



AGENDA

Extraordinary meeting of the

Resource Management Act Procedures Committee

**Tuesday 18 June 2013
Commencing at 11.30am
Ruma Aorere
Civic House
110 Trafalgar Street, Nelson**

Membership:

His Worship the Mayor Aldo Miccio, and Councillors Rachel Reese and Derek Shaw

18 June 2013

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Apologies

1. Interests

- 1.1 Updates to the Interests Register
- 1.2 Identify any conflicts of interest in the agenda

2. Confirmation of Order of Business

3. Confirmation of Minutes – 20 March 2013 and 30 April 2013

4-9

Document numbers 1479050 and 1507995

Recommendation

THAT the minutes of the meeting of the Resource Management Act Procedures Committee, held and adjourned on 20 March 2013 and reconvened on 30 April 2013, be confirmed as a true and correct record.

PUBLIC EXCLUDED BUSINESS

4. Exclusion of the Public

Recommendation

THAT the public be excluded from the following parts of the proceedings of this meeting.

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Public Excluded Resource Management Act Procedures Committee Minutes – 20 March 2013 and 30 April 2013</p> <p>These minutes confirm the public excluded minutes of the Resource Management Act Procedures Committee meeting of 13 December 2012 and also contain information regarding:</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p>
	Discussions with appellants in relation to the Plan Change 14 Appeal		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Appeals to Plan Change 17 and 18		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
2	<p>Plan Change 14, 17 and 18 Appeals</p> <p>This report contains information regarding appeals to Plan Change 14, 17 and 18.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations

5. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Minutes of a meeting of the Resource Management Act Procedures Committee

Held in Ruma Ana, Civic House, Trafalgar Street, Nelson

On Wednesday 20 March 2013, commencing at 9.05am

- Present: Councillor R Reese (Chairperson), and His Worship the Mayor (A Miccio)
- In Attendance: Chief Executive (C Hadley), Manager Resource Consents (M Bishop), Principal Adviser Resource Management Planning (M Heale), Planning Adviser (L Gibellini), and Administration Adviser (E-J Ryan)
- Apologies: Councillor D Shaw

1. Apologies

Resolved

THAT the apology from Councillor Shaw be accepted.

Reese/His Worship the Mayor

Carried

2. Interests

There were no updates to the Interests Register, and no conflicts of interest with any agenda items were noted.

3. Confirmation of Minutes

13 December 2012

Document number 1424583, agenda pages 4-6 refer.

Resolved

THAT the minutes of a meeting of the Resource Management Act Procedures Committee, held on 13 December 2012, be confirmed as a true and correct record.

Reese/His Worship the Mayor

Carried

4. Exclusion of the Public

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting.

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Resource Management Act Procedures Committee Public Excluded Minutes 13 December 2012</p> <p>These minutes include discussions related to Environment Court appeals in respect of Plan Change 14.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> ▪ Section 7(2)(i) To carry out negotiations
2	<p>Plan Change 14 Appeal on the Front Yard Rule</p> <p>This report contains information regarding discussions with appellants.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations

His Worship the Mayor/Reese

Carried

The meeting went into public excluded session at 9.07am and resumed in public session at 10.14am.

5. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Reese/His Worship the Mayor

Carried

The meeting was adjourned at 10.14am, to be reconvened within six weeks at a time and place to be specified.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a reconvened meeting of the Resource Management Act Procedures Committee

Held in the Council Chamber, Civic House, Trafalgar Street, Nelson

On Tuesday 30 April 2013, commencing at 1.30PM

Present: Councillor R Reese (Chairperson), His Worship the Mayor, A Miccio, and Councillor D Shaw

In Attendance: Chief Executive (C Hadley), Principal Adviser Resource Management Plan (M Heale), Planning Adviser (L Gibellini), Planning Adviser (R Peterson), Planning Adviser (P Rawson), Administration Adviser (L Canton), and Julian Ironside (Fletcher Vautier Moore)

1. Interests

There were no updates to the Interests Register and no conflicts of interest with items on the agenda were noted.

2. Confirmation of Order of Business

The Chairperson advised that a procedural resolution was required to allow Julian Ironside, of Fletcher Vautier Moore, to remain for the public excluded part of the meeting.

3. Minutes – 20 March 2013

Document number 1479050, agenda pages 5-7 refer.

It was noted that the minutes of the adjourned meeting of 20 March 2013 were provided for information.

4. Exclusion of the Public

The Committee noted that Mr Julian Ironside, the Council's legal counsel of Fletcher Vautier Moore, would attend during the public excluded part of the meeting to answer questions and to provide advice.

Resolved

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Mr Julian Ironside remains after the public has been excluded, for Item 3 of

the Public Excluded agenda (Plan Changes 14 17 and 18 Appeal), as he has knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Mr Ironside possesses relates to litigation and mediation strategy and the procedures of the Environment Court, with relation to the appeals lodged against Plan Changes 14, 17 and 18.

Reese/Shaw

Carried

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting.

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Resource Management Act Procedures Committee Public Excluded Minutes 20 March 2013 (adjourned)</p> <p>These minutes contain information regarding Plan Change 14 Appeal on the Front Yard Rule</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
2	<p>Resource Management Act Procedures Committee Public Excluded Minutes 13 December 2012</p> <p>These minutes confirm the public excluded minutes of 10</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations

	September 2012 and include discussions related to Environment Court appeals in respect of Plan Change 14.		
3	Plan Change 17 and 18 Appeals Update This report contains information regarding appeals to Plan Change 17 and 18.	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
4	Plan Change 14 Appeal This report contains information regarding discussions with appellants.	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations

His Worship the Mayor/Shaw

Carried

The meeting went into public excluded session at 1.35pm and resumed in public session at 4.08pm.

5. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Reese/Shaw

Carried

There being no further business the meeting ended at 4.08pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date