



I hereby give notice that an ordinary meeting of the Hearings Committee will be held on:

**Date:** Tuesday, 25 February 2014  
**Time:** 10.00am  
**Meeting Room:** Committee Meeting Room  
**Venue:** Civic 15  
1 Greys Avenue  
Auckland

---

## Hearings Committee

### OPEN AGENDA

---

#### MEMBERSHIP

<b>Chairperson</b>	Cr Linda Cooper, JP
<b>Deputy Chairperson</b>	Cr Penny Webster
<b>Members</b>	Cr Anae Arthur Anae Cr Chris Darby Cr Calum Penrose Member David Taipari Cr Wayne Walker Member Glenn Wilcox
<b>Ex-officio</b>	Mayor Len Brown, JP Deputy Mayor Penny Hulse

(Quorum 3 members)

**Mary Binney**  
**Democracy Advisor**

**18 February 2014**

Contact Telephone: (09) 373 6211  
Email: [mary.binney@aucklandcouncil.govt.nz](mailto:mary.binney@aucklandcouncil.govt.nz)  
Website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

## TERMS OF REFERENCE

The Hearings Committee will have responsibility for:

- Decision making (including through a hearings process) under the Resource Management Act 1991 and related legislation;
- Hearing and determining objections under the Dog Control Act 1996;
- Decision making under the Sale and Supply of Alcohol Act 2012
- Hearing and determining matters regarding drainage and works on private land under the Local Government Act 1974 and Local Government Act 2002. This delegation cannot be sub-delegated;
- Hearing and determining matters arising under bylaws, including applications for dispensation from compliance with the requirements of bylaws;
- Receiving recommendations from officers and appointing independent hearings commissioners to a pool of commissioners who will be available to make decisions on matters as directed by the Hearings Committee;
- Receiving recommendations from officers and deciding who should make a decision on any particular matter including who should sit as hearings commissioners in any particular hearing;
- Monitoring the performance of decision makers including responding to complaints made about decision makers;
- Where decisions are appealed or where the Hearings Committee decides that the Council itself should appeal a decision, directing the conduct of any such appeals; and
- Adopting a policy or policies and making any necessary sub-delegations relating to any of the above areas of responsibility to provide guidance and transparency to those involved.

Not all decisions under the Resource Management Act 1991 and other enactments require a hearing to be held and the term “decision making” is used to encompass a range of decision making processes including through a hearing. “Decision making” includes, but is not limited to, decisions in relation to applications for resource consent, plan changes, notices of requirement, objections, existing use right certificates and certificates of compliance and also includes all necessary related decision making.

In adopting a policy or policies and making any sub-delegations, the Hearings Committee must ensure that it retains oversight of decision making under the Resource Management Act 1991 and that it provides for Councillors to be involved in decision making in appropriate circumstances.

For the avoidance of doubt, these delegations confirm the existing delegations (contained in the Chief Executive’s Delegations Register) to hearings commissioners and staff relating to decision making under the RMA and other enactments mentioned below but limits those delegations by requiring them to be exercised as directed by the Hearings Committee.

### **Relevant legislation includes but is not limited to:**

Resource Management Act 1991;	Fencing of Swimming Pools Act 1987;
Building Act 2004;	Gambling Act 2003;
Local Government Act 2002;	Sale of Liquor Act 1989;
Local Government Act 1974;	Sale and Supply of Alcohol Act 2012
Local Government (Auckland Council Act) 2009;	Health Act 1956;
Local Government (Auckland Transitional Provisions) Act 2010;	Biosecurity Act 1993;
Dog Control Act 1996;	Related Regulations; and
	Council Bylaws.

