

Agenda for a meeting of the Policy & Regulatory Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 20 MARCH 2018** commencing at **9.00am**.

Information and recommendations are included in the reports to assist the Board in the decision making process and may not constitute Council's decision or policy until considered by the Board.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. CONFIRMATION OF MINUTES

4.1 Meeting held on Tuesday 21 November 2017 2

5. RECEIPT OF HEARING MINUTES AND DECISIONS

5.1 Hearing held on Wednesday 18 October 2017 – Josephine Poland 8

5.2 Hearing held on Friday 27 October 2017 – Lakeside Developments (2017) Ltd 18

5.3 Hearing held on Monday 27 November 2017 – Proposed Waikato District Council Speed Limit Bylaw 2011 38

5.4 Hearing held on Tuesday 12 December 2017 – Grattan Investments Limited 43

6. REPORTS

6.1 Delegated Resource Consents Approved for the months of November 2017, December 2017 and January 2018 58

6.2 Summary of Applications determined by the District Licensing Committee October to December 2017 87

6.3 Discretionary Grants Revised Policy 94

6.4 Chief Executive's Business Plan 101

6.5 2018 Meeting Calendar 108

GJ Ion

CHIEF EXECUTIVE

Agenda2018\P&R\180320 P&R OP.dot

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	21 November 2017
Prepared by	Wanda Wright Committee Secretary
Chief Executive Approved	Y
Reference #	Gov1318
Report Title	Confirmation of Minutes

1. EXECUTIVE SUMMARY

To confirm the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 21 November 2017.

2. RECOMMENDATION

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 21 November 2017 be confirmed as a true and correct record of that meeting.

3. ATTACHMENTS

P&R Minutes

MINUTES of a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 21 NOVEMBER 2017** commencing at **9.00am**.

Present:

Cr JD Sedgwick (Chairperson)
His Worship the Mayor, Mr AM Sanson *[from 9.09am]*
Cr AD Bech
Cr JA Church
Cr DW Fulton
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McInally
Cr BL Main
Cr EM Patterson
Cr NMD Smith
Cr LR Thomson

Attending:

Mr GJ Ion (Chief Executive)
Ms S O’Gorman (General Manager Customer Support)
Mrs W Wright (Committee Secretary)
Mr C Clarke (Roading Manager)
Ms M May (Animal Control Team Leader)
Mr R MacCulloch (Regulatory Manager)
Ms E Makin (Consents Team Leader – East)
Ms K Thomson (Consents Team Leader – West)
Ms S Frederick (Project Coordinator)
Mr D MacDougall (Open Spaces Team Leader)
Mr A Parkes (Environmental Health Team Leader)
Mr S Jackson (Deputy Chair, Onewhero-Tuakau Community Board)
4 Member of staff

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Lynch/Main)

THAT the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday 21 November 2017 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received;

AND FURTHER THAT the Board resolves that the following items be added to the agenda as a matter of urgency as advised by the Chairperson:

- **Vehicle Dimension and Mass (VDAM) Rule Implementation and Annual Bridge Posting**
- **District Wide Minor Improvement Programme Policy**
- **Waikato District Crime Prevention Technology Trust – Amendment to Trust Deed**

AND FURTHER THAT speaking rights be given to the deputy chair from the Onewhero-Tuakau Community Board for the duration of this meeting.

CARRIED on the voices

P&R1711/01

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs Gibb/Patterson)

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 19 September 2017 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

P&R1711/02

REPORTS

Summary of Applications Determined by the District Licensing Committee July – September 2017
Agenda Item 5.1

The report was received [*P&R1711/01 refers*] and discussion was held.

Delegated Resource Consents Approved for the months of September & October 2017
Agenda Item 5.2

The report was received [*P&R1711/01 refers*] and discussion was held.

Waikato District Licensing Committee Annual Report | July 2016 – 30 June 2017Agenda Item 5.3

The report was received [P&R1711/01 refers] and discussion was held.

Amendment of Schedule One of the Dog Control Bylaw 2015 following Community EngagementAgenda Item 5.4

The report was received [P&R1711/01 refers] and discussion was held.

Tabled Item: Powerpoint presentation

Resolved: (Crs Smith/Church)

THAT Schedule One of the Dog Control Bylaw be amended to include Kowhai Reserve (subject to contamination issues being investigated) and Centennial Park as off leash dog exercise areas;

AND THAT Centennial Park playground be fenced to exclude dogs;

AND FURTHER THAT the Committee recommends to Council that funding is made available to complete the required works;

AND FURTHER THAT the works be loan funded, with principal repayments from the Parks & Reserves Replacement Fund and interest repayments from general rate.

A division was called:

Cr AD Bech – in Favour	His Worship The Mayor, Mr AM Sanson – Against
Cr JA Church – in Favour	Cr DW Fulton - Against
Cr JM Gibb – in Favour	Cr SD Lynch - Against
Cr SL Henderson – in Favour	Cr JD Sedgwick - Against
Cr RC McGuire – in Favour	
Cr FM McNally – in Favour	
Cr BL Main – in Favour	
Cr EM Patterson – in Favour	
Cr NMD Smith – in Favour	
Cr LR Thomson – in Favour	

CARRIED on a division with 4 voting against and 10 voting in favour P&R1711/03

Adoption of Section 10A ReportAgenda Item 5.5

The report was received [P&R1711/01 refers] and discussion was held.

Resolved: (Crs Gibb/Church)

THAT the Section 10A Report as attached to the Agenda, be approved for release to the Secretary for Local Government.

CARRIED on the voices

P&R1711/04

Vehicle Dimension and Mass (VDAM) Rule Implementation and Annual Bridge Posting
Add.Item 1

The Roading Manager gave a verbal report on key issues and answered questions from the Committee.

Resolved: (Crs Fulton/Main)

THAT the Policy & Regulatory Committee recommends to Council to approve the posting of the following 13 bridges to a maximum gross weight limit of 44 tonnes:

Buckland Road 6201 Bridge, Coalfields Road 5643 Bridge, Glen Murray Road 133 Bridge, Highway 22 20276 Bridge, Horotiu Bridge Road 724 Bridge, Maxwell Road 2067 Bridge, Mercer Ferry Road 11 Bridge, Pioneer Road 313 Bridge, Proctor Road 4773 Bridge, River Road (Onewhero) 2924 Bridge, Riverview Road 00 Bridge, Wainui Road 957 Bridge, Waiterimu Road 126 Bridge.

CARRIED on the voices

P&R1711/05

District Wide Minor Improvement Programme Policy
Add.Item 2

The Project Coordinator summarised key issues and answered questions from the Committee.

Resolved: (His Worship the Mayor/Cr Smith)

THAT the amended District Wide Minor Improvements Policy, as attached to the Agenda report, be approved.

CARRIED on the voices

P&R1711/06

Waikato District Crime Prevention Technology Trust – Amendment to Trust Deed
Add.Item 3

Resolved: (His Worship the Mayor/Cr Patterson)

THAT the Committee approves an amendment to the composition of the trustees of the Trust by removing representatives of the NZ Police as a Trustees of the Waikato District Crime Prevention Technology Trust, with a subsequent amendment being made to the Trust Deed in this regard.

CARRIED on the voices

P&R1711/07

Chief Executive's Business Plan
Agenda Item 5.6

The report was received [P&R1711/01 refers] and discussion was held.

2017 Meeting Calendar
Agenda Item 5.7

The report was received [P&R/17/11/01 refers].

There being no further business the meeting was declared closed at 10.48am.

Minutes approved and confirmed this day of 2018.

Cr JD Sedgwick
CHAIRPERSON

Minutes2017/P&R/17/11/21 P&R M.doc

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	17 November 2017
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Receipt of Hearing Minutes – Josephine Poland

1. EXECUTIVE SUMMARY

To receive the minutes of the Regulatory Subcommittee hearing held on Wednesday 18 October 2017 for Josephine Poland.

2. RECOMMENDATION

THAT the minutes of the Regulatory Subcommittee hearing held on Wednesday 18 October 2017 for Josephine Poland be received.

3. ATTACHMENTS

Hearing minutes 18 October 2017

MINUTES of a hearing by Commissioners of the Regulatory Subcommittee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY 18 OCTOBER 2017** commencing at **10.30am**.

Present:

Cr DW Fulton (Chairperson)
Cr J Gibb
Cr J Sedgwick

Attending:

Mrs S O’Gorman
Mr R MacCulloch (Regulatory Manager)
Ms M May (Animal Control Team Leader)
Ms C Pidduck (Senior Solicitor)
Ms J Smout (Animal Control Officer)
Mrs LM Wainwright (Committee Secretary)
Ms J Poland (Objector)
Mr M Senior (Victim)
Members of staff

The meeting adjourned at 10.31am and resumed at 10.45am.

HEARING – J POLAND DOG 139914

Objection to Disqualification.

INTRODUCTION

Commissioner Fulton introduced the members of the hearing panel, welcomed all parties and outlined the hearing process.

HEARING OF THE APPLICATION

The objector gave a verbal update and answered questions of the committee.

The Animal Control Team Leader gave a verbal update and answered questions of the committee.

The Senior Solicitor gave a verbal update and answered questions of the committee.

RIGHT OF REPLY

The objector gave her right of reply.

The hearing adjourned at 11.35am and the decision reserved.

DELIBERATIONS

The Commissioners undertook deliberations on all evidence presented.

DECISION

THAT having considered the information presented in writing, and in person at the hearing, the sub-committee does not uphold the objection as outlined in the decision.

HE1710/02

The hearing was declared closed at 1.30pm on Wednesday 18 October 2017.

IN THE MATTER of the Dog Control Act
1996

AND

IN THE MATTER of an objection to a
Notice of Disqualification from Dog Ownership
pursuant to s25 of the Dog Control Act 1996
in respect of **JOSEPHINE POLAND**
(BUCHANAN)

Objector

AND

WAIKATO DISTRICT COUNCIL

Respondent

Hearing by the Regulatory Subcommittee of the Waikato District Council held in the Council
Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY 18**
OCTOBER 2017.

Present:

Cr DW Fulton (Chairperson)

Cr JM Gibb

Cr JD Sedgwick

Attending:

Ms J Poland (Objector)

Ms M May (Animal Control Team Leader)

Ms C Pidduck (Senior Solicitor)

Mrs S O’Gorman

Mr R MacCulloch (Regulatory Manager)

Ms J Smout (Animal Control Officer)

Mrs LM Wainwright (Committee Secretary)

Mr M Senior (Victim)

Members of staff

DECISION

INTRODUCTION

This is an objection by Ms Josephine Poland against a notice of disqualification from dog ownership issued by the Waikato District Council pursuant to s25 of the Dog Control Act 1996.

Ms Poland was the registered owner of greyhound Sally, a female dog involved in an attack which killed a cat belonging to a neighbour, Mr. Mark Senior.

The attack occurred at approximately 7.15am on 24 October 2016, when Sally entered the neighbour's property at 22 Ocean View Rd, Port Waikato and attacked and killed their cat Smudgy.

Ms Poland made full admission of the event to Council's Animal Control Officer and Sally was surrendered to Waikato District Council.

On or about 10 November, Ms Poland rescinded her surrender form, the Council accepted her application and Sally was released to an alternative address under strict terms and conditions to mitigate any threat to public safety.

On 29 March 2017 Ms Poland appeared in the Pukekohe District Court, for two offences:

- a. one charge under s52(1) of the Dog Control Act 1996 for failing to keep Sally under control, and
- b. one charge under s 57(2) of the Dog Control Act 1996 of owning a dog that attacked a domestic animal.

Ms Poland pleaded guilty to both offences against s57(1) and 57(2) of the Dog Control Act 1996 at the Pukekohe District Court.

On 7 August 2017, the Pukekohe District Court sentenced Ms Poland. She was ordered to pay a fine of \$650.00 per offence and reparation to Mr Senior of \$415.00.

On 11 August 2017, following the sentencing, and in accordance with s 25 of the Act, Megan May, Animal Control Team Leader from the Waikato District Council issued a notice of disqualification from dog ownership against Ms Poland.

The disqualification is effective from the date of the offence 24 October 2016 and remains in place for 5 years unless the disqualification period is varied or terminated.

Waikato District Council received an objection from Ms Poland (in accordance with s26 of the Act (Objection to Disqualification) on 24 August 2016.

PROCEDURAL MATTERS

1. Cr Fulton opened the hearing at 10.30am on 18 October 2017 and adjourned it awaiting the appearance of Ms Poland, resuming at 10.45am.
2. Cr Fulton introduced the committee and took time to advise Ms Poland how the hearing would be conducted and ensured she understood what was required of her before continuing the hearing. The Committee notes that Mr. Senior was in attendance.

OBJECTION

1. Ms Poland told the Committee that she had obtained Sally after an unsuccessful rehoming and that she lived with her elderly dog Roxy, at her address at 19 Ocean View Rd, Port Waikato.
2. She outlined the fencing and decking on her property and answered questions of the committee regarding the security of the gates. Ms Poland drew a map which showed two gates on the property, and indicated one was not able to be secured easily due to wear and erosion and was normally propped shut. She said Sally had escaped through the other gate to enter the neighbour's property, and that Sally had a history of slipping out of the gates.
3. Ms Poland expressed remorse at the incident and sadness for all parties.
4. She surrendered Sally to Waikato District Council, but after representation from Greyhounds as Pets, she withdrew her surrender and Sally was rehomed.
5. Ms Poland said she was not made aware of the consequences of rescinding the surrender. She said all conversations were focused around Sally and not about the consequences of her other dog, should she be convicted. She felt documentation should be provided to owners in this situation, so that there could be no misunderstanding.
6. She said had she known that rescinding the surrender would place her ownership of Roxy in jeopardy, she would not have withdrawn it.
7. She drew the subcommittee's attention to her 45 years of dog ownership as proof of competency. She noted she had previously voluntarily had one dog euthanized because of aggressiveness.
8. Ms Poland outlined Roxy's health, saying the dog was deaf and struggled to walk. She indicated she had no desire to own any more dogs after Roxy's death.

WAIKATO DISTRICT COUNCIL ANIMAL CONTROL

1. Megan May, Waikato District Animal Control team leader spoke to the event which led to the death of the cat. She described the noise and blood, and drew the committee's attention to the victim impact statement. She said the offence was serious and had an ongoing effect on the cat's owners.
2. She said also made reference to Judge McGuire's comments in sentencing, about the importance of consequences and the severity of the attack. She noted that disqualification by the territorial authority was an outcome of the conviction, and was appropriate.
3. Ms May addressed Ms Poland's comments:
 - a. They differed in opinion in terms of what was discussed relating to the surrender and disqualification.
 - b. Ms May said she had indicated that if Ms Poland pleaded guilty and was convicted she would be subject to disqualification.
 - c. She noted Sally had escaped through the gate and that the gates' integrity was acknowledged as an ongoing problem.
4. Ms May acknowledged the emotional trauma to the cat owner family which lost a family pet through no fault of their own. She said if a decision was made to revoke the disqualification it would limit the Council's ability to ensure these incidents did not happen. She noted the on-going anxiety of Mrs. Senior to other roaming dogs in the neighbourhood, indicated in the victim impact statement.
5. She noted Judge McGuire had sent a clear message to dog owners and noted the risk of undermining the decision of the court.
6. Chair Fulton asked Ms May what the practice was to advise people in writing of the consequences of disqualification.
7. Ms May said the role of Animal Control was not to give legal advice.
8. When asked what might have happened if the surrender hadn't been rescinded, Ms May said the likelihood of following through with a prosecution would have been low. If Sally had been euthanized, there would not have been a conviction entered against Ms Poland.
9. The committee asked if the neighbours would still be opposed to Ms Poland owning Roxy and Ms May indicated this was the case.
10. Chair Fulton noted under the Dog Control Act 1996 there was no ambiguity, but that the territorial authority must disqualify the convicted owner.

LEGISLATION AND PROCESS MATTERS

1. Legal counsel Ms Pidduck reminded the committee that the disqualification was not imposed by the court, but by the territorial authority, referring to P24 of the agenda noting s 25 of the Dog Control Act, s25. Disqualification of owners:
 - (1) A territorial authority must disqualify a person from being an owner of a dog if: -
 - (a) the person commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months, or
 - (b) the person is convicted of an offence (not being an infringement offence) against this act, or
 - (c) the person is convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999 section, s26ZZP of the Conservation Act 1997, or section 561 of the National Parks Act 1980

2. that the territorial authority had turned its mind to subsection (1A) and determined the event did not warrant the exemption circumstances under subsection (1A) and therefore disqualification was the only option

.....S(1A) if the territorial authority is satisfied that the circumstances of the offence or offences are such that:

 - (a) disqualification is not warranted: or,
 - (b) the territorial authority will instead classify the person as a probationary owner under s21.

3. Ms Pidduck clarified the legal status of Ms Poland's verbal undertaking not to own additional dogs. She confirmed it no legal standing under the Dog Control Act 1996 and was not one of the outcomes that can be imposed by the hearings panel. It is not enforceable and has no legal authority.

MS POLAND'S CLOSING SUBMISSION

1. Ms Poland, in her right of reply, accepted that her offer to have no more dogs had no legal standing.
2. She differed with Ms May on aspects of the Dog Control Act, saying it was essential but the interpretation is black and white but supported the ultimate objective of ensuring public welfare
3. She pointed to Judge McGuire's low fines despite his comments on the severity of the attack, and she acknowledged Sally's action had caused serious pain to the Senior family, and to her own. She said she had already lost a dog (Sally).
4. She said she had been caught in the middle of a set of circumstances in taking Sally on and that losing Roxy as a result would cause considerable distress to her family, and that Roxy was the family's elderly and infirm dog with a short lifespan.

5. Ms Poland stated she had no prior history of offences under the Act and was a selected owner under the Council's policy

Chair Fulton noted the attendance and submissions, thanked Ms Poland and Mr. Senior for attending and adjourned the meeting at 11.35am to deliberate.

He indicated a decision would be made and Ms Poland would be notified as soon as possible.

DECISION

The committee were mindful of the message given by Judge McGuire on the severity of the attack.

We were also mindful that the property consistently failed the test of security and those failings were known to Ms Poland.

The Committee agrees the disqualification imposed by the Animal Control staff of Waikato District Council was in accordance with the Dog Control Act 1996.

The committee had three options to consider:

1. To uphold the disqualification of Ms Poland as a dog owner for a period of 5 years
2. To terminate the disqualification
3. To amend the period of the disqualification

From the starting position of the five-year disqualification served on Ms Poland the committee has made a decision to reduce the disqualification period, for the following reasons.

- I. That the Court had ruled that the circumstances were exceptional and therefore did not order destruction of the dog.
- II. We noted that Ms Poland held selected owner status, had no previous disqualifications nor had come to the attention of the Waikato District Council Animal Control officers previously.
- III. While not making a judgement on the discrepancies of the information given to Ms Poland with regards to her position when she revoked her surrendering of the dog Sally, consideration was given to what Ms Poland was told and what she believed she understood of the consequences of her actions.

We uphold the decision of the Waikato District Council animal control officers and accordingly, Ms Poland is confirmed as disqualified from owning a dog pursuant to section 25(l)(b), of the Dog Control Act 1996.

We have determined to amend the disqualification be reduced for a period of three years. Therefore, the period of disqualification shall run from 24th October 2016 until 24th October 2019. We understand that as a result of our decision Ms Poland will require time to make arrangements in relation to her current dog Roxy. The Committee urges the Waikato District Council to give Ms Poland up to 4 weeks from the date of this decision for Ms Poland to make the necessary arrangements

We record that should Ms Poland be dissatisfied with the decision of the committee she may, within 14 days of the date on which notice of the decision is given to her, appeal to the District Court against the decision in accordance with section 27 of the Dog Control Act 1996.

SIGNED ON BEHALF OF THE REGULATORY SUBCOMMITTEE

Cr Dynes Fulton (Chairperson)

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	17 November 2017
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Receipt of Hearing Minutes – Lakeside Developments (2017) Ltd

1. EXECUTIVE SUMMARY

To receive the minutes of the Independent Commissioner hearing held on Friday 27 October 2017 for Lakeside Developments (2017) Ltd.

2. RECOMMENDATION

THAT the minutes of the Independent Commissioner hearing held on Friday 27 October 2017 for Lakeside Developments (2017) Ltd be received.

3. ATTACHMENTS

Hearing minutes 27 October 2017

MINUTES of a hearing by an Independent Commissioner of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **FRIDAY 27 OCTOBER 2017** commencing at **9.00am**.

These minutes should be read in conjunction with notes and evidence placed on the Consent file.

Present:

Commissioner I Munro

Attending:

Ms E Makin (Consents Team Leader – East)
Mr J Templeton (Land Development Engineer – Intermediate)
Mrs LM Wainwright (Committee Secretary)
Mr T Whittaker (Director, Planning Works Limited)
Mr J Duthie (Tattico Ltd - applicant's representative)
Mr S Ash (Winton Partners Ltd - Lakeside Developments (2017) Ltd)
Mrs K Moorfield (Submitter)
Members of staff

HEARING – LAKESIDE DEVELOPMENTS (2017) LIMITED

File No. LUC0583/17

Application by Lakeside Developments 2017 Limited for a Sales and Show Home Precinct at 94 Scott Road, Te Kauwhata.

