

Under the Resource Management Act 1991

IN THE MATTER OF applications by
Cromwell Certified Concrete Limited to the
Otago Regional Council and Central Otago
District Council for discharge permits, a
water permit and a land use consent
relating to expansion of an existing quarry at
1248 Luggate-Cromwell Road

Third Minute of Hearing Commissioner John Iseli

Adjournment of Hearing

- 1 I have been appointed by the Otago Regional Council and the Central Otago District Council as commissioner under Section 34A of the Act to hear and decide the applications lodged by Cromwell Certified Concrete Limited (the Applicant) in relation to proposed expansion of the Amisfield Quarry at 1248 Luggate-Cromwell Road.
- 2 The hearing of the applications was held in Cromwell on 15-17th December 2021.
- 3 After completion of proceedings on 17th December, the hearing was adjourned to allow time for the applicant to prepare a final set of proposed conditions and for the parties to comment on those conditions, prior to provision of the applicant's written reply.
- 4 The parties have now provided an indication of the time required to complete the above actions. Accordingly, I make the following directions.

Directions

- 5 The applicant is requested to provide two proposed sets of consent conditions: one set for the full proposal including the expansion block and one set for deepening of

the existing quarry only. Those conditions are to be submitted by 5pm Friday 4th February 2022.

- 6 Any comments from submitters and their experts on the applicant's proposed conditions are to be provided by 5pm Monday 14th February 2022. Comments are to be restricted to the content of conditions only.
- 7 Final recommended conditions from the officer and supporting experts, taking into account any submitter comments, are to be provided by 5pm Monday 21st February 2022. Comments are to be restricted to the content of conditions only.
- 8 The applicant's written reply is to be provided by 5pm Monday 28th February 2022. Any reference to additional expert evidence in the reply is to be restricted to response to matters raised by the parties at the hearing.

Interim Decision Issues

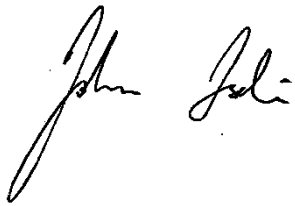
- 9 For the avoidance of any confusion, I note that I am not in favour of issuing an interim decision on the applications. That approach is not generally regarded as best practice for council hearings and has the potential for appeals to be lodged against the interim decision. It would also result in further extension of the time period before a final decision is issued.
- 10 I therefore formally request that the applicant provides a second set of conditions for the proposal excluding the expansion block. That task is not considered to be onerous and it is expected it could be achieved within the proposed time frame. I stress that I have not made any decision regarding the expansion block at this stage, but seek to avoid any possible delays for the benefit of all parties.

Timing of Decision

- 11 Provided no additional matters arise as a result of final suggested conditions and the applicant's reply, I anticipate potentially closing the hearing by 4th March 2022. On this basis a decision would be issued by 25th March 2022.
- 12 Given the above timing, it is requested that counsel for the applicant confirms the schedule in writing with the Councils (via Ms Bagnall) and formally requests an extension of time frames under the Act to accommodate the above dates.

Address for Correspondence

- 13 The parties are instructed to provide the requested information to the hearing administrator, Karen Bagnall at the Otago Regional Council who can be contacted by phone (027 218 4164) or email (karen.bagnall@orc.govt.nz).
- 14 Ms Bagnall is requested to circulate to the parties all information received in accordance with these directions.

A handwritten signature in black ink, appearing to read 'John Iseli'. The signature is written in a cursive style with a large initial 'J'.

John G Iseli
Independent Commissioner

Dated 22nd December 2021