

MEETING OF THE REGULATION HEARING COMMITTEE

TO THE CHAIRPERSON AND MEMBERS OF THE
COMMITTEE

MEMBERSHIP OF THE COMMITTEE

Cr B S Murray (Chairperson)
Cr P C R Harrow
Cr J T Demeter

A meeting of the Committee will be held on
Friday, 19 February 2010 at 9.00 a.m.

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

BUSINESS: As per Order Paper attached
Agendas are available on our website three days prior to the date of the
meeting - [http://ecan.govt.nz/news-and-
notices/minutes/Pages/Default.aspx](http://ecan.govt.nz/news-and-
notices/minutes/Pages/Default.aspx)

Dr B R 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. CONFLICTS OF INTEREST
3. MINUTES OF THE PREVIOUS MEETING
4. MATTERS ARISING
5. DEPUTATIONS AND PETITIONS

MATTERS FOR DECISION BY THE COMMITTEE

6. RESOURCE CONSENT APPLICATION FOR CONSIDERATION BY THE COMMITTEE
7. APPOINTMENT OF DECISION MAKERS TO HEAR AND DECIDE RESOURCE CONSENT APPLICATIONS
8. QUESTIONS
9. EXTRAORDINARY AND URGENT BUSINESS
10. NEXT MEETING – to be confirmed
11. CLOSURE

6. RESOURCE CONSENT APPLICATION FOR CONSIDERATION BY THE COMMITTEE

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

Application

A G and P G Wilson

Permit No.

CRC051792

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 application subject to the conditions and duration, and for the reason stated.

7. APPOINTMENT OF DECISION-MAKERS TO HEAR AND DECIDE RESOURCE CONSENT APPLICATIONS

7.1 HURUNUI DISTRICT COUNCIL CRC100862-100864

Applications

The Hurunui District Council has applied for permits relating to the Hanmer Springs Wastewater Treatment Plant. The Hanmer Springs Wastewater Treatment Plant is located on Lot 1 DP 28915, Hanmer Springs Road (State Highway 7A), approximately 800 metres south of Hanmer Springs Township, at or about map reference NZMS 260 N32:9456-5169. The contaminants in treated wastewater are known to include organic material, nitrogen, phosphorus, metals and micro-organisms. The following permits have been applied for:

CRC100862 - to use land in relation to the Hanmer Wastewater Treatment Plant Facility in relation to the storage of wastewater at or about map reference NZMS 260 N32:9456-5169. Wastewater will be stored in an aeration pond, a settling pond, two ponds segmented into maturation cells and a buffer storage pond prior to discharge into a pipe and then an open unlined drain. The aeration and settling ponds have had the bases lined with 200 millimetres of clay and the sides lined with 1.5 millimetre High Density Polyethylene (HDPE) liner. The HDPE liner extends three metres onto the base of the ponds. It is unknown whether the two ponds segmented into maturation cells and the buffer pond are lined. The storage of effluent may result in wastewater contaminants seeping out of the ponds and unlined drain into groundwater.

CRC100863 - to discharge contaminants to air from the Hanmer Wastewater Treatment Plant at or about map reference NZMS 260 N32:9456-5169.

CRC100864 - to discharge up to 1200 cubic metres per day of wastewater from the Hanmer Wastewater Treatment Plant. The discharge may occur either directly into the Chatterton River, or into an open drain that flows into the Chatterton River. Wastewater will discharge into the Chatterton River at or about map reference NZMS 260 N32:9430-5130. The Chatterton River is a tributary of the nationally significant Waiau River.

Resource consent application CRC100864 has been sought to authorise the discharge currently authorised by resource consent CRC950968. Resource consent applications CRC100862 and CRC100863 are sought to authorise the installation of new wastewater treatment ponds and alterations to existing wastewater treatment ponds that occurred between 2004 and 2008 without authorisation under the Resource Management Act (1991).

A consent duration of five years is sought for each of the above consents.

A hearing is scheduled for 3 March 2010 to hear and decide the applications.

