

**MINUTES OF A HEARING BY COMMISSIONERS HELD IN THE COUNCIL CHAMBER AT
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON FRIDAY, 3 SEPTEMBER 2010, COMMENCING AT 9.30 AM**

PRESENT: Commissioners: Cr VS Neeson, JP
Cr DQ Battersby, JP, QSM
Cr J Lawley

IN ATTENDANCE: Group Manager: Planning & Community Services: P Brown
Group Manager: Consents: M Campbell
Resource Planner: S Brooke
G Griffin
M Sharp
Subdivision & Consents Engineer: D Thomas
Environmental Monitoring Officer: P Tyler
Senior Transport Engineer - Regulatory: J Carroll
Committee Secretary: S Simiona
M Petherick

**ALSO IN
ATTENDANCE:** Geotechnics Consultant: R Allison

- 1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY WAITAKERE CITY COUNCIL TO UNDERTAKE AN INTEGRATED LAND USE CONSENT AND SUBDIVISION CONSENT ASSOCIATED WITH THE CREATION OF 27 RESIDENTIAL ALLOTMENTS, A ROAD AND A DRAINAGE RESERVE WITHIN THE BIRDWOOD URBAN CONCEPT PLAN AREA AT 39 CHAMBERLAIN ROAD, MASSEY.**

**LUC 2008-807 / SUB 2008-808
Ward: Massey**

9.30 am Commissioner Neeson opened the Hearing welcomed the applicant and submitters present and introduced Commissioners Battersby and Lawley. 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 Lawley 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: Consents and invited him to introduce the Council officers present.

Commissioner Neeson invited the representative for the applicant Mr David Macpherson to introduce the presenters that would be giving evidence on behalf of the applicant.

- 9.38 am Mr David Macpherson, on behalf of the applicant, presented evidence and responded to questions from Commissioners Lawley and Battersby.
(Track No: 1) (Track Duration: 00:57:00).
- 10.36 am Ms Keren Bennett, Senior Freshwater Ecologist at Bioresearches Group Limited, on behalf of the applicant, presented evidence and responded to questions from Commissioners Neeson, Lawley and Battersby.
(Track No: 2) (Track Duration: 00:25:05)

ADJOURNMENT

- 10.57 am Commissioner Neeson adjourned the hearing until 11.20 am.
- 11.20 am Commissioner Neeson reconvened the hearing.
- 11.23 am Karl Burgisser, Arborist, on behalf of the applicant, presented evidence and responded to questions from Commissioners Neeson and Lawley.
(Track No: 4) (Track Duration: 00:06:39)
- 11.29 am Michael Knocker, Senior Engineering Geologist, on behalf of the applicant, presented evidence and responded to questions from Commissioners Battersby, Neeson and Lawley.
(Track No: 5) (Track Duration: 00:16:36)
- 11.48 am Mike Nixon, Senior Transportation Engineer, on behalf of the applicant, presented evidence. and responded to questions from Commissioners
(Track No: 6) (Track Duration: 00:22:33)
- 12.11 pm Valerie Merritt, submitter, in opposition to the application, presented evidence and responded to questions from Commissioners Lawley, Neeson and Battersby.
(Track No. 7) (Track Duration: 00:07:47)
- 12.19 pm Brendon Harkness, submitter, in opposition to the application, spoke to his submission and responded to questions from Commissioner Lawley.
(Track No: 8) (Track Duration: 00:26:12)
- 12.34 pm Commissioner Neeson checked with Council officers if there were any points raised in the presentation of evidence that they would like clarified.
- 12.36 pm Mr Macpherson responded to issues raised by Group Manager: Consents: M Campbell.
- 12.38 pm Stuart Brooke clarified points/issues raised in the presentation of evidence by the applicant and responded to questions from Commissioner Neeson

ADJOURNMENT

- 12.45 pm Commissioner Neeson adjourned the hearing until 1.20 pm.
- 1.20 pm Commissioner Neeson reconvened the hearing.

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- 1.20 pm S Brooke clarified for the Commissioners concerns raised around earthworks, placement of the residential allotments and the Living 4 and Living 2 zones.
(Track No: 9) (Track Duration: 00:05:21)
- 1.25 pm Commissioner Neeson invited the applicant to present the right of reply.
- 1.25 pm Mr David Macpherson on behalf of the applicant presented the right of the reply addressing points raised in the presentation of evidence by submitters. Mr David Macpherson responded to questions from Commissioners Neeson and Lawley.
- 1.38 pm Resource Planner: Stuart Brooke requested further clarification around stream works.
- 1.39 pm Mr David Macpherson continued with the right of reply and clarified issues raised by Resource Planner: Stuart Brooke and responded to questions from Commissioner Lawley.
- 1.42 pm Commissioner Lawley requested further clarification around traffic issues from Council officers.
- 1.47 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.
(Track No: 10) (Track Duration: 00:22:04)