INTRODUCTION

Commissioner Munro welcomed all parties and gave an outline of the hearing process.

HEARING OF THE APPLICATION

Mr Duthie presented verbal evidence and answered questions of the Commissioner.

Mr Ash presented verbal evidence and answered questions of the Commissioner.

HEARING OF SUBMISSIONS

Mrs Moorfield presented verbal evidence and answered questions of the Commissioner.

STAFF REPORT

The Section 42A report was taken as read. Mr Whittaker gave verbal evidence and answered questions of the Commissioner.

The Land Development Engineer answered questions of the Commissioner.

The hearing adjourned at 10.05am and resumed at 10.10am.

RIGHT OF REPLY

Mr Duthie presented his right of reply.

The hearing adjourned at 10.21am and the decision reserved.

DELIBERATIONS

The Commissioner undertook deliberations on all evidence presented.

DECISION

THAT the Independent Commissioner confirmed the application of Lakeside Developments 2017 Limited be granted subject to conditions as outlined in the decision dated Tuesday 14 November 2017

HE1710/01

The hearing was declared closed at 12pm on Wednesday 1 November 2017.

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an application by Lakeside
Developments 2017 Ltd, for a sales
precinct consisting of 5 show homes
and a sales office, at 95 Scott Road,
Te Kauwhata
(LUC0583/17)

SECTION 113 RESOURCE MANAGEMENT ACT 1991

DECISION ON APPLICATION

1. For the reasons outlined in this decision notice and pursuant to sections 104 and 104B of the Resource Management Act 1991 (“**RMA**”), consent is granted, subject to the conditions appended to this decision notice as **Appendix 1**.

Introduction

2. This decision notice records a summary of the public hearing held on the application in Ngaruawahia, 27 October 2017, the decision made, and the principal reasons for this.
3. A site visit was undertaken to Scott Road on the morning of the hearing.
4. As the application had been subject to the RMA’s pre-circulation requirements, the application material, Council’s s.42A report, and expert evidence on behalf of the applicant had been read before the hearing. Non-expert evidence provided by one of the submitters, Ms Katarina Moorfield, 75 Scott Road, was presented at the hearing.
5. On behalf of the Council in its capacity as a Consent Authority the following were in attendance:
 - a. Ms E Makin (Consents Team Leader – East)

- b. Mr J Templeton (Land Development Engineer – Intermediate)
 - c. Mr T Whittaker (Director, Planning Works Limited)
 - d. Mrs LM Wainwright (Committee Secretary)
6. On behalf of the applicant the following were in attendance:
- a. Mr J Duthie (Tattico Ltd)
 - b. Mr S Ash (Winton Partners Ltd - Lakeside Developments (2017) Ltd)
7. On behalf of the submitters the following were in attendance:
- a. Ms K Moorfield, 75 Scott Road Te Kauwhata
8. At the conclusion of the applicant's right of reply the hearing was adjourned on the basis that I wished to further consider the matter of potential conditions of consent (were the application to be granted). On receipt of additional clarification from Mr Whittaker and Mr Duthie, and having determined that I had sufficient information to progress to a decision on the application, I closed the hearing on 1 November 2017.

Background

9. I, Ian Munro, have been appointed by the Waikato District Council under s.34A of the RMA to make a decision on the application. I am an independent commissioner holding the MfE's Making Good Decisions qualification.
10. The application, site and its environment have been comprehensively explained in the application documents and Council's s.42A report prepared by consultant planner Mr Whittaker. The following is a brief summary:
- a. 5 show homes (ranging from 80m² – 219m²) and a sales office (approximately 50m²) on a property that would otherwise remain in rural use or at least remain of a rural character.
 - b. The buildings would not be connected to any network infrastructure and would not be occupied.
 - c. The project is intended to attract market interest and possible pre-sales based on Plan Change 20, a proposal to re-zone 194ha for residential development. However, this proposal does not form a part of, does not rely on or presuppose, and is otherwise not related to Plan Change 20.

- d. If Plan Change 20 is refused or does not proceed, the applicant has proposed conditions to remove the sales precinct.
 - e. The site sits at the southern end of Scott Road and is between Lake Waikare (east) and the town of Te Kauwhata (north). It is a dairy farm.
11. For more detail on the proposal I refer to the application documents and the description provided by Mr Whittaker in his s.42A report at sections 4 (proposal), 5 (site and locality), and 8 (plan change 20) which I adopt in full given that it was uncontested and largely relied on by Mr Duthie.
12. I note that there was no contention or disagreement between the parties as to what was being proposed or Mr Whittaker's analysis of the site and environment, although the submissions frequently raised issues related to Plan Change 20 rather than the current consent application.

Consents required

13. The applicant and Mr Whittaker have each identified the consents required. There was broad agreement between Mr Duthie and Mr Whittaker as to the consents required, including that the activity falls to be a discretionary activity. As such any relevant environmental effect or RMA Plan policy matter can be considered. This includes all effects and issues of concern identified by the submitters, but only insofar as they relate to the application at hand rather than Plan Change 20. The submitters did not dispute that consent was required as a Discretionary activity.
14. I therefore accept and adopt the consent requirements set out in Mr Whittaker's s.42A report at section 7 (statutory provisions). Consent is required under rule 25.10.2 of the Waikato District Plan, whereby any commercial activity on a Rural zoned property must be considered as a discretionary activity. I refer to Mr Whittaker's report for a detailed outline of the consents required.
15. Overall consent is required under the Waikato District Plan as a discretionary activity.
16. I reiterate here that the proposal is not related to or in any way 'borrowing from' Plan Change 20. Mr Duthie and Mr Whittaker both agreed that in light of the issues raised in submissions to Plan Change 20, that none of it can be

considered operative and in this respect, I confirm that I have given it no regard whatsoever in this decision other than to satisfy myself that:

- a. the proposed Plan Change 20 provisions are not relevant to determining this application; and
- b. the decision I make on this application will have no material or otherwise binding consequence on whatever outcome is eventually determined for Plan Change 20.

Statutory and planning considerations

17. Section 113 RMA outlines requirements for decisions on applications that were limited notified and this notice has been prepared in accordance with these requirements.
18. In making this decision, the following provisions of the RMA have been particularly considered:
 - a. Sections 113, 104, 104B, 108.
 - b. Part 2 in its entirety.
19. In making this decision, the following provisions of RMA planning instruments have been particularly considered:
 - a. Waikato District Plan (Waikato Section): chapters 1A, 3, 8, 13, and 25.
20. Mr Whittaker provided an analysis of the proposal against the Waikato Regional Policy Statement. I find that the RPS is not relevant to the proposal.
21. Mr Whittaker also considered that in terms of s.104(1)(c) RMA (other relevant matters), there was some relevance in the timing of this application proceeding ahead of Plan Change 20. I disagree with Mr Whittaker's concerns; any applicant is free to seek resource consent for any activity other than a prohibited activity. If an applicant chooses to take on the potential risk of seeking a land use consent ahead of a Plan Change that could, if granted, make a planning document friendlier to the proposed activity, this risk sits squarely and solely on the shoulders of that applicant. I therefore do not consider that the timing of the application to be relevant factor in my decision. In reaching this decision, I note

my reliance on proposed conditions of consent requiring the removal of the sales precinct in the event that the Plan Change is refused or does not proceed.

22. I also record the inverse of my conclusion above. Not only do I consider that Plan Change 20 has no bearing on whether or not this current proposal should be granted or refused consent, I consider that were this proposal to be granted, its effects and planning significance pales into complete insignificance next to the entirety of the scale of Plan Change 20. It is not credible that a granted consent for 5 show homes and a sales office on a fractional proportion of the Plan Change 20 site could be used to somehow tip the balance of a decision on Plan Change 20 differently to what would be determined in due course were this consent to be refused consent.
23. I do however accept and agree with Mr Whitaker that Plan Change 20 is a relevant matter under s.104(1)(c) RMA but only to the extent that I have considered whether there is any interdependency between the two matters as identified in paragraph 16 above.
24. Mr Ash drew to my attention the significance of Plan Change 20 in light of an application from the Council to the Government for Housing Infrastructure Fund assistance. I did not find this relevant to my decision and I have not given any Government, Council or other support that may or may not exist for Plan Change 20 any weight in my decision, for the simple reason that my decision does not relate to a decision on the merits of Plan Change 20.

Notification, submissions and late submissions

25. Five submissions were received on the application. Three were in opposition, one was neutral but which raised concerns, and one was in support.
26. The submission of J and H Brown, 74 Scott Road, supported the proposal and its economic benefits for Te Kauwhata.
27. The submission of D Hume, 58 Scott Road, raised concerns regarding traffic, pedestrian safety, dust and servicing, but subject to these being managed was neutral.
28. The submissions of A and J Carrick, 17 Scott Road, J Moorfield (75 Scott Road, and K Moorfield, 75 Scott Road, opposed the proposal and raised concerns

relating to traffic, pedestrian safety, dust, servicing and the appropriateness of the Plan Change 20 development.

Summary of evidence

For the applicant

29. Mr Duthie briefly outlined the proposal and its background, including his general agreement with Mr Whittaker's s.42A evaluation. Mr Duthie identified a number of changes to potential conditions of consent. Mr Duthie recommended that consent be granted.

30. Mr Ash outlined the vision of Lakeside Developments 2017 Ltd and the work it had completed to date on the wider Plan Change 20. Mr Ash also described to me the contact that had been had with submitters and other locals, and steps taken to address concerns raised. Mr Ash felt that consent should be granted.

For the submitters

31. Ms Moorfield briefly described her concerns, and she made it clear that she was not fundamentally opposed to the proposal. She was instead concerned that potential environmental effects, especially in terms of pedestrian safety for her children, were properly addressed.

32. Ms Moorfield conceded that provided her concerns were addressed, there was no reason to withhold consent to the proposal. She confirmed agreement to a proposal by the applicant to wash her house at the completion of earthworks for the sales precinct.

33. My questions to Ms Moorfield identified that the applicant had volunteered actions to improve pedestrian safety and amenity along Scott Road, but which fell short of installing a permanent footpath. The applicant confirmed that it was still prepared to provide what is best described as an interim or temporary facility. But that this was opposed by the Council' transport engineer.

Council officers

34. Mr Whittaker responded to the issues raised by Mr Duthie, Mr Ash, and Ms Moorfield. He identified that the amendments to his proposed conditions of consent identified by Mr Duthie were generally appropriate.

35. Mr Templeton was in attendance and discussed his analysis with me. A key concern was the matter of legal liability for any facility within the road reserve and that, in his view, a formal pedestrian footpath along Scott Road was not necessary at this time. I find that his concerns were valid, but not sufficient to rule out the mitigation offered by the applicant to address Ms Moorfield's concerns.
36. While the views of the Council, as the owner of Scott Road and legally required to manage its use as a road under the Local Government and Land Transport Management Acts are very relevant, my delegation and legal powers to make an RMA decision on behalf of the Council also give me authority to determine what environmental effects are appropriate, including by way of mitigation measures.
37. Ultimately, the question is of whether the mitigation measures proposed, despite whatever inferiority they may have in terms of a hypothetical permanent footpath alternative, nonetheless remain safer and more desirable than simply providing no facility at all until such future time as a permanent footpath facility is installed (if ever).
38. At this point I requested the applicant and council staff to consider further whether or not this particular situation was satisfactory or whether some agreement could be reached that would allow Mr Moorfield's very real concerns for the safety of her children to be better addressed, in the event that I determined to grant consent and impose a requirement for some manner of pedestrian facility in Scott Road.
39. After a 10-minute adjournment of the hearing, Mr Whittaker and Mr Duthie confirmed their view that, while they were not yet in complete agreement, it seemed that some progress could be made. The Council, through Ms Makin, also confirmed that the Council would abide by my findings in the event that I determined that the applicant's proposed interim / temporary footpath was acceptable.

Applicant's right of reply

40. Given the informal nature of the Hearing and that only one submitter had been in attendance, Mr Duthie's right of reply on behalf of his client was verbal and short. In his view the proposal was appropriate, had demonstrated that all relevant effects had been suitably addressed, and that even were I to agree with Mr Whittaker that the proposal had shortcomings in terms of the Waikato District Plan's policy framework, consent should still be granted.

41. I adjourned the Hearing at this point with a direction that Mr Duthie and Mr Whittaker collaborate further regarding the potential conditions of consent that were, by that point, almost fully agreed.
42. On 1 November 2017 I received from the Council an agreed set of conditions from Mr Duthie and Mr Whittaker, with no dispute remaining. This is when the Hearing was formally closed.

Principal issues in contention

43. The information and evidence before me raised the following key issues in contention:
- a. Appropriateness of the proposal ahead of Plan Change 20
 - b. Amenity / character effects
 - c. Traffic and pedestrian safety effects
 - d. Dust and nuisance effects
 - e. Infrastructure servicing effects
 - f. Contrariness to the Rural zone policy framework
44. In respect of all other matters, including other adverse environmental effects than those listed here, I find that there are no pathways that would lead to the refusal of consent. I accept the position of substantial agreement between the two expert planners involved in this matter, Mr Duthie and Mr Whittaker, including the conditions of consent they have jointly recommended. In all of these respects, I accept and adopt the analysis and conclusions reached in Mr Whittaker's s.42A report.

Findings on principal issues in contention

Appropriateness of proceeding ahead of Plan Change 20

45. Mr Whittaker, and the opposing submitters, have raised concern with this application proceeding ahead of a decision to grant PC20.
46. This concern appears to have been presented as a moral principle or 'bad planning' rather than in response to a specific environmental effect of District Plan policy matter. Mr Whittaker was able to satisfy himself that he could properly assess and reach a clear recommendation to me on this application despite PC20 not being determined. None of the submitters asserted that they were

unable to understand or reach a view on the application in the absence of the plan change being determined either.

47. I find that there is no procedural, legal or technical concern with the current application proceeding ahead of PC20, although the following are important factors in this finding:
- a. The proposal does not rely on or borrow from PC20 in terms of any proposed objective, policy, or rules. It is premised and will stand or fall entirely on the basis of the Operative District Plan and existing environment.
 - b. There is no realistic nexus between the granting of this proposal and the ability of decision makers to refuse PC20 if that is the most appropriate end determination they arrive at for that application, because of the sheer difference in scale and effects (and permanence) between the current proposal and PC20. Similarly, refusal of this application would not in any way prejudice a decision to approve Plan Change 20.
 - c. That an applicant is willing to make a commercial risk by investing ahead of formal approval is a matter of sole concern to that applicant, on the proviso that, such as is the case here, steps are in place to ensure removal of the activity in the event that PC20 is refused or does not proceed. Related to this, if the current application is refused consent on the basis of inappropriateness in light of the Operative planning framework, that too remains the applicant's sole risk to consider.
48. Overall, I disagree with Mr Whittaker's concerns and prefer Mr Duthie's approach to this matter. The proposal can be soundly determined on its merits, and gives rise to no concern relating to its timing ahead of a decision on PC20.
49. I note however that had this application been for more permanent residential development or subdivision of the sort contemplated by PC20, then a much stronger nexus between it and a decision on PC20 would have existed.

Amenity / character effects

50. I find that PC20, given its scale, may result in a number of character and amenity effects relating to the entirety of Te Kauwhata that the decision makers for that matter will carefully consider. However, those matters do not arise in this application, nor will the fate of this application in any way materially impact on the outcome of PC20.

51. The proposal is for a development totalling 1ha that, until PC20 is finally granted, should be regarded as a temporary or at-most interim activity due to volunteered conditions requiring removal of the activity if PC20 does not proceed or is refused. The proposal is furthermore located well away from any adjacent property and will have no discernible impact on the town of Te Kauwhata as a whole.
52. The proposal will be of an appropriate visual quality and the applicant will take steps necessary to ensure safety and security is maintained at its facility.
53. I also note that the proposal complies with the Rural zone bulk and location controls, and is indeed considerably smaller than many rural facilities could be. I am familiar with a number of storage activities within rural environments, including for relocatable dwellings that could have comparable effects to the sales precinct proposed. While those would also likely require resource consent as commercial activities, they are nonetheless familiar within the rural environment and can be acceptable. However, that the proposal is for a discrete 5 show homes and sales office is a large factor in my conclusion; had this proposal been for a precinct of for instance 20 show home structures, I would have likely reached a different conclusion.
54. The proposal will not impact on the amenity values of any adjacent property, although restrictions on the hours of operation offered by the applicant and that the buildings will not be inhabited as permanent accommodation are material facts to my decision in this respect.
55. Overall, I find that the proposal will appropriately maintain the amenity and character values of the environment, and to that end I agree with the conclusions reached by Mr Whittaker and Mr Duthie.

Traffic and pedestrian safety effects

56. The proposal will generate considerably less traffic than many large-scale rural industries could do, and although there is potential for a relatively large volume of visitors to come to the sales precinct, I find that the proposal can be safely and appropriately accommodated on the road network.
57. However, in terms of pedestrian safety, I have come to accept that the concerns expressed by Ms Moorfield should be addressed by way of mitigation. Neither the applicant nor the Council's officers argued that Ms Moorfield concerns were unfounded or that the effects of concern to her should not be mitigated. I also find

that such mitigation could bring benefits by way of an improved pedestrian environment on Scott Road.

58. The question therefore becomes one of what form the mitigation should take. I agree with the applicant that installing a permanent footpath along the Council's road would not be justified and be indeed disproportionate to the scale and magnitude of adverse effects being mitigated. I find that some form of interim or temporary facility should be provided given the modest increase in pedestrian needs likely, and overall uncertainty regarding the eventual outcome of PC20 (inasmuch as the duration of this proposed sales suite activity may ultimately prove very short).
59. To this end, I consider the applicant and the Council have identified a workable and appropriate condition of consent that will ensure pedestrian safety is maintained until such time as either the activity ceases (if PC20 is refused), or if a full upgrade occurs at the time that a granted PC20 leads to urban subdivision. It would remain open to the Council, as landowner, to agree the final details of the facility with the consent holder, including whether it wished to undertake any additional measures, such as "temporary" type advisory signage associated with the facility so as to reaffirm to any members of the public that it is not a permanent facility.
60. I find that on the basis of the pedestrian safety and traffic management conditions offered by the applicant, the proposal would be appropriate. I agree with the conclusions reached by Mr Whittaker and Mr Duthie.

Dust and nuisance effects

61. The proposal is likely to generate dust, noise and other nuisance effects during construction. The applicant has proposed conditions relating to dust (house washing) and noise (construction) to manage these.
62. It is also possible that dust and other nuisances occur associated with visitors coming and going from the sales suite along Scott Road.
63. I find that the proposal will not generate problematic dust or nuisance effects on the basis that it is considerably smaller than many non-fanciful rural activities that could occur on the site and result in much greater effects on the environment than is proposed, and which could include frequent movements of large trucks or the noise from various rural industries.

64. The fact that the proposal is for 5 show homes reinforces that fundamentally the proposal is of a compatible scale with and is not offensive to adjacent residential activities, and it would not create any reverse sensitivity effects for adjacent non-residential activities because it is not strictly-speaking a residential activity.
65. Overall and on balance, I find that the proposal is appropriate, and I agree with the conclusions of Mr Whittaker and Mr Duthie.

Infrastructure and servicing effects

66. In response to the opposing submissions, at the hearing the applicant confirmed that the sales precinct will not be connected to any network infrastructure. As such there will be no environmental effects of concern. This mirrors the conclusion expressed by Mr Whittaker in his s.42A report.
67. I am satisfied that the activity will generate such a low demand for water and waste water that off-network solutions would be readily available (water tanks / portable toilets), and that the applicant's proposition that the sales suite will not need to be connected to any public services is credible. I also note that this finding relates to my overall findings regarding environment effects including on amenity values and character – as the lack of service connections is a key means to ensure that the show homes will not be occupied or used as dwellings.
68. Overall, I find the proposal raises no concerns relating to network infrastructure or servicing, and I agree with the conclusions of Mr Whittaker and Mr Duthie.

Contrariness to the Rural zone policy framework

69. Mr Whittaker identified an incompatibility between the proposal and the Rural zone policy framework. The issue was that the proposed activity is plainly not for a rural activity, rural service, or an activity that otherwise required a rural location. The proposed activity is a show home and sales suite to market what the applicant hopes will be residential development area in the near future.
70. Mr Duthie held no such concerns, considering that the proposal was temporary, small scale, and sufficiently removed from other activities that the site as a whole would appear to be and could be legitimately argued as remaining in rural use and of rural character.

71. I find in agreement with both of the experts. In terms of Mr Whittaker, I agree that the proposal is plainly unrelated to the rural environment of the Rural zone policy framework set out in the District Plan. In this respect, it is incompatible with the Plan.
72. But this does not lead to an automatic refusal of consent; the significance of the incompatibility in terms of environmental effects and planning precedent (i.e. the integrity or sound administration of the Plan) must be determined. In this respect, the proposal will not have concerning adverse effects on the environment (once the mitigation of recommended and volunteered conditions of consent are considered), and they will be substantially less than some other large-scale rural activities could result in.
73. In terms of Plan integrity, I find that the proposal will not give rise to any concern regarding the administration of the Plan or the integrity of the Rural zone; this proposal – were it to proceed – would not open a door to a flood of residential dwellings. The proposal is novel inasmuch as it is very unlikely that many developers for large-scale Plan Changes will routinely seek concurrent resource consents and plan changes in the District; and furthermore, seek some resource consents ahead of the necessary Plan Change being granted. This amounts to a scarcity factor that is relevant to my decision.
74. While not a definitive one-off, the particular scenario before me is unlikely to be frequently repeated. Secondly, the proposal is ultimately very small scale, in an unobtrusive area of land, and subject to conditions of consent that will remove the facility should PC20 not be granted or proceed. This last point is significant, because in light of the uncertainty regarding whether PC20 will be granted, what is proposed by the applicant amounts to a form of temporary activity in the first instance, that will either cease, or continue only if PC20 is granted and the land ceases to be driven by a Rural policy framework.
75. Overall and on balance, I therefore find that the proposal is incompatible with the District Plan's Rural zone policy framework, but that the incompatibility is of a sufficiently small impact that it would not justify the refusal of consent. In this respect, I agree with Mr Duthie but also, on account of his overall recommendation to still grant consent, Mr Whittaker in part.