Canterbury Regional Council has submitted to the applications, and Council Policy requires that external decision makers be appointed.

The decision-maker recommended has satisfied Council staff she has the necessary criteria, including technical ability, availability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Hearings Officer Team Leader
Report endorsed by John Boraston, Consents Manager

Recommended

- (a) *That the Committee appoint Sharon McGarry as a Commissioner to hear and decide resource consent application CRC100862-100864 by Hurunui District Council with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Sharon McGarry to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

7.2 MACKENZIE DISTRICT COUNCIL CRC042195

Application

CRC042915 - to discharge treated sewage effluent and industry wastewater from the existing Twizel Wastewater Treatment Plant onto land in circumstances where the contaminants may enter groundwater and surface water. The annual average inflow to the treatment plant shall not exceed 1,500 cubic metres per day, where the average inflow volume is calculated over a period of 356 consecutive days. The discharge to land shall occur via seepage from the existing oxidation ponds and via the existing two kilometre long soakage trench. The contaminants in treated sewage effluent are known to include organic material, nitrogen, phosphorus, heavy metals and micro-organisms.

The Twizel Wastewater Treatment Plant is located on land accessed off State Highway 8, approximately one kilometre southeast of the Twizel township, at or about map reference NZMS 260 H38: 7945-5616.

A duration of 35 years is sought for this consent.

A hearing will be scheduled for 31 March and 1 April 2010 to hear and decide the application to hear and decide the application.

The decision-makers recommended have satisfied Council staff they have the necessary criteria, including technical ability, availability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Hearings Officer Team Leader
Report endorsed by John Boraston, Consents Manager

Recommended

- (a) *That the Committee appoint Bronwyn Murray and Sharon McGarry as Commissioners to hear and decide resource consent application CRC042195 by Mackenzie District Council with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Bronwyn Murray and Sharon McGarry to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

7.3 OBJECTION TO COSTS INCURRED – WAIMAKARIRI SELWYN GROUNDWATER ZONE

A total of 29 objections to the costs involved in the processing of resource consent applications are required to be heard and decided by way of an objection hearing. I have attached a list of the objectors with the amounts outstanding subject to the objection (referred to as Appendix one).

A hearing date has yet to be confirmed and scheduled but we anticipate this will be actioned in the near future.

The decision maker recommended has satisfied Council staff he has the necessary criteria, including technical ability, availability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Hearings Officer Team Leader
Report endorsed by John Boraston, Consents Manager

Recommended

- (a) *That the Committee appoint Barry Loe to hear and decide the objections lodged to the processing of resource consent applications to take and use water in the Waimakariri Selwyn Groundwater Zone as per Appendix One with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Barry Loe to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

7.4 CANTERBURY REGIONAL COUNCIL CRC091402 AND CRC102220

Applications

To install two timber headwalls in the bed of a watercourse at Oxford, and to discharge contaminants to water at or about map reference NZMS 260 L35:4650-6923

The decision maker recommended have satisfied Council staff he has the necessary criteria, including technical ability, availability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Hearings Officer Team Leader
Report endorsed by John Boraston, Consents Manager

Recommended

- (a) *That the Committee appoint Barry Loe to consider and decide resource consent applications CRC091402 and CRC102220 by Canterbury Regional Council, including the decision whether the application shall be processed with or without notification, with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Barry Loe to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

7.5 CANTERBURY REGIONAL COUNCIL – CRC102260

Application

To install one permanent monitoring/investigation bore at or about map reference NZMS 260 L36:4612-1929 at Irwell Rakaia Road, Killinchy.

