

**MINUTES OF A HEARING BY COMMISSIONER HELD IN THE COUNCIL CHAMBER AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON THURSDAY, 17 JUNE 2010, COMMENCING AT 9.30 AM**

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**PRESENT:** Commissioner Harry Bhana

**IN ATTENDANCE:** Group Manager: Planning & Community Services  
Team Leader - Resource Consents - S McKenzie  
Senior Resource Planner - S Baker  
Acoustic Engineer, Consultant - M Riley  
Committee Secretary: M Petherick

**1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE  
RESOURCE MANAGEMENT ACT 1991 BY WAITAKERE PROPERTIES LIMITED TO  
DEVELOP A CHILDCARE CENTRE AT 3176-3180 GREAT NORTH ROAD, NEW  
LYNN.**

9.30 am Commissioner Harry Bhana opened the Hearing welcomed everyone present and outlined the Hearing procedures. Commissioner Harry Bhana explained his role as an Independent Commissioner for the Hearing.

Commissioner Harry Bhana invited Council's Group Manager: Planning & Community Services to introduced Council officers present.

Commissioner Harry Bhana advised of housekeeping matters and requested that presenters of evidence give an approximate time of how long their presentation of evidence will take.

Commissioner Harry Bhana confirmed that he had completed a site visit.  
(Track No: 127) (Track Duration: 00:05:34).

9.38 am Kylie Brayshaw, Planning Consultant (on behalf of the applicant) presented evidence and responded to questions from Commissioner Harry Bhana.  
(Track No: 128) (Track Duration: 00:16:33)

9.55 am Paul Culley, Engineering Technician (on behalf of the applicant) presented evidence and responded to questions from Commissioner Harry Bhana.  
(Track No: 129) (Track Duration: 00:05:05)

10.01 am Anatole Sergejew, Transport Planner (on behalf of the applicant) presented evidence and responded to questions from Commissioner Harry Bhana.  
(Track No: 130) (Track Duration: 00:27:12)

10.28 am John Cawley, Acoustic Specialist (on behalf of the applicant) presented evidence and responded to questions from Commissioner Harry Bhana.  
(Track No: 131) (Track Duration: 00:30:59)

**ADJOURNMENT**

Commissioner Harry Bhana adjourned the Hearing for 25 minutes

11.00 am The hearing adjourned.

11.23 am The meeting reconvened.

11.23 am Kylie Brayshaw, Principal Planner (on behalf of the applicant) presented further evidence and responded to questions from Commissioner Harry Bhana.  
(Track No: 132) (Track Duration: 00:30:29)

Presentation of evidence by the applicant concluded.

Presentation of evidence by submitters commenced.

11.55 am Robert Maagdenberg, resident (submitter in opposition of the application) presented evidence and responded to questions from Commissioner Harry Bhana.  
(Track No: 133) (Track Duration: 00:42:30)

12.38 am Commissioner Harry Bhana checked if Council officers would like to clarify or have clarified any points raised in the presentation of evidence by the applicant and the submitter.

12.39 pm Senior Resource Planner - S Baker responded to issues/questions raised in the presentation of evidence by the applicant and the submitter. Council's Senior Planner also raised points that required further clarification.  
(Track No: 134) (Track Duration: 00:06:31)

12.44 pm Kyle Brayshaw, Principal Planner (on behalf of the applicant) gave the right of reply and addressed points/issues raised by the submitter and Council's Senior Resource Planner.  
(Track No: 135) (Track Duration: 00:11:00)

### **ADJOURNMENT**

12.56 pm Commissioner Harry Bhana adjourned the Hearing to enable suitable conditions to be crafted and discussed between the reporting officer and the applicant and then for the submitter, Mr Maadgenberg to submit written comments on these proposed conditions. In order to ensure that these processes are completed in a timely fashion, the reporting officer and applicant shall complete their consultation and shall submit a draft set of conditions (including the detail of any which are in dispute) to the Hearings Coordinator by 4 pm, Friday, 2 July 2010. A copy of the draft conditions shall be made available to Mr Maadgenberg by 4 pm, Monday, 5 July 2010. Mr Maadgenburg is required to submit any comments in writing and shall ensure that those are lodged with the Hearings Coordinator by 4 pm, Monday, 12 July 2010. Once Commissioner Harry Bhana has received proposed conditions (including those that are in dispute) from the Hearings Coordinator he will then decide whether or not to reconvene the hearing or to deliberate the decision in private which would be available within 15 working days.