



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

Date: Tuesday, 19 July 2016
Time: 2.00pm
Meeting Room: Room 1, Level 26
Venue: 135 Albert Street
Auckland

Hearings Committee

OPEN AGENDA

MEMBERSHIP

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

(Quorum 3 members)

Louis Dalzell
Democracy Advisor

12 July 2016

Contact Telephone: (09) 890 8135
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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.

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

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1 Apologies

At the close of the agenda apologies had been received from Mayor Len Brown, JP and Deputy Mayor Penny Hulse.

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, 21 June 2016, including the confidential section, as a true and correct record.

4 Local Board Input

Standing Order 6.2 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 **one (1)** day's 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 6.1 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 Hearing Commissioners for applications for resource consent and notices of requirement associated with the North Harbour 2 and Northern Interceptor Projects

File No.: CP2016/12282

Purpose

1. To appoint independent commissioners to hear submissions and make recommendations on notices of requirement and make decisions on resource consent applications by Watercare Services Limited for the North Harbour 2 and Northern Interceptor Projects in West Auckland and the North Shore.

Executive summary

2. Watercare Services Limited (Watercare) has applied to designate the routes of both the North Harbour 2 Watermain (NH2) and Northern Interceptor Wastewater (NI) Projects, which are major infrastructure projects supporting the growth and development of North and West Auckland. Both projects are identified in Watercare's Asset Management Plan, as well as the Council's own Long Term Plan, 30 Year Infrastructure Strategy and the Auckland Plan.
3. The current applications for both projects supplement a package of consents which were granted earlier this year. These earlier consents enable harbour crossings for the watermain and the wastewater line. The committee may wish to consider appointing some of the same commissioners for these hearings, for reasons of continuity.
4. The application package has been submitted to the Hearings Committee to appoint commissioners. As the project is regarded as potentially contentious, staff recommend that independent commissioners are appointed, due to the council's involvement as the applicant (Watercare being a council-controlled organisation), the scale of the project and the impacts on public and council-owned land. Staff also recommend that the commissioners who are appointed have planning, erosion and sediment control, ecology and traffic engineering expertise. It should be noted that the earlier package of consents for these projects were heard by independent commissioners.

Recommendations

That the Hearings Committee:

- a) appoint a panel of three independent commissioners, one to be chairperson, to hear submissions and make a recommendation under section 171 of the Resource Management Act on notices of requirement by Watercare Services Limited for the North Harbour 2 and Northern Interceptor Projects.
- b) appoint the commissioners under (a) to hear submissions and make a decision under section 104 of the Resource Management Act on the associated applications for resource consent REG-2016-1032, REG-2016-1033, REG-2016-1034, REG-2016-1036 (Regional Land Use), REG-2016-1037, REG-2016-1039, REG-2142955, REG-2142956, REG-2142957, REG-2142958, REG-2142959, REG-2142965 for the North Harbour 2 Project.
- c) delegate to the chairperson appointed in (a) above the authority to make decisions on the resource consent applications and to make recommendations on the notices of requirement applications, should no submissions be received or a hearing not otherwise be required.
- d) delegate authority to the chairperson of the Hearings Committee to make a replacement appointment should any of the independent commissioners appointed in (a) above be unavailable.

Comments

5. Watercare has sought notices of requirement for both the NH2 and NI Projects, as well as resource consents for regional planning matters and a national environmental standard associated with the NH2, and requested these be notified.
6. Both projects will involve the construction and operation of major water and wastewater infrastructure across the Western and Northern urban area of Auckland (refer to Attachment A). The projects will be located in a mixture of public and private land, although the majority of works will be located within the road reserve. Works will also take place in State Highway and railway corridors.
7. Construction will include both trenching and trenchless methodologies (including directional drilling) depending on local geological conditions, pipeline gradients and surface conditions. While the finished pipes will be largely located underground, pipe bridges will be needed at some stream crossings, and a variety of above ground infrastructure (such as scour chambers, cathode protection and a pump station) will also be constructed.
8. The applications include three notices of requirement (two for the NH2 and one for a shared corridor for the NH2 and NI), which affects both the Waitakere and North Shore Sections of the Operative Auckland Council District Plan), as well as resource consents for regional planning matters.
9. The NH2 runs from water reservoirs in Titirangi to reservoirs in Albany. The project is required to provide additional water supply for population growth, and to provide resilience in the potable water network.
10. The NI forms part of the reorganisation of Auckland's metropolitan wastewater network, redirecting West Auckland's wastewater from the Mangere Wastewater Treatment Plant to Watercare's Rosedale facility.
11. The applications involve a notice of requirement to secure part of the future NI route, with the remainder of the corridor to be designated at a later date. The NORs for the remainder are expected to be lodged in July, which may enable joint hearing of all the NORs together. However, given the construction timeframes associated with the NI project, Watercare will seek any related resource consents at a later date.
12. The three notices of requirement are as follows:
 - NOR1 – for the NH2 Watermain designation corridor from Titirangi to the eastern end of Fred Thomas Drive (Westgate);
 - NOR2 – for the NH2 Watermain designation corridor from the eastern end of Greenhithe Bridge to the Albany Reservoir (Corinthian Drive, Albany);
 - NOR3 – for the shared designation corridor for the NH2 and NI from the eastern end of Fred Thomas Drive to the western end of the Greenhithe Bridge causeway.
13. Consents are sought across the following planning documents:
 - Auckland Council Regional Plan: Air Land Water
 - Auckland Council Regional Plan: Sediment Control
 - The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and
 - The Proposed Auckland Unitary Plan.

