

Agenda for a meeting of the Policy & Regulatory Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 19 FEBRUARY 2019** commencing at **11.30am**.

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

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GJ Ion
CHIEF EXECUTIVE

Open Meeting

| | |
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| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | 20 November 2018 |
| 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 20 November 2018.

2. RECOMMENDATION

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 20 November 2018 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 20 NOVEMBER 2018** 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 [from 9.23am]
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McInally
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)
Ms A Diaz (Chief Finance Officer)
Ms AM D’Aubert (Consents Manager)
Mr J Wright (Senior Planner)
Mr M Te Anga (Animal Control Team Leader)
Ms E Makin (Consents Team Leader – East)
Ms M May (Parks & Facilities Manager)
Mr V Ramduny (Planning & Strategy Manager)
Ms M Russo (Acting Corporate Planning Team Leader)
Ms S Solomon (Junior Corporate Planner)
Ms L Wilson (Waikato Times)
6 Members of Staff

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Church/Thomson)

THAT an apology be received from Cr Main;

THAT an apology for lateness be received from Cr Gibb.

CARRIED on the voices

P&R1811/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Thomson/Henderson)

THAT the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday 20 November 2018 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

P&R1811/02

DISCLOSURES OF INTEREST

Cr Fulton, Cr Gibb and Cr Sedgwick advised members of the Board that they would declare a financial conflict of interest in item 5.6 [*Memorandum of Understanding for Remunerating Elected Representatives Serving on the Proposed District Plan Independent Hearings Panel*].

CONFIRMATION OF MINUTES

Resolved: (Crs McInally/Henderson)

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 18 September 2018 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

P&R1811/03

CONFIRMATION OF HEARING MINUTES

Resolved: (Crs Patterson/Bech)

THAT the minutes of a hearing of the Policy & Regulatory Committee to hear and consider submissions and make recommendations on the Proposed Waikato District Council Gambling Venues Policy 2018 held on Monday 27 August and continued on Tuesday 18 September and Wednesday 26 September 2018 be confirmed as a true and correct record of that hearing.

CARRIED on the voices

P&R1811/04

REPORTS

Delegated Resource Consents Approved for the months of September and October 2018
Agenda Item 5.1

The report was received [*P&R1811/02 refers*] and discussion was held. The Consents Manager, Consents Team Leader – East and Senior Planner answered questions from the Committee.

Summary of Applications determined by the District Licensing Committee July – September 2018

Agenda Item 5.2

The report was received [P&R1811/02 refers] and discussion was held.

2017/18 Annual Dog Control Annual Report

Agenda Item 5.3

The report was received [P&R1811/02 refers]. The Animal Control Team Leader answered questions from the Committee.

Resolved: (Crs Lynch/Church)

THAT the Committee recommend to Council that the 2017/18 Animal Control Report with amendments as noted be approved for release to Local Government NZ and the community.

CARRIED on the voices

P&R1811/05

Cr Gibb entered the meeting at 9.23am during discussion on the above item and was present when voting took place.

Community Consultation for Amendment to Cemeteries Bylaw

Agenda Item 5.4

The report was received [P&R1811/02 refers]. The Parks & Facilities Manager answered questions from the Committee.

Resolved: (Crs Patterson/Smith)

THAT this Bylaw be discussed further by means of workshop prior to going out to consultation.

CARRIED on the voices

P&R1811/06

Fraud Prevention Policy

Agenda Item 5.5

The report was received [P&R1811/02 refers]. The Chief Finance Officer answered questions from the Committee.

Resolved: (Crs Bech/Lynch)

THAT the Policy & Regulatory Committee recommends to Council to approve the proposed amendments to the Fraud Prevention Policy.

CARRIED on the voices

P&R1811/07

Due to a conflict of interest, Cr Sedgwick called for nominations of a Chairperson to chair the following item. His Worship the Mayor was nominated by Cr Smith and seconded by Cr Lynch.

Resolved: (Crs Smith/Lynch)

THAT His Worship the Mayor assumes the chair for this item.

CARRIED on the voices

P&R1811/08

The meeting adjourned at 10.17am and resumed at 10.34am.

Memorandum of Understanding for Remunerating Elected Representatives Serving on the Proposed District Plan Independent Hearings Panel
Agenda Item 5.6

The report was received [P&R1811/02 refers].

Cr Fulton, Cr Gibb and Cr Sedgwick withdrew from the meeting and took no part in discussions or voting on this item.

Cr Sedgwick vacated the chair and His Worship the Mayor assumed the chair for this item.

The Planning & Strategy Manager answered questions from the Committee.

Resolved: (Crs Lynch/Patterson)

THAT the Policy & Regulatory Committee recommends to Council that the memorandum of understanding which confirms the remuneration of Cr Dynes Fulton, Cr Janet Gibb and Cr Jan Sedgwick (who have all been appointed as independent hearing commissioners to the hearings panel for the Proposed Waikato District Plan (Stages 1 and 2)), be received;

AND THAT the Policy & Regulatory Committee recommends to Council that Cr Dynes Fulton, Cr Janet Gibb and Cr Jan Sedgwick be remunerated as per the hearing rate set by the Remuneration Authority for elected representatives of the Waikato District Council for the duration of the Proposed Waikato District Plan hearings (this includes pre-hearing preparation and post-hearing work related to decisions).

CARRIED on the voices

P&R1811/09

Cr Sedgwick assumed the chair for the remainder of the meeting.

Sensitive Expenditure Policy Review
Agenda Item 5.7

The report was received [P&R1811/02 refers] and discussion was held. The Chief Finance Officer answered questions from the Committee.

Open Meeting

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| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | 13 December 2018 |
| Prepared by | Wanda Wright Committee Secretary |
| Chief Executive Approved | Y |
| Reference # | GOV1301 |
| Report Title | Confirmation of Hearing Minutes – Recommended 2018 Amendments to 2011 Speed Limit Bylaw |

1. EXECUTIVE SUMMARY

To confirm the minutes of a hearing by the Policy & Regulatory Committee to hear and consider submissions and make recommendations on the Waikato District Council Recommended 2018 Amendments to 2011 Speed Limit Bylaw held on 12 December 2018.

2. RECOMMENDATION

THAT the minutes of a hearing for 2018 Amendments to 2011 Speed Limit Bylaw held on 12 December 2018 be confirmed.

3. ATTACHMENTS

P&R Hearing minutes

Minutes of a hearing by the Policy & Regulatory Committee (to hear and consider submissions and make recommendations on the Waikato District Council Recommended 2018 Amendments to 2011 Speed Limit Bylaw) to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY 12 DECEMBER 2018** commencing at **12.30pm**.

Present:

Cr JD Sedgwick (Chairperson)
 His Worship the Mayor, Mr AM Sanson [until 1.53pm and from 1.59pm]
 Cr AD Bech
 Cr JA Church
 Cr DW Fulton
 Cr JM Gibb
 Cr SL Henderson
 Cr SD Lynch [from 12.35pm until 3.13pm and from 3.18pm]
 Cr RC McGuire
 Cr FM McNally [until 3.00pm]
 Cr EM Patterson
 Cr NMD Smith
 Cr LR Thomson [from 2.59pm]

Attending:

Mrs S O’Gorman (General Manager Customer Support)
 Mrs W Wright (Committee Secretary)
 Mr G Bellamy (Road Safety Engineer)
 Ms A Murphy (Corporate Planner)
 3 Members of Staff
 Mr T Follows (New Zealand Automobile Association)
 Mr S Griffiths (Submitter)
 Mr P Egan (Submitter)
 Mr B Coley (Submitter)
 Ms S Holmers (Submitter)
 Mr D Whyte (Presenter for Submitter)
 Cr M Bunting, Cr G Taylor and Ms R Denton (Submitters, Hamilton City Council)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Church/Patterson)

THAT an apology be received from Cr Main;

THAT an apology for lateness be received from Cr Thomson;

THAT an apology for early departure be received from Cr McNally.

CARRIED on the voices

P&R1812/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs McNally/Bech)

THAT the agenda for a meeting of the Policy & Regulatory Committee held on Wednesday 12 December 2018 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

P&R1812/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

REPORT

Recommended 2018 Amendments to 2011 Speed Limit Bylaw Hearing
Agenda Item 4.1

The report was received [*P&R1802/02 refers*].

Hearing of Submissions

The following submitters presented their submission in relation to the Proposed 2018 Amendments to 2011 Waikato District Council Speed Limit Bylaw:

| Submitter Name | Organisation/On Behalf Of | Submitter No |
|---|---|---------------------|
| Cathy McDonald | Trevor Follows presenting on behalf of the New Zealand Automobile Association | 136 |
| Steve Griffiths | Re Rotokauri Rd [doc 1] | 117 |
| Peter Egan | Re Duck Rd [doc 2] | 32 |
| Bevan Coley | Re Tamahere zone | 134 |
| Stephanie Holmes | Re Woodside Rd [doc 3] | 6 |
| Catherine Maher | David Whyte presenting [doc 4] | 89 |
| Cr Mark Bunting, Cr Geoff Taylor & Robin Denton | Hamilton City Council | 106 |

Cr Lynch entered the hearing at 12.35pm during the submission from Mr Follows.

His Worship the Mayor withdrew from the hearing at 1.53pm and re-entered the hearing at 1.59pm during the submission of Mr Whyte.

Tabled Item 1: Powerpoint from Steve Griffiths

Tabled Item 2: Letter and maps from Peter Egan

Tabled Item 3: Powerpoint from Stephanie Holmes

Tabled Item 4: Powerpoint from David Whyte, Ohinewai Area Committee

The hearing was adjourned at 2.21pm and resumed at 2.42pm.

The Road Safety Engineer gave a brief overview of the process undertaken across the district for this phase of the Speed Limit Bylaw.

On 18 September 2018 Council resolved to consider and approve the Proposed 2018 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).

In total, 113 submissions have been received on the proposed bylaw (refer to Appendix I for the summary of submissions), with a further 33 submissions received for roads outside of the consultation process. Seventeen submitters indicated that they wish to be heard.

DELIBERATIONS

The Committee undertook deliberations on all submissions and amendments presented.

Deliberations were adjourned at 2.52pm.

Hearing of Submissions (Continued)

The following submitter presented his submission in relation to the Proposed 2018 Amendments to 2011 Waikato District Council Speed Limit Bylaw:

| Submitter Name | Organisation/On Behalf Of | Submitter No |
|-----------------------|----------------------------------|---------------------|
| Chris Rayner | Re State Highway 23 | 102 |

Cr Thomson entered the hearing at 2.59pm during discussion on the above submission.

Cr McNally withdrew from the hearing at 3.00pm.

Deliberations resumed at 3.06pm.

Cr Lynch withdrew from the hearing at 3.13pm and re-entered the hearing at 3.18pm during deliberations.

Resolved: (Crs McGuire/Bech)

THAT the report from the General Manager Service Delivery be received;

AND THAT pursuant to sections 83 and 150 of the Local Government Act 2002, the Committee consider and, where requested, hear submissions on the notified Proposed 2018 Amendments to the Waikato District Council Speed Limit Bylaw 2011;

AND FURTHER THAT subject to any amendments, the proposed bylaw will be further considered by the Committee at its meeting on 12 December 2018 with a view to recommending the 2018 Amendments to the Waikato District Council Speed Limit Bylaw 2011 for adoption at the Council meeting on 11 February 2019.

CARRIED on the voices

P&R1812/03

There being no further business, the hearing was closed at 3.32pm.

Minutes approved and confirmed this day of 2019.

Cr JD Sedgwick
CHAIRPERSON

Open Meeting

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|---------------------------------|--|
| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | 29 November 2018 |
| Prepared by | Wanda Wright Committee Secretary |
| Chief Executive Approved | Y |
| Reference # | GOV1301 |
| Report Title | Receipt of Hearing Minutes – TI Bawden |

1. EXECUTIVE SUMMARY

To receive the minutes & decision of a hearing for TI Bawden held on 23 August 2018.

2. RECOMMENDATION

THAT the minutes & decision of a hearing for TI Bawden held on 23 August 2018 be received.

3. ATTACHMENTS

Hearing minutes and decision.

MINUTES of a hearing by Joint Commissioners acting on behalf of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **23 AUGUST 2018** commencing at **9.00am**.

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

Present:

Commissioner David Hill (Chairperson)
Commissioner DW Fulton

Attending:

Cr J Gibb
Mrs W Wright (Committee Secretary)
Ms S Brown (BCD Group)
Ms B Parham (Legal Counsel for Waikato District Council)
Ms E Makin (Consents Team Leader – East)
Mr J Templeton (Land Development Engineer – Intermediate)
Mr G Bellamy (Safety Engineer – Roading)
Mr D Bastion (Team Leader – Land Development Engineering)
Dr J Forret (Harkness Henry – for the Submitter)
Ms A Till (Harkness Henry)
Mr R Simpson (Submitter)
Ms A Simpson (Director, Horotiu Properties Ltd)
Mr N Robins (Traffic Engineer)
Mr G Ruffell (for the Applicant)
Ms S Goodwin (for the Applicant)
Mr TI Bawden (Applicant)
Mr A Black (Gray Matter)
Ms N McMinn (Gray Matter)
4 Members of Staff

HEARING – T I BAWDEN

File No. LUC0148/17

Application by Todd Bawden to undertake earthworks and filling adjacent to the Waikato Expressway which exceeds the maximum permitted area, volume and depth thresholds and the proposal involves a new activity that will temporarily increase traffic movements to River Road in the Rural Zone.

INTRODUCTION

Commissioner Hill introduced the members of the hearing panel and welcomed all parties.

HEARING OF THE APPLICATION

Ms Brown and Mr Bastion presented written evidence and answered questions of the committee (doc #1 and doc #2 respectively).

The hearing adjourned at 9.55am and resumed at 10.06am.

HEARING OF SUBMISSIONS

Mr Goodwin presented written evidence and answered questions of the committee (doc #3).

Ms McMinn presented written evidence and answered questions of the committee (doc #4).

The hearing adjourned at 11.06am and resumed at 11.24am.

Dr Forret presented written evidence and answered questions of the committee (doc #5).

The hearing adjourned at 12.32pm and resumed at 1.22pm.

Mr Robins presented verbal evidence and answered questions of the committee.

STAFF REPORT

The Consents Team Leader provided a summary of information provided and answered questions of the committee (docs #6-10).

Ms Brown continued her evidence (doc #1).

The hearing adjourned at 2.05pm and resumed at 2.25pm.

RIGHT OF REPLY

The applicant's representative gave his right of reply. Ms McMinn gave her right of reply.

The hearing adjourned at 2.34pm and the decision reserved.

DELIBERATIONS

The Commissioners undertook deliberations on all evidence presented.

DECISION

THAT the Hearing Joint Commissioners confirmed the application of T I Bawden be granted subject to conditions as outlined in the decision dated 22 November 2018.

HE1808/01

The hearing was declared closed at 12pm on 1 November 2018.

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF an application by T I Bawden to Waikato District Council under section 88 of the Resource Management Act 1991 to undertake earthworks and filling adjacent to the Waikato Expressway, which exceed the permitted area, volume and depth thresholds, and involves a temporary increase in traffic movements to River Road in the Rural Zone, at 2324 River Road, Horsham (being Lot 3 DP 507442, CFR 770917).

Decision following the hearing of an application by T I Bawden to Waikato District Council for a discretionary activity land use (Rural Zone) resource consent under the Resource Management Act 1991.

Proposal (as notified)

To undertake earthworks and filling (170,000m³ of cut and 280,000m³ of fill over approximately 13.4ha) adjacent to the Waikato Expressway, which exceed the permitted area, volume and depth thresholds, and involves a temporary increase in traffic movements to River Road in the Rural Zone, at 2324 River Road, Horsham (being Lot 3 DP 507442, CFR 770917). Council reference LUC0148/17.

The application was heard at Ngaruawahia on 23 August 2018.

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

| | |
|-------------------------------|--|
| Hearing Commissioners: | Mr David Hill (Chair) and Councillor Dynes Fulton |
| Application numbers: | LUC0104/18 |
| Applicant: | T I Bawden |
| Site addresses: | 2324 River Road, Horsham Downs |
| Legal descriptions: | Lot 3 DP 507442, CFR 770917 ¹ |
| Site area: | 24.185ha |
| Zoning: | Rural Zone within Waikato River Catchment Policy Area and Designation J16 – Gas line |

¹ This was Section 72 SO 474326, CFR 687923 at lodgement

| | |
|------------------------------|--|
| Lodgement: | 28 September 2016 |
| Application returned: | 4 January 2017 |
| Revised application: | 24 August 2017 |
| S92 Request: | 6 September 2017 |
| S92 information: | 30 January 2018 |
| Limited notification: | 24 May 2018 |
| Submissions closed: | 26 June 2018 |
| Hearing commenced: | 23 August 2018 |
| Hearing closed: | 1 November 2018 |
| Appearances: | <p><u>The Applicant:</u></p> <p>Mr Todd Bawden (Applicant) Mr Stephen Goodwin - Planner (MG Solutions Ltd) Ms Naomi McMinn – Civil / Transportation Engineer (Gray Matter Ltd)</p> <p><u>Submitter:</u></p> <p>Horotiu Properties Ltd (Rob and Andrea Simpson) Dr Joan Forret – Counsel (Harkness Henry) Ms Alexandria Till – Counsel (Harkness Henry) Mr Norman Robins – Transportation Engineer (AECOM NZ Ltd)</p> <p><u>Council:</u></p> <p>Ms Bridget Parham (Counsel) Ms Sara Brown (Consultant - Reporting Planner) Ms Ella Makin (Consents Team Leader – East) Mr David Bastion (Team Leader - Land Development Engineering) Ms Wanda Wright (Committee Secretary)</p> |

Summary Decision:

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

Introduction

2. This decision is made on behalf of the Waikato District Council (Council) by Independent Hearing Commissioner Mr David Hill (Chair) and Council RMA Commissioner Dynes Fulton, 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 our 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 2 identified owners/occupiers of adjacent properties on 24 May 2017, with submissions closing on 26 June 2017. Two

submissions were received in time – both in opposition – and both submitters wished to be heard.

5. No late submissions and no s104(3)(a)(ii) RMA written approvals were received
6. Consent is required because of non-compliant aspects of the proposal (as lodged) relating to the maximum permitted earthworks volumes, maximum permitted filling, and traffic movements.
7. The s42A RMA hearing report was prepared for Council by Ms Sara Brown, consultant planner with BCD Group Ltd, and made available to parties on or about 1 August 2018. Ms Brown's overall recommendation was to decline the land use consent sought as she considered (in summary) that, in the absence of appropriate visual mitigation, the effect on the environment of allowing the activity was inconsistent with the District Plan and Waikato Regional Policy Statement in regards to rural character and amenity. Her report was informed by technical reviews from Mr James Templeton (Land Development Engineer), Mr Gareth Bellamy (Roading Safety Engineer) and Mr Joe Kee (Environmental Health Officer) who indicated conditional support for granting consent subject to a range of proposed conditions.
8. The matter was heard in Ngaruawahia on 23 August 2018, and closed on 1 November 2018 following the issuing of several Directions and Minutes as discussed below.

Site description

9. As described in the s42A report²:
 - The subject site is located to the west of State Highway 1 (SH1), to the north-east of River Road and to the south-east of Lake Road. The property is located adjacent to Country Living zoned land to the south west, on the other side of River Road and an Urban Expansion Policy Area to the east on the other side of SH1. The Ngaruawahia section of the Waikato Expressway located directly to the east of the subject site is designated (Designation J16), and this section of expressway is now formed.
 - The fill is to be deposited in an area of approximately 13.4ha within the northern extent of the site, south of an existing gully system which traverses east to west through the site, as shown in Image 5 below.
 - Topography of the site varies from flat to rolling in the northern areas and steep in the southern areas of the site. The steeper areas of the site were produced by the sand extraction activities undertaken as part of the construction of the Ngaruawahia section of the Waikato Expressway by the New Zealand Transport Agency (NZTA). Following reinstatement, the site is now utilised for cropping and grazing.
 - The southern corner of the site contains a Gas Line Overlay which is the location of an easement in favour of First Gas Limited.
 - The property contains a single building accessed via the existing vehicle entrance

² S42A report, section 1.3

from River Road.

- Otherwise land use on properties adjoining the site and in the wider environment comprise rural grazing and rural residential activities.

10. That description was not contested and is accepted as a sufficient description for present purposes.

Summary of proposal and activity status

11. As notified, the proposal is to cut and fill 170,000m³ of earth and import 280,000m³ of imported clean fill on Lot 3 in order to rehabilitate the site for subsequent residential subdivision (not the subject of the present application) following the sand extraction undertaken by the NZTA during the construction of the adjacent new expressway.
12. Those volumes were reduced to 30,000m³ and 220,000m³ respectively at the hearing.
13. Resource consent is required under the operative Waikato District Plan – Waikato Section 2013 as follows:
- (a) Rule 25.25.1(h) states that any activity that disturbs or moves more than 500m³ in the Landscape Policy Area, or 1,000m³ in all other areas, within a site in a single calendar year is a discretionary activity;
 - (b) Rule 25.27.2 states that Earthworks (Filling) using imported fill exceeding 200m³ is a discretionary activity; and
 - (c) Under Rule A14.A.2 the activity is a restricted discretionary activity because it generates additional traffic movements.
14. Regional consent for earthworks and cleanfilling activities for land contouring purposes was granted by Waikato Regional Council on 27 October 2017 (under the reference AUTH137227.01.01). That consent expires on 31 October 2022 and contains detailed conditions requiring Cleanfill and Construction, Erosion and Sediment Control, and Cleanfill Site Management Plans among other conditions. Only 5ha of the site is permitted to be open at any one time under that consent.
15. The application has been reviewed for compliance with Regulation 5(6) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES). Council has accepted that the NES is not applicable.
16. Overall the application is to be assessed as a discretionary activity. That activity status was not in dispute.

Procedural and other matters

17. No procedural matters were raised for consideration.
18. We issued 3 Directions and 2 Minutes relating to traffic design and landscape matters that we required further information - and/or conferencing on – the receipt of which finally enabled us to grant the consent sought. We record our appreciation to those experts engaged in that exercise.

Relevant statutory provisions considered

19. In accordance with section 104 of the RMA we have had regard to the relevant statutory provisions, including the relevant sections of Part 2, sections 104 and 104B, and s108 with respect to conditions.

Relevant standards, policy statements and plan provisions considered

20. In accordance with section 104(1)(b)(i)-(vi) of the RMA, we have had regard to the relevant policy statement and plan provisions of the documents noted below – the relevant provisions of which are assessed, variously, in Part B of the application AEE, and section 7.0 of Ms Brown’s s42A hearing report (accepted by Mr Goodwin at section 7 of his response to the s42A report). Having reviewed those provisions, and particularly the objectives and policies, we 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:
- Waikato Regional Policy Statement 2016;
 - Waikato Regional Plan (WRP) 2007;
 - Waikato District Plan – Waikato Section 2013.
21. While the Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan were referred to, those documents have little material relevance to this consent application.
22. We 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.

Permitted Baseline

23. It was common ground that there was no applicable permitted baseline.

Summary of evidence / representations / submissions heard

24. The s42A RMA Hearing report by Council’s reporting officer, **Ms Sara Brown** (a senior planner with BCD Group Limited), was circulated prior to the hearing and taken as read. The s42A report concluded (section 10) that:

... the overall adverse effects on the environment with respect to noise, erosion and sedimentation, land stability, dust and sedimentation, erosion and sedimentation, effects on human health, productivity of land, cultural values and traffic will be acceptable

but that

... without adequate visual mitigation, and with the long timeframe anticipated, the proposal would give rise to unreasonable effects on the properties in the immediate environment and the submitter’s properties.

and recommended that the application be declined on amenity and rural character grounds.

25. However, by the time of the hearing the traffic safety / site access design issue had been reconsidered by **Mr David Bastion** for Council in light of the evidence of Mr Norm

Robins, a traffic engineer engaged by submitter Horotiu Properties Limited, and Ms Brown advised that, on the basis of that reassessment, this was a further reason for recommending that consent be declined.

26. For the applicant, **Mr Stephen Goodwin**, a senior planner with MG Solutions Limited, had pre-circulated a statement of evidence responding to the s42A report. He disagreed with the conclusions drawn with respect to amenity and rural character, noting that adverse visual effects from the proposed earthworks on the adjoining properties were effectively avoided by the fact of leaving the perimeter earth batter along that viewing corridor such that there was no or little direct line-of-sight into the site from those properties. Mr Goodwin did not address traffic safety matters further in that evidence since that was, seemingly, not in dispute at that point.
27. At the hearing Mr Goodwin presented a brief update statement.
28. Having become aware that traffic safety was subsequently at issue, the applicant engaged **Ms Naomi McMinn**, civil and transportation engineer with Gray Matter Limited. Ms McMinn's evidence summarised the updated traffic aspects, described the existing transportation network, responded to the specific matters raised by Mr Robins in his pre-circulated evidence (right turn treatments, road markings, Horotiu Properties Limited's access, alternative subject site access, and proposed reduced trip generation limits), and concluded that with appropriate mitigation the traffic related effects would be minor or less. We discuss this matter further below.
29. **Dr Joan Forret** appeared as counsel for submitter Horotiu Properties Limited (HPL). Dr Forret provided a background to HPL's ownership and current subdivision activity, noting that HPL was not opposed to the cleanfill activity but sought provisions to ensure the safety of existing and future residents. HPL did oppose the proposed location of the cleanfill operation's access directly opposite its own River Road entrance. In her legal submissions Dr Forret drew attention to a number of objectives and policies of the District Plan relating to traffic and amenity that, she contended, the proposal did not meet or satisfy. Furthermore, Dr Forret raised doubt as to whether the "existing" transport depot operation was lawfully established in the rural zone – noting that if it was not, then it could not be considered part of the existing environment. Finally, Dr Forret sought a raft of conditions should consent be granted.
30. Dr Forret introduced two witnesses: Mr Simpson and Mr Robins.
31. **Mr Robert Simpson** (shareholder and former Director of HPL) provided background to the subject site (which was part of the farm previously owned by HCL until being acquired by NZTA for the Waikato Expressway); summarised the submission made by HCL and the reason for its traffic safety concern over truck numbers and the proximity of the proposed site access with its own adjacent access off River Road; supported the eventual residential subdivision; but sought the alternative of a roundabout solution at the intersection of River Road and Horotiu Bridge Road.
32. **Mr Norman Robins'** (Principal Transportation Engineer with AECOM NZ Limited) evidence had been pre-circulated. Mr Robins expressed particular concern about the proposed site access relative to HCL's access; the road geometry; and the proximity of and conjunction with the right turn bays for Horotiu Bridge Road and Lake Road (which we discuss further below). Mr Robins raised the prospect of alternative site access

from Lake Road exiting via River Road or a roundabout at the River Road / Horotiu Bridge Road intersection; reduced truck numbers and movements; and questioned the lawfulness of the operating on-site transport depot and its relationship (if any) with the proposed consent.

Principal issues in contention

33. In terms of section 104(1)(a) of the RMA regarding the actual and potential effects of allowing the activity on the environment, we note that all identified adverse effects except for visual amenity / rural character and traffic were accepted by the reporting officer, technical reviewers and submitters as not significant and able to be managed. We accept that conclusion, and therefore do not discuss those other matters further, and refer to the relevant analysis contained in section 6.0 of the s42A report and Parts B and C of the 22 August 2017 application document by Anna Johnson of MG Solutions (and including the technical reports appended thereto on acoustic effects, erosion and sediment control, dust management, and contaminated land – all included in the hearing Agenda).
34. Furthermore, the amendments made to the application, as advised by Mr Goodwin³, further reduced a number of adverse effects of concern to Council and/or submitters; those amendments being:
- The cut will be reduced from 170,000m³ to 30,000m³. This includes leaving the Batter that currently exists and which screens the subject site from the view of much of River Road;
 - fill will be reduced from 280,000m³ to 220,000m³;
 - a boundary hedge to 1.8m in height will be planted along the identified River Road boundary;
 - up to 150m of sealed internal access plus wheel wash;
 - in the absence of residential dwellings being located on the adjoining submitters' properties, the external areas likely to cause the most potential effects will be undertaken first in order to mitigate these prior to any new neighbours arriving. Then the works will take place in a direction away from the common boundaries; and
 - Unless otherwise amended or superseded these mitigation measures will take place in addition to those measures identified within any submitted technical report.
35. With those amendments, construction time is expected to be reduced by 1 year, to 4 years.
36. The principal issues in contention were:

³ Goodwin, Statement of evidence, para 6.9.g

- (a) Whether the landscaping was sufficient to provide both visual and aural screening of the proposed works and thereby mitigate any adverse rural amenity effects; and
- (b) Whether the roading mitigation sufficiently overcame the road traffic safety concerns of Council and Mr Robins.

37. These issues are discussed in the following section.

Landscape / visual amenity

- 38. The applicant's starting position with respect to landscape and visual effects was that leaving the existing batter effectively screened the site from the existing subdivision and that other River Road boundary planting details could (and should) be provided as part of the engineering approval phase.
- 39. Submitters disagreed requiring, as Dr Forret indicated, greater detail and certainty around such matters (including as to implementation and maintenance) in this rural zone.
- 40. We agreed with submitters that further detail was desirable and therefore issued a s41C RMA direction to that effect on 26 August 2018 in the following terms:

*On the first matter, **landscaping**, the applicant is requested to prepare and submit a detailed landscape planting plan, designed by an appropriately qualified and experienced professional, for the subject site's River Road frontage, identifying species and sizes to be used, sufficient to provide adequate screening of the site and its earthworks from residential dwellings on the opposite side of River Road (at least). The planting plan should, preferably, be endorsed by Council.*

- 41. That plan⁴, reviewed and accepted by Council with a proposed condition wording amendment to ensure that vehicle entrance sight lines are not obstructed, was received on 5 October 2018.

Finding

- 42. We are satisfied that, with the existing batter left in place and the planting plan implemented, adverse landscape and visual amenity effects for the general public, the submitters and future residents of the neighbouring subdivisions will be reduced to the point of negligible effect.
- 43. To that extent we are therefore satisfied that the particular Regional Policy Statement and District Plan amenity objectives identified by Dr Forret and Ms Brown (i.e. O3.21 of the RPS, Chapter 13 of the operative District Plan and 05 of the Proposed District Plan) are given effect.

Traffic / Transportation effects

- 44. As noted above there was a significant difference of opinion between the applicant's transportation engineer (Ms McMinn) and HCL's (Mr Robins) – sufficient to persuade Council (Mr Bastion) to change its opinion and recommendation. That difference was unresolved at the hearing.

⁴ Lee Burton, The Landscape Design Studio, Drwg 21412-TS-01, Rev 0, updated 21 September 2018

45. The key issue was the safety for road users of heavy vehicles right turning into the subject site from River Road at the proposed relocated entrance 65m further south from Lake Road, with localised road widening and a flush median of minimum 2.5m width extended through to the Horotiu Bridge Road intersection. The matter is compounded by the proximity of the existing right turn bays for Horotiu Road and Lake Road, and the HCL farm entrance some 35m from the proposed new site access. Mr Robins was concerned that a continuous flush median linking all three right turn bays introduced too much confusion of movements and lack of clarity as to how drivers should use the median. He also expressed concern at the minimum width of the flush median, which he considered should be 3.5m wide, consistent with the existing turning bays, in view of the existing 100kph speed limit that applies along this stretch of road and the quantum of heavy vehicle traffic proposed.
46. We therefore directed the respective experts (including Mr Alistair Black, transportation engineer of Gray Matter) to conference in order to attempt to reach a solution to the traffic safety issues raised. By s41C RMA Direction issued on 26 August 2018 we directed as follows:

In light of these differences we consider there is merit in the traffic experts for the parties participating in expert conferencing to determine whether an agreed design solution for the access from River Road can be found. We note that participation in expert conferencing is voluntary, however, it is in all parties' interests to attend and fully participate. Council, through Mr Bastion, is to convene the first such conferencing session as soon as practicable.

If the parameters for a design solution are agreed between the traffic experts, then the applicant's traffic expert shall prepare the design based on the agreed parameters and submit that for the Commissioners' consideration with evidence of concurrence. If agreement is not achieved, a report is to be submitted outlining the nature of remaining outstanding differences of opinion.

47. We received the conferencing report on 12 September 2018, which indicated agreement (i.e. no outstanding matters were identified) on the parameters required for an appropriate design solution, and included a new set of proposed associated conditions. We attach that expert conference report to this Decision as Attachment 2 for detailed reference to the matters agreed.
48. We subsequently issued a further Direction requiring a preliminary design solution to be developed on the basis of the agreed parameters, submitted to the experts for concurrence, and thence to the Commissioners. That agreed plan, prepared by Gray Matter (*Vehicle Crossing Relocation – Preliminary Design, Drwg 157_02_100_P, Sketch 1 Rev RO, dated October 2018*) was provided to Commissioners on 25 October 2018, together with a further modified set of associated proposed consent conditions.
49. It is our understanding that this suite of conditions plus the preliminary design plan effectively resolves the traffic safety concerns – not entirely eliminating risk but reducing such to within “normal” bounds.
50. We place on record our appreciation for the work undertaken by those experts in reaching an agreed preliminary design solution.

51. We note that HCL remained concerned about the proximity of the proposed site access with their River Road access but accept the apparent conclusion of the expert transportation engineers that the preliminary design solution has taken that matter into account and the proposed conditions include a requirement for a detailed design safety audit of the final design (and which we propose to impose).

Finding

52. We find that the traffic safety issues raised are appropriately addressed by the preliminary design provided and that the proposed associated conditions, including that for a traffic safety audit, give additional assurance that this matter will be further addressed in the final design and can be managed.
53. To that extent we are therefore satisfied that the particular Regional Policy Statement and District Plan traffic / land transport objectives and policies identified by Dr Forret⁵ and Ms Brown (i.e. O3.12 of the RPS, Chapter 8 of the operative District Plan, and O6.4 and O6.5 of the Proposed District Plan) are given effect.

Part 2 RMA

54. No s6 RMA matters of national importance or s8 (Treaty of Waitangi principles) were identified as being directly engaged by this application.
55. Of the s7 RMA other matters to which particular regard is to be had, we consider the following relevant:
- (b) the efficient use and development of natural and 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.
57. When put into the wider context of the Part 2 sustainable management purpose of the RMA and the function of territorial authorities, we are now satisfied that the application will promote the sustainable management purpose of the RMA and, in particular, the health and safety of road users and the wellbeing of residential neighbours, as all relevant residual adverse effects can and will be mitigated.

Conditions

58. We have generally accepted the final set of draft proposed conditions agreed between the applicant and Council – and including, as they do, most of the conditions sought by Dr Forret⁶.
59. The one matter on which we disagree with Council is with respect to the duration of consent. The applicant sought a term of 5 years under s123(b) of the RMA; Council recommended 4 years on the basis that the applicant's reduction in earthworks volume

⁵ Forret, Legal submissions, paras 13-30

⁶ Forret, Legal submissions, para 46

meant that it now estimated 4 years to complete. We do not think that tying the consent duration so closely to an estimated time-to-complete particularly prudent. While that might be the estimated active time, it will not necessarily correspond to the elapsed time. We are therefore prepared to grant the original term sought despite the reduction in works now required.

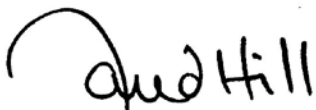
60. Accordingly, we have reduced the proposed lapse time under s125 of the RMA to three years.

Decision

61. 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 land use (earthworks) application by T I Bawden at 2324 River Road, Horsham (being Lot 3 DP 507442, CFR 770917), Council reference LUC0148/17, is granted for the reasons discussed in this Decision (and as summarised below) and subject to the conditions attached as Schedule 1.

Summary reasons for the decision

62. After having regard to the actual and potential effects on the environment of allowing the proposed activity and taking into account the relevant statutory and statutory plan provisions, we find that consent for the proposed activities should be granted for the reasons discussed throughout this decision and, in summary, because:
- (a) The adverse landscape and visual and rural amenity effects of the proposed activity on residential neighbours and the general public will be negligible with the measures to be implemented;
 - (b) The traffic safety concerns have been sufficiently resolved, and are subject to additional conditions, such that we are satisfied that they can be appropriately managed;
 - (c) Granting consent is consistent with the sustainable management purpose and principles of Part 2 of the RMA, and the relevant provisions of the regional and district plans;
 - (d) Granting consent will enable more appropriate use of the land resource, whatever land use is finally determined.



David Hill
Chair
For Independent Hearing Panel

Date: 22 November 2018

Schedule 1

Conditions of Consent

Resource Consent No: LUC0148/17

General Conditions

- 1 The development shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number LUC0148/17 and officially received by Council on 6 September 2017, the further information received 14 September 2017 and the information received after hearing on the 21 September 2018 and 25 October 2018, except as amended by the conditions below.

Copies of the revised approved plans (Landscape planting plan 21412-TS-01 Rev 0 updated 21 September 2018 by Lee Burton of The Landscape Design Studio and Vehicle Crossing Relocation Preliminary Design 157_02_100_P, Sketch 1, Rev RO, dated October 2018 by Gray Matter) are attached as Attachment 1.

In the case of any inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.

- 2 Pursuant to Section 36 of the Resource Management Act 1991 (RMA) the consent holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.
- 3 The total volume of cut material shall not exceed 30,000m³.
- 4 The total area of cut material shall not exceed 13.4ha.
- 5 The total depth of fill shall not exceed 10 metres.
- 6 The total volume of imported cleanfill material shall not exceed 220,000m³.
- 7 The works shall be completed no later than 5 years from the date this consent commences.

Duration

- 8 This consent shall expire five years from the date it commences under s116 of the RMA.

Lapse Date

- 9 This consent lapses 3 years from the date it commences, unless:
- (a) the consent is given effect to prior to that date; or
 - (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account:
 - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and

- (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
- (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

Prior to Works

- 10 Prior to works commencing the consent holder shall notify Waikato District Council that they have appointed an appropriately qualified and competent Representative/s acceptable to Waikato District Council for the duration of the construction works. It shall be the responsibility of the Representative/s to ensure compliance with the conditions of consent by:
- (a) Supervising construction of the works;
 - (b) Arranging for the required testing and inspections;
 - (c) Completing each required checklist as the works progress and submitting the required reports to Waikato District Council for assessment or approval;
 - (d) Identifying any non-compliant work and arranging for correction.
- 11 The consent holder shall notify Waikato District Council in writing, of their intention to begin works, as soon as practicable prior to commencing these works. Such notification shall include the name/s and telephone number/s of the appointed Representative/s.
- 12 The consent holder shall provide Waikato District Council Monitoring Department with a draft Cleanfill and Construction Management Plan (CMP) at least 10 working days prior to the proposed commencement of activities authorised by this consent
- 13 No less than two weeks prior to commencing operations, the consent holder shall present for Waikato District Council authorisation a site management plan. The site management plan shall detail measures such as a water cart, wheel wash etc. to prevent dust and debris from being tracked onto the surrounding road network, monitoring and complaint management systems.
- The site management plan shall specifically include measures for monitoring traffic operation at the entranceway and means for recording any traffic incident involving site traffic. The consent holder shall report to Waikato District Council any traffic incident involving site traffic, within 2 weeks of an incident occurring, outlining:
- (a) The likely causes; and
 - (b) Possible mitigation.

Advice note:

A traffic incident includes any stacking at the site entranceway as well as crashes. Where the incident requires mitigation to deal with effects associated with the exercise of this consent, the consent holder shall undertake the works or traffic management immediately and at the consent holder's expense. The monitoring and mitigation required shall continue for the duration of the consent, unless otherwise confirmed in writing by Waikato District Council.

- 14 The consent holder is to install and maintain erosion sediment control measures in accordance with the information submitted with the application prepared by McPherson Goodwin Limited titled 'Draft Erosion and Sediment Control Methodology, dated 29-08-16.
- 15 An Operational Noise Management Plan shall be prepared by an experienced acoustical engineer and submitted to the Team Leader Monitoring Waikato District Council for approval one month prior to the commencement of operations. The Operational Noise Management Plan shall include the following:
- (a) Identify all potentially affected sensitive receivers;
 - (b) Specify the relevant noise criteria; and
 - (c) Procedures for the effective handling and responding to noise complaints.
- 16 Any future amendments to the Operational Noise Management Plan is required to be submitted to the Team Leader Monitoring Waikato District Council for approval.
- 17 Prior to any construction, the consent holder shall provide detailed engineering design plans for the relocation of the entranceway to accommodate truck and trailer units passing each other. This design shall be prepared by a suitably qualified and experienced Engineer and shall be approved by the Waikato District Council's Land Development Engineering Team Leader prior to commencing the works. The detailed design shall be in general accordance with the Gray Matter Limited Preliminary Design Drawing titled "2324 River Road, Cleanfill and Transport Depot, Vehicle Crossing Relocation Preliminary Design" plan number 157_02_100_P and shall include but not be limited to:
- seal widening to provide:
 - 3.5m lanes,
 - 3.5m flush median,
 - 1.5m (desirable, 0.75m minimum) northbound shoulder
 - 1.5m (desirable, 0.75m minimum) southbound shoulder except that it widens to 2.5m for 90m approaching the access.
 - Property accessway to be 6m wide minimum with the gate set back 22m from the edgeline;
 - Marking of no overtaking lines on the southbound side of the median between Lake Road and the entrance;
 - Extend the stacking space of the Horotiu Bridge Road right turn bay to a total length of 75m;
 - Marking of no overtaking lines on the northbound side of the Horotiu Bridge Road right turn bay switching to the southbound side of the median at the taper of the 75m long right turn stacking space and continuing on the southbound side of the median to the entrance;
 - heavy vehicle tracking for a semi-trailer;

- relocation of streetlights in the eastern berm;
 - relocation of the Rural Intersection Activated Warning Sign in the eastern berm;
 - pavement design for the widening; and
 - permanently closing off the existing entranceway.
- 18 The roading improvements shall be constructed in accordance with the Engineering Plan Approval and the Regional Infrastructure Technical Specifications to the satisfaction of the Land Development Engineer, Waikato District Council.
- 19 The landscaping shall be carried out and be maintained by the consent holder in general accordance with the approved Landscape Plan, reference 21412-TS-01 and as updated 21 September 2018, as follows:
- (a) The proposed landscaping shall be for the purposes of screening;
 - (b) The planting shall be planted at a minimum height of 1.2m and establish to a mature height of 1.8m after 2 years;
 - (c) Planting to be undertaken by the consent holder as soon as practicable but no later than the beginning of the first planting season (March);
 - (d) Once established, planting mitigation is to be maintained by the consent holder at a minimum height of 2.5m; and
 - (e) Planting shall not obstruct vehicle sight lines from the entrance in either direction.
- If any of the landscaping becomes dead or diseased, the dead or diseased landscaping shall be replaced in the same location within as soon as practicable but no later than the beginning of the first planting season (March) by a same species of landscaping which is capable of reaching a minimum mature height of 2.5 metres.
- 20 The consent holder shall ensure that the existing earth batters (shown on the plan as “ridgeline”) along the shared boundary between the site and River Road shown on the approved Landscape Plan (reference 21412-TS-01 and as updated 21 September 2018) are retained for the duration of works.

