

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chambers, 200 Tuam Street, Christchurch on
Thursday, 17 June 2021 at 8.30am

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PRESENT

Tumu Taiao Yvette Couch-Lewis (Chair), Councillors Claire McKay Grant Edge, Nicole Marshall, Craig Pauling, Elizabeth McKenzie, and Lan Pham

IN ATTENDANCE

Catherine Schache (Legal Counsel), Judith Earl-Goulet (General Manager RMA Operations), Aurora Grant (Consents Manager) and Alison Cooper (Consents Coordinator)

1. MIHI/KARAKIA TIMATANGA - OPENING

Cr McKay opened 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

There were no conflicts of interest.

5. MINUTES OF MEETING – 27 MAY 2021

Refer pages 6 - 7 of the agenda.

Resolved

The Regulation Hearing Committee confirms the minutes of the meeting held on 27 May 2021 as a true and correct record.

Cr McKay / Cr Marshall
CARRIED

6. MATTERS ARISING

There were no matters arising.

7. ITEMS FOR DISCUSSION

Refer pages 9 -12 of the agenda.

7.1 Appointment of Hearing Commissioners- Bathurst Coal Limited

Tumu Taiao Yvette Council-Lewis introduced the item.

There was discussion about the use of independent hearing commissioners or the Regulation Hearing Committee to make notification decisions. Ms Schache advised that the RMA determined the steps for an application to be notified.

A wider discussion on the process and how councillors can link into staff decisions was requested.

Tumu Taiao Yvette Couch-Lewis asked staff to look at the process for determining hearing commissioners and making decisions.

Resolved

That the Regulation Hearing Committee acting under s34A of the Resource Management Act, and in regard to resource consent applications CRC214320 and CRC214321 applied for by Bathurst Coal Limited:

- 7.1 appoints Sharon McGarry as a Hearings Commissioner, Chairperson and member of the Hearing Panel to consider and decide the non-notification, limited notification or public notification of those consent applications.**

Cr McKay / Cr Pham
CARRIED

- 7.2 appoints Graham Taylor as a Hearings Commissioner and member of the Hearing Panel to consider and decide the non-notification, limited notification or public notification of those consent applications.**

Cr McKay / Cr Pham
CARRIED

- 7.3 that if the decision is not to notify those resource consent applications, the Hearing Panel to consider and decide the applications.**

Cr McKay / Cr Marshall
CARRIED

- 7.4 that if the decision is to limited notify or publicly notify those consent applications, the Hearing Panel to consider and decide the applications, in conjunction with another Hearing Commissioner, to be appointed at a later date.

Cr Marshall / Cr Pham
CARRIED

- 7.5 delegates to Sharon McGarry and Graham Taylor pursuant to s34A(1) of the Resource Management Act, the function, powers and duties required to: deal with any preliminary matters; consider and subject to the appointment of an additional Hearing Commissioner provided for at 7.4 to decide the consent applications.

- 7.6 that in the event of an equality of votes provides the Chairperson of the Hearing Panel, Sharon McGarry with a casting vote.

Cr Pham / Cr Marshall
CARRIED

8. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

9. GENERAL BUSINESS

Cr. Marshall asked letters of acknowledgement be sent to hearing commissioners who received Queens Birthday honours. Ms Schache advised this was in place.

10. NEXT MEETING - To be confirmed

11. MIHI/KARAKIA WHAKAMUTUNGA - CLOSURE – The meeting closed at 9.02am

CONFIRMED

Date: 8 July 2021

Chairperson:

