

Agenda 2020

Regulation Hearing Committee

Date: Thursday 13 February 2020

Time: 8.00am

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 12 December 2020

Refer to attachment on following page.

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chamber, 200 Tuam Street, Christchurch, on
Thursday, 12 December 2019 at 8.30am

CONTENTS

- 1.0 Apologies
- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 14 and 28 November 2019
- 4.0 Matters Arising
- 5.0 Deputations and Petitions
- 6.0 Item for Discussion
 - 6.1 Appointment of Hearing Commissioner – Marsden Grange Limited
 - 6.2 Appointment of Hearing Commissioner – Mr G R and Mrs R C Wilson
 - 6.3 Appointment of Hearing Commissioner - Southern Proteins Limited
- 7.0 Extraordinary and Urgent Business
- 8.0 Next Meeting
- 10.0 Closure

PRESENT

Councillors Claire McKay (Chair), Grant Edge, Nicole Marshall, Craig Pauling and Lan Pham

IN ATTENDANCE

Virginia Loughnan (Consents Manager), Catherine Schache (General Counsel) and Alison Cooper (Consents Hearings Officer)

1. APOLOGIES

No apologies were received

2. CONFLICT OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF MEETINGS

3.1 MINUTES OF THE MEETING - 14 NOVEMBER 2019

The amended minutes of the 14 November 2019 were taken as read.

Cr McKay / Cr Pham
CARRIED

3.2 MINUTES OF THE MEETING – 28 NOVEMBER 2019

Resolved:

The Regulation Hearing Committee:

Confirms the minutes of the meeting held on 28 November 2019 as a true and correct record.

Cr McKay / Cr Marshall
CARRIED

4. MATTERS ARISING

4.1 List of Hearing Commissioners

It was advised the list will be available in February 2020.

4.2 Hearings Policy

The Hearings Policy is available to view by Councillors.

5. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

6. ITEMS FOR DISCUSSION

Councillor McKay advised that agenda item 6.1 was to be replaced by the tabled Item 6.1 due to a change of recommendation of Hearing Commissioner.

Resolved:

The Regulation Hearing Committee:

Withdraws Agenda Item 6.1 and replaces it with the tabled Item 6.1.

Cr McKay /Cr Pham
CARRIED

Councillor Edge asked for clarification about the application and timeframes. It was noted that applications were applied for and processed in regard to the Resource Management Act and Council planning documents framework.

6.1 Appointment of Hearing Commissioner – Marsden Grange Limited

Resolved:

That the Regulation Hearing Committee in regard to resource consent applications CRC195467 and CRC195471 to be held by Marsden Grange Limited:

- 1. Appoints John Iseli as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
- 2. Delegates to John Iseli pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; and decide the resource consent applications.**

Cr McKay / Cr Pham
CARRIED

6.2 Appointment of Hearing Commissioner – Mr G R and Mrs R C Wilson

Resolved:

That the Regulation Hearing Committee in regard to resource consent applications CRC193934, CRC193935 and CRC195104 to be held by Mr G R and Mrs R C Wilson:

- 1. Appoints Robert Nixon as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
- 2. Delegates to Robert Nixon 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 McKay / Cr Marshall
CARRIED

6.3 Appointment of Hearing Commissioner – Southern Proteins Limited

Councillor Edge asked about the process for a Chairman of the Hearing Panel to have a casting vote. It was explained that a casting vote was required in case of dissension about a decision to grant or decline an application.

Resolved:

That the Regulation Hearing Committee in regard to resource consent application CRC200154 to be held by Southern Proteins Limited:

- 1. Appoints John Iseli as a Hearings Commissioner; and Chair of the Hearing Panel under s34A of the Resource Management Act 1991; and**
- 2. Delegates to John Iseli 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; and**
- 3. In the event of an inequality of votes provides the Chairman of the Hearing Panel, John Iseli, with a casting vote.**

Cr McKay/ Cr Pauling
CARRIED

7. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

8. OTHER BUSINESS

There was no other business.

9. NEXT MEETING - To be advised

10. CLOSURE - The Chairperson declared the meeting closed at 8.52 am

CONFIRMED

Date: _____

Chairperson: _____

5. Matters Arising

6. Items for discussion

6.1. Appointment of Hearing Commissioner - Southern Proteins Limited

Regulation Hearing Committee paper

Date of meeting	13 February 2020
Agenda item	6.1
Consents Manager	Virginia Loughnan
Author	Alison Cooper

Purpose

1. To appoint Hearing Commissioners to hear and decide resource consent application CRC200154 to be held by Southern Proteins Limited.

