

MEETING OF THE REGULATION HEARING COMMITTEE

TO THE CHAIRPERSON AND MEMBERS OF THE
COMMITTEE

MEMBERSHIP OF THE COMMITTEE

Cr A R McKay (Chairperson)
Cr A G Neill
Cr E H Cunningham

A meeting of the Committee will be held on
Friday, 10 August 2007 at 9.00 a.m.

VENUE: Council Chamber
First Floor
Pegasus Building
Environment Canterbury
58 Kilmore Street
CHRISTCHURCH

BUSINESS: As per Order Paper attached

Dr Bryan Jenkins
CHIEF EXECUTIVE

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE TAKEN
AS COUNCIL POLICY UNTIL ADOPTED BY COUNCIL**

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COMPLIANCE WITH LOCAL GOVERNMENT ACT 2002 DECISION-MAKING REQUIREMENTS

Except as below, a statement of compliance and a completed decision checklist is required for any agenda item on a council committee or the council recommending that a decision be made. This will be the responsibility of the person signing off the agenda item.

The compliance statement and checklist will not be used for:

- Recommendations that information be received or that the Council make a decision.
- Decisions taken under the Resource Management Act 1991 or the Biosecurity Act 1993 in relation to resource consents, decisions required when following the procedures set out in Schedule 1 of the Resource Management Act 1991, other permissions, submissions on plans, or references to the Environment Court.
- Decisions taken to proceed with enforcement procedures under various primary or secondary legislation or regulations, including procedures under the Resource Management Act 1991, the Biosecurity Act 1993, the Local Government Act 2002, and Environment Canterbury Bylaws.
- Administrative and personnel decisions that are entirely internal to Environment Canterbury.
- Other decisions where the procedures to be followed are set out in Legislation.

COMPLIANCE STATEMENT

The council committee (or the council) must formally certify that:

- (a) It is satisfied that it has sufficient information about the options and their benefits and costs, in terms of the region's social, economic, environmental and cultural well-being and the effects on community outcomes, bearing in mind the significance of the decisions.
- (b) It is satisfied that it knows enough about and has given adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decision.

INFORMATION CHECKLIST

(a)	A Statement of the Proposed Decision
(b)	A Statement of the Objective of the Proposed Decision and the Issue or Problem being addressed
(c)	A list of all reasonably practicable options, (including doing nothing).
(d)	For each option in (c): An evaluation of the Benefits and Costs, in terms of the region's social, economic, environmental and cultural well-being.
(e)	For each option in (c): A statement of the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner.
(f)	For each option in (c): A statement of the Impact, if any, on Environment Canterbury's capacity to undertake its statutory responsibilities
(g)	If the Proposed Decision is a significant decision in relation to land or a body of water, a statement of how Maori values have been taken into account
(h)	A Statement of significant inconsistencies, if any, with any Existing Policy, Plan or Legislation arising from the Proposed Decision.
(i)	A statement how the views and preferences of affected or interested persons have been given adequate consideration during the definition of the problem or issue, the objective, the assessment of options and the development of the proposed decision, including the particular contribution of Maori to the decision-making process.

Notes:

The significance of proposals and decisions determines how much time, money and effort is put into exploring and evaluating options and obtaining the views of affected and interested parties. The significance of proposals and decisions is determined through reference to criteria contained in the policy on significance.

The policy on significance together with Section 76 of the Local Government Act 2002 set out the Council's requirements in relation to decisions. Some decisions can only be made through the Long-Term Council Community Plan, or after the Special Consultative Procedures set out in the Act have been used, (refer to the policy on significance and the Act).

All decisions of Environment Canterbury are subject to the decision-making requirements of section 76 of the Act unless inconsistent with specific requirements of other legislation.

ENVIRONMENT CANTERBURY

REGULATION HEARING COMMITTEE

ORDER PAPER

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING (to be tabled)
3. MATTERS ARISING

MATTERS FOR DECISION BY THE COMMITTEE

4. RESOURCE CONSENT APPLICATIONS FOR CONSIDERATION
5. APPOINTMENT OF COMMISSIONER TO CONSIDER AND DECIDE RESOURCE CONSENT APPLICATIONS
6. QUESTIONS
7. EXTRAORDINARY AND URGENT BUSINESS
8. NEXT MEETING – to be confirmed
9. CLOSURE

4. RESOURCE CONSENT APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

The following resource consent applications are submitted for consideration and decision by the Committee without formal hearing.

Applications	Permit No.
G C Harmon	CRC071908 CRC080299-300
Caltex Oil (NZ) Limited	CRC063049

Recommended

That the Committee acting pursuant to a delegation of the Council of 22 October 2004, having had regard to the requirements of Section 104 of the Resource Management Act 1991, grants consent, pursuant to Section 105 of the said Act, to the applications subject to the conditions and durations, and for the reasons stated.

5. APPOINTMENT OF A COMMISSIONER TO CONSIDER AND DECIDE RESOURCE CONSENT APPLICATIONS

WORKS INFRASTRUCTURE LIMITED – CRC064292, CRC072202, CRC072203 AND CRC072206

Applications

CRC064292 – to discharge stormwater to land, including office, parking, sewage, cement silo, concrete batching, and truck wash at the new site of the relocated Works Infrastructure Depot at or about map reference O31:6148-8671 at Kowhai ford Road, Kaikoura.

CRC072202 – to discharge up to 1500 litres per day of sewage tank effluent to land at the new site of the relocated Works Infrastructure Depot at or about map reference O31:6148-8971 at Kowhai Ford Road, Kaikoura.

CRC072203 – to use land to store and transfer hazardous substances including diesel, emulsion and agrichemicals above ground in mobile tanks at or about map reference O31:148-8671 at Kowhai Ford Road, Kaikoura.

CRC072206 – to discharge to air from the storage and handling of aggregate and cement, and vehicle movement on site of the relocated Works Infrastructure Depot at or about map reference O31:6148-8671 at Kowhai Ford Road, Kaikoura.

It is Council policy to appoint a Commissioner when resource consent applications relate to proposed activities on land owned by the Regional Council.

The Commissioner appointed has satisfied Council staff he has the necessary criteria, including technical ability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Officer – Hearings.
Report endorsed by Don Rule, Consents Operations Manager.

Recommended

That the Committee appoint John Iseli as a Commissioner in respect of resource consent applications CRC064292, CRC072202, CRC072203 and CRC072206 by Works Infrastructure Limited to:

- (a) decide whether the resource consent applications shall be processed with or without notification;*
- (b) determine any preliminary matters associated with the resource consent applications; and*
- (c) decide the resource consent applications with or without a hearing.*