

Exemptions and Objections Committee Agenda

Date: Tuesday, 1 August, 2017
Time: 9:30 am
Location: Council Chamber
Forum North, Rust Avenue
Whangarei
Attendees: Cr Greg Innes (Chairperson)
Her Worship the Mayor Sheryl Mai
Cr Shelley Deeming
Cr Sue Glen

For any queries regarding this meeting please contact
the Whangarei District Council on (09) 430-4200.

1. Declarations of Interest

2. Apologies

3. Decision Reports

3.1 Objection to Resource Consents Costs

3

4. Closure of Meeting

Exemptions and Objections Committee – Terms of Reference

Parent Committee: **Planning and Development Committee**

Membership

Chairperson: Councillor Greg Innes

Members: Her Worship the Mayor Sheryl Mai
Councillors Shelley Deeming, Sue Glen

Meetings: As required.
The relevant legislative requirements shall be taken into consideration when setting meeting dates.

Quorum: **2**

Purpose

To hear and determine objections, appeals and applications in respect of the regulatory functions and responsibilities of Council.

Delegations

- Hear and decide s357 objections under the Resource Management Act where staff recommend decline.
- Determine and grant of Territorial Authority consents under S100 of the Gambling Act 2003 (as it relates to Class 4 Gambling Venues) and s65C of the Racing Act 2003 (as it relates to Board Venues).
- Determine applications for exemptions under the Fencing of Swimming Pools Act 1987.
- Consider objections relating to the classification of any dog as a dangerous dog under the Dog Control Act 1996.
- Power to consider an objection to classification as a menacing dog under s33A and s33C of the Dog Control Act 1996.
- Power to consider and determine an objection to any notice issued requiring abatement of a barking dog nuisance under s55 of the Dog Control Act 1996.
- Hear and determine appeals in respect of an invoice under Council's Development Contribution Policy (no ability to waiver).
- Hear and determine objections in respect to s120 of the Reserves Act 1977.
- Hear and determine statutory appeals or objections in respect to any matter where no specific delegation applies.

Objection to Costs

Reporting officer: Lisa Doran (RMA Planning Specialist)

Date of meeting: 1 August 2017

Time	Hearing	Name
9.30	Objection to Costs	Marguerite Hugo

Hearing Procedure

Objection to costs under Section 357B of the Resource Management Act 1991

- Informal as possible – no cross examination. Only Committee members can ask questions
- Reporting Officer – brief outline of the objection. Their report is taken as read
- Questions of clarification – staff report
- Objector presents their case
- Question of clarification of objector
- Any final questions of clarification
- Adjourn hearing.

That following the hearing of the matters before the committee, the public be excluded from the meeting pursuant to Section 48 (1) (d) of the Local Government Official Information and Meetings Act to enable the committee to deliberate in private on the decisions made.

Written decision within 15 working days.