<b>ITEM</b>	<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
1	Apologies	5
2	Declaration of Interest	5
3	Confirmation of Minutes	5
4	Local Board Input	5
5	Extraordinary Business	5
6	Notices of Motion	6
7	Appointment of Commissioners: Notice of Requirement - Plan Amendment 188 to the Auckland Council District Plan (Rodney Section) and resource consent applications for a new Water Reservoir at 403 Old North Road, Huapai.	7
8	Process for review of the independent commissioner pool	13
9	Consideration of Extraordinary Items	
<b>PUBLIC EXCLUDED</b>		
10	Procedural Motion to Exclude the Public	17
C1	New Resource Consent Appeals: 1. Watters v Auckland Council (ENV-2014-AKL-000008) 2. Sutherland & Watt v Auckland Council (ENV-2014-AKL-000012) Proposed demolition of an existing dwelling and construction of a new three-storey dwelling at 34 Sunny Brae Crescent, Westmere, Auckland	17
C2	New Resource Consent Appeal: Gregory v Auckland Council (ENV-2014-AKL-000014) Proposed demolition of an existing dwelling and construction of a new three-storey dwelling at 27 Arthur Street, Freemans Bay, Auckland	17
C3	Appeals Against Resource Consents Granted to Watercare Services Limited for the Central Interceptor Project - Western Springs to Mangere Wastewater Treatment Plant. 1. Foodstuffs (North Island) Limited v Auckland Council 2. Mangere Bridge Residents and Ratepayers Association, The Manukau Harbour Restoration Society and The Onehunga Enhancement Society v Auckland Council. 3. Body Corporate St. Lukes Gardens v Auckland Council 4. St. Lukes Garden Apartments Progressive Society (Inc.) v Auckland Council 5. St. Lukes Environmental Protection Society v Auckland Council	18
C4	Appeals to Private Plan Changes 12 and 38 to the Auckland Council District Plan (Pakakura and Franklin Sections), Plan Change 19 to the Auckland Council Regional Policy Statement and Plan Change 3 to the Auckland Council Regional Plan: Air Land and Water	18
C5	Confidential decision made under urgency	18



## 1 Apologies

At the close of the agenda no apologies had been received.

## 2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

At the close of the agenda no requests for declarations of interest had been received.

## 3 Confirmation of Minutes

That the Hearings Committee:

- a) confirm the ordinary minutes of its meeting, held on Tuesday, 11 February 2014, including the confidential section, as a true and correct record.

## 4 Local Board Input

Standing Order 3.22 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5)** minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **two (2)** days notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 3.9.14 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

## 5 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-

- (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

## 6 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

## **Appointment of Commissioners: Notice of Requirement - Plan Amendment 188 to the Auckland Council District Plan (Rodney Section) and resource consent applications for a new Water Reservoir at 403 Old North Road, Huapai.**

File No.: CP2014/02156

### **Purpose**

1. The report invites the Hearings Committee to appoint commissioners to determine the Notice of Requirement and resource consent applications lodged by Watercare Services Limited.

### **Executive Summary**

2. Watercare Services Limited (Watercare) a requiring authority, has served Council with a Notice of Requirement (NoR) for a new designation at 403 Old North Road, Huapai. Watercare is seeking to designate the land to enable two water reservoirs to be built on the site. The reservoirs would provide water to Kumeu, Huapai and Riverhead, which are currently not connected to a public water supply
3. The NoR is being processed concurrently with applications for regional permits for the diversion and discharge of stormwater from the site and to discharge any overflows from the new reservoir.
4. Independent commissioners are required to be appointed because Watercare is the Requiring Authority, is a Council Controlled Organisation (CCO).

### **Recommendation/s**

That the Hearings Committee:

- a) appoint an independent commissioner to determine notification on the Notice of Requirement for water purposes and the accompanying regional consent for the diversion and discharge stormwater from the site and to discharge any overflows at 403 Old North Road, Huapai.
- b) appoint the same commissioner to make a recommendation on the NoR and a decision on the regional and land use consent applications if these proceed without the need for notice or a hearing is not required.
- c) appoint a further independent commissioner who will, together with the independent commissioner appointed under (a), hear submissions and make Council's final recommendation on the NoR and make a determination on the related resource consent applications if either the Notice of Requirement or the resource consent applications are notified and a hearing is required.
- d) delegate the Chairperson of the Hearings Committee the authority to make replacement appointments.

## Discussion

### Background

5. Currently the townships of Kumeu, Huapai and Riverhead, are not connected to a public water supply. Watercare recently purchased 403 Old North Road and seeks to designate the site for water storage purposes to meet the demands of future growth and development within these areas.
6. In 2012, consent was granted to install a new water transmission pipeline in three stages from the Waitakere no.2 watermains to Old North Road (Council reference 41058 and LUC-2012-1363). An application to vary this consent has been submitted so that the final section of the pipeline from Deacons Road can be laid to connect to the reservoir site at 403 Old North Road.

