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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, 15 April 2014 at 10.00am.

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#### PRESENT

<b>Chairperson</b>	Cr Linda Cooper, JP	
<b>Deputy Chairperson</b>	Cr Penny Webster	
<b>Members</b>	Cr Calum Penrose	
	Cr Wayne Walker	
	Member Glenn Wilcox	Until 10:42am, Item C3

#### APOLOGIES

Cr Anae Arthur Anae	For absence
Cr Chris Darby	For absence
Deputy Mayor Penny Hulse	For absence
Member David Taipari	For absence
Member Glenn Wilcox	For early departure

#### ALSO PRESENT

Cr Dr Cathy Casey

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**1 Apologies**

Resolution number HEA/2014/59

MOVED by Cr CM Penrose, seconded by Cr WD Walker:

**That the Hearings Committee:**

- a) **accept the apologies from Councillors Arthur Anae and Chris Darby, Deputy Mayor Penny Hulse and Member David Taipari for absence and from Member Glenn Wilcox for early departure.**

**CARRIED**

**2 Declaration of Interest**

Cr Webster declared an interest in Confidential Item C2, Possible settlement of appeals on Private Plan Change 166 (Te Arai).

**3 Confirmation of Minutes**

Resolution number HEA/2014/60

MOVED by Cr LA Cooper, seconded by Deputy Chairperson MP Webster:

**That the Hearings Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 1 April 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 Application for Resource Consent: Proposed Demolition and Replacement Buildings, 72 Williamson Avenue, Grey Lynn**

Resolution number HEA/2014/61

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

**That the Hearings Committee:**

- a) **determine that the application to demolish pre-1940 buildings and construct new buildings at 72 Williamson Avenue, Grey Lynn, proceed on a non-notified basis pursuant to sections 95A and 95B of the Resource Management Act 1991, for the reasons that:**
  - i) **the replacement buildings will provide a similar character to that of the existing buildings and will read visually similar within the wider streetscape;**
  - ii) **the replacement buildings will be of a similar bulk to that of the existing buildings and be of a scale of development that is anticipated in this locality; and**
  - iii) **there are no special circumstances relating to the demolition of these pre-1940 buildings.**
- b) **appoint the rostered independent duty commissioner, and appoint either Cherie Lane, John Hill or Richard Knott as heritage commissioner to sit with the duty commissioner, to make a decision on the application for resource consent pursuant to section 104 of the Resource Management Act 1991.**

**CARRIED**

**8 District and Regional Plans Appeal Status Report at 31 March 2014**

Resolution number HEA/2014/62

MOVED by Cr CM Penrose, seconded by Deputy Chairperson MP Webster:

**That the Hearings Committee:**

- a) **receive the report.**

**CARRIED**

**9 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**10 Procedural motion to exclude the public**

Resolution number HEA/2014/63

MOVED by Cr LA Cooper, seconded by Deputy Chairperson MP Webster:

**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 Five Appeals to a Decision by Watercare Services Limited relating to three Notices of Requirement to Designate Land for the Central Interceptor Wastewater Infrastructure**

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 subject to without prejudice negotiations 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 Possible settlement of appeals on Private Plan Change 166 (Te Arai)**

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, this is a proposed settlement resulting from court-assisted mediation.	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 Approval of conditions for the Puhoi to Warkworth Road of National Significance**

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 subject to without prejudice 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.

**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**

10:14am 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.

10:48am The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 Five Appeals to a Decision by Watercare Services Limited relating to three Notices of Requirement to Designate Land for the Central Interceptor Wastewater Infrastructure**

**That the Hearings Committee:**

- b) agree that this report and the above resolutions not be restated in the open minutes.**

**C2 Possible settlement of appeals on Private Plan Change 166 (Te Arai)**

**That the Hearings Committee:**

- b) agree that this report and the above resolutions not be restated in the open minutes.**

**C3 Approval of conditions for the Puhoi to Warkworth Road of National Significance**

**That the Hearings Committee:**

- c) agree that the above decision and report not be restated in the open minutes.**

11:48am

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:**.....