
Regulatory Committee

OPEN MINUTES

Minutes of a meeting of the Regulatory Committee held in Room 1, Level 26, 135 Albert Street, Auckland on Thursday, 6 July 2017 at 9.30am.

PRESENT

Chairperson	Cr Linda Cooper, JP	
Deputy Chairperson	Cr Wayne Walker	From 9.33am, part item 3, until 12.30pm, after item 10
Members	Cr Daniel Newman, JP	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	Until 11.17am, part item 10
	IMSB Chair David Taipari	
	Cr John Watson	From 9.36am, part Item 9

ABSENT

Deputy Mayor Bill Cashmore
Cr Efeso Collins
Mayor Phil Goff
Cr Richard Hills
IMSB Member Glenn Wilcox

ALSO PRESENT

Cr C Casey	Until 12.40pm, item 14
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1 Apologies

Resolution number REG/2017/59

MOVED by IMSB Member D Taipari, seconded by Cr D Quax:

That the Regulatory Committee:

- a) **accept the apologies from Deputy Mayor B Cashmore, Cr E Collins, Mayor P Goff, Member G Wilcox for absence and Cr R Hills for absence on council business.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Cr W Walker entered the meeting at 9.33am

Resolution number REG/2017/60

MOVED by Deputy Chairperson W Walker, seconded by Cr D Quax:

That the Regulatory Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 15 June 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 of an Objection to the construction of the Private Stormwater line and a Wastewater Connection at 102C Mellons Bay Road, to service 102A Mellons Bay Road, Mellons Bay.

Mr Ian Gibson, Airey Consultants Ltd, on behalf of Mr Andrius Mitalauskas addressed the committee in support of the proposal.

Ms Jing Han, the objector, addressed the committee in support of her objection to the proposal. An interpreter was also present supporting the objector's presentation.

Staff were also in attendance in support of the report.

Cr Watson entered the meeting at 9.36am

The meeting adjourned at 9.57am and reconvened at 10.14am.

After hearing the objector's view on the proposal, the chair thanked both parties for their attendance and presentation.

The Committee's deliberation was held in committee and its decision is recorded under item C1 – Restatements of these minutes.

10 Determination of an Objection to the construction of a Stormwater Overland Flow Path Channel through 1 Takanini School Road, to service Addison Developments, Takanini.

Mr Nigel Richards, on behalf of Addison Developments Ltd. addressed the committee in support of the proposal.

Mr Peter Fuller, on behalf of Jean Marie Sabatier of Sabatier Family Trust, Mr Sean Finnigan and Adam Thompson addressed the committee in support of the objector's submission. They tabled supporting documents of their address. Copies have been placed on the official minutes and are available on the Auckland Council website.

Staff were also in attendance in support of the report.

Cr S Stewart left the meeting at 11.17am.

After hearing the objector's view on the proposal, the chair thanked both parties for their attendance and presentation.

The Committee's deliberation was held in committee and its decision is recorded under item C2 – Restatements of these minutes.

Attachments

- A 6 July 2017, Regulatory Committee - Item 10 - Determination of an Objection to the construction of a Stormwater Overland Flow Path Channel through 1 Takanini School Road, to service Addison Developments, Takanini - Sabatier Family Trust Evidence

Cr Walker left the meeting at 12.30pm

11 Regulatory Fees FY18

Resolution number REG/2017/61

MOVED by Chairperson L Cooper, seconded by Cr D Quax:

Recommendation/s

That the Regulatory Committee:

- a) **approve the charging of \$159 (GST inclusive) for Standard Regulatory Hourly rate (Building processing & inspections, compliance, monitoring) effective 17 July 2017.**

- b) approve the charging of \$159 (GST inclusive) for a Building Inspection & \$159 (GST inclusive) for a Building Warrant of Fitness inspection effective 17 July 2017.
- c) approve the charging of \$126 (GST inclusive) for a swimming pool inspection effective 17 July 2017.

