

**Commissioner Hearing
20 February 2020**

**Further submissions on Objection to Additional Charges under Section 357B
Resource Management Act 1991 – Plan Change 13, River Terrace Developments
Limited**

Additional CODC planner

The use of a Council planner (at a lower charge out rate than that of Mr Whitney), was to assist the commissioners and other parties with the organisation and coordination of the hearing. This allowed Mr Whitney to concentrate on substantive matters without having to also concern himself with coordinating submitters, evidence and other hearing related matters.

The additional planner resource recorded between 9.5 and 10.25 hours during full hearing days. Not all of this time was spent during the hearing, much of it was spent before and after the hearing coordinating parties for the next day and supporting our administrator to copy and collate evidence for the next day of hearings.

Council stands by the additional planner costs as being legitimate and properly incurred for the purposes of processing the plan change, however would be prepared to reduce this by 40% (\$2,782.70), leaving a balance of \$4174.05.

Commissioner Rae's hourly rate increase

I have sought clarification on the mechanism by which Commissioner Rae increased his hourly rate during the plan change process.

It is noted that he was appointed as Chair of the Hearings Committee for PC13 in October 2018. He was actively involved in the case until the Decision was released in November 2019, i.e. a period of about 14 months in total.

For PC13 Commissioner Rae had no contract, and no set hourly rates had been confirmed either. Hourly rates were not discussed at all with either the Council or with the applicant, RTDL.

He initially billed at \$230/hour in the last few months of 2018 and for January 2019. Shortly after that, and as part of his annual review of rates for each new year, he adjusted his initial hourly rate (as shown in the April 2019 invoice), from \$230 to \$250/hour and kept it at that rate until the job was completed in November 2019.

Commissioner Rae was not operating on an agreed fixed rate and he felt it was not inappropriate to make an annual adjustment to his rate for this work. It represents a 7% annual increase and given the Chairing duties he was carrying out seems reasonable.

In this context we can see no basis for making a refund to the applicant in this case.

Cromwell Spatial Plan

The Cromwell Spatial Plan was adopted by the Cromwell Community Board on 29 May 2019. The plan and media release was put on the Council's website on 7 June 2019, a screen shot of this with the date stamp is contained in Appendix 1.

Other matters

Further to the challenge of Mr Whitney and his support staff's hourly rates, I note that Schedule 2 of Mr Goldsmith's submission shows Council's administration hourly charge out rate, which is not in dispute and is higher than Mr Whitney's typist hourly rate.

Mr Goldsmith used an averaging of senior planning staff hourly rates, but in his costings for the impact of the Cromwell Spatial Plan, he uses Mr Brown's hourly rate of \$250. Council stands by Mr Whitney's hourly rate, but does not accept that an averaged hourly rate be used to effectively discount his rate when the objector also contends to discount our costs by a higher hourly rate of their consultant planner.

Attachments

Appendix 1 – Screenshot of Cromwell Spatial Plan from CODC website.



David Campbell
Planning Manager
5/03/2020

Cromwell Masterplan Spatial Framework

7 June 2019

The Cromwell Community Board has adopted Stage 1 of the Cromwell 'Eye to the Future' Masterplan (the Masterplan).

Stage 1 is the Spatial Plan that provides a coordinated approach to growth management for Cromwell over the next 30 years.

"The community told us very clearly through a series of engagement forums and surveys to focus development within Cromwell and to revitalise the town centre," said Cromwell Community Board Chair Neil Gillespie.

The framework reflects the community's preferred option of growth focused within Cromwell and includes residential zones at a number of densities, increased housing options and amenity through more intensified development within the walkable distance from the town centre, design guidelines for subdivision and residential development, provisions to support greenway retention and development and increased industrial opportunities.

CODC Executive Manager – Planning and Environment Louise van der Voort said these initiatives would be delivered through a series of changes to the Central Otago District Plan. "The community will once again have an opportunity to submit to any or all of the plan changes," she said.

Cromwell Community Board Chair Neil Gillespie said he encouraged the community to delve into the detail of the Spatial Plan document.

"It represents a great deal of hard work put in by the Masterplan team and is a great outcome that delivers on our community's aspiration for accommodating growth while retaining what is special about Cromwell. There is a lot of information in the Spatial Plan to digest, and it's important for the community to remember they will have another opportunity to have their say through plan changes when they are publicly notified."

Mr Gillespie also noted this was only Stage 1 of the Masterplan. The next stages of the Masterplan are the Town Centre Precinct and the Arts and Culture Precinct, which include a number of significant capital projects. Before the Community Board can consider adopting the next stages further financial modelling of options is required to understand affordability, timing and funding options. The community will have an opportunity to have a say on funding options and how their rates will be impacted through the Long Term Plan process.

The *Cromwell 'Eye to the Future' Masterplan Spatial Framework Stage 1: Spatial Plan* is available on Council's website at www.codc.govt.nz/futurecromwell and reading copies will be available at Cromwell Service Centre and Cromwell Library.