During Works

- 21 During construction, earthworks shall be limited to the days of Monday between the hours of 0700 to 1800 and Saturday 0700 to 1400; except for Public Holidays, where no earthworks shall be undertaken.
- 22 The consent holder shall ensure that truck movements to and from the cleanfill activity only occur within the site’s hours of operation and do not exceed the following levels:
- 45 truckloads per day calculated over a two month period (90 truck movements per day);
 - Maximum per day: 75 truckloads per day (150 truck movements per day);

- No more than 5% of movements shall be in trucks larger than the NZTA Road and traffic guidelines RTS 18: NZ on-road tracking curves 2007 description of a Large Rigid Truck (page 7).

The consent holder shall maintain a heavy vehicle counting system and a daily logbook of all inbound truck movements depositing fill.

The logbook shall contain the following:

- registration number and type of vehicle (single truck unit or truck and trailer);
- time of arrival;
- approximate size of the load deposited;
- source and type of material to be deposited; and
- comments on whether the material is accepted or not.

23 The consent holder shall appoint a qualified and experienced traffic engineer to undertake a detailed design safety audit of the entranceway and flush median arrangement. The detailed design safety audit shall be provided to Waikato District Council 2 weeks prior to the entrance being constructed. All findings from the safety audit shall be addressed by the consent holder at the consent holder's expense.

24 During filling, the consent holder shall ensure that all fill imported to the site meets the following definition of cleanfill:

Means material that when discharged to the environment will have no adverse effect on people or the environment. This includes natural materials such as clay, soil and rock, and other inert materials such as broken concrete and brick, or mixtures of any of the above, and excludes:

1. material that has combustible, putrescible or degradable components, and
2. materials likely to create leachate by biological or chemical breakdown, and
3. products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices, and
4. materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health, and
5. materials contaminated with hazardous substances or pathogens, and
6. hazardous substances.

25 In the event of any archaeological site or waahi tapu being discovered or disturbed during earthworks activities, the works in the area of the discovery shall cease immediately, and iwi and the Waikato District Council shall be notified within 48 hours. Works may recommence with the written approval of the Waikato District Council. Such approval shall be given after the Waikato District Council has considered:

- (a) Tangata Whenua interests and values,

- (b) The consent holder's interests,
 - (c) Any archaeological or scientific evidence.
- 26 During earthworks, earthworks shall be managed in such a way that no material is tracked or spilled beyond the boundaries of the site onto any legal or private road to the satisfaction of Waikato District Council's Team Leader Monitoring. In the event of this occurring, the Consent Holder shall remove this material as soon as practical, and within a maximum of 24 hours after the occurrence, or as otherwise directed by a Waikato District Council Monitoring Officer.
- 27 The Consent Holder, upon becoming aware of the need to clean up the roadway, shall advise the Waikato District Council Monitoring Team of the need for the road to be cleaned up, and what actions are being taken to do so. The cost of the clean-up of the roadway and associated drainage facilities, together with any required temporary traffic control, shall be met by the Consent Holder. Should the clean-up of the roadway and associated drainage facilities be undertaken by the Waikato District Council, the consent holder shall pay the actual and reasonable costs of the clean-up.
- 28 In the event that damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset occurs as a result of the earthworks activity, the costs of rectifying and restoring the asset/s shall be met by the Consent Holder.
- 29 The consent holder shall keep a register of daily truck movements and soil volume leaving the site and cleanfill volumes entering the site. This information must be made available to an authorised officer of Waikato District Council within 10 working days upon request.
- 30 The consent holder must provide Waikato District Council with an annual report, which shall include the following details:
- (a) Daily numbers of truck movements;
 - (b) Monthly sand volumes removed from the site;
 - (c) Monthly volumes of cleanfill accepted; and
 - (d) Details of any spills of oils, diesel, or herbicides.
- 31 Operational noise from the consented activity shall comply with Rule 25.17.1 of the Waikato District Plan – Operative Waikato Section when measured and assessed at the notional boundary of any other site zoned Rural or Country Living, as follows:
- (a) 50dBA (L_{10}), 7am to 7 pm any day, and
 - (b) 45dBA (L_{10}), 7pm to 10pm any day, and
 - (c) 40dBA (L_{10}), and 65dBA (L_{max}) at all other times.
- 32 Noise levels shall be measured in accordance with the provisions of the New Zealand Standards NZS 6801:2008 "Acoustics – Measurement of Environmental Sound" and assessed in accordance with the provisions of New Standard NZS 6802:2008 "Acoustics – Environmental Noise".

After Works

- 33 On completion of all geotechnical and earthworks, a chartered/registered engineer shall provide a certified completion of the works as per the geotechnical report in general accordance with the Hamilton City Council Infrastructure Technical Specifications and to the satisfaction of the Land Development Engineer, Waikato District Council.

An acceptable format for certification upon completion of works can be found in the Hamilton City Development Manual, Volume 4: Part 2, Checklist 2.2.

- 34 At completion of earthworks, installed erosion and sediment control measures shall not be removed until approval is obtained from a Monitoring Officer of the Waikato District Council.
- 35 All areas of earthworks (excluding any area covered by buildings) shall be revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced to the satisfaction of a Monitoring Officer of the Waikato District Council.
- 36 A “Producer Statement – Roothing Improvements” shall be provided for installing roading recommendations undertaken as part of the Approved Engineering Plans to the satisfaction of the Land Development Engineer, Waikato District Council.

Complaints

- 37 The consent holder shall maintain and keep a complaints register for any complaints about any activities associated with the exercise of this consent received by the consent holder in relation to traffic, dust, noise or other environmental effects of this activity. The register shall record, where this is available, the following:
- (a) The date, time and duration of the event/incident that has resulted in a complaint;
 - (b) The location and contact details of the complainant when the event/incident was detected;
 - (c) The nature of the incident;
 - (d) The possible cause of the event/incident;
 - (e) The weather conditions and wind direction at the site when the event/incident allegedly occurred;
 - (f) Any corrective action taken by the consent holder in response to the complaint, including timing of that corrective action; and,
 - (g) Any other relevant information.

The complaints register shall be made available upon request to the Council at all reasonable times. Complaints received by the consent holder that allege or imply non-compliance with the conditions of this consent shall be forwarded to Waikato District Council as soon as practicable and no longer than one working day after the complaint has been received.

Review

38 Pursuant to section 128 to 131 of the Resource Management Act 1991, the Waikato District Council may, after six months, and by every 31st July thereafter, annually, following the commencement of the activities associated with this consent, serve notice on the consent holder of its intention to review any or all of the conditions of this consent for any of the following purposes:

- (a) To review the effectiveness of the conditions of this consent in avoiding, remedying, or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent (in particular the potential adverse environmental effects in relation to geotechnical stability, traffic, noise and dust) and, if necessary, amend or impose such further conditions to avoid, remedy or mitigate such effects;
- (b) To address any adverse effects on the environment which have arisen as a result of the exercise of this consent that were not anticipated at the time of granting this consent, including addressing any issues arising out of complaints;
- (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this consent;
- (d) To require the consent holder, if necessary and appropriate, to adopt the best practicable option(s) to avoid, remedy or mitigate any adverse effects on the surrounding environment.

The Council will undertake the review in consultation with the consent holder and the consent holder shall pay the actual and reasonable costs of the review.

Advisory Notes

1 The consent holder is advised that any consented works within the road reserve requires an approved Corridor Access Request (CAR), and the CAR application is to be made to the Waikato District Council's Roading Compliance Officer including appropriate Traffic Management Plan.

2 Other consents/permits may be required

To avoid doubt, except as otherwise allowed by this resource consent, all land uses must comply with all remaining standards and terms of the relevant Waikato District Plan. The activities must also comply with the Building Act 2004, Hamilton City Infrastructure Technical Specifications and Waikato Regional Plans. All necessary consents and permits should be obtained prior to development.

3 Enforcement Action

Failure to comply with the conditions of consent may result in Council taking legal action under the provisions of Part 12 of the Resource Management Act 1991.

4 Traffic Management Plan

A traffic management plan will be required to be obtained from Waikato District Council for undertaking any works within the boundaries of the legal road. Please contact Council on 07 824 8633 to enquire about this.

- 5 An acceptable format for certification upon completion of works can be found in the Hamilton City Development Manual, Volume 4: Part 9 Appendix 4(ii).



Proposed Planting Notes & Schedule

The design intent of the proposed planting is to create and maintain a screen scenario. The choice of planting will provide a continuous hedge-line with a glossy lime green foliage.

Plants to be established on an earth bund to ensure an initial total height of 1.2-1.5m high. It is expected that standard growth will take them to 1.8m high in 2 years and they will then be maintained at 2.2-2.5m high.

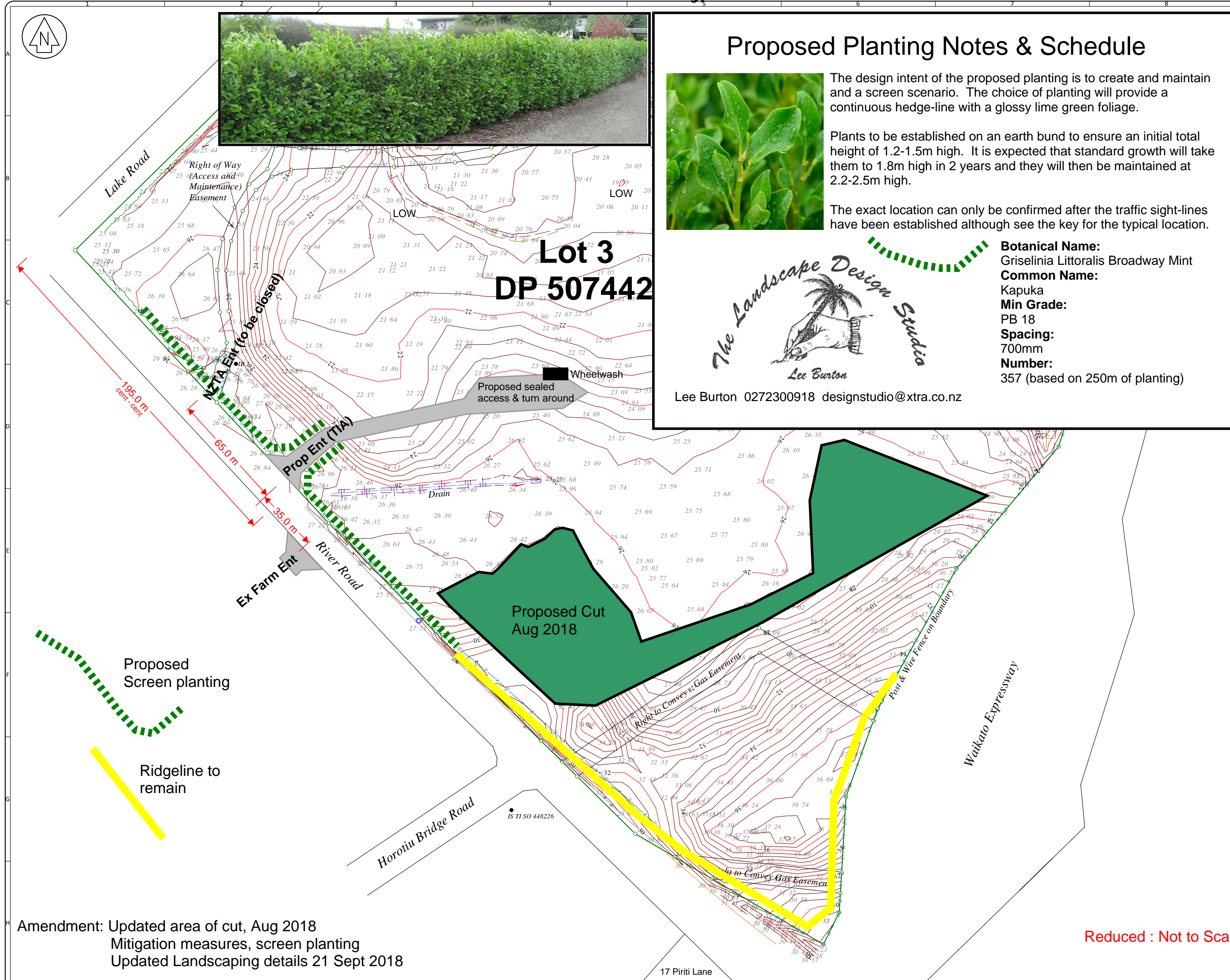
The exact location can only be confirmed after the traffic sight-lines have been established although see the key for the typical location.

Botanical Name:
Griselinia Littoralis Broadway Mint
Common Name:
Kapuka
Min Grade:
PB 18
Spacing:
700mm
Number:
357 (based on 250m of planting)



Lee Burton 0272300918 designstudio@xtra.co.nz

- Notes
1. Coordinates are in terms of Mt Eden 2000 Circuit.
 2. Origin of Coordinates is IS TI SO 448226.
 3. Heights are in terms of Moturiki Vertical Datum 1953.
 4. Origin of Heights is AGD1 with RL 24.174m.
 5. (located on Park Road, off Great South Road).
 5. Heights transferred using RTK GPS Survey.



| | | | |
|---------------------|-----|----------------------|----------|
| SRC | 0 | For Client to Review | 10/02/16 |
| Checked by Rev. No. | | Description | DATE |
| Surveyed | SRC | 11/01/16 | |
| Designed | | | |
| Drawn | SRC | 10/02/16 | |
| Checked | | | |
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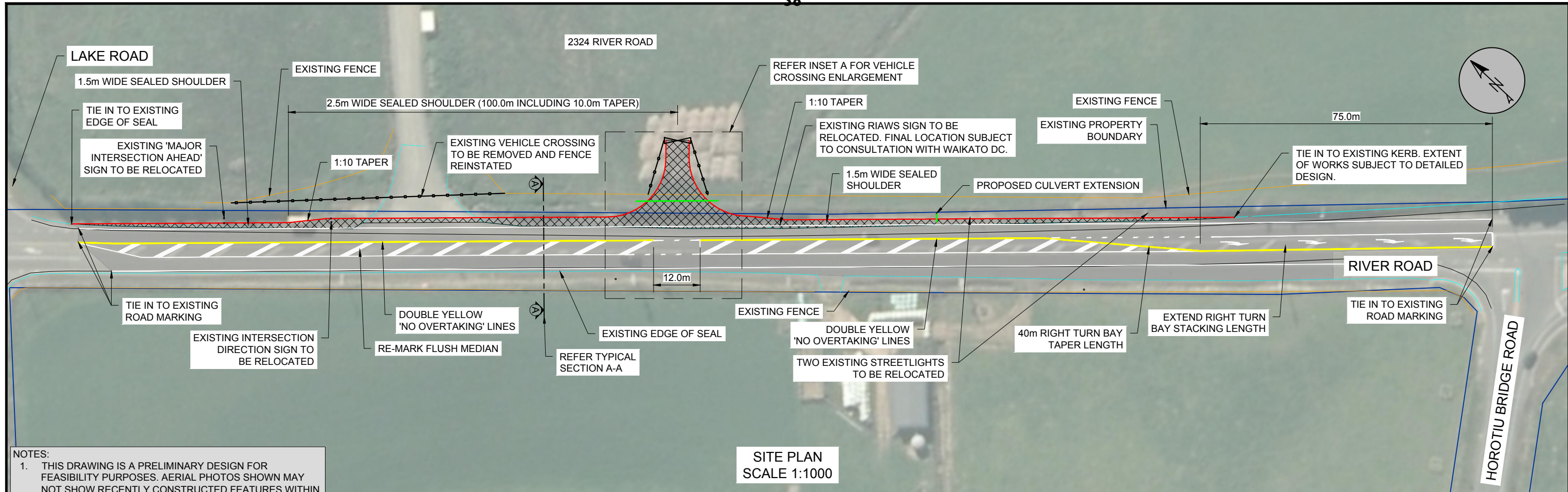
Client: Todd Bowden

Title
Topographical Survey
of Section 72 SO 474326
2324 River Road, Hamilton

| | |
|---------------------------------------|-----------|
| Copyright on this drawing is reserved | Date |
| Original Scales @ A1 | Feb 2016 |
| Do Not Scale Dimensions | Revision: |
| Drawing No | 0 |
| 21412 - TS - 01 | |

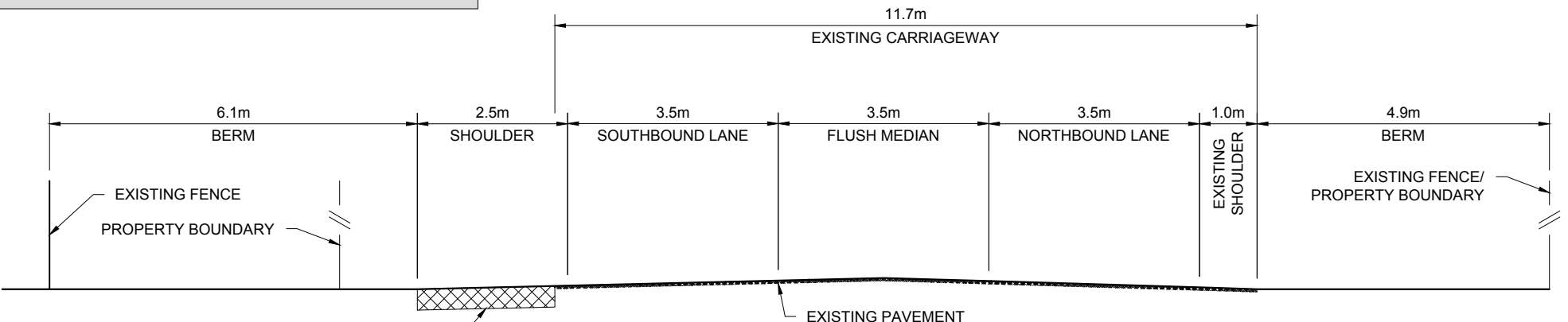
Reduced : Not to Scale

Amendment: Updated area of cut, Aug 2018
Mitigation measures, screen planting
Updated Landscaping details 21 Sept 2018

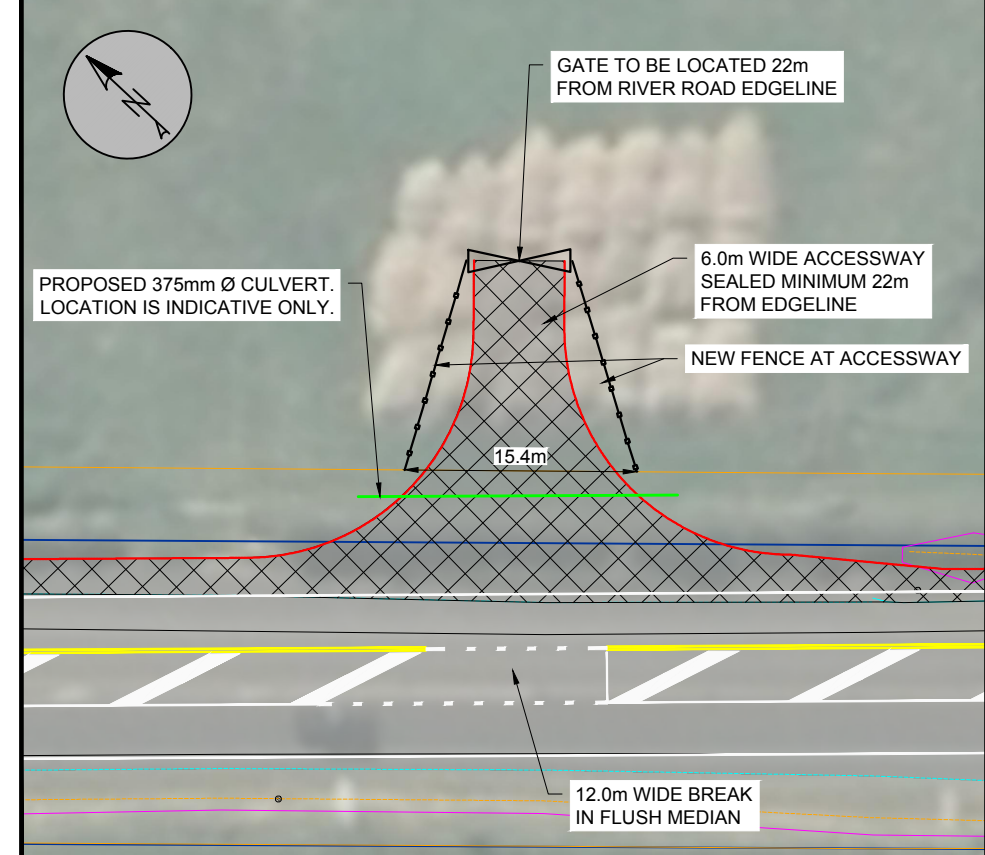


SITE PLAN
SCALE 1:1000

- NOTES:
- THIS DRAWING IS A PRELIMINARY DESIGN FOR FEASIBILITY PURPOSES. AERIAL PHOTOS SHOWN MAY NOT SHOW RECENTLY CONSTRUCTED FEATURES WITHIN THE SITE.
 - PROPOSED WORKS ARE INDICATIVE ONLY. FINAL LAYOUT SUBJECT TO DETAILED DESIGN INCLUDING:
 - PAVEMENT DESIGN.
 - STORMWATER: ROAD CULVERT EXTENSION AND VEHICLE CROSSING CULVERT.
 - STREETLIGHT RELOCATIONS.
 - SERVICE RELOCATIONS (IF REQUIRED).
 - BOUNDARY ADJUSTMENTS (IF REQUIRED).
 - VISIBILITY SPLAYS AT VEHICLE CROSSING (IF REQUIRED).
 - NEW VEHICLE CROSSING GENERALLY IN ACCORDANCE WITH NZTA PLANNING POLICY MANUAL DIAGRAM E.
 - LINEMARKING TO BE IN GENERAL ACCORDANCE WITH NZTA MOTSAM.



TYPICAL SECTION A-A
SCALE 1:100



INSET A: VEHICLE CROSSING ENLARGEMENT
SCALE 1:500

| | | | | | | | | | | | |
|--|-----------|------|------|--------------|----------|----------|-------------|-------------|-------------|---|------------------------------|
| REF | AMENDMENT | APPD | DATE | BY | CHECKED | DATE | RECOMMENDED | OFFICE: | CLIENT: | PROJECT: | STATUS: |
| | | | | D. Woodhouse | D. Mills | Oct 2018 | | gray matter | TODD BAWDEN | 2324 RIVER ROAD CLEANFILL AND TRANSPORT DEPOT | PRELIMINARY |
| | | | | D. Woodhouse | D. Mills | Oct 2018 | | | | VEHICLE CROSSING RELOCATION PRELIMINARY DESIGN | NZGD2000 / NO VERTICAL DATUM |
| Copyright and Intellectual Property Rights for the information shown on this drawing remain the property of Gray Matter Ltd. | | | | | | | | | | | |
| | | | | | | | DATE | | | SHEET TITLE | PLANNING NUMBER |
| | | | | | | | DATE | | | VEHICLE CROSSING RELOCATION PRELIMINARY DESIGN | 157_02_100_P |
| | | | | | | | DATE | | | SCALE | SHEET |
| | | | | | | | DATE | | | AS SHOWN (@ A3) | SKETCH 1 |
| | | | | | | | DATE | | | REVISION | RO |

39
AATTACHMENT 2: Transportation Expert Conference Report

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF an application by TI Bawden to the Waikato District Council for a land use resource consent for earthworks (LUC0148/17) at 2324 River Road, Horsham Downs (Section 72 Survey Office Plan 474326 – CFR 687923)

REPORT ON TRAFFIC EXPERT CONFERENCE

6 SEPTEMBER 2018

Attendees:

- Alastair Black, Transportation Engineer, Gray Matter Ltd for the applicant
- Naomi McMinn, Civil/Transportation Engineer, Gray Matter Ltd for the applicant
- Norm Robins, Principal Transportation Engineer, AECOM for Horotiu Properties Limited (HPL)
- David Bastion, Team Leader of Land Development Engineering, Waikato District Council

Statement:

1. **Purpose of conferencing** (refer to paragraphs 13 and 14 of Commissioner Hill's directions of 26 August 2018)
2. **Expert witness protocol**
 - (a) The experts agree to be bound by the Environment Court Practice Note 2014 and confirm that they have complied with the Code of Conduct for Expert Witnesses
3. **Definitions**

This report uses the following terms, defined as follows:

HCV: heavy commercial vehicles (or trucks)
Vpd: vehicle movements per day and has the same meaning as vehicle trips per day
HCV/day: heavy commercial vehicle movements per day (or truck movements per day) and has the same meaning as heavy commercial vehicle trips per day (or truck trips per day)
Veh/h: vehicle movements per hour

1 load = 2 trips (or 2 movements (in and out))

4. Key facts and assumptions agreed by Experts

The Transport Environment

- a) River Road carries 3,482vpd with 12% HCV based on the most recent traffic count by Waikato District Council from 5/03/2016. The posted speed limit 100km/hr.
- b) Lake Road carries 2,909vpd with 5% HCV based on a 2017 estimate recorded in mobileroad.org. The posted speed limit 100km/hr.
- c) River Road and Lake Road are both classified as Arterial Roads in the Waikato District Plan (Table 8 Road Hierarchy).
- d) River Road width – existing cross sections in Figures 1-3 below.

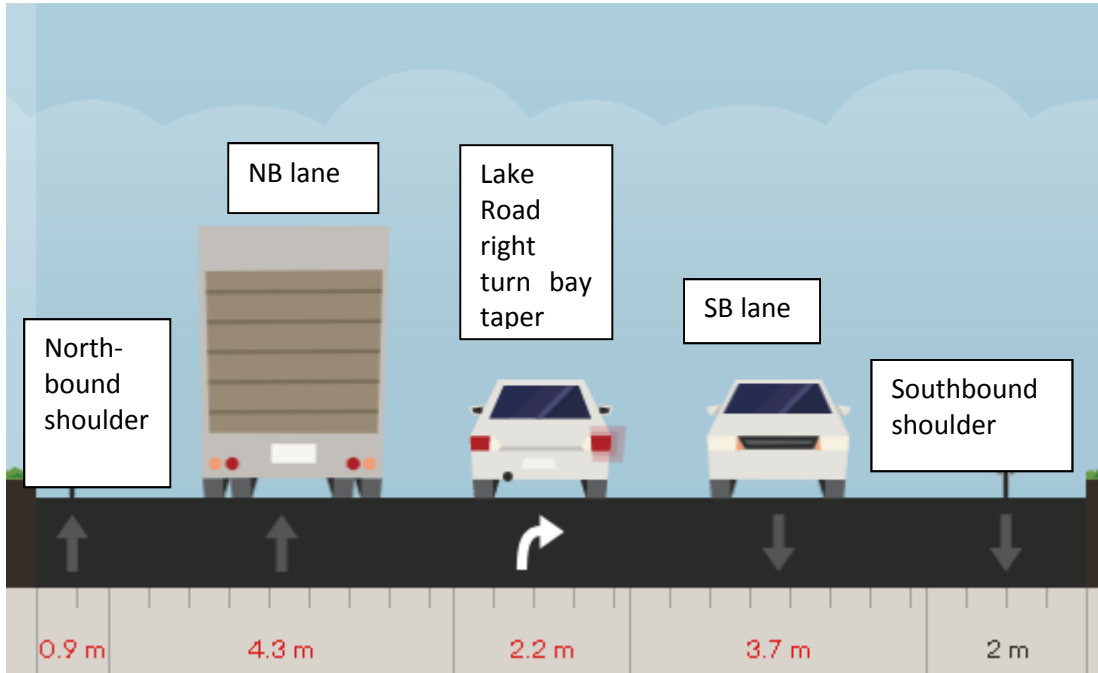


Figure 1: Existing River Road cross section at the existing vehicle access

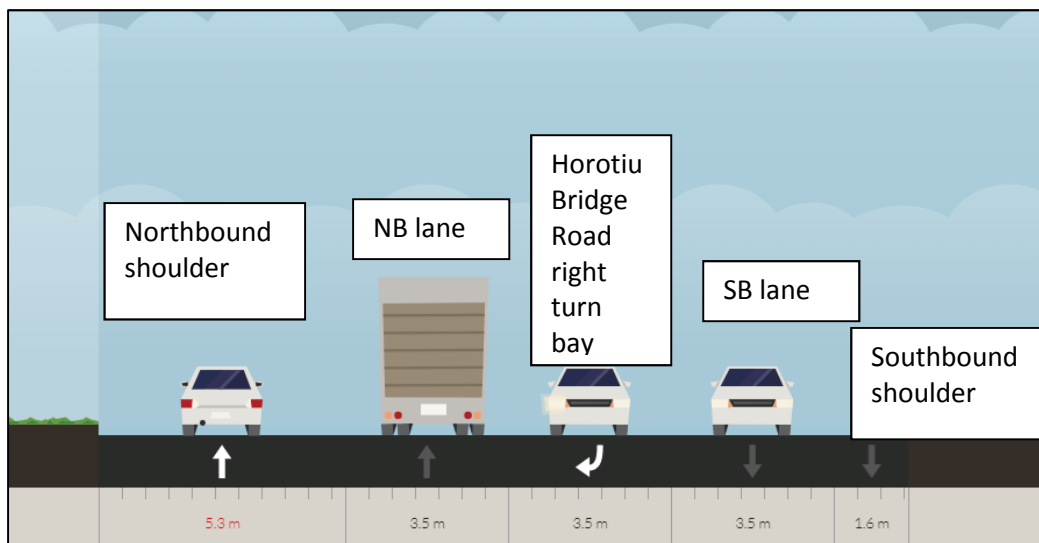


Figure 2: Existing River Road cross section just north of Horotiu Bridge Road.

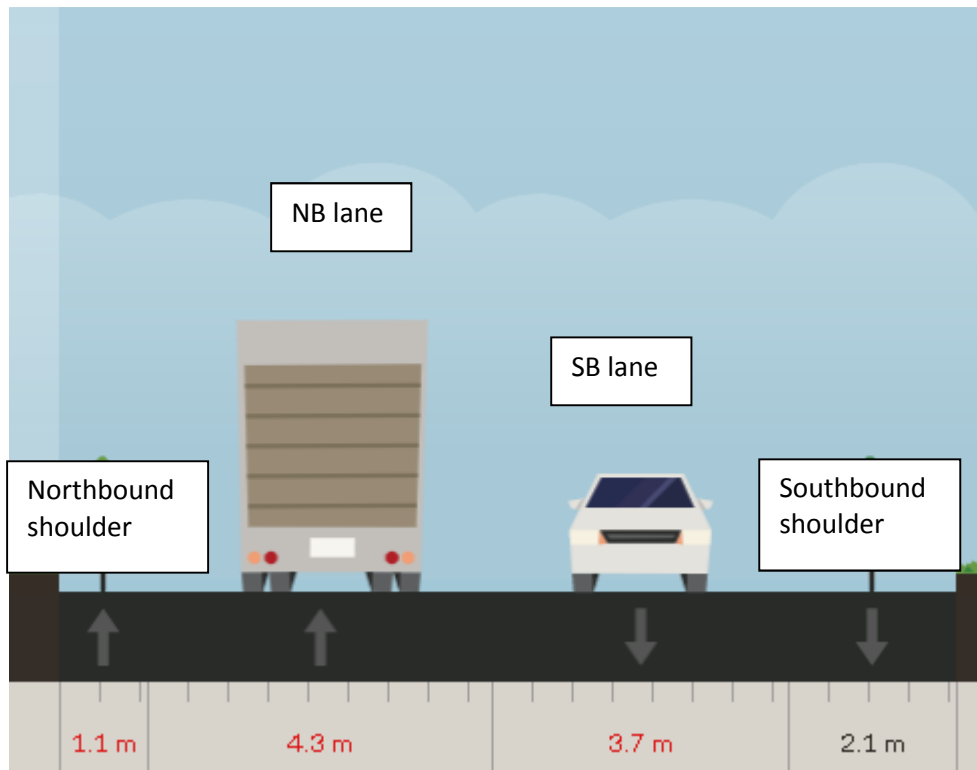


Figure 3: Existing River Road cross section at the proposed access.

Trip Generation of the Proposed Activity

- The application is for the placement of 220,000cu.m of cleanfill over four years.
- Based on single trucks delivering 8cu.m this equates to a total of 27,500 loads, or 6,875 loads per year.
- Based on 300 working days per year this equates to 46HCV movements per day.
- Based on 155 working days per year (summer working period October to April), this equates to 88HCV movements per day.
- In addition, staff movements in light vehicles of 6 vehicle movements per day are expected.
- The applicant is seeking a maximum trip generation of 200HCV movements per day.

Trip Generation of the Existing Transport Depot Activity

- Based on information from the applicant, the existing transport depot is assumed to generate 80 vehicle movements per day made up of 60 light vehicles/day and 20HCV/day.
- Based on information from the applicant, there could be 10-15veh/h turning right into the site in the peak hour.

5. Methodology or Standards used

- The District Plan (Appendix A, Table 5) requires 200m separation between a vehicle access and an intersection on an Arterial Road with a 100km/h speed environment.
- The District Plan (Appendix A, Table 5) requires 200m separation between two vehicle accesses on an Arterial Road with a 100km/h speed environment.
- The District Plan (Appendix A, Table 6) requires 290m sight distance for a rural vehicle entrance generating more than 40vpd where the speed environment is 110km/h.
- The appropriate design speed is agreed to be 110km/h.
- MOTSAM Part 2 Figure 3.25 – Markings for Right Turn Bays in Rural Areas
- Austrroads Guide to Road Design Part 4 Intersection and Crossing – General, Figure A10 Warrants for turn treatments on the major road at unsignalised intersections.

6. Issues considered by the experts

The experts have considered these locations for access to the subject property:

Access to Lake Road

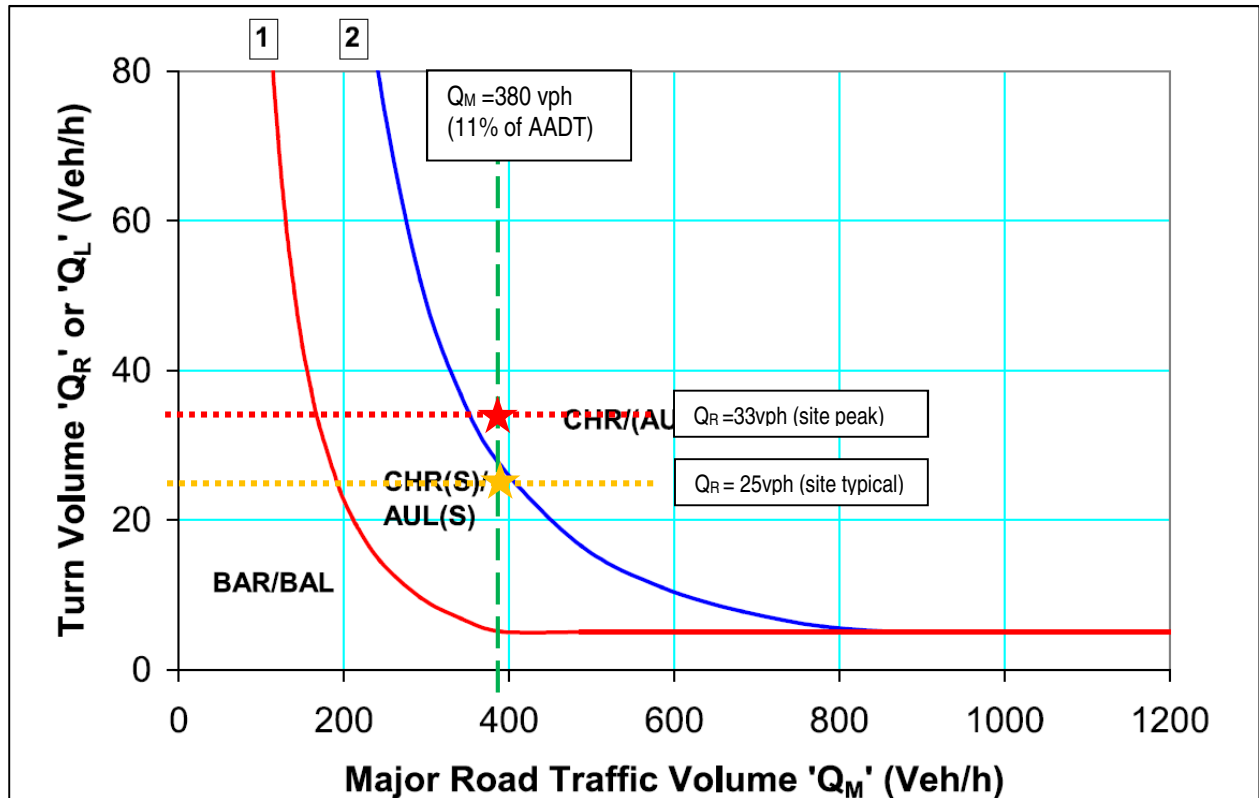
- a) The experts agree that due to the short length of property frontage (216m) and vertical alignment of Lake Road, there is no location for property access on Lake Road which would be safe or which would comply with the District Plan standards.

Access to River Road

- a) Existing access
 - Is located 115m from Lake Road, 280m from Horotiu Bridge Road and 100m from the HPL access. This location does not comply with separation to Lake Road or the HPL access.
 - Sight distance to the north (right) is 420m and does meet the District Plan standard.
 - Sight distance to the south (left) is 410m and does meet the District Plan standard.
- b) Proposed access (35m north of HPL)
 - Is located 65m south of the existing access which would be closed.
 - Is located 180m from Lake Road, 215m from Horotiu Bridge Road and 35m from the HPL vehicle access. This location does not comply with separation to Lake Road or the HPL access.
 - Sight distance to the north (right) is 340m and does meet the District Plan standard.
 - Sight distance to the south (left) is 340m and does meet the District Plan standard.
- c) Southern access (opposite Horotiu Bridge Road)
 - We understand a roundabout at this location is out of the scope of this application.
 - A roundabout at this location would address existing safety concerns at this intersection and would provide a safe option for access to the subject property.
- d) Summary of River Road access options
 - The safest option is a roundabout at Horotiu Bridge Road.
 - There is no location along the River Road property frontage that would comply with the District Plan separation standards.
 - Option b is accepted by the experts as the safest within the scope of the application.

Turn Treatment

- The experts have used Austroads Guide to Road Design Part 4 Intersection and Crossing – General, Figure A10 to determine the most appropriate right turn treatment.
- The experts have agreed the following traffic volumes to be used:
 - The major road traffic on River Road is 380veh/h based on 11% of 3,482vpd.
 - Based on typical trip generation of 88HCV/day, the right turn volume is 20-25veh/h.
 - Based on peak trip generation of 200HCV/day, the right turn volume is 33veh/h.
- The experts agree that based on Figure A10 below, the most appropriate turn treatment is a right-turn bay (CHR) as the CHR(S) treatment is not typically used in New Zealand.



7. Issues upon which the experts agree and reasons for agreement

Marking a compliant right turn bay is not appropriate because:

- a compliant right turn bay would overlap the existing right turn bays
- it would create confusion for road users:
 - by creating doubt as to which right turn a vehicle may be making
 - such as a driver turning right out of the access turning in to a median of a developing right turn bay (Lake Road)

The experts agree that there needs to be some refuge for right turning vehicles and a flush median would provide space for right turning vehicles.

The appropriate design standards are:

- 3.5m lanes,
- 3.5m flush median,
- 1.5m northbound shoulder (desirable, District Plan minimum is 0.75m), and

- 1.5m southbound shoulder (desirable, District Plan minimum is 0.75m), except that it widens to 2.5m for 90m approaching the access.
- Property accessway to be 6m wide minimum with the gate set back 20m from the edgeline.
- Marking of no overtaking lines for approximately 150m between Lake Road and the entrance.
- Extend the stacking space of the Horotiu Bridge Road right turn bay to a total length of 75m.
- Marking of no overtaking lines from opposite the HPL on the southbound side of the median switching to the northbound side of the median at the start of the right turn stacking space.

The experts agree there is some residual risk with the proximity to the Horotiu Bridge Road intersection and the existing wide northbound shoulder from Horotiu Bridge Road. The wide shoulder encourages following vehicles to pass slower moving heavy vehicles using the shoulder.

Trip generation limit/conditions:

- Monthly reporting of truck movements would allow Council to better monitor compliance with the two monthly average and maximum daily vehicle movements.

The experts agree that 45 truckloads per day calculated over a two month period (90 truck movements per day) would be appropriate as a condition of consent.

The experts agree that 75 truckloads per day (150 truck movements per day) would be appropriate as the daily maximum condition of consent.

The experts agree the adverse effects of truck and trailer movements at the access would be greater than the adverse effects of single unit trucks.

8. Issues upon which the experts cannot agree and the reasons for disagreement

There are no relevant issues in disagreement.

9. Issues which the experts agree are not adequately addressed by the evidence lodged to date, and the reasons for such inadequacy

The experts agree the evidence lodged to date is adequate.

10. Any other matters

Actions:

- GM to progress MG Solutions for survey.
- GM to complete preliminary design based on the agreed parameters above for circulation to traffic experts.

