
Hearings Subcommittee

OPEN MINUTES

Minutes of a meeting of the Hearings Subcommittee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Wednesday 23 September 2015 at 1:00pm.

PRESENT

Chairperson	Cr M Forsyth
Members	Cr K Green Cr R Pascoe Cr P Yeung
In Attendance	Debra Stan-Barton – Planning Guidance Manager Robyn Denton – Network Operations Team Leader Jonathon Brooke – Engineering Officer Nigel Ward – Communications Advisor Jason Wright – Senior Planner Alana Wells – representing the submission from Poaka Avenue residents Ron Wells - representing the submission from Ron and Ann Wells David Ivory - Progressive Enterprises Limited Jane Douglas - Zomac Consulting Alistair Black – Grey Matter Limited
Committee Advisor	Ian Loiterton – Committee Advisor

1. Apologies

There were no apologies.

2. Confirmation of Agenda

The Chair noted that the Meeting of the Hearings Subcommittee was reconvened to consider Item 5, namely the proposed No Stopping Restrictions for Poaka Avenue.

This followed the adjournment of that item at a Meeting of the Subcommittee on 2 July 2015, as per the following resolution:

‘That the matter in relation to the proposed No Stopping Restrictions for Poaka Avenue is adjourned pending receipt of further information and that staff report back to the Subcommittee within three months.’

Resolved: (Cr Forsyth/Pascoe)

That the Subcommittee confirm the agenda.

3. Declarations of Interest

The Chair noted that she had declared a Conflict of Interest at the Hearings Subcommittee Meeting held on 2 July 2015 in respect of a business relationship with Ian Lowry.

The Chair stated that the business relationship was still current, and that while she felt she was able to perform her role without any bias, she would stand aside from Item 5 onwards in the interest of managing perceptions.

4. Hearings Subcommittee Meeting - Open Minutes - 28 April 2015 and 2 July 2015

Resolved: (Cr Pascoe/Green)

That the Subcommittee confirm and adopt as a true and correct record:

- a) The Open Minutes of the Hearings Subcommittee Meeting held on 28 April 2015; and
- b) The Open Minutes of the Hearings Subcommittee Meeting held on 2 July 2015.

5. Parking Restriction Changes

The Chair restated her Conflict of Interest and stood aside from the Subcommittee, due to a business relationship with Ian Lowry.

Resolved: (Cr Green/ Yeung)

That Councillor Pascoe act as the Chair of the Hearings Subcommittee for the remainder of the meeting.

The Acting Chair noted that this item was adjourned at a Meeting of the Subcommittee on 2 July 2015 and spoke to the following points:

- **Submissions:** Public submissions were received and heard at the Meeting on 2 July 2015.
- **Late Submission:** The Subcommittee acknowledged a letter from Poaka Avenue residents (dated 19 July 2015) and a letter from Ron and Ann Wells (dated 20 July 2015), both of which were received when hand delivered to Council on 22 September 2015.
- **Conditions of accepting late submission:** It was stated that the Subcommittee would accept the late submission in the interests of providing natural justice to residents, on the following conditions:
 - Residents would need to nominate a spokesperson, as the letter was signed by all residents as part of a group submission.
 - Ron or Ann Wells would be able to be heard as the authors of the second letter.
 - Speakers would be given three minutes, followed by a three minute question and answer session.
 - Speakers should restrict their address to the issue of Traffic considerations only – which was the Terms of Reference of the Subcommittee.
 - Other interested parties would be given a right of reply to the late submission. This included the Applicant and Council staff.
 - Given the lateness of the submission, it was planned that the forum for other parties to respond would be at a meeting of the Subcommittee at 1.00pm, Tuesday 10 November 2015.
 - As a result, it was expected that the Item would be adjourned after the question and answer session.

The Acting Chair then invited Mrs. Alana Wells, spokesperson for the submission from Poaka Avenue residents to speak.

Mrs. Wells thanked the Subcommittee for the opportunity of being heard and talked to the following points:

- **Residents' Stance:** Residents were not objecting to the Countdown expansion, only that they felt there were other alternatives to a vehicle crossover on Poaka Avenue.
- **Residents' Concern:** Of greatest concern was that there would not be enough space for trucks to pass when cars were parked on both sides of the road beyond the proposed no parking zone, as per point 6 of the residents' letter.
- **Whatawhata Road:** Turning into Whatawhata Road would create problems especially during peak times, as buses already used two lanes when turning into the road.
- **Safety:** Young and elderly people who lived on Poaka Avenue would be at risk due to the proposed new vehicle crossover. Mrs. Wells stated that there were other options that should be considered, as noted in point 10 of the residents' letter dated 19 July 2015.

Mrs. Wells responded to questions from Subcommittee Members on the following:

- **Extension of proposed no stopping lines**

It was stated that parking would become an issue if the no stopping lines were extended from the proposed vehicle crossover to Whatawhata Road, but that the addition of parking bays along that section of Poaka Avenue could overcome the problem.

- **Alternative options**

- That a vehicle crossing be installed on Whatawhata Road;
- Poaka Avenue be widened, or have parking bays installed; or
- That trucks exit by a left hand turn into Jasmine Avenue.

- **Issues associated with the alternative options**

- A vehicle crossing off Whatawhata Road would require the current bus shelter to be moved.
- Cost impact on existing services, such as telephone cabling, could be prohibitive to widening of Poaka Avenue or the creation of parking bays.
- Access via Jasmine Avenue required two tight left hand turns.

The Acting Chair then invited Mr. Ron Wells to speak.

Mr. Wells stated that he was speaking as a concerned grandfather, and spoke to the following points:

- **Main objective:** Mr. Wells stated that his main aim was to ensure children in the street were not put at risk due to increased heavy traffic.
- **Property value:** Property value would be negatively affected due to the increased traffic.
- **Services:** That there would be major costs as a result of development on Poaka Avenue, including the impact on such services as power and network cabling.

There were no questions put to Mr. Wells.

Resolved: (Cr Green/ Yeung)

That:

- a) the item be adjourned to a Meeting of the Hearings Subcommittee at 1.00pm Tuesday 10 November 2015; and
- b) Councillor Pascoe continue to act as the Chair of the Subcommittee for the 10 November 2015 meeting.

Minute Note: the nominated date to reconvene the Meeting on the 10 November 2015 was subsequently changed to the 27 October 2015.

Councillor Forsyth withdrew from the Subcommittee during the above item and did not vote on the motion, but remained as an observer for the duration of the Meeting.

6. Resolution to Exclude the Public

Resolved: (Cr Yeung/Green)

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. Hearings Subcommittee Meeting - Public Excluded Minutes - 2 July 2015) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987))	Section 48(1)(a)

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)

The Meeting went into Public Excluded session from 1.32pm until 1.38pm.

The Meeting was declared closed at 1.38pm.