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## Resource Consents: Quarterly Hearings Report September 2018

File No.:

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### Purpose

1. To provide a quarterly update of regulatory hearings under the Resource Management Act 1991.

### Executive summary

2. This report provides a summary of resource consent hearings held in the two quarterly periods 1 January to 30 June 2018 and the commissioners appointed to those hearings.

### Recommendation/s

That the Regulatory Committee:

- a) receive the Resource Consents: Quarterly Hearings Report September 2018.

### Comments

3. The Regulatory Committee holds the responsibility for regulatory hearings required by relevant legislation. The majority of these fall within the area of resource consents and notices of requirement under the Resource Management Act 1991. The Committee oversees who the decision maker(s) should be in relation to the matters that need to be heard, and the position to be taken in regards to any appeals of those decisions.
4. The delegation to appoint hearing commissioners has been delegated to staff. Guidance for the assignment of commissioners to a particular hearing follows clauses 3.7 to 3.12 of the Regulatory Committee Policy. The staff in assigning commissioners must therefore take into account the nature and issues raised by an application, and hence the need for particular expertise including mataurangi Maori and tikanga Maori. Local Board members as commissioners can also be considered for matters that are significant or contentious.
5. The assignments of the hearing commissioners for the past two three-month periods, are as set out in **Attachment A**. The assignments occur well in advance of the hearing and therefore an assigned alternate will often be part of the actual hearing panel due to availability.
6. The reporting of resource consent appeals occurs separately as part of a monthly up-date appeals report.

### Consideration

#### Local board views and implications

7. Local Boards are not involved with the appointment of commissioners.

#### Māori impact statement

8. The decision requested of the Regulatory Committee is to receive this report rather than appoint commissioners to hearings. The Committee policy at 3.7 includes “the desirability of appointing a person with relevant expertise in mataurangi Maori and tikanga Maori” as a consideration in the appointment of hearing panel members. Further policy 3.8 states “Where a matter covers areas of significance to Maori, council staff will consult with IMSB staff on the appointments”.

## Implementation

9. The cost of independent hearing commissioners is covered by the applicants of those applications that are required to be heard. \

## Attachments

Attachment A: Hearings Held – 1 January to 30 June 2018.

## Signatories

Author	Robert Andrews – Principal Specialist Planner
Authorisers	Ian Smallburn - Manager Resource Consents Penny Pirrit - Director Regulatory Services

## Hearings held: 01 January 2018 – 31 March 2018

Hearing Date:	Location and Proposal:	Hearing panel:		Local Board Member/ Iwi Commissioner:	Result:
		Commissioners assigned	Commissioners present		
23 January 2018	27 Shelley Bay Road, Beachlands Childcare Centre for 84 children	<u>Chairperson:</u> Justine Bray (planning) <u>Commissioner:</u> Julie Bevan (planning)	<u>Chairperson:</u> Justine Bray (planning) <u>Commissioner:</u> Julie Bevan (planning)	No	GRANTED
30 January 2018	60 Onehunga Mall, Onehunga Four level apartment building (thirteen units) *	<u>Chairperson:</u> Richard Blakey (Planning) <u>Commissioners:</u> David Mead (urban design) Sheena Terpania *	<u>Chairperson:</u> Kim Hardy (Planning) <u>Commissioners:</u> Ian Munro (urban design) Russell Karu	Yes (LB)	REFUSED
31 January 1 February 2018	11-17 Paerata Road and 3 Comrie Place, Pukekohe Supermarket and café/ retail tenancies	<u>Chairperson:</u> Janinie Bell (planning) <u>Commissioners:</u> David Mead (planning/ urban design) Julie Fairey (Local Board) Basil Morrison (Iwi) *	<u>Chairperson:</u> Janinie Bell (planning), <u>Commissioners:</u> Ian Munro (planning/ urban design) Brent Catchpole (Local Board) John Kirikiri (Iwi)	Yes (Iwi and LB)	GRANTED
9 February 2018	325 Mt Albert Road, Mt Roskill S357 rejection under section 88	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Alan Watson (planning)	<u>Chairperson:</u> Alan Watson (planning) <u>Commissioner:</u> Les Simmons (planning)	No	DISMISSED (APPEAL LODGED)
15 February 2018	44 Margot Street, Epsom Remove two notable trees	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Melean Absolum (landscape)	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Melean Absolum (landscape)	No	GRANTED
18 February 2018	106 Hobsonville Road, Hobsonville Childcare centre and café	<u>Chairperson:</u> David Hill (planning) <u>Commissioners:</u> Richard Blakey (planning) Bridget Gilbert (design)	<u>Chairperson:</u> David Hill (planning) <u>Commissioners:</u> Richard Blakey (planning) Bridget Gilbert ( design)	No	GRANTED
21 February 2018	Waitoetoe Mussel Farm, Firth of Thames	<u>Chairperson:</u> Dave Serjeant (planning)	<u>Chairperson:</u> David Hill (planning)	Yes	GRANTED

