

**MINUTES OF A HEARING BY COMMISSIONERS HELD IN THE COUNCIL CHAMBER AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON MONDAY, 30 NOVEMBER 2009, COMMENCING AT 9.33 AM**

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**PRESENT:** Commissioners: Cr VS Neeson, JP  
Cr DQ Battersby, QSM, JP  
Cr WW Flaunty, QSM, JP

**IN ATTENDANCE:** Group Manager - Planning and Community Services: P Brown  
Senior Resource Planner: L Cameron  
Resource Planner: G Griffin  
Subdivisions and Consents Engineer: G Hall  
Committee Secretary: M Petherick

**1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE  
RESOURCE MANAGEMENT ACT 1991 BY KANE HOLDINGS LTD TO ESTABLISH A  
NON-RESIDENTIAL ACTIVITY WHICH WILL OPERATE AS A FIREWOOD  
PROCESSING AND STORAGE FACILITY AT 164 STATE HIGHWAY 16, WHENUAPAI**

9.33 am Commissioner Neeson opened the Hearing welcomed the applicant and submitters. Commissioner Neeson outlined the nature of the application and the proceedings for the Hearing.

Commissioner Neeson asked the panel of Commissioners if there were any conflicts of interest. Commissioners Battersby and Flaunty advised that they had no conflicts of interest. Commissioner Neeson also advised that she had no conflicts of interest.

Commissioner Neeson introduced Council's Group Manager - Planning and Community Services: P Brown and invited him to introduce the Council officers present.

Commissioner Neeson invited the applicant to introduce the presenters that would be giving evidence on behalf of the applicant.  
(Track No: 86) (Track Duration: 00:05:17)

Presentation of evidence by the applicant commenced.

9.39 am Commissioner Neeson tabled a letter that had been received from the New Zealand Transport Agency.

Hamish Anderson, Senior Planner, ViaStrada (on behalf of applicant) presented evidence and responded to questions from Commissioners Neeson, Flaunty and Battersby.

10.06 am Hamish Anderson responded to concerns raised by the New Zealand Transport Authority in their letter tabled at this hearing.  
(Track No: 87) (Track Duration: 00:49:44)

10.56 am Leslie Comer, Owner and Managing Director Kane Holdings Limited (applicant) presented evidence and responded to questions from Commissioners Neeson and Flaunty.

Commissioner Battersby requested clarification from Council's Resource Planner: L Cameron on impermeable surfaces on the surrounding properties.  
(Track No: 88) (Track Duration: 00:39:07)

### **ADJOURNMENT**

11.05 am Commissioner Neeson adjourned the Hearing for 25 minutes.

11.30 am Commissioner Neeson reconvened the Hearing.

Presentation of evidence by the applicant continued.

11.31 am Paul Finlay, Senior Engineer (on behalf of the applicant) presented evidence and responded to questions from Commissioners Flaunty and Battersby.  
(Track No: 89) (Track Duration: 00:21:23)

Presentation of evidence by the applicant concluded.

11.52 am Commissioner Neeson checked if Council officers would like to clarify any points raised in the presentation of evidence by the applicant.  
(Track No: 90) (Track Duration: 00:17:31)

Presentation of evidence by the submitters commenced.

12.13 pm Carolyn Clark (submitter in support of the application) presented evidence.

12.17 am Ted Phillipps (submitter in support of the application) presented evidence.  
(Track No: 92) (Track Duration: 00:06:12)

12.21 pm John Tabak, resident (in opposition of the application) presented evidence.

12.27 pm David Wren, Planning and Resource Management Advisor (submitter in opposition to the application) presented evidence on behalf of N Barbour, J and C Tabak, K Tong, T Chen, K Barnett and C Brumby. David Wren responded to questions from Commissioner Neeson, Battersby and Flaunty.  
(Track No: 93) (Track Duration: 00:40:43)

### **ADJOURNMENT**

1.05 pm Commissioner Neeson adjourned the Hearing for 30 minutes.

1.35 pm Commissioner Neeson reconvened the Hearing.

- 1.35 pm Graham Parfitt, Principal of Graham Parfitt and Associates, Planning Consultants (submitter in opposition to the application) presented evidence on behalf of R Bridgford and J Garelja. Graham Parfitt responded to questions from Commissioners Neeson and Flaunty.  
(Track No: 94) (Track Duration: 00:15:04)
- 1.50 pm Noel Rugg, Chairman Herald Island Residents & Ratepayers Association (submitter in opposition to the application) presented evidence and responded to questions from Commissioner Flaunty.  
(Track No: 95) (Track Duration: 00:17:28)
- 2.08 pm Commissioner Neeson tabled a letter received from the Auckland Regional Council. The Commissioners, applicant, submitters and Council officers were given time to read the submission received from Auckland Regional Council.
- Presentation of evidence by the submitters concluded.
- 2.13 pm Council's Resource Planner: L Cameron, clarified issues that had been raised in Hamish Anderson's (on behalf of the applicant) evidence.  
(Track No: 97) (Track Duration: 00:2:59)
- Commissioner Neeson invited the applicant to present the right of reply.
- 2.17 pm Hamish Anderson, Planner ViaStrada (on behalf of the applicant) gave the right of reply and responded to questions from Commissioners Battersby and Flaunty.
- 2.40 pm Alexander Witten-Hannah, Counsel (on behalf of the applicant) continued giving the right of reply and responded to questions from Commissioner Battersby.  
(Track No: 98) (Track Duration: 00:32:52)
- 2.49 pm Commissioner Neeson thanked everyone for their attendance closed the Hearing and advised that the Commissioners would deliberate the decision in private and that the decision would be available within 15 working days.

**Note:** Commissioner Neeson on behalf of the panel of Commissioners signed off the decision on Friday, 11 December 2009. If a copy of the decision is required please ☎ the Committee Secretary on 836 8000 ext: 8104.