



Planning & Strategy Committee

10 September 2020

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Minutes of a meeting of the Planning & Strategy Committee held in the Council Chambers, 10 Gorge Road, Queenstown and via Zoom on Thursday 10 September 2020 commencing at 10.03am

Present

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

In Attendance

Mr Tony Avery (General Manager, Planning and Development), Mr Ian Bayliss (Planning Policy Manager), Ms Fiona Blight (Resource Consent Manager), Ms Katharine Hockly (Associate Counsel), Mr Elias Matthee (Intermediate Policy Planner), Ms Liz Simpson (Senior Policy Planner – Urban Development), Ms Niamh Sheehy (Intermediate Resource Consents Planner), Ms Stacey Harris (Governance Advisor); and eleven members of the public

Apologies

There were no apologies received.

It was noted that Councillor Miller was absent at the start of the meeting.

Declarations of Conflicts of Interest

There were no declarations made.

Public Forum

Tony Marsh (Rob Roy Residential Group)

Mr Marsh stated that he was speaking on behalf of the Rob Roy Residential Group (RRRG) regarding item three of the agenda. Mr Marsh noted that the RRRG had been engaged with the process for a couple of years and were pleased to see that the Council were recommending that the land be rezoned as rural. The RRRG requested that the process to rezone the land be expedited as quickly as possible.

Councillor Miller joined the meeting via Zoom at 10.06am

Blair Devlin (Sunshine Bay Limited)

Mr Devlin stated that he was speaking on behalf of Sunshine Bay Limited regarding item one of the agenda. Mr Devlin noted that he had prepared the May 2020 submission to Council that requested the rezoning as part of Stage Four of the Proposed District Plan. Mr

Devlin provided some background information on the project and confirmed that any infrastructure upgrades or extensions required would be paid for by the developer.

Heidi Ross

Ms Ross addressed the Committee regarding the proposed Sunshine Bay development. Ms Ross provided the Committee with photographs of her house in proximity to the proposed development and of the surrounding roads. Ms Ross expressed concern over the proximity of the development to existing homes and the potential noise affects, noting that no noise assessment had been completed. Ms Ross believed that the development would have adverse effects on long term residents.

Paul Currie

Mr Currie addressed the Committee regarding the proposed Sunshine Bay development. Mr Currie stated that he had a background in Consulting Geology and Geotechnical Engineering and believed that the proposed area would need extensive work to mitigate rock fall risks. Mr Currie expressed that he opposed the rezoning and extension of the urban boundary and believed that the asset value for the community was being belittled.

Kaari Schlebach

Ms Schlebach addressed the Committee regarding the proposed Sunshine Bay development. Ms Schlebach noted that she was only made aware of the proposal a few days prior. Ms Schlebach expressed her affection for the natural beauty of the area and raised concerns about a large development ruining the landscape and affecting traffic within the community.

Andrew Murray

Mr Murray addressed the Committee regarding the proposed Sunshine Bay development. Mr Murray expressed concerns about the notification process for the proposed development, stating that he was only made aware of the changes the previous day. Mr Murray explained that one of the main reasons he had moved to Sunshine Bay was for the abundance of native wildlife, which was unique to the area. Mr Murray referenced the ecology report, noting that the proposal would result in a permanent loss of indigenous forest, impacting on what makes Sunshine Bay unique.

Linda Chase

Ms Chase addressed the Committee regarding the proposed Sunshine Bay development. Ms Chase expressed that she was only made aware of the proposal the previous day and strongly opposed the rezoning. Ms Chase raised concerns about the recurring floods in the area and the loss of natural landscape, stating that she had chosen to live in Sunshine Bay for the natural landscape.

The Chair advised that the proposed Sunshine Bay development had been notified in accordance with legislative requirements through local papers and association networks.

On the motion of Councillors Macleod and MacDonald the Planning & Strategy Committee resolved that Standing Orders be suspended to allow the Public Forum to continue past 30 minutes.