14. The package of consents sought involves the following matters:
 - earthworks, including earthworks in flood plains and sediment control areas
 - vegetation alteration and removal within Significant Ecological Areas
 - the discharge of contaminants to land
 - the disturbance of contaminated soil
 - the discharge of stormwater from new impervious surfaces
 - the diversion of groundwater and
 - stream works, including the construction of pipe bridges.
15. Overall, the planning consent required is for a non-complying activity.
16. Both the notice of requirement and resource consent applications were notified on 8 June 2016 and submissions close on 5 July 2016. Submissions are expected, given the fully notified status of the applications.

Consideration

Local board views and implications

17. The report invites the committee to appoint independent hearing commissioners, which is not a matter within the delegated authority of local boards.
18. Watercare has advised that its staff have engaged with the Waitākere Ranges, Henderson-Massey and Upper Harbour Local Boards between March and April 2016. Local board comments included concern about works in parks, as well as the safety of pipe bridges.
19. An information memo was sent to each of the above local boards on 27 May 2016, which offered an opportunity for the local boards to provide comment on the notices of requirement. No comment has been received to date.

Māori impact statement

20. The applicant has advised that its staff have engaged with 19 mana whenua entities during the development of the project, with Ngati Maru producing a Cultural Impact Assessment.
21. Key areas of interest identified by mana whenua include accidental discovery of heritage items, the use of native species for replacement planting and the presence of culturally significant sites within the projects' areas.
22. All 19 mana whenua entities were notified of the applications on 8 June 2016 as part of the public notification process. No formal responses had been received at the time of writing this report.

General

23. The Hearings Committee has adopted a hearings policy that, at section 4.2, refers to: "allocation of decision making responsibility between elected members, independent commissioners and staff". Section 4.2.2 states that in deciding who is the most appropriate decision maker, the Hearings Committee will take into account recommendations from staff, the significance of a particular matter and whether it is contentious.
24. The scale of the project, its location on both public and private land and the potential community disruption during construction (for example from roadworks or noise impacts), suggests the possible contentious nature of the project.
25. The current applications for both projects are integrated with an earlier package of notified resource consents, which were granted in early 2016. These earlier consents included approx. 2.5ha of reclamation along the Hobsonville Peninsula, enabling harbour crossings via directional drilling or seabed trenching for both projects.

26. Therefore, staff recommend that the Hearings Committee, in accordance with the Hearings Committee Policy, should appoint the independent commissioners as decision makers for these applications. It is recommended that the commissioners who are appointed have planning, erosion and sediment control, ecology and traffic engineering expertise. Consideration could also be given to the previously appointed commissioners for the earlier package of consents associated with both projects to ensure continuity in decision making and process.

Implementation

27. Following the decision to appoint a hearings panel and if submissions have been received and submitters wish to be heard, staff will set a hearing date. The hearing may be delayed pending the receipt and notification of further notices of requirement associated with the Northern Interceptor, to allow all associated applications to be heard together. The hearing would, in that case, be likely to occur in October 2016.
28. In the event that no submissions are received, it is proposed that the decision on the resource consents and the recommendations on the notices of requirement be made by the chairperson of the appointed Hearings Panel.
29. All costs associated with processing of the resource consent applications and notices of requirement are recoverable from the applicant.

