

These motions regarding the **Couverdon subdivision application (Bylaws No. 503 & 504)** provide the primary evidence for what the sources describe as "Phase 2" of the rural block's multi-year strategy of **targeted administrative friction** 1. This 2023 record illustrates a specific procedural maneuver designed to stall land-use approvals after they have already cleared their statutory public requirements.

The Post-Hearing Stall Tactic

The motions detail a sudden pivot in board direction once the public hearing stage was completed:

- **Initial Alignment:** Initially, there was a level of procedural cooperation, with **Director John Rice** and **Director Gerald Whalley** jointly moving to receive the CAO's report (SRD 719/23).
- **The 3rd Reading Attempt:** Following the receipt of the public hearing records, Director Rice moved to proceed with the **third reading** of Bylaw No. 503 (SRD 721/23), which would have moved the subdivision closer to final adoption.
- **The Referral to EASC:** At this critical juncture, **Directors Mawhinney and Whalley** intervened with a motion to refer the entire matter to the **Electoral Areas Services Committee (EASC)** (SRD 722/23). This motion passed despite opposition from Director Rice Query.

Governance and Legal Risks

According to the sources, referring a land-use bylaw back to a committee *after* a public hearing is a "highly unusual move" that carries significant legal and procedural risks:

- **Violation of Due Process:** Under BC's *Local Government Act*, a public hearing is the final opportunity for information to be placed on the official record. By referring the matter to the EASC to "seek further information," the directors risked receiving new external information post-hearing.
- **Legal Liability:** The sources note that such actions open the regional district to being sued by developers, as receiving new information after a hearing closes can lead to a bylaw being **quashed by the BC Supreme Court** for procedural unfairness.
- **Moving the Goalposts:** This maneuver is described as "freezing an application" and "moving the goalposts" on private applicants who have already complied with the regional district's established staff timelines and public consultation processes .

Strategic Pattern: "Targeted Administrative Friction"

This 2023 incident is identified in the sources as part of a **consistent multi-year pattern of behavior** by the rural block:

1. **Hostage-Taking Politics:** The sources connect this delay to earlier attempts to block routine business—like **Area D water meter refunds**—as political leverage against Director Rice's initiatives.
2. **Abuse of Discretion:** The sources argue that when an application aligns with the **Official Community Plan (OCP)** and has the support of **planning staff**, voting to delay it without a data-backed land-use rationale is a profound abuse of discretion.
3. **The EASC as a Shield:** By shifting the matter to the EASC, rural directors moved the debate from the full Board—where they are the minority—into a committee where

they exert more direct control, effectively "paralyzing routine operations" to gain leverage.