DATE:

Signed: 



Norm Robins, Principal Transportation Engineer, AECOM for Horotiu Properties Limited (HPL)

David Bastion, Team Leader of Land Development Engineering, Waikato District Council



Alastair Black, Transportation Engineer, Gray Matter Ltd for the applicant



Naomi McMinn, Civil/Transportation Engineer, Gray Matter Ltd for the applicant

APPENDIX I – DRAFT TRAFFIC CONDITIONS

| Draft Conditions | |
|------------------|--|
| 13 | <p>Prior to any construction, the consent holder shall provide detailed engineering design plans for the relocation of the entranceway to accommodate truck and trailer units passing each other. This design shall be prepared by a suitably qualified and experienced Engineer and shall be approved by the Waikato District Council's Land Development Engineering Team Leader prior to commencing the works. The design shall include but not be limited to:</p> <ul style="list-style-type: none"> • seal widening to provide: <ul style="list-style-type: none"> ○ 3.5m lanes, ○ 3.5m flush median, ○ 1.5m (desirable, 0.75m minimum) northbound shoulder ○ 1.5m (desirable, 0.75m minimum) southbound shoulder except that it widens to 2.5m for 90m approaching the access. • Property accessway to be 6m wide minimum with the gate set back 20m from the edgeline; • Marking of no overtaking lines on the southbound side of the median for approximately 50m between Lake Road and the entrance; • Extend the stacking space of the Horotiu Bridge Road right turn bay to a total length of 75m; • Marking of no overtaking lines from opposite the HPL entrance on the southbound side of the median switching to the northbound side of the median at the start of the Horotiu Bridge Road right turn stacking space; • heavy vehicle tracking for a semi-trailer; • relocation of streetlights in the eastern berm; • relocation of the Rural Intersection Activated Warning Sign in the eastern berm; • pavement design for the widening; and • permanently closing off the existing entranceway. |
| 14 | The roading improvements shall be constructed in accordance with the Engineering Plan Approval and the <u>Regional</u> Infrastructure Technical Specifications to the satisfaction of the Land Development Engineer, Waikato District Council. |
| 21 | <p>The consent holder shall ensure that truck movements to and from the cleanfill activity, only occur within the site's hours of operation and do not exceed the following levels:</p> <ul style="list-style-type: none"> • 45 truckloads per day calculated over a two month period (90 truck movements per day), and; • Maximum per day: 75 truckloads per day (150 truck movements per day). |
| New | No more than 5% of movements shall be in trucks larger than the NZTA Road and traffic guidelines RTS 18: NZ on-road tracking curves 2007 description of a Large Rigid Truck (page 7). |
| New | <p>The consent holder shall maintain a heavy vehicle counting system and a daily logbook of all inbound truck movements depositing fill.</p> <p>The log shall contain the following:</p> <ol style="list-style-type: none"> (a) registration number and type of vehicle (single truck unit or truck and trailer); (b) time of arrival; (c) approximate size of the load deposited; (d) source and type of material to be deposited; and (e) comments on whether the material is accepted or not. |
| New | The daily incoming logs shall be retained on site at all times and be made available for Council inspection during working hours. A copy of the logged information shall be forwarded to the Waikato District Council's Monitoring Team Leader on a six (6) monthly basis from the commencement of this consent. |
| New | The consent holder shall appoint a qualified and experienced traffic engineer to undertake a detailed design safety audit of the entranceway and flush median arrangement. The detailed design safety audit shall be provided to Waikato District Council 2 weeks prior to the entrance being constructed. All findings from the safety audit shall be addressed by the consent holder at the consent holder's expense. |

| Draft Conditions | |
|-------------------------|--|
| New | No less than two weeks prior to commencing operations, the consent holder shall present for Waikato District Council authorisation a site management plan. The site management plan shall detail measures such as a water cart, wheel wash etc. to prevent dust and debris from being tracked onto the surrounding road network, monitoring and complaint management systems |

Open Meeting

| | |
|---------------------------------|--|
| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | 13 February 2019 |
| Prepared by | Wanda Wright Committee Secretary |
| Chief Executive Approved | Y |
| Reference # | GOV1301 |
| Report Title | Receipt of Dog Hearing Minutes – Roxanne Wrigley |

1. EXECUTIVE SUMMARY

To receive the minutes and decision of a hearing for the Objection to Menacing Classification – Roxanne Wrigley held on Wednesday 21 November 2018.

2. RECOMMENDATION

THAT the minutes and decision of a hearing for the Objection to Menacing Classification – Roxanne Wrigley held on Wednesday 21 November 2018 be received.

3. ATTACHMENTS

- A Hearing minutes
- B Decision – Roxanne Wrigley
- C Decision – Megan Stevenson

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 21 NOVEMBER 2018** commencing at **9.01am**.

Present:

Cr DW Fulton (Chairperson)
Cr J Gibb

Attending:

Mrs LM Wainwright (Committee Secretary)
Ms C Pidduck (Legal Counsel)
Mr M Te Anga (Animal Control Team Leader)
Ms R Wrigley (Objector)
Mr G Bowden
Mr P Derbyshire (Complainant)
Mrs P Derbyshire (Complainant)
Members of staff

HEARING

Objection to Menacing Classification – Roxanne Wrigley
Files - CHS0505/Property ID 1003011/Person ID 131929

INTRODUCTION

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

The meeting adjourned at 9.03am and resumed at 9.33am.

HEARING OF THE APPLICATION

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

Legal Counsel and the Animal Control Team Leader answered questions of the committee.

RIGHT OF REPLY

The objector gave her right of reply.

The hearing adjourned at 10.13am 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 subcommittee uphold the Menacing Dog Classification imposed under the Dog Control Act 1996 for Ripley, dog owned by Roxanne Wrigley.

HE1811/01

The hearing was declared closed at 9.45am on Thursday 29 November 2018.

HEARING

Objection to Menacing Classification – Megan Stevenson
Files - CHS0505/Property ID 89780/Person ID 134980

INTRODUCTION

The chair advised that Ms Stevenson is unable to attend the hearing.

HEARING OF THE APPLICATION

Legal Counsel and the Animal Control Team Leader answered questions of the committee.

RIGHT OF REPLY

The hearing adjourned at 11.22am 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 subcommittee uphold the Menacing Dog Classification imposed under the Dog Control Act 1996 for Rex, dog owned by Megan Stevenson.

HE1811/02

The hearing was declared closed at 9.45am on Thursday 29 November 2018.

Decision No. CRM#DOGS0733/19

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER of an objection by Roxanne Wrigley to a Notice of Classification of Dog as Menacing Dog pursuant to s33A(2) of the Act

BEFORE THE WAIKATO DISTRICT COUNCIL REGULATORY SUBCOMMITTEE

Chairperson: Cr Dynes Fulton

Member: Cr Janet Gibb

HEARING at NGARUAWAHIA on 21 November 2018.

APPEARANCES

Ms Roxanne Wrigley (Objector)

Mr Gavin Bowden (Support person / father)

Mr M Te Anga – Waikato District Council (Animal Control Team Leader)

Ms C Pidduck – Waikato District Council (Legal Counsel)

ALSO PRESENT

Peter Derbyshire (Complainant)

Patricia Derbyshire (Wife of Complainant)

RESERVED DECISION OF THE SUBCOMMITTEE

Having considered the information presented in writing, and in person at the hearing, the subcommittee uphold the Menacing Dog Classification imposed under the Dog Control Act 1996.

The consequence of the decision is that the Notice of Classification of the dog 'Ripley', a brown female Rottweiler cross, as a Menacing Dog remains in place.

Introduction

- [1] This decision relates to a history of Ripley exiting the registered home property at 68 Waerenga Road, Te Kauwhata on five occasions and behaving aggressively, including barking and straying.

- [2] The last occasion on 1 September 2018 being the worst. On this date at approximately 1:15pm Waikato District Council received a complaint that a large brown dog had exited the property and had attempted to attack the informant's dogs. The informant intervened and with the assistance of two bystanders, returned Ripley to the property.
- [3] The informant provided a statement to the Council. The dog 'Ripley' was then seized and impounded by Animal Control Officer 16, Joseph Waugh, who left a seizure notice at the property.
- [4] Based on the reported behaviour of the dog, the Council considered that Ripley posed a threat to the public and other domestic animals and issued a notice under s33A(2) of Dog Control Act 1996 ("the Act") classifying the dog 'Ripley' as a Menacing Dog.
- [5] Ms Wrigley, upon receipt of the Notice of Classification, lodged an objection to the classification and the matter was set down for a hearing.

Preliminary Matters

- [6] At the commencement of the hearing the Chair noted that the objector had not received the hearing reports and provided her with a copy. The Chair adjourned the hearing for 30 minutes for the objector to read and absorb the material in the report.
- [7] After establishing with the objector that she had received sufficient time to read and absorb the material, the hearing recommenced.

Ms Wrigley – Objector

- [8] Ms Wrigley told the Committee that in her opinion 'Ripley' was not a menacing dog and in fact loved attention. She has two children who adore the dog and also had a second dog – a female Labrador cross called 'Kushla', who live and play together with few issues. She said Ripley has never bitten anyone and is good around dogs and children. Ms Wrigley is not happy about imposing a muzzle on Ripley as she said it is not fair on the dog.
- [9] She went on to comment that since she had received the Notice of Classification, she had reduced her hours of work to enable her to spend more time with Ripley and her two children. She stated Ripley was an attention junkie and that she loved playing with other dogs when they went to the dog park and visited her father's dogs at his property. Her support person agreed with these sentiments.
- [10] When asked what her usual routine is, she explained that the dogs are out in the fenced yard during the night and during the day they are shut in a converted sunroom which has air flow and water and food is provided. The door is a screen door. Ms Wrigley is usually home from work in time to collect the children from school and take

Ripley for a walk and to the dog park, where she runs around and socialises with other dogs.

- [11] When asked to describe the property and fencing, Ms Wrigley explained the height of fences and gates as well as talking the Committee through the electronic containment system and that she has increased the strength of the signal. Since this has been done Ripley has not exited the property. Ms Wrigley provided a hand drawn site map for the Committee.
- [12] The Committee asked Ms Wrigley whether the school or the caretaker of the school (which is next door to the property on Waerenga Road, Te Kauwhata) had ever spoken to her about the dog Ripley's behaviour, in light of the comments read in the Hearing reports. Her response was NO.
- [13] The Committee asked Ms Wrigley if she had noticed any increase in Ripley's behaviour – territorial aggression versus other aggression due to the allegation that it has become worse. She said NO and that Ripley is still a young dog and has a lot of energy and likes attention.

Mr M Te Anga – Animal Control Team Leader

- [14] Mr Te Anga directed the committee to his report in the hearing agenda. He explained that the body language of the dog Ripley was aggressive and in his opinion was a threat to public safety. He offered that the Committee view a short video taken by the Animal Control Officer, of Ripley.
- [15] The Committee viewed the video showing Ripley coming to the call of the Animal Control Officer, stopping at the electronic barrier and barking and standing in the explained aggressive stance – front legs stiff and tail high and although wagging being stiff.
- [16] The property showed good fencing and explanations were provided by Ms Wrigley and her father of the property layout shown in the video clip.
- [17] The Committee asked Mr Te Anga to explain the meaning in practical terms of s33E Effect of classification as menacing dog. It was noted at this point that the dog Ripley has been de-sexed at 1 year of age, contrary to Council records. It was also explained by Mr Te Anga and Council's Legal Counsel that a muzzle is not required when a dog is on any private property. It applies when in any public place or in any public shared right of way, where it must be muzzled and on a lead or caged.
- [18] It was also explained that the confinement on private property needed to be in a way that allowed any person to gain access safely to the front door of the house.

Ms Wrigley – Right of Reply

[19] The Committee asked Ms Wrigley if she wished to add anymore to her comments. Ms Wrigley appealed to the Committee to not restrict Ripley’s ability to play and have fun with her family. She stressed she has made further changes to her situation to improve the safety conditions. Also to reduce excess energy that Ripley has, by increasing her exercise and going on doggy play dates to further socialise her.

[20] At the conclusion of the hearing the Chair asked if there were any final comments or anything further that the Complainant wished to add to his statement. There was nothing further.

[21] The Committee asked Legal Counsel to outline clearly what the options are for the Committee. She stated the Committee has only two options in considering the objection to the menacing classification:

- Uphold the menacing classification
- Rescind the classification

[22] The Committee asked Legal Counsel to outline what the options are for the Objector. Legal Counsel advised that the objector had appeal rights to the District Court from the decision of the Committee, however she subsequently advised on review of the legislation there are in fact no statutory rights of appeal from the decision of the Committee. The decision of the Committee regarding the imposition of the menacing classification is therefore final.

Statutory Considerations

[23] In making its determination on this objection, the Committee must have regard to the following matters, as outlined in section 33B(2) of the Dog Control Act 1996:

- a) the evidence which formed the basis for the classification; and
- b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
- c) the matters relied on in support of the objection; and
- d) any other relevant matters.

[24] The Committee has reviewed the evidence received and is satisfied that there is a clear, undisputed understanding of the incidents that led to the menacing classification being made.

[25] The Committee heard from Ms Wrigley, Ms Wrigley’s support person and Mr Te Anga and asked questions.

- [26] There were no other matters that the Committee considered relevant to this matter when making a determination on it.

Reasons for the Decision

- [27] The Committee notes that the objector, Ms Wrigley, did not dispute the facts and accepted that her dog Ripley exited the property and approached other dogs and their owner. Ms Wrigley, however, does dispute that the behaviour exhibited by Ripley is aggressive, or that Ripley intends harm to people and other dogs.
- [28] The Committee notes that Ms Wrigley has taken further steps to contain Ripley in the property. This does not address the aggressive behaviour that has been recorded by the animal control officer and supported in a video shown at the hearing.
- [29] The Committee determines that when in public Ripley would show the same behaviour she has demonstrated to date and the public can only be protected by the muzzling of Ripley.

SIGNED ON BEHALF OF THE REGULATORY SUBCOMMITTEE:



Cr Dynes Fulton (Chairperson)



Date

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER of an objection by Megan Stevenson to a Notice of Classification of Dog as Menacing Dog pursuant to s33A(2) of the Act

BEFORE THE WAIKATO DISTRICT COUNCIL REGULATORY SUBCOMMITTEE

Chairperson: Cr Dynes Fulton

Member: Cr Janet Gibb

HEARING at NGARUAWAHIA on 21 November 2018.

APPEARANCES

Mr M Te Anga – Waikato District Council (Animal Control Team Leader)

Ms C Pidduck – Waikato District Council (Legal Counsel)

ABSENT

Megan Stevenson— Appellant Dog owner

RESERVED DECISION OF THE SUB-COMMITTEE

Having considered the information presented in writing, and in person at the hearing, the subcommittee uphold the Menacing dog Classification imposed under the Dog Control Act 1996.

The consequence of the decision is that the Notice of Classification of the dog 'Rex', a black male Australian Kelpie, as a Menacing Dog is upheld.

Introduction

- [1] This decision relates to a history of a dog Rex that has come to the attention of the Animal control officers. The dog Rex is registered to Mr James Massey and Megan Stevenson at the address of 31 Newton Street Ngaruawahia. There are two dogs registered at this property. There is a tan and white female corgi named Lacy and the black male Kelpie named Rex.
- [2] There has been three occasions where the dog Rex has been observed by the Animal Control officers. The first was on the 8th August 2017. On that occasion the dog rushed at the Animal Control Officers vehicle on arrival. The dog continued to show

aggressive behaviour but the Animal Control Officers managed to contain and temporarily secure the dog on the property under the house.

- [3] On the 7th September 2018 the Waikato District Council received a complaint from a member of the public that a black dog from the location of a property at 31 Newton Street was straying and tried to attack the complaint. Within 10 minutes of receiving the complaint the Animal Control Officers arrived at 31 Newton Street and found the dog located inside the front yard of the property.
- [4] The Animal Control Officer made an approach to the dog. The dog jumped the front picket fence and began displaying high levels of aggressive behaviour. This behaviour will be described later in this decision. Based on this observed aggressive behaviour the Council considered that this dog posed a threat to the public and issued a notice under s33A (2) of the Act classifying the dog Rex as a Menacing Dog.
- [5] The Council received a letter on the 28th September 2018 from the dog's owner Megan Stevenson objecting to the Menacing dog Classification that had been imposed on her dog Rex.

Preliminary Matters

- [6] At the commencement of the hearing the Committee were advised by Mr M Te Anga that the appellant Megan Stevenson would not be appearing at the hearing. He had spoken to Megan Stevenson that morning confirming that she was not attending.
- [7] The Chair Cr Fulton declared that the hearing would proceed with the absences of the objector. The decision would be based on the written evidence provided by the objector in the report and that of the Council Animal Control officer.

Megan Stevenson (Objector)

- [8] In Ms Stevenson's written evidence she believes that the classification is unfair and unjustified. She stated that Rex is a good dog that had no history of being threatening to anything or anyone. "There is no evidence Rex is a threat to the public, livestock poultry, pets or wild life." Her evidence noted the event where Rex "had a go" at the animal control officer was on private property and that this could not be used against him.
- [9] Her evidence stated that she had been contacted on Friday 7th September 2018 at approximately 4.00pm by an animal control officer. He advised that the neighbour directly across the road (Newton Street) had called to complain that her dog Rex had attacked her.
- [10] On the 4th September 2018 the same neighbour had threatened to shoot Megan Stevenson's dogs if they didn't stop barking. This was the second time that the

neighbour had made these threats. On this second occasion Ms Stevenson's partner James Massey called the police. The Police visited the neighbour on Wednesday 5th September.

- [11] Further in her evidence I quote, *"to protect ourselves and our animals from the neighbour we wanted to do everything we could to stop upsetting this neighbour by the dogs barking. We went out and purchased dog bones, dog toys and a bark sensor to go on the gate."*

It can also be noted from the photos supplied that a tarpaulin has been put over the gate endeavouring to mitigate Rex barking at persons walking past the property.

- [12] Ms Stevenson in her evidence stated that she had been advised that the officer was going to interview the complaint. She had requested to see the footage shot on the officer's body camera and requested a copy of the neighbour's statement. None of this was forthcoming and that the next contact from the Council officer was receiving a letter in her mailbox on the 22nd September 2018 notifying her that Rex had been classified as a menacing dog.

Mr M Te Anga – Animal Control Team Leader

- [13] Mr Te Anga directed the committee to his report in the hearing agenda. He explained the history with the dog. The first encounter with the dog Rex was on the 7th August 2017. Council had received a complaint that the dog had been running loose all day. It had been aggressive to other dogs.
- [14] On responding to that call the dog Rex had rushed at the animal control officer's vehicle on arrival and continued to show aggressive behaviour. The dog jumped back into the property and went under the house. The officer secured the dog under the house and left a note explaining what action had been taken.
- [15] Council received a complaint on the 7th September 2018 at 2.50pm from a member of the public about a straying dog that had tried to attack the complaint. The address was identified as being 31 Newton Street Ngaruawahia. The animal control team responded within ten minutes and arrived at approximately 3.00pm.
- [16] Mr Te Anga explained the circumstances of the 7th September which led to the dog Rex being classified as a menacing dog. Quoting from the witness statement animal control officer Tracey Oakes explains.....*it circled around me growling and barking. Its hackles were up and its head was in a low position. I could see the dog's canines as its lips were lifted and rolled back.*

Further she described.....*it rushed at me and got within two feet of me. It had stiff legs and was barking, growling and I could see its teeth. It was making direct eye contact. I pulled my bite stick to chase it off as I was very worried it would try to bite me.*

Based on the animal control officers observation of the behaviour of the dog a notice of Classification of Dog as Menacing Dog was issued on the 14th September 2018.

- [17] The hearing was shown a short video filmed three days later when the dog was again outside the property on the 10th September. The video showed that when the animal control officer got out of the vehicle and went to approach the dog the animal Rex displayed a high level of aggression.
- [18] To get a better understanding the committee asked Mr Te Anga to explain the various signs and actions of an aggressive dog that were shown in the video.
- [19] The Committee asked Mr Te Anga to explain the meaning in practical terms of s33E Effect of classification as menacing dog. It was noted at this point that the dog Rex has been de-sexed. It was explained by Mr Te Anga and Council's Legal Counsel that the dog would be required to be muzzled in all public places. It applies when in any public place or in any public shared right of way, where it must be muzzled and on a lead or caged. A muzzle is not required when a dog is on any private property.
- [20] It was also explained that the confinement on private property needed to be in a way that allowed any person to gain access safely to the front door of the house.
- [21] The Committee asked Legal Counsel to outline clearly what the options are for the Committee. She stated the Committee has only two options in considering the objection to the menacing classification:
- Uphold the menacing classification
 - Rescind the classification
- [22] The Committee asked Legal Counsel to outline clearly if there were any further options available to the objector Ms Stevenson.

In response Ms Pidduck advised that the decision of the committee regarding the imposition of the menacing classification is final.

Statutory Consideration

- [23] In making its determination on this objection, the Committee must have regard to the following matters, as outlined in section 33B (2) of the Dog Control Act 1996:
- a) the evidence which formed the basis for the classification; and
 - b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
 - c) the matters relied on in support of the objection; and
 - d) any other relevant matters.

- [24] The Committee has reviewed the written evidence presented by the objector Ms Stevenson and that supplied at the hearing by Mr Te Anga and the advice by Ms C Pidduck. We are satisfied that there is a clear, un-disputed understanding of the incidents that led to the menacing classification being imposed.
- [25] There were no other matters that the Committee considered relevant to this matter when making a determination on it.

Reasons for the Decision

- [26] The Committee notes that the objector, Ms Stevenson, disputes the facts that her dog had shown aggressive behaviour and had no history of being threat to anything or anybody. Ms Stevenson, disputes that the behaviour exhibited by Rex is aggressive.
- [27] The Committee notes that Ms Stevenson has taken further steps to contain Rex in the property, but the Committee is not confident that Rex's containment system are sufficient or sound if he is determined to leave the property.
- [28] Improvements have been made to make the property more secure for the containment of Rex. This does not address the aggressive behaviour that has been recorded by the animal control officer and supported in a video shown at the hearing.
- [29] The Committee determines that when in public Rex is likely to show the same behaviour he has demonstrated to date and the public can only be protected by the muzzling of Rex.

SIGNED ON BEHALF OF THE REGULATORY SUBCOMMITTEE:

D. V. Fulton

Cr Dynes Fulton (Chairperson)

4th Dec. 2018.

Date

Open Meeting

| | |
|---------------------------------|---|
| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | 31 January 2019 |
| Prepared by | Lynette Wainwright Committee Secretary |
| Chief Executive Approved | Y |
| Reference # | GOV1301 |
| Report Title | Receipt of Hearing Minutes |

I. EXECUTIVE SUMMARY

To receive the minutes and decision of a hearing for Mainland Poultry Limited held on Monday 17 December 2018.

2. RECOMMENDATION

THAT the minutes and decision of a hearing for Mainland Poultry Limited held on Monday 17 December 2018 be received.

3. ATTACHMENTS

- A Hearing minutes 17 December 2018
- B Decision 30 January 2019

MINUTES of a hearing by Joint Commissioners acting on behalf of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 17 DECEMBER 2018** commencing at **9.00am**.

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

Present:

Commissioner D Hill (Chairperson)
Commissioner DW Fulton

Attending:

Ms E Makin (Consents Team Leader – East)
Mr D Bastion (Team Leader – Land Development Engineering)
Mrs LM Wainwright (Committee Secretary)
Ms C Walker (Consultant Planner)
Ms B Parham (Legal Counsel for Waikato District Council)
Mr J Pene (Senior Environmental Engineer & Principal, Tonkin & Taylor)
Mr M Graham (Landscape Architect on behalf of Mansergh Graham)
Mr A Gray (Civil/Transport Engineer, Gray Matter)
Mr P Page (Legal Counsel for Mainland Poultry)
Mr M Guthrie (Managing Director, Mainland Poultry)
Mr J Winmill (General Manager, Mainland Poultry)
Mr D Van Kekem (Managing Director, NZ Air Ltd)
Ms C Lawton (Principal Landscape Architect, Lawton Landscape Architects)
Ms J Makinson (Transportation Engineering Manager, CKL)
Mr B Knight (Civil Engineering Manager, CKL)
Ms B Rhynd (Environmental Engineer, CKL)
Ms C Drewery (Associate Director – Acoustics, AECOM)
Mr C McDean (Director, Kinetic Environmental Consulting Ltd)
Mr L Muldowney (Legal Counsel for Farris, Aughton and Van Tiel)
Dr T Brady (Odour Expert)
Dr M Van Tiel (Submitter)
Mr P Weake (Submitter)
Members of the public
Members of staff

HEARING – MAINLAND POULTRY LIMITED

File No. LUC0441/17

Application by Mainland Poultry Limited for a Landuse Consent for an intensive farming activity - egg laying and chicken rearing facility at 64 Old Road, Orini.

INTRODUCTION

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

HEARING OF THE APPLICATION - APPLICANT

Mr Page, Legal Counsel for the applicant presented written and verbal evidence and answered questions of the committee (see docs. 1 and 2).

Mr Guthrie, Managing Director of Mainland Poultry presented verbal evidence and answered questions of the committee.

Mr Winmill, General Manager of Mainland Poultry presented written and verbal evidence and answered questions of the committee (see doc 3).

Mr Van Kekem, General Manager of NZ Air Ltd presented written and verbal evidence and answered questions of the committee (see doc 4).

The meeting adjourned at 11.16am and reconvened at 11.37am.

Ms Lawton, Principal Landscape Architect, presented verbal evidence and answered questions of the committee.

Ms Makinson, Lawton, Transportation Engineering Manager, presented verbal evidence and answered questions of the committee.

Mr Knight, Civil Engineering Manager, presented verbal evidence and answered questions of the committee.

Ms Rhynd, Environmental Engineer, presented verbal evidence and answered questions of the committee.

Ms Drewery, Associate Director – Acoustics, AECOM, presented verbal evidence and answered questions of the committee.

Mr McDean, Director, Kinetic Environmental Consulting Ltd, presented verbal evidence and answered questions of the committee.

The meeting adjourned at 12.20pm for a site visit and reconvened at 2.00pm.

HEARING OF THE APPLICATION - SUBMITTERS

Mr Muldowney, Legal Counsel for Farris, Aughton and Van Tiel, presented written and verbal evidence and answered questions of the committee (doc 5). Mr Muldowney requested that item 5(b) of the Report on Odour Export Conference be noted (doc 6).

Dr Brady, Odour Expert, presented verbal evidence and answered questions of the committee.

Mr Pene, Senior Environmental Engineer & Principal, Tonkin & Taylor, presented written and verbal evidence and answered questions of the committee (doc 7).

Mr Van Kekem, General Manager of NZ Air Ltd answered questions of the committee.

The meeting adjourned at 3.03pm and reconvened at 3.10pm.

Ms Ferris, presented written and verbal evidence and answered questions of the committee (doc 8).

Dr Van Tiel presented written and verbal evidence and answered questions of the committee (doc 9).

Dr Eagle presented written and verbal evidence (doc 10).

The hearing adjourned at 4.06pm and resumed at 4.21pm.

Mr Weake presented verbal evidence and answered questions of the committee (doc 11).

WAIKATO DISTRICT COUNCIL

Ms Parham, Legal Counsel for Waikato District Council, presented written and verbal evidence and answered questions of the committee (doc 12).

Mr Pene, Senior Environmental Engineer & Principal, Tonkin & Taylor, answered questions on the FIDOL method.

Mr Graham, Landscape Architect on behalf of Mansergh Graham, presented verbal evidence and answered questions of the committee.

Mr Gray, Civil/Transport Engineer, Gray Matter, presented verbal evidence and answered questions of the committee.

Mr Bastion, Team Leader – Land Development Engineering, presented verbal evidence and answered questions of the committee.

Ms Walker, Consultant Planner, presented written and verbal evidence and answered questions of the committee (doc 13).

RIGHT OF REPLY

The applicant's Legal Counsel gave his right of reply.

The hearing adjourned at 5.45pm and the decision reserved.

DELIBERATIONS

The Commissioners undertook deliberations on all evidence presented.

DECISION

THAT the Joint Commissioners confirmed the application of Mainland Poultry Limited be granted subject to conditions as outlined in the decision dated 30 January 2019.

HE1812/01

The hearing was declared closed at 11.48am on Sunday 23 December 2018.

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF an application by Mainland Poultry Limited to Waikato District Council under section 88 of the Resource Management Act 1991 to undertake intensive farming, including egg laying and chicken rearing facilities in a Rural Zone, at 64 Old Road, Orini (being Pt Lot 1 DP 12365, CFR SA15/B102 and Pt Allot 450A, CFR SA190/189).

Decision following the hearing of an application by Mainland Poultry Limited to Waikato District Council for a discretionary activity land use (Rural Zone) resource consent under the Resource Management Act 1991.

Proposal (as amended pre-hearing)

To undertake intensive farming, including egg laying and chicken rearing facilities (i.e. 6 layer and 2 rearing sheds plus a packing shed) in a Rural Zone, at 64 Old Road, Orini (being Pt Lot 1 DP 12365, CFR SA15/B102 and Pt Allot 450A, CFR SA190/189) with associated infrastructure, earthworks and landscape / screen planting - Council reference LUC0441/17. The application was heard at Ngaruawahia on 17 December 2018.

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

| | |
|-------------------------------|---|
| Hearing Commissioners: | Mr David Hill (Chair) and Councillor Dynes Fulton |
| Application numbers: | LUC0441/17 |
| Applicant: | Mainland Poultry Limited |
| Site addresses: | 64 Old Road, Orini |
| Legal descriptions: | Pt Lot 1 DP 12365, CFR SA15/B102 and Pt Allot 450A, CFR SA190/189 |
| Site area: | 99.209 ha ¹ |
| Zoning: | Rural Zone within Waikato River Catchment Policy Area and Designations B16 and B 18 – Scenic Reserve, and Landscape Policy Area |

¹ I note that Counsel for the applicant noted that Mainland Poultry actually owns 5 sites totaling 118.1138 ha, which could be amalgamated for the purpose of any density calculation – but such is not actually proposed.

| | |
|------------------------------|---|
| Lodgement: | 20 March 2017 |
| Application returned: | 28 March 2017 |
| Revised application: | 15 June 2017 |
| On Hold: | 3 July 2017 |
| S92 Request: | 8 September 2017 |
| S92 information: | 26 July 2018 |
| Limited notification: | 11 September 2018 |
| Submissions closed: | 19 October 2018 |
| Further S92 request | 30 October 2018 |
| S92 information: | 16 November 2018 |
| Hearing commenced: | 17 December 2018 |
| Hearing closed: | 23 December 2018 |
| Appearances: | <p><u>The Applicant:</u></p> <p>Mr Phil Page - Counsel Mr Michael Guthrie – Managing Director, Mainland Poultry Mr Jeffrey Winmill – General Manager, Agricultural, Mainland Poultry Mr Christian McDean - Planning Mr Donovan van Kekem – Air Quality / Odour Ms Judith Makinson – Transport engineering Mr Barry Knight – Civil engineering Ms Bronwyn Rhynd – Stormwater engineering Ms Claire Drewery – Acoustics Ms Cora Lawton – Landscape and Visual</p> <p><u>Submitter:</u></p> <p>Mr Lachlan Muldowney – Counsel for Ferris / Aughton / van Tiel Dr Terry Brady - Air Quality / Odour</p> <p><u>Council:</u></p> <p>Ms Bridget Parham - Counsel Ms Christina Walker - Consultant - Reporting Planner Ms Ella Makin - Consents Team Leader – East Mr Jason Pene – Air Quality consultant Mr David Bastion - Land Development Engineering Team Leader Mr Alastair Gray – Transportation consultant Mr Michael Graham – Landscape Architect Ms Lynette Wainwright - Committee Secretary</p> |

Summary Decision:

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

Introduction

2. This decision is made on behalf of the Waikato District Council (Council) by Independent Hearing Commissioner Mr David Hill (Chair) and Council RMA Commissioner Dynes Fulton, 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 our 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 7 identified owners/occupiers of adjacent properties on 11 September 2018, with submissions closing on 19 October 2018. Six submissions were received in time – 4 in opposition, 1 in support, and 1 neutral seeking further information – and 5 submitters wished to be heard. A detailed summary is provided in section 4 of the s42A report. That summary was not disputed and is adopted by us for present purposes.
5. No late submissions were received.
6. Four “submissions” were received from persons not notified and were deemed invalid by Council. No further consideration has been given to those.
7. No s104(3)(a)(ii) RMA written approvals were received.
8. The s42A RMA hearing report was prepared for Council by Ms Christina Walker, consultant planner, and made available to parties on or about 1 August 2018. Ms Walker’s overall recommendation was to grant the land use consent sought as she considered² that:

Having considered these competing factors in the round, it is my opinion that the potential future development restrictions on two property owners is not sufficient on its own to justify a decline of consent when all other considerations support the proposal. Overall, the purpose of the RMA will best be served by granting consent.
9. Ms Walker’s report was informed by technical reviews from Mr Dave Mansergh (landscape and visual effects), Mr Mathew Cottle (acoustic effects), Mr Jason Pene (odour effects), Mr Alastair Gray (transportation), Mr Malcolm Brown and Mr David Bastion (land development engineers), and Mr Peter Mourot (flood hazard).
10. The matter was heard in Ngaruawahia on 17 December 2018, and closed on 23 December 2018 following receipt of a final set of proposed conditions (largely agreed between the applicant and Council – but not by submitters who remained opposed).
11. Commissioners undertook a site visit on 17 December 2018, which included the properties owned by the submitters who appeared.

Site description

12. The subject site comprises five titles (two of which are relevant to this proposal) and is located primarily on the north-western side of Old Road, with a small area located on the south side of Old Road. The site is largely flat with some undulating topography

² Walker, s42A Report, para 11.0.8

around the perimeter of the site. Where the site borders the Mangawara Stream, there is a flood protection bund which is approximately 2 metres high.

13. The site currently functions as a dairy farm and is developed with a residential dwelling, milking shed and various farm sheds. The applicant advised that the dairy farm activity will continue in parallel with the intensive chicken rearing and egg laying activity.
14. Surrounding land uses are predominantly rural in nature with a number of lifestyle sized blocks and pastoral farming operations in the immediate vicinity. Of significance is the Taupiri Ranges to the north-west of the site, which includes native vegetation and the Mangawara Stream to the south-east of the site.

Summary of proposal and activity status

15. As described in the s42A report³:

Under the current revised proposal, the applicant wishes to establish and operate an egg laying and chicken rearing facility comprising a total of 9 sheds with a combined foot print of 22,963.2m². This will include:

- a) Six Layer sheds of 3,043m² each (24.35m x 125m). The sheds will be located near the north-west of the site and will be grouped into two sets of three, with the Packing shed in the middle. These sheds will each house approximately 50,000 hens aged from approximately 16 weeks to 40 weeks of age. The sheds will utilise a cage free, tiered aviary system. The sheds will be 8.485m high and constructed of 'reed green' coloursteel with non-reflective roofing. Ventilation design will be a combination of ten roof mounted chimneys and ten high stacks at the end of the sheds with a maximum height of 10m (from ground level) with roof and end wall fans. The hens will have no outdoor access.
- b) One Packing shed of 1,380m² (irregular dimensions) will be located in the middle of the six Layer sheds. The shed will be 5.1m high and will include storage areas, packing areas, staff ablutions and break areas, offices, storage and a workshop.
- c) Two Rearing sheds of 1,712m² each (107m x 16m). These sheds will be located to the south-east of the property and each shed will house approximately 50,000 birds up to 16 weeks of age. The sheds will be 5.145m high at the apex, 5.756m at the top of the ventilated ridge capping and will include six roof mounted chimneys on either side of the ridge line, and seven chimneys at the end of the building. The chimney heights will be 10.2m. The sheds will be constructed in the same materials as the six Layer sheds.

This will involve the following earthworks:

- The stripping of top soil – approximately 21,800m³ (based on a 0.2m depth);
- Cut to fill = 27,000m³;
- Imported Fill = 5700m³.

Also included on the site will be:

³ S42A report, section 1.1

- a) Ten 30,000 litre water tanks located between Layer sheds 3 and 4, to the rear of the Packing shed;
 - b) Two silos with a maximum height of 8m at the end of each Layer and Packing shed (16 silos in total);
 - c) Four stormwater ponds (two at the Laying sheds and two at the Rearing sheds);
 - d) One continuous earth bund running along the length of the Laying sheds, on the eastern side (up to 6m in height);
 - e) Additional access tracks around and to the sheds; and
 - f) Native revegetation within wetland and gully systems to the north and east of the site.
16. That description was not contested and is accepted as a sufficient description for present purposes.
17. For the record we asked the applicant whether there was any current intention to pursue the original application, perhaps as a later stage 2 development if the present application is granted. Mr Guthrie responded that Mainland Poultry had no such intention. We accept that present assurance and have determined the application on that basis.
18. The site is zoned Rural in the Waikato District Plan: Waikato Section (District Plan) and is subject to the following policy overlays:
- Waikato River Catchment;
 - Designation B16 and B18 (Scenic Reserve Soil Conservation and River Control);
 - Landscape Policy Area.
19. Resource consent is required under the operative Waikato District Plan – Waikato Section 2013 as follows:
- (a) Rule 25.11B – a discretionary activity as an intensive farming activity;
 - (b) Rule 25.75 – a restricted discretionary activity as there are two dwellings (on adjoining sites) located within 300m of the boundaries of the site;
 - (c) Rule A11.1(b) - a discretionary activity as 3 bicycle spaces are required under this provision and none are provided;
 - (d) Rule A14.1(b) - a restricted discretionary activity as vehicle access, separation and sight distances are less than required; and
 - (e) Rule A14.A.1(c) - a restricted discretionary activity as it generates additional traffic movements and is not a controlled activity.
20. Overall the application has been considered as a discretionary activity. That activity status was accepted by all parties.
21. The Waikato Proposed District Plan (PDP), Stage 1 of which was notified in July 2018, has no relevant, operative rules or rules that have legal effect. As such, we

have not considered the rules of the PDP. Under that Plan the site is zoned Rural and is subject to the following overlays:

- Hamilton Basin Ecological Management Area;
- Significant Natural Area; and
- Waikato River Catchment.

22. No concurrent Regional Council consents have been applied for or are required.
23. The application has been reviewed for compliance with Regulation 5(6) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES). Council has accepted that the NES is not applicable. We agree.

Permitted Baseline

24. With respect to any “permitted baseline”, Ms Walker concluded that the only elements that applied related to the 2% site coverage rule (rule 25.51) - which means that 2.4% of the proposed coverage exceeds the permitted standard - and the associated visual effects of complying buildings, along with earthworks, and construction noise (rule 25.17).
25. There were two matters of disagreement:
- (a) traffic effects; and
 - (b) the calculus for the site coverage rule.
26. With respect to traffic Ms Walker concluded⁴ that the nature of the traffic was sufficiently dissimilar to that of normal farming / rural activity as to have different amenity effects, and therefore the 200 vpd permitted activity rule 25.16 did not apply.
27. With respect to site coverage, Mr Page submitted⁵ that if all 5 titles held by Mainland Poultry are taken into consideration then the site coverage falls within the permitted 2% with no remainder. We note that Mr McDean⁶ accepted Ms Walker’s assessment.
28. On the matter of the traffic effect rule 25.16, we note that this was not contested by the applicant and therefore we have no need to make a finding on the matter.
29. With respect to the site coverage matter, we agree with Ms Walker (and Mr McDean) and while Mr Page’s submission is not mathematically incorrect, the fact is that not all 5 titles are proposed to be amalgamated such that the calculus can or should take that into account. Nevertheless, we accept that Mr Page’s submission is relevant when considering the question of the *effects* of the density of development.
30. We agreed with Ms Walker that those elements can be disregarded per s104(2) of the RMA – while also noting that little actually turned on the question.

⁴ S42A report, paras 6.1.3 – 6.1.6

⁵ Page, Legal submissions, paras 4 - 6

⁶ McDean, Statement of evidence, para 3.2

Procedural and other matters

31. No procedural matters were raised for our consideration.
32. We required expert conferencing between the three air quality specialists on the odour modelling undertaken – the receipt of which joint witness statement assisted us in our final determination to grant the consent sought. The particular matters at issue were:
 - (a) The configuration of the meteorological and dispersion model; and
 - (b) Odour emission rates used in the dispersion model.
33. We record our appreciation to those experts engaged in that exercise.

Relevant statutory provisions considered

34. In accordance with section 104 of the RMA we have had regard to the relevant statutory provisions, including the relevant sections of Part 2, sections 104 and 104B, and s108 and s108AA with respect to conditions.

Relevant standards, policy statements and plan provisions considered

35. In accordance with section 104(1)(b)(i)-(vi) of the RMA, we have had regard to the relevant policy statement and plan provisions of the documents noted below – the relevant provisions of which are assessed, variously, in Appendix 12 of the application AEE, and comprehensively in section 8.0 of Ms Walker's s42A hearing report (partly accepted by Mr McDean at paragraph 3.5 of his evidence - with two exceptions: (a) a disagreement over the interpretation as to what constitutes a "productive rural activity", and (b) the extent to which the activity can be said to use the soil resource.
36. Having reviewed those provisions, and particularly the objectives and policies, we confirm and adopt them – noting that we discuss the relatively minor interpretative differences of opinion later in this decision. No other party disputed these matters and therefore, in the interest of brevity, we do not specifically discuss those provisions further or repeat the details in this decision. Those provisions are contained in the following statutory documents:
 - Waikato Regional Policy Statement 2016;
 - Waikato District Plan – Waikato Section 2013.
37. While the Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan were referred to, those documents have little material relevance to this consent application.
38. We 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.

Summary of evidence / representations / submissions heard

Council

39. The s42A RMA Hearing report by Council's reporting officer, **Ms Christina Walker** (a consultant planner), was circulated prior to the hearing and taken as read. Ms Walker

produced an Addendum to that report by way of supplementary evidence in response to the applicant's pre-circulated evidence and matters arising during the hearing – and in relation to the evidence of Mr McDean and Ms Rhynd in particular. Ms Walker confirmed that her fundamental position - i.e. to grant consent - was unchanged. In her response prior to counsel's reply, Ms Walker noted that Council accepted the conditions proposed by the applicant with the continued exception of a traffic condition relating to road seal widening on the approach to the Old Road bridge – which condition Mr Bastion, Council's Land Development Engineer, and Mr Gray (Council's traffic reviewer) continued to seek.

40. **Ms Bridget Parham**, counsel for Council, made legal submissions in response addressing three matters raised in evidence and during the hearing:
- (a) The incorrect assertion that alternative sites should have been considered – because the evidence accepted by Council concluded that there were no significant adverse effects, which is the Schedule 4 RMA threshold trigger for such a consideration;
 - (b) The weight to be placed on the reverse sensitivity restriction on activities within 300m of the boundary of a site used for an intensive farming activity; and
 - (c) The unacceptability to Council, as a third party, of a covenant condition in its favour providing written approval in respect of any application for resource consent to establish a sensitive activity on 497 Orini Road or 40 Old Road within 300m of its boundary, that would otherwise be a permitted activity.
41. **Mr Jason Pene**, air quality consultant to Council, provided a statement noting that he was broadly in agreement with Dr Brady in his methodological criticisms of Mr van Kekem's assessment - particularly as to the latter's use of odour emission rates leading to disputed predicted odour concentrations – and concluded that offensive and objectionable odours in the receiving environment were likely but were not sufficient to warrant a decline of consent. Mr Pene participated in the odour quality expert conferencing, which is discussed in more detail below.