Recommendations

That the Regulation Hearing Committee in regard to resource consent application CRC200154 to be held by Southern Proteins Limited:

1. **Appoints Gina Solomon as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and**
2. **Delegates to Gina Solomon 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. Southern Proteins Limited has applied for consent to discharge contaminants to discharge contaminants to air, namely odour, from the operation of a proposed low temperature rendering plant and associated site operation at 144 Meadows Road, Washdyke, Timaru.
3. The proposed plant will produce meal and tallow products for export from the site. A consent duration of 35 years is sought.
4. The application was publicly notified with 25 submissions being received and 11 submitters wishing to be heard.
5. The hearing will commence 24February 2020.

Proposed Commissioners

6. It is proposed to appoint a two-person hearing panel. The appointment of the Chairperson of the panel, John Iseli, was made on 12 December 2019 in case any preliminary matters arose.
7. The appointment of the second panel member is now able to be made.
8. The proposed second panel member, Gina Solomon, has cultural experience, and is RMA accredited.
9. Gina Solomon has satisfied Council staff she has the necessary criteria, including RMA Accreditation certification, availability and timeframe commitments to carry out the duties required as a Hearing Panel member.

Legal compliance

10. S34A of the Resource Management Act 1991 allows Council to delegate functions to Hearing Commissioners appointed by the Canterbury Regional Council.
11. 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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6.2. Hearing Commissioners List

Regulation Hearing Committee paper

Date of meeting	13 February 2020
Agenda item	6.2
Consents Manager	Virginia Loughnan
Author	Alison Cooper

Purpose

1. To receive the list of accredited Hearing Commissioners

Recommendations

That the Regulation Hearing Committee receive the list of accredited Hearing Commissioners.

2. Environment Canterbury maintains a list of accredited Hearing Commissioners and who have indicated their wish to be considered for future appointments to hear and decide hearings.

Attachments

List of accredited hearing commissioners

Peer reviewers	Virginia Loughnan
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Commissioner	Skills/Experience	Certified/Chair	Organisation
Aaron Leith	planning, cultural	yn	Te Runanga o Ngai Tahu
Aidan Prebble	Legal	Y	Aidan Prebble Barrister
Alan Withy	Planning, mediation	yy	independent
Alec Neill	Legal	yy	independent
Ali Timms	Cnl experience - plans, consents		independent
Amanda Dewar	legal		Amanda Dewar Barrister
Andrew Curtis	air quality	y	Aecom
Andrew Fenemor	Ecology, Hydrology (surface water)	yy	Landcare Research
Bianca Sullivan	coastal, water	y	consultant
Brent Cowie	Water Quality and Quantity	yy	consultant
Chris Cochrane	Agrbusiness/property	y	
Christine Scott	water take & use; planning		
Cindy Robinson	Legal,	yy	CER Resource Management Ltd
Claire McKay	Councillor		
Craig Pauling	cultural, councillor	y	
Craig Welsh	hydro, planning	yy	
Darrell Statham	Transport/Roading	y	Statham Consulting
Darryl Fletcher	Legal		
David Caldwell	legal	yy	Bridgeside Chambers
David Caygill	law	y	Councillor
David Collins	Planning	yy	Collins Consulting
David Hill	Planning	yy	Hill Young Cooper Ltd
David McLernon	Engineering	yy	Octa Associates
David McMahan	Planning		RMG Group
David Mitchell	Transport/Roading	yy	Traffic & Transportation Eng.
David Mountfort	Planning	y	Mountfort Planning Ltd
David Painter	Engineering	y	David Painter Consulting Ltd
David Sheppard	RMA, planning	na	
David Wren	Policy and Planning	y	Davud Wren Planning
Dean Chrystal	Planning	yy	Planz Associates
Denis Nugent	Planning	yy	Nugent Consultants Ltd
Derek Todd	Coastal		Jacobs
Don Lyon	environmental		Beca Stevens
Dyanna Jolly		yn	Consultant
Edward Ellison	Cultural	yn	
Elizabeth Cunningham	Cultural	yn	
Emma Christmas	Ecology, Water Quality and Quantity	yy	Consensus Environmental
Fiona Aston	Planning	y	Aston Consultants
Fraser McRae	planning/policy development	y	
Gail Thompson	Cultural	yn	Te Runanga o Awarua