Report to Exemptions and Objections Committee – Objection to Costs

Introduction

- 1.1 An objection pursuant to section 357B of the Resource Management Act 1991 has been received from Marguerite Hugo in relation to the costs associated with the processing of a restricted discretionary land use application. The matters of discretion were limited to amenity and traffic safety.
- 1.2 The subject site is situated at 2-12 Bank Street, legally described as Lot 2 DP 48716. The application sought consent to erect and operate an 8.75m² billboard, sitting 8.3m above the street and standing 2.5m high. The billboard is illuminated displaying static images for a 15 second duration with a 0.5 second dissolve between images operating between the hours of 0600 and 2200 each day.
- 1.3 The subject site is located above 2-12 Bank Street, on the corner of Bank and Vine Streets.
- 1.4 The application was accepted 12 February 2016 (previously rejected as incomplete on 5 February 2016), the application was approved on a non-notified basis following the receipt of a traffic report that peer reviewed the applicant's traffic report. Consent was granted to LU160020 under delegated authority on 10 October 2016.
- 1.5 The total cost of processing the application was \$4275.57, the balance owed at the time of invoice being \$2775.57. The invoice was sent to M&S Hugo with a cover letter dated 25 November 2016 that included advice that any objection to costs must be made in writing and lodged with Council within 15 working days of receipt of the letter. The invoice (see Attachment) included the cost of a peer review by Wes Edwards Consulting Limited of \$1,372.75 (excl GST).
- 1.6 The objection to costs was received via an email from Marguerite Hugo on 24 January 2017 and included a number of grievances regarding the processing of the consent (refer Attachment). These included citing a billboard application at 4 Reyburn Street that she claimed was processed quickly for political reasons. With respect to costs the letter states *"The Council (roading department) requested a traffic assessment, traffic safety report, lighting reports, engineering report, notifications, resulting in our application costing \$22,000.00"*. I believe Ms Hugo may be referring to her total expenses when citing \$22,000.00, not just those charges billed by council. The letter covers a statement about synchronisation, being invoiced for a review by traffic engineer Wes Edwards when their traffic reports gave a positive assessment. The letter also states *"We were told from the beginning that council doesn't want to approve our application."*
- 1.7 Efforts were made to address the matters even though the objection was out of time. Following a conversation with Marguerite Hugo on 7 March 2017, the invoice was reviewed for any errors and a letter sent 24 March 2017 (refer Attachment).
- 1.8 In June 2017 I was contacted by Council's Finance Department and advised that the bill remained outstanding with Ms Hugo saying she was waiting for an objection to be resolved. I contacted Ms Hugo and it was agreed with Ms Hugo that her objection would be referred to the Committee for a final decision. To allow this a Section 37A extension to timeframes is required as the objection was lodged out of time. It is considered no other party is affected by the extension and this can be allowed to permit consideration of the objection.
- 1.8 It is noted that in a recent conversation with Marguerite Hugo she advised that her outstanding issue is the use of Wes Edwards and paying his invoice, and that she has since paid the other charges. Council received payment of \$1402.82 on 10 July 2017 from the balance owed of \$2775.57.

Background

The lodged application included '*Appendix A Transport Engineer Comments*'. The comments noted that the intersection was busy, the presence of a digital billboard is more distracting than a static billboard and stated that the content of the display would have to be closely monitored and the recommendation was a list of matters that needed to be confirmed. The applicant's planning report was silent in terms of commenting on adverse effects in the public notification assessment.

- 2.2 The application was provided to Council's roading department and comments were received 26 February 2016. The assessment cited the Opus engineer's assessment provided with the application that also noted advertising signs should not be located 100m of an intersection and are distracting. The assessment disagreed with the report which stated the sign will not be visible by motorists until they are within a short distance of the intersection, the intersection has a high proportion of accidents caused by driver distraction, and digital advertising signs with changing images will further distract.
- 2.3 On 26 February 2016 a section 92 letter was sent to Mark Farrey, the applicant's agent, outlining the Council's Roding Department concerns and that a recommendation of notification of the application was being considered. The letter stated the options appeared to be to provide an additional traffic safety report addressing the concerns of the Roding Department and providing a further detailed assessment of traffic effects or request notification, but that at some point the information regarding traffic safety was required.
- 2.4 Meetings occurred in March 2016 with the applicant's agent and council staff, with various changes considered to the proposal to address traffic safety. However, no agreement was reached. A report entitled "Traffic Safety Evaluation" prepared by Dean Scanlen, Engineering Outcomes dated 7 June 2016 was submitted to Council 15 June 2016. This report was sent for comment to Council's roading department, however, the feedback was that while the report covered traffic matters the traffic safety aspect was still not adequately addressed. The applicant meanwhile engaged TDG to provide another assessment. The TDG report was provided to Council in August 2016. Council's Roding Department reviewed the information and again did not find the traffic safety aspects acceptable.
- 2.5 Seeking to progress the application Murray McDonald, Principal Planner, contacted Wes Edwards Consulting Ltd to do a peer review and determine if the position by the Roding Department was based on sound traffic safety reasons or a desire to have no digital billboards at intersections. Wes Edwards Consulting Ltd found further information was required regarding illumination to address the effects on traffic safety. The applicant then obtained a lighting assessment by Russ Kern Consultants dated 26 September 2016. The peer review report by Wes Edwards was then completed.

Statutory Considerations

Section 36 of the Act relating to administrative charges authorises Council to fix charges payable by applicants seeking resource consents for the carrying out of its functions in relation to the receiving, processing and granting of resource consents or other approvals. Section 36(4)(a) states that the sole purpose shall be to recover the reasonable costs incurred in respect of the activity. A person should only be required to pay a charge to the extent that the charges relate to benefits obtained by the person as opposed to being distinct from the community as a whole.