Hearing Date:	Location and Proposal:	Hearing panel:		Local Board Member/ Iwi Commissioner:	Result:
		Commissioners assigned	Commissioners present		
	Coastal permits to use and occupy coastal marine area for mussel farm	<u>Commissioners:</u> Sheena Tepania (Iwi) Janine Bell (planning) *	<u>Commissioners:</u> Sheena Tepania (Iwi) Craig Shearer (natural resources)		(APPEAL LODGED)
21 February 2018	Rangipakihī Mussel Farm, Firth of Thames  Coastal permits to use and occupy coastal marine area for mussel farm	<u>Chairperson:</u> Dave Serjeant (planning) <u>Commissioners:</u> Sheena Tepania (Iwi) Janine Bell (planning) *	<u>Chairperson:</u> David Hill (planning) <u>Commissioners:</u> Sheena Tepania (Iwi) Craig Shearer (natural resources)	Yes	GRANTED  (APPEAL LODGED)
26 February 2018	78-80 Station Road, Huapai  Subdivision within the Future Urban Zone	<u>Chairperson:</u> Phillip Brown (planning) <u>Commissioner:</u> David Mead (design/ policy)	<u>Chairperson:</u> Phillip Brown (planning) <u>Commissioner:</u> David Mead (design/ policy)	No	REFUSED
26 February 2018	1 Hibiscus Coast Highway, Silverdale  127 car parks for Park and Ride	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioners:</u> Janine Bell (planning) Nigel Mark-Brown (engineering)	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioners:</u> Janine Bell (planning) Nigel Mark-Brown (engineering)	No	GRANTED  (APPEAL LODGED)
1 March 2018	1150 Great North Road, Point Chevalier  Two apartment buildings with ground floor retail	<u>Chairperson:</u> Dave Serjeant (planning) <u>Commissioner:</u> Alan Pattle (engineering)	<u>Chairperson:</u> Dave Serjeant (planning) <u>Commissioner:</u> Nigel Mark-Brown (engineering)	No	GRANTED
2 & 5 March 2018	488 and 496C Hibiscus Coast Highway, Orewa  Retirement Village with 120 apartments	<u>Chairperson:</u> Trevor Mackie (urban design) <u>Commissioners:</u> Janine Bell (planning) Michael Parsonson (engineering) *	<u>Chairperson:</u> Ian Munro (urban design/ planning) <u>Commissioners:</u> Craig Shearer (natural resources) Trevor Mackie (urban design)	No	GRANTED
7 March 2018	12-26D Barrack Road, Mt Wellington	<u>Chairperson:</u> Ian Munro (urban design/ planning)	<u>Chairperson:</u> Ian Munro (urban design/ planning)	No	GRANTED

