

**Minutes of a meeting of the Planning & Strategy Committee held via Zoom on Thursday
18 August 2022 beginning at 1:02pm.**

Present

Councillor Clark (Chair), Councillor Shaw, Councillor Miller, Councillor Gladding, Councillor Whitehead, and Councillor Smith (all via Zoom)

In Attendance

Mr Tony Avery (GM, Planning & Development), Ms Alyson Hutton (Planning Policy Manager), Mr Ian Munro (External Policy Planner), Ms Fiona Blight (Resource Consent Manager), Mr Naell Crosby Roe (Governance and Stakeholder Services Manager), Ms Alixandra Villis (Governance Advisor), Mrs Mary Davenport (Associate Counsel), Mr Tim Anderson (Resource Consents Planner).

Apologies

Apologies were received from Councillor Lewers.

**On the motion of Councillor Shaw and Councillor Whitehead
the Planning & Strategy Committee resolved that the
apologies be accepted.**

Councillor McLeod was absent from the meeting.

Declarations of Conflicts of Interest

Public Forum

There were no speakers in the public forum.

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of Agenda

**It was agreed that the agenda be confirmed without addition
or alteration by Councillor Clark and Councillor Whitehead.**

Confirmation of minutes (public part of meeting)

On the motion of Councillor Miller and Seconded by Councillor Clark the Planning & Strategy Committee resolved that the public part of the minutes of the meeting held on 28 July 2022 be confirmed as a true and correct record.

1. Northlake Private Plan Change

A report was presented by Ms Alyson Hutton and Mr Ian Munro on the Northlake Private Plan change.

The purpose of the agenda item is to formally introduce the Northlake Private Plan Change. This needed to be lodged by a certain date which arose out of the fast-track consent condition for the rest home in Wānaka.

There was discussion around the RMA and clause 25 of the first schedule on whether it is suitable to be subjected to the RMA process or submissions and public hearings.

There was a lengthy discussion on the expectations that a plan change would have around consulting, with the impacted parties such as landowners. Allenby farm and Sticky forest have requested road connections, so it is expected that there will be an interest in consultation and public submissions. This will be to provide a forum for the process of notifying a private plan change which would serve notice through the correct process. It was noted that there hasn't been consultation yet but there will be an invitation to express views.

Councillor Smith expressed that the plan change should take a holistic view regardless of tenure, particularly around road connections.

Mr Munro confirmed that the Council as a consent authority will provide a report and evidence, which expresses the independent views of the experts. It was noted that it is undeniable that the design and parameters of the road are being designed to support some traffic from Sticky Forest. It was communicated that the information provided as part of the application process has identified a development aspiration for the land, however, there is no theoretical yield on it currently. It is accepted that there may eventually be some traffic using the roads, which the plan change proposes, and Council does have a steer from the interested parties on what that is. For further clarity, those parties would make a submission on plan change 54 and discuss what their aspirations are. The applicant's position is that it is providing road access to land which is currently land locked.

Concern was communicated from the Councillors around the current stormwater system's capacity and ability to cope with discharges from new developments. It

was agreed that public submissions would be a preferable way to discuss this, as long as these concerns are presented to the public as part of a consultation. It was retorted that the potential stormwater effects should be manageable through further development, however, the process which would follow from an acceptance or adoption would be a mandatory period of public submissions.

It was then confirmed and requested by Councillor Shaw that it be recorded in the minutes that Council will make a copy of clause 25 available, as part of the information pack for the public.

Councillor Smith enquired whether it would be more appropriate for this matter to be considered by full council considering the nature of the decision. However, the committee agreed that they are satisfied that this is within the delegations of the committee. It was then expressed that as the committee had 2 people missing for this meeting, full council may be better equipped to discuss this issue. It was also then noted that rejection of the plan change is itself a legally challengeable decision and could result in an escalation to Court.

On the motion of Councillor Clark and Seconded by Councillor Shaw it was resolved that the Planning & Strategy Committee:

- 1. Note the contents of this report; and**
- 2. Accept PC54 for notification under Clause 25(2)(b) of the First Schedule of the RMA 1991.**

Unanimous support was shown for this decision

Resolution to Exclude the Public

On the motion of Councillor Clark and Councillor Shaw the Planning & Strategy Committee resolved that the public be excluded from the following parts of the proceedings 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:
Planning & Strategy Committee minutes 28 July 2022	<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>

Agenda items:

Item 2: Request to Mediate RM210202

Item 3: Update on Appeals relating to Resource Consent

Item 4: Update on Appeals relating to Proposed District Plan Decisions

General subject to be considered:	Reason for passing this resolution:	Grounds under Section 7:
Item 2: Request to Mediate RM210202	<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>

General subject to be considered:	Reason for passing this resolution:	Grounds under Section 7:
<p>Item 3: Update on Appeals relating to Resource Consent</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"> • <i>maintain legal professional privilege</i> • <i>enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i> 	<p>S 7(2)(g) S 7(2)(i)</p>
<p>Item 4: Update on Appeals relating to Proposed District Plan Decisions</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"> • <i>maintain legal professional privilege</i> <p><i>enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i></p>	<p>S 7(2)(g) S 7(2)(i)</p>

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 1:39pm