Mainland Poultry Limited

42. Mr Philip Page, counsel, submitted that the only relevant effect arising from the buildings was the breach of the 300m separation / setback rule – and that was really an odour issue relating to the use of the buildings rather than the buildings per se; that the odour evidence was that any adverse effect was able to be managed based on Mr van Kekem's maximum Odour Unit/m³ (OU) predictions at the site boundary of 3.29 OU and at the nearest sensitive receiver of 1.35 OU (both well below the apparently widely-accepted MfE *guideline* threshold for adverse odour effect of 5 OU for moderately sensitive receiving environments based on a FIDOL⁷ factors assessment – regardless of disagreements over the modelling methodology used); and that the weight placed on the *Craddock Farms* decision⁸ in the s42A report was misplaced because the relevant rule and associated policies are designed to protect intensive farming from reverse sensitivity effects not the other way around – which is not the point of the *Craddock*

⁷ That is: Frequency, Intensity, Duration, Offensiveness / Character and Location

⁸ *Craddock Farms Limited v Auckland Council* [2016] NZEnvC 051

Farms decision, being in respect of notification to “...people whose property would become affected by the reverse sensitivity rule⁹”. Regardless, Mr Page noted that the applicant offered a condition providing its written approval to residences that might otherwise be “caught” by the 300m rule. Finally, Mr Page noted the applicant’s disagreement with respect to Council’s proposed conditions relating to aspects of road widening and sealing.

43. In passing we note that, having had the *Craddock Farms* decision referred to us, and having read the same, we are not persuaded by Mr Page’s submission that, effectively, the decision has limited relevance to the present hearing. We find there is much in that decision that is instructive for us – not the least of which is the Court’s discussion about the statutory limitation of the MfE odour guideline, reliance upon theoretical odour dispersion modelling, and its concern over the mis-construction of covenants as mitigation for adverse effects (among other matters).
44. **Mr Michael Guthrie**, founding shareholder and Managing director of Mainland Poultry Limited, outlined the current regulatory context for egg production and the need to be able to meet the regulatory timeline imposed on the industry by the Animal Welfare (Care and Procedures) Regulations 2018 and the Code of Welfare: Layer Hens (2018) – copies of which were provided. That requires upgrades to any conventional cage systems by 1 January 2021 (for systems installed between 1 January 2000 and 31 December 2001 we note) and which we were told affects some 560,000 hens of production in the North Island, and for which the present application only makes up for 53% of lost production. Mr Guthrie noted that Mainland Poultry supplies approximately one third of NZ’s egg supply – intensive eggs (as opposed to Barn or Organic eggs) being what he referred to as “affordable eggs”.
45. **Mr Jeffrey Winmill**, shareholder and director, and General Manager of the Agricultural division of Mainland Poultry Limited, confirmed the details of the revised application and explained day-to-day operational matters relating to chick rearing and egg laying – including noise and dust control, feed management, and fly and vermin control – noting particularly the management of manure and bird carcasses as the principal sources of odour. Mr Winmill attached a number of industry management plans / protocols as evidence of industry standard requirements / best practice. In his rebuttal evidence, in response to Dr Brady, Mr Winmill elaborated on the importance of dry litter management, the differences between laying and broiler systems, and bird density.
46. **Mr Donovan van Kekem**, air quality consultant and Managing Director of NZ Air Limited, described his assessment air dispersion modelling and criteria, the existing air environment, potential for discharges to air, potential off-site effects and proposed mitigation, and response to the s42A report and submissions. Mr van Kekem concluded (as discussed in greater detail below) that the low intensity odours likely to arise would be consistent with typical rural-type odours; would be well below the MfE guideline one hour average of 5 OU/m³ at the 99.5 percentile as experienced at the closest sensitive receivers (some 400m distant). Mr van Kekem had re-run the CALPUFF modelling with Mr Pene’s suggested alternate configuration and reported even more conservative results to those obtained by his original modelling. Mr van

⁹ Page, Legal submissions, para 19

Kekem agreed with Mr Pene that regardless of their methodological differences, the overall adverse effect on receivers and the environment (both in terms of amenity and on health) was not significant. Mr van Kekem provided rebuttal evidence in response to Dr Brady's evidence – terrain effects in the AERMOD view model and odour emission rates, discussed further below – and participated in the expert air quality conference.

47. **Ms Cora Lawton**, Principal Landscape Architect at Lawton Landscape Architects, gave evidence on the site context, associated landscape values, mitigation measures proposed, visual effects, and her assessment with respect to the relevant statutory planning provisions. She noted that Council's peer reviewer, Mr David Mansergh, agreed with her overall assessment. Ms Lawton was satisfied that the enhanced wetland planting proposed, along with the up to 6m high earth bund and screen planting (1m minimum height at planting) between the layer sheds and the Mangawara Stream, would appropriately mitigate any adverse landscape or visual effects. She provided a detailed assessment from surrounding residential properties on Old, Orini, Moss and Uapoto Roads based on 10 identified viewshafts – which included the principal submitters' properties. Ms Lawton accepted that the proposed development would differ from that of the surrounding landscape but was not persuaded that this was out of place in a rural zone adjoining the Taupiri Ranges landscape policy area.
48. **Ms Claire Drewery**, an acoustic consultant and Associate-Director at AECOM NZ Limited, gave evidence on the acoustic assessment and analysis undertaken and responded to submissions and the s42A report. Ms Drewery concluded that operational noise at the closest sensitive receivers (40 Old Road and 497 Orini Road) would comply with the relevant daytime and night time noise limits and that the construction work noise would be appropriately managed through an approved management plan once final design details etc are known.
49. **Ms Judith Makinson**, Transportation Manager with CKL Ltd, gave evidence about traffic and network capacity effects, road safety and visibility, and responded to the s42A report and submissions. She concluded that given the limited nature of usage on Old Road the likelihood of two vehicles meeting is very low, and that while there is a dip in Orini Road eastward of the intersection with Old Road, this does not affect safety as there is sufficient visibility of the downhill section leading up to the dip (and there is no significant issue westward of the intersection – it was accepted by Council at the hearing that the small shrub on the road boundary west of the intersection could be removed to improve visibility). Ms Makinson did not consider the effects of construction traffic – being some 470 heavy commercial vehicle movements equating to some 47 days of normal predicted operational traffic – significant. She did not consider the seal widening to 6m on the north side of the one lane bridge, sought by Council, necessary from a traffic safety perspective. Overall Ms Makinson assessed the adverse traffic effects as less than minor. Relevant draft conditions were generally agreed with Council.
50. **Mr Barry Knight**, Civil Engineering Manager with CKL Ltd, gave evidence on earthworks and the performance and condition of Old Road. Mr Knight concluded from his inspections that there will be no accelerated deterioration of the Old Road unsealed pavement due to the proposed activity (either from construction or operation); the bridge is capable of carrying the expected increase in traffic; and that the earthworks

can and should be carried out appropriately as is proposed. Mr Knight accepted that dust mitigation should be considered with respect to 40 Old Road (noting that the proposed 50m road sealing either side of the dwelling would satisfy this) and that more regular road maintenance is likely to be necessary with the increased traffic. He was not persuaded that the 6m road widening sought by Council was practicable due to adjacent road facilities such as drainage channels, and therefore did not support that council-proposed requirement.

51. **Ms Bronwyn Rhynd**, an Environmental Engineer and Director of CKL Ltd gave evidence on stormwater and flood management, the proposed use of wetland ponds for the dual purpose of stormwater treatment and attenuation, and the stormwater management strategy proposed. Ms Rhynd was satisfied that the quality of stormwater discharged from the site would meet the industry best practice standard required by the Waikato Region's Regional Infrastructure Technical Specifications. She was also satisfied that, having modelled various 100yr and 10yr flood scenarios for the Waikato River and Mangawara Stream, governed by the tailwater condition of the Waikato River, any flows into the site in such conditions would be low energy events of less than 1m/sec, which could be mitigated during final design by means such as raising the ground surface at the location of the sheds and providing safe egress/accessways. Ms Rhynd also noted that at these low flood velocities the wetlands would be unlikely to be compromised. Finally she noted that a cascade of processes including natural die off, sedimentation, filtration, predation, UV degeneration and adsorption would remove any pathogens. Ms Rhynd included a full copy of the final Stormwater Management Plan and Flood Risk Assessment (dated 3 December 2018).
52. **Mr Christian McDean**, Principal Planner and Director at Kinetic Environmental Consulting Limited, gave evidence responding, among other things, to the s42A report and submissions. Mr McDean noted that his involvement with the application only commenced in September 2018. He generally agreed with the overall conclusions drawn in the s42A report while disputing a couple of district plan interpretation matters as noted above. He provided a set of draft proposed conditions.

Submitters

53. **Mr Lachlan Muldowney**, appeared as counsel for submitters Cara Ferris and Tim Aughton, and Martin and Debbie van Tiel. In his legal submissions Mr Muldowney advised that the submitters' position was that without sufficient certainty that there would be no objectionable odour beyond the boundary, the only option open to Commissioners is to decline the application. Mr Muldowney submitted that the evidence presented by the submitters created sufficient uncertainty on that point – particularly the evidence of Dr Brady which, he reminded us, recognised that even odour below the 5 OU/m³ threshold could be objectionable or offensive in certain circumstances. Furthermore, he submitted that in light of that uncertainty, and consequential evidential failure, it would not be appropriate to allocate the risk to the neighbours and that applying the precautionary approach of the RMA was therefore appropriate in this instance.
54. Mr Muldowney called one expert witness, Dr Brady, noting that the submitters he represented would also present their own material.

55. **Dr Terence Brady**, air quality consultant and Director of Terry Brady Consulting Ltd., was engaged by submitter Cara Ferris to review the technical aspects of the odour assessment prepared for Mainland Poultry by NZ Air, and whether or not the assessment was a reasonable representation of what is likely to occur in reality. Dr Brady was critical of Mr van Kekem's assessment on three grounds: the choice of meteorological data; the choice of the model; and the rate of odour emissions from the activity. Dr Brady included a peer review by Cathy Nieuwenhuijsen of Golder Associates on the appropriateness of the air quality approach taken by Mr van Kekem, commissioned by Ms Ferris and dated 8 November 2017. Dr Brady participated in the expert air quality conference. Following that conferencing, Dr Brady and Mr Pene accepted that the modifications submitted by Mr van Kekem with his rebuttal evidence meant that the CALMET and CALPUFF configurations were now "appropriate". The only air quality matter on which there remained disagreement, and which is discussed specifically below, being the emission rate comparison with the Waikouaiti Farm and the proposed development, evidence on which did not persuade Dr Brady and Mr Pene that they were sufficiently similar.
56. **Dr Martin van Tiel**, a submitter and resident of 37 Moss Road and joint owner of 40 Old Road, elaborated on his submission and provided further details about the pyrotechnic business, van Tiel Pyrotechnics Limited, he operated from his property. Dr van Tiel explained that part of the property is used as a "proving ground" for his work, which he summarised is "*highly specialised, is technical and involves organised public fireworks displays, special effects for television and film productions and is contracted to ... the New Zealand Defence Force.*"¹⁰
57. On this latter point Dr van Tiel suggested that reverse noise sensitivity exists (or should exist) with respect to the proposal. We were told that this business activity had been conducted for some 21 years on the site, that relationships with neighbours was on-going and generally positive, and Dr van Tiel provided a letter report from Mr Ben Lawrence, consultant of Marshall Day Acoustics Ltd, dated 16 December 2018, which concluded (in part summary):
- *The test site at the Van Tiel Pyrotechnics property provides necessary distance attenuation and topographical screening to minimise noise at the surrounding dwellings and to generally meet the AS2187-2 guidelines¹¹....*
 - *Noise from large pyrotechnic charges ... will be clearly noticeable at the poultry farm. Although the levels are below the AS2187-2 guidelines for commercial and industrial receivers, they are above the limits for sensitive receivers ...*
 - *Pyrotechnic activities would be noticeable inside the poultry sheds. The potential effects on the poultry are unknown as there is little available literature on this topic.*
58. Dr van Tiel also tabled a confidential exhibit from the New Zealand Defence Force confirming his company's exclusive supplier status.
59. Dr van Tiel's evidence also covered the more routine concerns about rural character and amenity, odour (including an exhibit from Dr Elizabeth Somervell of NIWA

¹⁰ Van Tiel, Statement of evidence, para 4

¹¹ Australian Standard AS2187.2-2006: Explosives – Storage and Use, Part 2 – Use of Explosives

regarding the meteorology of the area and the likelihood of fog conditions at the site), traffic, stormwater and roof collected potable water, noise, and recreation. A number of related exhibits were also provided.

60. Neither Mr Lawrence nor Dr Somervell were called or appeared as witnesses.
61. **Ms Cara Ferris**, resident owner of 497 Orini Road, elaborated on her submission, relating her experience with the applicant, concerns over traffic, rural character, land use pressure, and consequences on her outlook and general amenity provided by the existing countryside and Taupiri Ranges backdrop.
62. **Mr Laurie Weakes**, resident of 64 Old Road and previous estate trustee of the property sold to and now owned by the applicant. Mr Weakes gave his opinion about the appropriateness of the proposed activity on the land, noting the longer-term potential risk of flooding because of silting up of the lower reaches of the Waikato River. He also advised that between 1984 and 2000 he used to regularly fly from a paddock on the property and that the turbulent air was minimal beyond 200m from the bushline. Mr Weakes noted that he had not been asked to appear and did so of his own volition.

Principal issues in contention

63. In terms of section 104(1)(a) of the RMA regarding the actual and potential effects of allowing the activity on the environment, we note that all identified adverse effects except for one aspect relating to traffic were accepted by the reporting officer and Council's technical reviewers as not significant and able to be managed.
64. Submitters maintained their concerns on the additional matters of visual and landscape effects, odour management, and traffic – but the only matter on which expert evidence was produced was odour, being that from Dr Brady.
65. By itself the lack of expert evidence on a matter is not fatal. However, in circumstances where two or more experts assess a matter within their expert competence and agree, it would be very unusual for a lay opinion to be preferred. In this case that applies to landscape and visual effect matters; to traffic matters with the one exception (discussed further below); and to stormwater / flooding effects.
66. Having heard and considered those matters, we therefore adopt the summary analysis provided by Ms Walker, and the evidence of Ms Lawton, Ms Makinson and Mr Knight (with the exception mentioned), and Ms Rhynd on those matters for our purpose and have no need to review those matters further. We are satisfied that the analyses and assessments undertaken, and with the mitigation measures proposed, adequately demonstrate that the various potential and actual adverse effects can be managed so that they are consistent with what the operative District Plan anticipates for the rural zone and the RMA expects.
67. With respect to odour we note that the expert conference narrowed the issue of difference to the question of odour emission rate used in the modelling and whether the Waikouaiti Farm was an appropriate comparator for the rate. We accept the view of the experts, recorded in the joint witness statement, that the methodological question that was previously at issue had been resolved and was no longer in contention.

68. The principal issues in contention remaining (and clearly the key determinative issues) were:
- (a) Whether the odour emission rate adopted by Mr van Kekem provides sufficient certainty with respect to any adverse effects at or beyond the site boundary; and
 - (b) Whether the level of traffic activity anticipated justified requiring further roading mitigation by way of road seal widening to 6m, including on the northern side of the one-lane bridge on Old Road;
 - (c) Whether the plan interpretation difference is material; and
 - (d) Whether a covenant or condition guaranteeing the applicant's written approval is acceptable mitigation for the effect of the reverse sensitivity rule on private property.
69. These issues are discussed in the following section.

Odour emission rate

70. As noted above, Mr van Kekem had determined the maximum Odour Unit/m³ (OU) at the site boundary of 3.29 OU and at the nearest sensitive receiver of 1.35 OU (both well below the MfE *guideline* threshold for adverse odour effect of 5 OU for moderately sensitive receiving environments based on a FIDOL factors assessment).
71. A key input to that prediction was the odour emission rate used – which Mr van Kekem based on the highest emission rates measured at the applicant's Waikouaiti Farm¹².
72. The applicant's position with respect to odour emission rates (provided in the evidence of Mr Winmill and Mr van Kekem) was that the style of laying system, being a "*mixture of enriched colony and aviary systems*"¹³, and not being comparable to a broiler system (the comparator preferred by Mr Pene and Dr Brady), meant that the use of a comparable, measured emission rate, such as had been obtained for a sister farm at Waikouaiti, is appropriate. That latter rate is the rate used by Mr van Kekem in his calculations.
73. That matter was at issue during the expert conferencing and, as recorded by Mr Pene and Dr Brady, they were not satisfied that sufficient information had been provided such they could accept the Waikouaiti Farm comparison rate.
74. However, and despite that conclusion, we understood Mr Pene to maintain his previously stated opinion¹⁴ that even if that rate was incorrect, he found it unlikely that the concentration at the boundary would reach the 5 OU/m³ threshold or that the concentration at the nearest sensitive receiver (some 400m distant) would constitute an objectional or offensive odour as assessed through expert use of the FIDOL factors.
75. As noted, Mr Muldowney submitted that we needed to be certain that the generated adverse odour effect would not be objectional or offensive at any other site (i.e. rule

¹² van Kekem, Statement of evidence, paras 7.8 – 7.9

¹³ Application summary, para 4.3.4

¹⁴ Pene, Statement of evidence, para 26

25.23.1 of the District Plan, derived from odour containment Policy 13.2.3) in order to be able to grant consent. We disagree.

76. There appears to be no prohibited activity rule to that effect. If there were then we might agree. The fact is that the activity is a discretionary activity and it is settled caselaw that such carries with it a risk of standard exceedance – the general remedy for which is consent condition review and/or enforcement action and, we were told, available remediation in that circumstance might involve any or all of such contingencies as reducing the density of birds /m³ of shed space, increasing the velocity of ventilation fan exhaust to promote further and higher mixing; and technology additions such as exhaust scrubbers. In other words, this is not a situation where no remedy short of closure is available should standards be exceeded. We think the requirement on us as decision makers in this instance is more akin to the oft-used phrase “more likely than not” than the stricter burden of proof of “beyond reasonable doubt”.
77. Mr Winmill in his rebuttal statement took us through the reasons why he maintains that the colony cage system in operation at the Waikouaiti Farm is a more appropriate and realistic comparator as opposed to the free range aviary system at Waianakarua (as proposed by Dr Brady). He noted:
- Mainland Poultry sells whole, unwashed eggs, uncontaminated by bird manure;
 - This requires clean eggshells which depends on bird manure being dry;
 - Dry manure means dry litter in the sheds;
 - Manure is removed from the belts on a weekly basis – which is comparable with colony cage systems;
 - Broiler floor litter is a lot deeper than the target 4-6 cms – because birds are on the floor for their entire growing cycle - and is usually more moist;
 - Broiler birds don't scratch or work the litter like laying hens, and are a different breed and a lot heavier;
 - Odour potential is directly related to bird stocking density per m³ of shed space;
 - The Waikouaiti bird density is 4.51 birds/m³;
 - The Waianakarua bird density is 2.21 birds/m³;
 - The proposed Orini bird density is 2.22 birds/m³; and
 - Waianakarua birds are free range, which introduces a different ventilation pattern within the sheds, and is therefore not appropriate as a comparator.
78. Mr Winmill expressed confidence that odour emissions at Orini would be less than predicted because of the conservativeness of the emission rate adopted.
79. However, because the proposed Orini Farm and the Waikouaiti Farm are not strictly analogous we invited parties to draft a monitoring-type condition that we might impose to test the accuracy of that comparison. We subsequently received a set of such conditions.

Finding

80. We are satisfied that the use of the Waikouaiti Farm emission rate is a reasonable proxy, albeit with necessary limitations, for this application. Furthermore, we accept and impose the proposed draft conditions relating to this matter and are satisfied that implementing such will provide an appropriate “backstop” in the event that reality differs adversely from prediction.
81. In passing we note that several persons, including Mr van Kekem, Mr McDean and Mr Muldowney, made reference to the Waikato Regional Plan permitted activity rule for intensive indoor farming (rule 6.1.15.1), among others. As this is an application for land use consent to the District Council, the question as to whether the application might require a regional council consent under its regulatory provisions is a matter for it, not for us, and we were told that Waikato Regional Council has not required a consent application for that discharge activity. Consequently we are not required to consider the application of specific regional plan provisions to this application.

Road seal widening

82. As noted above there was a difference of opinion between the applicant’s transportation engineers (Ms Makinson and Mr Knight) and Council (Mr Brown, Mr Bastion and Mr Gray) with respect to localised road sealing and, particularly, whether seal widening to 6m on the northern side of the one-lane bridge on Old Road was necessary. All other matters were agreed as now proposed – including sealing the road adjacent to 40 Old Road to minimise dust nuisance.
83. In the Hearing Agenda Ms Walker included a copy of her s95 RMA notification report which summarised¹⁵ Mr Gray’s peer review recommendations on the point as follows:
- *It would be appropriate to require sealing of the road frontage of the eastern entrance (Laying shed) to avoid loss of shape and safety issues. At this location the road should be widened to 6m and seal should extend to the one-lane bridge to the east....*
 - *There are signs of pavement and verge damage at the approaches to the one-way bridge and this is likely to worsen as a result of the increase in traffic. As such it is recommended that the sealed carriageway on the western side of the bridge be widened to 6m over approximately 40m to allow for manoeuvring.*
84. No further justification for that recommendation was provided and no evidence was presented in support of it at the hearing.
85. That difference remained unresolved at the hearing.
86. As noted above, the applicant’s traffic witnesses disputed the need for and the practicality of the widening proposed.

Finding

87. Based on the evidence before us we are not persuaded that the localised road widening to 6m is necessary and therefore decline to impose the conditions sought. While we accept that the reality may be different, we note that the remedy for that

¹⁵ Hearing Agenda, Appendix D – Notification Report, Traffic (not paginated)

remains in the hands of the road controlling authority and, if necessary, a s128 RMA review of consent can be instigated either on the basis of s128(1)(a)(i) – being more appropriate to deal with the matter at a later stage – or s128(1)(c) – being of a material inaccuracy of information provided.

88. A review condition to that effect is therefore imposed.

Plan interpretation

89. Mr McDean disagreed with Ms Walker on two matters:

(a) Whether the proposal constitutes a “productive rural activity” in line with Objective 1A.2.9; and

(b) Whether the proposal is a “productive use of the soil” in line with Objective 4.2.1.

90. Ms Walker had concluded that the proposal does not rely upon the rural land resource, nor does it use the soil resource – although nothing actually turned on those conclusions since she recommended granting consent.

91. Mr McDean quoted the Plan’s definition of *productive rural activity*, noting that this simply requires the activity to be for economic gain *and* unable to be conducted in an urban setting, both of which conditions are, in his opinion, satisfied.

92. On the second matter Mr McDean noted that the existing dairy farm activity would continue with only 4.2% of the site (or less as submitted by Mr Page) used for the proposed activity – therefore the productive potential of the site remains largely intact.

Finding

93. We agree with Mr McDean that the proposal can be shoe-horned into the stated objectives by dint of the fact that the definitions are quite loose. On the other hand it is not inconceivable that, land pricing aside, this type of activity could take place in a heavy industry zone of an urban setting with appropriate air quality scrubbers. However, nothing of moment turns on the matter – which Ms Walker also concludes in her response statement¹⁶ (while also pointing out that the District Plan specifically provides that specific provisions override general provisions and that the definition of “*intensive farming*” is therefore moot).

Covenant or condition

94. Mr McDean had proposed a covenant condition in favour of Council by which Mainland Poultry effectively guaranteed its written approval with respect to any application for a dwelling on adjacent private land that would otherwise be caught by the 300m reverse sensitivity separation rule.

95. That proposal was rejected by Council. Ms Parham told us¹⁷ that:

The proposed condition is not acceptable to Council. As a matter of principle, Council does not wish to be a party to a covenant that is for the benefit of private land owners. Further, if Mainland was to refuse to give written approval, Council would be required to enforce the

¹⁶ Walker, Supplementary evidence, para 20

¹⁷ Parham, Legal submissions, para 23

covenant as a party to the deed of covenant. That is not the role of Council and it simply cannot spend limited ratepayers' money enforcing private property rights between land owners.

96. Furthermore, Ms Parham submitted that a covenant cannot be imposed unilaterally – and therefore cannot be imposed. We accept that submission.
97. In the alternate the applicant proposed a condition of consent deeming its written approval with a requirement to offer a covenant to and in favour of identified property owners securing the deemed condition. We understand that option to be acceptable to Council.

Finding

98. We find that the new condition proposed, while not fettering Council's discretion to consider and determine any relevant application made, satisfactorily secures the applicant's written approval to a "breach" of the reverse sensitivity rule and removes that matter from consideration in that context. We impose that condition accordingly.

Section 104 and Part 2 RMA

99. We confirm that we have considered the matters required under s104 of the RMA. As discussed above we have concluded that the actual and potential effects on the environment of allowing the activity can be managed appropriately and the activity is appropriate in the rural zone. We acknowledge that odour may be noticeable on occasion but have concluded that this is unlikely to reach concentrations that are offensive or objectionable, either for health or amenity, at sensitive receivers.
100. No s6 RMA matters of national importance or s8 (Treaty of Waitangi principles) were identified as being directly engaged by this application.
101. Of the s7 RMA other matters to which particular regard is to be had, we consider the following relevant:
- (b) the efficient use and development of natural and physical resources;
 - (c) the maintenance and enhancement of amenity values; and
 - (f) maintenance and enhancement of the quality of the environment.
102. Those matters were rehearsed in the respective documentation and evidence and regard to them has been had in this decision.
103. When put into the wider context of the Part 2 sustainable management purpose of the RMA and the function of territorial authorities, we are satisfied that the application will promote the sustainable management purpose of the RMA and will not adversely affect the health and safety and/or wellbeing of residential neighbours and road users, as all relevant residual adverse effects can be managed and will be mitigated.

Conditions

104. We have generally accepted the final set of draft proposed conditions agreed between the applicant and Council, with the exception of the traffic matter noted above.

Decision

105. 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 land use application by Mainland Poultry Limited to undertake intensive farming, including egg laying and chicken rearing facilities (i.e. 6 layer and 2 rearing sheds plus a packing shed) in a Rural Zone, at 64 Old Road, Orini (being Pt Lot 1 DP 12365, CFR SA15/B102 and Pt Allot 450A, CFR SA190/189) with associated infrastructure, earthworks and landscape / screen planting - Council reference LUC0441/17 – is granted for the reasons discussed in this Decision (and as summarised below) and subject to the conditions attached as Schedule 1.

Summary reasons for the decision

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

- (a) The adverse landscape and visual and rural amenity effects of the proposed activity on residential neighbours and the general public will be negligible with the measures to be implemented;
- (b) The traffic safety and road condition concerns have been sufficiently resolved, and are subject to additional conditions, such that we are satisfied that they can be appropriately managed;
- (c) Any odour concentration on sensitive receivers beyond the site will be below a level likely to cause offensive or objectionable effects;
- (d) Granting consent is consistent with promoting the sustainable management purpose and principles of Part 2 of the RMA, and the relevant provisions of the statutory plans;
- (e) Granting consent will enable a further appropriate use of the land resource and provide economic benefit at both local and wider level.



David Hill
Chair
For Independent Hearing Panel

Date: 30 January 2019

Schedule 1

Conditions of Consent

Resource Consent No: LUC0441/17

Definition

- 1 In this consent, "Farm Commissioning" shall be deemed to have occurred on the initial population of any layer shed.

General Conditions

- 2 The proposal shall proceed in general accordance with the plans and information submitted in support of the application. In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.
- 3 The maximum number of chickens housed at the site shall not exceed the following:
 - a. A maximum of 300,000 birds total in the laying sheds; and
 - b. A maximum of 100,000 birds total in the rearing sheds.
- 4 The design, configuration and layout of the laying and rearing sheds shall be in general accordance with the following:
 - a. Layer Shed Plans, prepared by Big Dutchman, Revision 01, dated 13/11/2017;
 - b. Packing Shed Plans, prepared by Big Dutchman, Revision A, dated 28/11/2017;
 - c. Rearing Shed Layout, prepared by Big Dutchman (undated);
 - d. The site and layout plans prepared by CKL Surveying referenced U1175, revision EO and dated 31/01/2018; and
 - e. The Earthworks Plans, prepared by CKL Surveying, referenced U1175, revision E3 and dated 12/12/2017.

Copies of the plans referred to in this condition are attached to this decision.

Engineering

Prior to Construction

- 5 Prior to the commencement of any construction the consent holder shall appoint an appropriately qualified and competent Developers Representative/s acceptable to Waikato District Council for the duration of the construction works.
It shall be the responsibility of the Developers Representative/s to:
 - a. Supervise construction of the works;
 - b. Arrange for the necessary testing and inspections;
 - c. Complete each appropriate checklist as the works progress and submit to the Waikato District Council's Team Leader-Monitoring for assessment/approval; and
 - d. Identify any non-compliant work and arrange for correction.
- 6 The consent holder shall notify the Waikato District Council's Team Leader Monitoring in writing two weeks prior to the commencement of activities associated with this consent.

- 7 A Construction Traffic Management Plan (CTMP) shall be submitted to the Planning Manager, WDC for authorisation at least 20 working days prior to commencing construction. The construction management plan is to be prepared following consultation with Waikato DC Roading staff. Construction works on site shall not commence until Waikato DC has approved the CTMP. The CTMP shall be in accordance with the Council's requirements and New Zealand Transport Agency's Code Of Practice For Temporary Traffic Management (COPTTM). The CTMP shall address, but not be limited to:

Objectives and purpose of the construction traffic management plan;

- a. Construction staging and proposed activities;
- b. Hours of work;
- c. Points of site access;
- d. Roles, responsibilities and contact details, including for public queries;
- e. Expected number of vehicle movements, particularly heavy vehicle numbers during the earthworks and construction phases;
- f. Nature and duration of temporary traffic management proposed for Old Road and Orini Road intersection;
- g. Road condition assessments completed jointly with Waikato DC roading staff before and after construction for Old Road from Orini Road to the western site entrance;
- h. Arrangements to deal with road damage relating to construction traffic;
- i. Parking for construction staff and loading areas for deliveries; and
- j. Measures to prevent, monitor and remedy tracking of debris onto public roads, and dust onto sealed sections.

Advice Note: This consent does not constitute authorisation to work on the road. Works affecting the road will require approval for access to the corridor. A separate Corridor Access Request will need to be made to Waikato District Council.

- 8 Prior to commencing any construction works the consent holder shall submit for the approval of Waikato District Council, a Stormwater Management Plan, prepared by a suitably qualified and experienced Engineer, including but not limited to:
- a. The detailed calculations and investigations in the Stormwater Consent Report for Mainland Poultry Ltd, 64 Old Road, Orini, Waikato, from CKL Ltd - Ref U1175 - Rev 1 - Dated 13.12.17;
 - b. Provision of minimum shed floor levels to account for localised flooding; and
 - c. Design measures to ensure wastewater (including shed wash down) does not to enter the stormwater system.

Advice Note:

- i. *The Stormwater Management Plan will be reviewed by Council's stormwater consultant.*
- ii. *All levels should be in terms of the Moturiki Datum.*

- 9 Prior to undertaking any earth disturbing activities on site, the consent holder shall provide an erosion and sediment control plan, generally in accordance with the Waikato Regional Council's Erosion and Sediment Control Guidelines for Soil Disturbing Activities: January 2009, for approval by the Waikato District Council's Team Leader Monitoring.
- 10 Prior to undertaking any earth disturbing activities on-site the consent holder shall put erosion and sediment control measures in place in accordance with the approved erosion and sediment control plan, to the satisfaction of the Waikato District Council's Team Leader Monitoring.
- 11 At least 10 working days prior to undertaking any earth-disturbing activities on site, the consent holder shall contact Waikato District Council's Team Leader Monitoring and arrange a pre-construction meeting.

Earthworks

- 12 The consent holder shall carry out earthworks, including landscaping bunds and internal road construction, generally in accordance with the requirements and recommendations and constraints of the Geotechnical Investigation Report - Mainland Poultry Limited - From CMW Geosciences (NZ) Ltd - Ref. HAM2017_0003AB Rev. 0 Dated 26 May 2017, and the Earthwork Plans from CKL Engineering Ref U1175 Drawing No's 200 to 205, 210 to 215, 220 to 225, 231 to 235 - Rev E3 - Revised Layout dated 12/12/2017.
- 13 Any cut material exported from the site shall be disposed of to either a permitted site/s or as otherwise permitted under the District Plan.

Stormwater

- 14 The consent holder shall provide the infrastructure and manage stormwater generally in accordance with the Stormwater Management Plan approved by Waikato District Council in accordance with this resource consent, to the satisfaction of Waikato District Council.

Entrance and Access Improvements

- 15 Prior to commencing operations, the consent-holder shall have both entranceways upgraded to meet the requirements of District Plan Appendix A Figure 7: Heavy Commercial entrance, and including:
 - a. The eastern entrance near the one lane bridge shall be sealed;
 - b. The western entrance can be unsealed; and
 - c. Visibility to and from both entranceways shall be optimised, including trimming vegetation within the road reserve that restricts sight distance.
- 16 Prior to commencing operations, the consent-holder shall have the carriageway at 40 Old Road, Orini, sealed with a two coat seal and extend over a minimum of 50m to the west of the closest point on the Old Road carriageway to the dwelling at 40 Old Road and be sealed to meet the existing edge of seal for the single lane bridge on the western side of 40 Old Road, forming a continuous sealed carriageway.

- 17 A detailed design for entranceway works and sealing shall be submitted to the Planning Manager, Waikato District Council for authorisation at least 20 working days prior to commencing construction. The detailed design is to be prepared following consultation with Waikato District Council Roading staff and optimise visibility as far as practicable taking into account approach alignment, levels and vegetation limiting sight distance that should be cut back if desirable. Design and implementation is to be in accordance with the Waikato Regional Infrastructure Technical Specification. The detailed design shall be presented with a design statement setting out how the requirements of Waikato District Council Roading staff have been met and what requirements were not met, if any, with reasons.

Post Construction

- 18 Upon completion of the earthworks and prior to undertaking any building works, the consent holder shall provide a geotechnical completion report prepared by a suitably qualified geotechnical engineer in accordance with the Hamilton City Infrastructure Technical Specifications for approval by the Waikato District Council's Team Leader Monitoring.
- 19 Upon completion of the earthworks, the consent holder shall ensure that, as soon as possible, and within a maximum of six months, the areas where soil-disturbing activities were undertaken are revegetated (either by sowing grass or other approved means such as the planting of groundcover) to achieve a minimum 80% coverage.
- 20 Erosion and sediment controls shall be maintained and remain in place until (at least) the minimum required cover is achieved and may only be removed once the Waikato District Council's Team Leader Monitoring is satisfied that the risk from erosion and instability has been reduced to less than minor, and the consent holder is advised of this in writing.
- 21 The consent holder shall provide a 'Producer Statement – construction' for each separate work undertaken by each individual contractor for the earthworks, waste and stormwater systems, to the satisfaction of Waikato District Council.

Advice Note: An acceptable format for certification upon completion of works can be found in the Hamilton City Development Manual, Volume 4: Part 9 Appendix 4(ii).

- 22 The consent holder shall provide to Waikato DC a 'Certificate of Completion of Development Works' prepared and signed by the Developers Representative, to confirm that all works have been carried out in accordance with the approved plans and appropriate standards.

Advice Note: An acceptable format for a 'Certificate of Completion of Development Works' can be found from the Hamilton City Development Manual, Volume 4: Part 9 Appendix 4(i).

Landscaping and Visual Amenity

- 23 The Consent Holder shall prepare and submit a Landscape Plan prepared by a suitably qualified and experienced professional to Waikato District Council's Team Leader Monitoring for review and technical certification within three months of commencement of the consent (as per 116 of the Resource Management Act 1991). The Landscape Plan shall detail the nature and extent of works to be undertaken to mitigate the visual and landscape effects of the consented poultry farm and shall implement the landscape design concept and recommendations contained within the Landscape and Visual Assessment Report dated 18/12/2017, the Additional information Report dated 2/08/2018 and Landscape Concept Plans (Revision 13) dated 8 November 2017 and 2 July 2018, prepared by Lawton LA Ltd. The Landscape Plan shall comprise:

- a. An implementation strategy that clearly identifies the timing of all mitigation and restoration works within the consented site (including the construction and planting of the earth bunds for screening purposes).
 - b. A plan that shows the location of all mitigation/restoration planting to occur within the site, including a schedule of plants containing the following information:
 - i. botanical name;
 - ii. common name;
 - iii. numbers;
 - iv. spacing (not to be more than 1m centres);
 - v. size at planting; and
 - vi. mature height of any mitigation and restoration planting.
 - c. Identification of methods to be employed to ensure slope stability and erosion control during plant establishment on the bund and within gully areas;
 - d. Identification of management and restoration procedures to be adopted in the handling and storage of topsoil and subsoil materials to ensure their continued viability for a growing medium for mitigation and restoration planting;
 - e. Details regarding a vegetation establishment and maintenance program within the site. These details should include the strategy to replace any plants that may die or do not grow sufficiently to meet the conditions of this consent within three years of its commencement. It should be noted that as a minimum plants and planting areas shall be maintained for three years following initial planting, with plants watered in the first two summers as necessary to facilitate their establishment and with planting areas kept weed free. Any plant that dies, is removed, or otherwise fails to establish shall be replaced the following planting season and maintained for a further two years.
 - f. The bund shall be located and shaped to integrate with the surrounding natural landform and be in general accordance with the plan entitle Bund Contours, Revision 13 Stage 1 Sheet A2 03. The bund shall achieve a minimum height of 6m (above the finished level of the consent building) over 60% of its overall length. The lowest part of the crest (saddle) shall be located adjacent to the packing shed and shall be a minimum height of 3m (above the finished level of the consent building). All plants within a 5m wide strip running the length of the bund, along its crest, shall be a minimum height of 1m at time of planting.
 - g. A stock-proof exclusion fence shall be erected at a 1m offset around all mitigation planting.
- 24 The consent holder shall begin implementation of the Landscape Plan in the first planting season following the completion of bunds and stormwater wetlands.
 - 25 The colour of all exterior cladding on the consented buildings (excluding doors and window frames but including ventilation chimneys and roofs) shall be RAL 6013 – Reed Green. Non-reflective glass shall be used in the glazing of any windows visible from existing dwellings located within 500m.
 - 26 The security lighting to be erected on the buildings shall be placed no higher than 3.5m above the finished floor level of the buildings and be directed to ground, so as to meet the standard for lighting, required by condition 27 below.

- 27 Except for emergency and incident lighting, all exterior lighting located within consented site shall be designed and constructed to comply with the obtrusive light limitations in the Table below. The performance standards contained in the table below shall also apply to light spill from interior lighting through any windows or doors. Light levels shall be measured at a height of 1.5m above ground level at or beyond the boundary of the consented site.

| Luminous Intensity | Threshold Increment | Sky Glow | Light Spillage | Glare Source Intensity | Building Luminance |
|--|---------------------|--------------|----------------|------------------------|------------------------|
| 1 (cd) | TI (%) | UWLR (Max %) | EV (Lus) | I (kcd) | L (cd/m ²) |
| 500 | 20 | 5 | 5 | 50 | 5 |
| <p>a) Luminous Intensity (I) limits are proposed to limit potential impacts to neighbouring residents.</p> <p>b) Threshold Increment (TI) is based on adaptation luminance (L) of 0.1cd /m². Threshold Increment (TI) is defined as: "the measure of disability glare expressed as the percentage increase in contrast required between an object and its background for it to be seen equally well with a source of glare present. Note: Higher values of TI correspond to greater disability glare."</p> <p>c) UWLR (Upward Waste Light Ratio) = Maximum permitted percentage of luminaire flux that goes directly into the sky.</p> <p>d) Ev = Maximum vertical illuminance at the boundary in Lux</p> <p>e) I = Light intensity in Candelas</p> <p>f) L= Luminance in Candelas per square metre</p> <p>g) Building Luminance – This should be limited to avoid overlighting, relative to the general district brightness.</p> <p><i>Advice Note: Emergency and incident lighting shall not be used for general facility or task illumination.</i></p> | | | | | |

Odour

- 28 The land use shall not result in odour, dust or other airborne contaminants that are offensive or objectionable beyond the boundary of the property.

Advice Note: When undertaking an assessment of odour to determine whether it is offensive or objectionable the FIDOL factors described within the 'Good Practice Guide for Assessing and Managing Odour' prepared by the Ministry for the Environment shall be used in the first instance.

- 29 Testing to determine the actual odour emission rates from the consented poultry sheds shall be conducted within 12 months of Farm Commissioning and the results of testing shall be provided to the Waikato District Council (the "testing report") within one month of sampling for certification that the results comply with condition 29(e) below. The odour sampling and testing shall be conducted in accordance with the following:
- A minimum of four samples of odour emissions from layer sheds and four samples of odour emissions from rearer sheds shall be collected.
 - Where practicable, the odour sampling shall be conducted to represent worst - case odour emission rates from each type of shed. At a minimum:

- i. Layer shed odour samples shall be collected from a shed or sheds a minimum of 26 weeks into the laying cycle of the shed and a minimum of five days following removal of manure collected on belts in the shed; and
 - ii. Rearer shed odour samples shall be collected from a shed or sheds a minimum of 12 weeks into the rearing cycle of the shed and a minimum of five days following removal of manure collected on belts in the shed.
- c. Odour emission concentrations shall be determined via Dynamic Dilution Olfactometry in accordance with AS/NZS 4323.3:2001 or an equivalent method agreed with Waikato District Council.
 - d. Determination of exhaust velocity for the calculation of exhaust flowrates and odour emission rates shall be conducted in accordance with US EPA Methods 1, 2 or equivalent methods agreed with Waikato District Council.
 - e. The geometric mean of odour emission rates measured for each shed type in accordance with this condition shall be compared with the following limits:
 - 1) Layer Shed: 444 ou/s/1,000 birds; and
 - 2) Rearing Shed: 251 ou/s/1,000 birds.
- 30 In the event that the geometric mean of odour emission rates measured from either shed type exceeds the corresponding limit stated in 29(e) above, the consent holder shall as soon as practicable and no later than three months of providing its Testing Report to the Waikato District Council, implement measures to reduce odour emissions and/or mitigate their impact on off-site odour levels (the "mitigation measures").
- 31 Within three months of implementing mitigation measures the consent holder shall test the efficacy of those mitigation measures by producing a report to the Waikato District Council showing one of the following:
- a. **Either:** The results of further testing of the odour emission rates from the consented poultry sheds conducted with the mitigation measures in place confirm that measured odour emission rates no longer exceed the specified limits in condition 29(e). The odour sampling and testing shall be conducted in accordance with conditions 29(a to (d) above;
 - b. **Or:** The results of a dispersion modelling assessment conducted incorporating the mitigation measures in condition 30 confirm that the odour emission rates are not predicted to cause odour concentrations to exceed 5 odour units per cubic metre expressed as a 99.5th percentile one hour average, at the specified off-site neighbouring dwellings (R1 – R7 identified in Appendix A) with the measures in place. The dispersion modelling assessment shall be conducted using the CALPUFF model suite (CALPUFF v 7.2, CALMET version 6.5) in accordance with CALMET and CALPUFF configuration files attached as Appendix B to this consent, except where the CALPUFF configuration is modified to reflect the mitigation measures.
- 32 In the event that the report required by condition 31 shows that either of the limits in conditions 31(a) or 31(b) cannot be met then the Council may at any time within 6 months of receiving such report commence a review under section 128(1)(a)(iii) RMA for the purpose of imposing new or amended conditions to ensure that predicted odour concentrations are less than 5 odour units per cubic metre expressed as a 99.5th percentile one hour average, at the specified off-site neighbouring dwellings (R1 – R7 identified in Appendix A) using the modelling method specified in condition 31(b).
- 33 Manure deposited on manure belts shall be removed from the site within no more than seven days. Manure removed from any shed shall not be stored at the site overnight.