Hearing Date:	Location and Proposal:	Hearing panel: Commissioners assigned      Commissioners present		Local Board Member/ Iwi Commissioner:	Result:
	Seven level apartment building (138 units)	<u>Commissioners:</u> Trevor Mackie (urban design) Alan Pattle (engineering) *	<u>Commissioners:</u> Trevor Mackie (urban design) Michael Parsonson (engineering)		
9 March 2018	7 Papakura-Clevedon Road, Clevedon Modify a heritage commercial building	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Heike Lutz (built heritage) *	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Heike Lutz (built heritage)	No	REFUSED
12 March 2018	355 Dairy Flat Highway, Lucas Heights Four lot subdivision	<u>Chairperson:</u> Richard Blakey (planning) <u>Commissioners:</u> Shona Myers (ecology)	<u>Chairperson:</u> Richard Blakey (planning) <u>Commissioners:</u> Shona Myers (ecology)	No	REFUSED (APPEAL LODGED)
21 - 23 March 2018	32 Tennyson Avenue, Takapuna Two 5-storey apartment buildings	<u>Chairperson:</u> Alan Watson (planning) <u>Commissioner:</u> Ian Munro (urban design/ planning) Richard Blakey (planning)	<u>Chairperson:</u> Robert Scott (planning) <u>Commissioner:</u> Ian Munro (urban design/ planning) Richard Blakey (planning)	No	GRANTED (APPEAL LODGED)
27 March 2018	7B Gulf View Road, Murrays Bay Garage within front yard	<u>Chairperson:</u> Alan Watson (planning)	<u>Chairperson:</u> Alan Watson (planning)	No	REFUSED (APPEAL LODGED)
28 / 29 March 2018	11 Cryers Road, Highbrook Mixed use development, retail, childcare and gymnasium	<u>Chairperson:</u> Peter Raeburn (planning) <u>Commissioners:</u> Lee Beattie (planning) Louise Wickham (contamination) *	<u>Chairperson:</u> Peter Raeburn (planning) <u>Commissioners:</u> Lee Beattie (planning) Louise Wickham (contamination)	No	REFUSED (APPEAL LODGED)
5- 8 April 2018	198-202, 214-222 Dominion Road and 113-117 Valley Road, Mt Eden 102 residential dwellings and 9 retail units	<u>Chairperson:</u> Janine Bell (planning) <u>Commissioners:</u> Cherie Lane (planning/heritage) Richard Knott (urban design) *	<u>Chairperson:</u> Janine Bell (planning) <u>Commissioners:</u> Cherie Lane (planning/heritage) Richard Blakey (planning)	No	REFUSED

Hearing Date:	Location and Proposal:	Hearing panel:		Local Board Member/ Iwi Commissioner:	Result:
		Commissioners assigned	Commissioners present		
16 April 2018	91 Huia Road, Otahuhu Boarding house	<u>Chairperson:</u> Peter Raeburn (planning) <u>Commissioner:</u> Cherie Lane (planning)	<u>Chairperson:</u> Peter Raeburn (planning) <u>Commissioner:</u> Julie Bevan (planning)	No	REFUSED (APPEAL LODGED)
26 April 2018	68 Old Railway Road, Kumeu Church & School in Rural zone	<u>Chairperson:</u> Alan Watson (planning) <u>Commissioners:</u> David Wren (planning) William Kapea (Iwi) Matt Riley (design) *	<u>Chairperson:</u> Philip Brown (planning) <u>Commissioners:</u> David Wren (planning) William Kapea (Iwi) Richard Knott (design)	Yes(Iwi)	GRANTED (APPEAL LODGED)
30 April 2018	256 West Hoe Heights, Orewa 201 residential site subdivision	<u>Chairperson:</u> Alan Watson (planning) <u>Commissioners:</u> Hugh Leersnyder (natural resources) Bridget Gilbert (urban design)	<u>Chairperson:</u> Alan Watson (planning) <u>Commissioners:</u> Hugh Leersnyder (natural resources) Gavin Lister (urban design)	No	GRANTED
2 May 2018	21 Beach Road, Milford Two dwellings and subdivision	<u>Chairperson:</u> Robert Scott (planning) <u>Commissioner:</u> Richard Blakey (planning)	<u>Chairperson:</u> Les Simmons (planning) <u>Commissioner:</u> Richard Blakey (planning)	No	GRANTED
2 / 3 May 2018	190 Jack Lachlan Drive, Beachlands Commercial and apartment buildings	<u>Chairperson:</u> Philip Brown (planning) <u>Commissioner:</u> Karyn Kurzeja (planning)	<u>Chairperson:</u> Philip Brown (planning) <u>Commissioner:</u> Karyn Kurzeja (planning)	No	GRANTED
4 May 2018	2/94 Mellons Bay Road, Howick New dwelling and 2-lot subdivision	<u>Chairperson:</u> Justine Bray (planning) <u>Commissioner:</u> Ian Munro (planning /design)	<u>Chairperson:</u> Justine Bray (planning) <u>Commissioner:</u> Ian Munro (planning /design)	No	GRANTED
9 May 2018	777 Clevedon Kawakawa Road, Clevedon Commercial activities in rural zone	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Robert Scott (planning)	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Les Simmons (planning)	No	GRANTED

