
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 Wednesday, 10 September 2014 at 10.00am.

PRESENT

Chairperson	Cr Linda Cooper, JP	
Deputy Chairperson	Cr Penny Webster	
Members	Cr Chris Darby	
	Cr Calum Penrose	
	David Taipari	From 10.08am, Item 7
	Glenn Wilcox	

APOLOGIES

Mayor Len Brown, JP	On council business
Deputy Mayor Penny Hulse	On council business
Cr Anae Arthur Anae	
Cr Wayne Walker	

1 Apologies

Resolution number HEA/2014/120

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

That the Hearings Committee:

- a) **accept the apologies from Mayor Len Brown and Deputy Mayor Penny Hulse for absence on council business, Cr Arthur Anae and Cr Wayne Walker for absence, and Member David Taipari for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number HEA/2014/121

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

That the Hearings Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 12 August 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 Hearings Panel for Waikumete Cemetery Reserve Management Plan

Member DE Taipari entered the meeting at 10.08 am.

Resolution number HEA/2014/122

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

That the Hearings Committee:

- a) **note the Parks, Recreation and Sport Committee 10 June 2014 meeting Resolution no. PAR/2014/26.**
- b) **appoint a hearings panel comprised of Independent Commissioner Kitt Littlejohn (Chair), Councillor Ross Clow, one Independent Maori Statutory Board member, and Local Board Chair Vanessa Neeson, to hear submissions on the Draft Waikumete Cemetery Reserve Management Plan (Draft RMP), and to make a recommendation to the Parks, Recreation & Sport Committee on amendments to the Draft RMP.**
- c) **delegate authority to the Chair of the Hearings Committee to make replacement appointments in the event that any of the appointed members of the hearings panel under b) is unavailable.**

CARRIED

8 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

9 Procedural motion to exclude the public

Resolution number HEA/2014/123

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

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 Proposed Change 8 to the Auckland Council Regional Policy Statement - Outstanding Natural Landscapes

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	s7(2)(g) - The withholding of the information is necessary to maintain legal professional	s48(1)(a) The public conduct of the part of the meeting would be likely to

information for which good reason for withholding exists under section 7.	<p>privilege.</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 information used in council negotiations to resolve appeals.</p>	result in the disclosure of information for which good reason for withholding exists under section 7.
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C2 Urgent Decision: Report Back on Mediation to Settle Appeals to Plan Change 123 Hibiscus Coast Gateway

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)(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 information used in council's negotiations to resolve appeals before the Environment Court.</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>

C3 Urgent Decision: Resource Consent Appeals - 1 Hibiscus Coast Highway, Silverdale: ENV-2014-AKL-000133 - Auckland Transport v Auckland Council, ENV-2014-AKL-000135 - Runwild Trust & Silverdale Golf Range 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.	<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 information that relates to appeals to the Environment Court and discussions on the council's position on the appeals.</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>

C4 Resource Consent Appeals: Status Report 10 September 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.	<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, to enable the local authority to undertake without prejudice negotiations of appeals that are before the Environment Court.</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

10.12am 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.

10.59am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Proposed Change 8 to the Auckland Council Regional Policy Statement - Outstanding Natural Landscapes

That the Hearings Committee:

- a) agree that the report and decision regarding Proposed Change 8 to the Auckland Council Regional Policy Statement - Outstanding Natural Landscapes, not be restated in the open section of the minutes.

C2 Urgent Decision: Report Back on Mediation to Settle Appeals to Plan Change 123 Hibiscus Coast Gateway

That the Hearings Committee:

- b) agree that the report, decisions and attachments regarding Urgent Decision: Report Back on Mediation to Settle Appeals to Plan Change 123 Hibiscus Coast Gateway, not be restated in the open section of the minutes.

C3 Urgent Decision: Resource Consent Appeals - 1 Hibiscus Coast Highway, Silverdale: ENV-2014-AKL-000133 - Auckland Transport v Auckland Council, ENV-2014-AKL-000135 - Runwild Trust & Silverdale Golf Range Limited v Auckland Council

That the Hearings Committee:

- b) agree that the report, decisions and attachments regarding Urgent Decision: Resource Consent Appeals - 1 Hibiscus Coast Highway, Silverdale: ENV-2014-AKL-000133 - Auckland Transport v Auckland Council, ENV-2014-AKL-000135 - Runwild Trust & Silverdale Golf Range Limited v Auckland Council, not be restated in the open section of the minutes.

C4 Resource Consent Appeals: Status Report 10 September 2014

A copy of the document entitled 'Appeals: Status report 10 September 2014' has been placed in the official minutes and is available at the Auckland Council website as a minutes attachment.

That the Hearings Committee:

- b) agree that the report and attachments remain confidential, but agree that the list and description of current appeals as of 29 August 2014, apart from Auckland Council's status position on the appeals, be re-stated in the open section of the minutes.

Attachments

- A Appeals: Status Report 10 September 2014

10.59 am

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:.....