- 3.2 Section 357B of the Act "Right of objection in relation to imposition of additional charges or recovery of costs" provides a right of objection to additional charges imposed under Section 36 of the Act. An applicant only has the ability to object to the additional charges, and not to any initial deposit charges already paid.

- 3.3 The procedural requirements for making and hearing such objections are set out in Section 357C of the Act. These include requiring an objection to be lodged within 15 working days of the decision being notified, or such further time as may be allowed by Council.

A notice of objection must specify the reasons for the objection.

- 3.4 In terms of section 357D of the Act and the current objection, Council may dismiss the objection, uphold the objection in whole or part, or remit the whole or any part of the additional charge.

Assessment of Objection Issues - Processing Fee for LU1600020

The objection raises the issues that the applicant provided numerous reports including two traffic reports. The objection letter states in section 5 *“Both times the report came back with a positive result. The council then send these reports to a third engineer (Wes Edwards) and we got send the invoice? We were told from the beginning that council doesn’t want to approve our application”*.

- 4.2 In my opinion the traffic engineering comments provided by Opus in the application did not ‘come back with a positive result’ but rather listed matters to be addressed. The Dean Scanlen report did not address traffic safety specifically, nor did the TDG report.
- 4.3 It is correct that Council’s roading department continued to oppose the application. In my opinion, the TDG report had to be reviewed by a suitably qualified professional to confirm that the effects were no more than minor, contrary to the opinion of the roading department’s view, to allow for the application to proceed on a non-notified basis. Wes Edwards Consulting Ltd undertook this review, and requested and received information from the applicant regarding the brightness of the light intensity and prepared a report supporting the proposal.
- 4.4 The Wes Edwards Consulting invoice came to \$1,372.75. It is considered that the charge is fair and reasonable for the work undertaken including site visit, assessment and report. This work was required to allow the consent to be granted on a non-notified basis.

Conclusion

- 5.1 The cost to process the application was \$4,275.57, \$1,372.75 remains outstanding, being the amount withheld for the peer review and report prepared by Wes Edwards Consulting Ltd. The proposal for a digital billboard at the controlled intersection at Bank and Water Street had the potential to have adverse effects on traffic safety. The initial assessment provided in the application was inadequate and the applicant was required to prepare another traffic report, again this report was found to be inadequate and a further traffic report was prepared. Council’s roading department continued to strongly oppose the digital billboard at the controlled intersection. In this instance a peer review was required by a suitably qualified professional. The peer review was undertaken by Wes Edwards Consulting Ltd who spent 4.25 hours on the application and invoiced \$1372.55 (GST excl).
- 5.2 The invoice and billing report for the application can be found at Attachments A & B. This outlines in detail the time spent processing the application.
- 5.3 Having reviewed the objection and associated background material it is concluded that the processing costs, including the peer review by Wes Edwards Consulting Ltd, satisfies the criteria of section 36(4) of the Act and thus represents the actual and reasonable costs incurred in the processing of the application.

Recommendation

1. That pursuant to section 37A of the Resource Management Act 1991 the timeframes for accepting at objection to costs is extended beyond the 15 working days to allow the consideration of the objection.
2. That pursuant to section 357D of the Resource Management Act 1991, that the objection be dismissed and the total costs invoiced for the land use consent to erect and operate a digital billboard (LU1600020) are payable. The total outstanding amount to be paid is therefore \$1372.75 GST inclusive.

Attachments

- A Billing Report
- A1 Covering letter
- B Wes Edwards Consulting Invoice
- C Objection to costs, M Hugo email 24 January 2017
- D Letter from WDC dated 24 March 2017

Payer Name: Marguerite Hugo
223 Hayward Road
RD 8
Whangarei 0178

Resource Consent: LU1600020 Install digital billboard

Application & Activity Charges

<u>Date</u>	<u>Details</u>	<u>Quantity</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
15/02/2016	Land Use or Subdivision - non-notified				1,304.35
Net Total:					1,304.35

