposed to be heard late April 2018.
4. Mr Lawn has indicated his unavailability at this time to hear the objections.
5. It is recommended that the appointments be revoked.

#### Legal compliance

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

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

<b>Peer reviewer</b>	Virginia Loughnan
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## 6.2. Appointment of Hearing Commissioner - Objection to Decisions

### Regulation Hearing Committee paper

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<b>Date of meeting</b>	Thursday 19th April 2018
<b>Agenda item</b>	6.2
<b>Consents Manager</b>	Virginia Loughnan
<b>Author</b>	Alison Cooper

### Purpose

1. To appoint a Hearing Commissioner to hear and decide an objection to decision to resource consent application CRC175779 to be held by Mr G S & Mrs J M Lovett; and resource consent CRC183543 held by Canterbury Farming Company Limited.

### Recommendations

**That the Regulation Hearing Committee in regard to an objection to decision to: resource consent application CRC175779 to be held by Mr G S & Mrs J M Lovett; and resource consent CRC183543 held by Canterbury Farming Company Limited:**

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

### Background

2. Mr G S & Mrs J M Lovett had objected to the decision to return the application under s88 of the Resource Management Act, as there was insufficient information supplied.
3. The application is to change conditions of a groundwater take at River Road, Ashburton.
4. Canterbury Farming Company Limited has objected to the decision on the resource consent and in particular conditions relating to the nitrogen reduction calculation and consented percentage figure.
5. The consent authorises the use of land for farming.

## Proposed Commissioners

6. Mike Freeman 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 as a Hearing Commissioner.

## Legal compliance

7. S34A of the Resource Management Act 1991 allows Council to delegate functions to Hearing Commissioners appointed by the Canterbury Regional Council.
8. The Regulation Hearing Committee appoints Hearing Commissioners in relation to consent authority matters under the Resource Management Act 1991.

Peer reviewers	Virginia Loughnan
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## 6.3. Appointment of Hearing Commissioner - Fernwood Dairies Limited

### Regulation Hearing Committee paper

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<b>Date of meeting</b>	Thursday 19th April 2018
<b>Agenda item</b>	6.3
<b>Consents Manager</b>	Virginia Loughnan
<b>Author</b>	Alison Cooper

### Purpose

1. To appoint Hearing Commissioner to hear and decide an objection to decision to resource consent CRC153146 held by Fernwood Dairies Limited.

### Recommendations

**That the Regulation Hearing Committee in regard to an objection to decision of resource consent CRC153146 held by Fernwood Dairies Limited:**

1. **Appoints Cindy Robinson as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
2. **Delegates to Cindy Robinson 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.**

### Background

2. Fernwood Dairies has objected to the conditions including duration and lapse date provisions of resource consent CRC153146 held by Fernwood Dairies Limited; and request an independent hearing commissioner hear the objection.
3. The consent is to take and use water at Jefcoates Crossing Road, Timaru.

### Proposed Commissioner

4. Cindy Robinson has satisfied Council she has the necessary criteria, including technical ability, RMA Accreditation certification, availability and timeframe commitments to carry out the duties required as a Hearing Commissioner.

### Legal compliance

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

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

<b>Peer reviewers</b>	Virginia Loughnan
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## 6.4. Appointment of Hearing Commissioner - Waimakariri District Council

### Regulation Hearing Committee paper

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<b>Date of meeting</b>	Thursday 19th April 2018
<b>Agenda item</b>	6.4
<b>Consents Manager</b>	Virginia Loughnan
<b>Author</b>	Alison Cooper

### Purpose

1. To appoint a Hearing Commissioner to hear and decide resource consent application CRC183143 to be held by Waimakariri District Council.

### Recommendations

**That the Regulation Hearing Committee in regard to resource consent application CRC183143 to be held by Waimakariri District Council:**

1. **Appoints Sharon McGarry as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
2. **Delegates to Sharon McGarry pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide resource consent application.**

### Background

2. Waimakariri District Council has applied for consent to take groundwater from a bore 107 metres deep to use for community water supply purposes as part of the Oxford Rural No.1 Water Supply; and create a community drinking-water supply protection zone of 100 metres in any direction from the bore.
3. The activity will be located at McPhedrons Road, Oxford.
4. The application was publicly notified and four submissions were received. One was in support of the proposal, one neutral and two in opposition. Two submitters wish to be heard.
5. The main concern of submitters is well interference.

## Proposed Commissioners

6. Sharon McGarry has satisfied Council staff she has the necessary criteria, including technical ability, RMA Accreditation certification, availability and timeframe commitments to carry out the duties required as a Hearing Commissioner.

## Legal compliance

7. S34A of the Resource Management Act 1991 allows Council to delegate functions to Hearing Commissioners appointed by the Canterbury Regional Council.
8. The Regulation Hearing Committee appoints Hearing Commissioners in relation to consent authority matters under the Resource Management Act 1991.

Peer reviewers	Virginia Loughnan
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**7. Extraordinary and Urgent Business**

**8. Next Meeting - to be confirmed**

**9. Closure**