Julia Morum

Ms Morum addressed the Committee regarding the proposed Sunshine Bay development. Ms Morum stated that she had owned a property in Sunshine Bay since 1997. Ms Morum expressed her affection for the Arawata track and the native bush and birdlife. Ms Morum raised concerns about the impact the development would have on the community and the dangers associated with additional traffic in the area.

Sage Schlebach

Mr Schlebach addressed the Committee regarding the proposed Sunshine Bay development. Mr Schlebach stated that he was representing the younger community of Sunshine Bay. Mr Schlebach expressed his affection for the undeveloped area of Sunshine Bay and its natural beauty, stating that he did not want to see the area developed like the rest of Queenstown.

Christopher Bootsma (Hidden Lodge)

Mr Bootsma addressed the Committee regarding the proposed Sunshine Bay development. Mr Bootsma stated that he was speaking on behalf of the Hidden Lodge, located directly next to the proposed development. Mr Bootsma expressed that the upmarket lodge had suffered significantly as a result of COVID-19 and would be untenable if the proposed development was to occur, as one of the main draws to the lodge was the privacy and seclusion that the reserve provided.

Vanessa Van Uden

Ms Van Uden addressed the Committee regarding the proposed Sunshine Bay development. Ms Van Uden stated that she understood the process and the decision that needed to be made and believed that there should not be any plan changes under the District Plan review. Ms Van Uden expressed that members of the public did not understand the process and stated that the process should be separated from the District Plan process so that the community could be better engaged.

The Chair noted that a written statement had been received from Mr John Glover regarding the Glenorchy Airport which had been circulated to the Committee members prior to the meeting.

On the motion of Councillors Macleod and Miller the Planning & Strategy Committee resolved that Standing Orders be reinstated.

Matters Lying on the Table

Proposed rezoning of part of 296 Glenorchy – Queenstown Road, Sunshine Bay to Medium Density Residential

On the motion of Councillors Smith and MacDonald the Planning & Strategy Committee resolved that the item be uplifted from the table and considered as item two on the agenda.

Confirmation of Agenda

The agenda was confirmed without addition or alteration.

Confirmation of Minutes (Public)

On the motion of Councillors Clark and Smith the Planning & Strategy Committee resolved that the public part of the minutes of the meeting held on 30 July 2020 be confirmed as a true and correct record.

1. 296 Glenorchy – Queenstown Road Sunshine Bay – Further Information

A report presented by Mr Elias Matthee (Intermediate Policy Planner) and Mr Ian Bayliss (Planning Policy Manager) provided further detail on two matters raised by members of the Planning & Strategy Committee regarding options for access to the site and in regards to the cost of a plan change to the ratepayer/Council.

The report was taken as read with no further discussion.

On the motion of Councillors Smith and Shaw the Planning & Strategy Committee resolved to:

1. Note the contents of this report.

2. Proposed rezoning of part of 296 Glenorchy – Queenstown Road Sunshine Bay to Medium Density Residential

A report presented by Mr Elias Matthee (Intermediate Policy Planner) and Mr Ian Bayliss (Planning Policy Manager) requested that the Planning & Strategy Committee agree in principle to the rezoning of part of Lot 1 DP 397058, which

abuts the Sunshine Bay residential area, from Rural to an Urban Residential Zone – most likely Medium Density Residential, and approve the preparation of a variation to the Proposed District Plan for this purpose.

The report was taken as read.

The Committee discussed the details of the report at length. A query was raised regarding the transport assessment that had been commissioned by the developer, and whether the Council had produced their own assessment. It was confirmed that an assessment had not been completed as the proposal was not at the stage where a review was required. It was noted that Stantec were engaged by Council to review consent applications with the intent of providing preliminary information so that Council could consider if additional work was required.

A further query was raised regarding whether short term visitor accommodation had been considered as part of the transport assessment. It was confirmed that visitor accommodation had not been considered as the final zoning for the area had not been finalised. The intent of the assessment was to consider possible effects which would be subject to further assessment once the rezoning had been finalised.