Accumulated Costs

<u>Date</u>	<u>Details</u>		<u>Quantity</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
12/02/2016	Kelly Ryan	Assess Application (S88)	2.00	Unit(6m)	14.78	29.57
15/02/2016	Nina Pivac	Preparation - maps; load; ack letter; invoice; prop ch	4.00	Unit(6m)	7.83	31.30
15/02/2016	Nina Pivac	Preparation - file; mfe; trim; int dist; time	7.00	Unit(6m)	7.83	54.78
16/02/2016	Kelly Durham P	Read Application - review application	5.00	Unit(6m)	12.87	64.35
19/02/2016	Kelly Durham P	Discussions - discuss app with T/L	2.00	Unit(6m)	12.87	25.74
22/02/2016	Alister Hartstone NC	Discussions - Sign assessment eng	3.00	Unit(6m)	0.00	0.00
26/02/2016	Kelly Durham P	Further Information Required - review roading comments, draft s92	7.00	Unit(6m)	12.87	90.09
15/03/2016	Kelly Durham P	Meetings - meet agent to discuss app	5.00	Unit(6m)	12.87	64.35
23/03/2016	Kelly Durham P	Email - phone call/email agent	2.00	Unit(6m)	12.87	25.74
13/05/2016	Ueli Sasagi NC	Initial Assessment - Handover brief from Kelly	3.00	Unit(6m)	0.00	0.00
23/06/2016	Ueli Sasagi	Discussions - Nick Marshall s92	4.00	Unit(6m)	14.78	59.13
23/06/2016	Ueli Sasagi	Email - Applicant update on progress	6.00	Unit(6m)	14.78	88.70
29/06/2016	Ueli Sasagi	Meetings - Applicant progress	10.00	Unit(6m)	14.78	147.83
31/08/2016	Other Professional Fees	Wes Edwards Inv 202672	0.00	EACH	1,372.75	1,372.75
5/09/2016	Sonja Weston	Preparation - set up po RC01926	1.00	Unit(6m)	8.00	8.00
14/09/2016	Ueli Sasagi NC	Email - Update to Mark	4.00	Unit(6m)	0.00	0.00
15/09/2016	Ueli Sasagi NC	Email - Applicant, agent, Kelly - way forward	12.00	Unit(6m)	0.00	0.00
15/09/2016	Ueli Sasagi	Report - Wrote report	12.00	Unit(6m)	15.04	180.52
3/10/2016	Ueli Sasagi	Phone Call - Russ - clarification on report	5.00	Unit(6m)	15.04	75.22
3/10/2016	Ueli Sasagi	Report - Tidied report	12.00	Unit(6m)	15.04	180.52
3/10/2016	Ueli Sasagi	Email - Wes for comments	4.00	Unit(6m)	15.04	60.17
4/10/2016	Ueli Sasagi	Report - Wrote report	24.00	Unit(6m)	15.04	361.04
5/10/2016	Ueli Sasagi	Report - Wrote report	24.00	Unit(6m)	15.04	361.04
6/10/2016	Ueli Sasagi	Report - Finalised report	12.00	Unit(6m)	15.04	180.52
19/10/2016	Kelly Ryan	Email	2.00	Unit(6m)	15.04	30.09
19/10/2016	Kelly Ryan	Discussions	2.00	Unit(6m)	15.04	30.09
19/10/2016	Kelly Ryan	Notify Sign	2.00	Unit(6m)	15.04	30.09
19/10/2016	Kelly Ryan	Check & Sign	2.00	Unit(6m)	15.04	30.09
19/10/2016	Kelly Ryan	Update RCM	1.00	Unit(6m)	15.04	15.04
19/10/2016	Kelly Ryan	Email	1.00	Unit(6m)	15.04	15.04
19/10/2016	Kelly Ryan	Read Application	2.00	Unit(6m)	15.04	30.09
2/11/2016	Nina Pivac	Update RCM - mfe	1.50	Unit(6m)	8.00	12.00
25/11/2016	Nina Pivac	Processing Decision - billing; scan/copy; tech1; trim	4.00	Unit(6m)	8.00	32.00
25/11/2016	Nina Pivac	Processing Decision - mfe; letters; inv; post; recs	4.00	Unit(6m)	8.00	32.00
Net Total:						3,717.89

	Total Excluding GST:	2,413.54
	plus GST at 15%:	362.03
	Excess Costs to be Billed:	2,775.57



In reply please quote LU1600020 P053332

Or ask for Ueli Sasagi

Forum North, Private Bag 9023
Whangarei 0148, New Zealand
Telephone: +64 9 430 4200
Facsimile: +64 9 438 7632
Email: mailroom@wdc.govt.nz
Website: www.wdc.govt.nz

25 November 2016

M & S J Hugo
223 Hayward Road
RD 8
Whangarei 0178

Dear Sir/Madam

Notice of Decision and Processing Fee – Land Use Application

Applicant Schalk Jacobus Hugo
Marguerite Hugo

Location Bank Street Whangarei 0110

Please find attached the decision and the invoice for the processing of the above applicants resource consent application.

