

**MINUTES OF A MEETING OF THE PLANNING AND REGULATORY COMMITTEE
HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN,
WAITAKERE CITY, ON TUESDAY, 14 FEBRUARY 2006
COMMENCING AT 9.30 AM**

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PRESENT: Councillors VS Neeson, JP (Chairperson)
RP Dallow, QPM, JP (Deputy Chairperson) (from 9.38 am)
DQ Battersby, JP (until 10.40 am)
MFP Chan, JP
RI Clow (until 11.04 am)
LA Cooper
AK Corban, OBE, JP
DE Gilmour
PA Hulse
JP Lawley
CA Stone

ALSO PRESENT: Group Manager: Planning and Community Services
Legal Services Manager
Manager: Field Services
Manager: Public Affairs
Team Manager: Compliance
Team Leader: Legal Services
Team Leader: Enforcement Support
Planner: Policy Implementation: M Campbell
M Wright
Contract Solicitor: S Masoud-Ansari
Committee Secretary: A Chan

PART A - OPENING OF MEETING

1 APOLOGIES

137/2006

MOVED by Cr Cooper, seconded Cr Chan:

That apologies from Crs Flaunty and Clews for absence and Crs Battersby and Clow for early departure be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

138/2006

MOVED by Cr Lawley, seconded Cr Chan:

That the minutes of the Meeting of the Planning and Regulatory Committee held on Tuesday, 13 December 2005, as circulated, be taken as read and now be confirmed.

CARRIED

PART B - REGULATORY / ENFORCEMENT

4 LEGAL UPDATE (AS AT 26 JANUARY 2006)

9.38 am Cr Dallow entered the meeting.

139/2006

MOVED by Cr Dallow, seconded Cr Chan:

That the Legal Update (As At 26 January 2006) be received.

CARRIED

DECLARATION OF INTEREST

9.53 am Cr Neeson declared an interest, vacated the Chair and left the room taking no part in the debate or decision on Item 5: Hearing Report for Proposed Plan Change 19 to Re-identify the Human Environment Identification of Two Sites.

9.54 am Cr Dallow assumed the Chair.

5 HEARING REPORT FOR PROPOSED PLAN CHANGE 19 TO RE-IDENTIFY THE HUMAN ENVIRONMENT IDENTIFICATION OF TWO SITES

140/2006

MOVED by Cr Cooper, seconded Cr Battersby:

1. That the Hearing Report for Proposed Plan Change 19 to Re-identify the Human Environment Identification of Two Sites report be received.
2. That pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, the Planning and Regulatory Committee approves Plan Change 19, as set out in pages A10 to A28 attached to the agenda. In accordance with the requirements of the First Schedule, the decision shall be publicly notified and shall become operative at a date to be identified in that public notice.

CARRIED

10.03 am Cr Neeson resumed the Chair.

6 PUBLIC PLACES REVIEW OF MOBILE OR TRAVELLING SHOPS AND HAWKERS BYLAW 1990

10.40 am Cr Battersby left the meeting.

10.50 am Cr Hulse left the meeting.

10.56 am Cr Dallow left the meeting.

141/2006

MOVED by Cr Stone, seconded Cr Clow:

1. That the Public Places Review of Mobile or Travelling Shops and Hawkers Bylaw 1990 report be received.
2. That the parts of the draft Public Places Bylaw 2006 attached to this report, together with the draft Outdoor Dining Policy be brought back to the Planning and Regulatory Committee together with a draft Street Trading Policy for further consideration in due course.

CARRIED

PART D - PUBLIC EXCLUDED MATTER

7 HEARING REPORT FOR PROPOSED PLAN CHANGE TO AMEND BOUNDARY ADJUSTMENT PROVISIONS

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

142/2006

MOVED by Cr Cooper, seconded Cr Lawley:

That the public be excluded from the following part of the proceedings of this meeting, namely, Hearing Report for Proposed Plan Change to Amend Boundary Adjustment Provisions.

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.
<ul style="list-style-type: none"> • Hearing Report for Proposed Plan Change to Amend Boundary Adjustment Provisions 	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • Maintain legal professional privilege. • 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 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) and 7(2)(i) 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 certain legal proceedings and the Council's negotiation.*

CARRIED

11.04 am Cr Clow left the meeting.

11.05 am Cr Hulse returned to the meeting.

11.05 am The public were excluded.

Minute Numbers 143/2006 is recorded in the Confidential Section of these Minutes.

11.16 am Cr Dallow returned to the meeting

11.17 am The public were readmitted.

RESTATEMENT

The Committee resolved while the public were excluded (Moved by Cr Gilmour, seconded Cr Hulse) (resolution 143/2006, no. 3) *"That the Hearing Report for Proposed Plan Change to Amend Boundary Adjustment Provisions report remain confidential until further notice."*

11.18 am The Chairperson 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:.....

CHAIRPERSON:.....