- 34 Used litter material shall be removed from the site on the same day that it is removed from any shed. Used litter material removed from any shed shall not be stored at the site overnight.
- 35 An Air Quality Management Plan shall be prepared in accordance with Condition 36 below and shall be submitted to the Waikato District Council, at least twenty working days prior to the initial housing of chickens at the site.
- 36 The Air Quality Management Plan shall include measures that will be taken to ensure compliance with the conditions of this consent, including but not limited to:
- a. A description of the poultry operation;
 - b. A description of the measures to be undertaken to achieve compliance with the conditions of this consent;
 - c. Identifying emission sources with the potential to generate odour, and the measures in place to avoid, remedy, or mitigate those discharges, including details of regular boundary inspections during each cycle;
 - d. Operation and maintenance procedures for the ventilation systems;
 - e. Complaints and response procedures;
 - f. Details of routine and contingency inspections of the sheds and chickens;
 - g. Details of cleaning of the inside of the sheds and removal of manure and litter material off-site;
 - h. Details of removal of bird mortalities from the site; and
 - i. Details of contingency measures that will be taken in the event that odour or other airborne contaminants becomes offensive or objectionable beyond the boundary of the property.

Advice note: The Air Quality Management Plan prepared in accordance with Condition 36 may form part of an overall Management Plan for the operation.

- 37 The Air Quality Management Plan prepared in accordance with Condition 36 shall be reviewed by the consent holder once every three years, at a minimum, and updated as required. The outcome of each review and any update shall be provided in writing to the Waikato District Council within three months of the commencement of the review.

Pest and Vermin Control Management Plan

- 38 At least two months prior to operation of the consented activity, the consent holder shall provide the Waikato District Council with a Pest and Vermin Control Management Plan ("PVCMP") detailing the operational methods to be implemented to discourage pests and vermin (including the use of bait stations, sticky fly-paper and use of insecticides) and information regarding record keeping including records of pest control activities, dates, chemicals used, quantities, evidence of pest activity and action taken.
- 39 As a minimum the PVCMP shall be reviewed by the consent holder every four years and shall provide the Waikato District Council with written notice of any subsequent revisions or amendments to the Plan.
- 40 The chicken farm shall at all times be operated in general accordance with the current version of the PVCMP. In the event of any conflict or inconsistency between the conditions of this consent and the provisions of the Plan, then the conditions of this consent shall prevail.

Noise

- 41 All activities shall be conducted, and buildings located, designed and used to ensure that noise from the activity measured at any other site in different ownership does not exceed the following noise limits:
- a. 50dBA (L10), 7am to 7 pm any day;
 - b. 45dBA (L10), 7pm to 10pm any day; and
 - c. 40dBA (L10), and 65dBA (Lmax) at all other times.

Written Approval Covenant

- 42 The consent holder is hereby deemed to have provided its written approval for the purposes of the Resource Management Act 1991 (including sections 95D(e), 95E(3)(a), and 104(3)(a)(ii)) to any application for resource consents for any activities on land identified within Records of Title SA599/323 and 689494 located within the 300m setback distance as required by Rule 25.57.1 of the Operative Waikato District Plan – (Waikato Section) 2013, or any equivalent succeeding provision, where the resource consent application(s) is for any sensitive activity that would otherwise be a permitted activity but for the activity authorised by this resource consent.
- 43 For the purpose of Condition 42, it is not necessary for the consent holder to give actual approval to the current or future owners of land contained within Records of Title SA599/323 and 689494 and it is not necessary for any of the owners of those Records of Title to request written approval. The owners of those Records of Title shall be entitled to provide a copy of conditions 42 & 43 of this consent to the Waikato District Council (or successor Council) as evidence that such written approval is hereby given.
- 44 Prior to Farm Commissioning (per Condition 29), the consent holder shall offer to register a covenant in favour of the owners of the land contained within Records of Title SA599/323 and 689494 to secure the performance of condition (42) above. The covenant shall be drafted:
- a. To make clear that all those parcels of land identified within the Records of Title SA599/323 and 689494, being within 300m of the boundary of the site authorised by this consent, shall have the benefit of the covenant; and
 - b. So that it will expire in the event Rule 25.57.1 or any equivalent succeeding provision ceases to have legal effect.
- 45 The consent holder shall provide written evidence to Council that it has made an offer to landowners as required by condition 44, if the landowners choose not to take up the offer, the consent holder has discharged its obligation under condition 44.

Review

- 46 In accordance with section 128 of the Resource Management Act 1991, the Waikato District Council may within 2 years of the Farm Commissioning, review the conditions of this consent so as to mitigate any unforeseen wear and tear on Old Road.

Advice Notes**1 Lapse Date**

This consent lapses five years after the commencement of the consent in accordance with section 125 of the Resource Management Act 1991.

2 Other consents/permits may be required

To avoid doubt: except as otherwise allowed by this resource consent, all land uses must comply with all remaining standards and terms of the relevant Waikato District Plan. The activities must also comply with the Building Act 2004, Hamilton City Council Infrastructure Technical Specifications and Waikato Regional Plans. All necessary consents and permits should be obtained prior to development.

3 Debris Tracking/Spillage

The consent holder is advised that any debris tracking/ spillage onto any public roads as a result of the exercise of this consent should be removed as soon as practical, and within a maximum of 24 hours after the occurrence, or as otherwise directed by the Waikato District Council's Roading Operations Engineer, to the satisfaction of the Waikato District Council.

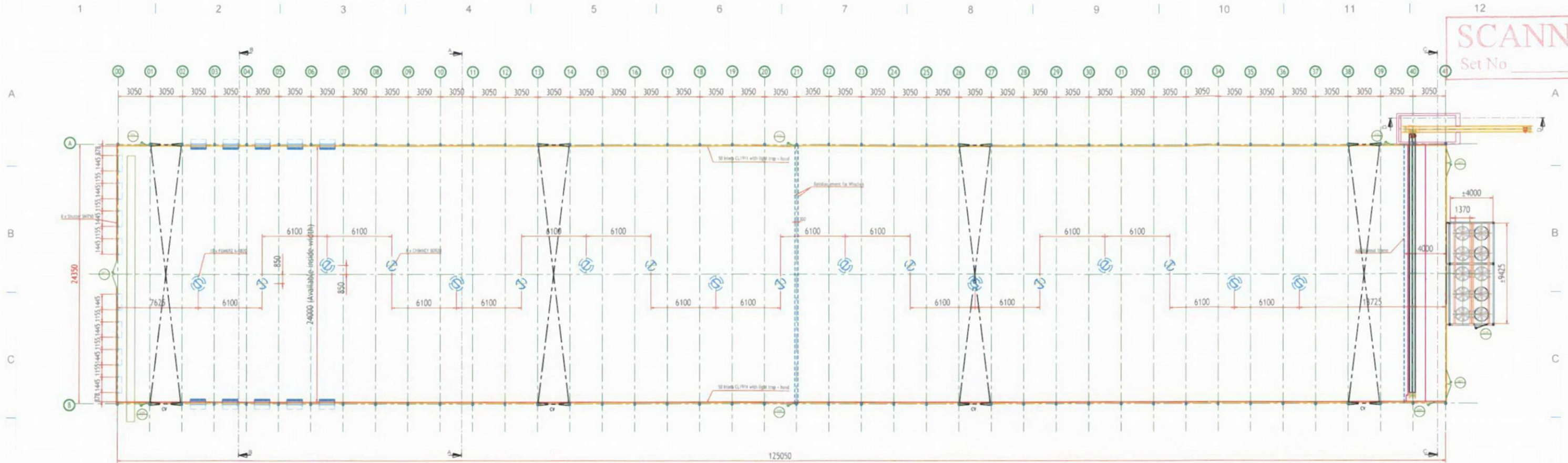
The consent holder, upon becoming aware of the need to clean up the roadway, shall advise Waikato District Council's Roading Operations Engineer of the need for the road to be cleaned up, and what actions are being taken to do so.

The cost of the clean-up of the roadway and associated drainage facilities, together with all temporary traffic control, is the responsibility of the consent holder.

4 Enforcement Action

Failure to comply with the conditions of consent may result in Council taking legal action under the provisions of Part 12 of the Resource Management Act (1991).

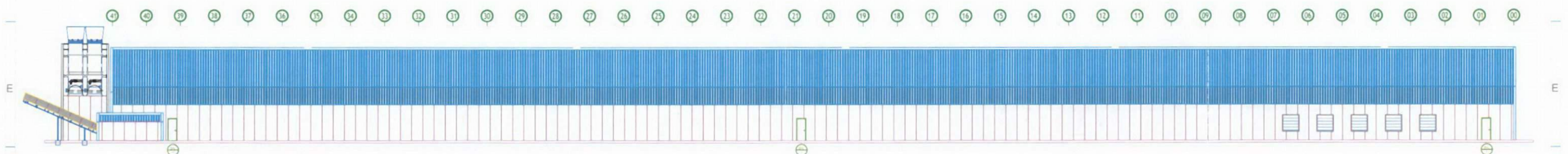
SCANNED
Set No



LAYOUT PLAN
N.T.S

Legend:

| | |
|--|-----------------------------|
| | 2.5m (w) x 2.5m (h) x 3 nos |
| | 0.85m (w) x 2m (h) x 4 nos |
| | 0.85m (w) x 2m (h) x 3 nos |



LEFT ELEVATION
N.T.S



RIGHT ELEVATION
N.T.S

PRELIMINARY DRAWING

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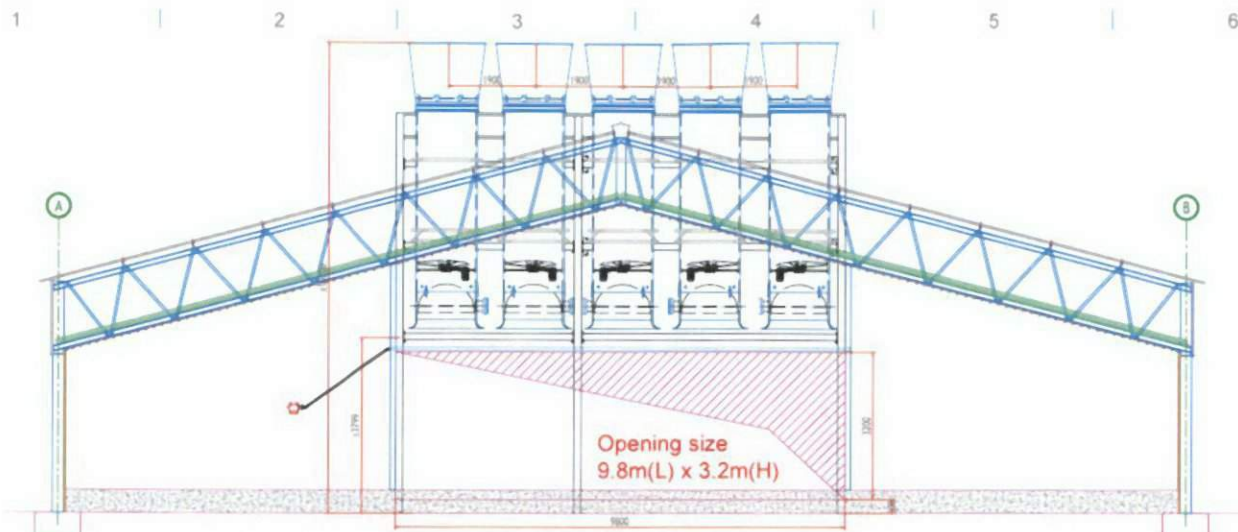
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|-----|-----------------------|--------|------|----------|----------|
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| | | SHA | DANI | - | 13/11/17 |



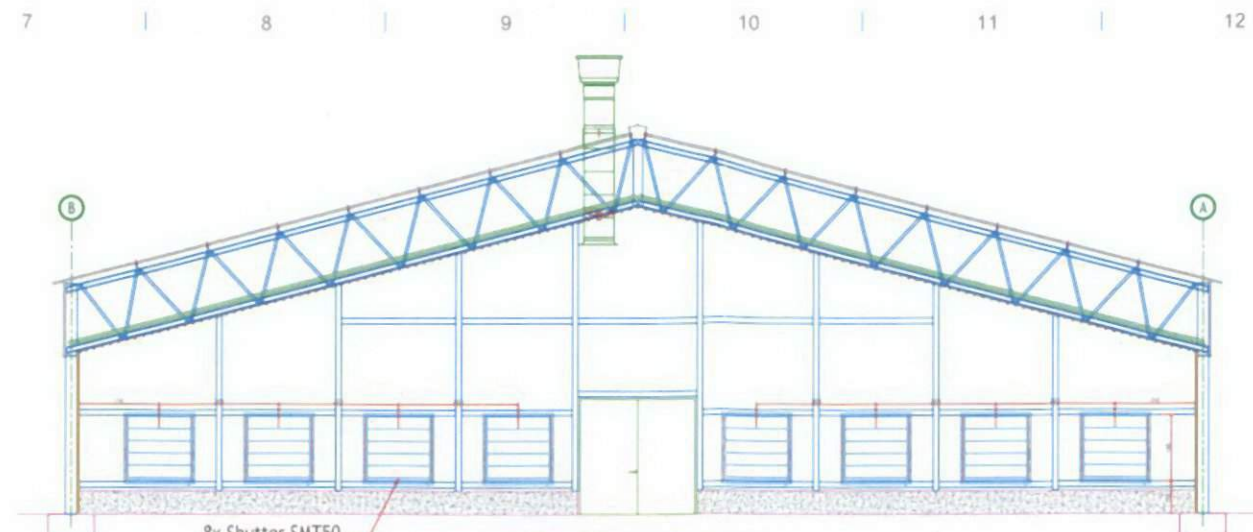
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| | |
|--------------------|----------------------------|
| Customer Name | MAINLAND |
| Project Name | ORINI LAYER |
| Location | ORINI, NEW ZEALAND |
| Building System | LAYER HOUSE |
| Building Dimension | 125m(L) x 24m(W) x 3.5m(H) |

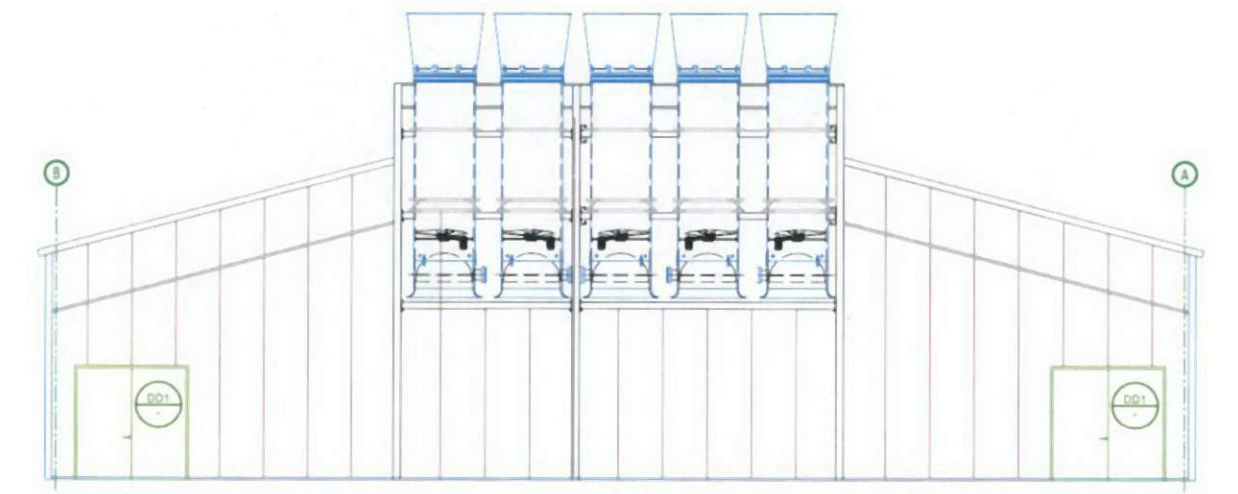
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| P-100 / M.Orini | PLAN LAYOUT LEFT & RIGHT ELEVATION |



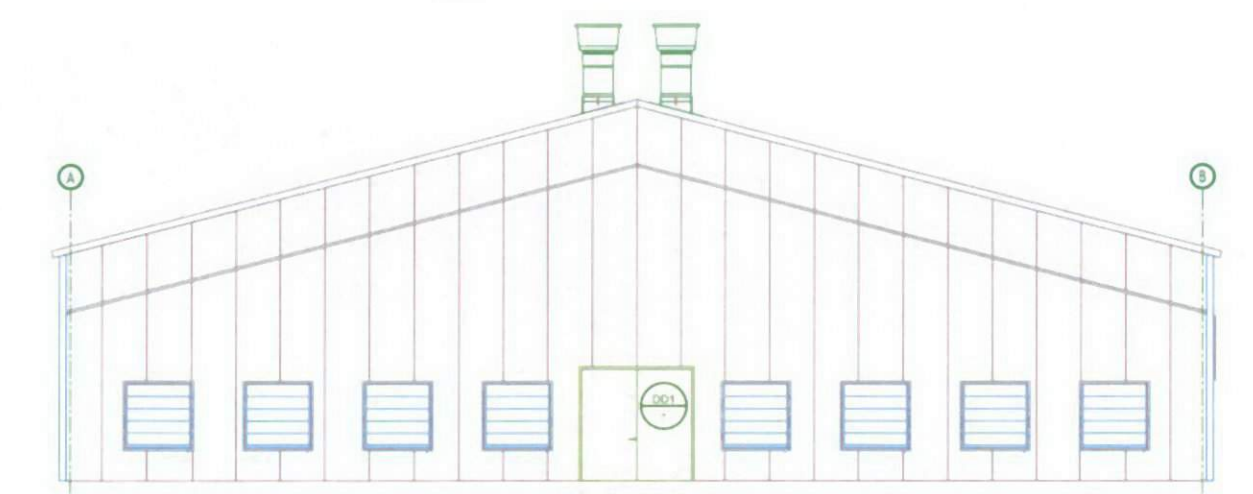
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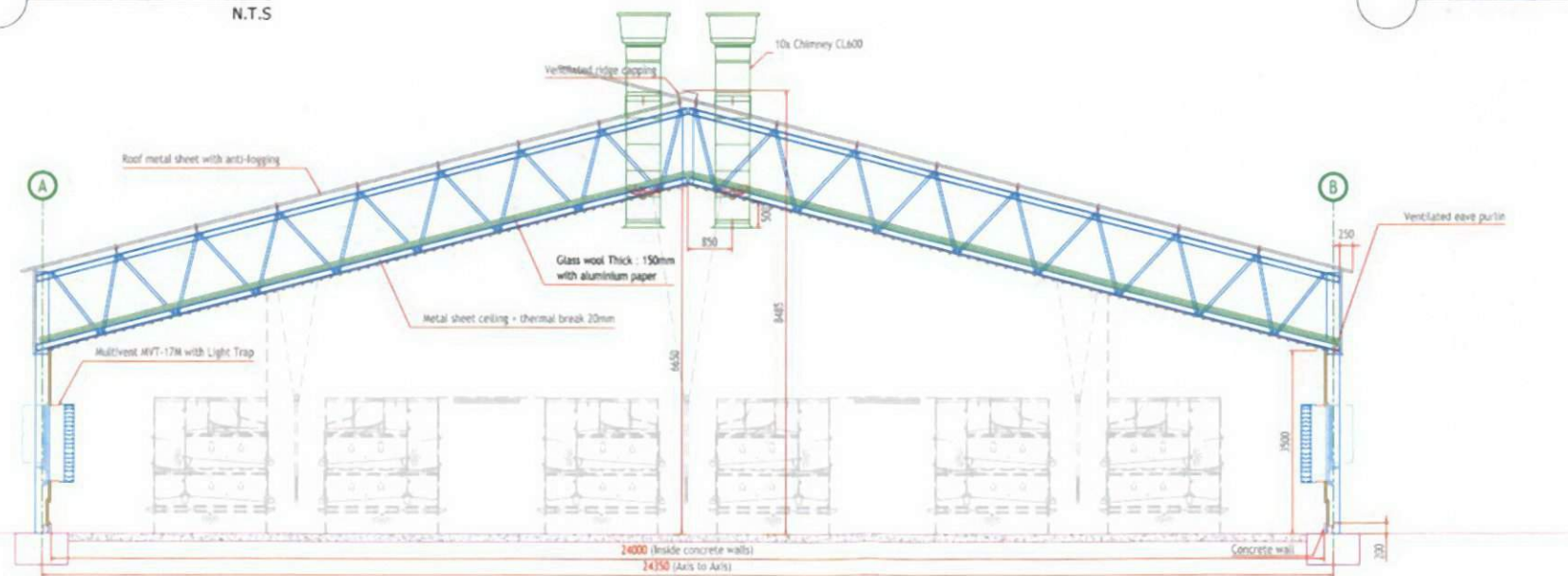
SECTION B-B
N.T.S.



BACK GABLE
N.T.S.



FRONT GABLE
N.T.S.



SECTION A-A
N.T.S.

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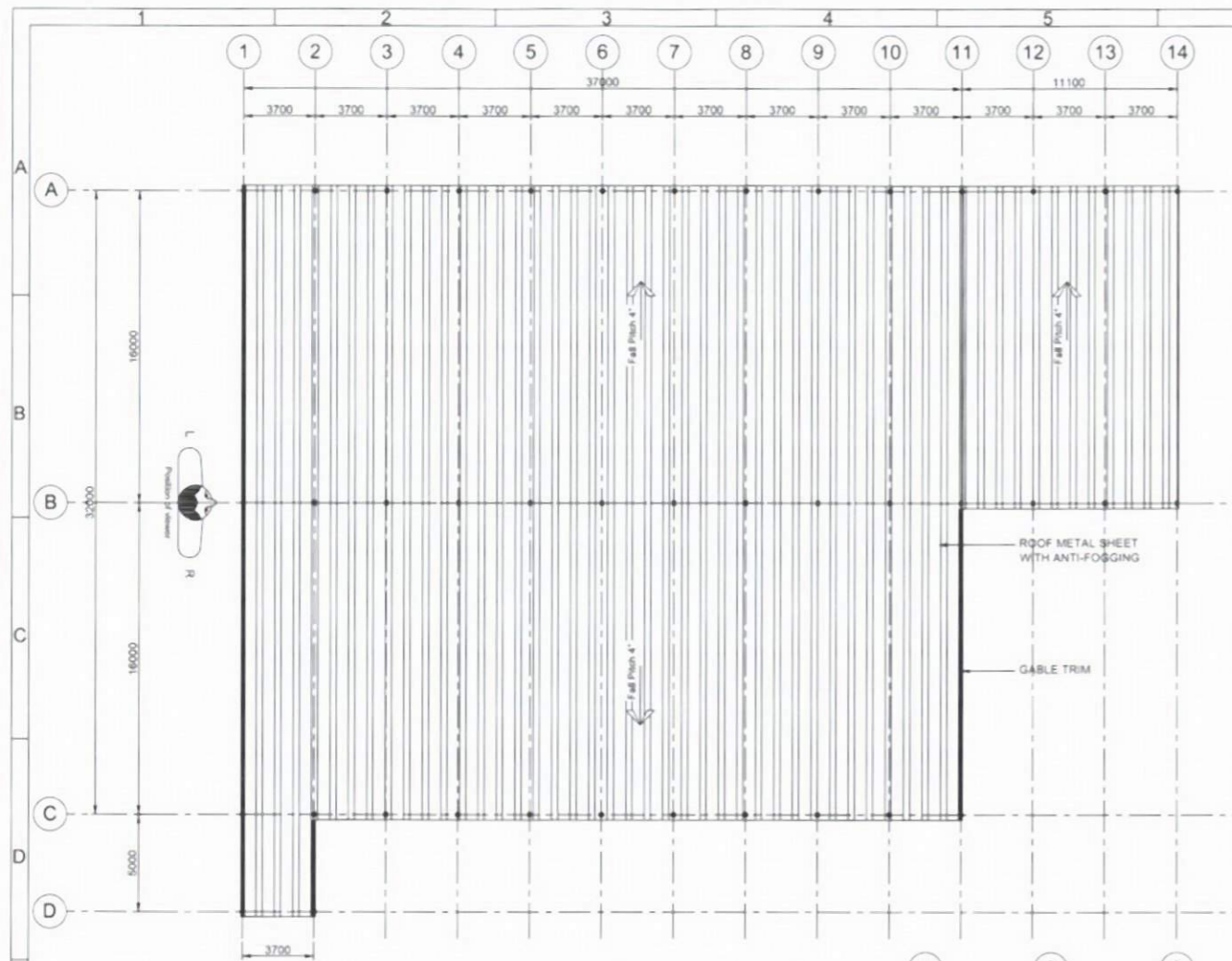
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| REV | DESCRIPTION | DRWN | CHK | APPROVED | DATE |
|-----|-----------------------|---------------|--------------|----------|---------------------|
| 01 | Removed Winter Garden | LIZA M SHA | DANI DANI | - - | 9/10/17 13/11/17 |

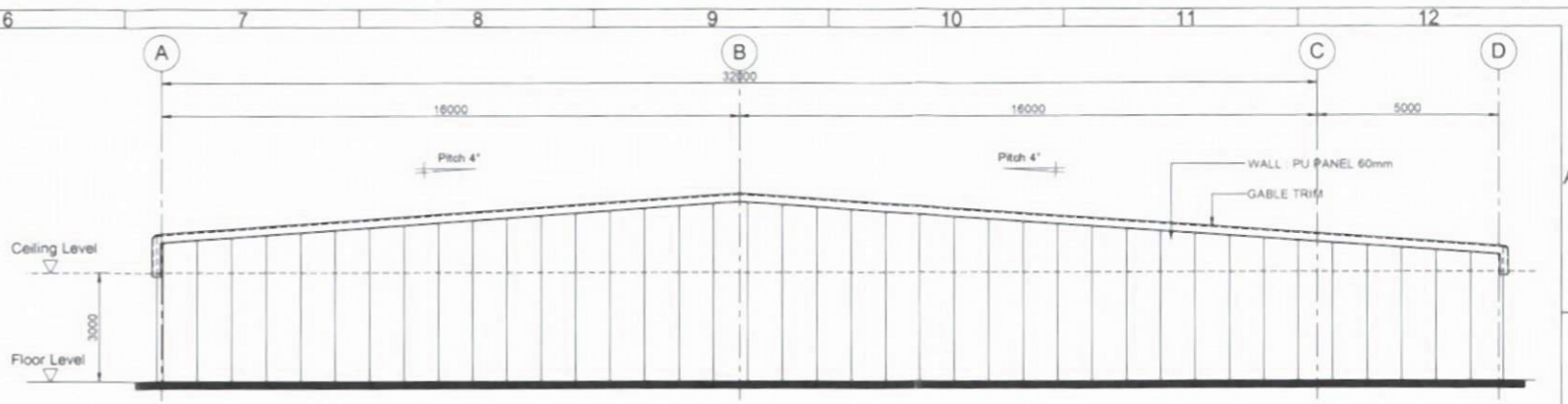


| PROJECT DETAILS: | |
|--------------------|----------------------------|
| Customer Name | MAINLAND |
| Project Name | ORINI LAYER |
| Location | ORINI, NEW ZEALAND |
| Building System | LAYER HOUSE |
| Building Dimension | 125m(L) x 24m(W) x 3.5m(H) |

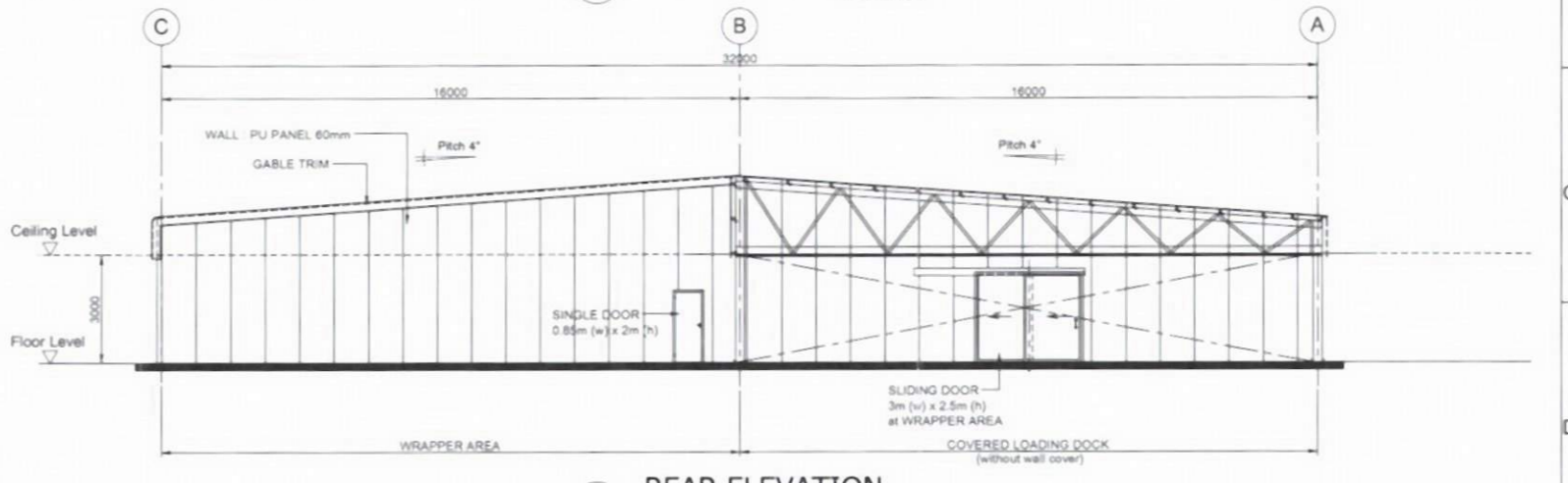
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| P-101 / M.Orini | SECTION & ELEVATION |



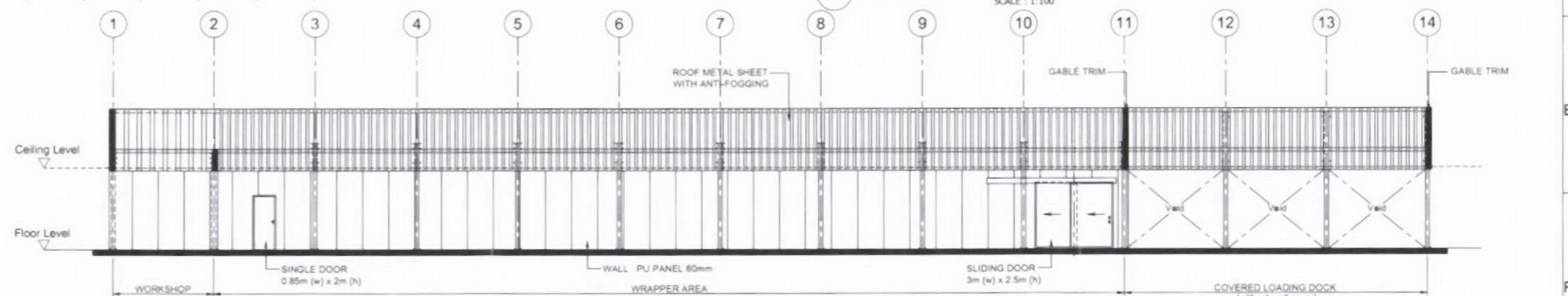
ROOF LAYOUT PLAN
SCALE : 1:175



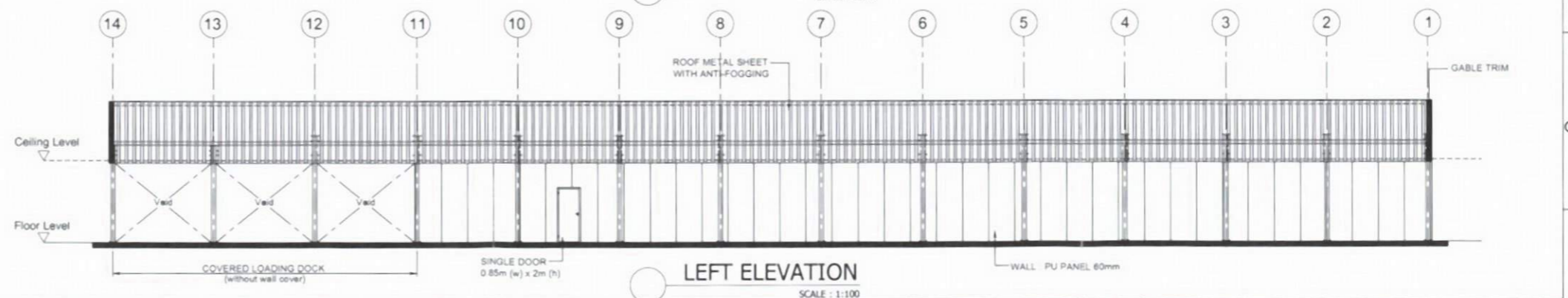
FRONT ELEVATION
SCALE : 1:100



REAR ELEVATION
SCALE : 1:100



RIGHT ELEVATION
SCALE : 1:100



LEFT ELEVATION
SCALE : 1:100

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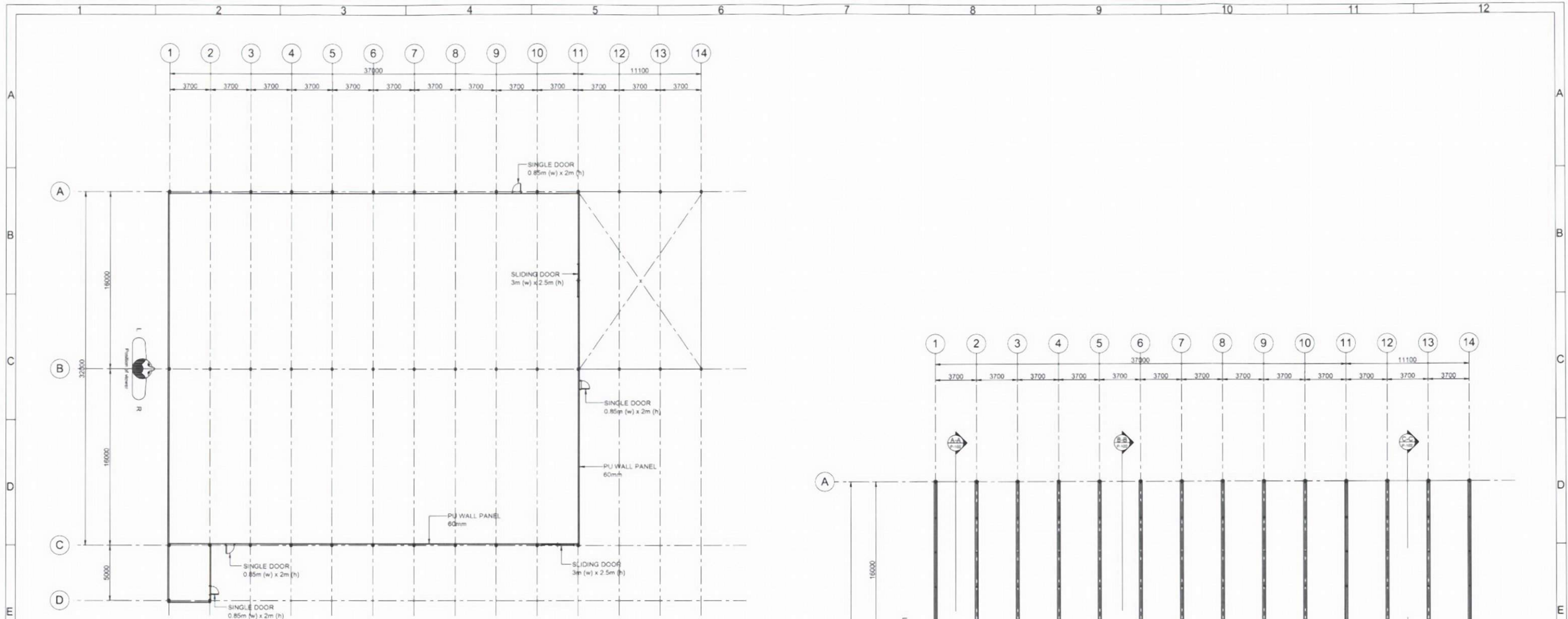
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| REV | DESCRIPTION | DRWN | CHK | APPROVED | DATE |
|-----|-------------|------|------|----------|------------|
| A | First Issue | AZRI | DANI | | 28/11/2017 |

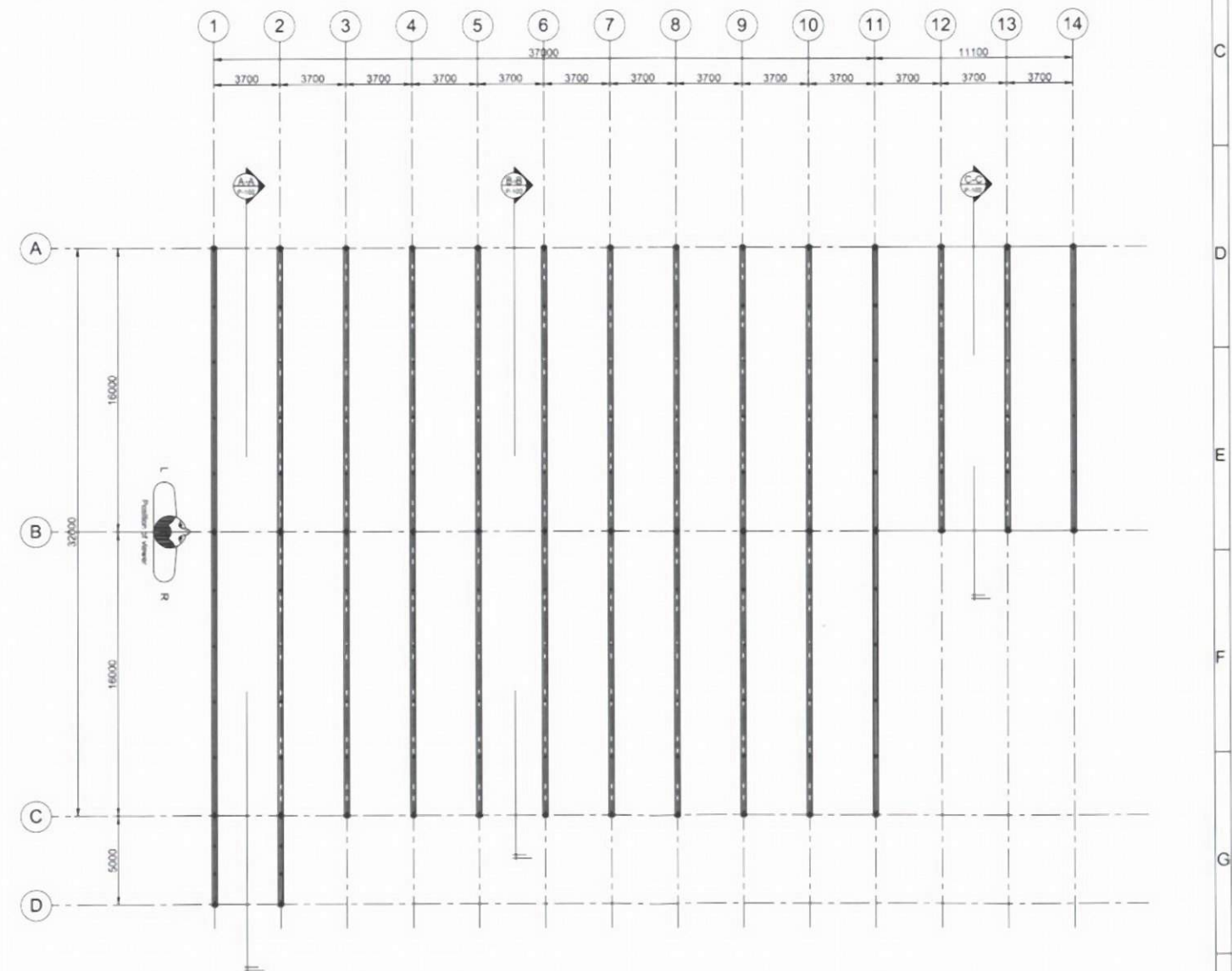
04 July 2017
BD Agriculture (Malaysia) Sdn Bhd
No. 9 Persiaran Astana/KUJ2,
Bandar Bukit Raja, 41050 Klang,
Selangor Darul Ehsan, Malaysia

| PROJECT DETAILS: | |
|------------------|------------------------------|
| Customer Name | MAINLAND |
| Project Name | ORINI PACKING STATION |
| Location | ORINI, NEW ZEALAND |
| Bldg. System | PACKING STATION |
| Bldg. Dimension | 48.1m (L) x 32m (W) x 3m (H) |

| DWG. NO./PROJ. NO. | DRAWING TITLE |
|--------------------|--|
| P-100 / M.Orini | - ROOF LAYOUT PLAN - FRONT ELEVATION - REAR ELEVATION - RIGHT ELEVATION - LEFT ELEVATION |



PU WALL LAYOUT PLAN
SCALE: 1:175



TRUSS LAYOUT PLAN
SCALE: 1:175

PRELIMINARY DRAWING

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ALL DIMENSION HAVE TO BE CHECKED BY THE BUILDING OWNER / SITE SUPERVISION RESPONSIBLE

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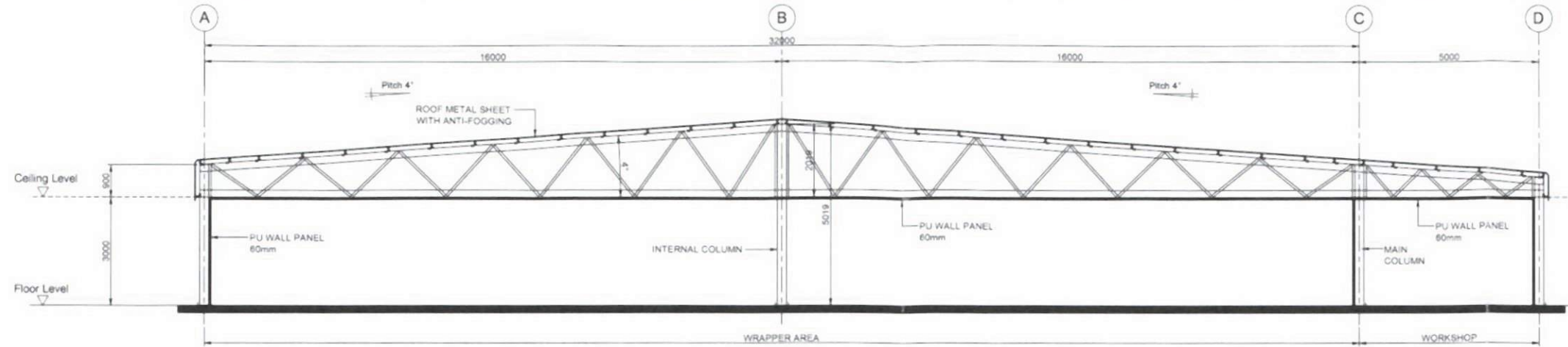
All measurements given in this drawing cannot act as actual measurements. The contractor should check all measurements & conditions at site before work commences.

| REV | DESCRIPTION | DRWN | CHK | APPROVED | DATE |
|-----|-------------|------|------|----------|------------|
| A | First Issue | AZRI | DANI | | 28/11/2017 |
| | | | | | |
| | | | | | |
| | | | | | |

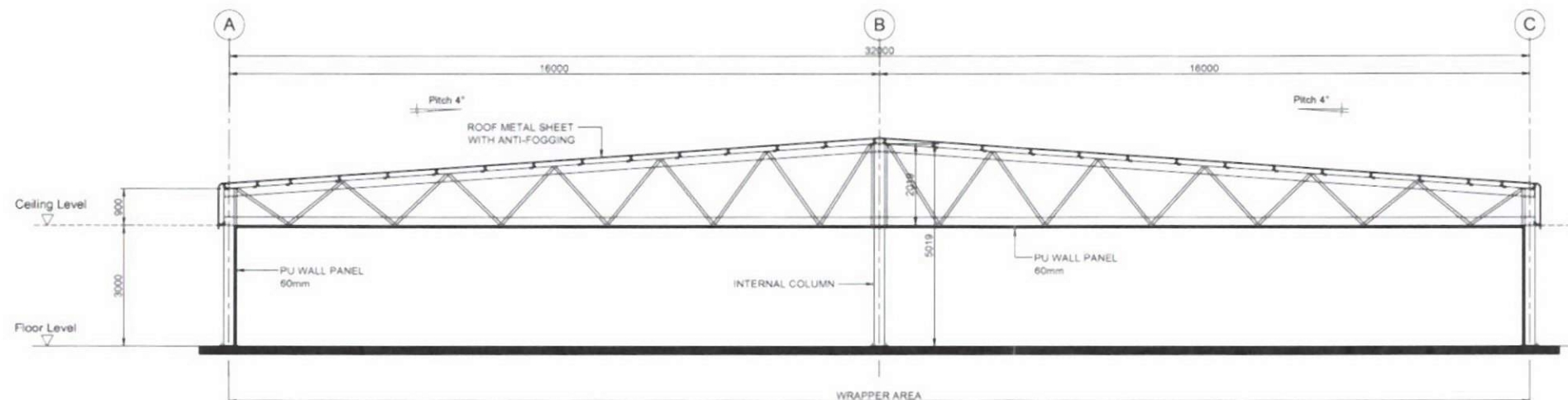
04 July 2017

Big Dutchman
 BD Agriculture (Malaysia) Sdn Bhd
 No 9 Persiaran Astana/KU2,
 Bandar Bukit Raja, 41050 Klang,
 Selangor Darul Ehsan, Malaysia

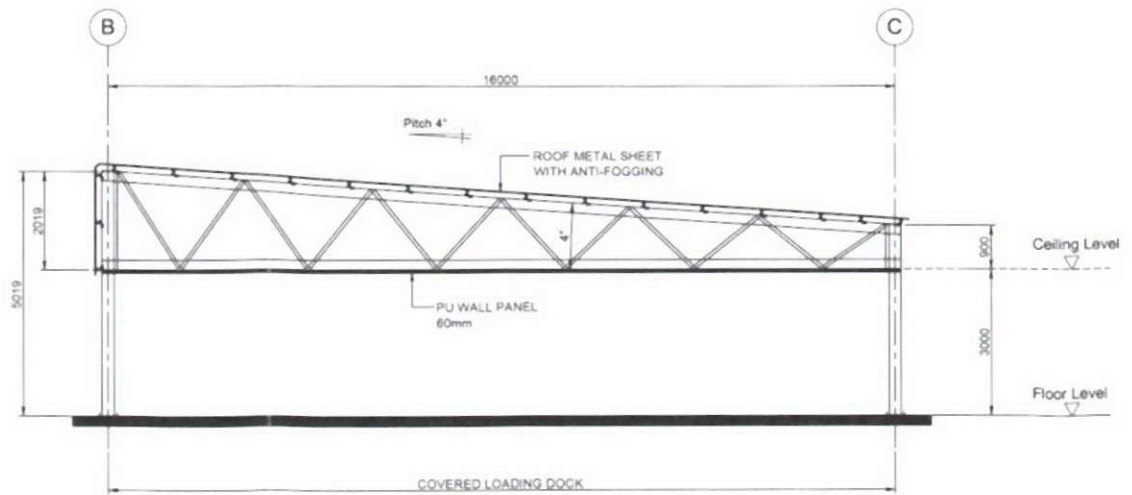
| PROJECT DETAILS: | | DWG. NO./PROJ. NO. | DRAWING TITLE |
|------------------|------------------------------|--------------------|--|
| Customer Name | MAINLAND | P-101 / M.Orini | - PU WALL LAYOUT PLAN - TRUSS LAYOUT PLAN |
| Project Name | ORINI PACKING STATION | | |
| Location | ORINI, NEW ZEALAND | | |
| Bldg. System | PACKING STATION | | |
| Bldg. Dimension | 48.1m (L) x 32m (W) x 3m (H) | | |



Section A-A
SCALE : 1:75



Section B-B
SCALE : 1:75



Section C-C
SCALE : 1:75

PRELIMINARY DRAWING

FOR REFERENCE ONLY. NOT FOR CONSTRUCTION.

