

CANTERBURY REGIONAL COUNCIL
Kaunihera Taiao ki Waitaha

AGENDA|2018



**Regulation Hearing
Committee**

Thursday, 1 November 2018

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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

1. Apologies	6
2. Conflict of Interest	6
3. Minutes	6
3.1. Minutes from 20 September 2018	6
4. Matters Arising.....	16
5. Deputations and Petitions	17
6. Items for discussion	18
6.1. Appointment of Hearing Commissioner - Hurunui District Council	18
7. Extraordinary and Urgent Business	20
8. Next Meeting - to be confirmed	20
9. Closure	20

1. Apologies

2. Conflict of Interest

3. Minutes

3.1. Minutes from 20 September 2018

Refer to attachment on following page.

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Rakahuri Room, 200 Tuam Street, Christchurch, on
Thursday, 20 September 2018 at 8.30am

CONTENTS

- 1.0 Apologies
- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 13 September 2018
- 4.0 Matters Arising
- 5.0 Deputations and Petitions
- 6.0 Items for Discussion
 - 6.1 Appointment of Hearing Commissioner – 4S Limited
 - 6.2 Resource Consent Application for Consideration
- 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

Virginia Loughnan (Consents Manager), Alison Cooper (Consents Hearings Officer); Deepani Seneviratna (Team Leader Consents Planning); Hayleigh Brereton (Regional Leader Consents Delivery), Henry Winchester (Consents Planner)

1. APOLOGIES

There were no apologies.

2. CONFLICT OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF MEETING – 13 SEPTEMBER 2018

Resolved:

The Regulation Hearing Committee:

Confirms the minutes of the meeting held on 13 September 2018 as a true and correct record.

Cr. Cunningham / Cr. Scott
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 – 4S Limited

Resolved:

That the Regulation Hearing Committee in regard to an objection to decision on certificate of compliance CRC186237 to be held by 4S 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**

Cr Lambie / Cr Pham
CARRIED

Councillor Lambie advised he would not be taking part in the discussion and decision in regard to item 6.2.

At the invitation of the Chairperson, Councillor Scott lead the discussion on this item.

6.2 Resource Consent Application for Consideration by the Committee

Councillor Scott advised that the application for decision before the Committee, had been read prior to the meeting.

He outlined the application was to discharge contaminants to air from a new waste transfer facility at 25 Spencerville Road, Christchurch. He also noted the s42A report had been written by Henry Winchester, Consents Planner; with technical assistance from Mr Donovan van Kekem. It was further noted that a discretionary activity consent was required as the application did not meet the requirements of the Canterbury Air Regional Plan for a permitted activity; and there were no submitters who wished to be heard because they were satisfied with the proposed conditions.

The Committee noted a revised set of conditions had been provided. In discussing the proposed conditions, the purpose of reviewing a consent was noted; as well as the process to reduce odour. Comments on condition 9(a) and clarity of hazardous material that would not be accepted were made.

Unconfirmed

It was agreed to amend condition 9(a) by deleting the words: 'may include but not be limited to'; at the end of the sentence.

The amended condition would then read:

"Signage at the site entrance shall state clearly all materials not accepted at the site as below;

- a. Hazardous materials that are not to be accepted onsite are:
 - i. Asbestos material;
 - ii. Medical wastes;
 - iii. Hazardous wastes including polychlorinated biphenyls;
 - iv. Explosives and fireworks;
 - v. Timber preservatives;
 - vi. acrylates, solvents, and aliphatic hydrocarbons; and
 - vii. Herbicides or insecticides
- b. The following substances shall also not be included;
 - i. Volatile liquid wastes;
 - ii. Residues from chemical manufacturing processes containing esters;
 - iii. Residues from tanneries;
 - iv. poultry wastes; and
 - v. Commercially derived resins, oils, paints, and tars."

Resolved:

That the Regulation Hearing Committee acting pursuant to a delegation of the Council dated 25 August 2016:

1. **having considered all relevant provisions of the Resource Management Act 1991; and**
2. **for the reasons (required under s133(4) of the Resource Management Act 1991), set out in the Section 42A report which is adopted;**

Grants consent to application CRC182795 to discharge contaminants to air from a waste transfer station located at 25 Spencerville Road, Christchurch, to be held by ERP Group Limited for a period of 15 years;

Subject To the amended conditions dated 20 September 2018, attached as Appendix 1.

Cr McKay / Cr Cunningham
CARRIED

7. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

8. NEXT MEETING

To be advised.

