

**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 APRIL 2010,  
COMMENCING AT 9.30 AM**

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**PRESENT:** Councillors VS Neeson, JP (Chairman)  
WW Flaunty, QSM, JP  
DQ Battersby, QSM, JP  
BA Brady, JP  
MFP Chan, JP  
JM Clews, QSO, JP (until 10.05 am)  
RI Clow (until 10.45 am)  
LA Cooper, JP (from 9.37 am until 10.04 am) (from  
10.43 am)  
AK Corban, OBE, JP  
JP Lawley, JP  
PG Mitchell

Deputy Mayor PA Hulse (ex-officio) (until 10.35 am)

**IN ATTENDANCE:** Group Manager: Planning and Community Services  
Manager: Field Services  
Solicitor/Team Leader: Legal - Regulatory  
Contract Solicitor: D Collins  
Principal Advisor: Heritage  
Committee Secretary: D Tukutama

**ALSO IN  
ATTENDANCE:** Tony Barnes, Barnes and Associates

**PART A - OPENING OF MEETING**

**1 APOLOGIES**

456/2010

MOVED by Cr Clews, seconded Cr Mitchell:

That apologies from Crs Dallow and Jolley for absence, and Cr Clews for early departure, be received and sustained.

**CARRIED**

**2 URGENT BUSINESS**

There was no Urgent Business.

**3 CONFLICTS OF INTEREST**

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**

457/2010

MOVED by Cr Flaunty, 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, 9 March 2010, as circulated, and that they be taken as read and now be confirmed.

**CARRIED**

**PART B - REGULATORY/ENFORCEMENT**

**5 LEGAL UPDATE (AS AT 31 MARCH 2010)**

9.37 am Cr Cooper entered the meeting.

458/2010

MOVED by Cr Clow, seconded Cr Neeson:

The Planning and Regulatory Committee resolved to:

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

**CARRIED**

459/2010

MOVED by Cr Mitchell, seconded Cr Neeson:

The Planning and Regulatory Committee resolved to:

**Agree** that the Chief Executive Officer be requested to actively pursue the issue of costs awarded by the court to the Council in respect of the Piha Café decision.

**CARRIED**

10.04 am Cr Cooper left the meeting.

10.05 am Cr Clews left the meeting.

**PART C - DISTRICT PLAN/STRUCTURE PLANS**

**6 ALTERATION TO CLARK STREET EXTENSION LOW LEVEL BRIDGE DESIGNATION IN NEW LYNN TOWN CENTRE**

460/2010

MOVED by Cr Clews, seconded Cr Clow:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Alteration to Clark Street Extension Low Level Bridge Designation in New Lynn Town Centre report.
2. **Agree** that the Roding and Parks designation WCCAOS1 within the District Plan, be amended in accordance with the plans attached at page A of these minutes, which show the proposed alterations to WCCAOS1.

**CARRIED**

**PART D - ENVIRONMENTAL MANAGEMENT**

**7 WAITAKERE SUBMISSION ON THE CONSULTATION PAPER ON AMENDMENTS TO THE ADVANCED METERING INFRASTRUCTURE GUIDELINES**

461/2010

MOVED by Cr Lawley, seconded Cr Brady:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Waitakere Submission on the Consultation Paper on Amendments to the Advanced Metering Infrastructure Guidelines report.
2. **Agree** that Waitakere City Council make a submission to the Electricity Commission on the Consultation Paper on Amendments to the Advanced Metering Infrastructure Guidelines.
3. **Agree** to delegate to the Chairman of the Planning and Regulatory Committee approval of the final version of Waitakere City Council's submission to the Electricity Commission on the Consultation Paper on Amendments to the Advanced Metering Infrastructure Guidelines.

**CARRIED**

**8 SUBMISSION ON PROPOSED NATIONAL ENVIRONMENTAL STANDARD ON SOIL CONTAMINATION**

462/2010

MOVED by Cr Mitchell, seconded Cr Flaunty:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Submission on Proposed National Environmental Standard on Soil Contamination report.
2. **Agree** that Waitakere City Council make a submission to the Ministry for the Environment on the Proposed National Environmental Standards for Assessing and Managing Contaminants in Soil to the Ministry for the Environment.
3. **Agree** to delegate to the Chairman of the Planning and Regulatory Committee approval of the final version of Waitakere City Council's submission to the Ministry for the Environment on the Proposed National Environmental Standards for Assessing and Managing Contaminants in Soil.

**CARRIED**

**PART E – REPORT OF THE SUBCOMMITTEE**

**9 SWIMMING POOL EXEMPTION SUBCOMMITTEE**

10.35 am Cr Hulse left the meeting.

10.43 am Cr Cooper returned to the meeting.

463/2010

MOVED by Cr Flaunty, seconded Cr Clow:

The Planning and Regulatory Committee resolved to:

1. **Agree** that the fee payable for a special exemption under the Fencing of Swimming Pools Act 1987 be waived upon a request from the pool owner and only in exceptional circumstances, at the conclusion of the meeting.
2. **Receive** the meeting report of the Swimming Pool Exemption Subcommittee held on Thursday, 25 February 2010.

**CARRIED**

10.45 am Cr Clow left the meeting.

10.46 am The hearing on Proposed Plan Change 28: Heritage reconvened.

## **PART F – RECONVENED HEARINGS**

### **10 PROPOSED PLAN CHANGE 28: HERITAGE**

464/2010

MOVED by Cr Brady, seconded Cr Lawley:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Proposed Plan Change 28: Heritage report.
2. **Agree** that having considered Proposed Plan Change 28: Heritage against the relevant statutory criteria, and having regard to the submissions received, that subject to any contrary or additional evidence submitted at the hearing, Proposed Plan Change 28: Heritage be approved as attached at pages A7 to A10.
3. **Agree** that the exteriors of the following buildings for Proposed Plan Change 28: Heritage be listed in the Heritage Appendix of the Waitakere District Plan:
  - The Donner house (Category 1) and north-east studio (Category 2) at 50 Kohu Road, Titirangi;
  - The Swanson Railway Station building (Category 2) (excluding the platform, and outdoor seating); and
  - The dwelling (Category 2) at 170 Hepburn Road, Glendene.
4. **Decline** to list the interiors of buildings or surroundings for Proposed Plan Change 28: Heritage in the Waitakere District Plan.

A7-A10

**CARRIED**

10.58 am      The Hearing adjourned and the Committee meeting reconvened.

10.59 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:**.....