CARRIED

Pursuant to Standing Order 1.8.6 Member D Taipari requested that his dissenting vote be recorded.

12 Regulatory Committee Summary of Information Items - 6 July 2017

Resolution number REG/2017/62

MOVED by IMSB Member D Taipari, seconded by Chairperson L Cooper:

That the Regulatory Committee:

- a) receive the information report.

CARRIED

13 Consideration of Extraordinary Items

There were no extraordinary items.

14 Procedural motion to exclude the public

Resolution number REG/2017/63

MOVED by Chairperson L Cooper, seconded by Cr D Newman:

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 Deliberations on an objection to the construction of the Private Stormwater line and a Wastewater Connection at 102C Mellons Bay Road, to service 102A Mellons Bay Road, Mellons Bay.

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).	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.

	In particular, the report contains information that could compromise the council in undertaking without prejudice negotiations of this objection pursuant to section 460 of the Local Government Act.	
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C2 Deliberations on an Objection to the construction of a Stormwater Overland Flow Path Channel through 1 Takanini School Road, to service Addison Developments, Takanini.

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 this objection pursuant to section 460 of the Local Government Act.	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 was made available to the public who were present at the meeting and formed part of the minutes of the meeting.

CARRIED

12.40pm 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.

1.39pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Deliberations on an objection to the construction of the Private Stormwater line and a Wastewater Connection at 102C Mellons Bay Road, to service 102A Mellons Bay Road, Mellons Bay.

Resolution number REG/2017/64

MOVED by Chairperson L Cooper, seconded by IMSB Member D Taipari:

That the Regulatory Committee:

- a) determine the application lodged by the owners of 102A Mellons Bay Road, Mellons Bay, pursuant to section 460 and schedule 12 of the Local Government Act, 1974.

CARRIED

Resolution number REG/2017/65

MOVED by Chairperson L Cooper, seconded by Cr D Quax:

That the Regulatory Committee:

- b) **endorse the proposed wastewater connection to the manhole on the neighbouring land at 102C Mellons Bay Road, Mellons Bay as the only practical option, pursuant to section 460 of the Local Government Act 1974 and as referenced on approved plans under Resource Consent No. 45403 dated 3rd November 2014.**

CARRIED

Resolution number REG/2017/66

MOVED by Chairperson L Cooper, seconded by Cr D Quax:

That the Regulatory Committee:

- c) **endorse the construction of the proposed stormwater pipeline through the neighbouring land at 102C Mellons Bay Road, Mellons Bay as the only practical option, pursuant to section 460 of the Local Government Act 1974 and as referenced on approved plans under Resource Consent No. 45403 dated 3rd November 2014.**

CARRIED

Pursuant to Standing Order 1.8.6 Cr D Newman and Member Taipari requested that their dissenting votes be recorded.

Resolution number REG/2017/67

MOVED by Chairperson L Cooper, seconded by IMSB Member D Taipari:

Restatement

That the Regulatory Committee:

- d) **agree that the decisions under clause a) to c) be restated in the open section of the minutes.**

CARRIED

C2 Deliberations on an Objection to the construction of a Stormwater Overland Flow Path Channel through 1 Takanini School Road, to service Addison Developments, Takanini.

Resolution number REG/2017/68

MOVED by IMSB Member D Taipari, seconded by Chairperson L Cooper:

That the Regulatory Committee:

- a) **determine the objection by the owners of 1 Takanini School Road, Takanini pursuant to section 460 and Schedule 12 of the Local Government Act 1974,**
- b) **endorse the construction of an overland flow path channel through Lot 2 DP 157092 at 1 Takanini School Road, Takanini as the only practical route, being the lowest point in the catchment, pursuant to section 460 of the Local Government Act 1974 and as referenced on approved plans under EPA – 2016 - 642 - Stg 6C dated 15th February 2017.**

Restatement

- c) **agree that the decision under clause a) and b) be restated in the open section of the minutes.**

CARRIED

1.40pm

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:.....