Hearing Date:	Location and Proposal:	Hearing panel: Commissioners assigned		Commissioners present	Local Board Member/ Iwi Commissioner:	Result:
16 / 17 May 2018	353 McLachlan Road, Kaukapakapa Silica sand extraction	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioners:</u> Janine Bell (planning/ regional) Mark Farnsworth (Iwi / Coastal) *	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioners:</u> Robert Scott (planning / coastal) Juliane Chetham (Iwi)	Yes (Iwi)	GRANTED	
17 / 18 May 2018	Western Firth of Thames Marine Farm	<u>Chairperson:</u> David Serjeant (planning) <u>Commissioners:</u> Sheena Tepania (Iwi) Janine Bell (planning) *	<u>Chairperson:</u> Philip Brown (planning) <u>Commissioners:</u> Sheena Tepania (Iwi) Barry Kaye (planning)	Yes (Iwi)	GRANTED (APPEAL LODGED)	
17 / 18 May 2018	Western Firth of Thames Marine Farm	<u>Chairperson:</u> David Serjeant (planning) <u>Commissioners:</u> Sheena Tepania (Iwi) Janine Bell (planning) *	<u>Chairperson:</u> Philip Brown (planning) <u>Commissioners:</u> Sheena Tepania (Iwi) Barry Kaye (planning)	Yes (Iwi)	GRANTED (APPEAL LODGED)	
24 May 2018	57 Walls Road, Penrose Non-accessory office space	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Peter Raeburn (planning)	<u>Chairperson:</u> Greg Hill (planning) <u>Commissioner:</u> Karyn Kuzeja (planning)	No	REFUSED (APPEAL LODGED)	
28 May 2018	14 Parfitt Street, Mt Roskill 2 additional dwellings and 3-lot subdivision	<u>Chairperson:</u> Janine Bell (planning) <u>Commissioner:</u> Julie Bevan (planning)	<u>Chairperson:</u> Richard Blakey (planning) <u>Commissioner:</u> Vaughan Smith (planning)	No	REFUSED	
8 June 2018	12-26D Barrack Road, Mt Wellington Seven level 138-unit apartment building	<u>Chairperson:</u> Ian Munro (planning) <u>Commissioners:</u> Trevor Mackie (planning) Alan Pattle (engineering) *	<u>Chairperson:</u> Ian Munro (planning) <u>Commissioners:</u> Trevor Mackie (planning) Michael Parsonson (engineering)	No	GRANTED	

<b>Hearing Date:</b>	<b>Location and Proposal:</b>	<b>Hearing panel:</b>		<b>Local Board Member/ Iwi Commissioner:</b>	<b>Result:</b>
		<b>Commissioners assigned</b>	<b>Commissioners present</b>		
8 June 2018	199 Anzac Valley Road, Waitakere Objection to conditions and costs of subdivision	<u>Chairperson:</u> Robert Scott (planning)	<u>Chairperson:</u> Richard Blakey (planning)	No	UPHELD IN PART AND DISMISSED IN PART
14, 15, 18 & 29 June 2018	55-57 Ripon Crescent, Meadowbank Retirement village, seven buildings with 344 residential units	<u>Chairperson:</u> David Mead (planning / urban design) <u>Commissioners:</u> Mark Farnsworth (Iwi) Michael Parsonson (natural resources) *	<u>Chairperson:</u> Mark Farnsworth (Iwi) <u>Commissioners:</u> Richard Knott (urban design) Michael Parsonson (natural resources)	Yes	REFUSED (APPEAL LODGED)
26 June 2018	63 McKenzie Road, Mangere Cultural centre	<u>Chairperson:</u> Richard Blakey (planning) <u>Commissioner:</u> Les Simmons (planning)	<u>Chairperson:</u> Richard Blakey (planning) <u>Commissioner:</u> Les Simmons (planning)	No	GRANTED

\*Those applications forwarded for consultation with the Independent Maori Statutory Board

Regulatory Committee meeting on 13 September 2018