

**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, 13 OCTOBER 2009,
COMMENCING AT 9.34 AM**

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COMMENCING AT 9.34 AM**

PRESENT: Councillors WW Flaunty, QSM, JP (Deputy Chairman) (Presiding)
DQ Battersby, QSM, JP
BA Brady, JP
MFP Chan, JP (from 9.40 am)
LA Cooper, JP
AK Corban, OBE, JP
MM Jolley (until 10.23 am)
JP Lawley, JP
PG Mitchell

Deputy Mayor PA Hulse (until 11.01 am)

IN ATTENDANCE: Group Manager: Planning and Community Services
Group Manager: Consent Services
Manager: Sustainable Management
Team Leader: Legal - Regulatory
Contract Solicitor: D Collins
Committee Secretary: D Tukutama

PART A - OPENING OF MEETING

1 APOLOGIES

1666/2009

MOVED by Cr Battersby, seconded Cr Brady:

That apologies from Crs Clews, Clow, Dallow and Neeson for absence, Cr Chan for lateness and Cr Jolley for early departure 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

1667/2009

MOVED by Cr Brady, seconded Cr Cooper:

The Planning and Regulatory Committee resolved to:

Receive the minutes of the meeting of the Planning and Regulatory Committee held on Tuesday, 8 September 2009, as circulated, and that they be taken as read and now be confirmed.

CARRIED

PART B - REGULATORY/ENFORCEMENT

5 LEGAL UPDATE (AS AT 30 SEPTEMBER 2009)

9.40 am Cr Chan entered the meeting.

1668/2009

MOVED by Cr Lawley, seconded Cr Mitchell:

The Planning and Regulatory Committee resolved to:

Receive the Legal Update (as at 30 September 2009) report.

CARRIED

PART C - DISTRICT PLAN / STRUCTURE PLANS

6 DISTRICT PLAN APPEALS UPDATE

1669/2009

MOVED by Cr Jolley , seconded Cr Mitchell :

The Planning and Regulatory Committee resolved to:

Receive the District Plan Appeals Update.

CARRIED

PART D - ENVIRONMENTAL MANAGEMENT

7 UPDATE ON THE RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING) AMENDMENT ACT 2009

10.23 am Cr Jolley left the meeting.

11.01 am Cr Hulse left the meeting.

1670/2009

MOVED by Cr Mitchell, seconded Cr Cooper:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Update on the Resource Management (Simplifying and Streamlining) Amendment Act 2009 report.
2. **Approve**, under the Resource Management (Simplifying and Streamlining) Amendment Act 2009 the definition of 'tree trimming' to be utilised as follows:

"The pruning (trimming) of native and exotic vegetation greater than 6 metres in height and greater than 600 mm in girth (measured at 1.4 metres above the ground), if done in accordance with accepted modern arboricultural practice and no more than 20% of the foliage of the plant is removed in any one calendar year, is a Permitted Activity."

CARRIED

PART E - PUBLIC EXCLUDED MATTERS

8 REGIONAL PLANNING APPEALS

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1671/2009

MOVED by Cr Corban, seconded Cr Chan:

That the public be excluded from the following part of the proceedings of this meeting, namely, Regional Planning Appeals.

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. |
|---|--|---|
| Regional Planning Appeals | The withholding of information is necessary in order to: <ul style="list-style-type: none">• Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). | That the public conduct of the whole 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)(i) of that Act which would be prejudiced by the holding of the whole of the proceedings of the meeting in public as follows:

- *The report contain information which if released could affect the Council's negotiations.*

CARRIED

11.10 am The public were excluded.

Minute Numbers 1672/2009 are recorded in the confidential section of these minutes.

11.29 am The public were re-admitted.

RESTATEMENT

The Committee resolved while the public were excluded (Moved by Cr Mitchell, seconded Cr Lawley) (*Resolution 1672/2009, no. 4 "That the Regional Planning Appeals report and associated resolutions remain confidential until such time as the reasons for confidentiality no longer exist."*)

11.30 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:.....