### Notice of Requirement & Resource Consent Applications

7. The NoR is lodged pursuant to Section 168 of the Resource Management Act 1991 “the Act”, to provide for the construction, operation and maintenance of water infrastructure. Watercare is planning to build two water reservoirs on the site. Initially only one reservoir is to be built. The second one will be built in the future if it is required to meet additional demands due to population growth, within Kumeu, Huapai and Riverhead. The site plan and elevation drawings are provided in **Attachment A**.
8. The NoR and related applications have been accepted by Council for processing. The application is on hold pending the receipt of the required information. Once the further information has been received the officers will be in a position to make a recommendation on the notification of the applications pursuant to section 95 of the RMA.
9. The NoR process enables Watercare to seek and hold a designation within the Auckland Operative Plan (Rodney Section) for this public work. While the appointed commissioner(s) will make a decision on the resource consents, the commissioner(s) role on the NoR is confined to making a recommendation back to Watercare as the requiring authority. Watercare will then decide whether to accept or reject the recommendation and release a decision confirming the designation and its conditions. The designation is then incorporated into the district plan identifying and protecting the land for the proposed work. It allows the requiring authority to override the district plan rules on undertaking the works.

### Decision Making

10. The Hearings Committee has adopted a hearings policy that, at section 4.2, refers to the allocation of decision making responsibility between elected members, independent commissioners and staff. Section 4.2.2 states that in determining who is the most appropriate decision maker, the Committee will take into account the significance of a particular matter. The NoR is considered to be within the terms of significant as it involves an element of policy making.
11. The Hearings Committee is requested to appoint an independent commissioner to determine the notification of the NoR and resource consent applications particularly since Watercare is a CCO. It is recommended that an independent commissioner with experience in designations, natural resources and general planning expertise be appointed to make this decision.
12. If the independent commissioner appointed to make the notification decision, determines that the NoR and resource consent applications can proceed on a non-notified basis, it is appropriate that the same commissioner make the final recommendation to Watercare on the NOR under s171 of the Act and determine the resource consents under s104 of the Act.

13. In the event that the independent commissioner decides that the NoR and/or the resource consents should be notified, and a hearing is required, it is recommended that the same independent commissioner be appointed with a second commissioner to hear submissions and make council's final recommendation on the NoR and determine the related resource consent applications.

## Consideration

### Local Board Views

14. The Rodney local board has been sent a copy of the application. No feedback has been received from the local board at the time of writing this report.

### Maori Impact Statement

15. The application states that Watercare has contacted, Ngati Manuhiri, Te Kawerau a Maki, Ngati Wahtua O Kaipara and Ngati Whatua Orakei. All of the groups who have been contacted have provided a response back to Watercare. The responses are provided with the application.
16. The NoR and the resource consent applications will be assessed according to the requirements of the Resource Management Act 1991 and will include consideration of matters of national importance, the relationship of Maori and their culture and traditions with ancestral lands, water, sites, waahi tapu and other taonga.

### Consultation

17. Watercare's has undertaken consultation with Auckland Council's Stormwater Unit, Auckland Transport and neighbouring property owners.

