
Hearings Committee

OPEN MINUTES

Minutes of a meeting of the Hearings Committee held in the Committee Meeting Room, Civic 15, 1 Greys Avenue, Auckland on Tuesday, 27 May 2014 at 10:02am.

PRESENT

Chairperson Cr Linda Cooper, JP
Deputy Chairperson Cr Penny Webster
Members Cr Anae Arthur Anae
Cr Calum Penrose
Member David Taipari
IMSB Alternate Liane Ngamane

APOLOGIES

Cr Chris Darby	For absence on council business
Deputy Mayor Penny Hulse	For absence on council business
Member Glenn Wilcox	For absence on council business
Cr Wayne Walker	For absence

ALSO PRESENT

Cr Bill Cashmore

1 Apologies

Resolution number HEA/2014/72

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

That the Hearings Committee:

- a) **accept the apologies from Councillor Chris Darby, Deputy Mayor Penny Hulse and Member Glenn Wilcox for absence on council business and Councillor Wayne Walker for absence.**

CARRIED

2 Declaration of Interest

Cr Linda Cooper declared a conflict of interest in relation to Item 7, Local Alcohol Policy Project: Appointment of Hearings Panel to hear submissions on the draft Auckland Council Local Alcohol Policy.

3 Confirmation of Minutes

Resolution number HEA/2014/73

MOVED by Cr LA Cooper, seconded by Cr CM Penrose:

That the Hearings Committee:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 7 May 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 Local Alcohol Policy Project: Appointment of Hearings Panel to hear submissions on the draft Auckland Council Local Alcohol Policy

Cr Linda Cooper declared a conflict of interest in this item and neither spoke nor voted.

The Deputy Chairperson assumed the chair for this item.

Resolution number HEA/2014/74

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

That the Hearings Committee:

- a) **appoint Cr Bill Cashmore (as chair), Cr Denise Krum, Cr Penny Webster, Cr George Wood and one member of the Independent Māori Statutory Board to hear submissions on the draft Auckland Council Local Alcohol Policy, deliberate and make recommendations to the Governing Body (including any proposals for a provisional Auckland Council Local Alcohol Policy).**
- b) **delegate authority to the Deputy Chairperson of the Hearings Committee to make replacement appointments in the event that any member of the hearings panel is unavailable.**
- c) **note the following in relation to local boards:**
 - i) **that throughout June and July 2014, council staff will hold workshops with, and report to, all local boards to gather their feedback on the draft Local Alcohol Policy and that this feedback will be provided to the hearings panel established under resolution (a) for its consideration.**
 - ii) **that staff will schedule a day for local boards to present their feedback directly to the hearings panel.**

CARRIED

8 Proposal to Extend Timeframes for Decision on Variation 13 to Proposed Plan Change 14 (Rural Provisions) to Auckland Council District Plan (Franklin Section)

Resolution number HEA/2014/75

MOVED by Member DE Taipari, seconded by Deputy Chairperson MP Webster:

That the Hearings Committee:

- a) **grant an extension of time, pursuant to section 37A of the Resource Management Act 1991, for council to hear submissions and release decisions on Variation 13 to Plan Change 14.**

CARRIED

9 District and Regional Plans Appeal Status Report at 27 May 2014

Resolution number HEA/2014/76

MOVED by Member DE Taipari, seconded by Cr AJ Anae:

That the Hearings Committee:

- a) **receive the report.**

CARRIED

10 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

11 Procedural motion to exclude the public

Resolution number HEA/2014/77

MOVED by Cr AJ Anae, 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 Appeal against Plan Change 38 - Schedule of heritage buildings - North Shore section Auckland Council District Plan

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.	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>In particular, the report contains a recommendation for an open-ended delegation (for reasons of efficiency) which the appellant may misconstrue at this stage in the proceedings.</p> <p>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).</p> <p>In particular, the report contains a recommendation for an open-ended delegation (for reasons of efficiency) which the appellant may misconstrue at this stage in the proceedings.</p>	<p>s48(1)(a)</p> <p>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.</p>

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

10:17am 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.

10:23am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

**C1 Appeal against Plan Change 38 - Schedule of heritage buildings - North Shore section
Auckland Council District Plan**

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

10:23am

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:.....