



Planning & Strategy Committee

20 May 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 20 May 2021 commencing at 1.00pm

Present

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

In Attendance

Mr Tony Avery (General Manager, Planning and Development), Ms Fiona Blight (Resource Consent Manager), Mr Alan Matheson (Acting Planning Policy Manager), Ms Emily Grace (Principal Planner - Resource Management Policy), Mr Brendan Peet (General Counsel), Mr Mike Wakefield (Simpson Grierson), Ms Lucy de Latour (Wynn Williams), Ms Stacey Harris (Governance Advisor); and one member of the public

Apologies

There were no apologies received.

Declarations of Conflicts of Interest

There were no declarations made.

Public Forum

Graeme Todd – Todd & Walker Law Limited

Mr Todd stated that he was speaking on behalf of two clients who were ratepayers within the district. Mr Todd noted that he had been practising law for many years and had experience on both sides of the table. Mr Todd expressed concerns about two recent appeals where he felt that Council had not participated in mediation appropriately. He asked that Council communicate their intentions to mediate clearly and ensure that someone with the authority to settle an appeal was always present for the exchange.

Matters Lying on the Table

Update on Appeals relating to Proposed District Plan Decisions: Hogan's Gully Rezoning Appeal Update.

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

Confirmation of Agenda

On the motion of Councillors Shaw and Clark the Planning & Strategy Committee resolved that the agenda be confirmed with the addition of the following new item: “Donaldson v QLDC Topic 31 Rezoning Appeal” to be presented as Attachment F to item 3 of the agenda; the reason it was not in the agenda is that new information from the appellant was received after the agenda had been finalised; the reason that it cannot be delayed to a future meeting is that Environment Court mediation on the Donaldson’s appeal has been set down for June 2. In order to be able to attend mediation, consideration of the new information and the advice of Council’s experts having considered that new information is necessary so that the Committee can provide guidance on the mediation parameters.

Recommendation to Exclude the Public

On the motion of Councillors Miller and Macleod 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:
Draft Planning & Strategy Committee Minutes 29 April 2021	<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:

General subject to be considered:	Reason for passing this resolution:	Grounds under Section 7:
<p>1: Update on Appeals relating to Hogan’s Gully Proposed District Plan and resource consent 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"> • 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>2: Update on appeals relating to Proposed District Plan Decisions: Hogan’s Gully Rezoning Appeal Update</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: May 2021 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"> • 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 1.07pm.

The meeting came out of public excluded and concluded at 3.03pm.

Confirmed as a true and correct record:

Chairperson

Date