Section 104 analysis

76. In respect of those matters not in contention, I accept and adopt Mr Whittaker's s.42A analysis and conclusions and note Mr Duthie's agreement with Mr Whittaker's conclusions.

Section 104(1)(a)

77. Turning to my overall analysis of the proposal under s.104(1)(a) of the Act, I find that the proposal will result in a number of both positive and adverse environmental effects.

78. In terms of adverse effects, I find that the proposal will result in a number of adverse effects on the environment. I have considered the proposal's actual and potential adverse effects, both those of particular concern to the submitters and others identified in the AEE and/or s.42A report. I am also satisfied that, with the imposition of the identified consent conditions, adverse effects will be adequately avoided, remedied or mitigated. A satisfactory maintenance of rural amenity values will result, and benefits will result in the form of a more seamless progression to sales for the developer in the event that Plan Change 20 is eventually granted. The key reason that the proposal is environmentally appropriate relates to its small scale and isolation within its subject site whereby its effects are so separated from other activities or people that it will function with for the most part barely discernible effects.

79. Overall, I find that the proposal is suitable under s.104(1)(a).

Section 104(1)(b)

80. I find that Mr Whittaker and Mr Duthie have undertaken adequate assessments of the relevant planning provisions. For the reasons discussed previously, I find that the proposal is not compatible with the Rural zone framework, in agreement with Mr Whittaker. However, I find that due to the lack of concerning adverse effects, relatively novel nature of the proposal, and its small scale, combine to make the proposal's degree of overall Plan incompatibility so small as to not justify a refusal of consent.

Section 104(1)(c)

81. No other matters are relevant and reasonably necessary to allow me to complete my decision on the application.

Part 2 RMA

82. I have considered the provisions of Part 2 in my analysis and findings expressed above in terms of s.104(1) RMA, and for completeness confirm my conclusion that the promotion of sustainable management would be best served by the granting of consent to the application subject to conditions. While the development of a sales precinct / show homes is plainly unrelated to Rural activities, it can be accommodated in this instance without giving rise to any concerning environmental effects or policy precedents.

Conditions of consent

83. As has been referred to numerous times in the preceding analysis, the granting of consent would only be appropriate subject to the imposition of conditions. The applicant and Council's processing officer have agreed conditions of consent. I have reviewed these and consider them satisfactory although I have slightly amended proposed condition 10 (house washing) to confirm that the offer of house washing to the owners of 75 Scott Road shall include that the house washing, if it proceeds, shall be entirely at the consent holder's expense.

84. The recommended conditions address:

- a. Administration of the consent;
- b. Operating hours, scale and duration of the activity;
- c. Traffic and transport;
- d. Storm water;
- e. Construction noise;
- f. House washing of 75 Scott Road; and
- g. Monitoring

85. The revised conditions of consent recommended by Mr Duthie and Mr Whittaker have been adopted, subject to my changes to condition 10, and for completeness are included as **Appendix 1** to this notice.

Section 104B – the overall merits of the application

86. Section 104B allows me to grant, grant with conditions, or refuse consent to the application.

87. On the basis of an overall consideration of the preceding analysis, the facts and background to the application, and the submissions and issues raised therein, I find that the promotion of sustainable management will be best served by the granting of consent to the application, subject to conditions. My reasons for this are set out below in my formal decision.

Decision

88. The proposal by Lakeside Developments 2017 Ltd for a sales precinct consisting of a sales office and 5 show homes, at 95 Scott Road, Te Kauwhata, has been considered under sections 104, and 104B of the Resource Management Act. On an overall consideration of merit, the consent is granted subject to the conditions of consent appended to this decision and imposed under sections 108 of the RMA (**Appendix 1**).

89. The key reasons for this decision are:

- 1 The proposal will result in positive and adverse effects. Adverse effects can be adequately avoided, remedied or mitigated. Specific adverse effects on Scott Road and 75 Scott Road will result, although these are subject to conditions of consent to ensure suitable mitigation occurs. The proposal's adverse effects are acceptable and will have a marginal impact in the wider environment.
- 2 The proposal will result in development that complies with the zone's relevant bulk and location controls, and which is considerably less intensive or adverse than a number of large-scale rural activities would be, including in terms of traffic generation, dust nuisance, noise, and general visual amenity values.
- 3 The traffic and transport impacts of the proposal will maintain the safety and efficiency of the transport network, and the hours of operation proposed to be managed by way of consent condition will also significantly influence this.

- 4 The proposal is not consistent with the objectives and policies of the Operative District Plan as it relates to the purpose and function of rural activities in the rural environment, largely because the proposal is not rural and has no claims to serving the rural environment. However, in light of the absence of concerning adverse effects, the small scale of the activity proposed, and volunteered conditions of consent from the applicant confirming the activity will be removed if Plan Change 20 is declined, mean that the degree of Plan incompatibility that will result is not overly concerning or sufficient to warrant refusal of consent.

- 5 Overall the promotion of sustainable management as defined in section 5 of the RMA will be best served by the granting of consent taking into account the above reasons.

A handwritten signature in black ink, appearing to read 'Ian Munro', with a stylized, cursive script.

Ian Munro

Independent Commissioner

14 November 2017

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	10 March 2018
Prepared by	Wanda Wright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Hearing Minutes – Proposed Waikato District Council Speed Limit Bylaw 2011 held on 27 November 2017

1. EXECUTIVE SUMMARY

To receive the minutes of a hearing for Proposed Waikato District Council Speed Limit Bylaw 2011 held on 27 November 2017.

2. RECOMMENDATION

THAT the minutes of a hearing for Proposed Waikato District Council Speed Limit Bylaw 2011 held on 27 November 2017 be received.

3. ATTACHMENTS

Hearing minutes

Minutes of a hearing by the Policy & Regulatory Committee (to hear and consider submissions and make recommendations on the Proposed Waikato District Council Speed Limit Bylaw 2011) held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 27 NOVEMBER 2017** commencing at **9.00am.**

Present:

Cr JD Sedgwick (Chairperson)
His Worship the Mayor, Mr AM Sanson
Cr AD Bech
Cr JA Church
Cr DW Fulton
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire [*until 12.02pm and from 12.13pm*]
Cr FM McNally [*from 11.21am*]
Cr BL Main
Cr EM Patterson
Cr NMD Smith
Cr LR Thomson

Attending:

Mrs S O’Gorman (General Manager Customer Support)
Mrs W Wright (Committee Secretary)
Ms A Murphy (Corporate Planner)
Ms J Underwood (Consultant Engineer)
Mr G Bellamy (Safety Engineer – Roading)
Mr W Furlong (Asset Management Team Leader – Roading)
Mr B Cameron (Submitter, Onewhero-Tuakau Community Board)
Mr T Follows (NZAA)
Members of Staff
Member of the Public

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Thomson/Main)

THAT the agenda for a hearing of the Policy & Regulatory Committee held on Monday 27 November 2017 be confirmed and all items therein be considered in open meeting.

AND THAT all reports and submissions be received and taken as read noting the striking out of a paragraph within Submitter 17 – referring to a Councillor, which is considered vexatious.

CARRIED on the voices

P&R1711/01

DISCLOSURES OF INTEREST

There were no disclosures of interest.

REPORT

Recommended 2017 Amendments to 2011 Speed Limit Bylaw Hearing
Agenda Item 4.1

On 4 September 2017 Council resolved to consider and approve the Proposed 2017 Amendments to 2011 Waikato District Council Speed Limit Bylaw for public notification and consultation, in accordance with section 83 of the Local Government Act 2002 (special consultative procedure).

The Road Safety Engineer gave a powerpoint presentation as an overview of the Bylaw.

Tabled Item: Speed Bylaw Intro Hearing November 2017

Hearing of Submissions

The following submitters presented their submission in relation to the Speed Limit Bylaw:

Submitter Name	Organisation	Submitter No	Submission Reference
Bruce Cameron		69	All Roads
Bruce Cameron	Onewhero-Tuakau Community Board	18	B, C, D
Trevor Follows	NZAA	31	B, C, D
Monique Haines on behalf of Leah Fry	Chair, Port Waikato Rate Payer Association	4	H, I

Tabled Item: Powerpoint from Leah Fry; Safer Waikato Roads

Further discussion was held with reference to the four options stipulated in the Agenda Report (page 6).

The General Manager Customer Support reminded the Committee of the guidelines in the Bylaw and process.

The hearing was adjourned at 10.36am and resumed at 10.59am.

The Consultant Engineer highlighted the proposed changes in Maps 1 to 18.

Resolved: (Crs Main/Church)

THAT pursuant to sections 83 of the Local Government Act 2002, the Committee consider and, where requested, hear submissions on the notified Proposed 2017 Amendments to the Waikato District Council Speed Limit Bylaw 2011.

CARRIED on the voices

P&R1711/02

Resolved: (Crs Church/Main)

THAT subject to any amendments, the proposed bylaw be further considered by the Committee at its meeting on 27 November 2017 with a view to recommending to the Council at its meeting on 11 December 2017, that the 2017 Amendments to the WDC Speed Bylaw 2011 be adopted noting that the signage of Tuakau Road, Ray Wright Road, Bayly Road, Burrow Road and Upper Queen Street in Pukekohe will be installed to coincide with the adoption of Auckland Transport proposed Speed Limit Bylaw Change.

A division was called:

Cr AD Bech – in Favour	Cr NMD Smith - Against
Cr JA Church – in Favour	Cr FM McInally – Abstention
Cr DW Fulton – in Favour	
Cr JM Gibb – in Favour	
Cr SL Henderson – in Favour	
Cr SD Lynch – in Favour	
Cr BL Main – in Favour	
Cr EM Patterson – in Favour	
His Worship the Mayor, Mr AM Sanson – in Favour	
Cr LR Thomson – in Favour	
Cr JD Sedgwick – in Favour	

CARRIED on a division with 11 voting in Favour, 1 voting Against and 1 Abstention

P&R1711/03

Cr McInally entered the hearing at 11.21am during discussion on the above item.

Cr McGuire withdrew from the hearing at 12.02pm and was not present during discussion or voting on the above item.

Resolved: (Crs Church/Main)

**THAT the Committee chooses Option 4 of the Agenda report:
To keep the status quo of 100km/h from Tuakau Bridge to Te Kohanga village, to reduce Te Kohanga village to 80km/h (800m), Te Kohanga village to Klondyke Road – 100km/h, from Klondyke Road to the Port Waikato Village – 80km/h (1.2km from Maunsell Road).**

A division was called:

Cr JA Church – in Favour	Cr AD Bech – Against
Cr SD Lynch – in Favour	Cr DW Fulton – Against
Cr BL Main – in Favour	Cr JM Gibb – Against
Cr NMD Smith – in Favour	Cr SL Henderson – Against
His Worship the Mayor, Mr AM Sanson – in Favour	Cr EM Patterson – Against
Cr JD Sedgwick – in Favour and Casting Vote in Favour	Cr LR Thomson – Against
	Cr FM McInally - Abstention

CARRIED on a division with 7 voting in Favour with the casting vote by the Chair, 6 voting Against and 1 Abstention

P&R1711/04

Resolved: (Crs Main/Gibb)

THAT the Waikato District Council Speed Limit Bylaw Amendment 2015 be revoked on the day the Waikato District Council Speed Limit Bylaw Amendment 2017 comes into effect.

CARRIED on the voices

P&R1711/05

Cr McGuire re-entered the hearing at 12.13pm following discussion on the above item and was not present when voting took place.

There being no further business, the hearing was closed at 12.15pm.

Minutes approved and confirmed this _____ day of _____ 2017.

JD Sedgwick
CHAIRPERSON

Minutes2017/P&R/171127 P&R M.doc

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	12 January 2018
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Receipt of Minutes – Grattan Investments Limited

1. EXECUTIVE SUMMARY

To receive the minutes of an Independent Commissioner hearing held on Tuesday 12 December 2017 for Grattan Investments Limited.

2. RECOMMENDATION

THAT the minutes of the Independent Commissioner hearing held on Tuesday 12 December 2017 for Grattan Investments Limited be received.

3. ATTACHMENTS

Hearing minutes 12 December 2017

MINUTES of a hearing by an Independent Commissioner of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 12 DECEMBER 2017** commencing at **9.00am**.

These minutes should be read in conjunction with notes and evidence placed on the Consent file.

Present:

Commissioner D Hill

Attending:

Cr A Bech
 Mrs LM Wainwright (Committee Secretary)
 Mr J Wright (Senior Planner)
 Ms E Makan (Consents Team Leader – East)
 Ms K Overwater (Senior Policy Planner)
 Mrs B Parham (Legal Counsel, Tompkins Wake)
 Mr W Grattan (Applicant)
 Mrs N Grattan (Applicant)
 Ms R Ryder (Senior Principal/Landscape Architect, Boffa Miskell)
 Mr T Tynan (Director, Blue Wallace Surveyors)
 Mr T Faulkner (Blue Wallace Surveyors)
 Mr A Koppens (Submitter)
 Mr D Fisher (Chairperson, Tamahere Community Committee)
 Mrs G Jones (Submitter)
 Mr M Graham (Landscape Architect)
 Ms J Macartney (Senior Policy Planner)
 Mrs B McCauley (Consents Administrator)
 Mrs J Thomas (Consents Administrator)

HEARING – GRATTAN INVESTMENTS LIMITED

File No. SUB0289/17

Application for subdivision consent by Grattan Investments Limited to create a six lot subdivision as 12 Koppens Road, Tamahere.

INTRODUCTION

Commissioner Hill welcomed all parties and gave an outline of the hearing process.

HEARING OF THE APPLICATION

Mr Faulkner, the applicant's representative, presented written (document 1) and verbal evidence and answered questions of the Commissioner.

HEARING OF SUBMISSIONS

Mr Faulkner presented further written (document 2) and verbal evidence and answered questions of the Commissioner.

Mr Grattan presented written (document 3) and verbal evidence and answered questions of the Commissioner.

Ms Ryder presented written (document 4) and verbal evidence and answered questions of the Commissioner.

Mr Grattan continued to present his written and verbal evidence and answered questions of the Commissioner.

Mr Koppens presented written (document 5) and verbal evidence and answered questions of the Commissioner.

Mr Fisher presented verbal evidence and answered questions of the Commissioner.

The meeting adjourned at 11.15am and resumed at 11.30am.

Mrs Jones presented written (document 6) and verbal evidence and answered questions of the Commissioner.

Mr Tynan answered questions of the Commissioner.

STAFF REPORT

Council's Legal Counsel presented written (document 7) and verbal evidence and answered questions of the Commissioner.

The senior planner presented written (document 8) and verbal evidence and answered questions of the Commissioner.

The senior policy planner presented written (document 9) and verbal evidence and answered questions of the Commissioner.

The senior planner continued to present his written and verbal evidence and answered questions of the Commissioner.

Mr Graham presented verbal evidence and answered questions of the Commissioner.

The senior planner continued to present his written and verbal evidence and answered questions of the Commissioner.

The meeting adjourned at 12.43pm and resumed at 1.05pm.

RIGHT OF REPLY

The applicant's representative gave his right of reply (document 10).

The hearing adjourned at 1.13pm and the decision reserved.

DELIBERATIONS

The Commissioner undertook deliberations on all evidence presented.

DECISION

THAT the Independent Commissioner confirmed the application of Grattan Investments Limited be declined as outlined in the decision dated Monday 11 January 2018.

HE1712/01

The hearing was declared closed at 12 noon on Thursday 14 December 2017.

IN THE MATTER OF the Resource Management Act 1991
AND

IN THE MATTER OF application by Grattan Investments Limited to Waikato District Council under section 88 of the Resource Management Act 1991 for a subdivision consent for 6 allotments at 12 Koppens Road, Tamahere (being Lot 2 DP 376523, Lot 1-2 DPS 69326, SO59669 and SO 60551 comprised in Computer Freehold Register 307734).

Decision following the hearing of an application by Grattan Investments Limited to Waikato District Council for a discretionary activity subdivision (Country Living Zone) resource consent under the Resource Management Act 1991

Proposal

To subdivide Lot 2 DP 376523, Lot 1-2 DPS 69326, SO59669 and SO 60551 comprised in Computer Freehold Register 307734 at 12 Koppens Road, Tamahere into 6 allotments, where Lot 1 is proposed at 2,918m², Lot 2 at 3,042m², Lot 3 at 2,793m², Lot 4 at 6,053m² (3,907m² Net), Lot 5 at 2,898m², Lot 6 at 2,998m² and Lot 7 (Access Lot to vest) 452m², with a total site area of approximately 2.1154 hectares.

The application was heard at Ngaruawahia on 12 December 2017.

The resource consent sought is **REFUSED**. The reasons are set out below.

Hearing Commissioner:	Mr David Hill
Application numbers:	SUB0289/17
Applicant:	Grattan Investments Limited
Site addresses:	12 Koppens Road, Tamahere
Legal descriptions:	Lot 2 DP 376523, and Lot 1-2 DPS 69326, SO59669 and SO 60551
Site area:	2.1154 ha
Zoning:	Country Living
Lodgement:	7 June 2017
Application on hold:	26 June 2017

S92 Request:	10 August 2017
S92 information:	29 August 2017
Limited notification:	11 September 2017
Submissions closed:	6 October 2017
Hearing commenced:	12 December 2017
Hearing closed:	14 December 2017
Appearances:	<p><u>The Applicant:</u></p> <p>Mr Wayne Grattan (Applicant). Mr Tim Faulkner (Planner – Blue Wallace Surveyors) Ms Rebecca Ryder (Landscape Architect – Boffa Miskell) Mr Tony Tynan (Surveyor - Blue Wallace Surveyors)</p> <p><u>Submitters:</u></p> <p>Mr Arnold Koppens (and Mr Dallas Fisher) Ms Gail Jones</p> <p><u>Tabled:</u></p> <p>Ms Lana Gooderham – NZ Transport Agency</p> <p><u>Council:</u></p> <p>Ms Bridget Parham (Counsel) Mr Jason Wright (Reporting Planner) Ms Katherine Overwater (Senior Policy Planner) Mr Michael Graham (Landscape Architect) Ms Lynette Wainwright (Committee Secretary)</p> <p>Various other staff in attendance but not appearing.</p>

Summary Decision:

1. Pursuant to section 104 and 104B of the Resource Management Act 1991, the discretionary activity subdivision consent application is refused.

Introduction

2. This decision is made on behalf of the Waikato District Council (Council) by Independent Hearing Commissioner Mr David Hill appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (the RMA).
3. This decision contains the findings from my deliberation on the application for resource consent and has been prepared in accordance with section 113 of the RMA.
4. The application was limited notified to six identified owners/occupiers of adjacent properties on 11 September 2017, with submissions closing on 6 October 2017. Three submissions were received in time – all in opposition.

5. The s42A report notes that the Tamahere Community Committee lodged a letter of objection to the application but, not being an identified affected party for the purpose of limited notification, that letter of objection was not accepted. The Chair of that Committee was subsequently called as a witness by submitter, Mr Koppens. The appearance was challenged by the applicant. The commissioner ruled orally that appearance as a witness was permitted to the extent that any representation made was within the scope of the lawful submitter – and that weight would be apportioned accordingly.
6. No late submissions were received.
7. The NZ Transport Agency has provided its written approval subject to an agreement on the provision of an acoustic bund along the site boundary with SH1. That was accepted by the applicant and by Council through the s42A hearing report. Accordingly no further consideration has been given to that matter.
8. The s42A RMA hearing report was prepared by Mr Jason Wright. Mr Wright's overall recommendation was to decline the subdivision consent sought as he considered (in summary) that the effect on the environment of allowing the activity would undermine the broader 5,000m² lot size policy architecture for the Tamahere Country Living zone and create an adverse precedent effect. His report was informed by technical reviews from Mr Victor Wong (land development engineering) and Mr Michael Graham (visual and landscape effects), both of whom indicated conditional support for granting consent subject to a range of proposed conditions.
9. Mr Wright provided a supplementary written statement in opening and a detailed oral response.
10. The matter was heard in Ngaruawahia on 12 December 2017, and closed on 14 December 2017.