Attachments

No.	Title	Page
A	Route Map of Watercare NORs 1, 2 and 3	13

Signatories

Authors	Tim Hegarty - Senior Planner - Major Infrastructure Projects Terry Conner - Principal Planner
Authorisers	John Duguid - General Manager - Plans and Places Ian Smallburn - General Manager Resource Consents

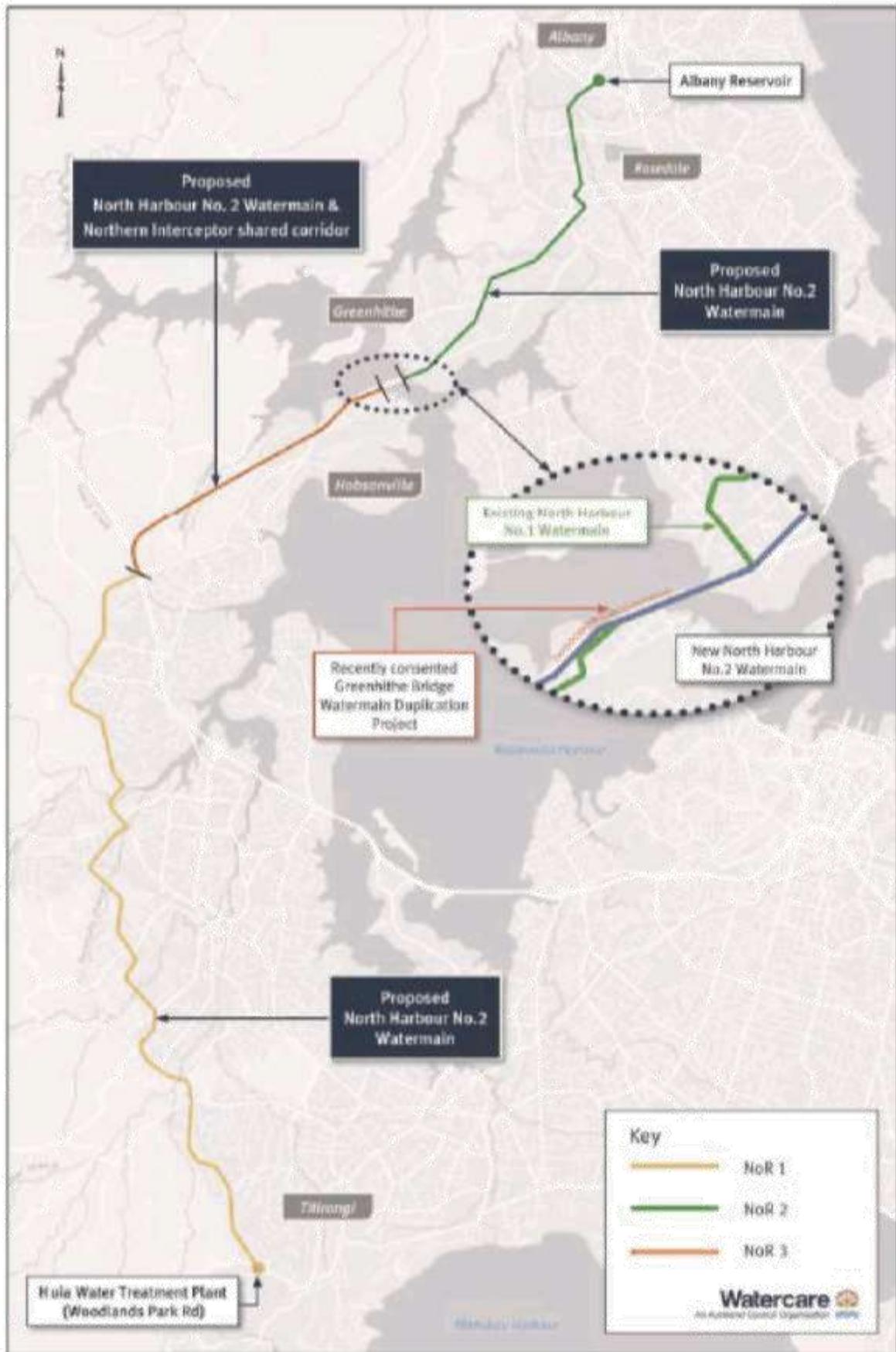


Figure 2: NOR 1 (yellow) and NOR 3 (orange)

District and Regional Plans Appeal Status Report at 30 June 2016

File No.: CP2016/14132

Purpose

1. To provide an update on the current status of outstanding district and regional plan appeals.

Executive summary

2. This report provides a summary of current district and regional plan appeals (refer Attachment A). Should members have detailed questions concerning specific appeals, it would be helpful if they could be raised with Warren Maclennan – (Mobile 021 646590), or email warren.maclennan@aucklandcouncil.govt.nz, prior to the meeting.