It is council policy to appoint an external decision maker when resource consent applications are lodged by the council. The decision maker recommended have satisfied Council staff he has the necessary criteria, including technical ability, availability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Hearings Officer Team Leader
Report endorsed by John Boraston, Consents Manager

Recommended

- (a) *That the Committee appoint Robert Nixon as a decision maker to consider and decide resource consent application CRC102260 by Canterbury Regional Council, including the decision whether the application shall be processed with or without notification, with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Robert Nixon to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

7.6 WAITAKI DISTRICT COUNCIL CRC062249

Application

Waitaki District Council has applied for a discharge permit to discharge a maximum of 600 cubic metres per day of treated wastewater into land from the Otematata Sewage Treatment Plant. The Otematata Sewage Treatment Plant is located at or about map reference NZMS 260 H40:8771-1907, on Section 5 SO 17454, Otematata-Kurow Road, approximately 380 metres northwest of the edge of the Otematata township. The wastewater will be treated in the existing treatment facility which consists of a screen, primary sedimentation tank, trickling filter and clarifier and discharged to land via sub-surface infiltration trenches. The contaminants in treated wastewater are known to include organic material, nitrogen, phosphorus, metals and micro-organisms. The following discharge permits have been applied for:

CRC094041 – To discharge treated wastewater onto land, at or about map reference NZMS H40:8766-1894. The wastewater will be discharged into land via a series of sub-surface infiltration trenches. The discharge will be up to 600 cubic metres per day.

The applicant has requested duration of 35 years.

Note: The proposed discharge into land will replace the existing discharge of treated wastewater onto land, which is authorised under resource consent CRC012180, which will expire on 19 December 2038.

A hearing has been tentatively scheduled for 23 March 2010 to hear and decide the application.

The decision-makers recommended has satisfied Council staff she has the necessary criteria, including technical ability, availability and RMA Accreditation Certification, to carry out the duties required.

Report prepared by Donald Fraser, Consents Hearings Officer Team Leader
Report endorsed by John Boraston, Consents Manager

Recommended

- (a) *That the Committee appoint Emma Christmas as a Commissioner to hear and decide resource consent application CRC062249 by Waitaki District Council by Mackenzie District Council with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Emma Christmas to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

REGULATION HEARING COMMITTEE

MINUTES OF THE MEETING HELD IN THE OPIHI ROOM, FIRST FLOOR, PEGASUS BUILDING, ENVIRONMENT CANTERBURY, 58 KILMORE STREET, CHRISTCHURCH ON 28 JANUARY 2010 AT 9.45 A.M.

CONTENTS

1. APOLOGIES
2. CONFLICTS OF INTEREST
3. MINUTES OF THE MEETING
4. MATTERS ARISING
5. DEPUTATIONS AND PETITIONS

MATTERS FOR DECISION BY THE COMMITTEE

6. APPOINTMENT OF DECISION-MAKERS TO HEAR AND DECIDE RESOURCE CONSENT APPLICATIONS
7. QUESTIONS
8. EXTRAORDINARY AND URGENT BUSINESS
9. NEXT MEETING
10. CLOSURE

PRESENT

Councillors A R McKay (Chairperson), C J Evans and D P Sutherland

MANAGEMENT AND STAFF PRESENT

Donald Fraser (Team Leader Consents Hearings).

1. APOLOGIES

Cr McKay replaced Cr Murray as Chairperson

2. CONFLICTS OF INTEREST

Nil

3. MINUTES OF PREVIOUS MEETING

Subject to precirculation to the Committee

4. MATTERS ARISING

Nil.

5. DEPUTATIONS AND PETITIONS

Nil.

MATTERS FOR DECISION

6. APPOINTMENT OF DECISION-MAKERS TO HEAR AND DECIDE RESOURCE CONSENT APPLICATIONS

6.1 PEGASUS BAY VINEYARD AND WINERY LIMITED CRC041892

The Committee was advised that a hearing was scheduled for 17 February 2010 to hear and decide the application.

The decision makers recommended had satisfied council staff they had the necessary criteria, including technical ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Sharon McGarry and Jo Kane as Commissioners to hear and decide resource consent application CRC041892 by Pegasus Bay Winery and Vineyard Limited with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Sharon McGarry and Jo Kane to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Evans/Cr Sutherland

6.2 WAIAM PASTURE LIMITED CRC100299

The Committee was advised that a hearing was scheduled for early March 2010 to hear and decide the application. The Committee noted that Canterbury Regional Council was a submitter to the notified application and Council policy required an external decision maker be appointed.