Site description

11. The history of the previous Icepak Cool Stores site is well known locally and recorded in the application documentation, the s42A report and in evidence and submissions.
12. As described in the s42A report, State Highway 1 (Waikato Expressway) is located along the north-eastern property boundary, Devine Road along part of the eastern boundary and Koppens Road along the south-western boundary.
13. The site topography is relatively flat and vacant of development. The site was previously used for a commercial activity (cold storage operation) with large areas of hard surface concrete still present across the entire site. Existing vegetation is scattered along the road boundary of Koppens Road and the right-of-way access from Devine Road.
14. Four existing entrances access the site, two from Koppens Road and two (including a right-of-way) from Devine Road.
15. Land uses in the surrounding area are a mix of lifestyle residential use, with a commercial wedding and conference venue (Gail's of Tamahere) to the north-west of

the site and to the south, Tamahere Model Country School, an early childhood facility, community hall and church.

16. The s42A report notes¹ that there are a number of legal interests registered on the Computer Freehold Register (CFR), none of which materially restrict the proposed subdivision.
17. While the site has an underlying Country Living zoning, a commercial zone overlay had been placed over the site so that the Icepak activity could operate. I was told that the commercial overlay was removed by agreement on or about 2014 following clearance of remaining buildings and debris left from the 2008 fire that destroyed the cool store, and the site reverted to its underlying zoning. That is the present situation.

Summary of proposal and activity status

18. In short, the proposal is to subdivide this country living zoned site into 6 parcels and enable each to develop a single residential dwelling, with a consent notice restriction on dependent person's dwellings (which are otherwise permitted, subject to standards, in the zone). As explained by Ms Ryder², the applicant's landscape architect, this latter ensures (in her opinion) an appropriate provision of open space between the dwellings, commensurate with the smaller than minimum lot sizes and the objectives of the zone.
19. Resource consent is required under the operative Waikato District Plan – Waikato Section 2013 as follows:
 - Rule 27.50D – Building setback from the Tamahere Commercial Area B is infringed because Lots 1, 2, 5 and 6 have setbacks of less than 100m. This is a restricted discretionary activity.
 - Rule 25.62 – Minimum net site area is infringed because all lots are less than 5,000m². This is a discretionary activity.
 - Rule 27.65 – Road access is infringed because the access to the right-of-way and Lot 4, as well as Lots 1 and 2 and Lot 3 with the adjacent property, have less than the required minimum separation distance, and the development generates additional traffic movements in excess of those meeting the controlled activity standard. This is a restricted discretionary activity.
 - Rule 27.66 – Building platform and shape factor is infringed by Lot 1, and Lots 4 and 5. This is a discretionary activity.
20. The application has been reviewed for compliance with Regulation 5(5) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES). The relevant experts accepted that while contaminant levels on site are above background levels, soil contamination levels do not exceed the applicable rural-residential standards in the NES, hence present levels of soil chemicals at the site are highly unlikely to pose a health risk to future occupants of the site.

¹ S42A report, para 1.4.

² Ryder, Statement of evidence, para 5.3

21. Overall the application is to be assessed as a discretionary activity. That activity status was not in dispute.

Procedural and other matters

22. No procedural matters were raised for consideration.
23. However, Ms Parham (Counsel for Council) did step through the current caselaw relating to the question as to whether and/or the extent to which Part 2 RMA is pertinent (a matter presently awaiting a ruling from the Court of Appeal arising from the 2016 Environment Court decision in *R J Davidson Family Trust v Marlborough District Council*). Having rehearsed the recent caselaw, and while awaiting the Court of Appeal ruling, Ms Parham concluded that, in her submission, it would be prudent to “cover both bases”, being to have regard to Part 2 in the s104 consideration, as well as separately applying the Part 2 overall broad judgement. She observed that, in this instance, the outcome did not appear to be determined by the approach taken.
24. For the record I note that a letter from NZTA was tabled in support of the application subject to an agreement relating to an acoustic bund along the boundary between the site and SH1.

Relevant statutory provisions considered

25. In accordance with section 104 of the RMA I have had regard to the relevant statutory provisions, including the relevant sections of Part 2, sections 104 and 104B.

Relevant standards, policy statements and plan provisions considered

26. In accordance with section 104(1)(b)(i)-(vi) of the RMA, I have had regard to the relevant policy statement and plan provisions of the documents noted below – the relevant provisions of which are assessed, in part, in section 7 of the application AEE, paragraphs 40-45 of Mr Faulkner’s evidence, and more particularly and thoroughly in section 7.0 of Mr Wright’s s42A hearing report. The identification of these provisions was largely agreed. Having reviewed those provisions and particularly the objectives and policies, I confirm and adopt them. Therefore, there is no need to repeat the details in this decision. Those provisions are contained in the following statutory documents:
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;
 - Waikato Regional Policy Statement 2016;
 - Waikato Regional Plan (WRP) 2007;
 - Waikato District Plan – Waikato Section 2013;
27. No other national policy statement or environmental standard was identified as being relevant to this consent and I accept that to be the case.
28. I do not consider any other matter to be relevant and reasonably necessary to determine the application in accordance with section 104(1)(c) of the RMA. While Mr

Koppens' witness Mr Fisher made reference to a local Tamahere Community Plan³ prepared by the Tamahere Community Committee, that Plan, despite its broad genesis, is not a statutory document and does not add materially to the relevant provisions of the district plan.

Permitted Baseline / Existing Environment

29. There is no particularly relevant permitted baseline, including known unimplemented resource consents, which might have a bearing on this matter.

Summary of evidence / representations / submissions heard

30. The s42A Hearing report by Council's reporting officer, Mr Wright, was circulated prior to the hearing and taken as read. That report was accompanied by technical reports as noted in paragraph 8 above.
31. The evidence presented at the hearing responded to the particular issues and concerns identified in the s42A recommendation report and submissions.
32. The evidence, all of which had been pre-circulated, presented by the applicant's witnesses at the hearing are summarised below:

Mr Wayne Grattan, owner / director of Grattan Investments Limited, provided background to his involvement with the site for the past 15 years and his ownership for the past 2 years.

Mr Tim Faulkner, a consultant planner with Blue Wallace surveyors Limited, gave planning evidence in support of granting the application. Mr Faulkner particularly disputed the precedent argument against granting consent, contending that the site was sufficiently unique in its circumstances that such could not arise and, relying on Ms Ryder's landscape and visual evidence, that the subdivision outcome was not substantially inconsistent with the objectives sought from the Tamahere Country Living zone.

Ms Rebecca Ryder, a registered Landscape Architect and Senior Principal with Boffa Miskell Limited, gave evidence on vegetation, visual effects and landscape character. She was in substantial agreement with Council's reciprocal expert, Mr Michael Graham. Based on her perception of the zone being more akin to a large lot residential, and in the context of SH1 and the Village itself, Ms Ryder supported the subdivision design. Ms Ryder had helpfully prepared a comparative concept plan analysis of a complying 4 and the 6 lot subdivision.

Mr Tony Tynan, a registered Surveyor, attended to answer questions.

33. The following submitters made representations:

Mr Arnold Koppens, 7 Koppens Road; and

Ms Gail Jones, 28A Devine Road.

³ Tamahere – The Country Lifestyle Community – Community Plan 2011-2021
SUB0289/17 - Grattan Investments Limited, 12 Koppens Road, Tamahere

34. Submitters elaborated on their concerns, particularly about the potential effect on the integrity of the Country Living Zone and perceived errors in the application documentation and evidence and, in Ms Jones' case, potential effects on her commercial access.

Principal issues in contention

35. In terms of section 104(1)(a) of the RMA, the actual and potential effects of allowing the activity on the environment, I note that there was broad agreement that infrastructural and related effects were not significant and could be managed – regardless of whether the subdivision was for 4 or for 6 lots. I accept that conclusion and therefore do not discuss those matters further and refer to the relevant discussion in the s42A report in section 6.1 and companion reports.
36. The principal matter in contention was the effect that granting the 6 lots, each of a net size materially less than the minimum 5,000m² required in this zone, could have:
- (a) in terms of the perceived density (and corresponding amenity) of the specific subdivision proposed for those surrounding properties within the zone; and /or
 - (b) on the coherence of the zone itself in terms of the potential for significant numbers of applications for further subdivision below 5,000m².
37. These issues are discussed in the following section.

Neighbouring amenity

38. Evidence on visual / neighbourhood amenity was given principally by Ms Ryder for the applicant and Mr Graham for Council. There was a large measure of agreement between those two landscape and visual effect experts.
39. Among other things Ms Ryder had reviewed Grattan Investment's landscape and visual assessment and design, and prepared a Landscape Mitigation Plan and provided amendments to the design controls. She considered that these resulted in a subdivision that was consistent with what she described⁴ as "*a transitioning landscape character from rural residential to effectively large lot residential*". She gave her opinion that lot size was not the driving factor in the generation of landscape and visual effects but, rather, design elements such as restrictions on the location and footprint of building to maintain the characteristic balance of open space; controls on building height, colours and fencing; and appropriately complementary and integrated landscape planting. In other words, as I understood her evidence, it was the general distribution of buildings across the zone landscape that provided the defining context – noting that there were a variety of large lot sizes within the zone from less than 5,000m² to more than 6,000m². Furthermore, the viewing catchment for this particular subdivision was quite restricted – and particularly because of the proximity of SH1 along the north-eastern boundary.
40. Ms Ryder had also prepared⁵, subject to a s92 RMA request from Council, comparative 4-lot and 6-lot subdivision plans, with indicative aerial oblique views, demonstrating to

⁴ Ryder, Statement of evidence, para 4.2

⁵ Ryder, Statement of evidence, Annexure 3 – Comparative Subdivision Analysis Diagrams

her satisfaction that the magnitude of change on the landscape character was not dependent upon lot size alone. Of particular note was her observation that a complying subdivision enabled unrestricted building placement and location – which, I understood, meant that a dwelling could be particularly dominant from a public viewing point, reducing one’s perception of openness.

41. While Mr Graham had some relatively minor disagreements with Ms Ryder’s analysis, these did not appear to be significant differences. He concluded that consent could be granted with a suite of conditions, that he proposed⁶.

Finding

42. In the immediate context, a 6-lot subdivision and associated, albeit restricted, residential development could be located in this part of the Tamahere Country Living zone with relatively minor adverse visual and landscape effect over and above that generated by a fully permitted, complying 4-lot subdivision. In that regard the context of SH1 is significant.

Precedent and zone integrity

43. Council’s main concern with this application (as was that of submitter Mr Koppens and his witness, Mr Fisher) related to the potential precedent effect that could be created for the rest of the zone if this application is granted.
44. The Court’s have accepted that a precedent effect can result from a discretionary activity application – although such would not normally be the case because every application is assessed on its merits and typically has unique characteristics that are distinguishable. This latter point was detailed in reply by Mr Faulkner.
45. The precedent of concern arises, I was told, because the specific zone control (minimum lot size of 5,000m²) has been in place for some 20 years, been confirmed through various plan reviews / changes, and is widely supported by the community. I was also advised that under the current plan review – not yet notified – that policy position is unchanged. I was also told that over that period of time only 3 subdivisions of a lesser lot size have been granted – and those were marginally less than the required 5,000m² (unlike the present application, all of which lots are significantly less than 5,000m²).
46. In evidence I was also presented with maps by both Mr Wright and Ms Ryder showing parcel size distribution across the zone, which confirm the preponderance of lots of 5,000m² and larger - and including a significant number of lots of 5,000m² – 1ha and 1ha+ that are potentially subdivisible to a lesser lot size if that threshold of 5,000m² is changed - and the relative lack of lots of less than 5,000m².
47. No calculation of the number of additional lots that might thereby be created under this precedent scenario was provided – or the commercial viability of so doing - but the maps were persuasive of the potential, which would clearly result in a significant change to the character of this zone.

⁶ s42A Hearing report, Appendix C: Landscape and Visual Assessment Peer Review Report
SUB0289/17 - Grattan Investments Limited, 12 Koppens Road, Tamahere

48. I note that the applicant's witnesses repeatedly referred to a comparison with the large lot residential zone (and countryside living zones in adjacent planning jurisdictions). Neither comparison is helpful or relevant when the extant zone parameters and standards are clear, not in dispute, and not apparently intended for change. I therefore discuss those cross-referenced matters no further.
49. Mr Faulkner noted that lots below the minimum lot size are a discretionary activity under the Plan, not a non-complying activity. Had the Plan wished to restrict the lot size further, he suggested, it could have used that latter activity status with a further stated threshold – or proposed a prohibited activity status. While Mr Faulkner is correct in that proposition, one is not entitled to conclude that just because those status options are not used, reduced lots of whatever size are permissible. Clearly the objectives and policies then come into play – and these do not appear to support that proposition.
50. Is there any evidence in support of the precedent contention? Ms Overwater⁷ produced a short statement referencing anecdotal evidence from the District Plan Review consultation Tamahere Open Day in which she participated. She notes that a number of landowners expressed clear interest in subdivision below the 5,000m² threshold, concluding that the risk is real – and not only for the Tamahere Country Living zone.
51. While that evidence is very soft evidence indeed, there is no reason to disbelieve it. What can be taken from that evidence is the fact that there is a statutory planning process in train (notification being imminent) in which the current policy direction can be properly aired and tested.
52. In passing I note that in answer to a question from the Commissioner, Mr Grattan confirmed that a 4-lot subdivision was commercially viable, albeit that the bottom line cost for site remediation was in the stated order of \$250,000. Clearly, however, the project's commercial viability increases proportionately with the number of allotments. As a consequence of that answer, therefore, I am not inclined to attach too much weight to the prospect that without a 6-lot subdivision the site is likely to remain undeveloped for another substantial period of time. A consideration that might otherwise have attracted more significant weight under s104(1)(c) of the RMA as a relevant other matter.

Finding

53. I find that the matter of precedent effect is fairly and reasonably raised and that the appropriate opportunity to revisit the policy matter will shortly be put before the public through the imminent statutory district plan review process. While I note Mr Faulkner's recital, in his formal reply, of reasons why he considers the site unique from a planning point of view, I am not persuaded (as was not Mr Wright⁸) that those are sufficiently certain to avoid consequential applications – which, of course, may be made at any time in any event. Accordingly I consider that there exists a reasonable risk of adverse precedence arising from a grant of consent.

⁷ Overwater, Statement of evidence, paras 5-7

⁸ Wright, Statement of evidence, paras 11-20

Part 2 RMA

54. No section 6 RMA matters of national importance or section 8 (Treaty of Waitangi principles) were identified as being directly engaged by this application.
55. Of the section 7 other matters to which particular regard is to be had, I consider the following relevant:
- (b) the efficient use and development of ... physical resources;
 - (c) the maintenance and enhancement of amenity values; and
 - (f) maintenance and enhancement of the quality of the environment.
56. Those matters were rehearsed in the respective documentation and evidence and regard to them has been had in this decision. I note that those matters are also engaged in the precedence argument.
57. When put into the wider context of the Part 2 sustainable management purpose of the RMA and the function of territorial authorities, it is difficult to see how allowing a move away from the established zone subdivision pattern, in the absence of clear and compelling reasons of uniqueness, would be consistent with the integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district as is required under section 31 RMA.
58. Specifically I find that the application will not promote the sustainable management purpose of the RMA, in particular as that is expressed through the operative District Plan provisions and for the Country Living zone, and therefore cannot be granted. The application is declined.
59. For the record I note that had the applicant included as an alternative a 4-lot subdivision as shown in Ms Ryder's evidence then, on the evidence before me, I could have granted that application. However, that option was not advanced.

Decision

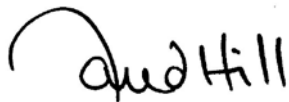
60. In exercising delegated authority under sections 34 and 34A of the RMA and having regard to the foregoing matters, sections 104, 104B and Part 2 of the RMA, the subdivision application by Grattan Investments Limited for a 6-lot residential subdivision on the 2.115 hectare site at 12 Koppens Road, Tamahere (Lot 2 DP 376523, Lot 1-2 DPS 69326, SO59669 and SO 60551) is refused for the reasons discussed in this Decision and as summarised below.

Summary reasons for the decision

61. After having regard to the actual and potential effects on the environment of allowing the proposed activity, and taking into account the relevant statutory provisions, I find that consent for the proposed activities should be refused for the reasons discussed throughout this decision and, in summary, because:

- (a) the proposed activity is not consistent with the provisions of the relevant statutory document(s), and will not avoid, remedy or mitigate the adverse precedent effects thereby created;
- (b) granting consent would not be consistent with the sustainable management purpose and principles of Part 2 of the RMA or Council's integrated management functions under section 30 RMA;
- (c) granting consent would be more likely than not to lead to other subdivision applications for lots of less than 5,000m², which the decision maker would have difficulty not granting since there is not sufficient uniqueness in the present application such that a credible precedent is not created;
- (d) refusing consent better meets the purpose of the zone and avoids the potential to undermine those provisions; and
- (e) the District Plan is currently under review (scheduled for notification in 2018) and, while Council advised that the policy direction for this zone is not intended to change, that is the appropriate process for determining whether it should and, if so, how and to what extent.

62. Overall I find that refusing consent for the application is appropriate.



David Hill
Independent Hearings Commissioner

Date: 11 January 2018

Open Meeting

To	Policy & Regulatory Committee
From	Sue O’Gorman General Manager Customer Support
Date	8 February 2018
Prepared by	Beryl McCauley Consents Administrator
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Delegated Resource Consent Approved for the months of November and December 2017 and January 2018

1. EXECUTIVE SUMMARY

This report gives information relating to all delegated Resource Consents processed for the months of November and December 2017 and January 2018 excluding hearings.

2. RECOMMENDATION

THAT the report of the General Manager Customer Support be received.

3. APPOINTMENT OF COMMISSIONERS

No commissioners were appointed in the months of November and December 2017 and January 2018

4. ATTACHMENTS

Delegated Authority Reports - attached

- November 2017
- December 2017
- January 2018

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

Awaroa ki Tuakau

Ward Total: 19

Applicant	ID No	Address	Details	Decision
S B McGuire	LUC0232/18	20 Dromgools Road TUAKAU	The erection of a two dwellings on certificates of title less than 3000m ² in size (on 1 and 5 Fermanagh Grove), exceedance of the site coverage by 5.5% (25.5% total) on 1 & 5 Fermanagh Grove & 20 Dromgool Road, in the Rural Residential Zone.	Granted
S B McGuire	LUC0065/15.02	20 Dromgools Road TUAKAU	S127 to change condition 1 of LUC0065/15.01 to reflect a change in house design for 20 Dromgools Road and the change in property for the location of the oversized accessory building which exceeds the maximum size in association with LUC0232/18	Granted
T K McIntosh	LUC0111/16	41 Great South Road POKENO	Pipe an existing drain and undertake earthworks that exceed the maximum volume; area and fill height where cleanfill also exceeds the permitted volume.	Granted
B K Ralph, S Ralph	LUC0180/18	39 Hillpark Drive POKENO	To undertake earthworks that exceed the permitted volume for the purpose of creating a building platform and construct a retaining wall that encroaches into the rear yard in the Residential 2 Zone.	Granted
Ashcroft Homes (Auckland) Ltd	LUC0186/18	31C Helenvale Crescent POKENO	To undertake earthworks in the Residential 2 Zone that exceed the permitted volume for the purpose of creating a building platform.	Granted
CGC (2011) Limited	LUC0209/18	Hitchen Road POKENO	To undertake earthworks that exceed the permitted volume for the purposes of creating a building platform in the Residential 2 Zone	Granted
Loveridge Builders Ltd	LUC0214/18	17 Helenvale Crescent POKENO	To undertake earthworks in the Residential 2 Zone that exceed the permitted volume for the purpose of creating a building platform.	Granted
Loveridge Builders Ltd	LUC0215/18	19 Helenvale Crescent POKENO	To establish a residential dwelling in the Residential 2 Zone that fails the earthwork provisions of the District Plan	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

D J Latto	LUC0221/18	71 Lewis Road WAIUKU	Establish a home occupation that exceeds the permitted 75m ² floor area	Granted
C K (Lee	LUC0419/16.01	15 Hill Top Rd East PUKEKOHE	S127 to change conditions of LUC0419/16 with a change to consented plans (new design) and to increase the maximum consented earthworks volume by 900 m ³ , maximum cut depth by 1.5 m of what is permitted, and earthworks area by 1,150 m ² with an updated geotechnical report	Granted
P F Gedye, R A Gedye	SUB0029/14.01	373 Bluff Road POKENO	Section 127 to change conditions of subdivision consent SUB0029/14 decision to relocate Lot 1 and subsequently obtain new access to Lot 1 via an unformed road and proposed new Right of Way	Granted
N L Beer	SUB0046/12.02	1391 Waiuku Road WAIUKU	S127 to change conditions EC14, EC15 and PC19 of of subdivision consent SUB0046/12 to create 3 conservation lots and undertake a boundary relocation between 9 existing Certificates of Title.	Granted
L J Saunders	SUB0055/18	19 Madill Street TUAKAU	To create a two Lot subdivision in the Residential Zone	Granted
Pokeno Village Holdings Limited	SUB0070/18	45 William McRobbie Road POKENO	Undertake a subdivision that creates three industrial lots and one drainage reserve (to vest).	Granted
Elrick Farms Limited	SUB0073/18	84C Waller Road PUKEKOHE	Single transfer of rural lot development right subdivision in the Rural Zone, outside of the Enhanced Environmental Overlay Area creating a new allotment 9.0 hectares larger than the maximum allowed area of 1.0 hectares.	Granted
L Heraud, M A Heraud	SUB0081/18	29 Kotuku Road WAIUKU	To undertake a one lot transferable rural lot subdivision by transferring a consented lot with both donor and receiver lot outside the EEOA in the Rural Zone.	Granted
C M Brice, J L Brice	SUB0103/18	12 Butchers Bridge Road WAIUKU	To transfer two rural lot rights outside of the Environmental Enhancement Overlay Area (EEOA) to a lot located in the Rural Zone, also outside the EEOA, creating two additional allotments, where one lot exceeds the maximum 1ha lot size.	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