ATTENTION!
- No Detailed Drawing -
ALL DIMENSION HAVE TO BE CHECKED BY THE BUILDING OWNER / SITE SUPERVISION RESPONSIBLE

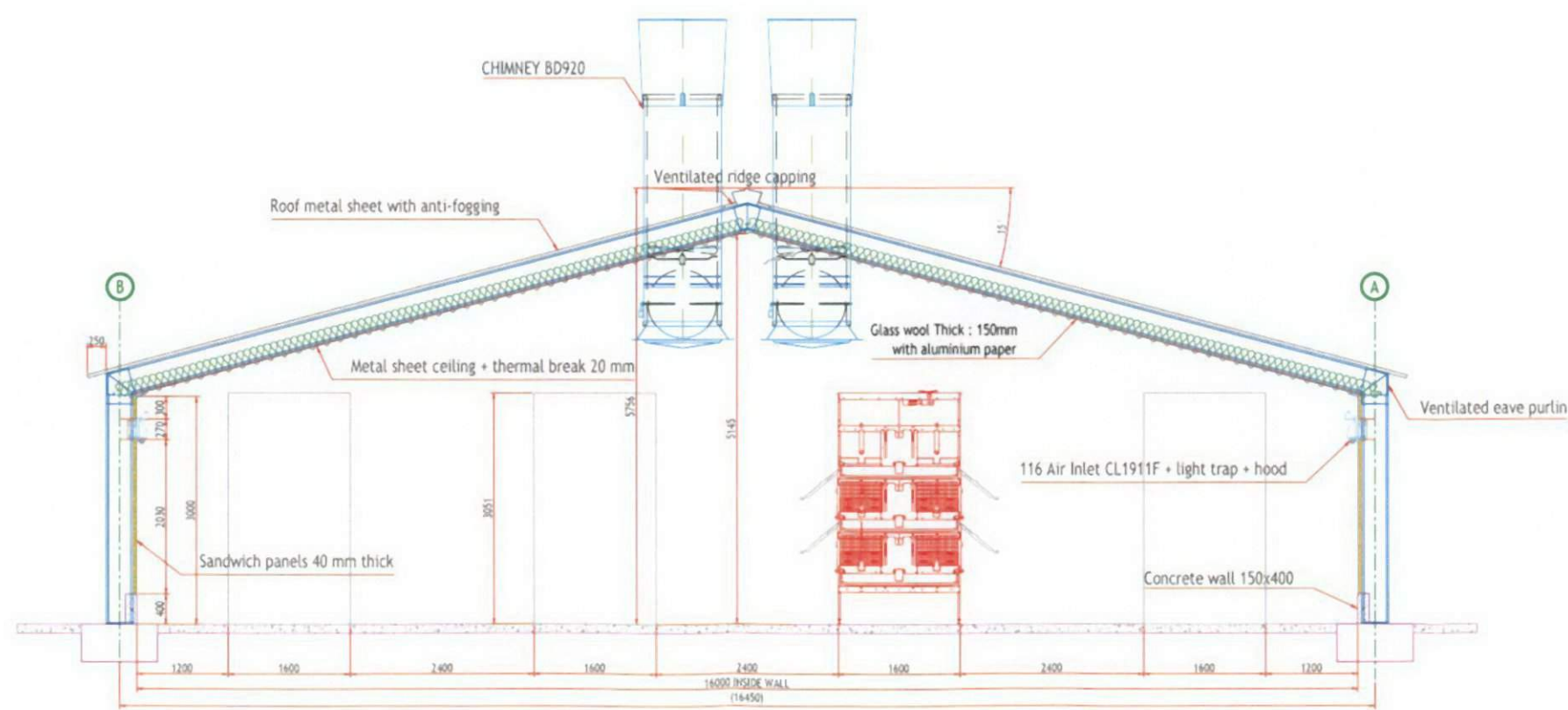
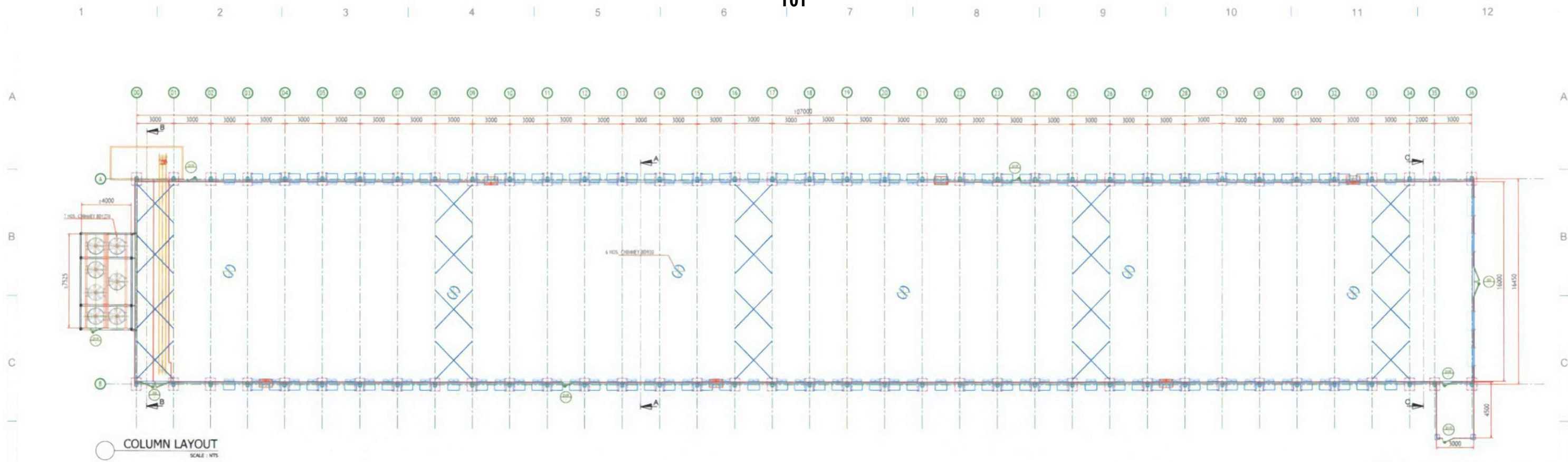
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| REV | DESCRIPTION | DRWN | CHK | APPROVED | DATE |
|-----|-------------|------|------|----------|------------|
| A | First Issue | AZRI | DANI | | 28/11/2017 |
| | | | | | |
| | | | | | |

Big Dutchman
04 July 2017
BD Agriculture (Malaysia) Sdn Bhd
No 9 Persiaran Astana-KU2,
Bandar Bukit Raja, 41050 Klang,
Selangor Darul Ehsan, Malaysia

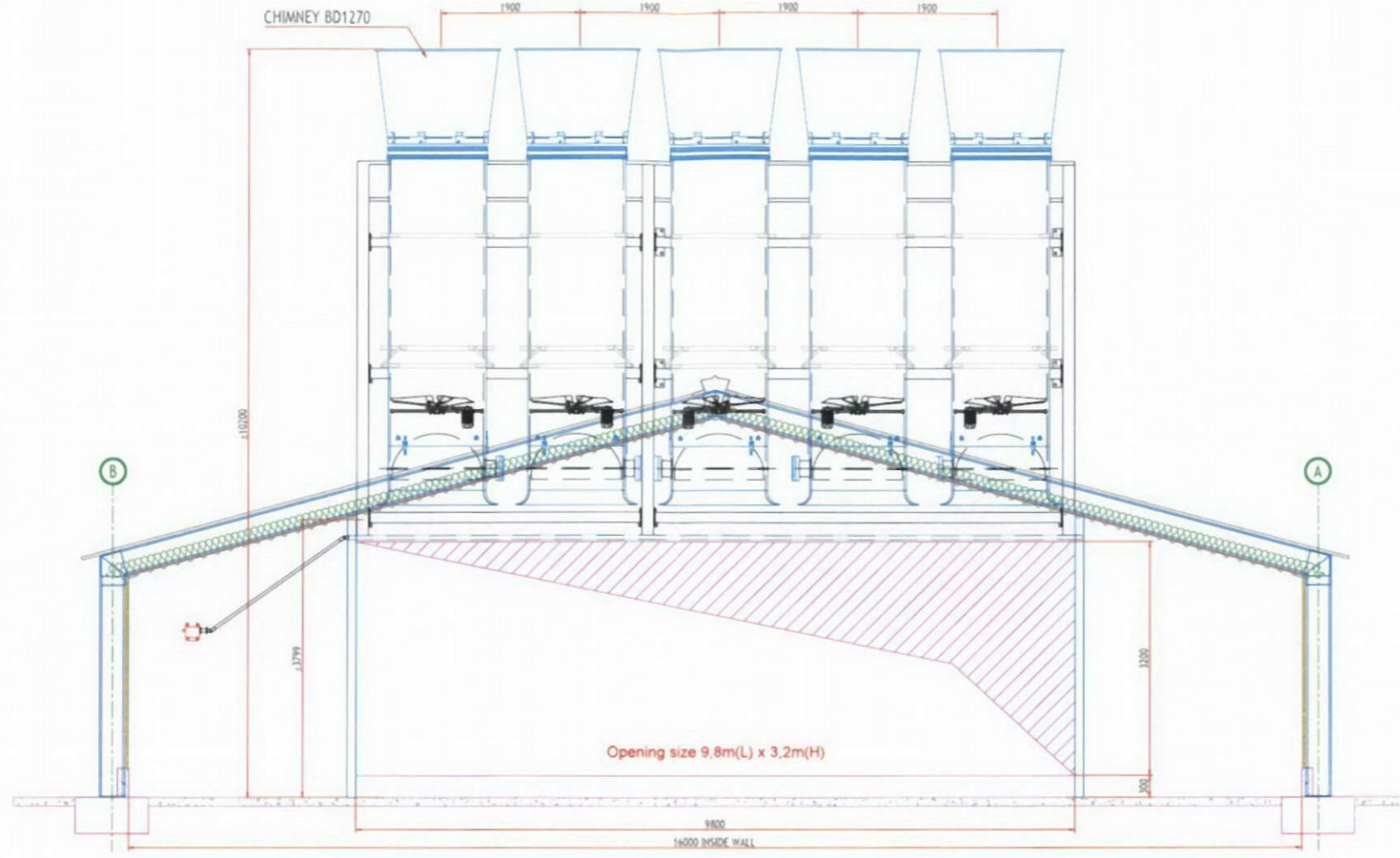
| PROJECT DETAILS: | |
|------------------|------------------------------|
| Customer Name | MAINLAND |
| Project Name | ORINI PACKING STATION |
| Location | ORINI, NEW ZEALAND |
| Bldg. System | PACKING STATION |
| Bldg. Dimension | 48.1m (L) x 32m (W) x 3m (H) |

| DWG NO / PROJ. NO | DRAWING TITLE |
|-------------------|---|
| P-102 / M.Orini | - Section A-A - Section B-B - Section C-C |



| REV | DESCRIPTION | DRAWN | CHECKED | APPROVED | DATE | PROJECT DETAILS: | DWG. NO./PROJ. NO. | DRAWING TITLE |
|-----|-------------|----------|---------|----------|------|---|--------------------|----------------------------------|
| | | YUSRA.MJ | DANI | | | Customer Name: MAINLAND Project Name: ORINI REARING Location: ORINI, NEW ZEALAND Bldg. System: REARING Bldg. Dimension: 107m (L) x 16m (W) x 3m (H) | P100 | - COLUMN LAYOUT - SECTION A-A |





SECTION B-B
SCALE: NTS



SECTION C-C
SCALE: NTS

4x Shutter MVT-17M

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| REV | DESCRIPTION | DRAWN | CHECKED | APPROVED | DATE |
|-----|-------------|----------|---------|----------|------|
| | | YUSRA.MJ | DANI | | |

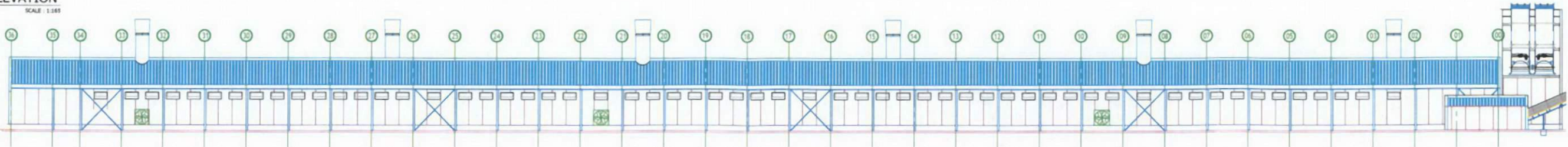


| PROJECT DETAILS: | |
|------------------|-----------------------------|
| Customer Name | MAINLAND |
| Project Name | ORINI REARING |
| Location | ORINI, NEW ZEALAND |
| Bldg. System | REARING |
| Bldg. Dimension | 107m (L) x 16m (W) x 3m (H) |

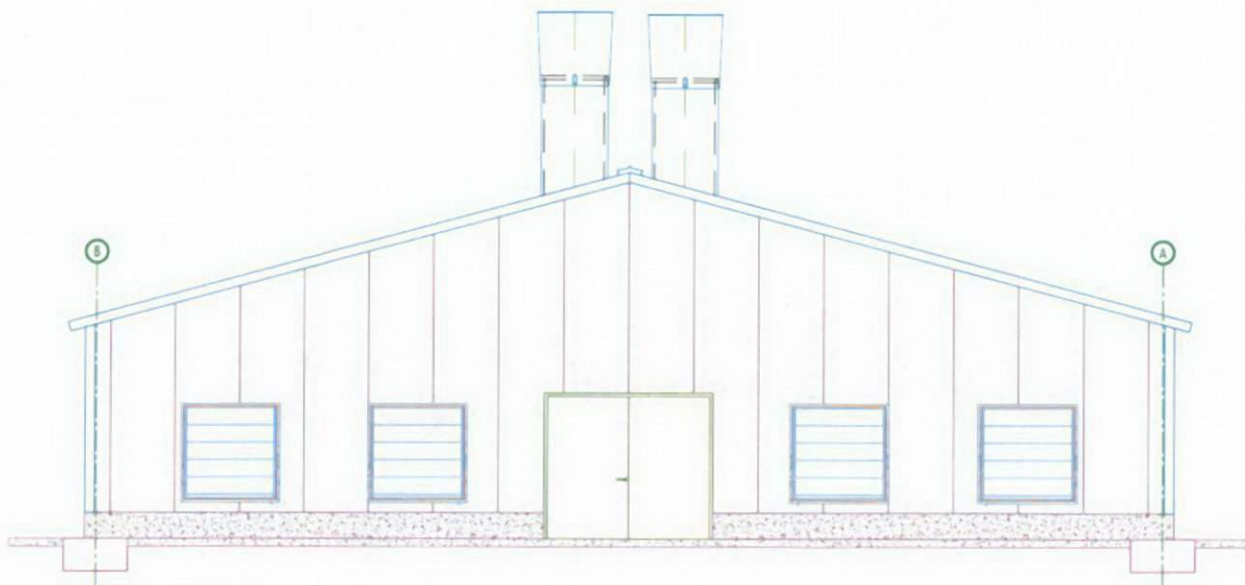
| DWG. NO./PROJ. NO. | DRAWING TITLE |
|--------------------|--------------------------------|
| P101 | - SECTION B-B - SECTION C-C |



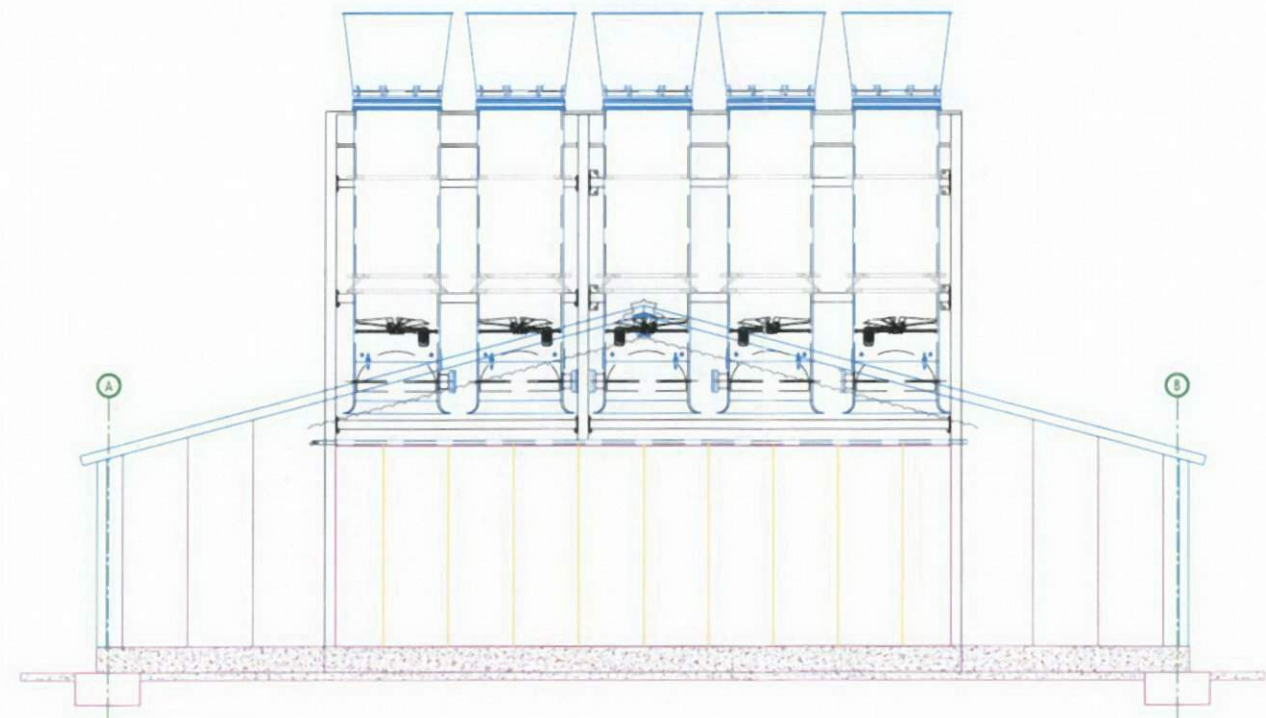
LEFT ELEVATION
SCALE: 1:100



RIGHT ELEVATION
SCALE: 1:100

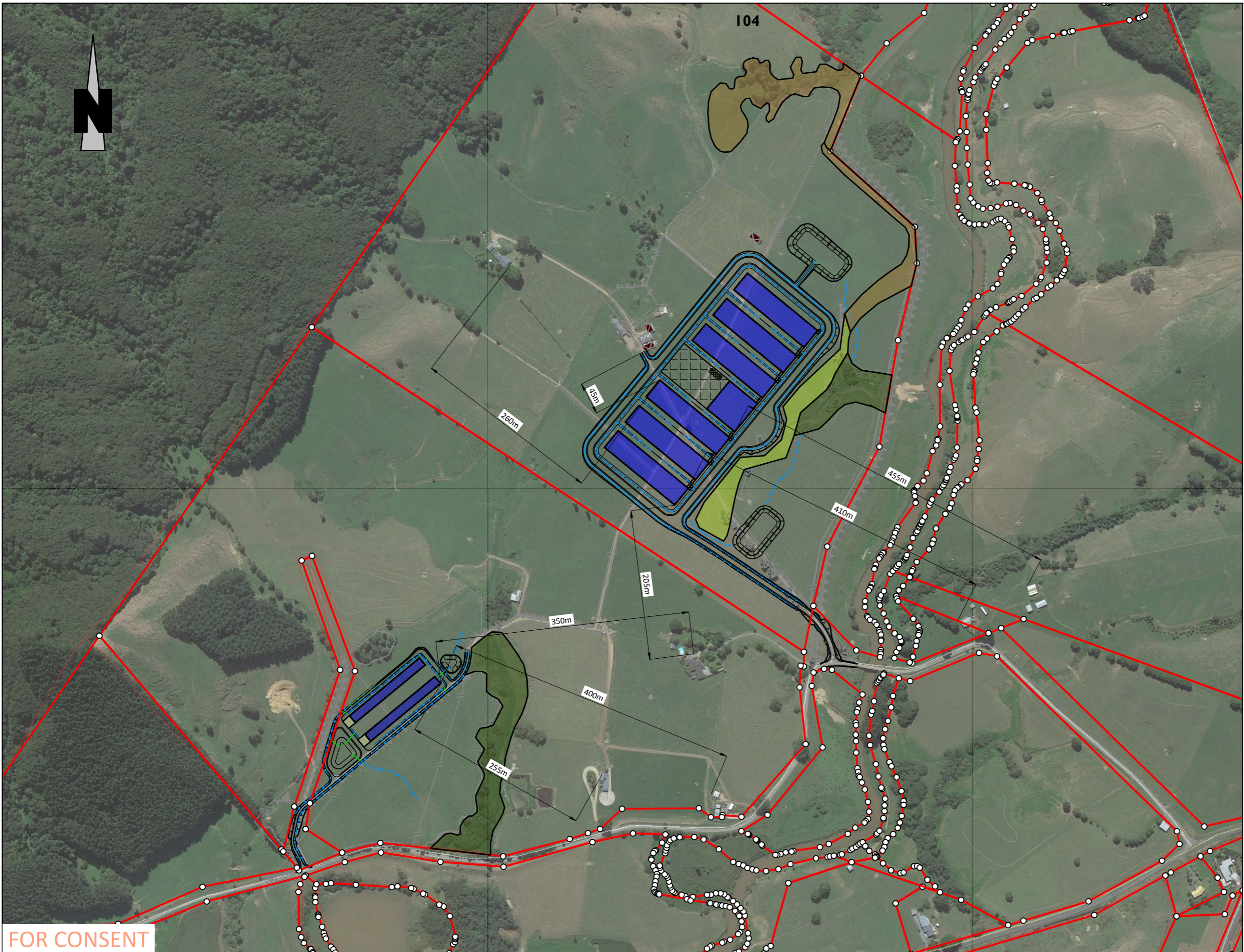


FRONT ELEVATION
SCALE: NTS



REAR ELEVATION
SCALE: NTS

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|---|-----|-------------|-------|----------|----------|------|--|------------------|-----------------------------|--------------------|---------------|--------------|
| | | | | YUSRA.MJ | DANI | | | | Customer Name | MAINLAND | P102 | - ELEVATIONS |
| | | | | | | | | | Project Name | ORINI REARING | | |
| | | | | | | | | | Location | ORINI, NEW ZEALAND | | |
| | | | | | | | Bldg. System | REARING | | | | |
| | | | | | | | | Bldg. Dimension | 107m (L) x 16m (W) x 3m (H) | | | |



NOTES:

General

- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEIV UAPOTO Road
Reduced level = 30.560m
- G-2. Major contour interval = N/A
Minor contour interval = N/A
- G-3. All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
- G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
- G-5. For any work located in a designated road reserve, a street opening permit will be required.
All excavations in road reserves shall comply with the National Code of Practice for Utilities' Access to the Transport Corridors

FOR CONSENT



Auckland Office:
A: 25 Broadway, Newmarket
P: 09 524 7029
Hamilton Office:
A: 58 Church Road, Hamilton
P: 07 849 9921
Te Awamutu Office:
A: 103 Market Street, Te Awamutu
P: 07 871 6144

**SITE LAYOUT
EXISTING BUILDING
OFFSET PLAN**

**PROPOSED SITE LAYOUT
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed: | SMcD | Date | Scale : |
|-------|-------------|---------|----------|-----------|-------|----------|-----------------|
| E0 | FOR CONSENT | VB | 31/01/18 | Drawn: | SMcD | 31/01/18 | 1:5000 |
| | | | | Checked: | VB | 31/01/18 | (A3 Original) |
| | | | | Job No: | U1175 | Dwg No: | 700 |
| | | | | Rev: | E0 | | |

NOTES:

General

- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
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Reduced level = 30.560m
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FOR CONSENT

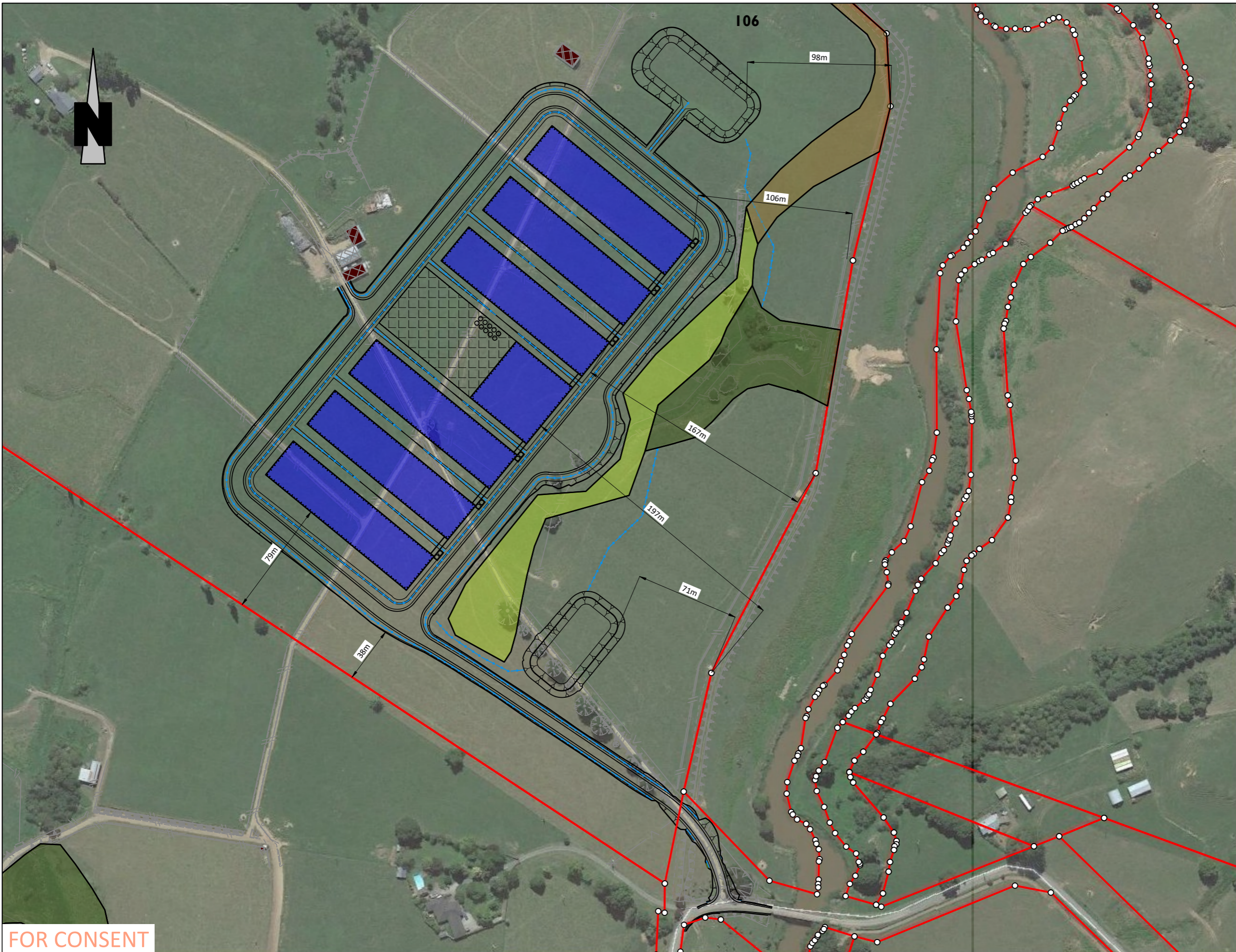


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**RAISING SHEDS LAYOUT
EXISTING BOUNDARY
OFFSET PLAN**

**PROPOSED SITE LAYOUT
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed: | SMcD | Date | Scale : |
|-------|-------------|---------|----------|-----------|-------|----------|-----------------|
| E0 | FOR CONSENT | VB | 31/01/18 | Drawn: | SMcD | 31/01/18 | 1:2000 |
| | | | | Checked: | VB | 31/01/18 | (A3 Original) |
| | | | | Job No: | U1175 | Dwg No: | 701 |
| | | | | Rev: | | | E0 |



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
 Vertical Datum = Moturiki 1953 (NZVD2016)
 Bench mark = BEIV UAPOTO Road
 Reduced level = 30.560m
 - G-2. Major contour interval = N/A
 Minor contour interval = N/A
 - G-3. All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
 - G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
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FOR CONSENT

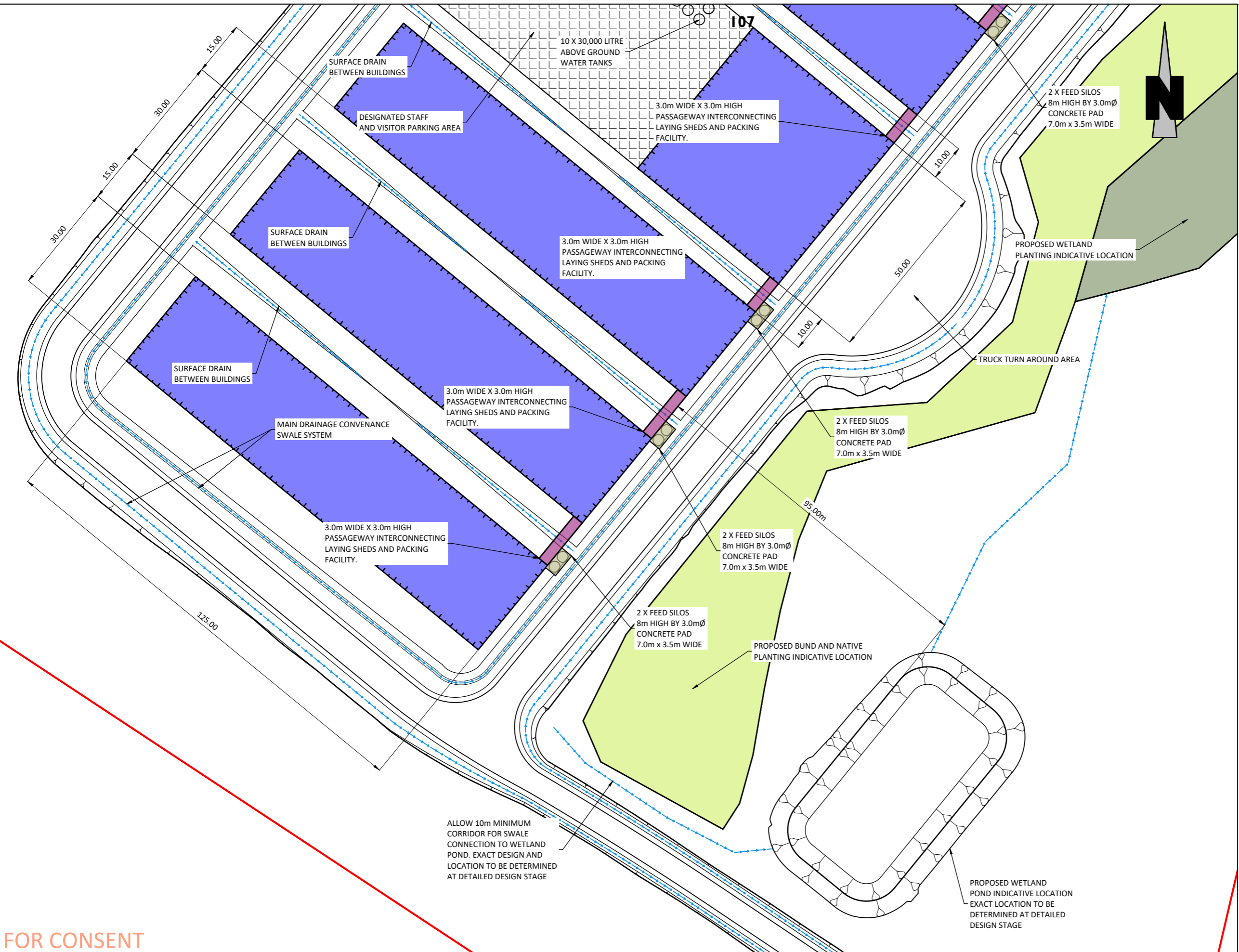


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 A: 103 Market Street, Te Awamutu
 P: 07 871 6144

**LAYING SHEDS LAYOUT
 EXISTING BOUNDARY
 OFFSET PLAN**

**PROPOSED SITE LAYOUT
 Mainland Poultry Ltd
 64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed: | SMcD | Date | Scale : |
|-------|-------------|---------|----------|-----------|-------|----------|-----------------|
| E0 | FOR CONSENT | VB | 31/01/18 | Drawn: | SMcD | 31/01/18 | 1:2500 |
| | | | | Checked: | VB | 31/01/18 | (A3 Original) |
| | | | | Job No: | U1175 | Dwg No: | 702 |
| | | | | Rev: | E0 | | |



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
 Vertical Datum = Moturiki 1953 (NZVD2016)
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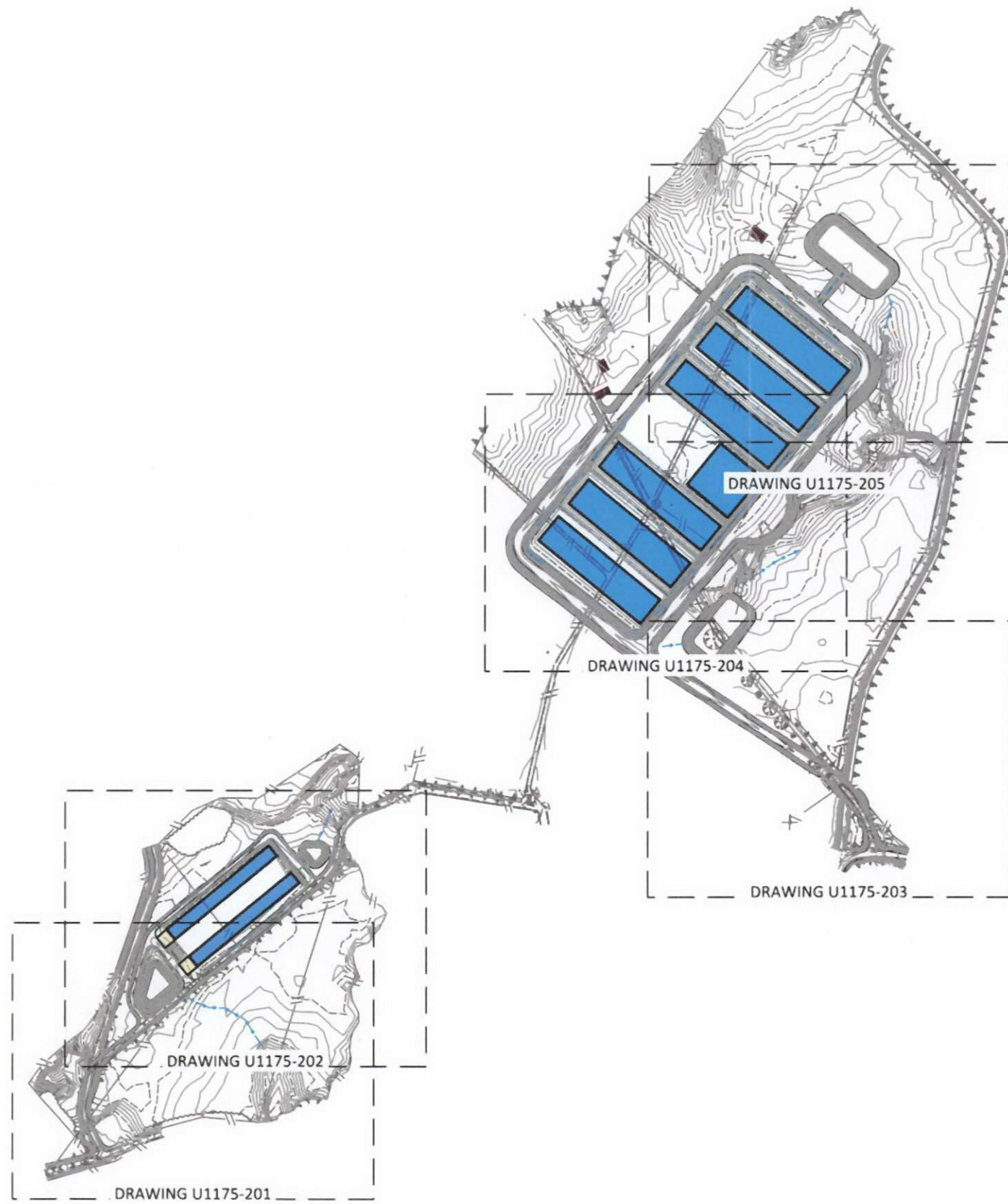


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**LAYING AREA
 BUILDING LAYOUT PLAN
 SHEET 1 OF 2**

**PROPOSED SITE LAYOUT
 Mainland Poultry Ltd
 64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed: | SMcD | Date | Scale : |
|-------|-------------|---------|----------|-----------|-------|----------|-----------------|
| E0 | FOR CONSENT | VB | 31/01/18 | Drawn: | SMcD | 31/01/18 | 1:1000 |
| | | | | Checked: | VB | 31/01/18 | (A3 Original) |
| | | | | Job No: | U1175 | Dwg No: | 704 |
| | | | | | | Rev: | E0 |



NOTES:
General

- G-1 Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEIV UAPOTO Road
Reduced level = 30.560m
- G-2 Major contour interval = 1.0m
Minor contour interval = 0.2m
- G-3 All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
- G-4 Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
- G-5 For any work located in a designated road reserve, a street opening permit will be required.
All excavations in road reserves shall comply with the National Code of Practice for Utilities' Access to the Transport Corridors

SCANNED
Set No. _____

FOR CONSENT



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A: 25 Broadway, Newmarket
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Hamilton Office:
A: 58 Church Road, Hamilton
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Te Awamutu Office:
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**EARTHWORKS
LOCATION AND LAYOUT
PLAN**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:5000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 200 | E3 |

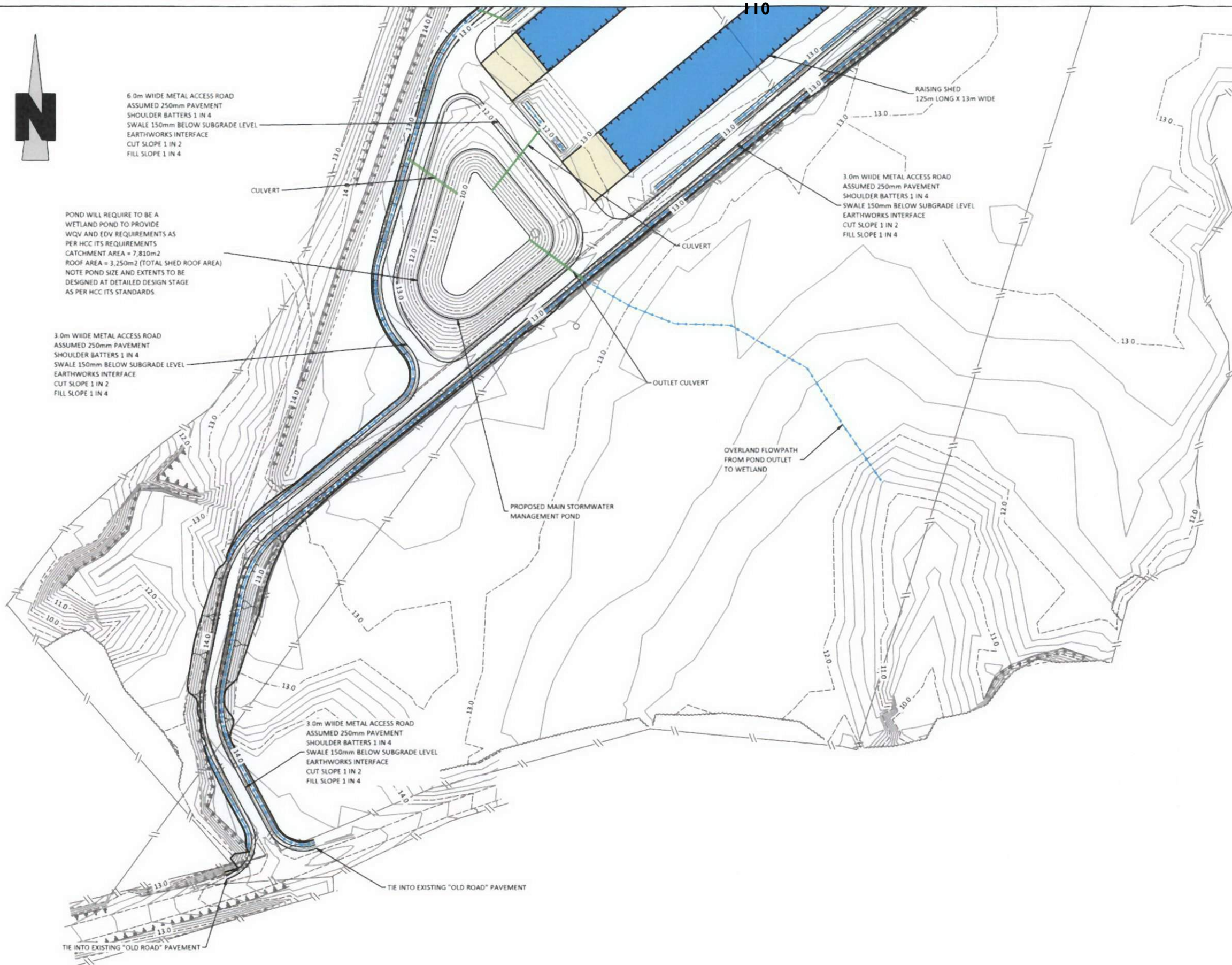


6.0m WIDE METAL ACCESS ROAD
ASSUMED 250mm PAVEMENT
SHOULDER BATTERS 1 IN 4
SWALE 150mm BELOW SUBGRADE LEVEL
EARTHWORKS INTERFACE
CUT SLOPE 1 IN 2
FILL SLOPE 1 IN 4

POND WILL REQUIRE TO BE A
WETLAND POND TO PROVIDE
WQV AND EDV REQUIREMENTS AS
PER HCC ITS REQUIREMENTS
CATCHMENT AREA = 7,810m²
ROOF AREA = 3,250m² (TOTAL SHED ROOF AREA)
NOTE POND SIZE AND EXTENTS TO BE
DESIGNED AT DETAILED DESIGN STAGE
AS PER HCC ITS STANDARDS.

