

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chambers, 200 Tuam Street, Christchurch on
Thursday, 4 February 2021 at 8.30am

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PRESENT

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

IN ATTENDANCE

Councillor Elizabeth McKenzie

Catherine Schache (General Counsel), Paul Hulse (Senior Manager Operational Support), Aurora Grant (Consents Manager), Henry Winchester (Planner) and Alison Cooper (Consents Hearings Officer)

1. MIHI/KARAKIA TIMATANGA - OPENING

Cr Pauling opened the meeting with a Karakia.

2. APOLOGY

Tumu Taiao Yvette Couch-Lewis

3. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

4. CONFLICT OF INTEREST

There were no conflicts of interest.

5. MINUTES OF MEETING –

Resolved

The Regulation Hearing Committee:

- 1. confirms the corrected minutes of the meeting held on 28 January 2021 as a true and correct record.**

Cr Marshall / Cr Pham
CARRIED

6. MATTERS ARISING

There were no matters arising.

7. ITEMS FOR DISCUSSION

7.1 Ashburton Consent Reviews- Panel Appointment *Refer pages 10 to 17 of the agenda.*

Councillor McKay advised that recommendation 1 is to be noted.

Councillor Edge queried recommendation 3 asking how many reviews of consent conditions may be publicly notified. Mr Winchester advised that there was a possibility eight of the remaining applications to be finalised may be notified because they were more complex applications.

Councillor Pauling noted the use of the term 'Ngāi Tahu representative' and commented it just needs to be a person with tikanga understanding, and there was a need to consider the language used.

Councillor Marshall asked for clarification of using a second panel member. Mr Winchester advised that consideration was given to either using a sole commissioner or a panel and ultimately a panel of two would give consistency should further hearings be required.

Councillor Edge asked if the proposed hearing commissioner could be appointed for all the Ashburton review hearings. Ms Schache advised that the paper outlined the recommendations, and that Mr Langsbury had been nominated by Te Rūnanga o Ngāi Tahu for this hearing only.

Resolved

That the Regulation Hearing Committee in regard to the Ashburton Consent Reviews:

- 1. Notes that the Committee has previously:**
 - 1.1 appointed Sharon McGarry to decide whether to notify reviews of consent conditions where Canterbury Regional Council or its staff would have a conflict of interest; and**
 - 1.2. where her decision was not to notify those reviews of consent conditions, to appoint Sharon McGarry to make decisions on the reviews of consent conditions; and**
 - 1.3. where her decision was to notify those reviews of consent conditions, the Committee resolved that Sharon McGarry would Chair the Hearing Panel to consider and decide that consent review, but that the Committee would appoint a second hearing commissioner at a later date.**

2. That in relation to consent CRC200269 which is one of the Ashburton Consent Reviews and has been publicly notified under section 130 of the RMA:
 - 2.1. Appoints Hoani Langsbury as an additional Hearing Commissioner, and member of the Hearing Panel to consider and decide that consent review under section 132 of the RMA alongside already appointed Chair Sharon McGarry; and
 - 2.2. In the case of an equality of votes of the panel, to give to Sharon McGarry a casting vote;
 - 2.3. In addition to the earlier delegation to Sharon McGarry, delegates to Hoani Langsbury, pursuant to s34A(1) of the RMA, the function, powers and duties required to: deal with any preliminary matters; hear, and decide consent CRC200269.
3. That for all other publicly notified consents in the Ashburton Consent Reviews:
 - 3.1. Appoints Sharon McGarry as a Hearing Commissioner, and Chair of the Hearing Panel under s34A of the Resource Management Act 1991, and in the case of an equality of votes of the panel, gives Sharon McGarry a casting vote; and
 - 3.2. Notes that another Hearing Commissioner will be appointed prior to the next hearing through this process; and
 - 3.3. Delegates to Sharon McGarry pursuant to s34A(1) of the RMA, the function, powers and duties required to: deal with any preliminary matters; hear, decide the resource consent reviews.

Cr Pham / Cr Pauling
CARRIED

8. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

9. GENERAL BUSINESS

There was no general business.

10. NEXT MEETING - To be confirmed.

11. MIHI/KARAKIA WHAKAMUTUNGA - CLOSURE – The meeting closed at 8.49am

CONFIRMED

Date:

25/2/21

Chairperson:

B. E. McGarry