CLOSURE

The Chairperson declared the meeting closed at 9.30am

CONFIRMED

Date: _____

Chairperson: _____

Appendix 1

AMENDED CONDITIONS dated 20 September 2018

Applicants Name: ERP Group Limited

Conditions for Consent Application CRC182795

Activity: Discharge Permit (s15) to discharge contaminants to air

Consent Duration: 15 years

Conditions:

	<p>Definitions:</p> <p>General Waste: means putrescible and non-putrescible wastes from retail, commercial or industrial premises and recyclable materials.</p> <p>SMP: means Site Management Plan.</p> <p>Processing: means the transfer of waste from vehicles into large bins for travel.</p>
	Limits
1	The discharges to air shall be only odour and dust from the sorting and processing of general waste at 25 Spencerville Road, Christchurch legally defined as Lot 2 DP 53987, at or about map reference NZTM 2000 1571958mE 5191559mN, labelled as 'Site' on Plan CRC182795 attached to and forming part of this consent.
2	The processing of general wastes shall only occur inside the transfer building and shall include only the deposition, sorting, compaction and transfer of wastes into a sealed container.
3	The quantity of general waste processed at the site shall not exceed 750 tonnes per week which shall include a maximum limit of 225 tonnes of putrescible material.
4	All wastes received at the site shall be delivered by commercial waste collection operators that have been appropriately trained to achieve compliance with the conditions of this consent. Wastes shall not be accepted from the general public.
5	The discharge shall not cause odour or particulate material, which is noxious, offensive or objectionable beyond the boundary of the site.
6	The waste transfer facility shall operate between 6.30 am and 5.00 pm from Monday to Saturday only. No work shall undertake during Public Holidays and on Sundays.
	Prior to the operation

7	Prior to commencing any authorised work under condition (1) associated with the waste transfer facility, the consent holder shall seal the 300 metres long (approximately) access road to the site as shown on Plan CRC182795.
	During the operation
8	<p>a) Prior to unloading, each truck load of general waste shall be inspected in accordance with the criteria developed under condition 17, to identify any hazardous materials or unauthorised substances as listed in condition (9) in the load.</p> <p>b) Should any hazardous materials or unauthorised substances be identified in a load, the load shall be refused, and removed from the site immediately. A record of the refused load and vehicle operator shall be recorded and included within the site reporting.</p> <p>c) If a load is highly odorous or dusty during unloading, the load shall be processed immediately upon delivery.</p>
9	<p>Signage at the site entrance shall state clearly all materials not accepted at the site as below;</p> <p>c. Hazardous materials that are not to be accepted onsite are:</p> <ul style="list-style-type: none"> i. Asbestos material; ii. Medical wastes; iii. Hazardous wastes including polychlorinated biphenyls; iv. Explosives and fireworks; v. Timber preservatives; vi. acrylates, solvents, and aliphatic hydrocarbons; and vii. Herbicides or insecticides. <p>d. The following substances shall also not be included;</p> <ul style="list-style-type: none"> i. Volatile liquid wastes; ii. Residues from chemical manufacturing processes containing esters; iii. Residues from tanneries; iv. poultry wastes; and v. Commercially derived resins, oils, paints, and tars.
10	<p>All practicable measures shall be used to minimise odour and dust effects beyond the site boundary. The minimum requirements are:</p> <ul style="list-style-type: none"> a. Covering the load with other non-odorous or non-dusty waste; b. Compacting the waste as soon as practicable; c. Sweeping down the waste collection and handling area, as required to avoid build-up of dusty or odorous materials; and d. Cleaning up liquid spills immediately.
11	In the event of offensive and objectionable dust blowing beyond the site boundary, arising from activities on the site, site operations shall cease until appropriate mitigation measures are in place.
12	a. The doors into the eastern side of the building used for waste acceptance shall be open only to the extent required to enable the safe and efficient operation of the site while minimising the discharge of odour. Doors shall

	<p>be closed at the end of the working day and also at other times to the greatest extent practicable.</p> <p>b. All external apertures and vents in the building containing the waste transfer facility, excluding doorways, shall be sealed to prevent the discharge of odour and dust.</p>
13	<p>General waste shall be compacted into enclosed sealed containers as soon as practicable after delivery to the site, and:</p> <p>a. Full containers shall be removed from the site as soon as practicable, and within 24 hours during weekdays and 72 hours during weekends.</p> <p>b. All potentially odorous general waste, including waste that contains any putrescible material, shall be compacted and placed into sealed containers if it is to be left on site overnight or during weekends. For the avoidance of doubt, the term "potentially odorous general waste" does not include clean recyclable material.</p>
14	<p>All containers used to hold compacted waste shall be of a suitable design and condition to prevent the release of fugitive odours.</p>
15	<p>All site access and transfer surfaces under the control of the consent holder shall be sealed in order to minimise dust discharge from the site.</p>
16	<p>Vehicle speeds at the site shall not exceed 10 kilometres per hour.</p>
17	<p>All site supervisors and staff shall be adequately trained, and clear, concise, written instructions shall be displayed in a language which is clearly understandable to all staff with respect to:</p> <p>a. Acceptance and refusal criteria for waste delivered to the site;</p> <p>b. Odour, dust and litter mitigation; and</p> <p>c. Storage, handling and disposal procedures for all waste on site.</p>
18	<p>Areas adjacent to the entrance and exit of the building shall be maintained in a state free of waste that could be blown from the site.</p>
	<p>Site Management Plan</p>
19	<p>All site activities shall be carried out in accordance with a Site Management Plan (SMP) developed specifically for this site.</p>
20	<p>The SMP shall be:</p> <p>a. Consistent with the conditions of this consent; and</p> <p>b. Submitted to Canterbury Regional Council, Attention Regional Leader - Monitoring and Compliance before the consent is exercised.</p>
21	<p>The SMP minimum requirements are:</p>