3.0m WIDE METAL ACCESS ROAD
ASSUMED 250mm PAVEMENT
SHOULDER BATTERS 1 IN 4
SWALE 150mm BELOW SUBGRADE LEVEL
EARTHWORKS INTERFACE
CUT SLOPE 1 IN 2
FILL SLOPE 1 IN 4

3.0m WIDE METAL ACCESS ROAD
ASSUMED 250mm PAVEMENT
SHOULDER BATTERS 1 IN 4
SWALE 150mm BELOW SUBGRADE LEVEL
EARTHWORKS INTERFACE
CUT SLOPE 1 IN 2
FILL SLOPE 1 IN 4



NOTES:
General

- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEIV UAPOTO Road
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"Erosion & Sediment Control Guidelines for Land
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- G-4. Contractor to liaise with relevant authorities, locate
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prior to commencement of works.
- G-5. For any work located in a designated road reserve, a street
opening permit will be required.
All excavations in road reserves shall comply with the
National Code of Practice for Utilities' Access to the
Transport Corridors

FOR CONSENT

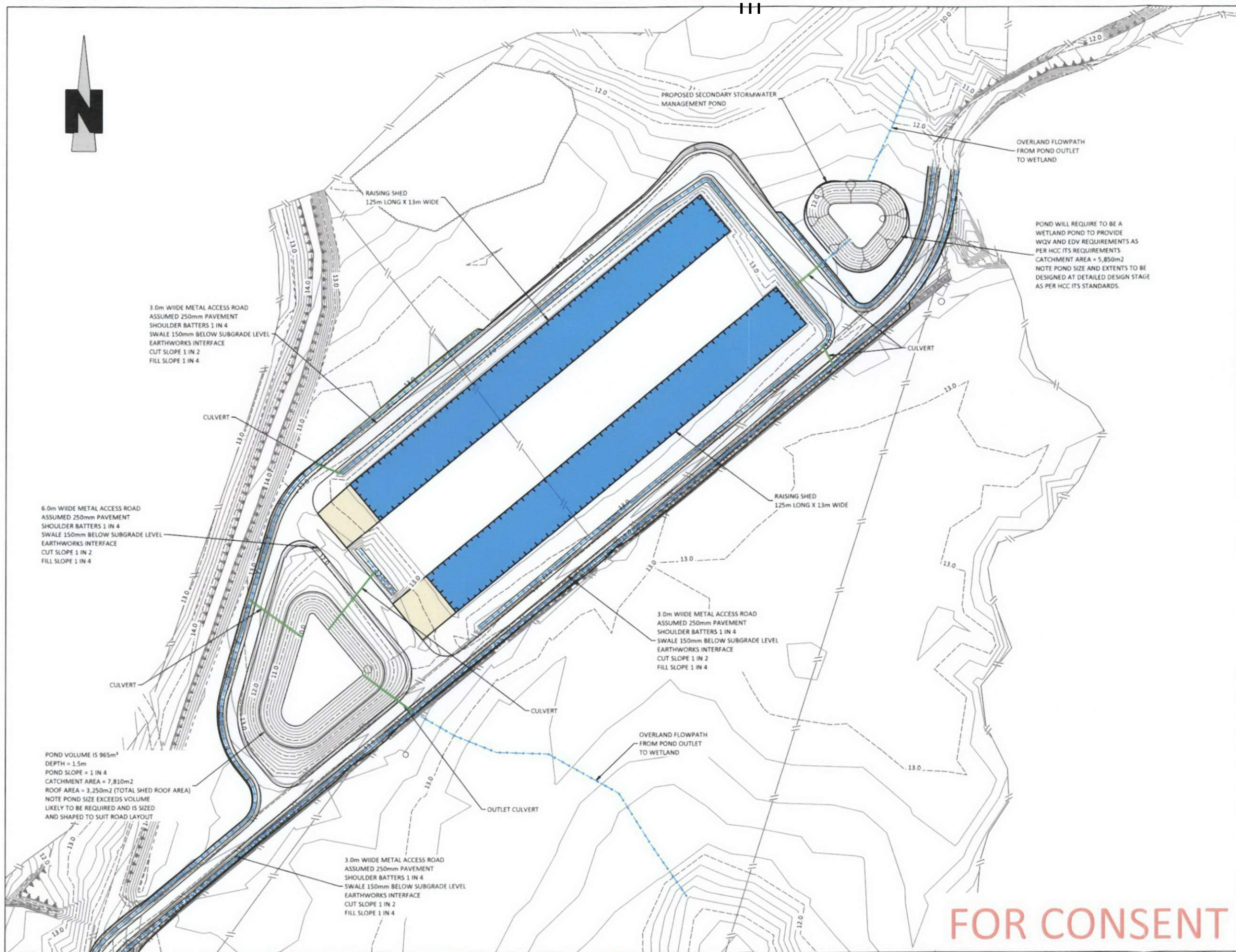


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**EARTHWORKS
LAYOUT PLAN
SHEET 1 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 201 | E3 |



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
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FOR CONSENT

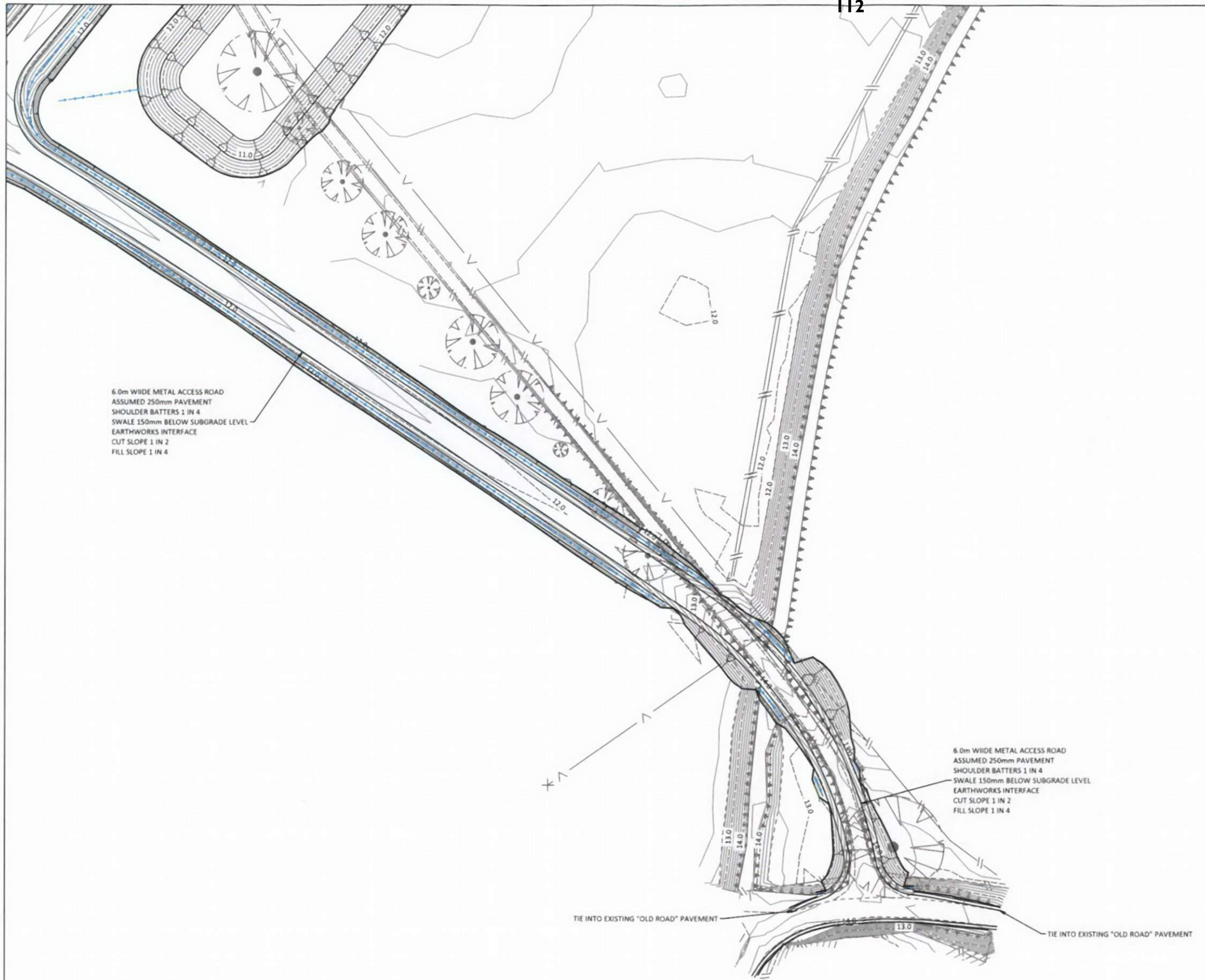


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A: 103 Market Street, Te Awamutu
P: 07 871 6144

**EARTHWORKS
LAYOUT PLAN
SHEET 2 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|-------------|----------|-------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 202 | E3 |



NOTES:
General

- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
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FOR CONSENT

CKL
Planning | Surveying | Engineering | Environmental

Auckland Office:
A: 25 Broadway, Newmarket
P: 09 524 7029

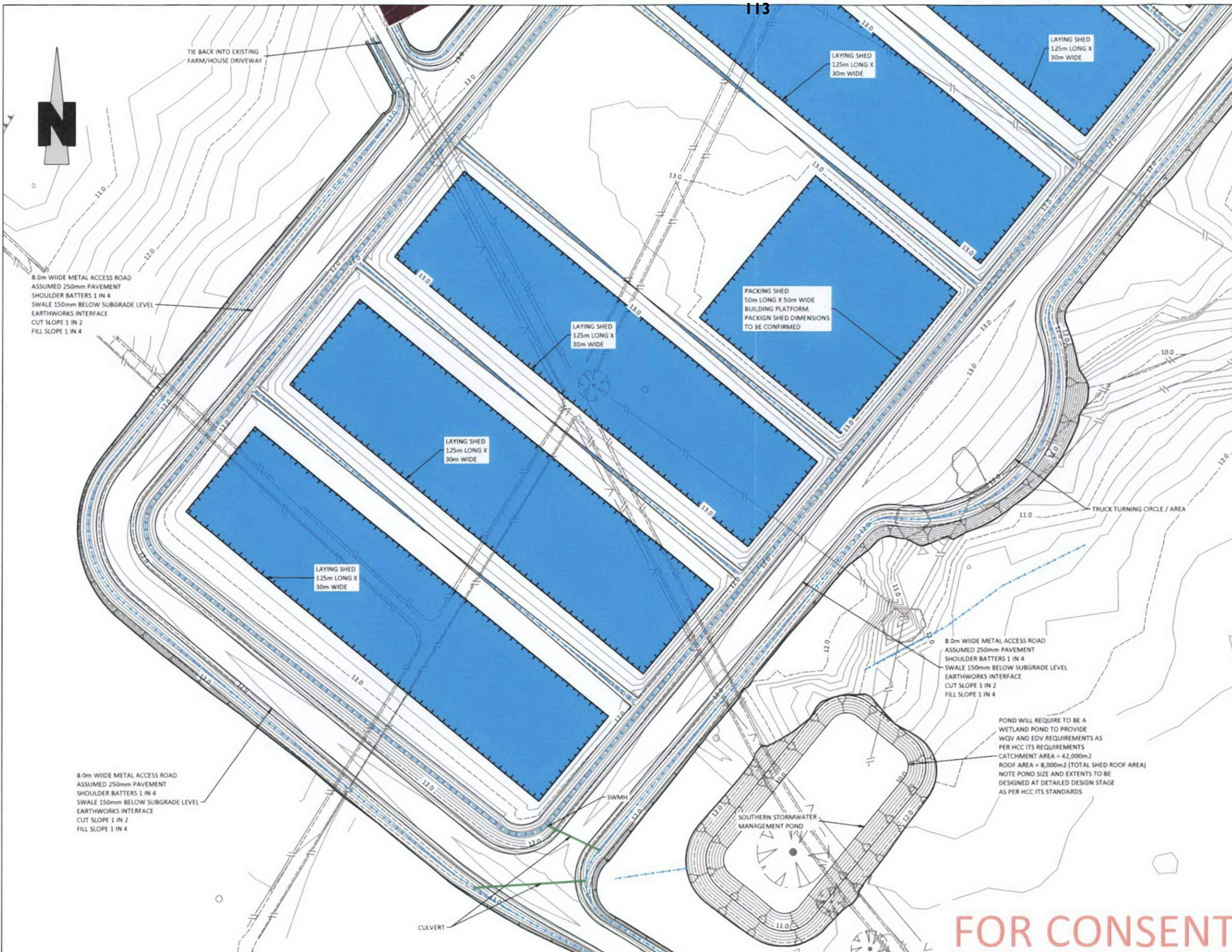
Hamilton Office:
A: 58 Church Road, Hamilton
P: 07 849 9921

Te Awamutu Office:
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P: 07 871 6144

**EARTHWORKS
LAYOUT PLAN
SHEET 3 OF 5**

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 203 | E3 |



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
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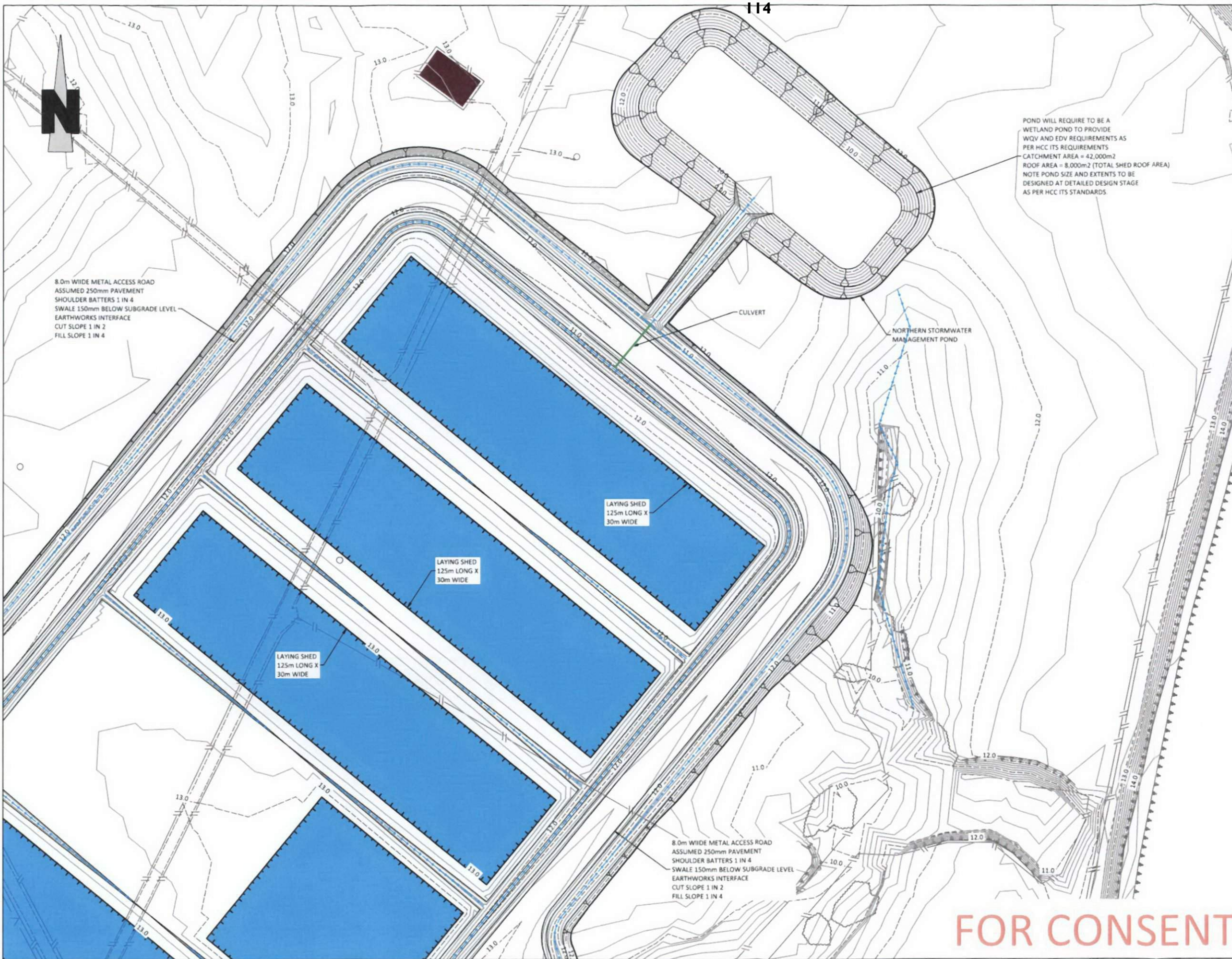
FOR CONSENT

Auckland Office:
A: 25 Broadway, Newmarket
P: 09 524 7029
Hamilton Office:
A: 58 Church Road, Hamilton
P: 07 849 9921
Te Awamutu Office:
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**EARTHWORKS
LAYOUT PLAN
SHEET 4 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 204 | E3 |



114

POND WILL REQUIRE TO BE A WETLAND POND TO PROVIDE WQV AND EDV REQUIREMENTS AS PER HCC ITS REQUIREMENTS
 CATCHMENT AREA = 42,000m²
 ROOF AREA = 8,000m² (TOTAL SHED ROOF AREA)
 NOTE POND SIZE AND EXTENTS TO BE DESIGNED AT DETAILED DESIGN STAGE AS PER HCC ITS STANDARDS.

- NOTES:**
 General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
 Vertical Datum = Moturiki 1953 (NZVD2016)
 Bench mark = BEIV UAPOTO Road
 Reduced level = 30.560m
 - G-2. Major contour interval = 1.0m
 Minor contour interval = 0.2m
 - G-3. All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
 - G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
 - G-5. For any work located in a designated road reserve, a street opening permit will be required.
 All excavations in road reserves shall comply with the National Code of Practice for Utilities' Access to the Transport Corridors

8.0m WIDE METAL ACCESS ROAD
 ASSUMED 250mm PAVEMENT
 SHOULDER BATTERS 1 IN 4
 SWALE 150mm BELOW SUBGRADE LEVEL
 EARTHWORKS INTERFACE
 CUT SLOPE 1 IN 2
 FILL SLOPE 1 IN 4

LAYING SHED
 125m LONG X
 30m WIDE

LAYING SHED
 125m LONG X
 30m WIDE

LAYING SHED
 125m LONG X
 30m WIDE

8.0m WIDE METAL ACCESS ROAD
 ASSUMED 250mm PAVEMENT
 SHOULDER BATTERS 1 IN 4
 SWALE 150mm BELOW SUBGRADE LEVEL
 EARTHWORKS INTERFACE
 CUT SLOPE 1 IN 2
 FILL SLOPE 1 IN 4

FOR CONSENT



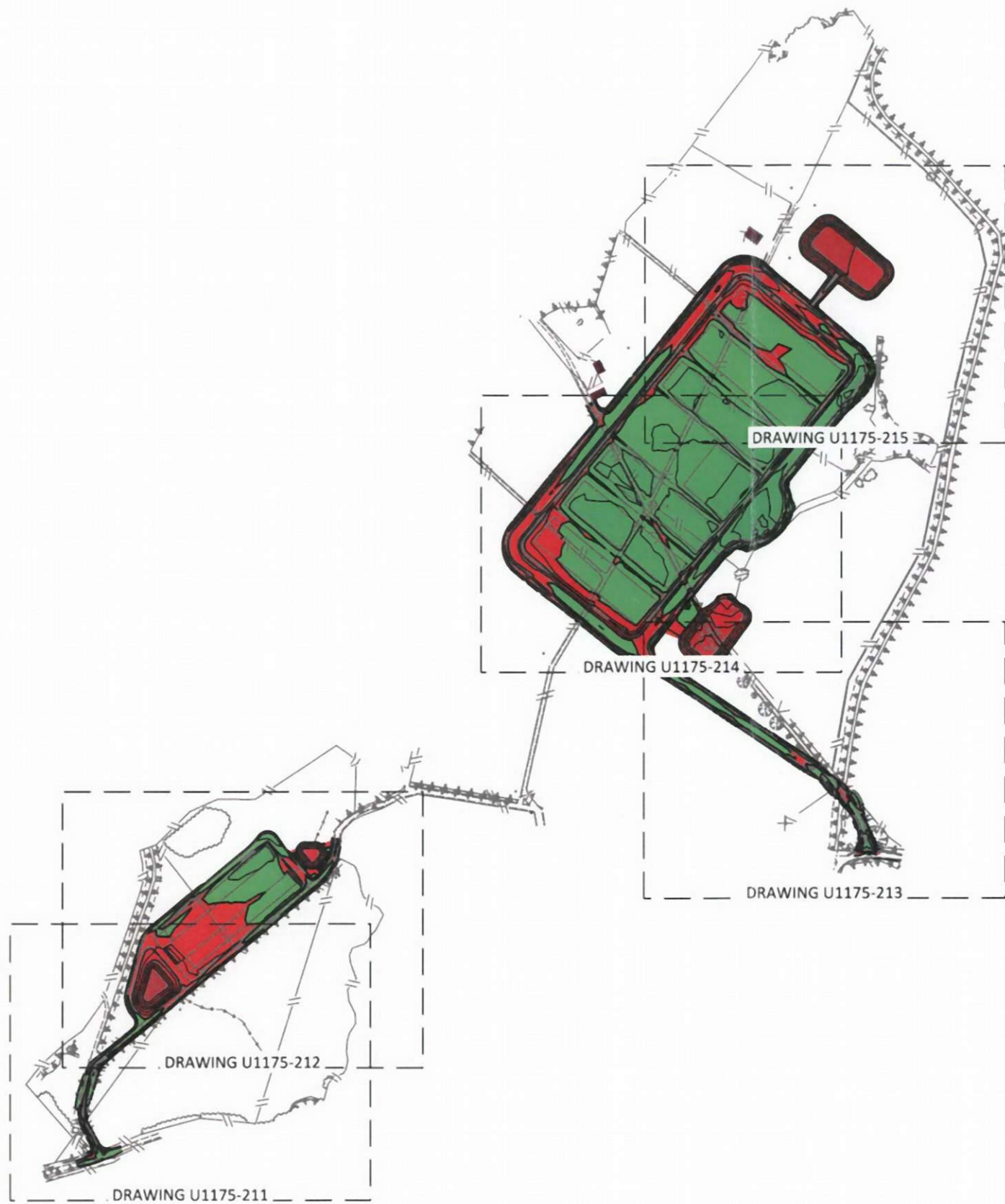
Auckland Office:
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**EARTHWORKS
 LAYOUT PLAN
 SHEET 5 OF 5**

**PROPOSED CIVIL WORKS
 Mainland Poultry Ltd
 64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|---------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | (A3 Original) |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 205 | E3 |

NOTE:
 DESIGN BASED ON BULK EARTHWORKS ONLY DUE TO GEOTECHNICAL INVESTIGATION NOT AVAILABLE AT TIME OF EARTHWORKS DESIGN. ROAD PAVEMENT AND SUBGRADE IMPROVEMENTS NOT TAKEN INTO ACCOUNT, ALSO BUILDING FOUNDATIONS NOT TAKEN INTO ACCOUNT. ANY EXCESS MATERIAL CAN BE UTILISED ONSITE TO CREATE PLANTING BUNDS AND OR LANDSCAPE AREAS.
 STORMWATER TREATMENT PONDS ARE INDICATIVE SIZES ONLY BASED ON SIMILAR PONDS FOR SIMILAR CATCHMENT AREAS ON OTHER PROJECTS. SPECIFIC POND DESIGN REQUIRED AND SPECIFIC DESIGN CAN BE REFINED AT DETAILED DESIGN STAGE OF THE DEVELOPMENT.



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
 Vertical Datum = Moturiki 1953 (NZVD2016)
 Bench mark = BEIV UAPOTO Road
 Reduced level = 30.560m
 - G-2. Major contour interval = 0.5m
 Minor contour interval = 0.3m
 - G-3. All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
 - G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
 - G-5. For any work located in a designated road reserve, a street opening permit will be required.
 All excavations in road reserves shall comply with the National Code of Practice for Utilities' Access to the Transport Corridors

| TOTAL EARTHWORKS VOLUMES | |
|-----------------------------|--|
| Description | Volume m ³ (Solid Measure) |
| Topsoil Strip | 21,800m ³ |
| Cut Available Earthworks | 27,200m ³ |
| Cut Available Roading | NA |
| Drainage & Services Surplus | NA |
| Total Cut Volume | 27,200m ³ |
| Fill Volume | 26,300m ³ |
| Unsuitable Material | NA |
| Compaction Factor | 0.8 Assumed |
| Fill Material Required | 32,900m ³ |
| Earthworks Balance | 5,700m ³ Fill Shortfall |

EARTHWORKS NOTE :
 EW 1. Volumes are between design surface and natural ground.
 EW 2. Topsoil volume assumed average of 200mm topsoil over the site.

LEGEND :

CUT

FILL

FOR CONSENT

SCALE @ A3 = 1:5000

CKL
 Planning | Surveying | Engineering | Environmental

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**EARTHWORKS
 CUT FILL
 OVERVIEW PLAN**

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
 64 Old Road, Orini

| Issue | Description | Checked | Date | Designed | Date | Scale : |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 210 | E3 |



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
 Vertical Datum = Moturiki 1953 (NZVD2016)
 Bench mark = BEIV UAPOTO Road
 Reduced level = 30.560m
 - G-2. Major contour interval = 0.5m
 Minor contour interval = 0.5m
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 - G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
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| AREA 1 EARTHWORKS VOLUMES | |
|-----------------------------|--|
| Description | Volume m ³ (Solid Measure) |
| Topsoil Strip | 5,800m ³ |
| Cut Available Earthworks | 6,200m ³ |
| Cut Available Roading | NA |
| Drainage & Services Surplus | NA |
| Total Cut Volume | 6,200m ³ |
| Fill Volume | 1,500m ³ |
| Unsuitable Material | NA |
| Compaction Factor | 0.8 Assumed |
| Fill Material Required | 1,900m ³ |
| Earthworks Balance | 4,300m ³ Excess Cut |

EARTHWORKS NOTE :
 EW 1. Volumes are between design surface and natural ground.
 EW 2. Topsoil volume assumed average of 200mm topsoil over the site.

LEGEND :

CUT

FILL

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**EARTHWORKS
 CUT FILL
 SHEET 1 OF 5**

**PROPOSED CIVIL WORKS
 Mainland Poultry Ltd
 64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale : |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 211 | E3 |



- NOTES:**
General
- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEIV UAPOTO Road
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 - G-2. Major contour interval = 0.5m
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| AREA 1 EARTHWORKS VOLUMES | |
|-----------------------------|--|
| Description | Volume m ³ (Solid Measure) |
| Topsoil Strip | 5,800m ³ |
| Cut Available Earthworks | 6,200m ³ |
| Cut Available Roading | NA |
| Drainage & Services Surplus | NA |
| Total Cut Volume | 6,200m ³ |
| Fill Volume | 1,500m ³ |
| Unsuitable Material | NA |
| Compaction Factor | 0.8 Assumed |
| Fill Material Required | 1,900m ³ |
| Earthworks Balance | 4,300m ³ Excess Cut |

EARTHWORKS NOTE :
EW 1. Volumes are between design surface and natural ground.
EW 2. Topsoil volume assumed average of 200mm topsoil over the site.

LEGEND :

CUT

FILL

FOR CONSENT

CKL
Planning | Surveying | Engineering | Environmental

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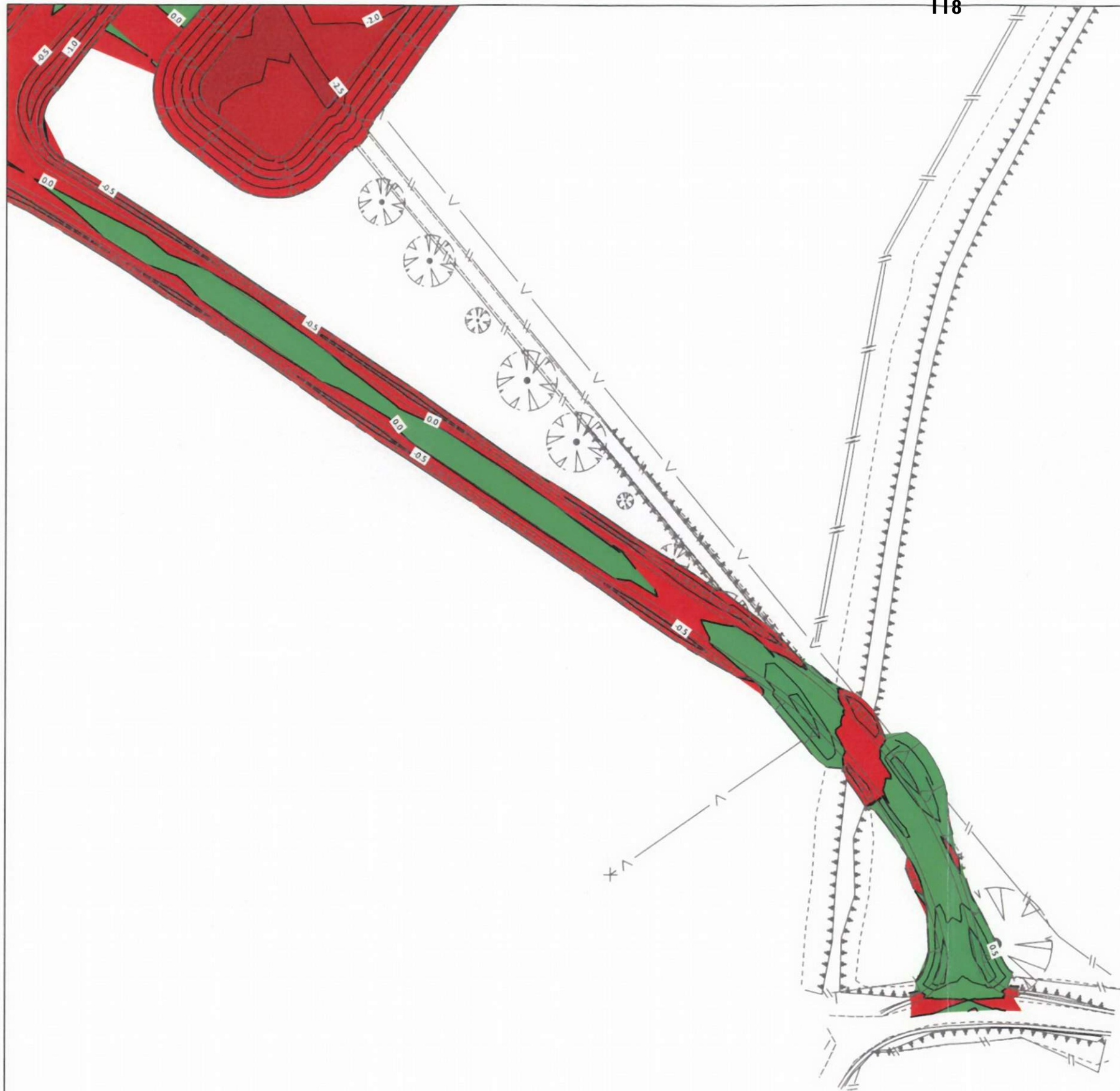
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**EARTHWORKS
CUT FILL
SHEET 2 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale : |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 212 | E3 |



NOTES:
General

- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
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- G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
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| AREA 2 EARTHWORKS VOLUMES | |
|-----------------------------|--|
| Description | Volume m ³ (Solid Measure) |
| Topsoil Strip | 16,000m ³ |
| Cut Available Earthworks | 21,000m ³ |
| Cut Available Roading | NA |
| Drainage & Services Surplus | NA |
| Total Cut Volume | 21,000m ³ |
| Fill Volume | 25,000m ³ |
| Unsuitable Material | NA |
| Compaction Factor | 0.8 Assumed |
| Fill Material Required | 31,000m ³ |
| Earthworks Balance | 10,000m ³ Fill Shortfall |

EARTHWORKS NOTE :
EW 1. Volumes are between design surface and natural ground.
EW 2. Topsoil volume assumed average of 200mm topsoil over the site.

LEGEND :

- CUT
- FILL

FOR CONSENT

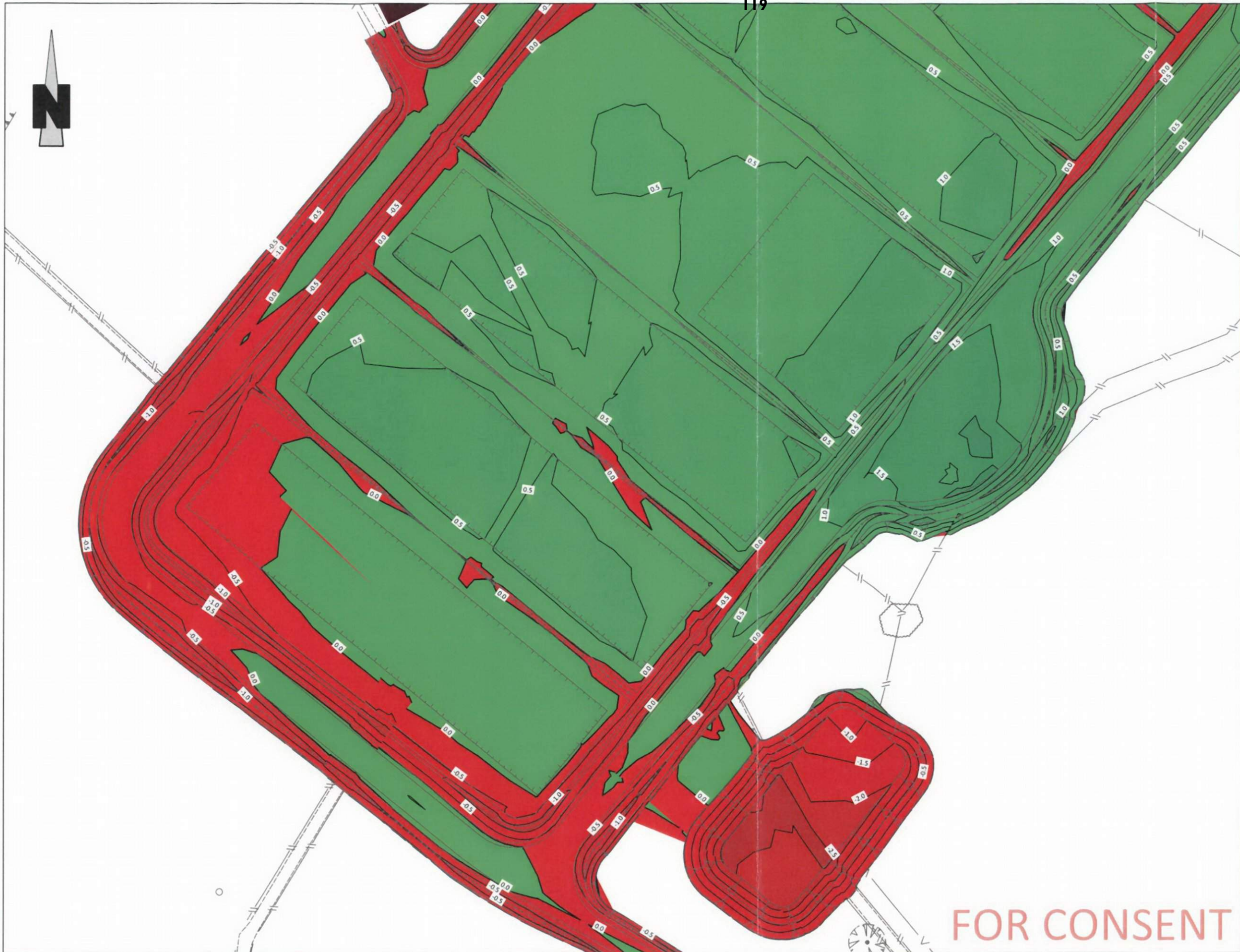


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**EARTHWORKS
CUT FILL
SHEET 3 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale : |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 213 | E3 |



NOTES:
General

- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
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| AREA 2 EARTHWORKS VOLUMES | |
|-----------------------------|--|
| Description | Volume m ³ (Solid Measure) |
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| Cut Available Roading | NA |
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| Total Cut Volume | 21,000m ³ |
| Fill Volume | 25,000m ³ |
| Unsuitable Material | NA |
| Compaction Factor | 0.8 Assumed |
| Fill Material Required | 31,000m ³ |
| Earthworks Balance | 10,000m ³ Fill Shortfall |

EARTHWORKS NOTE :
EW 1. Volumes are between design surface and natural ground.
EW 2. Topsoil volume assumed average of 200mm topsoil over the site.