The decision maker recommended had satisfied council staff he had the necessary criteria, including technical ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Barry Loe as a Commissioner to hear and decide resource consent application CRC100299 by Waiiau Pasture Limited with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Barry Loe to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Sutherland/Cr Evans

6.3 OBJECTION TO COSTS INCURRED – MONITORING CHARGES

**D G MOORHEAD CRC050365, CRC050367, CRC050368, CRC050365
ASCOT FARMS LIMITED CRC050781 AND CRC050782
M J LOWERY CRC042917
N R & A L MOSLEY AND S B & N J CARRICK CRC050061
SOLVENT RESCUE (1999) LIMITED CRC992174**

The Committee was advised that hearings would be scheduled to hear and decide the objections.

The decision maker recommended had satisfied council staff he had the necessary criteria, including technical ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Dr Michael Freeman to hear and decide the objections lodged to monitoring costs incurred for resource consents CRC050365, CRC050367, CRC050368, CRC050781, CRC050782, CRC042917, CRC050061 and CRC992174 with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Dr Michael Freeman to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Evans/Cr Sutherland

6.4 OBJECTIONS TO COSTS INCURRED IN PROCESSING RESOURCE CONSENT APPLICATIONS

**MR S P BRAND - CRC080456
SEVENTH DAY ADVENTIST CHURCH - CRC071919
MR D C HIGGS - CRC080511
MR G M STODDART - CRC030955
MR D H & MRS C A GIBSON & MR D J HARVIE - CRC031255.1
MR G NIMMO - CRC090035**

MR A K Y & MRS J A WANG - CRC082980
MS G A BROCKIE - CRC084788
O C & P M TROUNCE FAMILY TRUST CRC040709.1, CRC091784,
CRC091785, CRC091786 CRC091787
MR N G & MS P J FERGUSON - CRC084223

The Committee was advised that hearings would be scheduled to hear and decide the objections to the costs incurred in processing the resource consents.

The commissioner recommended had satisfied council staff he had the necessary criteria, including technical ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Richard Budd to hear and decide the objections lodged to the costs incurred in the processing of resource consent applications CRC080456, CRC071919, CRC080511, CRC030955, CRC031255.1, CRC090035, CRC082980, CRC084788, CRC040709.1, CRC091784, CRC091785, CRC091786, CRC091787 and CRC084223 with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Richard Budd to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr McKay/Cr Sutherland

6.5 CANTERBURY REGIONAL COUNCIL CRC102088

The Committee was advised that it was council policy to appoint an external decision maker when resource consent applications were lodged by the council.

The decision maker recommended had satisfied council staff he had the necessary criteria, including technical ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Robert Nixon as a decision maker to consider and decide resource consent application CRC102088 by Canterbury Regional Council, including the decision whether the application shall be processed with or without notification, with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Robert Nixon to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr McKay/Cr Evans

8. QUESTIONS

Nil.

9. EXTRAORDINARY AND URGENT BUSINESS

Nil

10. NEXT MEETING

To be confirmed.

11. CLOSURE

The Chairperson adjourned the meeting at 9.56 am.

CONFIRMED

DATE 10/02/2010 *Colin McKeay* CHAIRPERSON

REGULATION HEARING COMMITTEE

MINUTES OF THE MEETING HELD IN THE COUNCIL CHAMBER, FIRST FLOOR,
PEGASUS BUILDING, ENVIRONMENT CANTERBURY, 58 KILMORE STREET,
CHRISTCHURCH ON 4 DECEMBER 2009 AT 9.00 A.M.