B R Cornish	SUB0106/18	4 Kitson Road WAIUKU	To undertake a TRLR subdivision to transfer consented Lot 3 from FSUBS05055.02 to a receiver site in the Rural Zone, outside of the EEOA.	Granted
A C Day, S P M Day	SUB0122/18	315C Bald Hill Road WAIUKU	Undertake a three lot transferable rural lot right subdivision outside EEOA in the Rural Zone.	Granted

Eureka Ward Total: 3

Applicant	ID No	Address	Details	Decision
Vision Complete Earthworks Limited	LUC0095/18	78 Gordonton Road HAMILTON	To operate a Transport Depot and install screening and a shelter building that is located within the side yard setback until 2027	Granted
G J Smith	LUC0136/18	629 Tauwhare Road TAUWHARE	Installation of water tank and dwelling extension within the minimum 12m from side yard boundary in the Rural Zone	Granted
J C Wallace, G B Wallace	LUC0233/18	32 Ringer Road TAUWHARE	Retrospective consent for a Travellers Accommodation for 6 people/Second Dwelling for farm workers; as well as extending an existing dwelling in the side yard setback in the rural zone	Granted

Hukanui - Waerenga Ward Total: 2

Applicant	ID No	Address	Details	Decision
B C Shen	LUC0100/15.01	429 Whitikahu Road WHITIKAHU	s127 change of conditions to LUC0100/15 to allow the consented commercial activity to be undertaken within the existing packing shed rather than within the relocated dwelling and to allow for the sale of small hot meals to compliment the wine tasting activity.	Granted
Juby Goat Enterprises Limited	SUB0125/18	1495 Orini Road ORINI	Undertake a boundary relocation between two certificates of title, transferring the balance lot to a neighbouring title	Completed

Huntly Ward Total: 9

Applicant	ID No	Address	Details	Decision
M J Lawrence	LUC0210/18	66 Rosser Street HUNTLY	Construct and use an accessory building in the Living Zone within the Huntly East Mine Subsidence Area.	Granted
M P Tregoweth	LUC0212/18	152 Russell Road HUNTLY	Construct a 3 bay garage in the Coal Mine Policy Area/ Huntly East Mine Subsidence of the Living Zone	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

Chadha Hospitality Limited	LUC0237/18	151 Main Street HUNTLY	Planning Certificate of Compliance for the sale and supply of alcohol, in the Business Zone.	Approved
Gilbar Properties Limited	SUB0152/17	178 Main Street HUNTLY	To undertake a subdivision to create two fee simple lots with a ROW easement to provide legal and practical access to Vanna Fry Lane	Granted
Gilbar Properties Limited	LUC0294/17	178 Main Street HUNTLY	Land use consent to construct 3 apartments within the portion of the existing building that occupies proposed Lot 2 of a subdivision to create two fee simple lots.	Granted
BT Mining Limited	LUC0331/17	Hangapipi Road ROTOWARO	Extend mining operation at Rotowaro Mine to the west into an area which is not covered by the existing Coal Mining Licence , in the Rural Zone	Granted
Eastside Heights Limited	LUC0575/17	12 Harlock Place HUNTLY	Retrospective consent to relocate Lindop Cottage, which is a heritage listed building to a temporary storage yard.	Granted
Cobb-Vantress New Zealand Limited	LUC0581/17	837 Rotongaro Road ROTONGARO	Establish and operate an intensive poultry activity and undertake associated earthworks including the importation of metal	Granted
Gamble Holdings Limited	SUB0195/17	44 Gamble Road RENOWN	Undertake a subdivision to create 2 additional titles and carry out boundary relocations involving 7 existing titles.	Granted

Newcastle

Ward Total: 5

Applicant	ID No	Address	Details	Decision
C J S Saville, J J White, A H M White	LUC0140/18	77 Perkins Road ROTOKAURI	To construct a Dependent Person's Dwelling with a garage exceeding the gross floor area required, and to undertake associated earthworks exceeding the permitted area in the Rural Zone.	Granted
Coast to Coast Bees Limited	LUC0226/18	14 Limmer Road TE KOWHAI	Construct a shed which is located in the rural zone and is to be used as part of an established industrial activity	Granted
L T Burak, E J Burak	LUC0589/17	387 Exelby Road ROTOKAURI	To establish and operate a dog day-care service for up to 15 dogs in the Rural Zone	Granted
Oakworth Farms Limited	SUB0055/17	87 and 52B Collie Road TE KOWHAI	Undertake a Boundary relocation in the Rural Zone resulting in no additional titles	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

B D Bjerring, L M Bjerring	SUB0124/18	692B Horotiu Road TE KOWHAI	Undertake a boundary adjustment between two contiguous titles in the Rural Zone, creating titles of 1.04ha and 1.03ha	Granted
Ngaruawahia		Ward Total: 9		
Applicant	ID No	Address	Details	Decision
Waikato Regional Council	DES0012/18	at Furniss Road, RUAWARO	Waiver of the requirement for an Outline Plan of Works on a designated site being Furniss Downstream Stopbank	Approved
E Apps, C J Birse	LUC0177/18	217C Old Taupiri Road NGARUAWAHIA	Construct a 80m ² shed and driveway to operate an industrial activity within the permitted side boundary setback. The construction of the shed will result in a non-compliance of non-residential building coverage, the proposed driveway will run parallel to Old Taupiri Road and is located within a 30m road setback.	Granted
C R Sklenars NP Legal Trustees Limited,	LUC0179/18	76B Fox Road HOPUHOPU	To relocate a 62m ² single level extension to the existing residential dwelling to a site in the Rural Zone.	Granted
D A & A L Jones Limited	LUC0201/18	Great South Road NGARUAWAHIA	Planning certificate for the sale of alcohol for an Off licence on a site in the Business Zone pursuant to Section 100 of the Sale and Supply of Alcohol Act 2012	Approved
A J W Marsh	SUB0067/18	80 Clark Road NGARUAWAHIA	To undertake a 4 residential lot subdivision in the Country Living Zone, which fails to comply with District Plan rules relating to vehicle access, frontage and existing buildings.	Granted
A J W Marsh	LUC0216/18	80 Clark Road NGARUAWAHIA	Landuse consent to allow for reverse manoeuvring onto a shared access from an existing dwelling in the Country Living Zone.	Granted
ESTATE OF M M Soper	SUB0006/17	193B Osborne Road HORSHAM DOWNS	To create a right of way for vehicle access over Lot 2 DPS 55007 in favour of Lot 13 DPS 13636 under Section 348 of the Local Government Act 1974	Granted
Riverbank Ventures Ltd	SUB0032/11.01	642 Hakarimata Road NGARUAWAHIA	S127 to change/cancel condition RC4, add a new condition RC4A and a new condition point LC10(vi) to correct a lot reference error from Lot 3 to Lot 1 in relation to maintenance of planting of SUB00332/11 to create two additional lots in the Country Living Zone	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

G B Cooper, S M Cooper	SUB0102/18	14 Jackson Street NGARUAWAHIA	To create one additional lot in the Living Zone that fails setback and access width requirements.	Granted
Onewhero-Te Akau Ward Total: 5				
Applicant	ID No	Address	Details	Decision
Westbrook Poultry Limited	LUC0109/18	342 Mercer Ferry Road TUAKAU	To undertake earthworks to create two level building platforms for the construction of two poultry sheds to operate as either an 'Intensive Farming' activity or 'Free Range Poultry Farming' activity with the ability to convert back to either activity within the Rural Zone	Granted
E M Rumball, R J Healy	LUC0219/18	161 Otuiti Road TUAKAU	Undertake earthworks that exceed the permitted volume and area for the purposes of creating a building platform in the Rural Zone	Granted
Mangapiko Farms Limited	SUB0076/18	Sanson Road RUAWARO	Undertake a subdivision to create two additional allotments and one additional title with an amalgamation of two allotments where buildings will fail permitted building setbacks on one of the lots.	Granted
NA Rewa Limited	SUB0080/18	279C Mercer Ferry Road TUAKAU	To undertake a 1 lot transferable rural lot subdivision by transferring a consented lot with both donor and receiver lot outside the EEOA in the Rural Zone and the creation of an unsealed vehicle entrance.	Granted
Pukekawa Land Company Ltd	SUB0111/18	311 Hunt Road TUAKAU	Undertake a boundary relocation in the Rural Zone transferring approximately 23.7 HA of land between common titles in the Rural Zone of the Franklin Section of the Waikato District Plan.	Granted
Raglan Ward Total: 9				
Applicant	ID No	Address	Details	Decision
Waikato District Council	DES0011/18	47 Bayview Road RAGLAN	Outline Plan of Works to install three emergency wastewater storage tanks, associated underground pipes and earthworks at the Daisy Street Pump Station.	AcceptPlan
Waikato District Council	LUC0103/18	Greenslade Road RAGLAN	Construction of an emergency generator for an existing sewerage pump station, exceeding Living Zone noise limits.	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

J Simsar, A M Jaubert	LUC0155/18	15 Norrie Avenue RAGLAN	Construct dwelling extensions to an existing dwelling in the Living Zone, which will result in failure to comply with the daylight admission rule and will also result in an on-site car parking space shortfall, and for vehicle crossing separation distance rule failure and for retrospective landuse consent for part of a pergola which is located within the minimum building setback to a side boundary.	Granted
C David	LUC0159/18	782 Ruapuke Road TE MATA	To establish a dwelling that encroaches into the required 25 metre boundary setback in the Rural Zone.	Granted
D P Icke	LUC0204/18	42 Government Road RAGLAN	Construct second dwelling that exceed the permitted height and encroach upon the mean high water spring setback with earthworks exceeding the permitted, volume and cut depth and access will not achieve a required width.	Granted
P Leng	LUC0206/18	3A John Street RAGLAN	To establish a two level residential dwelling that infringes the road setback, site vehicle manoeuvring, daylighting, and earthwork provisions of the District Plan	Granted
Cattogs Holdings Limited	LUC0222/18	23 Bow Street RAGLAN	Planning Certificate for Sale of Alcohol for an On licence on a site in the Business Zone pursuant to Section 100 of the Sale and Supply of Alcohol Act 2012	Approved
L I J Adamson, K J Webster	LUC0225/18	4 Cross Street RAGLAN	Construction of a sleepout in the Living Zone that encroaches on the 6 m road setback by 1.5 m on the northeastern boundary and 0.8 m on the southeastern boundary.	Granted
H Waffenschmidt, R J Cowie	LUC0238/18	215C Benseman Road TE HUTEWAI	To construct a dwelling with an attached Dependent Persons Dwelling in the Coastal Zone where two internal setbacks are unable to be complied with.	Granted

Tamahere

Ward Total: 5

Applicant	ID No	Address	Details	Decision
P M De Luca, G L Macklow, J C Macklow	LUC0173/18	212A Newell Road TAMAHERE	Construct an addition of a bedroom wing which will exceed the permitted impervious surface cover of 700m ²	Granted
A H Wilkinson	LUC0174/18	140E Woodcock Road TAMAHERE	Retrospective consent for existing impervious surface non-compliance and additional dispensation in County Living zone (Tamahere)	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

H W Wilson, M E Wilson	LUC0176/18	248 Tauwhare Road TAMAHERE	Construct a barn which will exceed the maximum permitted area for building coverage, will fail to comply with a minimum building setback and will fail to comply with daylight admission in the Rural Zone	Granted
T J Carter	SUB0105/18	295 Hautapu Road HAUTAPU	Undertake a subdivision in the Rural Zone that creates no additional allotments, and involves a Certificate of Title issued post 1997.	Granted
Karma Properties Limited	SUB0126/18	201C Matangi Road MATANGI	Undertake a boundary relocation in the Rural Zone	Granted

Whangamarino

Ward Total: 9

Applicant	ID No	Address	Details	Decision
Hampton Estates Limited	LUC0162/18	23 Graham McRae Place HAMPTON DOWNS	To undertake earthworks and import fill where the earthworks exceed the maximum permitted area, volume and depth thresholds and filling exceeds the maximum permitted volume in the Rural Zone.	Granted
PLB Construction Group Ltd	LUC0183/18	34 Maxwell Road MARAMARUA	Construction of a Dependent Person's Dwelling that fails traffic safety rules by adding additional vehicle movements to the property in the Rural Zone.	Granted
Red Fox Empire Limited	LUC0245/18	Monument Road MARAMARUA	Planning Certificate for the Sale of Liquor for an On Licence and Off Licence on a property in both the Rural and Living Zones	Approved
Black Barn Hampton Downs Limited	LUC0333/16.01	24 Graham McRae Place HAMPTON DOWNS	S127 to change/cancel conditions 1 and 5 and remove conditions 6 and 7 to reflect architectural changes to the site plan and resulting reduction in non-compliances with the Rural Zone rules.	Granted
K M Buckingham, I K Buckingham	SUB0079/18	58 Caie Road MANGATAWHIRI	To create three lots from two donor properties using the Transferable Rural Lot Rights	Granted
M M Wootten	SUB0113/18	746 Koheroa Road MERCER	Undertake a boundary relocation between two adjoining lots within the Rural Zone	Granted
Te Kauwhata Property Company Limited	SUB0116/18	12 Main Road TE KAUWHATA	To relocate a boundary between two adjoining properties located in the Business Zone	Granted

Delegated Authority Report

Period from 1 November 2017 to 30 November 2017

S K Dean, S R H Dean	SUB0117/18	771A Koheroa Road MERCER	To undertake a 2 lot transferable rural lot subdivision by transferring two consented lots with both donor and receiver lots outside the EEOA in the Rural Zone.	Granted
Bragato Land Limited	SUB0218/17.02	114 Travers Road TE KAUWHATA	S127 to change condition 21 of subdivision consent SUB0218/17 to remove the requirement for an easement in gross.	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Awaroa ki Tuakau		Ward Total: 19		
Applicant	ID No	Address	Details	Decision
B K Ralph, S Ralph	LUC0180/18.01	39 Hillpark Drive POKENO	Section 127 to change conditions of LUC0180/18 to allow for a retaining wall with a maximum height of 2m within the rear yard and to insert a new condition allowing for a maximum fill height of 2m.	Granted
A M Hall, Hailstone Corporate Trustee Limited	LUC0234/18	15 Beltrees Lane PVT POKENO	To undertake earthworks that exceeds the permitted volume and depth within a tree dripline / 6 metres of the scheduled tree trunk in connection with the construction of a dwelling in the Residential 2 Zone.	Granted
MJB Construction Limited	LUC0239/18	22 Hitchen Road POKENO	To undertake earthworks in the Residential 2 Zone that exceed the permitted volume for the purpose of creating a building platform for a dwelling that exceeds the permitted building coverage with a garage that encroaches into the required setback; where the dwelling will be used as a show home for a period of two years. An associated sign is also proposed that exceeds the permitted height and area.	Granted
S J Tiwana Investments Limited	LUC0241/18	87 Hitchen Road POKENO	To undertake earthworks that will exceed the permitted volume and depth of cut for the purpose of creating a building platform in the Residential 2 Zone where the proposed dwelling will exceed the permitted site coverage within the Residential Large Lot Size Overlay area.	Granted
Twin Tui Developments Limited	LUC0247/18	4 Harriet Johnston Drive POKENO	To undertake earthworks in the Residential 2 Zone that exceed the permitted volume for the purpose of creating a building platform for a dwelling that exceeds the permitted building coverage with a garage that encroaches into the required setback; where the dwelling will be used as a show home for a period of two years. An associated sign is also proposed that exceeds the permitted area.	Granted
V J Woolley	LUC0250/18	6 Flannery Road POKENO	To establish a single level residential dwelling and an attached minor dwelling on a site in the Residential 2 Zone that fails earthworks and building coverage provisions of the District Plan	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

MJB Construction Limited	LUC0266/18	7 Bellenden Crescent POKENO	Construction of a four bedroom dwelling in the Residential 2 Zone exceeding maximum site coverage by 3.9 %, and construction of a building platform with earthworks exceeding the maximum permitted volume by 7 m3.	Granted
Ashcroft Homes (Auckland) Ltd	LUC0282/18	34 Thomason Crescent POKENO	To establish a residential dwelling in the Residential 2 Zone that fails the District Plan road setback provision	Granted
CLP Holdings Ltd	LUC0552/17.01	48 Jellicoe Avenue TUAKAU	S127 to change conditions of LUC0552/17 to reflect the amended plans in relation to the reconfiguration of the proposed dwellings	Granted
R M Schanzer, A J Schanzer	SUB0085/18	228 Cameron Town Road PUKEKOHE	Undertake a transferable rural lot subdivision by transferring two development entitlements to a receiver site outside of the EEOA.	Granted
C J Smith, J K Smith, O'Donnell Trustee Services (No 1) Ltd	SUB0100/18	202 Pinnacle Hill Road PINNACLE HILL	Transfer two rural lot rights from outside the Environmental Enhancement Overlay Area (EEOA) to a lot located in the Rural Zone, also outside of the EEOA, creating two new lots and one balance lot.	Granted
Burndred & Sheffield Trading Limited	SUB0107/18	121 Lyons Road MANGATAWHIRI	To undertake a Transferrable Rural Lot Right subdivision by transferring one rural lot right to a receiver site located in the Rural Zone and outside of the EEOA	Granted
S M Kennedy, S L O'Connell	SUB0115/18	39 Codlin Road WAIUKU	To transfer two rural lot rights outside of the Environmental Enhancement Overlay Area (EEOA) to a lot located in the Rural Zone, also outside the EEOA, creating two new lots, where the proposed Donor Lots do not meet the definition of 'Rural Lot'.	Granted
K Bennell	SUB0121/18	Razorback Road POKENO	To transfer one rural lot right outside of the Environmental Enhancement Overlay Area (EEOA) to a lot located in the Rural Zone, also located outside of the EEOA, where the proposed Donor Lot does not meet the definition of 'Rural Lot'.	Granted
Pokeno Village Holdings Limited	SUB0135/18	152 Hitchen Road POKENO	Create 52 vacant residential lots in two stages, including two road lots (to vest) and one local purpose (drainage) reserve (to vest) on land zoned Residential 2	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Greig & Bovill Developments No 2 Limited	SUB0140/18	4 Rees Way PVT TUAKAU	To undertake a residential subdivision resulting in one additional lot in the Residential Zone	Granted
R A Potman, Azure Limited	SUB0148/18	97B Whiriwhiri Road WAIUKU	Transferable Rural Lot subdivision outside the Environmental Enhancement Overlay Area incorporating and superseding SUB0220/17 with the inclusion of a boundary relocation to transfer 0.53 ha from the proposed balance lot to an adjacent allotment.	Granted
CLP Holdings Ltd	SUB0267/17.01	48 Jellicoe Avenue TUAKAU	S127 to change conditions to SUB0267/17 in reflection of the amended scheme plan illustrating realigned internal boundaries and the deletion of condition 7 for the relocation of the existing dwelling	Granted
Bothwell Farms Limited	SUB0286/17	Whiriwhiri Road WAIUKU	Undertake a subdivision to relocate four existing titles across common boundaries, and to relocate one consented Lot across common boundaries (total relocation of 5 Lots, no additional Lots created). The site is located within the Rural Zone.	Granted

Eureka Ward Total: 2

Applicant	ID No	Address	Details	Decision
Broadview Farms Limited	LUC0248/18	78 Church Road TAUWHARE	To undertake earthworks to create a building platform to erect a farm shelter within the building setback that exceeds the permitted non-residential building size for rural productive activities within the Rural Zone.	Granted
I G MacFarlane, J H MacFarlane	SUB0133/18	787 State Highway 26 EUREKA	To undertake a two lot subdivision in the Rural Zone which does meet district plan requirements relating to water supply, vehicle entrance and traffic movements.	Granted

Hukanui - Waerenga Ward Total: 5

Applicant	ID No	Address	Details	Decision
G V Ballard Ballard Corporate Trustee Limited, Accountants on London Trustees 2011 Limited,	LUC0223/18	143 Ballard Road GORDONTON	To construct a covered feed shelter for dairy cattle which exceeds floor area limits for productive rural activities in the Rural Zone	Granted
D R Birchall, K D Birchall	LUC0228/18	582 Mangapiko Valley Road WAITERIMU	To construct a second dwelling on the subject site which is less the 40 hectares prior to the new titles being issued for the proposed subdivision.	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Airlie Lodge (Orini) Limited	LUC0260/18	199A Proctor Road ORINI	Retrospective consent for the relocation of a third dwelling for workers accommodation for the existing farming activity within the Rural Zone.	Granted
D R Birchall, K D Birchall	SUB0096/18	582 Mangapiko Valley Road WAITERIMU	To undertake a two lot subdivision in the Rural Zone.	Granted
Diprose Miller Trustees Limited, L M Smith, A G L Smith	SUB0119/18	394 Martin Road WAERENGA	Undertake a subdivision to create one additional lot within the Rural Zone	Granted