Recommendation/s

That the Hearings Committee:

- a) receive the District and Regional Plans Appeal Status Report.

Comments

3. The summary table is attached as Attachment A.

Consideration

Local board views and implications

4. Local board views have not been sought as this report is a Status Report and does not seek any specific decisions in relation to the Appeals.

Māori impact statement

5. The decision requested of the Hearings Committee is to receive this progress report on appeals rather than to decide each appeal.
6. All of these appeals relate to Plan Changes or Notices of Requirement which are being processed according to the Resource Management Act. As each appeal is negotiated or settled, a report is prepared for the Committee's consideration which includes a Māori Impact Statement covering matters related to each specific matter.

Implementation

7. There are no implementation issues.

Attachments

No.	Title	Page
A	Regionwide Appeals Status Report at 30 June 2016	17

Signatories

Authors	Warren Maclennan - Manager Planning - North/West
Authorisers	John Duguid - General Manager - Plans and Places Ian Smallburn - General Manager Resource Consents

Item 8

REGIONWIDE APPEALS STATUS REPORT AT 30 JUNE 2016

Auckland Council District Plan (Isthmus Section) – 2 Appeals

Lodgement No	Appellant (Applicant)	Location/lwi consulted	Description	Status
ENV-2015-AKL-000158	Ngati Te Ata Waiohua Ngati Tamaoho Trust	Three Kings Quarry Private Plan Change All lwi consulted through Plan Change process	Appeal lodged against Council decision to rezone and provide development potential on and around the Three Kings Quarry.	Appeal lodged 17 December 2015. Pre-hearing conference held 16 February 2016. Mediation held 11 and 14 March 2016. Stormwater, urban design / landscaping and planning conference held throughout April 2016. Hearing held between 13 – 24 June 2016. Interim decision (on fill contours, building heights, open spaces) likely to be provided before 19 August 2016.
ENV-2016-AKL-000001	South Epsom Planning Group Inc. Three Kings United Group Inc.	Three Kings Quarry Private Plan Change. All lwi consulted through Plan Change process	Appeal lodged against Council decision to rezone and provide development potential on and around the Three Kings Quarry.	Appeal lodged 17 December 2015. Pre-hearing conference held 16 February 2016. Mediation held 11 and 14 March 2016. Stormwater, urban design/landscaping and planning conference held throughout April 2016. Hearing held between 13 – 24 June 2016. Interim decision (on fill contours, building heights, open spaces) likely to be provided before 19 August 2016.

Auckland Council District Plan (Central Area Section) - 1 Appeal

Lodgement No	Appellant (Applicant)	Location/lwi consulted	Description	Status
ENV-2016-AKL-000035	Auckland Architecture Association	City Centre	QE Square Private Plan Change request by Precinct Properties.	Environment Court mediation 19 and 20 April 2016. Evidence exchange will be completed with rebuttals filed on 8 July. Hearing is scheduled to start on 18 July.

Auckland Council District Plan (Hauraki Gulf Islands Section) – 2 Appeals

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Attachment A

Lodgement No	Appellant (Applicant)	Location/iwi consulted	Description	Status
ENV-2009-AKL-000329	Auckland Council (former ARC)	Islands – general. Ngati Paoa Ngati Rehua	HGI district plan review – Landform 5 (productive land) activity status for buildings.	All issues resolved with the exception of the activity status of buildings in Landform 5 (productive land). Environment Court hearing completed on 23 May 2013. Preliminary Environment Court decision issued. Appeals to the High Court have been dismissed. Linked with Proposed Change 8 to the ARPS (Outstanding Natural Landscapes) Appeals, which are still in Court of Appeal proceeding. Court of Appeal hearing held on 29 June 2016. Decision awaited. Revised HGI District Plan provisions will be filed with the Environment Court in July once appellant has responded to revised provisions put forward by the Council.
ENV-2009-AKL-000336	Thumb Pt & Others	Waiheke Island. Ngati Paoa Ngati Rehua	HGI district plan review – various topics, including Air Transport (helicopter / noise), Subdivision (minimum site size Landform 5), landform classification (site-specific), activity status for buildings in Landform 1 (Coastal Cliffs) and Landform 2 (Dune Systems).	All issues resolved with the exception of the activity status of buildings in Landform 5 (productive land). Environment Court hearing completed on 23 May 2013. Preliminary Environment Court decision issued. Appeals to the High Court have been dismissed. Linked with Proposed Change 8 to the ARPS (Outstanding Natural Landscapes) Appeals, which are still in Court of Appeal proceeding. Court of Appeal hearing held on 29 June 2016. Decision awaited. Revised HGI District Plan provisions will be filed with the Environment Court in July once appellant has responded to revised provisions put forward by the Council.