## Implementation Issues

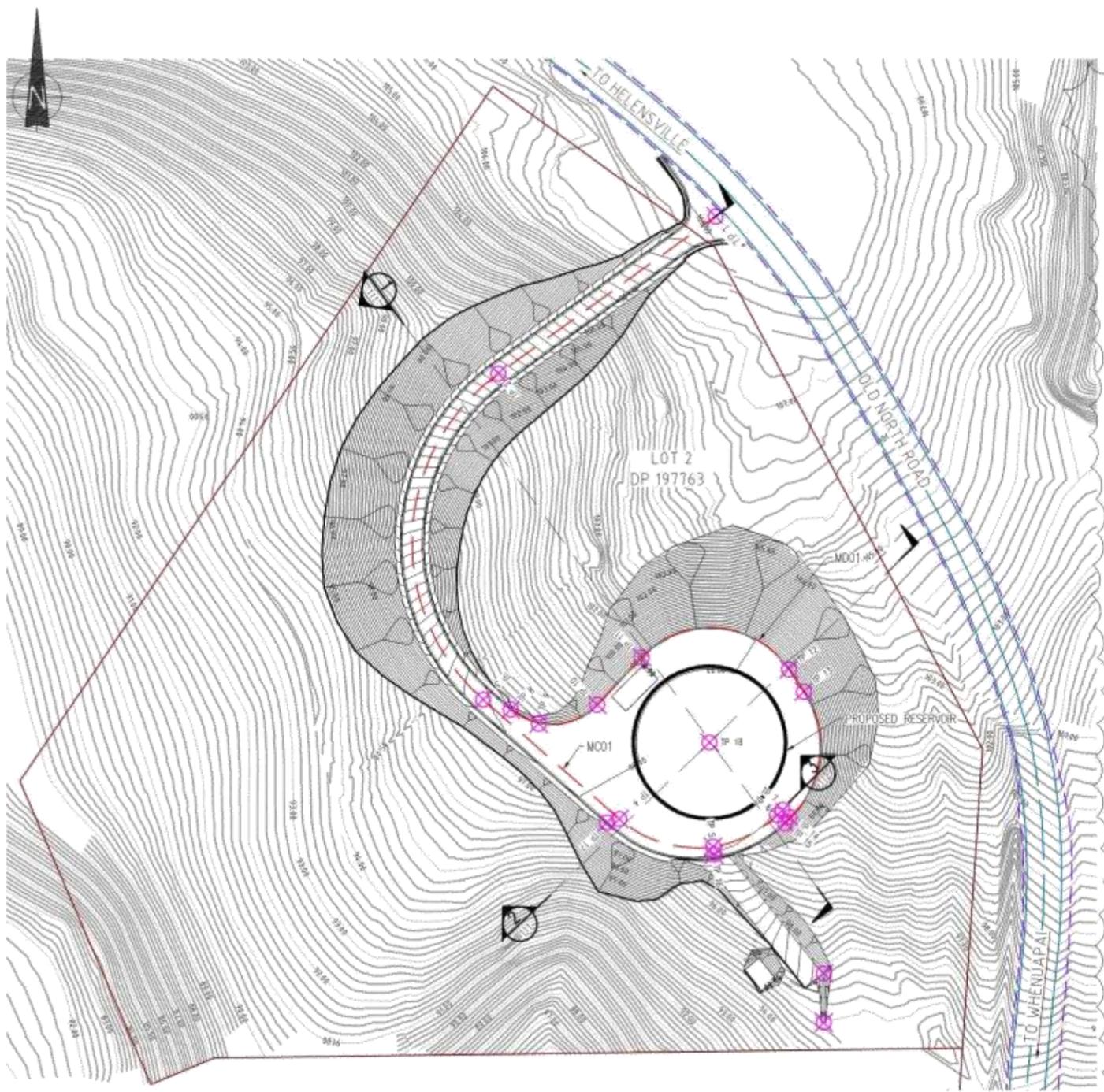
18. The procedure for assessing NoRs is set out in section 168 - 179 of the Act. A NoR process is subject to the same statutory timeframes as for a resource consent process. The procedure for assessing the resource consent applications is set out in sections 88-104 of the Act.
19. The costs for processing the NoR and resource consent applications, including any notification and hearing costs, are recoverable from Watercare.

## Attachments

No.	Title	Page
A	Attachment A: Riverhead Reservoir -Site Layout and Setout Plan.	10
B	Attachment B: Riverhead Reservoir -Site Cross Sections	11

## Signatories

Authors	Veena Krishna - Principal Planner Hearings and Resolutions Robert Andrews - Resolutions Team Manager
Authorisers	Heather Harris - Manager Resource Consents Penny Pirrit - Regional & Local Planning Manager



PLAN  
SCALE 1:500(A1)

**NOTES**

1. CUT AND FILL SLOPES ARE 1V:2.5H

**ESTIMATED SOLID MEASURE VOLUMES**

TOTAL CUT = 8,187m<sup>3</sup>  
 TOTAL FILL = 4,715m<sup>3</sup>  
 BALANCE = 3,472m<sup>3</sup>

100mm TOPSOIL STRIPPING = 730m<sup>3</sup>  
 UNDERCUT = 432m<sup>3</sup>

**LEGEND**

- EXISTING MINOR CONTOUR (0.2m)
- - - EXISTING MAJOR CONTOUR (1m)
- PROPOSED MINOR CONTOUR (0.2m)
- - - PROPOSED MAJOR CONTOUR (1m)
- PROPERTY BOUNDARY
- 250 ØØ PE RIVERHEAD OUTLET PIPE
- 450 ØØ PE KUMEU-HUAPAI OUTLET PIPE
- 426 ØØ CLS TRANSMISSION WATERMAIN INLET
- PROPOSED STORMWATER PIPE
- ⊗ TP 18 SETOUT COORDINATE
- CONTROL LINES