CONTENTS

1. APOLOGIES
2. CONFLICTS OF INTEREST
3. MINUTES OF THE MEETING
4. MATTERS ARISING
5. DEPUTATIONS AND PETITIONS

MATTERS FOR DECISION BY THE COMMITTEE

6. RESOURCE CONSENT APPLICATIONS FOR CONSIDERATION
7. APPOINTMENT OF DECISION-MAKERS TO HEAR AND DECIDE RESOURCE CONSENT APPLICATIONS
8. QUESTIONS
9. EXTRAORDINARY AND URGENT BUSINESS
10. NEXT MEETING
11. CLOSURE

PRESENT

Councillors A R McKay (Chairperson), P C R Harrow and D P Sutherland

IN ATTENDANCE

Ivan Holland and Anna Wilkes (Consultants with Golders and Associates)

MANAGEMENT AND STAFF PRESENT

Gillian Ensor (Projects), Phillipa Lynch (Senior Investigating Officer), Lisa McKenzie (Investigating Officer) and Donald Fraser (Consents Hearings Officer Team Leader).

1. APOLOGIES

Nil.

2. CONFLICTS OF INTEREST

Nil

3. MINUTES OF PREVIOUS MEETING

Awaiting confirmation

4. MATTERS ARISING

Nil.

5. DEPUTATIONS AND PETITIONS

Nil.

MATTERS FOR DECISION

6. RESOURCE CONSENT APPLICATIONS FOR CONSIDERATION

The Chairperson advised all reporting officers that the Section 42A reports contained in the agenda had been pre-read by the three members of the Committee and they would only be required to answer questions.

6.1 Ohau Snow Holdings Limited CRC061735, CRC061101 and CRC061757;

These applications relate to the take and use of water at Lake Ohau Lodge. The application to take water replaced a previously expired consent and had been seeking a small increase in the amount of water proposed to be taken.

In discussing the proposed conditions, the Committee commented on the need for conditions 4 and 5, which related to the requirement for the installation of a water meter and whether in this case, was onerous on the applicant considering the small amount of take being sought.

The Committee was satisfied that the effects were less than minor and that consent could be granted subject to the 35 years as applied for. The Committee deleted conditions 4 and 5.

Resolved

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, as amended, and duration of 35 years, and for the reasons stated.

Cr Harrow/Cr Sutherland

6.2 Waiwera Runanga, Incorporated CRC062533.1 and CRC080608.1

As further background to these applications, the Committee was advised that following the prehearing meeting held on 29 May 2009, a number of submitters failed to attend the prehearing meeting and no advise you received from them subsequent. Following a subsequent request from the applicant, the Chief Executive, acting under a delegation of the Council, declined those submissions.

The Committee was satisfied that all effects from the proposed activity could be mitigated by the proposed conditions and granted the consents. No durations were sought as the applications were change of conditions only.

Resolved

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 for the reasons stated.

Cr McKay/Cr Harrow

6.3 Waitaki District Council CRC082708 and CRC082826

These applications related to the discharge of wastewater into the Omarama Stream and to discharge wastewater into land from the wastewater treatment plant at Omarama.

The committee had noted that Fish and game had withdrawn their right to be heard following the preparation of the final conditions. The Committee further noted that all the limits recommended would meet receiving water guidelines.

The Committee was satisfied that the consent applications be granted as they considered the proposed activity did not conflict with the provisions of the resource management Act, given the proposed conditions. The consents were granted with an expiry date of 31 December 2016.

Resolved

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 expiry date of 31 December 2016 and for the reasons stated.

Cr Sutherland/Cr Harrow

7. QUESTIONS

Nil.

8. EXTRAORDINARY AND URGENT BUSINESS

Resolved

That the appointment of decision-makers to hear and decide the objection to costs incurred in processing resource consent application and to consider and decide resource consent applications be considered extraordinary and urgent business.

Cr McKay/Cr Sutherland

8.1 CANTERBURY REGIONAL COUNCIL CRC101076

The Committee was advised that it was council policy to appoint an external decision maker when resource consent applications were lodged by the council.

The decision maker recommended had satisfied council staff he had the necessary criteria, including technical ability and RMA Accreditation Certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Barry Loe as Commissioner to hear and decide resource consent application CRC101076 by Canterbury Regional Council with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Barry Loe to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Harrow/Cr McKay

8.2 CHRISTCHURCH CITY COUNCIL CRC092611 AND CRC093881

The applications related to the discharge of stormwater and to divert and discharge shallow groundwater from a proposed development and a new stormwater system described as the Douglas Clifford Basins to Dunbars Drain (which flows into Cashmere Stream). A hearing was scheduled for 7-9 December 2009 and decision makers were now required to be appointed.

