



Planning & Strategy Committee

4 February 2021

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Minutes of a meeting of the Planning & Strategy Committee held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 4 February 2021 commencing at 10.02am

Present

Councillors Clark (Chair), Macleod (via Zoom), Miller, Shaw and Smith

In Attendance

Mr Tony Avery (General Manager, Planning and Development), Mr Ian Bayliss (Planning Policy Manager), Ms Emily Grace (Senior Policy Planner), Mr Luke Place (Senior Policy Planner), Ms Fiona Blight (Resource Consent Manager), Ms Alana Standish (Team Leader – Resource Consents, Queenstown), Ms Katrina Ellis (Team Leader – Resource Consents, Queenstown), Ms Niamh Sheehy (Intermediate Resource Consents Planner), Ms Katharine Hockly (Associate Counsel), Mr Jake Robertson (Junior Legal Counsel), Ms Stacey Harris (Governance Advisor); and five members of the public

Apologies

An apology was received from Councillor MacDonald.

On the motion of Councillors Shaw and Smith the Planning & Strategy Committee resolved to accept the apology.

It was noted that Councillor Miller was not present at the beginning of the meeting.

Declarations of Conflicts of Interest

There were no declarations made.

Public Forum

Ms Erna Spijkerbosch

Ms Spijkerbosch addressed the Committee in relation to item 1 “Gorge Road Natural Hazards District Plan Review – Pre-Notification Public Consultation”. Ms Spijkerbosch noted that she had a significant investment and interest in the item. Ms Spijkerbosch stated that she did not agree with the risk assessment that had been undertaken as she had not observed flooding in the area since 1999.

Rob Greig - Pinewood Lodge

Mr Greig addressed the Committee in relation to item 1 “Gorge Road Natural Hazards District Plan Review – Pre-Notification Public Consultation”. Mr Greig stated that he had not observed any flooding or adverse effects with rainwater in the 40 years he had been involved with the land. He requested that future consultations be more transparent with improved dialogue.

Councillor Miller arrived 10.07am.

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of Agenda

The agenda was confirmed without addition or alteration.

Confirmation of Minutes (Public)

On the motion of Councillors Miller and Shaw the Planning & Strategy Committee resolved that the public part of the minutes of the meeting held on 26 November 2020 be confirmed as a true and correct record.

1. Gorge Road Natural Hazards District Plan Review – Pre-Notification Public Consultation

A report presented by Ms Emily Grace (Senior Policy Planner), Mr Luke Place (Senior Policy Planner) and Mr Ian Bayliss (Planning Policy Manager) outlined a proposal for informal, pre-notification consultation with potentially effected landowners, occupiers and businesses across the land subject to the Gorge Road natural hazards district plan review.

It was reiterated that the purpose of the report was not to make any decisions, but to carry out consultation to engage with affected parties to appropriately deliver technical information and gain better understanding from the people interested and affected by the process in order to inform the decision making process down the track.

The Committee discussed the details of the report extensively. There were concerns that the BECCA engineering report had not been attached to the agenda and that the Committee members had not received enough information to make an informed decision. It was noted that the BECCA report had been circulated to the

Committee members at the end of 2020, and that no further updates had since been made. Work was underway to determine any economic loss to the community and would be presented as part of the consultation process. The intention was to engage a technical expert to present the engineering report data and economic modelling outcomes as part of the consultation process. It was further noted that a let's talk page had already been established containing the report and a series of questions and answers to provide a high level outline of the key findings in the report, as well as a timeline to set expectations of the work being completed.

The Committee queried the involvement of the Otago Regional Council (ORC) in the process to date. It was clarified that Council had been engaging with the ORC from the beginning of the hazard analysis project, making sure that they were kept up to date with information as it was received and advised of the next steps in order to maintain a collaborative relationship. It was clarified that under the Resource Management Act 1991, regional councils and district councils were equally responsible for managing hazards and could be done so independently or in partnership.

Councillor Smith stated his intention to amend the reports recommendation by adding on a third point of action, to "Instruct the Chief Executive to write to the Chief Executive of the Otago Regional Council seeking a collaborative planning process on the Gorge Road Natural Hazards District Plan Review."

The Committee supported the involvement of the Otago Regional Council moving forward and encouraged Council to have direct conversations with members of the public that were impacted by the review, providing technical advice where appropriate.

**It was moved (Councillor Smith / Councillor Shaw) that the
Planning & Strategy Committee:**

- 1. Note the contents of this report;**
- 2. Approve pre-notification consultation on this topic being undertaken; and**
- 3. Instruct the Chief Executive to write to the Chief Executive of the Otago Regional Council seeking a collaborative planning process on the Gorge Road Natural Hazards District Plan Review.**

Recommendation to Exclude the Public

On the motion of Councillors Shaw and Clark the Planning & Strategy Committee resolved that the public be excluded from the following parts of the proceedings of the meeting:

It is recommended that the public be excluded from the following parts of the meeting:

The general subject of the matters to be discussed while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1)(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution is as follows:

Confirmation of Minutes:

General subject to be considered:	Reason for passing this resolution:	Grounds under Section 7:
Draft Planning & Strategy Committee Minutes 26 November 2020	<p><i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</i></p> <ul style="list-style-type: none"> • maintain legal professional privilege • enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) 	<p>s 7(2)(g)</p> <p>s 7(2)(i)</p>

Agenda Items:

General subject to be considered:	Reason for passing this resolution:	Grounds under Section 7:
<p>2: Request to mediate in relation to the appeal by Bella Vista Interests against the granted resource consent RM191272</p>	<p><i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</i></p> <ul style="list-style-type: none"> • maintain legal professional privilege • enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) 	<p>s 7(2)(g) s 7(2)(i)</p>
<p>3: Request to mediate in relation to the appeal by Waterfall Park Limited against the decline of resource consent RM200290</p>	<p><i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</i></p> <ul style="list-style-type: none"> • maintain legal professional privilege • enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) 	<p>s 7(2)(g) s 7(2)(i)</p>

<p>4: Request to mediate in relation to the appeal by Cardrona Cattle Company against the decline of resource consent RM191130</p>	<p><i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</i></p> <ul style="list-style-type: none"> • maintain legal professional privilege • enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) 	<p>s 7(2)(g) s 7(2)(i)</p>
<p>5: Update on resource consent appeals before the Courts</p>	<p><i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</i></p> <ul style="list-style-type: none"> • maintain legal professional privilege • enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) 	<p>s 7(2)(g) s 7(2)(i)</p>

<p>6: Update on appeals relating to Council's decisions on the Proposed District Plan</p>	<p><i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</i></p> <ul style="list-style-type: none"> • maintain legal professional privilege • enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) 	<p>s 7(2)(g)</p> <p>s 7(2)(i)</p>
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This recommendation is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.

The meeting went into public excluded at 10.54am

The meeting came out of public excluded and concluded at 12.29pm.

Confirmed as a true and correct record:

Chairperson

Date