HOLD  
 SETTING OUT TABLE TO  
 BE UPDATED IN  
 TENDER DESIGN



**ISSUED FOR CLIENT REVIEW**

DESIGNED	T.D.W.
DES. CHECKED	A.HOKEY
DRAWN	T.D.W.
DWG. CHECKED	L.T.R.M.
PROJECT LEADER	A.HOKEY
INTEGRITY APPROV	



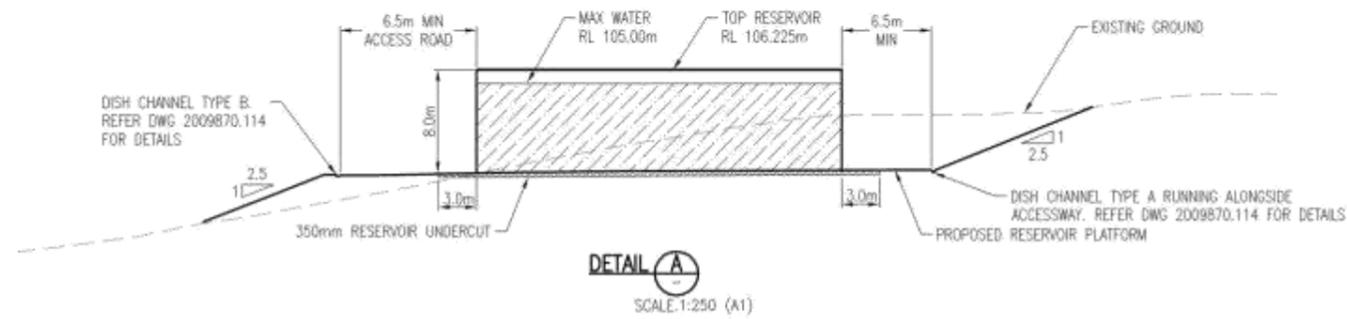
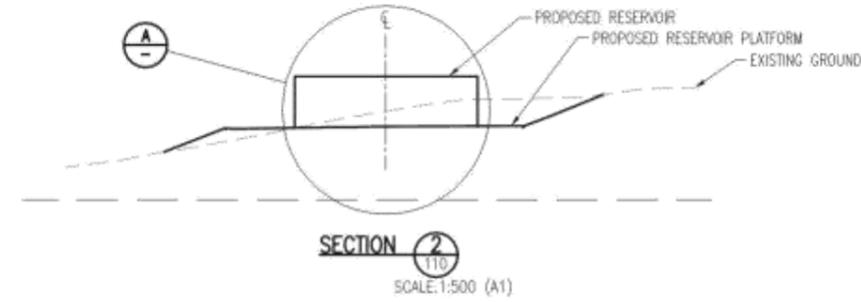
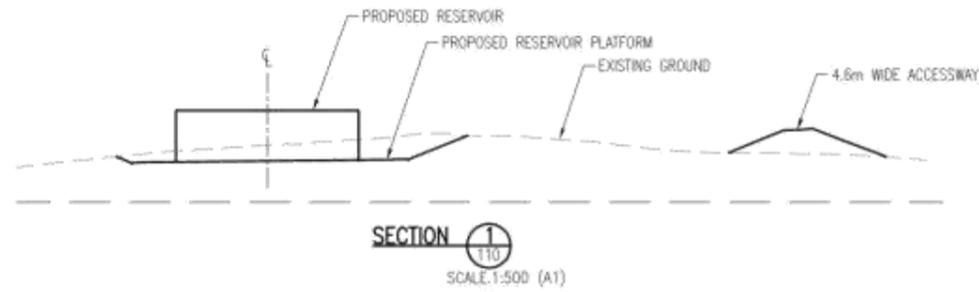
**RIVERHEAD RESERVOIR**  
 SITE LAYOUT AND SETOUT PLAN



CAD FILE	2009870.110	DATE	13/06/13
ORIGINAL SCALE	A1	CONTRACT No.	5423
REF. No.	AE04316	ISSUE	

**NOTE**

1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE



**ISSUED FOR CLIENT REVIEW**

DESIGNED	LOWE
DES. CHECKED	AHCKEY
DRAWN	LOWE
DWG. CHECKED	LTRAM
PROJECT LEADER	AHCKEY
INTEGRITY APPROV	



**RIVERHEAD RESERVOIR**

SITE CROSS SECTIONS



CAD FILE	2009870.111	DATE	13/06/13
ORIGINAL SCALE	A1	CONTRACT No.	5423
AS SHOWN			
REF. No.	AE04316	ISSUE	



## Process for review of the independent commissioner pool

File No.: CP2014/02091

### Purpose

1. The purpose of this report is to seek approval for the review and appointment process of Auckland Council's pool of independent commissioners.