The cost for processing the application is \$4275.57. It is acknowledged that the advance fee of \$1500.00 has been received and the balance now owing is \$2775.57.

For an explanation and queries relating to the costs incurred for processing this application, please refer to the attached Billing Sheet.

Please read the decision carefully and should you have any queries regarding the decision and/or time spent on this resource consent application, please contact the reporting officer referenced above, in the first instance.

Section 357 of the Resource Management Act 1991 (and subsequent amendments) provides the applicant with the right to lodge an objection with Council in respect of costs. Any such objection should be made in writing and be lodged with Council within 15 working days of receipt of this letter.

Yours faithfully

Nina Pivac
Planning Assistant (Resource Consents)

Encl Decision/Invoice/Billing Report

Tax Invoice

Whangarei District Council
 Private Bag 9023
 Whangarei 0140

Project **100967 - Billboard Bank/Vine**

Your Ref **PO RC01881**

Wes Edwards Consulting Limited

GST No: 84-836-362

16 Whiting Grove
 West Harbour
 Auckland 0618

Phone +64 9 416-3334

Fax +64 9 416-3354

E-mail accounts@wesedwards.co.nz

www.wesedwards.co.nz

Invoice No 202672

Invoice Date 31/08/16

Item	Description	Qty	Rate	Amount
T16	Provision of professional traffic engineering advice for review of application for Digital Billboard at corner of Bank/ Vine on time and expenses basis for August 2016. Includes site inspection, assessment, preparation of draft report	4.75	289.00	1,372.75

All services are provided in accordance with our standard Terms of Trade.
 If you need a copy of our terms please contact us for a copy.

We welcome payments by Direct Credit. Please make payments to "Wes Edwards Consulting Ltd" Account 06 0185 0228924 00 with your name and the invoice number as references.

Subtotal	\$1,372.75
Tax	\$205.91
Total	\$1,578.66
Payments/Credits	\$0.00
Balance Due	\$1,578.66
Date Due	20/09/16

Reviewing Decisions on Discount given under the Resource Management Regulations 2010

(Discount on Administration Charges)



To **Whangarei District Council**

Application no

L01600020

Full name

Marguerite Hugo

Address to which application relates

2 Vine Street, Whangarei

Attention
Murray
McDonald

Address for service (if different to application address)

Date notice of decision on application received

10/10/16

Invoice no

Ref no: 466320

Was discount given

☐ Yes

☒ No

Amount of discount given (\$)

Which part of the discount calculation do you think is incorrect

Wes Edwards invoice. Council actioned this after we advised not to use him. & unnecessarily email send. Please see email for explanation

Why do you think the calculation is incorrect (please include relevant dates & attach relevant additional information)

Please see attached email, thank you.

I hereby certify that, to the best of my knowledge and belief, the information given is true and correct.

M Hugo

Signature of applicant
(or person authorised to sign on their behalf)

1/2/17

Date

Marguerite Hugo

From: Marguerite Hugo <mhugo@thebusinessfinder.co.nz>
Sent: 24 January 2017 4:15 PM
To: mailroom@wdc.govt.nz
Subject: customer ref nr: 466320

Hello,

We have recently received an invoice for work done on our Resource Consent to install a digital billboard on the corner of Bank and Vine Street.

Application nr: LU1600020

I am not happy to pay for this. We started our application meeting with planners, nearly three years ago. After we have handed in the paperwork, it took 10 months of blood, sweat and yes, tears to get our consent. I know this is a fairly new concept in Whangarei and I understand that it is a timely process but I do have a few problems with how things were conducted.

