

**MINUTES OF THE EXTRAORDINARY MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER, CIVIC BUILDING, HIGH STREET, RANGIORA ON
TUESDAY 31 MAY 2022, COMMENCING AT 11AM.**

PRESENT

Mayor D Gordon (Chairperson), Councillors K Barnett, A Blackie (virtual), W Doody, P Redmond, S Stewart and P Williams.

IN ATTENDANCE

J Harland (Chief Executive), J Millward (General Manager Finance and Business Support), M Bacon (Development Planning Manager), M Buckley (Principal Policy Planner), A Benbrook (Development Planning Administrator) and E Stubbs (Governance Support Officer),

There were 30 members of the public in attendance.

1. APOLOGIES

Moved: Mayor Gordon Seconded: Councillor Williams

Apologies for absence were received and sustained from Deputy Mayor Atkinson and Councillors N Mealings, R Brine and J Ward.

CARRIED

2. CONFLICTS OF INTEREST

Item 3.1 Deputy Mayor Atkinson and Councillor Mealings as Commissioners to the District Plan Committee. Hence they did not attend the Council meeting.

3. REPORT

3.1. Notification of Private Plan Change 31 – Rolleston Industrial Developments Ltd – M Buckley (Principal Policy Planner)

M Buckley spoke to the report which requested approval to notify Private Plan Change 31 to the operative Waimakariri District Plan. He explained Clause 25 of the First Schedule of the Resource Management Act, 1991 (RMA), which was an administrative decision to accept the plan change request for processing. The Council did not need to have a view on the merits of the request, nor did it need to agree with the independent expert assessment of the environmental effects or be satisfied that all possible information had been provided that would assist with a substantive decision on the Plan Change, which this application did not.

M Buckley outlined the decision-making choices in terms of Clause 25, and the three key aspects being; was the plan change frivolous or vexatious, had it been considered by the Council in the last two years and did the request accord with 'sound resource management practice'.

In conclusion, M Buckley noted that there were no clear and specific planning grounds to reject the request under Clause 25(4) of the First Schedule of the RMA.

Mayor Gordon commented that understanding the RMA processes could be daunting. Hence, he sought clarity on the 'Friend of the submitter' process and suggested that the Council could consider appointing 'Friend of the submitter' support to assist submitters. M Buckley explained that the 'Friend of the submitter' was usually an independent advisor who provided technical expertise and advice to people who wished to submit. However, the independent advisor did not write submissions.

Councillor Barnett noted that Plan Change 31 did not align with the Council's Rural Residential Strategy, which had gone through a public consultative process, and enquired if that would impact the notification of the decision. M Buckley advised that non-compliance with the Rural Residential Strategy would only be considered when Plan Change 31 was being evaluated, and it had no impact on whether the plan change should be notified.

In response to a question from Councillor Barnett, M Buckley confirmed that the fact that Plan Change 31 contravened the operative and proposed Waimakariri District Plans was not sufficient reason to deny notification.

Councillor Barnett further asked how high the bar was to reject an application for not complying with 'sound resource management practice'. M Buckley provided various examples of where that could apply. However, he noted that Plan Change 31 complied with 'sound resource management practice'.

Councillor Doody requested clarification of a creek name which appeared to be referred to as 'Ohaka' and 'Ohoka' concurrently. M Bacon noted that the Deed of Easement dated back to 1879, and it may be a spelling error from that time.

Moved: Councillor Barnett Seconded: Councillor Redmond

THAT the Council:

- (a) **Receives** report No. 220315037010.
- (b) **Accepts** the plan change request from Rolleston Industrial Development Ltd (as numbered PC 31) for processing in accordance with clause 25(2) (b) of Schedule 1 of the Resource Management Act 1991 as lodged on 14 December 2021, and superseded in response to further information requested (included information dated March 2022).
- (c) **Directs** staff to notify Plan Change 31 at the first available opportunity.
- (d) **Notes** that this decision was a procedural step and did not signal support or otherwise for Plan Change 31.
- (e) **Circulates** this report to the Rangiora-Ashley, Oxford-Ohoka and Kaiapoi-Tuahiwi Community Boards for their information.
- (f) **Approves** offering 'Friend of the submitter' technical support to people submitting on Plan Change 31.

CARRIED

Councillor Barnett thanked staff for the comprehensive report on the proposed plan change. It was clear that under the legislation, that the Council could not decline the plan change outright, and the Council, therefore, needed to direct staff to notify Plan Change 31 for public consultation. It was important to note that the decision was only a neutral procedural step. She was supportive of the suggestion from the Mayor that a 'Friend of the submitter' resource should be made available to support people wishing to make submissions.

Councillor Redmond commented that the Council was following the process under the RMA, and views on the merits of Plan Change 31 were not under consideration. The Council's options were limited, and as explained by the staff, there was a lack of grounds to reject the application. He, therefore, supported the motion to accept the plan change for notification. The matter would be dealt with as part of a public consultation process. He also endorsed providing 'Friend of submitter' support to potential submitters.

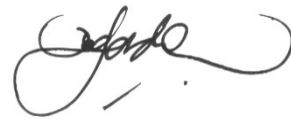
Mayor Gordon agreed with his colleagues' comments and noted that the Council was not required to make a merit-based decision but was requested to merely endorse a procedural process. The Council's decision, therefore, did not signal support or otherwise. The Council would need to consider if it wished to make a submission in the future, however that was a separate process. He believed the concept of providing a 'Friend of the submitter' was an excellent idea. He reiterated that the role was not to write submissions but rather to provide support to those wishing to submit.

4. **NEXT MEETING**

The next scheduled ordinary meeting of the Council would commence at 1pm on Tuesday 7 June 2022.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 11.16AM.

CONFIRMED



Chairperson
Mayor Dan Gordon

5 July 2022
Date