Huntly Ward Total: 3

Applicant	ID No	Address	Details	Decision
M F Farook, S G Farook	LUC0169/18	163 Kimihia Road HUNTLY	Retrospective landuse resource consent for earthworks that have been undertaken which exceed the maximum cut face height in the New Residential Zone, and for retrospective and new earthworks which will exceed the maximum permitted volume per year.	Granted
Waikato Regional Council	LUC0258/18	Herbert Road ROTONGARO	To undertake earthworks for the purpose of stopbank maintenance	Granted
Graham Farms Partnership	SUB0112/18	179B Tregoweth Lane HUNTLY	To undertake a subdivision creating one additional allotment (24.6386ha) that exceeds the maximum allotment size of 1.6ha. To create Right of Ways (ROW0008/18) under Section 348 of the Local Government Act over Lot 1 DPS 60535 (CFR SA49D/884) and Lot 6 DP 32151 (CFR SA16A/65).	Granted

Newcastle Ward Total: 4

Applicant	ID No	Address	Details	Decision
J E Clow, W Clow	LUC0167/18	81 Crawford Road TE KOWHAI	Relocate a used dwelling onto a property where the dwelling and a shed are to be located within a permitted internal setback in the Rural Zone	Granted
R M Christensen, P J L Christensen	LUC0236/13.01	494 Ngaruawahia Road NGARUAWAHIA	S127 to amend conditions of consent to include a small coffee cart to service existing customers of LUC0236/13 for a public maize maze in the Rural Zone	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Anthem Homes Limited	LUC0263/18	43B Houkura Rise WHATAWHATA	Undertake earthworks which will exceed the permitted volume and importing fill above the permitted volume and for a dwelling that encroaches into an internal boundary	Granted
A D McKenzie	SUB0118/18	132 Ferguson Road WHATAWHATA	Undertake a subdivision to create one additional allotment on the property that does not comply with minimum frontage or vehicle separation distances.	Granted

Ngaruawahia

Ward Total: 7

Applicant	ID No	Address	Details	Decision
D Huang, C Huang	LUC0153/18	16 Whatawhata Avenue NGARUAWAHIA	Relocation of a building to be used as a Dependent Person's Dwelling in the Living Zone with an outdoor living court that is not contiguous with the one of the main dwelling. Further Non-compliances with 15 m road setback from an arterial road by 12 m, minimum outdoor living court size of 80 m ² by 47.5 m ² , and vehicle entrance separation distances and additional traffic movements.	Granted
Waikato District Council	LUC0211/18		To install underground wastewater overflow tanks within the Waikato River esplanade, including approximately 520m ³ earthworks, and works within the dripline of a notable tree.	Granted
Perjuli Developments Limited	SUB0097/18	5859 Great South Road NGARUAWAHIA	Undertake a subdivision to create 63 residential lots and 6 roads to vest in six stages in the Living Zone (New Residential) as a Discretionary Activity	Granted
Perjuli Developments Limited	LUC0218/18	5859 Great South Road NGARUAWAHIA	Land use consent for building setback non-compliances within 12 of the consented lots as a Discretionary Activity allowing buildings to be constructed up to 5m from the boundary of Great South Road as part of subdivision consent to create 63 residential lots and 6 roads to vest in six stages in the Living Zone (New Residential)	Granted
S Dogra	LUC0491/17	15 Evolution Drive HOROTIU	To operate a childcare centre for up to 150 children in the Horotiu Industrial Park.	Granted
C H Clark-Robinson, D P Robinson	SUB0129/18	21 Jacobs Lane NGARUAWAHIA	Create one additional lot in the Country Living Zone with a road frontage that is less than the District Plan requirement and a new vehicle entrance that does not comply with the District Plan separation distance requirement.	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Kildare Development Limited	SUB0136/18	15 Murphy Lane TAUPIRI	Create 12 vacant residential lots in two stages, including one road lot (to vest) and one local purpose (drainage) reserve (to vest) on land zoned New Residential.	Granted
Onewhero-Te Akau		Ward Total: 23		
Applicant	ID No	Address	Details	Decision
J P S Jackson	FST0004/18	1196 Te Akau Road TE AKAU	To relocate a used dwelling onto a property within the Rural Zone.	Granted
G D Tucker	LUC0122/18	2215 Highway 22 TUAKAU	To undertake earthworks to create a new dwelling platform, new shed platform and driveway	Granted
H E Smythe, G B Smythe	LUC0187/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 2 - Landuse consent for future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot	Granted
H E Smythe, G B Smythe	LUC0188/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 3 - Landuse Consent for future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0189/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 4 - Landuse Consent application for future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0190/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 5 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0191/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 6 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

			earthworks up to 250m3 per future lot.	
H E Smythe, G B Smythe	LUC0192/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 7 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0193/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 8 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0194/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 9 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0195/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 10 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0196/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 11 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0197/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 12 - Landuse Consent Application for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and earthworks up to 250m3 per future lot.	Granted
H E Smythe, G B Smythe	LUC0198/18	600 Onewhero- Tuakau Bridge Road TUAKAU	LOT 13 - Landuse Consent for the future construction of dwellings, accessory buildings, associated works (stormwater/wastewater disposal and water supply) in accordance with the permitted bulk and location standards and	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

			earthworks up to 250m ³ per future lot.	
H P Jones	LUC0217/18	86B Onewhero-Tuakau Bridge Road TUAKAU	Establish a building platform and wastewater disposal field that is closer than 30m from a waterbody as part of SUB0114/18 to undertake a Transferable Rural Lot Right Subdivision in the Rural Zone	Granted
H E Smythe, G B Smythe	LUC0566/17	600 Onewhero-Tuakau Bridge Road TUAKAU	Landuse consent for Location of a new road intersection which fails the separation distance from an existing entrance on a collector road. Bulk earthworks for the subdivision which exceed the maximum volume and area. Subdivision works in a Schedule 5B area of SUB0273/17	Granted
H E Smythe, G B Smythe	LUC0567/17	600 Onewhero-Tuakau Bridge Road TUAKAU	Landuse consent for NES component of SUB0273/17 - Provision of a DSI which found arsenic levels that exceed the applicable standard.	Granted
G J Hansen, R T Chant	SUB0077/18	170 Kauri Road TUAKAU	To undertake a 2 lot transferable rural lot subdivision by transferring a consented lot and transferring one development entitlement with both donors and receiver lot outside the EEOA in the Rural Zone.	Granted
H P Jones	SUB0114/18	86B Onewhero-Tuakau Bridge Road TUAKAU	Undertake a Transferable Rural Lot Right Subdivision in the Rural Zone. Both donor and receiver sites are outside of EEOA with the creation of a ROW easement over Lot 2 DP 460662 in favour of Proposed Lot 2.	Granted
M L Caldwell, A L Caldwell	SUB0145/18	2420 Highway 22 TUAKAU	Undertake a boundary relocation to transfer 39.4 ha between two large rural properties in the Rural Zone of the Franklin area.	Granted
ESTATE OF J C Nicholson, C Nicholson	SUB0154/18	363 Murray Road TUAKAU	Partial Revocation of an existing right of way, electricity, telephone and water supply rights easement (B633055.1) on Lot 2 Deposited Plan 479166	Granted
H E Smythe, G B Smythe	SUB0273/17	600 Onewhero-Tuakau Bridge Road TUAKAU	13 residential lot subdivision with 1 road to vest within the Village Growth Area D concurrently applied for with a concept plan in a schedule 5 area and with private ways with reduced number of users and potential for wireless telecommunications.	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

H E Smythe, G B Smythe	SUB0273/17.01	600 Onewhero- Tuakau Bridge Road TUAKAU	Concept plan in a schedule 5 area and with private ways with reduced number of users and potential for wireless telecommunications as part of a 13 residential lot subdivision with 1 road to vest within the Village Growth Area D (SUB0273/17)	Granted
Raglan Ward Total: 8				
Applicant	ID No	Address	Details	Decision
Rangitahi Limited	LUC0149/18	30 Oporuru Road RAGLAN	Undertake earthworks for a watermain installation, road platform formation and fill disposal area in association with the Rangitahi Residential Development	Granted
M E Forbes, J H Forbes	LUC0203/18	623 Wainui Road RAGLAN	To relocate a dwelling onto the site where the site does not have an approved building envelope and the minimum setback is 2.2m from the southern boundary and 21m from the western road boundary.	Granted
T R Ten Hove	LUC0213/18	1017 Ohautira Road WAINGARO	To establish a dwelling in the Coastal Zone that fails the earthwork provisions of the District Plan	Granted
A Russell	LUC0229/18	79A Checkley Road TE UKU	To construct a stable with bathroom facilities and a water tank which encroach into a road boundary setback within the Coastal Zone.	Granted
Tea Tree Properties Ltd	LUC0240/18	3 Aroaro Lane PVT RAGLAN	To construct a dwelling in the Living Zone with daylight admission; road setback and onsite manoeuvring failures.	Granted
J E Mitchell	LUC0253/18	224 Ohautira Road OHAUTIRA	Establish a dependent persons dwelling on a site in the Rural Zone that fails separation distance to a primary dwelling	Granted
Koura Farms	SUB0054/18.01	821 Waitetuna Valley Road ARAMIRO	Section 127 to change conditions 1, 5 and a new condition 5A to reflect a change in amalgamation request, change in lot size and new right of way of subdivision consent SUB0054/18	Granted
Raglan Land Company Limited	SUB0128/18	15 Te Ahiawa Road RAGLAN	To create three additional lots via the Conservation House Allotment Rule; create a utility lot to vest in WDC with non-compliances in relation to building platforms and Certificate of title dates.	Granted

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Tamahere		Ward Total: 4		
Applicant	ID No	Address	Details	Decision
J Hepburn	LUC0127/18	78 Strawberry Fields Lane TAMAHERE	To establish a 'Boar Semen Collection Facility' (Industrial Activity) in the Rural Zone and the proposed new building exceeds the permitted building coverage on site.	Granted
A K Fraser, S P Fraser	LUC0261/18	25 Meadowgreen Drive TAMAHERE	To construct a dwelling and detached shed which will exceed the permitted impervious surface cover and the detached shed will be 1.55m from the southern boundary were a 12m setback is required.	Granted
W S Thompson, J E Thompson	LUC0265/18	615A Airport Road TAMAHERE	To construct a new dwelling and shed and driveway and vehicle manoeuvring area, which will exceed the maximum permitted impervious surfaces and will require earthworks which will exceed the maximum permitted volume and areas under the Waikato District Plan in the Country Living Zone.	Granted
P J Plimmer	SUB0143/18	34 Strawberry Fields Lane TAMAHERE	Undertake a boundary adjustment in the Rural Zone	Granted
Whangamarino		Ward Total: 7		
Applicant	ID No	Address	Details	Decision
A S Irvine	LUC0088/18	145 Travers Road TE KAUWHATA	Undertake remediation of contaminated land under the Waikato District Plan that does not meet the permitted activity requirements set out in Regulation 8 (of the NES). NES: The change of use and proposed remediation of the site under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011	Granted
M A Broun, K D Broun	LUC0244/18	49 Vineyard Road TE KAUWHATA	Undertake earthworks which will exceed the permitted requirements for area and volume and to construct a dwelling which will result in failure to comply with the permitted maximum building height, in the Country Living Zone.	Granted
Ratcliffe & Blair Limited	LUC0254/18	713 Kaiua Road MANGATANGI	Operate a motorcycle trail as a temporary activity in the Rural Zone	Approved

Delegated Authority Report

Period from 1 December 2017 to 31 December 2017

Downer New Zealand Limited	LUC0259/18	280 Hall Road TE KAUWHATA	To undertake a cleanfill activity for the disposal of overburden from the adjoining Waikato Expressway - Longswamp construction.	Granted
Kopuera Land Company Limited	SUB0027/18	590E Koheroa Road MERCER	To undertake a series of boundary relocations involving 13 existing certificates of title to create 3 large titles and 10 rural-residential lots in the Rural Zone.	Granted
NA Rewa Limited	SUB0110/18	38 Jeffs Road MANGATAWHIRI	To create two additional lots by way of a Transferable Rural Lot Right into an area outside the EEOA	Granted
R J Ashby, J L Ashby	SUB0138/18	400 Ferndale Road MARAMARUA	To subdivide by way of general subdivision provisions, to create two additional lots in the Rural Zone enabled by two parent certificate of titles of over 20 hectares, resulting in lots of 8,000m ² and 8,300m ² ; and undertake a boundary adjustment.	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

Awaroa ki Tuakau

Ward Total: 26

Applicant	ID No	Address	Details	Decision
Watercare Services Ltd	DES0014/18	85 Friedlander Road TUAKAU	Outline Plan of Works to enable works associated with wastewater plant operation expansion	AcceptPlan
T J Tyrrell-Baxter, H Ramesh	LUC0256/18	3 Gibboney Place POKENO	Construction of a residential dwelling in Residential 2 Zone exceeding permitted earthworks volume, building coverage, and to construct a retaining wall which encroaches the rear and side yard setbacks	Granted
P H Robinson, C A Cederman	LUC0268/18	398 Pokeno Road TUAKAU	Vehicle entrance on an arterial road in the Rural Zone which fails to comply with the separation distance to another entrance as part of subdivision (SUB0153/18) to transfer one rural lot right creating one new lot and one balance lot.	Granted
Summit Homes NZ Limited	LUC0269/18	62 Munro Road POKENO	Construction of a dwelling with associated earthworks exceeding maximum volume and depth; and exceed maximum total building coverage by 1.86 on Lot 7 DP 509317	Granted
Summit Homes NZ Limited	LUC0270/18	60 Munro Road POKENO	Undertake bulk earthworks across Lots 7-12 and Lots 16-21 DP 509317 and construct a dwelling that exceeds site coverage, is within 8m of the Road boundary and without the required living court.	Granted
Summit Homes NZ Limited	LUC0271/18	58 Munro Road POKENO	To undertake earthworks across 12 allotments (including Lot 9 DP 509317) to establish building platforms in the Residential 2 Zone.	Granted
Summit Homes NZ Limited	LUC0272/18	56 Munro Road POKENO	To undertake earthworks across 12 allotments (including Lot 10 DP 509317) to establish building platforms in the Residential 2 Zone.	Granted
Summit Homes NZ Limited	LUC0273/18	54 Munro Road POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes and construct a dwelling exceeding maximum total coverage,	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

Summit Homes NZ Limited	LUC0274/18	52 Munro Road POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes and to construct a dwelling that exceeds maximum total coverage, is within 8m of a road boundary and complying living court cannot be accommodated	Granted
Summit Homes NZ Limited	LUC0275/18	7 Thomason Crescent POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes and maximum cut depth and to construct a dwelling that exceeds maximum total coverage.	Granted
Summit Homes NZ Limited	LUC0276/18	9 Thomason Crescent POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes.	Granted
Summit Homes NZ Limited	LUC0277/18	11 Thomason Crescent POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes in the Residential 2 Zone	Granted
Summit Homes NZ Limited	LUC0278/18	13 Thomason Crescent POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes in the Residential 2 Zone	Granted
Summit Homes NZ Limited	LUC0279/18	15 Thomason Crescent POKENO	To undertake earthworks to establish a building platform exceeding permitted volume and max depth cut in the residential 2 zone	Granted
Summit Homes NZ Limited	LUC0280/18	17 Thomason Crescent POKENO	To undertake earthworks to establish a building platform exceeding permitted volumes in the Residential 2 Zone.	Granted
C Arachchige, S Ukwaththa	LUC0285/18	6 Harriet Johnston Drive POKENO	To undertake earthworks that exceed the permitted volume in connection with the construction of a dwelling in the Residential 2 Zone.	Granted
MJB Construction Limited	LUC0292/18	26 Te Ara Aukati Terrace POKENO	To undertake earthworks which exceed the permitted volume and construct an integral garage within the side yard in the Village Zone.	Granted
B C Summerville, K R Summerville	LUC0313/18	192 Wily Road PUKEKOHE	To undertake earthworks to create a stable building platform and to construct a swimming pool were the earthworks height exceeds the permitted height.	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

B Cockrell, E L Cockrell	SUB0051/18	127 Kelly Road MERCER	Five lot boundary relocation outside of the EEOA to relocate the boundaries of five large rural lots to create two large rural lots and three rural residential lots. Non-compliances with Soil versatility, Certificate of Title dates, creation of a new allotment without a common boundary to other allotments, site suitability, Natural Hazards, and Stormwater management	Granted
M J Ruiterman, K J Ruiterman	SUB0094/17.01	280 Cameron Town Road PUKEKOHE	S127 to change conditions of consent (SUB0094/17) to remove references of Covenant Area "V" from condition 9.	Granted
Darlington Limited	SUB0099/17.01	100 Wily Road PUKEKOHE	S127 to change conditions of consent (SUB0099/17) to remove references of Covenant Area "V" from condition 14.	Granted
S W Thornton	SUB0101/18	260 Thomson Road WAIUKU	To undertake a boundary adjustment between three titles in the Coastal Zone and Rural Zone	Granted
Woodside 2017 Limited	SUB0123/18	331 Masters Road WAIUKU	To transfer two consented lots from outside of the Environmental Enhancement Overlay Area (EEOA) to a lot located in the Rural Zone, also outside of the EEOA, creating two new lots and one balance lot.	Granted
P H Robinson, C A Cederman	SUB0153/18	420 Pokeno Road TUAKAU	To transfer one rural lot right outside of the Environmental Enhancement Overlay Area (EEOA) to a lot located in the Rural Zone, also outside of the EEOA, creating one new lot and one balance lot.	Granted
P Jakeman	SUB0163/18	75 Karioitahi Road WAIUKU	Revocation of right of way, right to convey water, electricity, telecommunications and computer media easements marked 'B' on DP 445620 which affect the land comprised in Certificates of Title 445620, 445618 and 445619 created by easement instrument 8517230.2.	Granted
F M E Good	SUB0170/18	188 Crouch Road WAIUKU	Undertake a boundary relocation to transfer approximately 20.99 ha of land between properties in the Rural Zone of the Franklin Section of the Waikato District Plan	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

Eureka		Ward Total: 3		
Applicant	ID No	Address	Details	Decision
M L Anderson, B J Anderson, N P Adams, K M Adams	LUC0112/18	550A Tauwhare Road TAUWHARE	To establish a dependant persons dwelling and to exceed maximum permitted building coverage on a Rural Zone site.	Granted
K E Rogerson	LUC0281/18	455 Scotsman Valley Road TAUWHARE	Construct a shed which exceeds the accessory building coverage, within the required setback and earthworks in the Hauraki Gulf Catchment Area in the Country Living Zone	Granted
M P Ahern, A G Ahern	LUC0301/18	30B Amber Lane PUKETAHA	Expand a Home Occupation for an air conditioning installation business to include additional floor area and outdoor storage not attached or within the existing dwelling on the site	Granted
Hukanui - Waerenga		Ward Total: 2		
Applicant	ID No	Address	Details	Decision
D J Mann	LUC0296/18	71A Sainsbury Road GORDONTON	To construct a shed that exceeds the maximum building coverage and encroaches into the southern and eastern boundaries	Granted
Murvale Farm Limited	SUB0086/18	644 Matahuru Road MATAHURU	Create one additional lot within the Rural Zone and undertake a Boundary Adjustment between two viable certificates of title	Granted
Huntly		Ward Total: 2		
Applicant	ID No	Address	Details	Decision
BT Mining Limited	LUC0267/18	Hetherington Road HUNTLY	Certificate of Compliance to confirm the permitted activity status for the Huntly West Mine Coal Loadout facility	Approved
Y S Cho	SUB0181/18	155 Kimihia Road HUNTLY	Undertake a subdivision for a boundary adjustment in the New Residential Zone	Granted
Newcastle		Ward Total: 2		
Applicant	ID No	Address	Details	Decision
NZTE Operations	LUC0246/18	172 Limmer Road TE KOWHAI	To hold a one off temporary event titled 'Te Kowhai Country Market & Community Event' on 10 February 2018 at the Te Kowhai Airfield.	Granted
M P Young	SUB0012/14.01	965 Horotiu Road HOROTIU	S127 to change conditions of consent (SUB0012/14.01) to reflect changes to the Scheme Plan.	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

Ngaruawahia		Ward Total: 9		
Applicant	ID No	Address	Details	Decision
Ports of Auckland Limited	LUC0176/15.01	51 Horotiu Road HOROTIU	S127 to change conditions to LUC0176/15 to amended the hours of operation for earthworks activities	Granted
Ngaruawahia Primary School Board Of Trustees	LUC0207/18	Galileo Street NGARUAWAHIA	Removal of the eucalyptus gum tree down to ground level at Ngaruawahia Primary School; due to the tree being a health and safety hazard.	Granted
Affco New Zealand Limited	LUC0224/18	6128 Great South Road HOROTIU	To undertake earthworks to install and operate a Sequencing Batch Reactor (SBR) pond for the treatment of wastewater from the Open Country Dairy Factory and AFFCO Meat Processing Plant, Horotiu. To undertake earthworks disturbing the soils on a piece of land in accordance with the NES.	Granted
Lucben Limited	LUC0262/18	9 Innovation Way HOROTIU	To establish an office at the front portion of an industrial site within the Horotiu Industrial Park	Granted
H R Liddington, K M E Bird	LUC0317/18	14 Matawhero Place NGARUAWAHIA	To establish a single level dwelling that encroaches the District Plan road setback provision.	Granted
J M Collis, L G Collis	SUB0078/18	26 Newton Street NGARUAWAHIA	Undertake a subdivision to create one additional lot with frontage and access non-compliances in the Living Zone	Granted
L Hokoza	SUB0083/18	19 Queen Street NGARUAWAHIA	To create one additional lot that cannot comply with yard setbacks for existing buildings, manoeuvring, road frontage width and separation distances.	Granted
B L Habgood, J A Mathas	SUB0141/18	141 Clark Road NGARUAWAHIA	Undertake a subdivision to create two additional lots	Granted
Black Tiki Limited	SUB0149/18	3 Te Putu Street TAUPIRI	Undertake a subdivision to create 2 additional lots with entranceway non-compliances	Granted
Onewhero-Te Akau		Ward Total: 8		
Applicant	ID No	Address	Details	Decision
Wilcox Properties Limited	LUC0298/18	243 Clark And Denize Road TUAKAU	Undertake remediation earthworks associated with subdivision occurring (SUB0151/18) within a contaminated 'piece of land'.	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

