

BEFORE THE CANTERBURY REGIONAL COUNCIL

IN THE MATTER OF The Resource Management Act 1991 (**Act**)

and

IN THE MATTER OF an application by Christchurch City Council for a discharge permit to discharge water and contaminants to land and water, including coastal water, from

- the existing and future stormwater network;
- stormwater generated from roofs of individual existing sites, greenfield development sites and redevelopment sites and as discharged within the site; and
- stormwater generated from hard standing areas of individual existing residential sites, greenfield developments sites and redevelopment sites and as discharged within the site

**SECOND MINUTE OF HEARING COMMISSIONERS ADDRESSING
DISCLOSURES OF INTERESTS, SITE VISIT AND POTENTIAL CAUCUSING**

Introduction

- 1 This minute addresses three matters:
 - a) disclosure of interests;
 - b) potential site visit; and
 - c) potential caucusing of experts.

Disclosure


- 2 The panel has now received the S42A Report and copies of submissions filed.
- 3 Having considered the submissions, the panel has considered whether there are any potentially relevant interests or relationships which should be disclosed.
- 4 None of the commissioners consider they have any interests or relationships which create any actual or potential conflict of interest. In the interests of transparency and for completeness, I **attach** a Disclosure of Interests identifying matters I consider should be disclosed.
- 5 I am satisfied that none of the matters identified give rise to any potential, actual or perceived conflict of interest. If any party has any concerns in relation to any of the matters disclosed, those concerns must be raised, in writing, through Ms Cooper. Ms Cooper's email address is alison.cooper@ecan.govt.nz. If any concerns are raised, they will be considered and responded to.

Potential Site Visit

- 6 The panel will undertake a site visit to familiarise ourselves with the various catchments and infrastructure forming part of the network. Ideally the panel would like to undertake that prior to the commencement of the hearing. That does not appear to be possible.
- 7 If any party wishes to draw our attention to any sites or localities which they consider we should specifically visit, it would be helpful if they could do so, in writing, prior to the commencement of the hearing.
- 8 It would assist us if the applicant could provide its suggestions at the same time as filing its evidence. Any submitter who intends to call expert evidence could provide its suggestions at the time of filing that evidence.

Potential Caucusing

- 9 The panel has not yet received the applicant's evidence, or any expert evidence from submitters, and are therefore unable to identify what differences there may be between experts.
- 10 Following receipt of the applicant's evidence the panel will consider the appropriateness of caucusing. We may direct particular experts to caucus for the purpose of identifying areas where they agree, and where they disagree, with the reasons for any disagreement to be recorded. We do not propose any directions in relation to caucusing at this time, but identify it as a matter the parties may wish to consider.



David Caldwell
Chair

Dated: 11 October 2018

Disclosure of Interests

1. I provide independent hearing commissioner services to several councils throughout the South Island. I am on the panel of Independent Hearing Commissioners for Christchurch City Council (CCC). I have sat as independent commissioner on a number of resource consent applications to CCC. I have not been involved in hearings or issued any decisions which in any way relate to this application.
2. I have also provided independent legal advice to CCC on a limited number of matters. That advice has not been related to this application.
3. When I was practicing as a partner in a law firm I provided limited advice to Lyttleton Port Company and to Christchurch International Airport on unrelated matters. I am not currently acting for either of those submitters and have not done so for a number of years.
4. For completeness I record that I acted for 2 landowner groups and 1 landowner as s274 parties on an appeal to the Environment Court relating to Variation 48 to the Christchurch City Plan. Variation 48 addressed flood management. That was some years ago. The Environment Court issued its decision in 2009. I was then practicing as a partner in a law firm. The submitters I represented were in the Lower Styx and Cashmere floodplain/Hendersons Basin. I have noted that potential flooding issues in those catchments have been raised in some of the submissions. A member of what was then the Lower Styx Ponding Group appears as one of several signatories on a submission filed in February 2016. I understand this was resubmitted by submitter Barry Robertson on 28 August 2018.
5. I confirm I have not provided any advice to any party on this application.

Dated: 10 October 2018



David Caldwell