After questioning the decision to process the proposal as a plan change rather than a resource consent, the Committee noted that the proposal was being processed as a plan change to allow for broader consideration against the district plan. The rezoning options were discussed, noting that a final decision on appropriate zoning had not been finalised as the first step was to determine whether the area should be urbanised. Following that the development would be subject to further assessments.

The Committee were not satisfied with the results of the traffic assessment, the effects on native wildlife, and the costs that would be covered by the Council through the rezoning process.

Councillor Smith sought to reject the proposal and not undertake further work.

On the motion of Councillors Smith and Shaw the Planning & Strategy Committee resolved to:

- 1. Note the contents of this report.**
- 2. Reject the proposed rezoning of the site to an urban residential zone for recommending to Council as a variation.**

The meeting adjourned at 11.19am and re-convened at 11.24am.

3. Evaluation of possible zones and overlays for Mt Iron, Wānaka

A report presented by Mr Ian Bayliss (Planning Policy Manager) presented an evaluation of possible zone and overlay options for Mount Iron in Wānaka and sought agreement in principle to producing a variation to the Proposed District Plan amending the planning maps confirming the mapping of the Outstanding Natural Feature.

The report was taken as read.

The Committee discussed the details of the report, noting the resource consent being considered independently of the proposed land changes presented in the report.

The Committee considered the prospect of the Council approaching the Court to request that the plan changes take immediate legal effect. It was clarified that the decision would be at the full discretion of the Court and that there was no guarantee that the usual process would not need to be followed.

Councillor Shaw sought to amend point two of the recommendation to include: “and seek direction from the Environment Court that relevant rules take immediate legal effect where notified.”

**On the motion of Councillors Shaw and MacDonald the
Planning & Strategy Committee resolved to:**

- 1. Note the contents of this report.**
- 2. Agree in principle, subject to further work, that rezoning of the remaining land within the Mt Iron Outstanding Natural Feature to Rural, amending the Urban Growth Boundary and amending the location of the Mt Iron Outstanding Natural Feature line at 965 and 705 Aubrey Road is appropriate for recommending to Council as a variation to be notified as part of the Operative District Plan review. And seek direction from the Environment Court that relevant rules take immediate legal effect where notified.**
- 3. Authorise the Manager Planning Policy to make edits and changes to the plan maps and provisions, to prepare a section 32 evaluation report and to complete steps required to prepare and consult on a future variation to the Proposed District Plan.**

4. Note that further consultation with Iwi authorities will occur prior to any decision on notifying this variation and advice received may prompt changes to be made to the proposal.
5. Note that agreeing in principle to the above does not mean Council has formed a view on the specific detail of a variation on these matters, on resource consent applications relating to these matters, or other related decisions on the Proposed District Plan.

4. Update on the National Policy Statement on Urban Development 2020

A report presented by Ms Liz Simpson (Senior Policy Planner – Urban Development) and Mr Ian Bayliss (Planning Policy Manager) provided a basic introduction to the Planning & Strategy Committee on the implications of the new National Policy Statement on Urban Development (NPS UD) for the Queenstown Lakes District and Council.

A powerpoint was presented to the Committee which showed key changes to the National Policy Statement on Urban Development Capacity 2016.

The Committee briefly discussed the details of the report. A query was raised regarding the weight of the new policies and objectives and whether they could be applied to the building code. It was confirmed that the NPS UD 2020 was relevant under the Resource Management Act 1991 exclusively and that additional guidance for local authorities on how the NPS UD 2020 was expected to be implemented would be provided in due course.

On the motion of Councillors Clark and MacDonald the Planning & Strategy Committee resolved to:

1. Note the contents of this report.
2. Note the key required deliverables and timeframes to give effect to the NPS UD.
3. Note that this report is for information purposes and the actions and decisions required to give effect to the NPS UD will be reported on at a later date.

Recommendation to Exclude the Public

On the motion of Councillors Clark and MacDonald 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 30 July 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>5: Request to mediate in relation to the appeal by D & M Columb against the decline of resource consent RM160923</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 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>

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 11.53am.

The meeting came out of public excluded and concluded at 12.03pm.

Confirmed as a true and correct record:

Chairperson

Date