

**MINUTES OF THE HEARING BY COMMISSIONERS HELD AT WAITAKERE CENTRAL, 6
HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON THURSDAY,
28 AUGUST 2008, COMMENCING AT 9.34 AM**

PRESENT: Commissioners: Cr VS Neeson, JP (Chairman)
Cr LA Cooper, JP
Cr PA Hulse

IN ATTENDANCE: Group Manager: Planning and Community Service: P Brown
Team Leader: Resource Consents: R Dimmery
Senior Resource Planner: F Dhliwayo
Environmental Monitoring Officer: J Gray
Consultant - Principal Engineer: Planning: S Shumane
Ecowater Consultant: L Salangvit
Committee Secretary: S Simiona

**1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE
RESOURCE MANAGEMENT ACT 1991 BY N BUCHANAN TO SUBDIVIDE THREE
PROPERTIES INTO A TOTAL OF 18 RESIDENTIAL ALLOTMENTS (15 ADDITIONAL
RESIDENTIAL ALLOTMENTS AVERAGING BETWEEN 453M² AND 921M²), AND A
JOINTLY OWNED ACCESS LOT IN THE LIVING 2 ENVIRONMENT; WITH
ASSOCIATED NATURAL HAZARD, USE OF A SHARED DRIVEWAY, VEGETATION
ALTERATION AND EARTHWORKS LAND USE INFRINGEMENTS; AT 29, 31 AND 33
PARKER AVENUE, NEW LYNN**

- 9.35 am The Commissioner Chairman Cr Neeson opened the Hearing introduced the panel of Commissioners Cr Cooper and Cr Hulse, Council officers present and asked the Applicant to introduce the presenters for the Applicant. Submitters also intending to present evidence were also asked to introduced themselves.
(Track No: 22) (Track Duration: 00:05:39)
- 9.41 am Ms Vicki Toan (Counsel for the applicant) gave an opening address presented evidence and introduced Ms Sandra Buchanan the Applicant to the Commissioners.
(Track No: 23) (Duration: 00:16:38)
- 9.58 am Ms Sandra Buchanan Applicant read a statement to the Commissioners.
(Track No: 25) (Track Duration; 00:07:11)
- 10.05 am Mr Eric Hebner Traffic Engineer, Traffic Engineering and Management Limited (for the applicant) presented evidence and responded to questions from Commissioner Hulse
(Track No: 26) (Track Duration: 00:) (Track No: 27) (Track Duration: 00:08:21)
- 10.24 am Mr Chris Solleder Chartered Professional Engineer, Cato Bolam Consultants Limited (for the applicant) presented evidence and responded to questions from Commissioners Hulse, Neeson.
(Track No: 28) (Track Duration: 00:12:55).

10.37 am Ms Kylie Brayshaw Principal Planner, Cato Bolam Consultants Limited (for the applicant) presented evidence.
(Track No:29) (Track Duration: 00:29:18)

ADJOURNMENT

11.05 am The Chairman adjourned the Hearing until 11 .25 am.

11.28 am The Chairman reconvened the Hearing.

11.29 am Ms Kylie Brayshaw Principal Planner, Cato Bolam Consultants Limited (for the applicant) continued presenting evidence and responded to questions from Commissioners Cooper, Hulse and Neeson.

Ms Toan responded to a question from Commissioner Neeson regarding the maintenance of the existing driveway and who would be responsible for this maintenance.
(Track No: 30) (Track Duration: 00:26:46)

11.56 am Evidence by the Applicant Concluded

11.57 am The Commissioners accepted a adendum to the Agenda report that outlined the reason for a late submission by Mark and Yvette Duggan. The Commissioners stated that they accepted the receipt of the late submission from Mark and Yvette Duggan.
(Track No: 31)

11.58 am Mr Michael Randel (submitter in opposition to the application) presented evidence and responded to questions from Commissioners Neeson, Cooper.

Mr Randel read evidence on behalf of Mark and Yvette Duggan.
(Track No: 32) (Track Duration: 00:20:15)

12.19 pm Mr Richard Forbes on behalf of Ms Xuebin Din (submitter in opposition to the application) presented evidence and responded to questions from Commissioner Neeson.
(Track No: 33) (Track Duration: 00:07:51)

12.27 pm Mr Robert Demler Director, Demler Planning Services Limited on behalf of Ms Xuebin Din (submitter in opposition to the application) presented evidence.
(Track No: 34) (Track Duration: 00:27:43)

ADJOURNMENT

12.55 pm The Chairman adjourned the Hearing until 1.30 pm.

1.33 pm The Chairman reconvened the Hearing.

1.33 pm Mr Robert Demler Director, Demler Planning Services Limited on behalf of Ms Xuebin Din (submitter in opposition to the application) responded to questions from Commissioners Cooper and Hulse
(Track No: 35) (Track Duration: 00:04:30)

- 1.38 pm Mr Richard Forbes on behalf of Ms Xuebin Din (submitter in opposition to the application) continued presenting evidence and responded to questions from Commissioners
(Track No: 36) (Track Duration: 00:30:02)
- 2.09 pm Mr Michael Randel read evidence on behalf of Mr Zhang (submitter in opposition to the application).
(Track No: 36) (Track Duration: 00:01:15)
- 2.10 pm Council's Group Manager: Community Service and Planning responded to questions from Commissioners Hulse and Cooper regarding the number of lots that of right can use a right of way and the Code of Practice Standards and Council's Standards with regard to right of ways.
- Council's Principal Engineer: Planning Mr Sam Shumane responded to the questions put forward by Commissioners Hulse and Cooper regarding the number of lots that of right can use a right of way and the Code of Practice Standards and Council's Standards and the width of the right of way.
- The Reporting Planner, Ms Felicitas Dhliwayo asked a question of the applicant regarding the methodology to be used for strengthening and stabilising the stream bank.
(Track No: 37) (Track Duration: 00:11:47).
- 2.22 pm Presentation of evidence by the submitters concluded.
- 2.22 pm Commissioner Neeson asked the applicant to come for and respond to the question put forward by the Reporting Planner regarding methodology to be used for the stabilisation and strengthening of the stream bank.
(Track No: 38) (Track Duration: 00:03:30)
- 2.25 pm Ms Vicki Toan (Counsel for applicant) gave a right of reply.
(Track No: 39) (Track Duration: 00:05:00)
- 2.31 pm _____ Commissioner Neeson thanked everyone for their attendance and advised that the Commissioners would be reserving their decision, closed the Hearing and informed all parties that they would be notified of the decision within 15 working days.