### Executive Summary

2. Auckland Council contracts independent commissioners to sit on hearings for a range of matters. The council currently holds contracts with approximately 60 independent commissioners, which are due to expire on 31 May 2014.
3. An initial pool of independent commissioners was appointed in 2010 by Auckland Council's Interim Chief Executive. The pool was reviewed in 2011, which led to the recruitment of an additional 16 commissioners. No further reviews have occurred since that date.
4. A review of the pool of independent commissioners is now necessary, to enable the recruitment of new commissioners to occur before the expiry of existing contracts and ensure the continuous provision of services. The review is also an opportunity to establish more systematic processes for hearings at Auckland Council, and forms part of the wider strategic priority to create a centre of excellence in hearings.
5. Staff have conducted an initial assessment of the independent commissioners' number, skills and expertise required. We recommend that a pool of 40-50 commissioners be recruited, with a mix of generalist planning experience and specialist expertise.
6. The proposed review and appointment process would occur from 26 February to 31 May 2014, to enable a contract start date of 1 June 2014. We recommend that the Hearings Committee appoint two panels to help manage the selection process. The panels will then provide a list of preferred candidates to the Hearings Committee for approval.

### Recommendation/s

That the Hearings Committee:

- a) approve the review and appointment process for independent commissioners that will be conducted between 26 February and 31 May 2014
- b) delegate to the chairperson and the deputy chairperson of the Hearings Committee the authority to appoint two panels, with each panel comprising a senior manager from Democracy Services, a senior manager from Resource Consents or Regional and Local Planning, and a member of the Independent Maori Statutory Board or staff member nominated by the Independent Maori Statutory Board
- c) request that the selection panels provide a list of preferred candidates in a report to the Hearings Committee on 7 May 2014, for approval to recruit.

## Discussion

### Background

7. Auckland Council contracts independent commissioners to sit on hearings for a range of matters, including Section 357 objections, bylaw dispensations, reserve management plans, resource consents, plan changes, special consultative procedures and notices of requirement. Since Auckland Council was established, independent commissioners have held 466 hearings, with resource consents forming the majority of the work.
8. Auckland Council currently holds contracts with approximately 60 independent commissioners, which are due to expire on 31 May 2014.
9. In addition to hearings, a large part of independent commissioners' work includes duty commissioner responsibilities. Of the existing pool, 16 independent commissioners are duty commissioners. They are required to be available at short notice to determine resource consent applications and objections not requiring a hearing. In the 2012-2013 year, duty commissioners considered 767 resource consent applications, which equates to approximately 8-9% of all resource consents determined in that period.
10. The initial list of independent commissioners was prepared by the Auckland Transition Authority in 2010 and the appointments were made by the Interim Chief Executive. The pool of commissioners was reviewed in 2011, which led to the recruitment of an additional 16 commissioners, to provide specialist expertise in heritage protection, the Treaty of Waitangi and kaupapa Maori, transport and infrastructure, and ecology. There have been no further reviews since that time and a new review is now necessary to ensure the pool continues to meet the needs of Auckland Council.
11. Staff have identified the review as a key priority, to enable the recruitment of new commissioners to occur before the expiry of existing contracts and ensure the continuous provision of services. The review is also an opportunity to establish more systematic processes for hearings at Auckland Council, and forms part of a wider strategic priority to create a centre of excellence in hearings.

### Requirements

12. Staff have conducted an initial assessment of the number, skills and expertise required of independent commissioners, and recommend that a pool of 40-50 commissioners be recruited. The pool should comprise a range of general planning and legal skills and specialist expertise in the following areas:
  - transport and infrastructure
  - engineering
  - landscape architecture
  - ecology
  - the Treaty of Waitangi and kaupapa Maori
  - community
  - coastal
  - heritage protection
  - policy (plan changes)
  - urban design
  - air quality
  - rural planning and land management
  - conservation areas
  - waste management.
13. In addition to the specific expertise outlined above, candidates with experience as chairpersons will also be sought.