Updated: 2/7/2020

George Haremate	Cultural	y	
Gina Solomon	Cultural	y	
Gina Sweetman	Planning	yy	Sweetman Planning
Glenice Paine	Cultural	y	
Greg Burrell	Water quality, freshwater ecology	y	Instream Consulting Ltd
Greg Carlyon	Planning	yy	The Catalyst Group
Greg Ryder	Water Quality	yy	Ryder Consulting
Hamish Rennie	Coastal	Y	Lincoln University
Henry Weston	Planning, iwi, ngai tahu		Weston Consulting
Hoani Langsbury	ecology, cultural	y	
Howard Williams	Water, climate, mining and energy		Elemental Geoconsulting Limited
Hugh Leersnyder	Water, Coastal planning	yy	Beca Infrastructure Ltd
Hugh Thorpe	Hydrology (Groundwater)		
Jane Kitson	ecology, cultural	y	Kitson Consulting
Jeff Jones	Planning, Water Quality	yy	Jarmac Ptns
Jenni Vernon	general consents and planning	yy	JJ Consultants
Jenny Simpson	Air Quality		
Jim Cooke	Water Quality	yy	Streamlined Environmental Ltd
John Iseli	Air Quality	yy	Specialist Environmental Services
John Lumsden	Engineering, Planning	yy	
John Matthews	Legal		Barrister
John Milligan	Legal	yy	Self-employed
John Mills	general and mediation		Self-employed
Kate McArthur	water quality, freshwater managment		The Catalyst Group
Ken Fetcher	Economist, mediator, facilitator	YN	
Ken Gimblett	Planning	yy	Boffa Miskell
Ken lawn	Planning	yy	
Kevin Rolfe	Air	y	Kevin Rolfe & Assoc
Lan Pham	Ecology	yn	Councillor
Louise Wickham	Air		Emission Impossible Ltd
Mahana Maru	Cultural		Maru Consulting
Marian Weaver	air, coastal, water quality & quantity		
Mark Apeldoorn	Traffic		Traffic Design Group Ltd
Mark Ashby	Planning		Apecx Planning and Environmental
Mark St Clair	Planning, energy, gravel, land use		Hill Young Cooper Ltd
Martin Ward	facilitation	nn	
Matthew McCallum-Clarke	Planning	yy	Incite Limited
Michael Lester	law, hearings experience various	yy	independent hearing commissioner
Michael Skerrett	Cultural	y	Te Ao Marama Inc

Updated: 2/7/2020

Mike Freeman	Water Quality and Quantity	yy	Freeman Environmental
Micharel Garland	Planning	yy	retired?
Muriel Johnstone	Cultural	y	
Nigel Mark-Brown	water, discharges, landfills		Environmental Context Ltd
Patricia Harte	Planning	y	David Lovell smith Ltd
Paul Rogers	Legal	yy	Adderley Head
Paul Thomas	planning	y	Thomas Planning
Peter Bodeker	primary industries		indepenndent
Peter Constantine	planning	YY	consultant
Peter Salmon	RMA; planning		
Peter Scott	councillor	y	
Philip Milne	Legal	yy	Milne Law
Pru Steven	legal	y	
Prue Harwood	Air quality	yn	Beca Infrastructure Ltd
Quentin Hix	Legal, Tikanga	yy	Quentin Hix Legal Ltd
Raewyn Solomon	Cultural	yn	
Rauru Kirikiri	Cultural	yn	RK Associates Limited
Ray O'Callaghan	Engineering	yy	Cardni TCB Ltd
Richard Allibone	Freshwater ecology	yn	Water Ways Consulting Ltd
Richard Ball	planning	y	
Richard Fowler QC	Legal	yy	Capital Chambers
Rob Lieffering	RMA/Planning	yy	MWH
Rob van Voorthuysen	LUWQ, Planning Engineering	yy	vV Environmental Limited
Rob Potts	waste/stormwater	y	Lowe Environmental Impact
Robert Nixon	Planning	yy	Planz Consultants
Romae Calland	Planning	yn	aurecon
Ron Crosby	legal	yy	
Sarah Dawson	Planning, Water, coastal planning	yy	Sarah Dawson Consulting
Sharon McGarry	Planning, Coastal, Water Quality	yy	Self-employed
Sue Wells	Planning	YY	
Terry Scott	cultural	yn	17 Weka Street
Tim Vial	planning, cultural	yn	
Trevor Robinson	barrister	yy	
Yvette Couch-Lewis	Cultural	yn	AspxZ Ltd
Yvonne Pfluger	Landscape/environmental	yn	Boffa Miskell Ltd

Updated: 2/7/2020

Updated: 2/7/2020

7. Extraordinary and Urgent Business

8. Other Business

9. Next Meeting - to be confirmed

10. Closure