	<ul style="list-style-type: none"> a. Procedures for handling, storing and removing all types of wastes, including waste acceptance criteria; b. Procedures for dealing with any dusty, odorous or hazardous waste materials received at the site; c. Management and monitoring procedures for odour and dust discharges; d. Equipment used onsite for containing or transporting material are in good condition; e. Staff training details on the process requirements, use of emissions control equipment, and emergency response procedures; f. Identification of any contingency and precautionary measures to be put in place in unforeseen situations, such as equipment breakdowns and power outages; g. Maintenance procedures for ensuring the building doors are kept in good working order; h. Procedures for ensuring that the integrity of the building envelope is maintained to minimise the potential for fugitive odour or dust emissions; and i. Complaints procedures.
22	<p>The SMP may be updated or amended at any time. Any amendments shall be:</p> <ul style="list-style-type: none"> a. Only for the purpose of improving the efficacy of emission controls; b. Consistent with the conditions of this resource consent; and c. Submitted in writing to the Canterbury Regional Council, Attention Regional Leader - Monitoring and Compliance Manager as soon as practicable.
23	<p>An updated copy of the SMP shall be available onsite at all times.</p>
	<p>Monitoring and Recording</p>
24	<p>A record shall be kept of the volume and nature of the material processed by the facility. This record shall include:</p> <ul style="list-style-type: none"> a. A description of the waste load; b. The time and date the load was received; c. The source of the material, or where a load comes from multiple sites, the nature of the source (for example: 'residential' or 'commercial'); d. The weight of the load; e. Any dust or odour-reduction methods used, including if the waste was prioritised for transfer; and f. A description of any rejected load and the reason why the load was turned away. <p>The record shall be provided to the Canterbury Regional Council, Attention: Regional Leader - Monitoring and Compliance by the 1 December each year for the duration of this consent.</p>
25	<p>A record of all complaints made to the consent holder relating to odour or dust shall be maintained.</p>

26	<p>The complaints record shall include the following where practicable:</p> <ul style="list-style-type: none">a. The name and address of the complainant, if supplied;b. A description of the type of odour or dust detected;c. The location where the odour or dust was detected by the complainant;d. The date and time when the odour or dust was detected;e. A description of the wind speed and wind direction when odour or dust was detected by the complainant;f. The most likely cause or source of the odour or dust detected; andg. Any corrective action undertaken to avoid, remedy or mitigate the odour or dust detected by the complainant.
27	<p>All complaints relating to the exercise of this consent shall:</p> <ul style="list-style-type: none">a. Be responded to as soon as practicable, with a record kept of this response and any further correspondence with the complainant following the event; andb. The record shall be provided to the Canterbury Regional Council, Attention: Regional Leader - Monitoring and Compliance within 48 hours of receiving the complaint, or otherwise on request.
	<p>Administration</p>
28	<p>The Canterbury Regional Council may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent for the purposes of dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.</p>
29	<p>The lapsing date for the purposes of section 125 shall be 31 December 2023.</p>

4. Matters Arising

5. Deputations and Petitions

6. Items for discussion

6.1. Appointment of Hearing Commissioner - Hurunui District Council

Regulation Hearing Committee paper

Date of meeting	1 November 2018
Agenda item	6.1
Consents Manager	Virginia Loughnan
Author	Alison Cooper

Purpose

1. To appoint Hearing Commissioners to hear and decide resource consent application CRC185084 to be held by Hurunui District Council.

Recommendations

That the Regulation Hearing Committee in regard to resource consent application CRC185084 to be held by Hurunui 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.**

Background

2. Hurunui District Council has applied to discharge treated wastewater from the Hanmer Springs Wastewater Treatment plant to the Chatterton River.
3. The application is for the continued discharge of treated wastewater for a period of 20 months to allow sufficient time for the construction of a land disposal system which will replace the discharge to the river.
4. The location, quality, and quantity of the discharge remain unchanged from the existing consent which expires 11 November 2018.
5. The application was publicly notified. Four submissions were received, with two opposing the application and two in support. Two submitters wish to be heard.

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