

**MINUTES OF THE HEARING BY COMMISSIONERS HELD IN THE COUNCIL CHAMBER AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON THURSDAY, 17 DECEMBER 2009, AND RECONVENED ON  
TUESDAY, 22 DECEMBER, COMMENCING AT 9.32 AM**

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**PRESENT:** Commissioners: Cr VS Neeson, JP (Chairman)  
Cr DQ Battersby, QSM, JP  
Cr LA Cooper, JP

**IN ATTENDANCE:** Group Manager - Consents: M Campbell  
Manager - Resource Consents: B Allerby  
Senior Resource Planner: S Glen  
Key Account Manager: Building & Resource Consents - R Hobson  
Team Leader - Resource Consents  
Principal Engineer - Transport Assets: S Shumane  
Project Manager - Urban Design: P Joyce  
Senior Strategic Advisor: Urban Design & Dev - M McKelvie  
Committee Secretary: M Petherick

**1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE  
ESOURCE MANAGEMENT ACT 1991 BY MAGSONS HARDWARE LTD TO  
CONSTRUCT AND OPERATE A MITRE 10 MEGA RETAIL OUTLET AT 297 - 309  
LINCOLN ROAD AND 156 CENTRAL PARK DRIVE, HENDERSON**

9.32 am Commissioner Neeson reconvened the Hearing.

Presentation of evidence by the submitters commenced.

9.34 am Gerald Lanning, Counsel on behalf of New Zealand Transport Agency (NZTA), (submitter in opposition to the application) presented evidence and responded to questions from Commissioner Cooper.  
(Track No: 107) (Track Duration: 00:25:58)

9.59 am David Turner, Leader - Transport Planning of Global Engineering Consultancy on behalf of NTZA (submitter in opposition to the application), presented evidence and responded to questions from Commissioners Neeson, Battersby and Cooper.  
(Track No: 108) (Track Duration: 01:04:21)

**ADJOURNMENT**

11.03 am Commissioner Neeson adjourned the hearing for 20 minutes.

11.23 am Commissioner Neeson reconvened the hearing.

Presentation of evidence by the submitters continued.

- 11.24 am David Turner, Leader - Transport Planning of Global Engineering Consultancy on behalf of NTZA (submitter in opposition to the application) continued to present evidence and responded to questions from Commissioners Neeson, Battersby and Cooper.
- Commissioner Neeson requested clarification from Principal Engineer - Transport Assets: S Shumane on the right and left turning policies onto main roads.  
(Track No: 109) (Track Duration: 00:10:00)
- 11.36 am Christine Coste Senior Planner of Boffa Miskell Limited on behalf of NTZA (submitter in opposition to the application) presented evidence.
- 12.15 pm Jane Small, Counsel on behalf of Laidlaw College Incorporated (submitter in opposition to the application) presented evidence and responded to questions from Commissioners Battersby and Cooper.  
(Track No: 110) (Track Duration: 00:50:43)
- 12.27 pm Campbell Barbour, New Zealand Retail Property Group (submitter in opposition to the application) presented evidence.
- 1.06 pm Commissioner Neeson tabled two letters received, one from Radio New Zealand and one from Glaister Ennor Barristers, Solicitors and Notary Public on behalf of Canam Corporate Holdings Limited.

Presentation of evidence by the submitters concluded.

### **ADJOURNMENT**

- 1.15 pm Commissioner Neeson adjourned the Hearing for 45 minutes.
- 2.00 pm Commissioner Neeson reconvened the Hearing.
- Commissioner Neeson checked if Council officers would like to clarify any points raised in the applicant's evidence. Senior Resource Planner: S Glen requested clarification on the car parking plan of Stage 1 and the percentage of retail and general merchandise as stated by Derek Foy, Retailing and Market Economics (on behalf of the applicant) in his evidence.
- Commissioner Neeson invited the applicant to present the right of reply.
- 2.09 pm Stephen Brownhill, Counsel (on behalf of the applicant), gave the right of reply and responded to a question from Commissioner Cooper.  
(Track No: 112) (Track Duration: 00:33:45)
- 2.35 pm David Phillips, Traffic and Parking Management (on behalf of the applicant) continued with the right of reply addressing traffic concerns raised by submitters and responded to questions from Commissioners Cooper and Battersby.  
(Track No: 113) (Track Duration: 00:17:38)

2.53 pm Derek Foy, Retailing and Market Economics (on behalf of the applicant) continued with the right of reply addressing concerns raised by submitters. (Track No: 114) (Track Duration: 00:01:47)

2.55 pm Commissioner Neeson thanked everyone for their attendance and advised that the Commissioners would deliberate the decision in private and that the decision would be available within 15 working days. Commissioner Neeson closed the Hearing.

**Note:** Commissioner Neeson on behalf of the panel of Commissioners signed off the decision on Friday, 22 January 2010. If a copy of the decision is required please ☎ the Committee Secretary on 836 8000 ext: 8104.