

CANTERBURY REGIONAL COUNCIL  
*Kaunihera Taiao ki Waitaha*

# AGENDA|2019

**Regulation Hearing  
Committee**

Thursday, 28 November 2019

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Time: 8.30am

Venue: Council Chamber,  
200 Tuam Street, Christchurch



# Regulation Hearing Committee

## Membership

**Chair**

Cr Claire McKay

**Members:**

Cr Grant Edge  
Cr Nicole Marshall  
Cr Craig Pauling  
Cr Lan Pham

**ENVIRONMENT CANTERBURY**  
**REGULATION HEARING COMMITTEE**

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

## **4. Minutes**

### **4.1. Minutes from 14 November 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 November 2019 at 9.00am

**CONTENTS**

- 1.0 Apologies
- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 10 October 2019
- 4.0 Matters Arising
- 5.0 Deputations and Petitions
- 6.0 Item for Discussion
  - 6.1 Appointment of Hearing Commissioner – South Hilton Limited
- 7.0 Extraordinary and Urgent Business
- 8.0 Next Meeting
- 10.0 Closure

**PRESENT**

Councillors Claire McKay (Chair), Lan Pham and Peter Scott

**IN ATTENDANCE**

Hayleigh Brereton (Regional Leader Consents Delivery), and 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 – 7 NOVEMBER 2019**

The Committee clarified and amended Item 2 on page 1 of the minutes by adding the following words to the sentence so it read: It was noted and agreed that it was not a conflict of interest in this matter as the appointment was of a decision maker, and not the decision.

**The Regulation Hearing Committee:**

**Noted the minutes of the meeting held on 10 October 2019 be taken as read**

Cr Scott / Cr Pham  
CARRIED

**UNCONFIRMED**

**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 – Wongan Hills Limited**

**Resolved:**

**That the Regulation Hearing Committee in regard to resource consent applications CRC193743, CRC193745 and CRC193748 to be held by Wongan Hills Limited:**

- 1. Appoints Emma Christmas as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
- 2. Delegates to Emma Christmas, 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 applications.**

Cr Pham / Cr **Scott**

**CARRIED**

**7. EXTRAORDINARY AND URGENT BUSINESS**

There was no extraordinary or urgent business.

**8. OTHER BUSINESS**

Councillor Scott noted that this was his last Regulation Hearing Committee meeting. He noted that Regulation Hearing Committee members should undertake the Good Decision makers course as it added value to the decision-making. He said that changing the terms of reference of the committee should be reconsidered to undertake making decisions on applications.

**9. NEXT MEETING - To be advised**

**10. CLOSURE - The Chairperson declared the meeting closed at 8.39 am**

**CONFIRMED**

**Date:**

\_\_\_\_\_

**Chairperson:**

\_\_\_\_\_

**UNCONFIRMED**



## **5. Matters Arising**

## 6. Items for discussion

### 6.1. Appointment of Hearing Commissioner - Fulton Hogan Limited

#### Regulation Hearing Committee paper

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<b>Date of meeting</b>	28 November 2019
<b>Agenda item</b>	6.1
<b>Consents Manager</b>	Virginia Loughnan
<b>Author</b>	Alison Cooper

#### Purpose

1. To appoint Hearing Commissioners to hear and decide an objection to decision of resource consent application CRC201684 made by Fulton Hogan Limited

#### Recommendations

**That the Regulation Hearing Committee in regard to an objection to a decision on resource consent application CRC201684 to be held by Fulton Hogan Limited:**

1. **Appoints Cindy Robinson as a Hearings Commissioner, and member of the Hearing Panel 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.**

#### Background

2. Fulton Hogan Limited as objected to the decision to return resource consent application CRC201684 under Section 88(2) of the Resource Management Act.
3. The application was returned as it was considered it did not give all the information required to accept the application.
4. The applicant has applied for a change of conditions to an existing consent CRC173389 to discharge stormwater to land, contaminated water to land and contaminants to air. The current condition restricts the location of quarry aggregate stockpiles within the quarry pit floor.

## Proposed Commissioners

5. Cindy Robinson 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.
6. Ms Robinson is an experienced hearing commissioner with expertise in resource management law.

## 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.

<b>Peer reviewers</b>	Virginia Loughnan
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**7. Extraordinary and Urgent Business**

**8. Other Business**

**9. Next Meeting - to be confirmed**

**10. Closure**