The C. Alma Baker Trust	SUB0045/17.02	1340 Port Waikato-Waikaretu Road TUAKAU	S127 to change/cancel conditions of consent (SUB0045/17.02) to remove areas of bush shown as N and R from the covenant areas in Title 7, to remove area V from the covenant areas in Title 10 and to remove the Lots 6, 7 and 11 in accordance with the TRLR requirements.	Granted
J E Markham, S R Markham	SUB0053/18	1319 Highway 22 TUAKAU	Undertake an Environmental Lot subdivision outside of the EEOA, protecting approximately over 13 hectares of a Qualified Natural Feature, creating two additional lots that exceed the maximum allotment size of 1.0 hectare by 0.21 hectares and 6.52 hectares in the Rural Zone of the Franklin Section of the Waikato District Plan with a non-compliance with sight visibility with respect safe stopping distance on a Collector Road.	Granted
The Kelliher Charitable Trust, R J Winder, H White	SUB0131/18	899 Ponganui Road TUAKAU	Undertake a subdivision to create 3 environmental lots in the Rural Zone	Granted
J G Orton	SUB0150/18	34A Brewster Road TUAKAU	To undertake a boundary relocation at the receiver site between two existing titles (SA70A/993 & SA70A/992) and to transfer one consented rural lot right from 134 Insoll Road, Naike to 34 A Brewster Road, Tuakau which were created as part Lot 1 of subdivision consent SUB0294/17, in the Rural Zone.	Granted
Wilcox Properties Limited	SUB0151/18	243 Clark And Denize Road TUAKAU	To undertake a boundary relocation involving 8 existing certificates of title to create 1 large titles and 5 rural-residential lots in the Rural Zone.	Granted
L Wilson, B D McInnarney	SUB0156/18	1010 Highway 22 TUAKAU	To undertake a boundary adjustment between two Rural zoned properties	Granted
Bicheno Cattle Limited	SUB0161/18	451 Wilton Collieries Road GLEN MASSEY	Undertake a boundary relocation between two adjoining titles in the Rural Zone	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

Raglan Ward Total: 4

Applicant	ID No	Address	Details	Decision
ZBZ Limited	LUC0035/13.01	7C Three Streams Road OKETE	Section 127 to change conditions of consent LUC0035/13 to allow for louver roofs to be installed over existing patio areas and to alter the external colours of the existing dwelling.	Granted
Aramiro Marae	LUC0181/18	62 Orongo Road ARAMIRO	Construct Marae extension over the site boundary, failing daylight admission and setback requirements. Car parking spaces will not be sealed or marked out. Stormwater and Wastewater systems will be over the two titles	Granted
C V M Robins	LUC0286/18	Whaanga Road RAGLAN	To undertake a one off temporary event that exceeds the permitted temporary event provisions in relation to being a outdoor music event, hours of operation and temporary structures in the Coastal Zone. Departure from district plan parking requirements is also sought.	Granted
A J Sweeney, A C Bailey	LUC0318/18	352 Te Papatapu Road TE MATA	To construct a new dwelling and attached garage within the required road setback, at a site within the Rural Zone.	Granted

Tamahere Ward Total: 4

Applicant	ID No	Address	Details	Decision
K D Henderson, G V Henderson McBreens Trustees 2005 Ltd,	LUC0160/18	622C Bruntwood Road TAMAHERE	Construction of a dependent person's dwelling that will not share an outdoor living court with the main dwelling and has a garage over the gross floor area permitted in the Rural Zone	Granted
W A Fletcher, B A Peden-Fletcher	LUC0314/18	511C Pencarrow Road TAMAHERE	To construct a new dependent person's dwelling (DPD) and shed in the Rural Zone that results in site coverage exceedance.	Granted
Tamahere Eventide Home Trust	LUC0515/16.01	621 State Highway 1 TAMAHERE	S127 to change conditions of consent (LUC0515/16) to change the layout and location of an approved building and parking area	Granted
S A King, H D Spall	SUB0108/18	157 Tauwhare Road TAMAHERE	To create one additional title in the Country Living Zone, where the subdivision results in non-compliances with the required building setbacks, building platform shape factor and vehicle entranceway.	Granted

Delegated Authority Report

Period from 1 January 2018 to 31 January 2018

Whangamarino		Ward Total: 8		
Applicant	ID No	Address	Details	Decision
Z Liu, R B Davis	LUC0236/18	3 Hugh Greene Lane TE KAUWHATA	To undertake earthworks that exceed volume and area requirements in the Living and Rural Zones.	Granted
Glennavy Farms Limited	LUC0291/18	8 Arkle Avenue TE KAUWHATA	To undertake earthworks that exceed the permitted volume and area requirements, in the New Residential Zone.	Granted
Sentinel Homes Limited	LUC0297/18	25 Heather Green Avenue MEREMERE	To undertake earthworks to construct a building platform and form a dwelling in the Living Zone which will encroach the north eastern boundary and the high voltage transmission line setbacks.	Granted
Winton Partners	LUC0455/17.01	95 Scott Road TE KAUWHATA	S127 to change conditions of LUC0455/17 regarding the proposed earthworks on the application site	Granted
Millsbury Holdings Ltd	LUC0508/17	123 Maxwell Road MARAMARUA	To establish an additional free range poultry shed and operation not meeting the minimum 100m setback requirement	Granted
B W Chipman, D M Chipman	SUB0069/18	1689 Miranda Road MIRANDA	To undertake a two lot subdivision in the Rural Zone	Granted
Waikiki Farms Limited	SUB0134/18	59 Kelly Road WAERENGA	Undertake a subdivision in the Rural Zone to create one additional lot.	Granted
Kopuera Land Company Limited	SUB0159/18	590A Koheroa Road MERCER	To undertake a boundary relocation between three existing rural lots to formalise an existing access arrangement in the Rural Zone.	Granted

Open Meeting

To	Waikato District Council
From	Sue O’Gorman General Manager Customer Support
Date	9 February 2018
Prepared by	Christine Cunningham
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Summary of Applications Determined by the District Licencing Committee October – December 2017

1. EXECUTIVE SUMMARY

This report provides a summary of applications determined by the District Licencing Committee between October and December 2017.

2. RECOMMENDATION

THAT the report from the General Manager Customer Support – *Summary of Applications Determined by the District Licencing Committee* – be received.

3. ATTACHMENTS

Report: The Schedule of Applications Determined by the District Licencing Committee between October and December 2017.

LICENCES

Applicants Name	Application Type	Premises	Decision	Date Issued	Licence No.
Cattogs Holdings Limited	Temporary Authority On	Raglan Social Club Café	Granted	10/10/17	14/TA/03/17
The Social Group Limited	Temporary Authority On	Scoundrels N Seadogs Bar & Grill	Granted	10/10/17	14/TA/02/17.01
Shivamaniket Holdings Limited	Renewal Off	Super Liquor Pokeno	Granted	10/10/17	14/OFF/15/2017
Zealong Tea Estate Limited	Renewal On	The Vista at Zealong Tea Estate, Gordonton	Granted	10/10/17	14/ON/20/2017
Chadha Hospitality Limited	Temporary Authority On	Essex Arms Huntly	Granted	13/10/17	14/TA/05/17
V.J. & Co Limited	New Off	The Bottle-O Huntly	Granted	17/10/17	14/OFF/16/2017
GK & Co Holdings Limited	Renewal On	Namaste Kitchen, Raglan	Granted	17/10/17	14/ON/21/2017
Satnam's Supermarket Limited	Renewal Off	Raglan Four Square	Granted	24/10/17	14/OFF/17/2017
D A & A L Jones Limited	Temporary Authority Off	New World Ngaruawahia	Granted	31/10/17	14/TA/06/17
Lord Cowell Holdings Limited	Renewal On	Willowbrook Park, Newstead	Granted	7/11/17	14/ON/22/2017
The Social Group Limited	New On	Scoundrels and Seadogs, Tuakau	Granted	21/11/17	14/ON/23/2017
Red Fox Empire Limited	Temporary Authority On	Red Fox Tavern, Maramarua	Granted	24/11/17	14/TA/07/17
Red Fox Empire Limited	Temporary Authority Off	Red Fox Tavern, Maramarua	Granted	24/11/17	14/TA/08/17
SVVAP Holdings Limited	Renewal Off	The Bottle-O Tuakau	Granted	28/11/17	14/OFF/19/2017
Chez J Limited	Renewal On	Chez Bean Café, Tuakau	Granted	5/12/17	14/ON/25/2017
Chadha Hospitality Limited	Temporary Authority On	Essex Arms, Huntly	Granted	8/12/17	14/TA/05/17.01
Barview Limited	Renewal On	Orca Restaurant & Bar Raglan	Granted	12/12/17	14/On/26/2017

Ngaruawahia Golf Club Incorporated	Special	Ngaruawahia Golf Club	Granted	10/10/17	14/SP/058/2017
Riverside Golf Club Incorporated	Special	Riverside Golf Club	Granted	6/10/17	14/SP/057/2017
Raglan Club Incorporated	Special	Raglan Bowling Club	Granted	17/10/17	14/SP/059/2017
Mercer Rowing Club Incorporated	Special	Mercer Rowing Club	Granted	17/10/17	14/SP/060/2017
Ngaruawahia Golf Club Incorporated	Special	Ngaruawahia Golf Club	Granted	31/10/17	14/SP/063/2017
Horsham Downs Golf Club Incorporated	Special	Horsham Downs Golf Club	Granted	31/10/17	14/SP/062/2017
Taupiri Rugby Football Club Incorporated	Special	Taupiri Rugby Football Club	Granted	7/11/17	14/SP/061/2017
Pilot Brewery Limited	Special	Pilot Brewery, 172 Limmer Road, Te Kowhai	Granted	14/11/17	14/SP/065/2017
Neil Frank Bateup	Special	Gordonton Community Hall	Granted	14/11/17	14/SP/070/2017
Raglan Club Incorporated	Special	Raglan Club	Granted	14/11/17	14/SP/067/2017
Farmlands Cooperative Society Limited	Special	Gordonton Community Hall	Granted	21/11/17	14/SP/066/2017
Raglan Club Incorporated	Special	Raglan Bowling Club	Granted	21/11/17	14/SP/048/2017
Te Akau Waingaro Community Complex	Special	Te Akau Waingaro Community Complex	Granted	21/11/17	14/SP/071/2017
Turangawaewae Rugby League Sports and Cultural Club Incorporated	Special	Turangaewae Marae, Ngaruawahia	Granted	23/11/17	14/SP/069/2017

Hampton Downs (NZ) Limited	Special	Hampton Downs Motorsports Park	Granted	28/11/17	14/SP/076/2017
Maramarua Golf Club Incorporated	Special	Maramarua Golf Club	Granted	5/12/17	14/SP/072/2017
Matangi Primary School Board of Trustees	Special	Matangi School	Granted	5/12/17	14/SP/074/2017
Huntly Thistle Association Football Club Incorporated	Special	Huntly Thistle Football Club	Granted	5/12/17	14/SP/081/2017
Ngaruawahia Bowling Club Incorporated	Special	Ngaruawahia Bowling Club	Granted	5/12/17	14/SP/079/2017
Raglan Community Arts Council	Special	Raglan Community Arts Council	Granted	5/12/17	14/SP/073/2017
Ngaruawahia RSA Incorporated	Special	Ngaruawahia RSA	Granted	12/12/17	14/SP/082/2017
Raglan Club Incorporated	Special	Raglan Club	Granted	12/12/17	14/SP/077/2017
Tuakau Cosmopolitan Club Incorporated	Special	Tuakau Cosmopolitan Club	Granted	19/12/17	14/SP/075/2017

MANAGERS CERTIFICATES

Applicant's Name	Application Type	Premises	Decision	Date Issued	Certificate No.
Stephen Christopher Parton	New	Harbour View Hotel, Raglan	Granted	10/10/17	14/Cert/046/2017
Angela Louise Sowerby	New	Raglan Social Club Café	Granted	10/10/17	14/Cert/047/2017
Maria Ellen West	Renewal	Raglan Club	Granted	10/10/17	14/Cert/104/2016
Karen Davinia Ireland	Renewal	New World Ngaruawahia	Granted	10/10/17	14/Cert/127/2016
Wilhelmina Antoni Maria Van Der Pasch	New	Raglan Old School Arts Centre	Granted	10/10/17	14/Cert/048/2017

June McDonald	Renewal	Huntly Workingmens Club	Granted	17/10/17	14/Cert/113/2014
Ross Thornton Jones	Renewal	Supervalu Raglan	Granted	17/10/17	14/Cert/108/2016
Charlotte Louise Boden	Renewal	Nikau Cave & Café	Granted	17/10/17	14/Cert/122/2016
Patricia Sarah Lloyd	Renewal	Delta Hotel, Ngaruawahia	Granted	17/10/17	14/Cert/131/2016
Barry Douglas Connor	Renewal	Wharf Kitchen & Bar, Raglan	Granted	24/10/17	14/Cert/090/2015
Jobandeep Singh	Renewal	Thirsty Liquor Huntly	Granted	31/10/17	14/Cert/049/2017
Tina Marie Verryt	Renewal	Hamilton Car Club, Newstead	Granted	31/10/17	14/Cert/133/2016
Robyn Anne Rees	Renewal	Riverhaven Café/Bar, Huntly	Granted	7/11/17	14/Cert/147/2014
Pritiben Trusharkumar Patel	Renewal	Te Kauwhata Four Square	Granted	7/11/17	14/Cert/132/2014
Trushar Kumar Patel	Renewal	Te Kauwhata Four Square	Granted	7/11/17	14/Cert/131/2014
Harrietta Remahada Hibbert	New	The Shack, Raglan	Granted	7/11/17	14/Cert/050/2017
Inderpal Singh Sekhon	New	Elsie's Restaurant, Tuakau	Granted	14/11/17	14/Cert/051/2017
Courtney Joy Herbert	Renewal	Muddy Waters Irish Pub and Restaurant, Mercer	Granted	14/11/17	14/Cert/125/2016
Zlata Moja Brajkovich Roberts	New	The Shack, Raglan	Granted	21/11/17	14/Cert/052/2017
Christopher George Jew	Renewal	RSA Ngaruawahia	Granted	21/11/17	14/Cert/125/2014
Dalwyn Te Aroha Te Ao	Renewal	Mokai Awhina Sports Cultural & Recreation Club, Tuakau	Granted	21/11/17	14/Cert/129/2014
Marangamai Marie Kathleen Te Ao	New	Mokai Awhina Sports Cultural and Recreation Club, Tuakau	Granted	28/11/17	14/Cert/053/2017
Samantha Lee Gussey	New	Tuakau Cosmopolitan Club	Granted	28/11/17	14/Cert/055/2017

Kevin Francis Walker	Renewal	Essex Arms, Huntly	Granted	28/11/17	14/Cert/002/2015
Lakhwinder Singh	New	Scoundrels n Sea Dogs, Tuakau	Granted	28/11/17	14/Cert/054/2017
Deborah Ann Brown	Renewal	Muddy Waters Irish Pub & Restaurant, Mercer	Granted	5/12/17	14/Cert/144/2016
Tahli Brooke Ryder-Mitchell	New	The Pantry, Raglan	Granted	12/12/17	14/Cert/056/2017
Harpreet Kaur Sandhu	Renewal	Fred's Four Square, Huntly	Granted	12/12/17	14/Cert/128/2014
Virginia Huakore Waretini	Renewal	Raglan Club	Granted	12/12/17	14/Cert/008/2015
Olivia Cessac	Renewal	Zealong Tea Estate, Gordonton	Granted	12/12/17	14/Cert/001/2015
Patricia Eileen Brown	Renewal	Fred's Four Square, Huntly	Granted	12/12/17	14/Cert/148/2014
Gurpreet Singh	Renewal	Delta Hotel, Ngaruawahia	Granted	12/12/17	14/Cert/179/2017
Paul Gareth Braithwaite	Renewal	Tuakau Hotel	Granted	12/12/17	14/Cert/149/2014
Anouschka Makerita Moka	New	Countdown Huntly	Granted	19/12/17	14/Cert/057/2017
Nicola Joy Lydiard	New	Ngaruawahia RSA	Granted	19/12/17	14/Cert/058/2017

Applications Determined at a District Licensing Committee HEARING LICENCES

Applicant's Name	Application Type	Premises	Decision	Date Of Hearing	Licence No.
S J Tiwana Limited	New Off Licence	Meremere Superette	Granted	8/9/17	14/OFF/18/2017
Tuakau Cosmopolitan Club Incorporated	Renewal Club Licence	Tuakau Cosmopolitan Club	Granted	19/10/17	14/CL/07/2017
Tuakau Cosmopolitan Club Incorporated	Renewal Off Licence	Tuakau Cosmopolitan Club	Granted	19/10/17	14/OFF/22/2017

MANAGER'S CERTIFICATES

Applicant's Name	Application Type	Premises	Decision	Date of Hearing	Certificate No.
Kerry Alexander Wells	Renewal	Orca Restaurant & Bar, Raglan	Granted	30/11/17	14/Cert/083/2014
Dianne Janet Russell	Renewal	Cheep Liquor Huntly	Granted	17/10/17	14/Cert/094/2016

Open Meeting

To	Policy & Regulatory Committee
From	Tony Whittaker General Manager Strategy & Support
Date	12 March 2018
Prepared by	Lianne van den Bemd Community Development Advisor
Chief Executive Approved	Y
Reference #	CDR0502 / 1910510
Report Title	Discretionary Grants Revised Policy

1. EXECUTIVE SUMMARY

The purpose of this report is to present the revised Discretionary Grants Policy to the Policy & Regulatory Committee. The Policy has been reviewed and updated following consultation with the Discretionary & Funding Committee, community boards and community committees.

2. RECOMMENDATION

THAT the report of the **General Manager Strategy & Support** be received;

AND THAT the **Policy & Regulatory Committee** recommends to **Council** that the revised **Discretionary Grants Policy** be adopted;

AND FURTHER THAT once adopted by **Council** the **Discretionary Grants Policy** be circulated to all the relevant community boards and community committees for implementation.

3. BACKGROUND

This policy applies to:

1. Waikato District Council Discretionary & Funding Committee

The Discretionary & Funding Committee allocates grants from the Events Fund and the Rural Ward Fund. Rural Ward grants are available for projects and initiatives in rural areas and Events grants are available for events held within the Waikato District Council area.

2. Waikato District Council Community Boards / Community Committees

Community boards / community committees may use a portion of their discretionary funds to allocate grants for events and projects in their areas. Applicants must outline how their event or project will contribute to the community board area and wider community. The relevant community board has responsibility for determining grant applications in their area.

The objective of this Policy is to ensure that discretionary grants are distributed to community groups, non-commercial groups and voluntary organisations within the Waikato District in accordance with set criteria.

The revised Policy includes the following changes to the criteria as agreed by the Discretionary & Funding Committee at its meeting held on Tuesday, 28 November 2017:

- Applications for Christmas parade/events will need to be made to the relevant community board or community committee (previously applications for Christmas parade/events could be made to both the Discretionary & Funding Committee and to community boards and community committees).
- Applications for ANZAC events will need to be made the Discretionary & Funding Committee only (previously applications relating to ANZAC could be considered by the community boards/community committees).
- Applications may be considered from schools where the Ministry of Education will not fully fund the project and the benefits are for the wider community (maintenance and operational costs are now excluded).
- Multiple applications through the discretionary grants funding cycle made to the community boards, community committees and Discretionary & Funding Committee for a local event can be considered provided there is wide community benefit (previously only one application per project/event could be made).
- Applications above \$1000 will need to complete the prescribed application form, provide relevant quotes and financial statements (status quo remains).
- Applications under \$1000 will only need to provide a cover letter describing the event/project and relevant quotes (new criteria).
- Council-owned property i.e. halls managed by hall committees and who receive a targeted rate are not eligible for funding (previously hall committees could be considered for funding).
- Applicants will be required to attend the community board / community committee and the Discretionary & Funding Committee to present their application. For applications where an applicant cannot attend the meeting they will need to discuss alternative options with the Community Development Advisor 5 days prior to the meeting taking place (new criteria).
- For applications relating to ANZAC where an applicant cannot attend the meeting the respective ward councillor can speak on their behalf (new criteria).