**Process for review and appointment**

14. The proposed process for the review and appointment of independent commissioners is set out in the table below:

<b>Task</b>	<b>Date</b>
Hearings Committee approves the review and selection process for independent commissioners	25 February
Set up two evaluation panels to develop operating standards, shortlist and interview candidates	26 February – 7 March
Develop criteria for evaluating candidates	26 February – 7 March
Advertise for expressions of interest	26 February – 19 March
Prepare operating standards and contracts, incorporating processes for performance management	26 February – 19 March
Selection panels assess expressions of interest and shortlist candidates	5-21 March
Panels interview shortlisted candidates	24 March – 11 April
Report to Hearings Committee with a list of candidates for approval to recruit	7 May
Contracts offered, signed and awarded	7-23 May
Contract start date	1 June

**Appointment of selection panels**

15. Staff recommend that the Hearings Committee delegates to two selection panels the responsibility of shortlisting applications, developing operating standards and conducting interviews. The panels will then recommend a list of candidates to the Hearings Committee for approval to recruit.
16. The estimated time commitment required of the selection panels is 60 hours; including 6 hours for developing and finalising operating standards, 24 hours for reviewing expressions of interest and shortlisting candidates, and 30 hours for interviews. The panels would conduct the selection process over the period of 26 February to 11 April, as outlined in the table above.
17. We propose that the Hearings Committee delegate to the chairperson and deputy chairperson the responsibility for appointing two panels to conduct the selection process.
18. We propose that each panel comprises the following members:
- a. senior manager, Democracy Services
  - b. senior manager, Resource Consents or Regional and Local Planning
  - c. a member of the Independent Maori Statutory Board or staff member nominated by the Independent Maori Statutory Board.

This approach will ensure that the panels have a strong understanding of the requirements of independent commissioners, and expertise in the Treaty of Waitangi and kaupapa Maori.

## Consideration

### Local Board Views

19. Local board views are not required for this report.

### Maori Impact Statement

20. The proposed approach in this report provides for persons with a strong understanding of the Treaty of Waitangi and kaupapa Maori to form part of the selection panels.
21. Candidates with specific expertise in the Treaty of Waitangi and kaupapa Maori will be sought during the independent commissioner selection process.

### Implementation Issues

22. The appointment of a new pool of independent commissioners must be complete by 31 May 2014 to ensure continuous service delivery.

### Attachments

There are no attachments for this report.

### Signatories

Authors	Elizabeth McKenzie - Principal Policy Analyst
Authorisers	Marguerite Delbet - Manager Democracy Services Penny Pirrit - Regional & Local Planning Manager

## Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Hearings Committee:

- a) exclude the public from the following part(s) 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 follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

### C1 Two new Resource Consent Appeals relating to the proposed demolition of an existing dwelling and construction of a new three-storey dwelling at 34 Sunny Brae Crescent, Westmere, Auckland

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  Confidential without prejudice discussions will be undertaken during appeal negotiations.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

### C2 New Resource Consent Appeal: Gregory v Auckland Council (ENV-2014-AKL-000014) Proposed demolition of an existing dwelling and construction of a new three-storey dwelling at 27 Arthur Street, Freemans Bay, Auckland

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  Confidential without prejudice discussions will be undertaken during appeal negotiations.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

**C3 Five Appeals Against Resource Consents Granted to Watercare Services Limited for the Central Interceptor Project - Western Springs to Mangere Wastewater Treatment Plant.**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  In particular, the report contains discussion of matters that are subject of appeals to the Environment Court..	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

**C4 Appeals to Private Plan Changes 12 and 38 to the Auckland Council District Plan (Papakura and Franklin Sections), Plan Change 19 to the Auckland Council Regional Policy Statement and Plan Change 3 to the Auckland Council Regional Plan: Air Land and Water**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  In particular, given the sensitivity of negotiations on appeal matters, there is a need to avoid the potential prejudice or disadvantage of such negotiations.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

**C5 Confidential decision made under urgency**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  In particular, making the report public could compromise the Council's negotiation position in respect of an Environment Court appeal.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.