The decision makers recommended had satisfied council staff they had the necessary criteria, including technical ability and RMA Accreditation Certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Robert Batty and Sharon McGarry as Commissioner to hear and decide resource consent applications CRC 092611 and CRC093881 by Christchurch City Council with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Robert Batty and Sharon McGarry to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Harrow/Cr McKay

8.3 OBJECTIONS TO DECISION – DECISIONS BY CANTERBURY REGIONAL COUNCIL TO DECLINE CERTIFICATES OF COMPLIANCE

The Committee was advised that the objections related to a decision by the council to decline Certificates of Compliance by Williamson Holdings, Southdown Holdings Limited and Five Rivers Limited associated with the discharge of fertilisers and agrichemicals onto land.

The Committee noted that the basis for the decision by the council was that the discharge of fertiliser and agro chemicals was not authorised under the council's Transitional regional plan.

The decision maker recommended had satisfied council staff she had the necessary criteria, including legal ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Margo Perpick as decision-maker to hear and decide resource consent application CRC100585 by Williamson Holdings Limited, CRC100584 and CRC100794 by Southdown Holdings Limited and CRC100591 by Five Rivers Limited with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Margo Perpick to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Harrow/Cr McKay

8.4 CHRISTCHURCH CITY COUNCIL – CRC093701 AND CRC092695

The Committee was advised that hearings would be scheduled in due course to hear and decide the two applications associated with the ongoing discharge of domestic wastewater into Akaroa harbour (CRC093701) for a 18 month period, and to discharge treated wastewater into the Avon Heathcote Estuary by way of leakage around the discharge gates.

The decision maker recommended had satisfied council staff he had the necessary criteria, including technical ability and RMA Accreditation certification, to carry out the duties required.

Resolved

- (a) *That the Committee appoint Dr Michael Freeman as Commissioner to hear and decide resource consent application CRC093701 and CRC092695 by Christchurch City Council with the full powers of the Council as a consent authority.*
- (b) *That the Committee appoint Dr Michael Freeman to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.*

Cr Harrow/Cr McKay

**8.5 FIVE RIVERS LIMITED – CRC100787, CRC100788, CRC100824, CRC100827 AND CRC101540
SOUTHDOWN HOLDINGS LIMITED – CRC100224, CRC100480, CRC100481, CRC100482 AND CRC101542**

WILLIAMSON HOLDINGS LIMITED – CRC100227, CRC100475, CRC100478, CRC100479 AND CRC101541

The Committee was advised that hearings would be held in due course to decide the applications associated with dairy discharges in the Mackenzie Basin.

The commissioners recommended had previously been appointed to hear and decide the applications to take and use water in the Upper Waitaki Catchment

Resolved

(a) That the Committee appoint Paul Rogers, Michael Bowden, Edward Allison and Dr Jim Cooke as decision-maker to hear and decide resource consent applications CRC100787, CRC100788, CRC100824, CRC100827 and CRC101540 by Five Rivers Limited, CRC100224, CRC100480, CRC100481, CRC100482 and CRC101542 by Southdown Holdings Limited, and CRC100227, CRC100475, CRC100478, CRC100479 and CRC101541 BY Williamson Holdings Limited by with the full powers of the Council as a consent authority.

(b) That the Committee appoint Paul Rogers, Michael Bowden, Edward Allison and Dr Jim Cooke to deal with any preliminary matters associated with (a) with the full powers of the Council as a consent authority.

Cr Harrow/Cr McKay

RESOURCE CONSENT APPLICATION FOR CONSIDERATION

8.6 C G Morris CRC011437

The Committee was advised that the application was to take and use groundwater in the Rakaia Selwyn Groundwater Zone. A duration of 10 years had been sought by the applicant.

