

CANTERBURY REGIONAL COUNCIL
Kaunihera Taiao ki Waitaha

AGENDA|2019

**Regulation Hearing
Committee**

Thursday, 9 May 2019

.....

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

TABLE OF CONTENTS

1. Apologies.....	4
2. Conflict of Interest	4
3. Deputations and Petitions.....	4
4. Minutes	5
4.1. Minutes from 11 April 2019.....	5
5. Matters Arising.....	8
6. Items for discussion	9
6.1. Appointment of Independent Hearing Commissioners - Non-Notified Applications	9
7. Extraordinary and Urgent Business.....	11
8. Other Business	11
9. Next Meeting - to be confirmed	11
10. Closure.....	11

- 1. Apologies**
- 2. Conflict of Interest**
- 3. Deputations and Petitions**

4. Minutes

4.1. Minutes from 11 April 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, 11 April 2019 at 8.30am

CONTENTS

- 1.0 Apologies
- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 21 March 2019
- 4.0 Matters Arising
- 5.0 Deputations and Petitions
- 6.0 Items for Discussion
 - 6.1 Appointment of Hearing Commissioner – Timaru District Council
- 7.0 Extraordinary and Urgent Business
- 8.0 Other Business
- 9.0 Next Meeting
- 10.0 Closure

PRESENT

Councillors Peter Skelton, Elizabeth Cunningham, Peter Scott, Tom Lambie, Lan Pham and Claire McKay

IN ATTENDANCE

Virginia Loughnan (Consents Planning Manager), 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 – 21 MARCH 2019

Resolved:

The Regulation Hearing Committee:

Confirms the minutes of the meeting held on 21 March 2019 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 – Timaru District Council

Resolved:

That the Regulation Hearing Committee in regard to resource consent application CRC192123 to be held by Timaru 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 Pham / Cr McKay
CARRIED

Alison Cooper, Consents Hearings Officer, advised that Quentin Hix, Ngai Tahu certified Hearing Commissioner will be an observer at this hearing.

7. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

8. OTHER BUSINESS

Alison Cooper, Consents Hearings Officer, briefed the Committee on the status of current resource consent hearings, and appeal outcomes.

9. NEXT MEETING - To be confirmed.

10. CLOSURE - The Chairperson declared the meeting closed at 8.50 am

CONFIRMED

Date: _____

Chairperson: _____

5. Matters Arising

6. Items for discussion

6.1. Appointment of Independent Hearing Commissioners - Non-Notified Applications

Regulation Hearing Committee paper

Date of meeting	9 May 2019
Agenda item	6.1
Consents Manager	Virginia Loughnan
Author	Alison Cooper

Purpose

1. To appoint Hearing Commissioners to decide non-notified resource consent applications.

Recommendations

That the Regulation Hearing Committee:

1. **Appoints Sharon McGarry as a Hearings Commissioner under s34A of the Resource Management Act 1991, to consider and decide non-notified resource consent applications for the period of time to expire 15 May 2020.**
2. **Appoints Kenneth Lawn as a Hearings Commissioner under s34A of the Resource Management Act 1991, to consider and decide non-notified resource consent applications for the period of time to expire 15 May 2020.**
3. **Appoints Robert Nixon as a Hearings Commissioner under s34A of the Resource Management Act 1991, to consider and decide non-notified resource consent applications for the period of time to expire 15 May 2020.**
4. **Appoints Mike Freeman as a Hearings Commissioner under s34A of the Resource Management Act 1991, to consider and decide non-notified resource consent applications for the period of time to expire 15 May 2020.**
5. **Delegates to Sharon McGarry; Kenneth Lawn; Robert Nixon; Mike Freeman; pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; consider; and decide a resource consent application.**

Background

2. Environment Canterbury may receive resource consent applications from sections within Environment Canterbury; from Environment Canterbury staff members or Environment Canterbury Councillors, or family members of either; or from occupiers of Environment Canterbury owned land.
3. Environment Canterbury may also receive applications from applicants where internal decision-makers may have concerns because of a perception of conflict or bias, and an independent hearing commissioner should decide the application.
4. As non-notified applications need to be processed within twenty days to meet Resource Management Act timeframes, it is proposed to appoint up to four independent hearing commissioners to ensure availability of one person as and when required.
5. It is proposed the appointment be for a twelve-month period expiring 15 May 2020.

Proposed Commissioners

6. Sharon McGarry, Kenneth Lawn, Mike Freeman and Robert Nixon have satisfied Council staff they have the necessary criteria, including technical ability, RMA Accreditation certification, availability and timeframe commitments to carry out the duties as 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
-----------------------	-------------------

7. Extraordinary and Urgent Business

8. Other Business

9. Next Meeting - to be confirmed

10. Closure