

**MINUTES FOR A HEARING BY COMMISSIONERS TO BE HELD AT WAITAKERE
CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON THURSDAY, 15 MAY 2008, COMMENCING AT 9.30 AM**

PRESENT: Commissioners Cr VS Neeson, JP (Chairman)
Cr DQ Battersby, QSM, JP
Cr LA Cooper, JP

IN ATTENDANCE Group Manager: Planning and Community Service
Committee Secretary: S Simiona

ALSO IN ATTENDANCE: C Heppelthwaite: Eclipse Group Limited Land Use
Planning
M Hegley: Hegley Acoustic Consultants

**1 PUBLICLY NOTIFIED APPLICATION FOR A NON-COMPLYING ACTIVITY
RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT
ACT 1991 BY F AND B MCCLOUGHEN TO OPERATE A CHILD CARE FACILITY
AND CONSTRUCT TEN MEDIUM DENSITY DWELLINGS AT 32 AND
34 AWARA STREET, NEW LYNN**

- 9.30 am The Commissioner Chairman Cr Vanessa Neeson opened the Hearing introduced the panel of Commissioners Crs Derek Battersby and Linda Cooper and the Council officers in attendance. The Chairman asked the Commissioners if they had any conflicts of interest the Commissioners advised that they did not have any conflicts of interest.
- 9.36 am Ms Anne Leijnen Planning Consultant Leijnen Consultants Limited (on behalf of the applicant) presented evidence and introduced the presenters on behalf of the applicant.
(Track No: 29) (Duration: 00:15:35)
- 9.53 am Mrs Fiona McCloughen (applicant) presented evidence.
(Track No: 30) (Duration 00:06:00)
- 10.01 am Mr Bill Ward Architectural Design Limited (on behalf of the applicant) presented evidence and responded to questions from Commissioners Battersby and Neeson.
(Track No: 31) (Duration: 00:13:56)
- 10.14 am Mr Bryce Hall Director Traffic Planning Consultants Limited (on behalf of the applicant) presented evidence and responded to questions from Commissioner Cooper.
(Track no: 32) (Duration 00:23:00)

- 10.39 am Ms Angelique Lambermon Landscape Architect The Aesthetic Landscape Co (NZ) Limited (on behalf of the applicant) presented evidence and responded to questions from Commissioner Battersby.
(Track No: 34) (Duration: 00:20:13)
- 11.00 am Mr Jon Styles Director and Principal of JP Styles Limited (on behalf of the applicant) presented evidence and responded to questions from Commissioners Neeson, Cooper and Battersby.
(Track No: 35) (Duration: 00:14:27)

ADJOURNMENT

- 11.15 am The Chairman adjourned the Hearing for 15 minutes.
- 11.30 am The Chairman reconvened the Hearing.
- 11.31 am Ms Ann Leijnen (on behalf of the applicant) continued presenting evidence and responded to questions from Commissioners Battersby and Cooper.
(Track No: 36) (Duration: 00:30:00)
- The Reporting Planner, Ms Cath Heppelthwaite responded to a question from Commissioner Neeson in relation to the consent not being granted and the number of units that could as of right be erected on the site. Ms Heppelthwaite advised that between 25 to 40 units could be built.
(Track No: 36) (Duration: 00:30:00 to 00:30:30)
- 12.00 pm Evidence by the applicant concluded.
- 12.02 pm Mr Dean Bird (Building Consultant on behalf John Ramsay) and Mr John Ramsay (Submitter) in opposition to the application presented evidence and responded to questions from Commissioners Battersby, Cooper and Neeson.
(Track No: 37) (Duration: 00:24:54)
- 12.28 pm Mr Kevin and Mrs Linda Baker (Submitters) in opposition to the application presented evidence and responded to questions from Commissioners Neeson, Battersby and Cooper.
(Track No: 38) (Duration: 00:16:45)
- 12.44 pm Mr Pravin D'Lima (Submitter) in opposition to the application presented evidence and responded to questions from Commissioner Neeson.
(Track No: 38) Duration: 00:16:47 to 00:24:38)
- 12.52 pm Ms Paula Balfour (Submitter) in opposition to the application presented evidence and responded to questions from Commissioners Cooper and Battersby.
(Track No: 39) (Duration: 00:09:07)

- 1.03 pm Mr Jim MacDonald and Mr John Galilee (Submitters) in opposition to the application presented evidence and responded to questions from Commissioner Battersby.
(Track No: 40) (Duration: 00:20:11)
- Mr Bill Ward (Architectural Design Limited for the applicant) responded to a question from Commissioner Cooper regarding the planting along the eastern fence line and to whether the existing common fence was to be replaced by the planting. Mr Ward responded that the fence would remain and that the planting would be on the applicant's property.
- 1.22 pm Ms Sharon Osman (Submitter) in opposition to the application asked a question of the Commissioners regarding the rain gardens.
(Track No: 41) (Duration: 00:01:25)
- 1.24 pm Ms Paula Balfour (Submitter) in opposition to the application asked a question about traffic management of the site if the application was granted. Ms Balfour made mention to the construction currently being undertaken of the retirement home on the corner of Margin Avenue and Astley Avenue and the chaos experienced very day by commuters with the number of large trucks entering and exiting this site.
(Track No: 41) (Duration: 00:01:26 to 00:02:43)
- 1.27 pm Evidence by the submitters concluded.

ADJOURNMENT

- 1.29 pm The Chairman adjourned the Hearing for 30 minutes.
- 2.04 pm The Chairman reconvened the Hearing.
- 2.04 pm The Reporting Planner Ms Cath Heppelthwaite clarified several issues raised in the evidence presented by the submitters in relation to: fence heights, dust nuisance, the acoustic fence height along the eastern boundary and waste water mitigation and responded to questions from Commissioners Neeson and Battersby.
- Commissioner Cooper asked a question of submitter Janice Rodrigues who resides at No. 28 Arawa Street regarding the common fence that abuts her boundary.
(Track No: 43) (Duration: 00:11:02)
- 2.15 pm Ms Ann Leijnen Planning Consultant, Leijnen Consultants Limited (on behalf of the applicant) gave a right of reply and responded to questions from Commissioners Neeson, Cooper and Battersby.
(Track No: 44) (Duration: 00:09:53)
- 2.25 pm The Chairman closed the Hearing and advised that the Commissioners would retire and deliberate in private and that the decision would be made available within 15 working days.
(Track No: 45) (Duration: 00:01:10)

Note: The decision has now been signed off by the Chairman. If a copy of this decision is required please telephone the Committee Secretary on Ph: 836 8000, ext: 8820.