The report contained an audit of the application and addressed the issues raised. The application was to replace a previously expired consent, but with an increase in rates and volumes. Ms McKenzie advised the assessment of actual and potential effects had identified all effects was likely to be minor.

The Committee was satisfied that consent be granted subject to the conditions tabled and for a duration of 10 years.

Resolved

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 resource consent application CRC011437 by C G Morris, for a duration of 10 years and subject to the conditions as listed:

Water may be taken only from bore M36/2643, 200 millimetres diameter and 10 metres deep, at map reference NZMS 260 M36:55936-26012 and bore M36/8171, 200 millimetres diameter

and 40 metres deep, at map reference NZMS 260 M36:5594-2601.

Water may be taken at a combined rate not exceeding 28 litres per second, with a volume not exceeding 2,016 cubic metres per day, and 232,817 cubic metres between 1st July and the following 30th June.

Water shall only be used for irrigation of crops and pasture for grazing stock, excluding milking dairy cows, on the area of land shown in attached plan CRC011437, which forms part of this consent.

The taking of water in terms of this permit from bore M36/2643 shall cease whenever the flow in Selwyn River, as estimated by the Canterbury Regional Council, at Coes Ford (at or about map reference NZMS 260 M36: 627-234) falls below 600 litres per second.

The consent holder shall, within six months of the first exercise of this consent, install an easily accessible straight pipes, with no fittings or obstructions that may create turbulent flow conditions, of a length at least 15 times the diameter of the pipe, as part of the pump outlet plumbing or within the mainline distribution system.

The consent holder shall within six months of the first exercise of this consent:

- (a) Install a water meter that has an international accreditation or equivalent New Zealand calibration endorsement and has pulse output, suitable for use with an electronic recording device, which will measure the rate and volume of water taken within an accuracy of plus or minus five percent, as part of the pump outlet plumbing, or within the mainline distribution system, at a location that will ensure the total take of water is measured.
- (b) Take a reading from the water meter at least once per month; record the date and the meter reading either electronically or in a log book kept for that purpose; and supply these data to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, each year during the month of June, or when requested in writing.
- (c) Ensure that the water meter is accessible to the Canterbury Regional Council at all times for inspection.
- (d) Ensure that the water meter is installed, maintained and operated throughout the duration of the consent in accordance with the manufacturer's instructions.
- (e) Take all practicable measures to ensure that the water meter is fully functional at all times.

The consent holder shall, within six months of the first exercise of this consent:

- (a) Install a tamper-proof electronic recording devices such as a data loggers that shall time stamp a pulse from the flow meter at least once every 15 minutes; and have the capacity to hold at least one season's data of water taken as specified in clauses (b)(i) and (b)(ii), or which is telemetered, as specified in clause (b)(iii).
- (b) The recording devices shall:
 - (i) be set to wrap the data from the measuring devices such that the oldest data will be automatically overwritten by the newest data (i.e. cyclic recording); and
 - (ii) store the entire season's data in each 12 month period from 1 July to 30 June in the following year, which the consent holder shall then download and store in a commonly used format and provide to the Canterbury Regional Council upon request in a form and to a standard specified in writing by the Canterbury Regional Council; or
 - (iii) shall be connected to a telemetry system which collects and stores all of the data continuously with an independent network provider who will make that data available in a commonly used format at all times to the Canterbury Regional Council and the consent holder. No data in the recording devices shall be deliberately changed or deleted.
- (c) The recording devices shall be accessible to the Canterbury Regional Council at all times for inspection and/or data retrieval.
- (d) The recording devices shall be installed and maintained throughout the duration of the consent in accordance with the manufacturer's instructions.
- (e) All practicable measures shall be taken to ensure that the recording devices is fully functional at all times.

Within one month of the installation of the measuring or recording devices, or any subsequent

replacement measuring or recording devices, and at five-yearly intervals thereafter, and at any time when requested by the Canterbury Regional Council, the consent holder shall provide a certificate to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, signed by a suitably qualified person certifying, and demonstrating by means of a clear diagram, that:

- (a) The measuring and recording devices has been installed in accordance with the manufacturer's specifications; and
- (b) Data from the recording devices can be readily accessed and/or retrieved in accordance with clauses (b) and (c) of condition (7).

The Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, shall be informed immediately on first exercise of this consent by the consent holder.

The consent holder shall take all practicable steps to:

- (a) Ensure that the volume of water used for irrigation does not exceed that required for the soil to reach field capacity; and
- (b) Avoid leakage from pipes and structures; and
- (c) Avoid the use of water onto non-productive land such as impermeable surfaces and river or stream riparian strips.

The taking of water in terms of this permit shall cease for a period of up to 48 hours, on notice from the Canterbury Regional Council, to allow measurement of natural groundwater levels.

The lapsing date for the purposes of section 125 shall be 31 December 2014.

The Canterbury Regional Council may, once per year, on any of the last five working days of March or July, serve notice of its intention to review the conditions of this consent for the purposes of dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

9 NEXT MEETING

To be confirmed.

10. CLOSURE

The Chairperson closed the meeting at 10.15 am

CONFIRMED

DATE 10/02/2010 Car-Anne Kelly CHAIRPERSON

APPENDIX ONE

Selwyn-Waimak Cost Objection

Cust. No	Name	RecordNo	Invoice No.	Final Invoice Gross
1	C02390 Mr R H Simpson	CRC052361	SI107942	9,731.96
2	C06283 Mr K B Grimwood	CRC060051	SI107940	9,679.06
3	C08772 Mr & Mrs L G & E J Ellis	CRC051341	SI107946	2,914.50
4	C09122 Mr & Mrs P J & L J Pankhurst	CRC050789	SI107927	9,679.06
5	C10897 Mr W A & Mrs J T Scarlett	CRC071440	SI107929	7,491.47
6	C13217 Selwyn Plantation Board Limited	CRC062512, CRC062823, CRC062824, CRC062825	SI107913, SI107914, SI107915, SI107916, SI107931	53,218.43
7	C14471 Mr B W A Lee	CRC050853	SI107928	9,377.42
8	C16443 Mr P J Pankhurst	CRC042619	SI107918	10,393.44
9	C16690 White Gold Limited	CRC050463	SI107923	9,822.30
10	C17331 Cropmark Seeds Limited	CRC030614	SI107917	9,711.27
11	C18067 The Gammack Estate	CRC050062	SI107920	9,982.81
12	C30743 Manaroa Farm Limited	CRC061458	SI107935	2,914.50
13	C38007 Meadow Mushroom Limited	CRC050655	SI107926	9,740.40
14	C40154 The Bridge Farm Limited	CRC050835	SI107949	9,556.80
15	C40201 Mr & Mrs S G & D J Lill	CRC050608	SI107925	9,638.19
16	C40577 Mr & Mrs G R & H J Wilson	CRC042798	SI107919	2,914.50
17	C40972 Mr & Mrs R D & L J Potts	CRC050933	SI107950	2,914.50
18	C41254 Craufurd Farm Limited	CRC050388	SI107921	9,679.06
19	C41283 Mr & Mrs P J & D J Anderson & Hurst	CRC050407	SI107922	9,662.48
20	C41383 Ms R K Jowett	CRC050474	SI107924	9,757.27
21	C41991 Mr & Mrs M G & K H Hyslop	CRC051108	SI107948	9,682.35
22	C43763 G J Marshall and Trust Limited	CRC052658	SI107941	2,914.50
23	C44086 Ms P E Streeter	CRC061902, CRC061905	SI107933, SI107934	19,260.60
24	C44763 Mr J E Korostichuk	CRC060214	SI107938	9,500.60
25	C45748 Mr K T Opie	CRC060192	SI107939	9,679.06
26	C45809 John Arbuckle Standardbreds Limited	CRC060250	SI107937	9,679.06
27	C46685 Mr D Love	CRC061004	SI107930	9,794.12
28	C47930 Tavistock Estate Limited	CRC062220	SI107932	9,472.53
29	C63684 Fitzallan Park Limited	CRC051631	SI107945	9,679.06

298,431.30