

CANTERBURY REGIONAL COUNCIL  
*Kaunihera Taiao ki Waitaha*

# AGENDA|2018

## **Regulation Hearing Committee**

Thursday, 13 September 2018

.....

Time: 8.30am

Venue: Council Chamber,  
200 Tuam Street, Christchurch





# Regulation Hearing Committee

## Membership

**Chair**

Peter Skelton

**Members:**

Cr Claire McKay  
Cr Elizabeth Cunningham  
Cr Lan Pham  
Cr Peter Scott  
Cr Tom Lambie



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

**TABLE OF CONTENTS**

<b>1. Apologies .....</b>	<b>6</b>
<b>2. Conflict of Interest .....</b>	<b>6</b>
<b>3. Minutes .....</b>	<b>6</b>
3.1. Minutes from 6 September 2018 .....	6
<b>4. Matters Arising.....</b>	<b>9</b>
<b>5. Deputations and Petitions .....</b>	<b>10</b>
<b>6. Items for discussion .....</b>	<b>11</b>
6.1. Revocation of Appointment of Hearing Commissioner - ERP Group Ltd .....	11
6.2. Revocation of Appointment of Hearing Commissioner - Christchurch City Council .....	13
6.3. Appointment of Hearing Commissioner - Christchurch City Council .....	15
<b>7. Extraordinary and Urgent Business .....</b>	<b>17</b>
<b>8. Next Meeting - to be confirmed .....</b>	<b>17</b>
<b>9. Closure .....</b>	<b>17</b>

## **1. Apologies**

## **2. Conflict of Interest**

## **3. Minutes**

### **3.1. Minutes from 6 September 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, 6 September 2018 at 8.30am

**CONTENTS**

- 1.0 Apologies
- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 23 August 2018
- 4.0 Matters Arising
- 5.0 Deputations and Petitions
- 6.0 Items for Discussion
  - 6.1 Appointment of Hearing Commissioner – Selwyn District Council
- 7.0 Extraordinary and Urgent Business
- 8.0 Next Meeting
- 9.0 Closure

**PRESENT**

Councillors Peter Skelton (Chairperson), Tom Lambie, Elizabeth Cunningham, Lan Pham, Peter Scott, Claire McKay

**IN ATTENDANCE**

Alison Cooper (Consents Hearings Officer)

**1. APOLOGIES**

There were no apologies.

**2. CONFLICT OF INTEREST**

No conflicts of interest were declared.

**3. MINUTES OF MEETING – 23 AUGUST 2018**

**Resolved:**

**The Regulation Hearing Committee:**

**Confirms the amended minutes of the meeting held on 23 August 2018 as a true and correct record.**

Cr Pham / Cr Cunningham  
CARRIED

**4. MATTERS ARISING**

There were no matters arising.

**5. DEPUTATIONS AND PETITIONS**

There were no deputations or petitions.

**6. ITEMS FOR DISCUSSION**

**6.1 Appointment of Hearing Commissioner – Selwyn District Council**

**Resolved:**

**That the Regulation Hearing Committee in regard to resource consent application CRC183459 to be held by Selwyn 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 the resource consent application.**

Cr Cunningham / Cr McKay  
CARRIED

**7. EXTRAORDINARY AND URGENT BUSINESS**

There was no extraordinary or urgent business.

**8. NEXT MEETING**

Thursday 13 September 2018

**9. CLOSURE**

The Chairperson declared the meeting closed at 8.57am

**CONFIRMED**

**Date:** \_\_\_\_\_

**Chairperson:** \_\_\_\_\_



## **4. Matters Arising**

## **5. Deputations and Petitions**

## 6. Items for discussion

### 6.1. Revocation of Appointment of Hearing Commissioner - ERP Group Ltd

#### Regulation Hearing Committee paper

<b>Date of meeting</b>	Thursday 13th September 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 resource consent application CRC182795 to be held by ERP Group Limited.

#### Recommendations

**That the Regulation Hearing Committee:**

1. **Revokes the appointment of Kenneth Lawn as a Hearings Commissioner to hear and decide resource consent application CRC182795 to be held by ERP Group Limited**

#### Background

2. Mr Lawn was appointed on 21 June 2018 to hear the resource consent application CRC182795 to be held by ERP Group Limited.
3. ERP Group Limited had applied to discharge dust and odour to air at a waste transfer station at 25 Spencerville Road, Christchurch.
4. The hearing of the application was delayed as the applicant undertook discussions with submitters who wished to be heard.
5. The submitters have now withdrawn their right to be heard, leaving no submitters to be heard on the application.
6. The decision on the application can be made by the Regulation Hearing Committee.
7. It is recommended the appointment be revoked.

## Legal compliance

8. S34A of the Resource Management Act 1991 allows Council to delegate functions to Hearing Commissioners appointed by the Canterbury Regional Council.
9. 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
-----------------------	-------------------

## 6.2. Revocation of Appointment of Hearing Commissioner - Christchurch City Council

### Regulation Hearing Committee paper

<b>Date of meeting</b>	Thursday 13th September 2018
<b>Agenda item</b>	6.2
<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 resource consent application CRC190445 to be held by Christchurch City Council.

### Recommendations

**That the Regulation Hearing Committee:**

1. **Revokes the appointment of Rob van Voorthuysen as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991.**

### Background

2. Mr van Voorthuysen was appointed on 23 August 2018 as a Hearings Commissioner, and member of the Hearing Panel to hear resource consent application CRC190445 to be held by Christchurch City Council.
3. The application is for the comprehensive stormwater network discharge consent. The hearing is to commence in early November 2018 before a four person Hearing Panel.
4. Mr van Voorthuysen has advised that he is no longer available to be a panel member due to a timetabling issue.
5. It is recommended the appointment 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 reviewers</b>	Virginia Loughnan
-----------------------	-------------------

## 6.3. Appointment of Hearing Commissioner - Christchurch City Council

### Regulation Hearing Committee paper

<b>Date of meeting</b>	Thursday 13th September 2018
<b>Agenda item</b>	6.3
<b>Consents Manager</b>	Virginia Loughnan
<b>Author</b>	Alison Cooper

### Purpose

1. To appoint a Hearing Commissioner and panel member to hear and decide resource consent application CRC190445 to be held by Christchurch City Council.

### Recommendations

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

1. **Appoints Hugh Leersnyder as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**
2. **Delegates to Hugh Leersnyder 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**

### Background

2. A vacancy has occurred in the Hearing Panel to hear and decide resource consent application CRC190445 to be held by Christchurch City Council.
3. 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 Bank Peninsula.
4. A panel of four hearing commissioners was appointed on 23 August 2018 to hear the application because of the complexity and technical aspect of the application. There are also 30 submitters to be heard. The hearing commences the beginning of November 2018.
5. It is proposed an appointment be made to continue with a hearing panel of four members.
6. There is no other change to the other members of the panel.

## Proposed Commissioners

7. Hugh Leersnyder 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 Panel member.

## Legal compliance

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

Peer reviewers	Virginia Loughnan
----------------	-------------------



**7. Extraordinary and Urgent Business**

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

**9. Closure**