- 1) *Isee digital* have installed an Outdoor billboard, prior to us, without consent, on top of Magic Tyres – 4 Reyburn Street. We complained to the council as we were already busy with the application for a resource consent for our screen. *Isee Digital* received their consent three weeks after application – without any questions, reports or notifications. Paying \$1500 for their consent. When we asked about this, the council replied “that consent had to be given to this client due to political reasons and a bad history with the client”
- 2) Our consent took 10 months and two years of meetings with council prior to that. The council (Roothing department) requested a traffic assessment, traffic safety report, lighting reports, engineering report, notifications, resulting in our application costing \$22 000. I am a sole trader and this is a huge amount of money for me to spend on paperwork alone.
- 3) In our invoice we get charged for emails send and time spend on doing research. The emails send from the council could have been avoided if they read our response better and if they had a “can do ” attitude towards the application. A few times they overlooked the reports we have included and just repeated what was already addressed in previous emails. One of the emails received from the Roothing department stated that they would like to decline our consent and disregard the traffic data we submitted due to “the skill level of Northland drivers is not anywhere near Auckland (on average).” We could only supply data from Auckland as that was the only data available from New Zealand.
- 4) Also Roothing stated that “ There was some suggestion in the previous submission that the Applicant was looking at synchronizing image changes to the pedestrian phases. For this to be anywhere near effective there would have to be some kind of interface between the traffic control network and the sign. This is not acceptable to Council on IT security and traffic safety grounds. “
 Don't know where they would have gotten this idea from as we never wanted to do this. Still now we have to pay for emails send to address this issue.
- 5) Per request of the council, we had to get an independent Traffic Engineer from Auckland to oversee a report a local Traffic Engineer has done. Both times the report came back with a positive result. The council then send these reports to a third engineer (Wes Edwards) and we got send the invoice?

We were told from the beginning that council doesn't want to approve our application. I believe we have done everything to prove that we are willing to make the billboard as safe as possible and we have done everything that the council requested without delay.

I will appreciate it if you can please look into the matter of the invoice for me and will value feedback on the above. I also want to use this opportunity to thank Ueli Sasagi for this help with our application. He was very patient. We have a great working relationship with the council and I would like to keep it that way. Thank you in advance. I will be happy to come and meet with you to discuss.

Kind Regards

Marguerite Hugo
mhugo@thebusinessfinder.co.nz
021 025 90743
www.thebusinessfinder.co.nz



"The Business Finder strives to give outstanding service, spend your advertising dollars in the best possible way and to encourage local businesses to support each other"

Disclaimer: All information in this email must be treated as confidential and should not be shared or reproduced without the written consent of sender.

In reply please quote LU1600020.02
Or ask for Lisa Doran

Marguerite Hugo
mhugo@thebusinessfinder.co.nz

24 March 2017

Dear Marguerite

LU 1600020.02 – Objection to Costs

Further to our phone conversation of 7 March 2017, I have looked into the matters raised in your email of 24 January 2017.

Working through the items raised in order:

- 1) **I see digital billboard at 4 Reyburn St the sign was erected without consent and then the application was processed quicker and cheaper than the sign at Bank St.** It is correct that a sign was operating at the site without consent. An application was then received by Council for a sign (different to the one operating) that complied with with NZTA guidelines RTS 7 (Advertising Signs and Road safety: Design and Location guidelines). The information in the application as submitted demonstrated the compliance and therefore could be supported by Council's engineer. It was therefore not necessary to request further information.
- 2) **You were asked for a number of reports including amongst other things traffic, lighting, engineering reports this was costly.** It is considered that the requests were necessary for the illuminated billboard in the proposed location.
- 3) **You were charged for emails and research in relation to the application.** It is fair to charge for emails and reviewing or researching information, it is noted that not all emails were on-charged.
- 4) **You had to pay to clarify whether it was proposed to synchronise the sign when this had not been raised.** The file shows that this was raised by yourself and clarification was therefore required.
- 5) **You had to pay for Council to engage a traffic engineer to review the traffic engineering reports you had provided.** Traffic matters were a significant issue in locating an illuminated billboard at the Bank St intersection, it is appropriate for Council to obtain a peer review of the reports provided.

I have also reviewed the invoice in its entirety to check for any errors such as time wrongly charged to your application, or excessive time charged by Council officers. This shows all time was correctly charged. It is also of note that the handover and briefing to a new planner was not charged, nor were emails & discussions to find a way forward by Ueli Sasagi (16 units or \$240.64 net).

The review has found that the costs were reasonable and as such there will be no refund.

Yours sincerely



Lisa Doran
Principal Planner)

RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

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 are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

Move/Second

permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of _____

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because _____

Note:

Every resolution to exclude the public shall be put at a time when the meeting is open to the public.