

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chamber, 200 Tuam Street, Christchurch, on
Thursday, 15 November 2018 at 8.30am

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PRESENT

Councillors Peter Skelton (Chairperson), Elizabeth Cunningham, Claire McKay and Tom Lambie

IN ATTENDANCE

Catherine Schache (General Counsel), Tania Harris (Senior Manager Operational Support), and Louise McDonald (Senior Committee Advisor)

1. APOLOGIES

Councillors Peter Scott and Lan Pham

2. CONFLICT OF INTEREST

Item 6.3 Appointment of Independent Commissioner – Cloud Ocean Water Limited
Cr Skelton referring to the recommendation to appoint Richard Fowler QC as Hearings Commissioner, declared that he knew Mr Fowler professionally. He also advised that Mr Fowler was in the same legal chambers as his (Cr Skelton's) son.

Cr Skelton confirmed that the recommendation to appoint Mr Fowler was from staff and that he had no involvement in that recommendation. This situation has arisen before and the advice received was this did not constitute a conflict of interest.

3. MINUTES OF MEETING – 1 NOVEMBER 2018

Resolved:

The Regulation Hearing Committee:

Confirms the amended minutes of the meeting held on 1 November 2018 as a true and correct record.

Cr Lambie / Cr Cunningham
CARRIED

4. MATTERS ARISING

Staff will check that the clarification requested by Cr Scott regarding condition 9(b) CRC182795 (25 Spencerville Road) regarding the substances to be included in the signage, had been provided.

5. DEPUTATIONS AND PETITIONS

There were no deputations 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 CRC185518 made by Mr B L & Mrs N M Burrows:

- 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 Cunningham / Cr McKay
CARRIED

6.2 Appointment of Pre-Hearing Chairperson – Pigeon Bay Aquaculture Limited

Resolved:

That the Regulation Hearing Committee in regard to resource consent application CRC185518 to be held by Pigeon Bay Aquaculture Limited:

- 1. Appoints Kenneth Lawn as a Pre-Hearing Chairperson under s99 of the Resource Management Act 1991; and**

2. Delegates to Kenneth Lawn pursuant to s99 Resource Management Act 1991, the function, powers and duties required to: chair a pre-hearing meeting.

Cr McKay / Cr Lambie
CARRIED

6.3 Appointment of Independent Commissioner – Cloud Ocean Water Limited

Catherine Schache introduced this report and explained as the original consent was currently the subject of a judicial review, it was recommended that an independent hearing commissioner be appointed to consider and decide whether the application CRC192153 should be notified.

Resolved:

That the Regulation Hearing Committee in regard to resource consent application CRC192153 to be held by Ocean Water Limited:

(a) Appoints Richard Fowler QC as a Hearings Commissioner under s34A of the Resource Management Act 1991:

- i. to consider and decide the non-notification, limited notification or public notification of that consent application;
- ii. following the decision referred to a (i), if that decision is not to notify that consent application, to consider and decide that consent application; and
- iii. following the decision referred to at (i), if that decision is to limited notify or to publicly notify that consent application, to be the Chair of a hearing panel to consider and decide that consent application, in conjunction with other Hearing Commissioners, to be appointed at a later date;

(b) Delegates to Richard Fowler QC pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; consider, and, subject to the appointment of additional Hearing Commissioners provided at resolution set out 1(a)(iii) above, to decide the application.

Cr Lambie / Cr McKay
CARRIED

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 8.44 am

CONFIRMED

Date: 29 November 2018

Chairperson: _____

