

Regulatory Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory Committee held in the Room 1, Level 26, 135 Albert St, Auckland on Thursday, 18 May 2017 at 9.40am.

PRESENT

Chairperson
Members

Cr Linda Cooper, JP
Cr Fa'anana Efeso Collins
Cr Richard Hills
Cr Daniel Newman, JP
Cr Sharon Stewart, QSM
IMSB Member Glenn Wilcox

(From 9.54am, Item 9)

ABSENT

Deputy Mayor Bill Cashmore (Ex-officio)
Mayor Hon Phil Goff (Ex-officio)
Cr Dick Quax
IMSB Chair David Taipari
Cr Wayne Walker
Cr John Watson

1 Apologies

Resolution number REG/2017/35

MOVED by Cr E Collins, seconded by Cr R Hills:

That the Regulatory Committee:

- a) **accept the apologies from Deputy Mayor B Cashmore on council business, Mayor P Goff, Cr D Quax, IMSB Member D Taipari, Deputy Chairperson W Walker, Cr J Watson for absence and IMSB Member G Wilcox for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number REG/2017/36

MOVED by Chairperson L Cooper, seconded by Cr E Collins:

That the Regulatory Committee:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 12 April 2017, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Determination by the Regulatory Committee of an Objection to Proposed Stormwater Connection at 296A Hillsborough Rd, to service 298 Hillsborough Road, Mount Roskill

IMSB Member G Wilcox entered the meeting at 9.54 am.

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Resolution number REG/2017/37

MOVED by Chairperson L Cooper, seconded by Cr R Hills:

That the Regulatory Committee:

- a) **hear the application lodged by the owner of 2/298 Hillsborough Rd, for the construction of a private drain through the neighbouring property at 296A Hillsborough Road, Mt Roskill, pursuant to section 460 and Schedule 12 of the Local Government Act 1974.**

CARRIED

10 Appointment of Independent Commissioners: Draft Variation to the Regional Parks Management Plan to incorporate land at Piha into the Waitakere Ranges Regional Park

Note: Changes to the original motion were incorporated into clause a) with the agreement of the meeting.

Resolution number REG/2017/38

MOVED by IMSB Member G Wilcox, seconded by Cr R Hills:

That the Regulatory Committee:

- a) **appoint three independent commissioners, Greg Hill as chairperson, Gerry Rowan and William Kapea, to hear submissions and make recommendations to the Environment and Community Committee on the draft variation to the Regional Parks Management Plan to incorporate land at Piha into the Waitakere Ranges Regional Park.**
- b) **delegate authority to the chairperson of the Hearings Committee to make replacement appointments should any of the appointed independent commissioners in clause a) above be unavailable.**

CARRIED

11 Trading and Events in Public Places Shared Spaces Guidelines 2017

Resolution number REG/2017/39

MOVED by Cr R Hills, seconded by Cr E Collins:

That the Regulatory Committee:

- a) **approve the Trading and Events in Public Places Shared Spaces Guidelines 2017.**

CARRIED

12 Resource Consent Appeals: Status Report 18 May 2017

Resolution number REG/2017/40

MOVED by Chairperson L Cooper, seconded by Cr S Stewart:

That the Regulatory Committee:

- a) **receive the Resource Consents Appeals: Status Report 18 May 2017.**

CARRIED

13 Information Report - 18 May 2017

Resolution number REG/2017/41

MOVED by Cr R Hills, seconded by Cr S Stewart:

That the Regulatory Committee:

- a) **receive the information report.**

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural motion to exclude the public

Resolution number REG/2017/42

MOVED by Chairperson L Cooper, seconded by Cr S Stewart:

That the Regulatory 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 Noting the urgent decision of 5 April 2017: IFS Trust v Auckland Council - 223 Falls Road, Warkworth, New Resource Consent Appeal

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)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret.</p> <p>In particular, the report contains information relating to an Environment Court of appeal and the disclosure of information may prejudice the council's position in regards to negotiations and the potential settlement of the appeal.</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

10.21am 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.

10.38am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Noting the urgent decision of 5 April 2017: IFS Trust v Auckland Council - 223 Falls Road, Warkworth, New Resource Consent Appeal

Resolution number REG/2017/43

MOVED by Chairperson L Cooper, seconded by IMSB Member G Wilcox:

That the Regulatory Committee:

- b) agree that the decision, report and attachments regarding 'Noting the urgent decision of 5 April 2017: IFS v Auckland Council – 223 Falls Road, Warkworth, new resource consent appeal (ENV-2017-AKL-000019) not be re-stated in the open section of the minutes.

C2 Deliberations on an Objection to Proposed Stormwater Connection at 296A Hillsborough Rd, to service 298 Hillsborough Road, Mount Roskill

Resolution number REG/2017/44

MOVED by Chairperson L Cooper, seconded by Cr R Hills:

That the Regulatory Committee:

- a) determine the application lodged by the owner of 2/298 Hillsborough Rd, for the construction of a private drain through the neighbouring property at 296A Hillsborough Road, Mt Roskill, pursuant to section 460 and Schedule 12 of the Local Government Act 1974.
- b) endorse the proposed connection and its associated route through the neighbouring land at 296A Hillsborough Rd, Mount Roskill, for the drainage works generally as set out in the officer's report, pursuant to section 460 of the Local Government Act 1974 and as referenced on plan titled Engineering Plan by CKL Consultants Projects no. T3417 and dated 18 August 2016, for the following reason:
 - i) that the only practical route of any new private drain is through 296A Hillsborough Rd, Mount Roskill and noting that all practical attempts have been taken to contact the landowner
- c) agree that the decision under clause a) and b) be restated in the open section of the minutes.

10.36 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 REGULATORY
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....