

**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 FEBRUARY 2010,
COMMENCING AT 9.30 AM**

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PRESENT: Councillors VS Neeson, JP (Chairman)
WW Flaunty, QSM, JP (Deputy Chairman)
DQ Battersby, QSM, JP
BA Brady, JP
MFP Chan, JP
JM Clews, QSO, JP
RI Clow
LA Cooper, JP (from 9.33 am)
AK Corban, OBE, JP
RP Dallow, QPM, JP (from 9.57 am)
PG Mitchell

Deputy Mayor PA Hulse (ex-officio) (from 9.40 am)

IN ATTENDANCE: Group Manager: Planning and Community Services
Group Manager: Consents
Manager: Legal Services - General Counsel
Manager: Animal Welfare
Manager: Field Services
Manager: Sustainable Management
Principal Planner
Contract Solicitor: D Collins
Senior Planner: Policy Implementation
Parks Ecology and Policy Coordinator
Strategic Advisor: Sustainable Management
Executive Assistant to Deputy Mayor
Committee Secretary: D Tukutama

PART A - OPENING OF MEETING

1 APOLOGIES

99/2010

MOVED by Cr Flaunty, seconded Cr Clews:

That apologies from Crs Jolley and Lawley for absence 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

100/2010

MOVED by Cr Battersby, seconded Cr Corban:

The Planning and Regulatory Committee resolved to:

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

CARRIED

PART B - REGULATORY/ENFORCEMENT

5 LEGAL UPDATE (AS AT 31 JANUARY 2010)

9.33 am Cr Cooper entered the meeting.

9.40 am Cr Hulse entered the meeting.

101/2010

MOVED by Cr Neeson, seconded Cr Brady:

The Planning and Regulatory Committee resolved to:

Receive the Legal Update (as at 31 January 2010) report.

CARRIED

6 DOG CONTROL ACT 1996, SECTION 10A, ANNUAL REPORT FOR YEAR ENDED 30 JUNE 2009

9.57 am Cr Dallow entered the meeting.

102/2010

MOVED by Cr Battersby, seconded Cr Clow:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Dog Control Act 1996, Section 10A, Annual Report for the Year Ended 30 June 2009.
2. **Agree** that the Annual Report for the year ended the 30 June 2009, in relation to the Dog Control Act 1996, section 10A, be approved and sent to the Department of Internal Affairs within one month following the meeting of the Planning and Regulatory Committee held on Tuesday, 9 February 2010.
3. **Agree** that a public notice be issued advising that the Dog Control Act 1996, section 10A - Annual Report for the Year Ended 30 June 2009 has been approved and is available for inspection at Animal Welfare, Libraries and the public counter at Waitakere Central in accordance with section 10A(3) of the Dog Control Act 1996.

CARRIED

7 TREE CONSERVATION COVENANTS

103/2010

MOVED by Cr Clews, seconded Cr Flaunty:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Tree Conservation Covenants report.
2. **Agree** that Council officers proceed with the preparation and promotion of Tree Conservation Covenants.

CARRIED

PART C - DISTRICT PLAN / STRUCTURE PLANS

8 DISTRICT PLAN APPEALS UPDATE TABLE

104/2010

MOVED by Cr Neeson, seconded Cr Hulse:

The Planning and Regulatory Committee resolved to:

Receive the District Plan Appeals Update Table.

CARRIED

9 PROPOSED PLAN CHANGE 28: HERITAGE

DEFERRED

105/2010

MOVED by Cr Neeson, seconded Cr Battersby:

That Item 9: Proposed Plan Change 28: Heritage be deferred until 9 March 2010, to ensure the submitters receive the statutory notice of hearing within the required timeframes.

CARRIED

10 WAITAKERE DISTRICT PLAN DESIGNATION: CLARK STREET LOW LEVEL BRIDGE, NEW LYNN

106/2010

MOVED by Cr Battersby, seconded Cr Clews:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Waitakere District Plan Designation: Clark Street Low Level Bridge, New Lynn report.
2. **Agree** that pursuant to section 172 of the Resource Management Act 1991, the Council, in its role as the requiring authority, accept the Commissioner's recommendation that the designation of the land for the Clark Street Low Level Bridge, New Lynn be confirmed with the land identified as being:

- Todd Triangle : Pt Allot 256 PSH OF Waikomiti Gazette 1965 p625
 - Lot 15 DP 42203 NA137B/298
 - Lot 16 DP 42203 NA 137B/298
 - Lot 17 DP 42203 NA137B/298
 - Lot 3 DP 58386 NA13D/869
 - Lot 2 DP 161309 NA978A/66
 - Lot 1 DP 161309NA97A/65
 - Lot 1 DP 209280NA137B/298
 - Lot 2 DP 209280 NA137B/299
 - Lot 1 DP 199076NA127D/557
 - New Zealand Rail Corporation North Auckland Line
 - Lot 1 DP164120 NZ98D831
 - Lot 1 DP115005
 - Great North Road, Legal Road between street numbers 3075-3119, and 3094-8108
 - Legal Road of all of Todd Avenue
 - Legal road of Totara Avenue between street nos 1-29 inclusive.
3. **Note** that the implementation of the works related to the Waitakere District Plan Designation: Clark Street Low Level Bridge will not commence until such time as the related resource consents and permission/s from ONTRACK have been obtained.

CARRIED

PART D - ENVIRONMENTAL MANAGEMENT

11 UPDATE ON GENETIC ENGINEERING POLL UNDERTAKEN BY NORTHLAND AND AUCKLAND COUNCILS

107/2010

MOVED by Cr Cooper, seconded Cr Mitchell:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Update On Genetic Engineering Poll Undertaken by Northland and Auckland Councils report.
2. **Agree** that the recommendations from the 17 November 2009 meeting of the Inter-Council Working Party on Genetically Modified Organisms Risk Evaluation and Management Options be adopted by Council.
3. **Agree** that the Council will collaborate with other councils to approach the Government to convey the local concerns over genetically modified organisms.
4. **Direct** the Council's elected representative on the Inter-Council Working Party on Genetically Modified Organisms Risk Evaluation and Management Options to convey the thanks of the Planning and Regulatory Committee to the Working Party for its progress on this matter.

CARRIED

PART E - REPORT OF THE SUBCOMMITTEE

12 SWIMMING POOL EXEMPTION SUBCOMMITTEE

108/2010

MOVED by Cr Flaunty, seconded Cr Mitchell:

The Planning and Regulatory Committee resolved to:

Receive the meeting report of the Swimming Pool Exemption Subcommittee held on Thursday, 10 December 2009.

CARRIED

10.42 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:.....