

**Notice of Meeting:**

I hereby give notice that an ordinary meeting of the Proposed District Plan Subcommittee will be held on:

**Date:** Tuesday 23 February 2016  
**Time:** 8:00am  
**Meeting Room:** Kauri Room, Level 1, Municipal Building, Garden Place,  
**Venue:** Hamilton

Richard Briggs  
Chief Executive

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## Proposed District Plan Subcommittee OPEN AGENDA

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**Membership**

Chairperson Her Worship the Mayor J Hardaker  
Members Cr G Chesterman  
Cr A O'Leary  
Cr R Pascoe  
Cr L Tooman

**Quorum:** A majority of members (including vacancies)

**Meeting Frequency:** When required

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Jude Pani  
Democracy Manager

**16 February 2016**  
Telephone: 07 8386825  
jude.pani@hcc.govt.nz  
www.hamilton.govt.nz

**Terms of Reference:**

- To provide direction to Staff and the Chief Executive on the resolution of any appeal if the terms are outside the agreed parameters set out in Attachments 1 and 2 of the Staff Report (dated 30 October 2014 - Item C3 of the Council Public Excluded Minutes dated 30 October 2014).

**Power to act:**

- The Subcommittee has the delegated authority to resolve all appeals if the terms are outside the agreed parameters of Attachment 1 and 2 of the Staff Report.

**Power to recommend:**

- The Subcommittee may make recommendations to Council.

<b>ITEM</b>	<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>1</b>	<b>Apologies</b>	<b>4</b>
<b>2</b>	<b>Confirmation of Agenda</b>	<b>4</b>
<b>3</b>	<b>Declarations of Interest</b>	<b>4</b>
<b>4</b>	<b>Proposed District Plan Subcommittee Open Minutes of 19 November and 14 December 2015</b>	<b>5</b>
<b>5</b>	<b>Resolution to Exclude the Public</b>	<b>11</b>

**1 Apologies**

**2 Confirmation of Agenda**

The Committee to confirm the agenda.

**3 Declaration of Interest**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

**Committee:** Proposed District Plan  
Subcommittee

**Date:** 23 February 2016

**Report Name:** Proposed District Plan  
Subcommittee Open Minutes  
of 19 November and 14  
December 2015

**Author:** Wendy Verschaeren

<b>Status</b>	<i>Open</i>
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## Recommendation

That the Subcommittee confirm and adopt as a true and correct record the Open Minutes of the Proposed District Plan Subcommittee Meeting held on 19 November 2015 and on 14 December 2015.

### 1. Attachments

2. Attachment 1 - Proposed District Plan Subcommittee Open Minutes 19 November 2015
3. Attachment 2 - Proposed District Plan Subcommittee Open Minutes 14 December 2015

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## Proposed District Plan Subcommittee

### OPEN MINUTES

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Minutes of a meeting of the Proposed District Plan Subcommittee held in Kauri Room, Municipal Building, Garden Place, Hamilton on Thursday 19 November 2015 at 8.30am.

#### PRESENT

Chairperson	Her Worship the Mayor J Hardaker
Members	Cr G Chesterman Cr A O'Leary Cr R Pascoe Cr L Tooman

In attendance:	Luke O'Dwyer, City Planning Manager, Lachlan Muldowney, City Solicitor, Tompkins Wake Debra Stan-Barton, Acting General Manager City Environment
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Democracy Manager:	Mrs Jude Pani
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#### 1. Apologies

**Resolved:** (Her Worship the Mayor Hardaker/Cr O'Leary)

That apologies from Councillor Pascoe for lateness be accepted.

#### 2. Confirmation of Agenda

**Resolved:** (Her Worship the Mayor Hardaker/Cr O'Leary)

The Committee to confirm the agenda

#### 3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

#### 4. Proposed District Plan Subcommittee - Open Minutes - 30 September 2015

**Resolved:** (Her Worship the Mayor Hardaker/Cr O'Leary)

That the Subcommittee confirm and adopt as a true and correct record the Open Minutes of the Proposed District Plan Subcommittee Meeting held on 30 September 2015.

#### 5. Resolution to Exclude the Public

**Resolved:** (Her Worship the Mayor Hardaker/Cr Tooman)

##### Section 48, Local Government Official Information and Meetings Act 1987

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each 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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Proposed District Plan Subcommittee - Public Excluded Minutes - 30 September 2015	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Proposed District Plan Appeals Update	)	
C3. Darryl and Suzanne Smith Specific Appeal Point		
C4. Chartwell Investments Limited Specific Appeal Point		
C5. Body Corporate 550337 and A&A King Family Trust		

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 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to maintain legal professional privilege	Section 7 (2) (g)
Item C2.	on the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter	Section 7 (2) (a) (i) Section 7 (2) (g)
Item C3.	to maintain legal professional privilege	Section 7 (2) (g)

Item C4.	to maintain legal professional privilege	Section 7 (2) (g)
Item C5.	to maintain legal professional privilege	Section 7 (2) (g)

Councillor Pascoe joined the meeting at 10.37am during the Public Excluded Session.

**The Meeting moved into Public Excluded Session from 8.35am until 10.25 am**

**Next Meeting** – 14 December 2015, 8.00am – 10.00am.

**The Meeting was declared closed at 10.25 am**

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## Proposed District Plan Subcommittee

### OPEN MINUTES

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Minutes of a meeting of the Proposed District Plan Subcommittee held in Kauri Room, Municipal Building, Garden Place, Hamilton on Monday 14 December 2015 at 8.00am.

#### PRESENT

Chairperson	Her Worship the Mayor J Hardaker
Members	Cr G Chesterman Cr R Pascoe Cr L Tooman
In Attendance	Luke O'Dwyer, City Planning Manager Lachlan Muldowney, City Solicitor, Tompkins Wake Debra Stan-Barton, Acting General Manager City Environment
Democratic Process Coordinator	Mrs Wendy Verschaeren

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**1. Apologies** (Her Worship the Mayor Hardaker/Cr Tooman)

That apologies from Councillor O'Leary be received and accepted.

**2. Confirmation of Agenda**

**Resolved:** (Her Worship the Mayor Hardaker/Cr Tooman)

That the Subcommittee confirm the Agenda.

**3. Declarations of Interest**

No members of the Subcommittee declared a Conflict of Interest.

**4. Resolution to Exclude the Public**

**Resolved:** (Her Worship the Mayor Hardaker/Cr Chesterman)

**Section 48, Local Government Official Information and Meetings Act 1987**

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each 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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Proposed District Plan Appeals Update	) Good reason to withhold information exists under	Section 48(1)(a)
C2. A&A King Family Trust	) Section 7 Local Government Official Information and	
C3. Fonterra Co-operative Specific Appeal Point - Hazardous Facilities	) Meetings Act 1987	
C4. Body Corporate 550337 Specific Appeal Point	)	

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 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	on the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter	Section 7 (2) (a) (i) Section 7 (2) (g)
Item C2.	to maintain legal professional privilege	Section 7 (2) (g)
Item C3.	to maintain legal professional privilege	Section 7 (2) (g)
Item C4.	to maintain legal professional privilege	Section 7 (2) (g)

**The Meeting moved into a Public Excluded session (8.05am to 9.15am).**

**The Meeting was declared closed at 9.15am.**

## Resolution to Exclude the Public

### Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each 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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Proposed District Plan Appeals Update	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Proposed District Plan Subcommittee Excluded Minutes of 19 November and 14 December 2015	)	

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 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	on the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter to maintain legal professional privilege	Section 7 (2) (a) (i) Section 7 (2) (g)
Item C2.	to maintain legal professional privilege	Section 7 (2) (g)