


CANTERBURY REGIONAL COUNCIL
Kaunihera Taiao ki Waitaha

AGENDA|2019



**Regulation Hearing
Committee**

Thursday, 14 February 2019

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Time: 8.30am

Venue: Council Chamber,
200 Tuam Street, Christchurch



Regulation Hearing Committee

Membership

Chair

Cr Peter Skelton

Members:

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

ENVIRONMENT CANTERBURY
REGULATION HEARING COMMITTEE

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1. Apologies

2. Conflict of Interest

3. Minutes

3.1. Minutes from 31 January 2019

Refer to attachment on following page.

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chamber, 200 Tuam Street, Christchurch, on
Thursday, 31 January 2019 at 8.30am

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PRESENT

Councillors Claire McKay, Tom Lambie, Peter Scott and Lan Pham

IN ATTENDANCE

Virginia Loughnan (Consents Planning Manager), Louise McDonald (Senior Administration Officer)

1. APOLOGIES

Crs Peter Skelton and Elizabeth Cunningham

Resolved

That Regulation Hearing Committee:

- 1. In the absence of the chair appoint Cr Tom Lambie as acting chair for this meeting.**

Cr Scott / Cr McKay
CARRIED

Cr Lambie assumed the chair and welcomed everyone to the meeting.

2. CONFLICT OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF MEETING – 13 DECEMBER 2018

Resolved:

The Regulation Hearing Committee:

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

Cr Scott / Cr McKay
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 Independent Commissioners – Pigeon Bay Aquaculture Limited

Resolved:

That the Regulation Hearing Committee in regard to resource consent applications CRC175136 to be held by Pigeon Bay Aquaculture:

- 1. Appoints Sharon McGarry as a Hearings Commissioner, and member of the hearing panel 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 Pham / Cr McKay
CARRIED

6.2 Appointment of External Decision Maker - Kaikoura District Council

This item was withdrawn as this appointment was made at the 13 December 2018 meeting.

6.3 Appointment of Decision Maker to hear and decide objection to costs of resource consent CRC185377

Resolved:

That the Regulation Hearing Committee in regard to an objection to the costs of processing application CRC185377 – John Fletcher Contracting Limited:

Unconfirmed

1. **Appoints Ken Lawn as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
2. **Delegates to Ken Lawn 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 costs.**

Cr Scott/ Cr McKay
CARRIED

6. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

7. NEXT MEETING - To be confirmed.

8. CLOSURE - The Acting Chairperson declared the meeting closed at 8.34 am

CONFIRMED

Date: _____

Chairperson: _____

4. Matters Arising

5. Deputations and Petitions

6. Items for discussion

6.1. Appointment of Hearing Commissioner - Kaikoura District Council

Regulation Hearing Committee paper

Date of meeting	14 February 2019
Agenda item	6.1
Consents Manager	Virginia Loughnan
Author	Alison Cooper

Purpose

1. To appoint a Hearing Commissioner to decide resource consent applications CRC190566, CRC190567, CRC190568 to be held by Kaikoura District Council

Recommendations

That the Regulation Hearing Committee in regard to resource consent application(s) CRC190566, CRC190567, CRC190568 to be held by Kaikoura 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; consider; and decide the resource consent applications.**

Background

2. Kaikoura District Council has applied for three new resource consents for earthworks, dewatering and stormwater discharges relating to the installation a new Beach Road, Kaikoura, sewer line and pump stations. This is in addition to applications to improve the resilience of the sewerage treatment facility and lagoon.
3. The consents are necessary to provide for recovery from the Kaikoura earthquake of November 2016 which extensively damaged parts of the wastewater network.
4. Environment Canterbury has supplied significant internal expertise preparing the application on behalf of the Kaikoura District Council.

5. It is considered that because of this input into the non-notified applications, an independent decision-maker be appointed to decide the application.

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.

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