

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chambers, 200 Tuam Street, Christchurch on
Thursday, 15 October 2020 at 8.30am

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PRESENT

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

IN ATTENDANCE

Tania Harris (Senior Manager Operational Support) and Alison Cooper (Consents Hearings Officer)

1. MIHI/KARAKIA TIMATANGA - OPENING

Cr McKay opening the meeting with a Karakia.

2. APOLOGY

There were no apologies.

3. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

4. CONFLICT OF INTEREST

Councillor Pauling declared a conflict of interest in Item 7.2 as Ken Gimblett was a work colleague.

5. MINUTES OF MEETING – 1 OCTOBER 2020

Councillor Pham queried the apology for lateness. It was noted that the time of arrival would be recorded if members were late.

Councillor McKay requested clarification about the review of fees and charges going to Council as noted in General Business.

It was agreed to amend the sentence: Tania Harris advised that an update on the review of the Fees and Charges will be going to a Council LTP briefing on 28 October 2020.

Resolved

The Regulation Hearing Committee:

- 1. confirms the amended minutes of the meeting held on 1 October 2020 as a true and correct record.**

Cr McKay / Cr Marshall
CARRIED

6. MATTERS ARISING

- 6.1 Councillor Marshall asked about the appointment to hear the Fulton Hogan Limited applications.
Tania Harris advised that a report on options was prepared and being reviewed
- 6.2 Regulation Hearing Committee deciding notified consents.
Staff advised a report is currently being prepared.

7. ITEMS FOR DISCUSSION

7.1 Appointment of Hearing Commissioner – Objection to Decisions

Refer pages 11 to 12 of the agenda.

Councillor Marshall noted that the applications in Items 7.1.(i) and (ii) relate to the Waiau River and asked about the similarities of return and if there was a larger issue. Tania Harris advised that it would be better to wait for the objection decisions and then review the decisions to identify if there were larger issues.

Councillor Marshall also asked about Item 7.1(iii) noting the duration requested was for 35 years and the reasons for the shorter granted duration.

Tania Harris advised that information would also be provided when a review of the final decision could also be done.

Councillor Edge asked for clarification of one commissioner being appointed. Tania Harris explained that any appointment depended on availability; conflicts of interest, timing, and there was a narrow scope to consider when hearing objections.

Resolved

That the Regulation Hearing Committee in regard to an objection to decision made on:

- (i) resource consent application CRC210892a and CRC210893 made by Mr J S Rutherford;**

- (ii) resource consent application CRC210995, CRC210996 and CRC211012 made by Gower Brae Limited; and
 - (iii) resource consent CRC210382 to be held by NPD Limited
1. appoints Cindy Robinson as a Hearings Commissioner 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.

Cr Pham / Cr Edge
CARRIED

Councillor Pauling withdrew from the meeting for Item 7.2.

7.2 Appointment of Hearing Commissioners – SOL Quarries Limited

Refer pages 14 to 16 of the agenda.

Councillor McKay outlined the background to the item.

Councillor Marshall noted the areas of concern were effects-based; but that the proposed commissioners were experienced in process.

Tania Harris advised that planning matters are key and the proposed commissioners would be able to consider effects.

Councillor Edge asked if technical matters such as water quality and quantity would be covered.

Resolved

That the Regulation Hearing Committee in regard to resource consent application(s) CRC193563, CRC193564 and CRC193773 applied for by SOL Quarries Limited:

1. appoints John Maassen as a Hearings Commissioner, Chairman and member of the Hearing Panel under s34A of the Resource Management Act 1991; and
2. appoints Ken Gimblett as a Hearings Commissioner, and member of the Hearing Panel under s34A of the Resource Management Act 1991; and
3. delegates to John Maassen and Ken Gimblett 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; and
4. In the event of an equality of votes provides the Chairman of the Hearing Panel, John Maassen with a casting vote.

Cr McKay / Cr Pham
CARRIED

Councillor Pauling re-joined the meeting.

8. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

9. GENERAL BUSINESS

Councillor Pauling advised he and Councillor Hands had met with a resident beside SOL Quarries regarding quarry management and monitoring issues of the current site. Staff were dealing with the issues.

10. NEXT MEETING - To be confirmed

11. MIHI/KARAKIA WHAKAMUTUNGA - CLOSURE - Councillor Pham closed the meeting with a karakia at 8.48am

CONFIRMED

Date:

22/10/20

Chairperson:

B E May