

MEETING OF THE REGULATION HEARING COMMITTEE

TO THE CHAIRPERSON AND MEMBERS OF THE
COMMITTEE

MEMBERSHIP OF THE COMMITTEE

CR A G NEILL (CHAIRPERSON)

Cr J F Slee

Cr E H Cunningham

A meeting of the Committee will be held on
Friday, 29 June 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**

58 Kilmore Street,
PO Box 345,
Christchurch,
Telephone: (03) 365-3828,
Fax: (03) 365-3194
Website: www.ecan.govt.nz



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 MEETINGS
3. MATTERS ARISING
4. DEPUTATION AND PETITIONS

MATTERS FOR DECISION BY THE COMMITTEE

5. APPOINTMENT OF DECISION-MAKERS TO DECIDE RESOURCE CONSENT APPLICATION
6. QUESTIONS
7. EXTRAORDINARY AND URGENT BUSINESS
8. NEXT MEETING – to be confirmed
9. CLOSURE

5. APPOINTMENT OF DECISION-MAKERS TO HEAR AND DECIDE RESOURCE CONSENT APPLICATION

NGAI TAHU PROPERTY LTD CRC074024

Application

For works in the river bed associated with ongoing maintenance of the bridge, culvert and causeway crossing over the Kahutara River including channel training/realignment where required in a defined section of the river bed, for access to Rakanui Station subdivision and development.

A lapsing period of 35 years is sought under section 125 of the Resource Management Act 1991. A consent duration of 35 years is sought.

A joint consent hearing with the Kaikoura District Council, is currently set down to hear other consents relating to the subdivision and bridge beginning on 5 July 2007. Mr Robert Nixon and Mr Brent Cowie have been appointed as commissioners.

It is considered appropriate by Council staff to have one of the above commissioners appointed to make recommendations to Council regarding the notification or otherwise of these consents, and/or any other preliminary matters that may arise.

The Commissioner recommended 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 Sarah Drummond, Consents Administration Hearings Officer.
Report endorsed by Don Rule, Consents Manager.

Recommended

That the Committee appoint Brent Cowie as Commissioner to hear and decide resource consent application CRC074204 by Ngai Tahu Property Limited to:

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