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## Hearings Committee

### OPEN MINUTES

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Minutes of a meeting of the Hearings Committee held in the Committee Meeting Room, Civic 15, 1 Greys Avenue, Auckland on Tuesday, 1 April 2014 at 2.00pm.

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#### **PRESENT**

**Chairperson**  
**Members**

Cr Linda Cooper, JP  
Cr Chris Darby  
Cr Calum Penrose  
Member David Taipari  
Member Glenn Wilcox

From 2:01pm, Item 1

#### **APOLOGIES**

Deputy Mayor Penny Hulse	For absence
Deputy Chairperson Penny Webster	For absence
Cr Arthur Anae	For absence
Cr Wayne Walker	For absence

#### **ALSO PRESENT**

Cr Cathy Casey

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**1 Apologies**

Resolution number HEA/2014/53

MOVED by Cr CM Penrose, seconded by Member G Wilcox:

**That the Hearings Committee:**

- a) **accept the apologies from Deputy Mayor Penny Hulse, Deputy Chairperson Penny Webster, Cr Arthur Anae and Cr Wayne Walker for absence.**

**CARRIED**

*2:01pm Member DE Taipari entered the meeting*

**2 Declaration of Interest**

There were no declarations of interest.

**3 Confirmation of Minutes**

Resolution number HEA/2014/54

MOVED by Cr C Darby, seconded by Cr CM Penrose:

**That the Hearings Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 12 March 2014, including the confidential section, as a true and correct record.**

**CARRIED**

**4 Local Board Input**

There was no local board input.

**5 Extraordinary Business**

There was no extraordinary business.

**6 Notices of Motion**

There were no notices of motion.

**7 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**8 Procedural motion to exclude the public**

Resolution number HEA/2014/55

MOVED by Cr CM Penrose, seconded by Member DE Taipari:

**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 New Resource Consent Appeal: 184 Maraetai Road Limited v Auckland Council**

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, to enable the council to undertake without prejudice negotiations of an appeal that is before 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.

**C2 Resource Consents Appeals: Status Report 1 April 2014**

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 matters that are the subject of without prejudice discussions in front of 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.

**C3 Urgent Decision: Delegation to council officers to mediate on an appeal on district plan amendment 193 - Medallion Link**

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.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

2:03pm The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

2:41pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 New Resource Consent Appeal: 184 Maraetai Road Limited v Auckland Council**

**Recommendation/s**

**That the Hearings Committee:**

- d) agree that the report and the above resolutions remain confidential.

**C2 Resource Consents Appeals: Status Report 1 April 2014**

**Recommendation/s**

**That the Hearings Committee:**

- a) **agree to release to the open agenda the list and description of current appeals as of 21 March 2014, apart from Council's status position on the appeals.**

A copy of the Resource Consents Appeals: Status Report 1 April 2014 is attached to the official copy of these minutes and is available on Auckland Council's website.

**Attachments**

- A Resource Consents Appeals Status Report

**C3 Urgent Decision: Delegation to council officers to mediate on an appeal on district plan amendment 193 - Medallion Link**

**Recommendation/s**

**That the Hearings Committee:**

- b) **agree that this report and the above resolutions remain confidential**

2.41 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE HEARINGS COMMITTEE  
HELD ON

**DATE:**.....

**CHAIRPERSON:**.....