

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD AT WEST COAST REGIONAL COUNCIL CHAMBERS AT 9AM ON 28 MARCH 2025

Present

R. Williams (Chairman), Mayor T. Gibson (GDC), Cr B. Cummings (WCRC), Kaiwhakahaere F. Tumahai (Ngāti Waewae), Kaiwhakahaere P. Madgwick (Makaawhio), Cr A. Cassin (WDC), Cr G. Neylon (BDC), Mayor J. Cleine (BDC), Cr A. Gibson (GDC), Mayor H. Lash (WDC), Cr P. Haddock (WCRC)

In attendance

Barbara Phillips (WDC), Olivia Anderson (WDC), Simon Pickford (BDC), Carissa du Plessis (BDC), Joanne Soderlund (GDC), D. Lew (WCRC), J. Armstrong (TTPP Project Manager), J. Allen (WCRC), J. Field (WCRC), Kaya Clement (WCRC), Lois Easton (Kereru Consultant on behalf of WCRC), Doug Bray (WCRC), Alice Balme (Wynn Williams), Kate Dickson (Wynn Williams).

Welcome

Apologies

None

Confirm minutes of the previous meeting held 25 February 2025

Moved (Kaiwhakahaere Tumahai/ Mayor Gibson)

That the minutes of the meeting held 25 February 2025 be confirmed.

Carried

Matters arising from previous meetings

None raised

Report - Commissioner and Consultant/Contractor Expenditure

J. Armstrong provided details of the selection of independent commissioners from previous committee meetings in 2022 & 2023. She acknowledged the commissioners thorough processes to date.

J. Armstrong noted the hearing commissioner fees expenditure has totalled \$1,036,797 since their appointment, and their travel expenditure was \$77,122.21 to 31 January 2025.

J. Armstrong noted that since October 2023, twenty-three hearings on thirty-two topics had been completed before 31 January 2025.

Cr Haddock thanked Jo for providing the report as it makes it easy for the public to understand.

Moved (Cr Haddock / Cr Gibson)

1. *That the Committee receive the report.*

Carried

Advice Regarding Process and Actions to Reach Decisions Version of TTPP

Alice Balme noted that the committee must now decide on provisions and matters raised in submissions. She added that the committee will receive recommendations on what to do from the hearing panel with each of individual submissions that has been received, and what changes need to be made to the plan in response to the submissions.

Ms. Balme pointed out three options for the committee when considering the recommendations of the hearing panel:

- Option 1 – Accept the recommendations in full.
- Option 2 – Accept the recommendations in part (and reject parts of the recommendations).
- Option 3 – Reject the recommendations in full.

Ms. Balme noted the ways to reduce the risk of a legal challenge if the report is rejected in part or in full:

- Rehear the submissions/evidence on the relevant part of the TTPP.
- Appoint a different hearing panel to rehear the submissions/evidence on the relevant part of the TTPP.
- Prepare a variation to amend the TTPP.
- Withdraw the relevant parts of the TTPP.

Cr Cummings asked if there are any effects of these options under the RMA reform.

Ms. Balme explained that the government are signaling transition provisions for when they introduce new legislation - to transition the current planning documents into the new planning document framework in a simple way.

Ms. Balme noted that the submitters will have 30 working days to lodge appeals to the Environment Court. Ms. Balme said the time period might be extended but have not confirmed yet to make sure the submitters have plenty of time to consider.

Ms. Balme noted the TTPP Committee will be the respondent to all appeals. Ms. Balme pointed out that the Environment Court can direct the councils to amend the proposed plan to remedy issues.

Cr Gibson asked if they have to change the plan when the Government's new resource management rules are introduced. He suggested pausing the whole process.

Kaiwhakahaere Madgwick disagreed with pausing the plan, as it is so far advanced. He noted that it is a minority of the plan that will be controversial, by far the majority is day-to-day planning rules that will not be of any great surprise. He was concerned they may lose control of the process.

Mayor Cleine commented that the elected committee reflects as much of the community's desire as they could, within the bounds of the law. They had to rely on parliamentarians for transition arrangements if the law changed.

Cr Neylon asked the timeframe for preparing a variation when they accept the recommendations in full, but they are not happy with some.

Ms. Balme answered that the committee would have to go back to the beginning in respect of the part of the plan that they want to vary if they decide to prepare a variation. She added that the committee has to notify a new set of planning provisions, then have submissions, hearings and decisions on those new provisions.

Ms. Balme suggested that the committee wait for the appeals process and try to sort out differences during that process before considering a variation.

D. Lew commented that whatever they do has to be consistent with the law.

Moved (Mayor Cleine / Cr Haddock)

- 1. That the report is being noted by the Committee.*

Carried

Financial Report to 31 January 2025

J. Armstrong noted that the hearing panel asked for a site assessment on an SNA to assist them in making a decision.

Moved (Cr Haddock / Cr Cummings)

- 1. That the report is being noted by the Committee.*

Carried

Update on the Designations Topic: Revised Approach to New Designations and Major Alterations to Existing Designations Sought – In View of Legal Advice to Reporting Office

Doug Bray noted that the existing Designations are simply ‘rolled over’ from existing to new District Plans with no alterations made. He added that the TTPP Team have advised the committee that it was the decision maker on designations.

Doug Bray noted that the Wynn Williams Legal Memorandum confirms that the Commissioners cannot add new Designations to the TTPP as part of their decision-making role with respect to submissions, with it not possible for submitters to seek the addition of new Designated Sites via the submission process.

Doug Bray noted that new notices of requirements must now be referred back to the District Councils’ Planning Teams to action – in terms of getting the Designation inserted into the District Plans, and then ‘rolled over’ into the TTPP once operative.

Moved (Cr Cummings/ Mayor Lash)

1. *That the information be received.*
2. *That the Committee note that it will continue to be informed of progress on this matter, and that the territorial authorities and other requiring authorities will be notified, as required, of the legal situation and its implications for how Designations are incorporated into the TTPP.*

Carried

Approving a Code of Conduct

D. Lew commented that the code of conduct pertains to what happens with this Joint Committee’s behaviour at this table and outside of this room as well.

Kaiwhakahaere Madgwick was happy with the Code of Conduct.

The committee was concerned about the issue of social media, as some information can be inaccurate and misleading.

J. Armstrong was directed to add mention of social media in the Member’s commitment section of the Code of Conduct.

Moved (Cr Haddock / Mayor Lash)

1. *That the Committee receive the report.*

2. *That the Committee adopts the recommended Code of Conduct with the inclusion of any updates agreed to at the meeting.*

Carried

Project Manager Update

J. Armstrong asked if the current TTPP Committee Standing Orders, Deed of Agreement and Code of Conduct should be published on the TTPP website.

The Committee was comfortable with this.

Moved (R. Williams / Kaiwhakahaere Tumahai)

1. *That the Committee receive the report.*

Carried

The meeting then moved to a public excluded session at 10.30 am.

At the conclusion of the Public Excluded discussion of a paper on Process for Considering Commissioner Recommendations and Making Decisions, the Committee considered the following recommendations:

Moved (Cr Cummings / Cr Gibson)

1. *That the Committee receive the report.*
2. *That the Committee endorse the confidential workshop process proposed to support the Committee developing an understanding of the likely recommendations and planning rationale from hearings commissioners, ahead of the recommendation reports coming to the Committee for decision in September 2025.*

Carried

Meeting ended at 11.13am



Te Tai o Poutini
PLAN
A combined district plan for the West Coast

NEXT MEETING

Chairman

April 23, 2025

Date