Auckland Council Regional Policy Statement – 2 Appeals

Lodgement No	Appellant (Applicant)	Location/iwi consulted	Description	Status
ENV-2010-AKL-000332	Federated Farmers of New Zealand	Regionwide (Outstanding Natural Landscapes in Rural Areas)	Proposed Change 8 (Outstanding Natural Landscapes) to the Auckland Regional Policy Statement	<p>Confined their relief to the ONL at Ponui Island.</p> <p>Have left their appeal open to enable South Ponui Ltd, a section 274 party to their appeal, to participate in the Environment Court hearing.</p> <p>Did not participate at the Environment Court hearing 20/21 May 2013.</p> <p>Environment Court Decision released 29 July 2014. Will take part in High Court appeal.</p> <p>High Court hearing 24 and 25 March 2015.</p> <p>High Court decision 21 April 2015. The appeal is dismissed.</p> <p>Man of War Station now seeking leave to appeal High Court Decision to Court of Appeal.</p> <p>Leave granted by the High Court to appeal to the Court of Appeal. Hearing held 29 June 2016. Decision awaited.</p>
ENV-2010-AKL-000338	Man O'War Station	Site Specific Appeal (Waiheke)	Proposed Change 8 (Outstanding Natural Landscapes) to the Auckland Regional Policy Statement	<p>Prepared landscape evidence and participated in the Environment Court hearing 20 and 21 May 2013.</p> <p>Environment Court Decision released 24 July 2014. Council position largely upheld. Man O'War Station has appealed this to High Court.</p> <p>Confidential report considered at Hearings Committee meeting of 10 September 2014.</p> <p>High Court hearing 24/25 March 2015</p> <p>High Court decision 21 April 2015 – The appeal is dismissed.</p> <p>Costs of \$20,298 awarded to Council. Appellant now seeking leave to appeal High Court Decision to Court of Appeal.</p> <p>Leave granted by the High Court to appeal to the Court of Appeal. Hearing held 29 June 2016. Decision awaited.</p>

Auckland Council Regional Plan (Air, Land Water and Coastal) - ALL RESOLVED

Auckland Council District Plan (Manukau Section) - ALL RESOLVED

Auckland Council District Plan (Papakura Section) - ALL RESOLVED

Auckland Council District Plan (Franklin Section) - ALL RESOLVED

Auckland Council District Plan (Rodney Section) – ALL RESOLVED

Auckland Council District Plan (North Shore Section) – ALL RESOLVED

Item 8

Attachment A

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 Delegation of powers for mediation to settle appeals to the Notices of Requirement at Redoubt Road-Mill Road

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 information relating to Environment Court appeals and the disclosure of information may prejudice the council's position in regards to negotiations and the potential settlement of the appeals.	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 Delegation of powers for mediation to settle an enforcement order within the Mangere Gateway Heritage area

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 information relating to Environment Court enforcement action against the council and the disclosure of information may prejudice the council's position in regards to negotiations and the potential settlement of the appeals.	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 New Resource Consent Appeal: Jayashree Limited v Auckland Council appeal on a resource consent condition at 37A Hayr Road, Three Kings

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 information relating to an Environment Court appeal and the disclosure of information may prejudice the council's position in regards to negotiations and the potential settlement of the 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.

C4 Resource Consent Appeals: Status Report 19 July 2016

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 information that could compromise the council in undertaking without prejudice negotiations of these appeals that are 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.

C5 Noting the urgent decisions of 5 July 2016: Gilgit Road Residents' Group & Others v Auckland Council and Learning House and Kids Count Ltd 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, the report contains information that could compromise the council in undertaking without prejudice negotiations of these appeals that are 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.