This Policy is due to be reviewed again in September 2020/2021.

4. CONSIDERATION

4.1 FINANCIAL

Council allocates funding annually for discretionary grants. The Policy review will ensure that funds are disbursed to the community yield optimal community-wide benefits and greater accountability.

4.2 LEGAL

The Local Government Act requires local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services and performance of regulatory functions (*Local Government Act 2002 Amendment Act 2012*). Waikato District Council achieves this in a number of ways, including through the provision of discretionary funding to community boards/community committees to advance projects within their local areas and through the allocation of grants for rural communities and events by the Discretionary & Funding Committee.

5. CONCLUSION

This report presents the revised Discretionary Grants Policy for approval. The views of community boards and committees have been included to inform the policy review. The revised Policy will enable both the application process and the administration of funding and grants to be streamlined and simplified.

6. ATTACHMENTS

Revised Discretionary Grants Policy

Discretionary Grants Policy

Policy Owner	General Manager Strategy & Support
Policy Sponsor	Discretionary & Funding Committee
Approved By:	Waikato District Council
Approval Date:	(TBA)
Resolution Number	
Next Review Date:	September 2020

Introduction

The Local Government Act requires local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services and performance of regulatory functions (*Local Government Act 2002 Amendment Act 2012*). Waikato District Council supports this in a number of ways, including through the provision of discretionary funding to community boards and community communities and through the Discretionary & Funding Committee to advance projects and events within communities through the allocation of grants. .

Objective(s)

The objective of this policy is to ensure that discretionary grants are distributed to community groups, non-commercial groups and voluntary organisations within the Waikato district in accordance with set criteria whilst ensuring greater accountability.

Application

This policy applies to:

- i. The Discretionary & Funding Committee, local community boards and the Te Kauwhata and Meremere Community Committees as they either consider grant applications and/or make decisions about the distribution of discretionary funds as grants.
- ii. External applicants who apply on behalf of community groups, non-commercial groups and voluntary organisations for discretionary grants from the Waikato District Council.

Relevant Documents/Legislation

Local Government Act 2002 - Amendment Act 2012 (Clause 30 of Schedule 7)

It should be noted that grants are also available from the following sources:

- Creative Communities Scheme: Councils role is to administer the fund on behalf of Creative New Zealand.
- The Heritage Project Fund: specific criteria apply to this fund.
- The Heritage Assistants Fund: specific criteria apply to this fund.
- The Wellbeing Fund: specific criteria apply to this fund.

Each of these funds and schemes operates under separate set criteria.

Policy Statements

1.0 General Statements

- i. The Waikato District Council, as a provider of local public services, provides discretionary grants four times annually to assist community groups, non-commercial groups and voluntary organisations operating within the district.
- ii. Discretionary grants are contestable and will be allocated in a manner consistent with the criteria outlined in this policy.
- iii. Discretionary grants can be sought for community projects and/or events to be held or completed in the district.
- iv. Community organisations can apply for and have grants approved provided they are able to demonstrate broad community benefits from their project and community support for it.

2.0 Funding Mechanisms

Discretionary grants in accordance with this policy are allocated through two funding mechanisms:

i. **Waikato District Council Discretionary & Funding Committee**

The Discretionary & Funding Committee allocates grants from the Events Fund and the Rural Ward Fund. Rural Ward grants are available for projects in rural areas and areas that are not served by a community board. Events grants are available for events held within the Waikato District Council area.

ii. **Waikato District Council Community Boards and the Te Kauwhata and Meremere Community Committees**

Community boards (Ngaruawahia, Raglan, Onewhero – Tuakau, Taupiri, Huntly) and the Te Kauwhata and Meremere Community Committees allocate grants for events and projects in their areas. Applicants must outline how their event or project will contribute to the community board area and wider community. The relevant community board or committee has responsibility for determining grant applications in their area.

3.0 Criteria for grants

Applications are required to meet the following criteria:

- i. Applications will be accepted from community groups, non-commercial groups and voluntary organisations. Applications from *individuals* will not be accepted.
- ii. Applications will need to be made to the relevant community board or committee, or to Council's Discretionary & Funding Committee.
- iii. Applications for Christmas parade/events will need to be made to the relevant community board or community committee.
- iv. Applications for Anzac events will need to be made the Discretionary & Funding Committee only.
- v. Applicants need to describe in their application why the event or project is important to the community and how the wider community will benefit by the event or project.

- vi. Grants up to \$5000 can be funded up to 100% at the discretion of the relevant community board or committee or Council's Discretionary & Funding Committee. For grants above \$5000 a funding cap of 75% applies

Applicants can have in-kind contributions recognised in terms of the non-grant funding component provided they demonstrate good community engagement.
- vii. Applications must detail how the monies sought will specifically be used and how the balance of the monies required for the event or project will be obtained. All grant applications must include a detailed budget for the event or project.
- viii. Capital expenditure items may be considered for grant applications.
- ix. Applicants can make more than one application for a grant within a 12-month period provided that the grant being sought is for a different project or event and an accountability statement has been completed.
- x. Applications may be considered from schools where the Ministry of Education will not fully fund the project and the benefits are for the wider community. (maintenance and operational costs are excluded).
- xi. Grants will not be considered for events or projects that have already occurred / projects completed (i.e. no retrospective funding).
- xii. Grants will not be considered for ongoing operational & maintenance cost.
- xiii. Grants will not be given to oppose consent decisions, attend conferences or to contest legal cases.
- xiv. Applications from commercial entities will not be considered.
- xv. Multiple applications through the discretionary grants funding cycle made to the community boards, community committees and Discretionary & Funding Committee for a local event can be considered provided there is wide community benefit.
- xvi. Applications above \$1000 will need to complete the prescribed application form, provide relevant quotes and financial statements.
- xvii. Applications under \$1000 will only need to provide a cover letter describing the event/project and relevant quotes.
- xviii. The project or event must take place in the Waikato District Council area of jurisdiction.
- xix. Council-owned property i.e. halls managed by hall committees and who receive a targeted rate are not eligible for funding.

4.0 Eligibility Criteria

Applications are required to meet the following eligibility criteria:

- i. Applicants must demonstrate that they will be undertaking a project or event that benefits particular community/communities within the Waikato district.

- ii. Applicants must be based in the Waikato district or offering services to a community/communities in the district.
- iii. Applicants must be either a not for profit organisation OR a registered charitable trust, charitable entity or incorporated society.
- iv. Incomplete or non-complying applications will not be considered. If an application is considered to be incomplete the applicant will be given five working days to submit the required outstanding information. If the required information is not received within five working days the entire application will be returned to the applicant.
- v. Successful applicants must complete a project accountability report within 2 months of the completion of the project before being eligible for further funding. This is essential for auditing requirements.
- vi. Applicants will be required to attend the community board/community committee and the Discretionary & Funding Committee to present their application. For applications where an applicant cannot attend the meeting they will need to discuss alternative options with the Community Development Advisor 5 days prior to the meeting taking place.
- vii. For applications relating to ANZAC where an applicant cannot attend the meeting the respective ward councilor can speak on their behalf.

5.0 Accountability

On completion of the project or event an accountability statement must be completed within 2 months. Successful applicants will be required to:

- i. Publicly acknowledge Council support received on brochures or sponsorship boards.
- ii. Submit an invoice showing completion of specific works, unless a general grant has been made. Funding will be paid following receipt of the invoice.
- iii. Expend grants within 12 months of approval (If the monies cannot be expended within a 12 month period, applicants will need to apply in writing for an extension of the grant).
- iv. For grants over \$10,000 additional conditions appropriate to the circumstances may be imposed at the discretion of the Discretionary & Funding Committee, or the relevant community board or committee.
- v. Grants cannot be uplifted until all funds have been secured for the project.

6.0 Discretion

Applications received outside of the closing dates for funding rounds will not be considered.

7.0 GST

Applicants who are not GST registered need to provide budget figures that include GST.

Applicants who are GST registered need to provide budget figures that exclude GST. They will also need to provide:

- i. their GST number, and
- ii. a separate GST invoice if their application is successful.

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	12 March 2018
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	Chief Executive's Business Plan

1. EXECUTIVE SUMMARY

The Chief Executive's Business Plan is a summary of progress on the Chief Executive's Performance Agreement. This report covers 2017/2018 items.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

The Chief Executive's Business Plan is a summary of progress on a number of issues targeted by Councillors.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Plan is a summary of progress on specific issues. It enables staff and Councillors to focus on the big issues and ensures that attention is given to those things that really matter. The Plan is in line with the Chief Executive's Performance Agreement for 2017/2018.

4.2 OPTIONS

The list of projects has been agreed by Council.

The Plan is consistent with the Chief Executive's Performance Agreement approved by Council.

5. CONSIDERATION

5.1 FINANCIAL

There will be a cost of up to \$5,000 later in the year for the survey of key stakeholders.

5.2 LEGAL

As part of undertaking the work detailed in this plan, Council needs to ensure that the approach taken is consistent with the Purpose of Local Government.

In other words, to meet the current and future needs of communities for good quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost-effective for households and businesses.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

This report contains the strategic issues that Council is focused on. The Chief Executive's Business Plan has been updated to align to the Chief Executive's Performance Agreement.

Iwi and Tangata Whenua have been, or will be consulted on at least some of the key projects or initiatives referred to in the report. Iwi will be involved as part of the survey of key stakeholders.

Iwi have also been engaging in the waters management project and with Council and government on the Hamilton to Auckland Corridor.

The projects in the list link to at least one community outcome or wellbeing. They also link to at least one LTP key goal.

The list has been updated in line with the Chief Executive's Performance Agreement for 2017/2018.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

The report does not trigger any concerns about significance of the projects being discussed.

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The report provides a summary of what progress is being made on the various issues. It is for information at this stage of the year.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
		✓	Internal
	✓		Community Boards/Community Committees
	✓		Waikato-Tainui/Local iwi

	✓		Households
	✓		Business
			Other Please Specify

The assessment depends on the issues involved.

6. CONCLUSION

The schedule summarises progress on the key issues agreed with Council.

7. ATTACHMENTS

Chief Executive's KPI worksheet.

Chief Executive's KPIs

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
1. Delivery and achievement of Annual Plan (covers normal business activities and linked to the current LTP key goals of affordability, economic development and community engagement)	1.1	Annual Plan work programmes are completed on time, cancelled, agreed for deferral or carried forward.	Work programmes are planned with a number of projects underway. Some projects such as the Huntly Wastewater Treatment upgrade are delayed to enable a decision to be made on the Housing Infrastructure Fund proposal.	
	1.2	The Annual Plan is completed within agreed budget and variations approved by Council.	Work is progressing satisfactorily.	
	1.3	80% of the LTP/Annual Plan KPIs are achieved.	Quarterly reports are provided to the Strategy & Finance Committee on progress. At this stage the overall KPIs are behind the target.	
	1.4	<ul style="list-style-type: none"> ▪ Refresh economic development implementation plan by 30 September. ▪ The agreed projects in the Implementation Plan are delivered by 30 June 2018. 	The plan was reviewed and an update provided in September. A verbal update was provided to the November Strategy & Finance Committee. On track.	
	1.5	Provide evidence that delivery of services is providing value for money.	Work has been undertaken with the Waikato District Alliance to confirm the value for money of the arrangement. On track.	
2. Continued improvements in customer service (Linked to the current LTP goal of community engagement).	2.1	Completion of more than 90% of service requests within set timeframes for the year.	90.40% of service requests were completed on time for the first eight months of the year. On track.	
	2.2	Overdue service requests are less than 110 on average for the year.	The average number of overdue service requests outstanding for the first eight months of the year were 111.	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
	2.3	Develop a customer strategy by 30 June 2018.	<p>An internal project on Simplifying the Customer Experience provides the backdrop for this strategy.</p> <p>The work is underway and is one of the work streams operating in preparing our 100 day plan to implement the Council vision (Liveable, Thriving and Connected Communities).</p> <p>On track.</p>	
3. Partnerships, relationships, regional initiatives and engagement with external stakeholders (linked to current LTP key goals of economic development and community engagement)	3.1	<ul style="list-style-type: none"> ▪ Undertake a survey of key stakeholders including developers, community organisations, Community Boards/Committees, Iwi, key regional contacts and other council contacts. ▪ Develop an action plan by 30 April 2018 in relation to improvements identified by the feedback. 	<p>To be undertaken in the first half of 2018.</p> <p>Agreement reached with the Chief Executive's Performance Review subcommittee around the respondents to the survey.</p> <p>On track.</p>	
	3.2	Provide evidence of collaboration with NZTA to deliver key outcomes.	<p>The Chief Executive has met on a number of occasions with NZTA to reinforce the relationship.</p> <p>Several meetings were held in February.</p> <p>There is mutual respect and a desire to find collective outcomes.</p> <p>On track.</p>	
	3.3	Strategic Plan for the Waikato Building Cluster Group is developed and on-track by 30 June 2018.	<p>The plan was signed off by the Waikato Building Cluster Advisory Group on 28 July.</p> <p>The implementation plan is progressing. Customer research is the first component. The second component is a procurement process for an online building consent system, which is underway.</p> <p>Determining the skills and training needs of our building quality staff throughout the cluster is at a</p>	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
			tender stage. On track.	
	3.4	Subject to the agreement of the Governance Group and associated parties, the proposal regarding waters management is submitted to Council for consideration by 30 September.	Council is consulting with the public on a Waters Governance Board model. On track.	
	3.5	Provide evidence of community engagement on key initiatives.	The Community Boards and Community Committees were fully engaged in the LTP process. Waikato-Tainui were fully engaged in the Waters Management process. The District Plan review process featured extensive engagement, including 18 community drop in and feedback sessions.	
4. Staff and Culture (including leadership, engagement, retention, zero harm and linked to the Long Term Plan key goals of economic development and community engagement).	4.1	Leadership – The Staff Survey indicates a positive movement of 2% or more in relation to the leadership provided by senior management. (I have confidence in the senior leadership of this organisation).	The Staff Survey will be undertaken in the next couple of months.	
	4.2	The Engagement Index shows a positive movement of 2% or more in the Annual Staff Survey.	The Staff Survey will be undertaken in the next couple of months.	
	4.3	Performance on key HR measures is as follows: <ul style="list-style-type: none">▪ Staff movement due to general turnover is less	The measures are annual measures that will be determined later in the year. Some indicators are:	

Key project/priority	Key deliverables/KPIs		Progress	Final Achievement Met/Not Met
		<p>than 16%.</p> <ul style="list-style-type: none"> ▪ Leave balances reduce by 5% or more by 30 June. ▪ Sick leave taken reduces by 5% or more by 30 June. ▪ The score on the survey question “This organisation cares about the well-being of its people” increases by 2% or more. 	<ul style="list-style-type: none"> ▪ Staff turnover for the 2017 calendar year was 14.97%. ▪ We have reduced the number of staff with high levels of annual leave. ▪ Sick leave over the past six months has averaged 1757 hours per month (previous year 1704.34). It is unclear without further analysis whether this is a concern or not. ▪ Sick leave also covers domestic leave and we are actively encouraging staff (from a zero harm perspective), not to bring sickness to work. ▪ Survey to be completed in the next couple of months. <p>On track.</p>	
	4.4	An updated Strategic Plan for Zero Harm is prepared and approved by Council by 31 August 2017.	<p>The Strategic Plan has been updated and reported to Council in August.</p> <p>A further refinement is being prepared in early 2018.</p> <p>On track.</p>	
	4.5	The Zero Harm Strategic Plan actions for 2017/18 are completed by 30 June.	<p>The actions are progressing.</p> <p>New regulations and several events have required a rethink of priorities. Extra resourcing is necessary due to immediate challenges.</p> <p>On track.</p>	

Open Meeting

To	Policy & Regulatory Committee
From	Gavin Ion Chief Executive
Date	8 March 2017
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	2018 Meeting Calendar

1. EXECUTIVE SUMMARY

A monthly report is provided on the meeting calendar. Recent changes are incorporated so that Councillors are kept up to date.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

Council has already approved a meeting timetable for 2018. It was agreed that I would provide a monthly update on the meeting calendar including as much relevant information as possible.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

As discussed, Councillors should rely on the latest calendar and dispense with previous copies.

The workshop schedule for the next two months is as follows:

MARCH 2018

Tuesday 20 March	Wednesday 21 March
<ul style="list-style-type: none"> ▪ 9am – 12.30pm: Policy & Regulatory Committee ▪ 1 – 4pm: Councillor Workshop DPR – Subject TBC 	<ul style="list-style-type: none"> ▪ 9am – 11am: Councillor Workshop Representation Review ▪ 11.30am – 4pm: Councillor Workshop TBC
Tuesday 27 March	Wednesday 28 March
<ul style="list-style-type: none"> ▪ 9am – 12.30pm: Infrastructure Committee ▪ 1 – 4pm: Councillor Workshop TBC 	<ul style="list-style-type: none"> ▪ 9am – 12.30pm: Strategy & Finance Committee ▪ 1 – 4pm: Councillor Workshop DPR – Subject TBC
Thursday 29 March	
<ul style="list-style-type: none"> ▪ 1 – 4pm: Audit & Risk Committee 	

APRIL 2018

Tuesday 3 April	Monday 9 April
<ul style="list-style-type: none"> ▪ 9am – 3pm: Councillor Workshop DPR – Subject TBC 	<ul style="list-style-type: none"> ▪ 12pm – 1pm – Councillor only time (including lunch) ▪ 1.15pm – 3.15pm: Council Meeting
Tuesday 10 April	Tuesday 17 April
<ul style="list-style-type: none"> ▪ 8.30am – 10.30am: Councillor Workshop Huntly iSite Relocation Business Case ▪ 10.30am – 4.30pm – Councillor Workshop DPR – Subject TBC 	<ul style="list-style-type: none"> ▪ 9am – 11am: Councillor Workshop Representation Review ▪ 11.30am – 4pm: Councillor Workshop TBC
Wednesday 18 April	
<ul style="list-style-type: none"> ▪ Offsite: 10am – 12.30pm: Waikato-Tainui/WDC JMA Committee meeting 	

Council could choose to approve the calendar or not. The idea of providing a monthly update is beneficial because there are a number of changes that arise on a regular basis. The calendars provide the most up to date information that we have but will not take account of short notice events.

5. CONSIDERATION**5.1 FINANCIAL**

Nil.

5.2 LEGAL

Nil.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The report is about keeping Councillors informed and up to date with regards to forthcoming meetings and workshops. Items discussed will cover a range of community outcomes and one or more of the four well beings.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
This report is for information only and to keep Council informed.					

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
		✓	Internal
			Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

6. CONCLUSION

Council is being asked to receive and review a monthly update on the meeting calendar for the remainder of 2017.

7. ATTACHMENTS

Annual Calendar 2018

ANNUAL CALENDAR - 2018

Updated 7 March 2018

	JAN		FEB		MAR		APR		MAY		JUN		JUL		AUG		SEP		OCT		NOV		DEC		
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM
SAT																									
SUN							1						1					1						1	
MON	1	New Year's Day					2	Easter Monday					2					3	OTCB					3	
TUES	2	New Year's Day Observed					3		1				3					4						4	
WED	3						4		2				4		1			5						5	
THU	4		1		1		5		3				5		2			6						6	
FRI	5		2		2		6		4				6		3			7						7	
SAT	6		3		3		7		5				7		4			8						8	
SUN	7		4		4		8		6				8		5			9						9	
MON	8		5		5		9	CCL		7	OTCB	4	Queen's Birthday	9	CCL		6		10	TCB				10	
TUE	9		6	Waitangi Day	6		10		8	PCC RCB NCB		5		10		7		11	PCC RCB NCB					11	
WED	10		7		7		11	Citizenship		9		6		11		8		12						12	
THU	11		8		8		12		10			7		12		9		13						13	
FRI	12	DLC Hrg					13	DLC Hrg		11		8		13		10		14						14	
SAT	13		10		10		14		12			9		14		11		15						15	
SUN	14		11		11		15		13			10		15		12		16						16	
MON	15			CCL		D&F		CCL																	
TUE	16																								
WED	17																								
THU	18																								
FRI	19																								
SAT	20																								
SUN	21																								
MON	22																								
TUE	23																								
WED	24																								
THU	25																								
FRI	26																								
SAT	27																								
SUN	28																								
MON	29	Auckland Anniversary																							
TUES	30																								
WED	31																								
THU																									
FRI																									
SAT																									
SUN																									
KEY	JAN		FEB		MAR		APR		MAY		JUN		JUL		AUG		SEP		OCT		NOV		DEC		
			Infrastructure (9.00am)		Council (1.15pm)		Policy & Regulatory (9.00am)		Strategy & Finance (9.00am)		Citizenship		DLC Hearings Times/dates TBC		Taupiri CB (5.30pm)		Raglan CB (2.00pm)		Onewhero-Tuakau CB (7.00pm)		Meremere CC (7.00pm)		W/S: Councillors' workshops		
			LTP(Long term Plan) Workshop)		Chief Executive's Performance Review (9.00am)		CCS: Creative Communities (10.00am)		Discretionary & Funding (9.00am)		Audit & Risk (9.00am or 1pm)		PCC (7.00pm)		Ngaruawahia CB (6.15pm)		Huntly CB (6.00pm)		Te Kauwhata CC (7.00pm)		Civil Defence Management Group		Other Meetings		