

CANTERBURY REGIONAL COUNCIL
Kaunihera Taiao ki Waitaha

AGENDA|2018

Regulation Hearing Committee

Thursday, 23 August 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 from 2 August 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, 2 August 2018 at 8.30am

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- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 21 June 2018
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- 6.0 Items for Discussion
 - 6.1 Appointment of Hearing Commissioner – Objection to Decision
 - 6.2 Revocation of Appointment of Hearing Commissioners
 - 6.3 Update on Logistics for Regulation Hearing Committee hearings
 - 6.4 Appointment of Hearing Commissioner – Hurunui District Council
- 7.0 Extraordinary and Urgent Business
- 8.0 Next Meeting
- 9.0 Closure

PRESENT

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

IN ATTENDANCE

Tania Harris (Senior Manager Operational Support), Philip Burge (Acting Consents Manager), Alison Cooper (Consents Hearings Officer)

Councillor T Lambie (Acting Chairperson) opened the meeting.

The meeting was adjourned at 8.31am and resumed at 8.50am with Councillor Skelton as Chairperson

1. APOLOGIES

Councillor Lan Pham
For lateness – Councillor Peter Skelton

2. CONFLICT OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF MEETING – 21 JUNE 2018

Resolved:

The Regulation Hearing Committee:

Confirms the amended minutes of the meeting held on 21 June 2018 as a true and correct record.

Cr Cunningham / Cr Lambie
CARRIED

It was noted that Item 6.2 of the unapproved minutes of 21 June 2018 presented to Council recommended Councillor Cranwell to join the Committee. This should read as Councillor McKay.

4. MATTERS ARISING

There were no matters arising.

5. DEPUTATIONS AND PETITIONS

There were no depositions or petitions.

6. ITEMS FOR DISCUSSION

6.1 Appointment of Hearing Commissioner – Objection to Decision

Resolved:

That the Regulation Hearing Committee in regard to an objection to decision of resource consent CRC051766, CRC040989 and CRC071825 held by Mr Nathaniel Small:

- 1. Appoint Cindy Robinson as a Hearings Commissioner, under s34A of the Resource Management Act 1991; and**
- 2. Delegate 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**

Cr Lambie / Cr Cunningham
CARRIED

6.2 Revocation of Appointment of Hearing Commissioners

Resolved:

That the Regulation Hearing Committee in regard to resource consent application CRC160056 to be held by Christchurch City Council revoked the appointment of:

- 1. Ken Gimblett as a Hearings Commissioner, member and Chair of the Hearing Panel under s34A of the Resource Management Act 1991; and**
- 2. Hugh Thorpe as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**

3. Raewyn Solomon as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991.

Cr Cunningham / Cr Lambie
CARRIED

Item 6.4 was taken at this time.

6.4 Appointment of Hearing Commissioner – Hurunui District Council

Resolved:

That the Regulation Hearing Committee in regard to resource consent application CRC175709 to be held by Hurunui District Council:

- 1. Appoint Emma Christmas as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
- 2. Delegate 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 application.**

Cr Lambie / Cr Cunningham
CARRIED

6.3 Update of Logistics for Consent Decisions via Regulation Hearing Committee

Philip Burge spoke to the report outlining the process and timeline table for the Regulation Hearing Committee to consider and decide notified applications where there were no parties to be heard.

The advice was noted.

6. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

7. NEXT MEETING

To be confirmed.

8. CLOSURE

The Chairperson declared the meeting closed at 9:10am

CONFIRMED

Date: _____

Chairperson: _____

4. Matters Arising

5. Deputations and Petitions

6. Items for discussion

6.1. Appointment of Hearing Commissioners - Christchurch City Council

Regulation Hearing Committee paper

Date of meeting	Thursday 23rd August 2018
Agenda item	6.1
Consents Manager	Philip Burge
Author	Alison Cooper

Purpose

1. To appoint Hearing Commissioners to hear and decide resource consent application CRC190445 to be held by Christchurch City Council

Recommendations

If it is considered a Hearing Panel of three is required:

That the Regulation Hearing Committee in regard to resource consent application CRC190445 to be held by Christchurch City Council:

1. **Appoints Rob van Voorthuysen as a Hearings Commissioner, and Chair and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**
2. **Appoints Hoani Langsbury as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**
3. **Appoints Emma Christmas as a Hearings Commissioner, and member of the Hearing Panel under s3A of the Resource Management Act 1991; and**
4. **Delegates to Rob van Voorthuysen, Hoani Langsbury and 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 application.**

Alternately, if it is considered a Hearing Panel with legal expertise is also required:

That the Regulation Hearing Committee in regard to resource consent application CRC190445 to be held by Christchurch City Council:

1. **Appoints David Caldwell as a Hearings Commissioner, and Chair and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**

- 2. Appoints Rob van Voorthuysen as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**
- 3. Appoints Hoani Langsbury as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**
- 4. Appoints Emma Christmas as a Hearings Commissioner, and member of the Hearing Panel under s3A of the Resource Management Act 1991; and**
- 5. Delegates to David Caldwell, Rob van Voorthuysen, Hoani Langsbury and 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 application.; and in the event of an inequality of votes provides David Caldwell with a casting vote.**

Background

2. Christchurch City Council has applied for a comprehensive stormwater network discharge consent, that is, to discharge water and contaminants to land and water from the existing and future reticulated stormwater network within Christchurch City and the settlements of Banks Peninsula.
3. This application replaces the previously notified application CRC160056 for the same proposal. This application now includes discharges from 'high risk sites' which the applicant proposes to take responsibility for within the scope of the resource consent.
4. A consent duration of 25 years is sought.
5. The application has been publicly notified with submissions closing on 31 August 2018.
6. The previous notification received 45 submissions with 39 submitters to be heard.
7. A hearing is proposed to be held early November 2018.

Proposed Commissioners

8. It is proposed that Hearing Commissioners with technical expertise in planning and stormwater issues; water quality, ecology and cultural matters be appointed.
9. An alternative panel has been proposed should it be considered legal expertise is also required.
10. All proposed Hearing Commissioners - David Caldwell, Rob van Voorthuysen, Hoani Langsbury and Emma Christmas, have satisfied Council staff they have the necessary criteria, including technical ability, RMA Accreditation certification, availability and timeframe commitments to carry out the duties required as Hearing Panel members.

Legal compliance

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

Peer reviewers	Tania Harris
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7. Extraordinary and Urgent Business

8. Next Meeting - to be confirmed

9. Closure