

**MINUTES OF A MEETING OF THE PLANNING AND REGULATORY COMMITTEE HELD
IN THE COUNCIL CHAMBER, WAITAKERE CENTRAL, 6 HENDERSON VALLEY
ROAD, HENDERSON, WAITAKERE, ON TUESDAY, 9 DECEMBER 2008,
COMMENCING AT 9.32 AM**

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IN THE COUNCIL CHAMBER, WAITAKERE CENTRAL, 6 HENDERSON VALLEY
ROAD, HENDERSON, WAITAKERE, ON TUESDAY, 9 DECEMBER 2008,
COMMENCING AT 9.30 AM**

PRESENT: Councillors VS Neeson, JP (Chairman)
Cr Flaunty, QSM, JP (Deputy Chairman) (from 9.39 am)
DQ Battersby, JP
MFP Chan
LA Cooper, JP
AK Corban, OBE, JP
PG Mitchell

Deputy Mayor PA Hulse (ex-officio) (from 9.51 am)

IN ATTENDANCE: Group Manager: Planning & Community Services
Deputy Director: City Services
Legal Services Manager
Manager: Field Services
Senior Planner - Policy Implementation
Contract Solicitor
Parks Ecology and Policy Co-ordinator
Committee Secretary: D Tukutama

PART A - OPENING OF MEETING

1 APOLOGIES

2105/2008

MOVED by Cr Battersby, seconded Cr Mitchell:

That apologies from Crs Jolley and Lawley for absence and Cr Flaunty for lateness, be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFLICTS OF INTEREST

Elected Members were reminded via the agenda, of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have.

4 CONFIRMATION OF MINUTES

2106/2008

MOVED by Cr Battersby, seconded Cr Corban:

The Planning and Regulatory Committee resolved to:

Receive the minutes of the meetings of the Planning and Regulatory Committee held on Tuesday, 11 November 2008, Monday, 17 November 2008 (Extraordinary) and Monday, 24 November 2008 (Hearing) as circulated, and that they be taken as read and now be confirmed.

CARRIED

PRECEDENCE OF BUSINESS

2107/2008

MOVED by Cr Neeson, seconded Cr Battersby:

That Part F - Public Excluded Matter, Item 11: Landslip At 19 Church Street be accorded precedence at this time.

CARRIED

PART F - PUBLIC EXCLUDED MATTER

11 LANDSLIP AT 19 CHURCH STREET, SWANSON

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

2108/2008

MOVED by Cr Neeson, seconded Cr Battersby:

The Planning and Regulatory Committee resolved:

That the public be excluded from the following part of the proceedings of this meeting, namely, Landslip At 19 Church Street, Swanson.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Landslip At 19 Church Street, Swanson.	The withholding of information is necessary in order to: <ul style="list-style-type: none">• Maintain legal professional privilege.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7 (2)(g) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- *The report contains information which if released could affect the Council's ability to maintain legal professional privilege.*

CARRIED

9.34 am The public were excluded.

9.39 am Cr Flaunty entered the meeting.

Minute Number 2109/2008 is recorded in the Confidential Section of these Minutes.

9.45 am The public were re-admitted.

RESTATEMENT

The Planning and Regulatory Committee resolved while the public were excluded:

(MOVED by Corban, seconded Cooper) (resolution 2109/2008, No. 2) "**Agree** that the *Landslip at 19 Church Street Swanson report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist.*"

The Order of Business resumed at Part B: Regulatory / Enforcement - Item 5: Legal Update (As At 30 November 2008).

PART B - REGULATORY/ENFORCEMENT

5 LEGAL UPDATE (AS AT 30 NOVEMBER 2008)

9.51 am Cr Hulse entered the meeting.

2110/2008

MOVED by Cr Mitchell, seconded Cr Chan:

The Planning and Regulatory Committee resolved to:

Receive the Legal Update (As At 30 November 2008) report.

CARRIED

PART C - DISTRICT PLAN / STRUCTURE PLANS

6 PARTIAL REMOVAL OF DESIGNATION ME18 - HENDERSON PRIMARY SCHOOL

2111/2008

MOVED by Cr Corban, seconded Cr Battersby:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Partial Removal Of Designation ME18 - Henderson Primary School report.
2. **Agree** that the Waitakere City Operative District Plan be amended to partially uplift designation ME18 - Henderson Primary School.

CARRIED

7 NORTHSIDE DRIVE ROADING DESIGNATION

2112/2008

MOVED by Cr Hulse, seconded Cr Battersby:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Northside Drive Roading Designation report.
2. **Agree** that the Chief Executive Officer be authorised to lodge a Notice of Requirement for the land purchase and construction of Northside Drive.

CARRIED

PART D - ENVIRONMENTAL MANAGEMENT

8 KAURI COLLAR ROT IN WAITAKERE UPDATE

2113/2008

MOVED by Cr Corban, seconded Cr Chan:

The Planning and Regulatory Committee resolved to:

Receive the Kauri Collar Rot in Waitakere Update report.

CARRIED

PART E - REPORT OF THE SUBCOMMITTEES

9 KAY ROAD BALEFILL SITE MANAGEMENT COMMITTEE

2114/2008

MOVED by Cr Mitchell, seconded Cr Battersby:

The Planning and Regulatory Committee resolved to:

Receive the meeting report of the Kay Road Balefill Site Management Committee held on Tuesday, 4 November 2008.

CARRIED

10 SWIMMING POOL EXEMPTION SUBCOMMITTEE

2115/2008

MOVED by Cr Flaunty, seconded Cr Battersby:

The Planning and Regulatory Committee resolved to:

Receive the meeting report of the Swimming Pool Exemption Subcommittee held on Thursday, 30 October 2008.

CARRIED

10.43 am

The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT A MEETING OF THE PLANNING
AND REGULATORY COMMITTEE HELD ON

DATE:.....

CHAIRMAN:.....