LEGEND :

- CUT
- FILL

FOR CONSENT

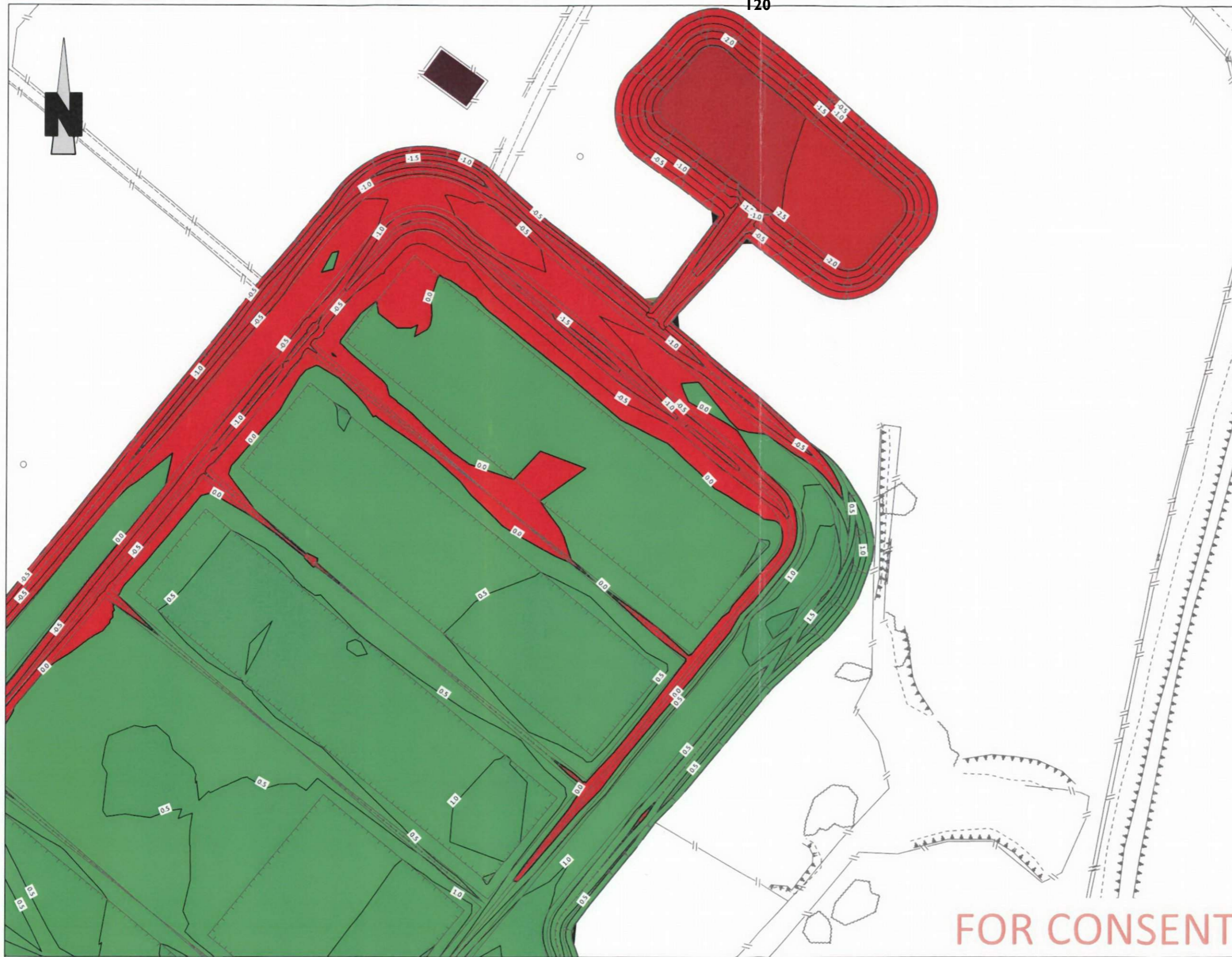


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**EARTHWORKS
CUT FILL
SHEET 4 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale : |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 16/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 214 | E3 |



NOTES:
General

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Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEW UAPOTO Road
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| Earthworks Balance | 10,000m ³ Fill Shortfall |

EARTHWORKS NOTE :
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EW 2. Topsoil volume assumed average of 200mm topsoil over the site.

LEGEND :

- CUT
- FILL

FOR CONSENT

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Planning | Surveying | Engineering | Environmental

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**EARTHWORKS
CUT FILL PLAN
SHEET 5 OF 5**

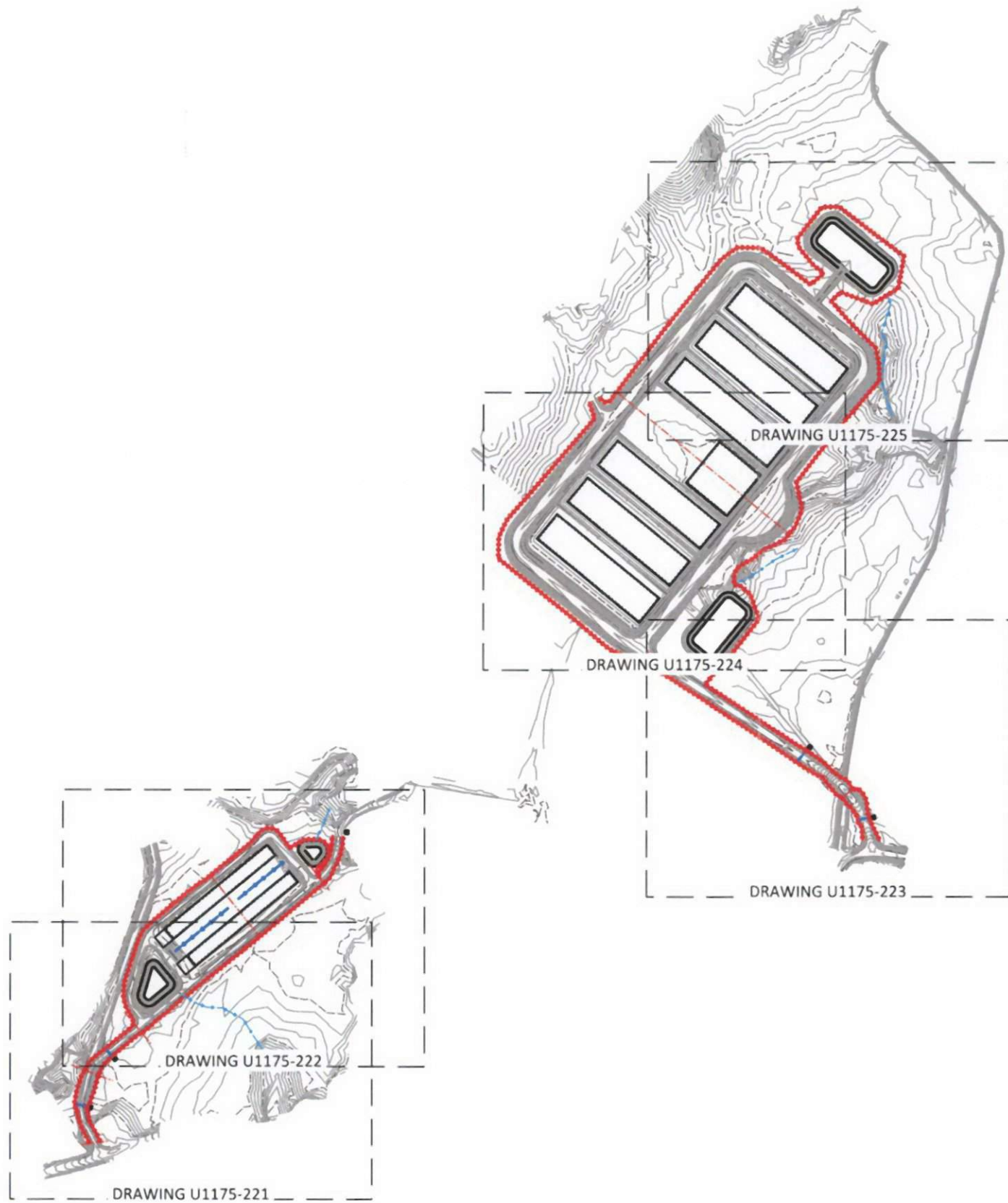
**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale : |
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| E0 | FOR CONSENT | WL | 16/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
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| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 16/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 215 | E3 |

NOTE:

DESIGN BASED ON BULK EARTHWORKS ONLY DUE TO GEOTECHNICAL INVESTIGATION NOT AVAILABLE AT TIME OF EARTHWORKS DESIGN. ROAD PAVEMENT AND SUBGRADE IMPROVEMENT NOT TAKEN INTO ACCOUNT, ALSO BUILDING FOUNDATIONS NOT TAKEN INTO ACCOUNT. ANY EXCESS MATERIAL CAN BE UTILISED ONSITE TO CREATE PLANTING BUNDS AND OR LANDSCAPE AREAS.

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NOTES:

General

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FOR CONSENT



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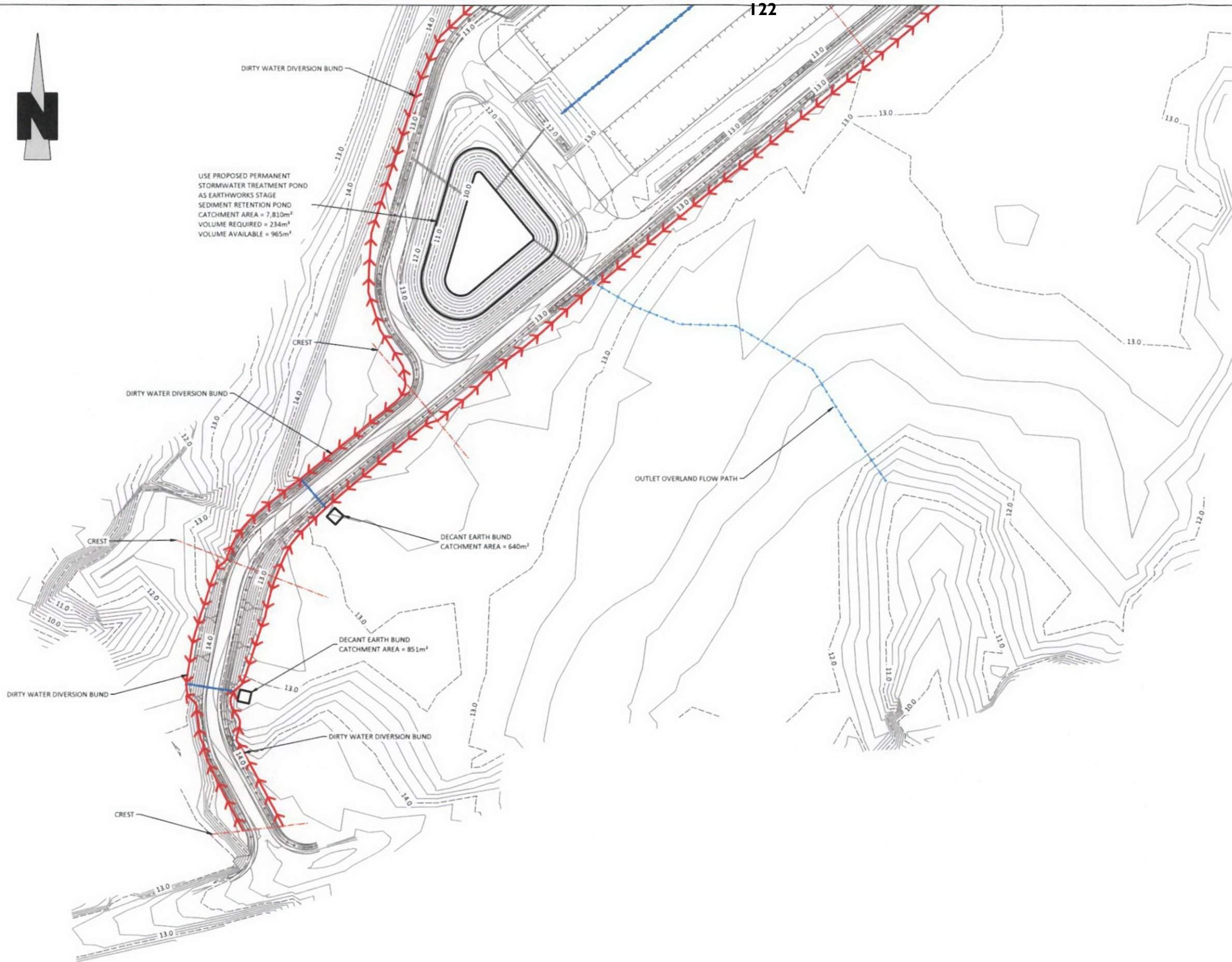
**EARTHWORKS
SEDIMENT & EROSION
OVERVIEW PLAN**

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|-------------------------|
| E0 | FOR CONSENT | WL | 15/02/17 | SMcD | 06/02/17 | 1:5000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 15/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 15/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 220 | E3 |



122



USE PROPOSED PERMANENT
STORMWATER TREATMENT POND
AS EARTHWORKS STAGE
SEDIMENT RETENTION POND
CATCHMENT AREA = 7,810m²
VOLUME REQUIRED = 234m³
VOLUME AVAILABLE = 965m³

DECANT EARTH BUND
CATCHMENT AREA = 640m²

DECANT EARTH BUND
CATCHMENT AREA = 851m²

NOTES:
General

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and flag all existing services on or adjacent to the site
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Transport Corridors

FOR CONSENT

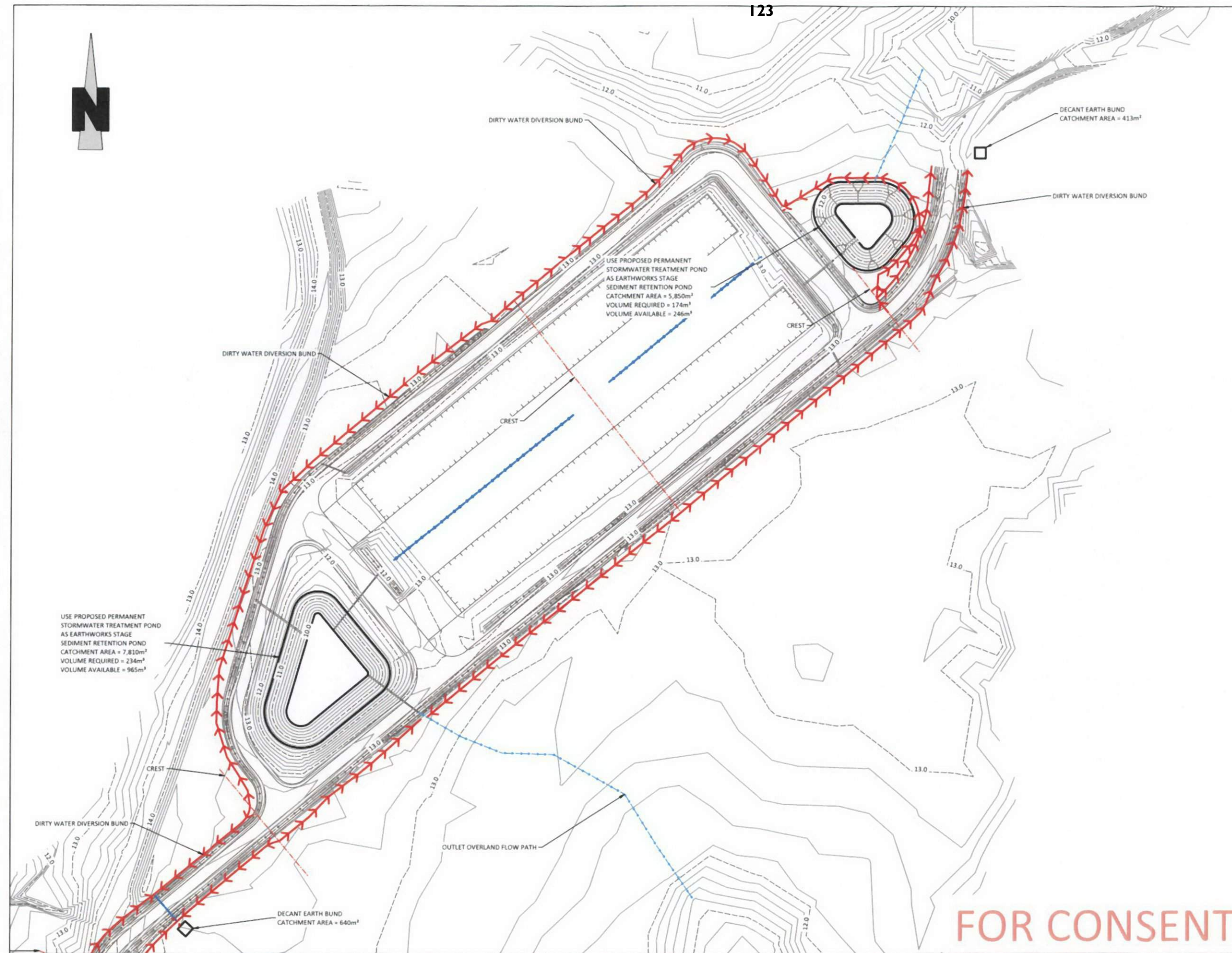


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**EARTHWORKS
SEDIMENT & EROSION
SHEET 1 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|--------------------------------|
| E0 | FOR CONSENT | WL | 15/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
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| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 15/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 221 | E3 |



- NOTES:**
General
- G-1 Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEIV UAPOTO Road
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 - G-2 Major contour interval = 1.0m
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 - G-3 All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
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**EARTHWORKS
SEDIMENT & EROSION
SHEET 2 OF 5**

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

| Issue | Description | Checked | Date | Designed | Date | Scale : |
|-------|----------------|---------|----------|--------------|------------|----------------------------------|
| E0 | FOR CONSENT | WL | 15/02/17 | SMcD | 06/02/17 | 1:1000 (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 15/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | WL | 15/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 222 | E3 |



- NOTES:**
- General**
- G-1. Horizontal Datum = Mt Eden Circuit 2000
Vertical Datum = Moturiki 1953 (NZVD2016)
Bench mark = BEIV UAPOTO Road
Reduced level = 30.560m
 - G-2. Major contour interval = 1.0m
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FOR CONSENT



CKL
Planning | Surveying | Engineering | Environmental

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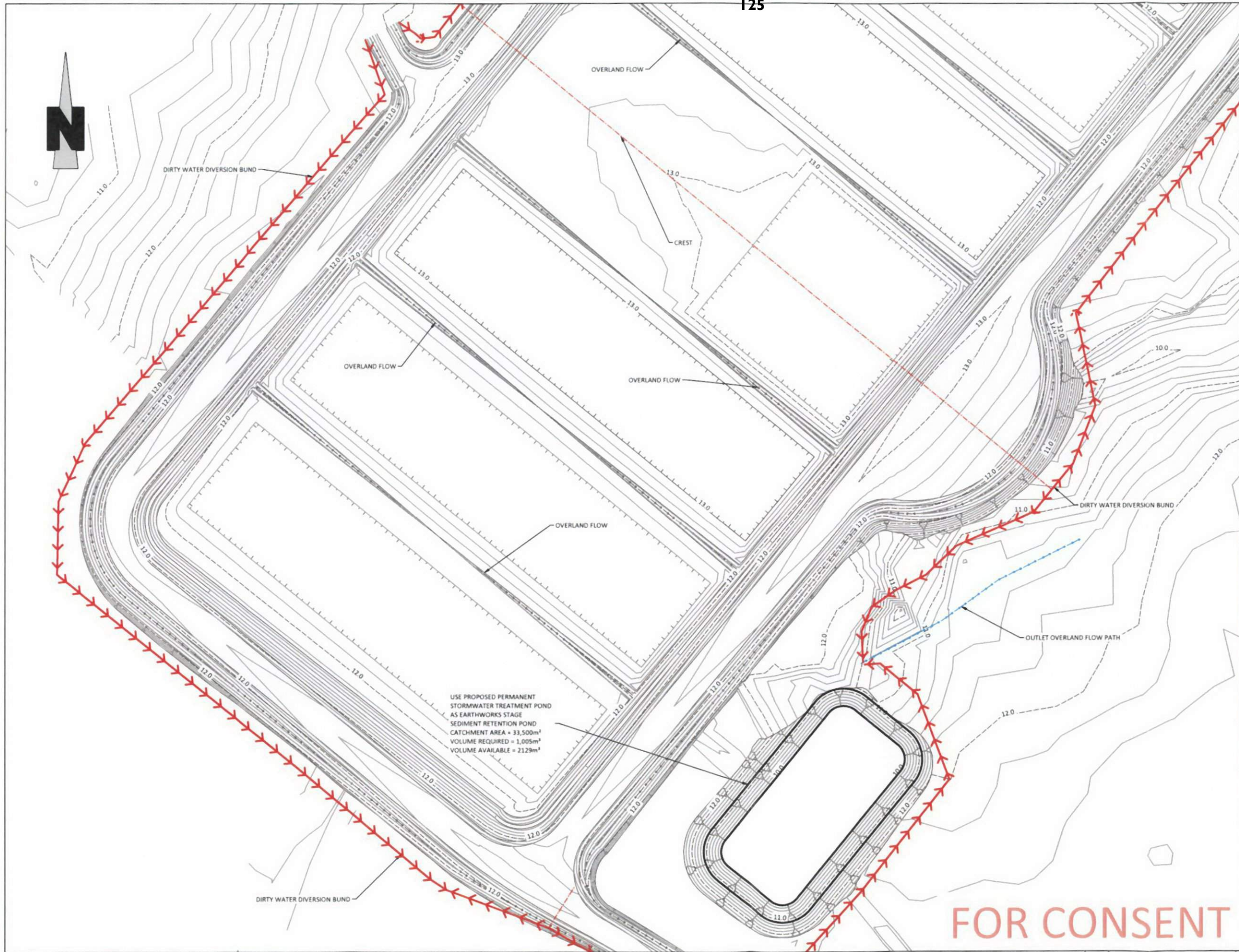
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**EARTHWORKS
SEDIMENT & EROSION
SHEET 3 OF 5**

**PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini**

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| E3 | FOR CONSENT | WL | 12/12/17 | WL | 15/02/17 | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 223 | E3 |



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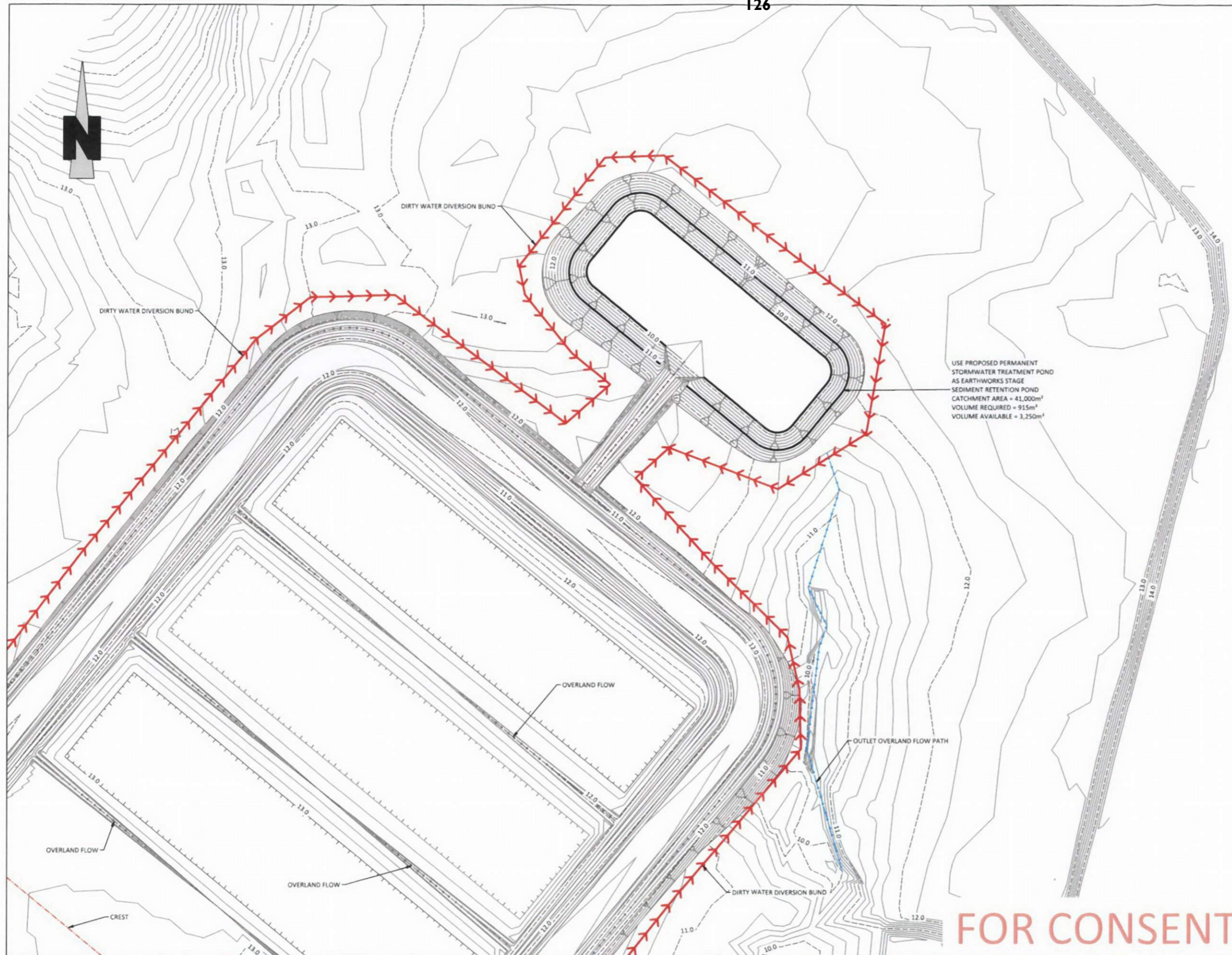
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SEDIMENT & EROSION
SHEET 4 OF 5**

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Mainland Poultry Ltd
64 Old Road, Orini**

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**EARTHWORKS
 SEDIMENT & EROSION
 SHEET 5 OF 5**

**PROPOSED CIVIL WORKS
 Mainland Poultry Ltd
 64 Old Road, Orini**

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| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 225 | E3 |

STABILISED CONSTRUCTION ENTRANCE SPECIFICATIONS:

APPLICATION

USE A STABILISED CONSTRUCTION ENTRANCE AT ALL POINTS OF CONSTRUCTION SITE INGRESS AND EGRESS WITH A CONSTRUCTION PLAN LIMITING TRAFFIC TO THESE ENTRANCES ONLY. THEY ARE PARTICULARLY USEFUL ON SMALL CONSTRUCTION SITES BUT CAN BE UTILISED FOR ALL PROJECTS.

DESIGN:

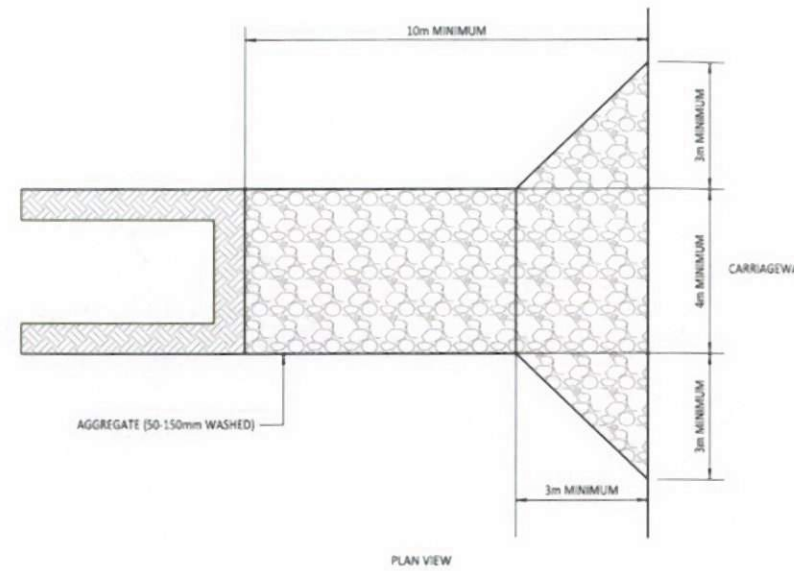
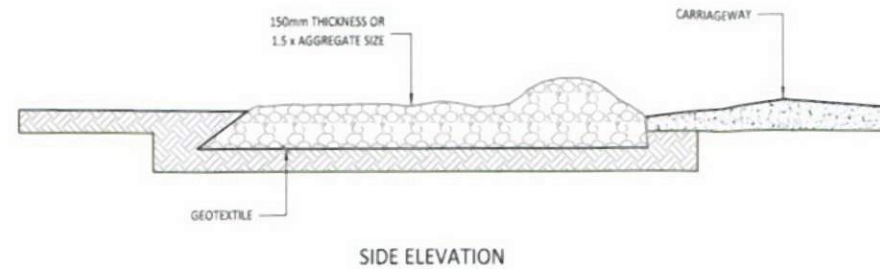
1. CLEAR THE ENTRANCE AND EXIT AREA OF ALL VEGETATION, ROOTS AND OTHER UNSUITABLE MATERIAL AND PROPERLY GRADE IT.
2. LAY WOVEN GEOTEXTILE, PIN DOWN EDGES AND OVERLAP JOINTS.
3. PROVIDE DRAINAGE TO CARRY RUNOFF FROM THE STABILISED CONSTRUCTION ENTRANCE TO A SEDIMENT CONTROL MEASURE.
4. PLACE AGGREGATE TO THE SPECIFICATIONS BELOW AND SMOOTH IT.

STABILISED CONSTRUCTION ENTRANCE AGGREGATE SPECIFICATIONS:

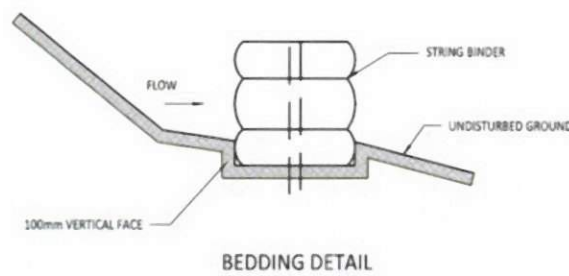
| | |
|----------------|---------------------------------------|
| AGGREGATE SIZE | 5-150mm WASHED AGGREGATE |
| THICKNESS | 150mm MINIMUM OR 1.5 X AGGREGATE SIZE |
| LENGTH | 10m MINIMUM LENGTH RECOMMENDED |
| WIDTH | 4m MINIMUM |

MAINTENANCE

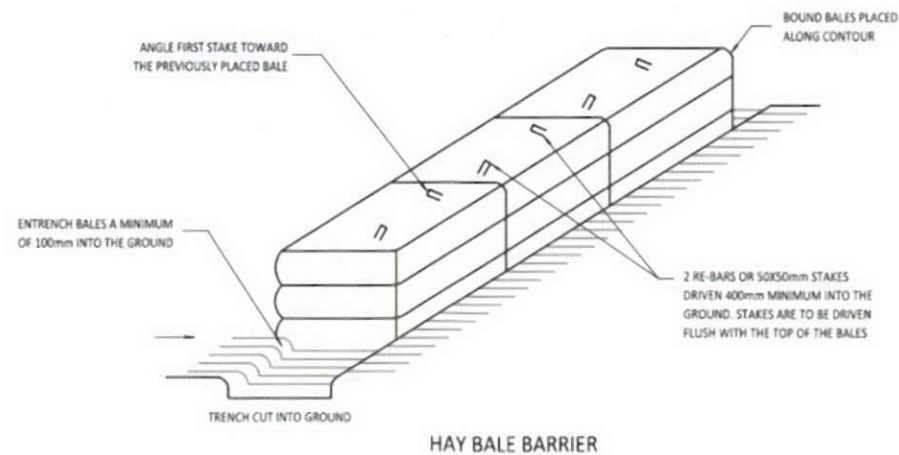
1. MAINTAIN THE STABILISED CONSTRUCTION ENTRANCE IN A CONDITION TO PREVENT SEDIMENT FROM LEAVING THE CONSTRUCTION SITE. AFTER EACH RAINFALL INSPECT ANY STRUCTURE USED TO TRAP SEDIMENT FROM THE STABILISED CONSTRUCTION ENTRANCE AND CLEAN OUT AS NECESSARY.
2. WHEN WHEEL WASHING IS ALSO REQUIRED, ENSURE THIS IS DONE ON AN AREA STABILISED WITH AGGREGATE WHICH DRAINS TO AN APPROVED SEDIMENT RETENTION FACILITY.



STABILISED CONSTRUCTION ENTRANCE



BEDDING DETAIL



HAY BALE BARRIER

GENERAL NOTES:

1. ALL EROSION AND SEDIMENT CONTROL MEASURES MUST BE OPERATIONAL PRIOR TO ANY OTHER WORKS COMMENCING ON SITE. THE CONTRACTOR SHALL ARRANGE FOR AND ATTEND A PRELIMINARY SEDIMENT CONTROL MEETING ON-SITE WITH THE ENGINEER AND COUNCILS REPRESENTATIVE.
2. A COPY OF THE EROSION MANAGEMENT PLAN SHALL BE AVAILABLE ON THE SITE DURING WORK HOURS AND ALL PERSONNEL INVOLVED IN EARTHWORK ACTIVITIES ON THE SITE (INCLUDING OF SUB-CONTRACTORS) SHALL BE FAMILIAR WITH THE CONSENT AND PLAN REQUIREMENTS AS THEY RELATE TO EROSION AND SEDIMENT CONTROL.
3. THAT ALL "CLEANWATER" RUNOFF FROM STABILISED SURFACES INCLUDING CATCHMENT AREAS ABOVE THE SITE SHALL BE DIVERTED AWAY FROM EARTHWORK AREAS VIA STABILISED SYSTEM, SO AS TO PREVENT SURFACE EROSION.
4. ALL EROSION AND SEDIMENT CONTROL SHALL COMPLY WITH THE "EROSION AND SEDIMENT CONTROL GUIDELINES FOR LAND DISTURBING ACTIVITIES" WRC TECHNICAL PUBLICATION DATED JANUARY 2009 AND ANY AMENDMENTS TO THIS DOCUMENT.
 - (i) DIVERSION OF "CLEAN WATER" FROM THE ABOVE CATCHMENTS AROUND THE EARTHWORKS AREA BY MEANS OF DIVERSION DRAINS, AND/OR OTHER APPROVED METHOD.
 - (ii) CONSTRUCTION OF CUT OFF DRAINS, CONTOUR DRAINS AND EARTH BUNDS TO INTERCEPT SILT LADEN WATERS AND DIRECT INTO RETENTION PONDS AND OTHER SEDIMENT CONTROL FACILITIES. CONTOUR DRAINS ARE TO BE SPREAD AT 100m INTERVALS WITH THE SLOPE LIMITED TO 2%.
 - (iii) CONSTRUCTION OF SEDIMENT RETENTION POND TO COLLECT SILT FROM (ii) ABOVE WITH THE ADDITIONAL TEMPORARY CONSTRUCTION OF HAY BALE BARRIER/SILT FENCES AS REQUIRED.
 - (iv) THAT THE SITE BE STABILISED AGAINST EROSION AS SOON AS PRACTICABLE. REVEGETATION IS TO BE COMPLETED BY 30 APRIL IN THE YEAR OF EARTHWORKS CONSTRUCTION, UNLESS A LATER DATE IS APPROVED IN WRITING BY THE WAIKATO REGIONAL COUNCIL.
 - (v) MAINTENANCE OF ALL SEDIMENT CONTROL FACILITIES AS REQUIRED.
 - (vi) A CERTIFICATE INDICATING THAT ALL THE APPROPRIATE SEDIMENT CONTROL MEASURES ARE INSTALLED WILL BE SUBMITTED TO THE WAIKATO REGIONAL COUNCIL WITHIN 7 DAYS FOLLOWING THE CONSTRUCTION OF THE CONTROLS.
6. FURTHER SEDIMENT CONTROL WORKS MAY BE REQUIRED BY THE ENGINEER AS THE PROJECT ADVANCES. THESE WILL BE INSTALLED AS AND WHERE DIRECTED BY THE ENGINEER. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ENSURING THAT THE SITE HAS EFFECTIVE SILT DETENTION FACILITIES OPERATING AT ALL TIMES.

NOTES:

General

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FOR CONSENT

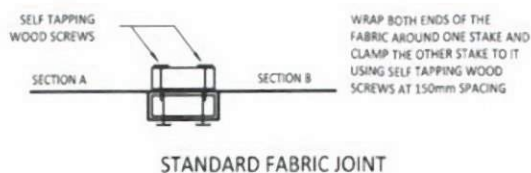
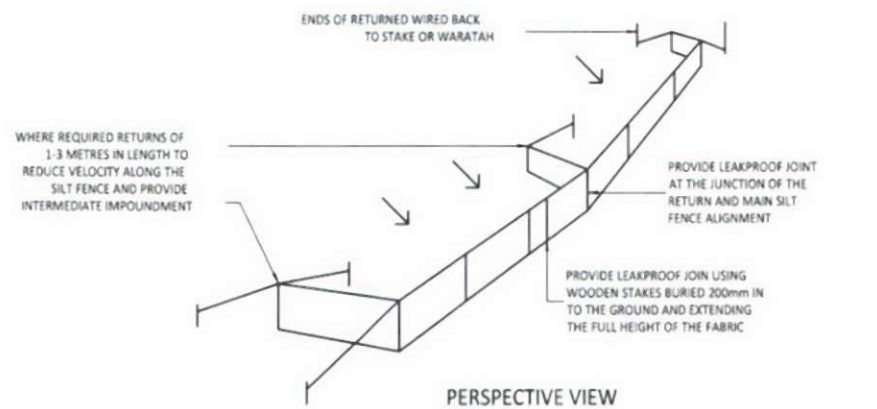


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SEDIMENT & EROSION
TYPICAL DETAILS
SHEET 1 OF 5

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

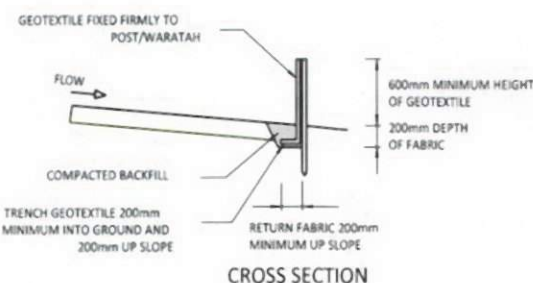
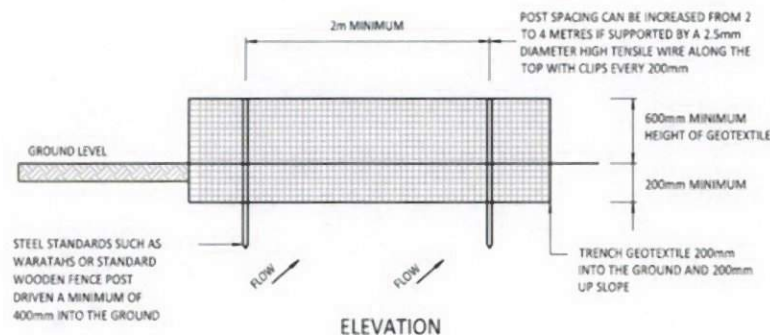
| Issue | Description | Checked | Date | Designed | Date | Scale |
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| E0 | FOR CONSENT | WL | 07/02/17 | SMcD | 06/02/17 | NTS (A3 Original) |
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| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 231 | E3 |



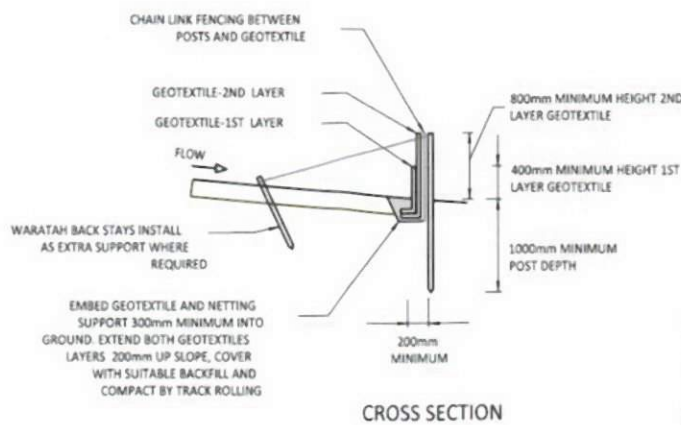
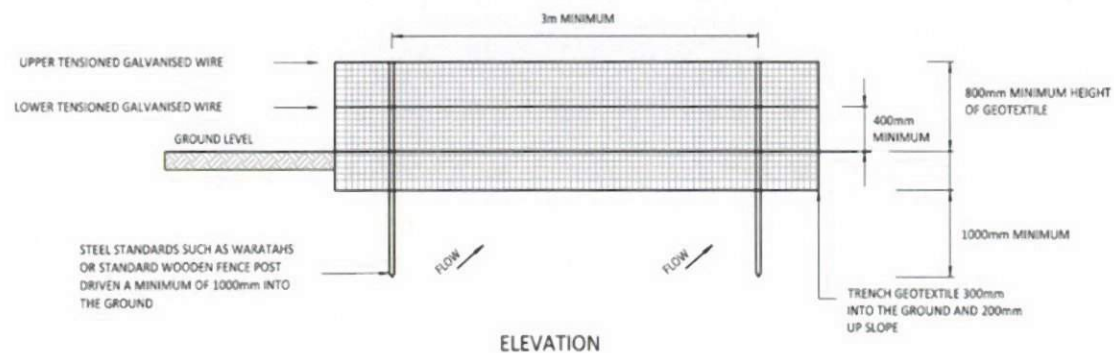
SILT FENCE DESIGN CRITERIA:

| SLOPE STEEPNESS % | SLOPE LENGTH (m) (MAXIMUM) | SPACING OF RETURNS (m) |
|-------------------|----------------------------|------------------------|
| < 2% | N/A | UNLIMITED |
| 2-10% | 40 | 60 |
| 10-20% | 30 | 50 |
| 20-33% | 20 | 40 |
| 33-50% | 15 | 30 |
| >50% | 6 | 20 |

GRAB TENSILE STRENGTH: >440N (ASTM D4632)
 TENSILE MODULUS: 0.140 pa (MINIMUM)
 APPARENT OPENING SIZE: 0.1-0.5mm (ASTM D4751)



SILT FENCE CONSTRUCTION



SUPER SILT FENCE DESIGN CRITERIA:

| SLOPE STEEPNESS % | SLOPE LENGTH (m) (MAXIMUM) | SPACING OF RETURNS (m) |
|-------------------|----------------------------|------------------------|
| 0-10% | UNLIMITED | 60 |
| 10-20% | 60 | 50 |
| 20-33% | 30 | 40 |
| 33-50% | 30 | 30 |
| >50% | 15 | 20 |

SUPER SILT FENCE CONSTRUCTION

FOR CONSENT

NOTES:

General

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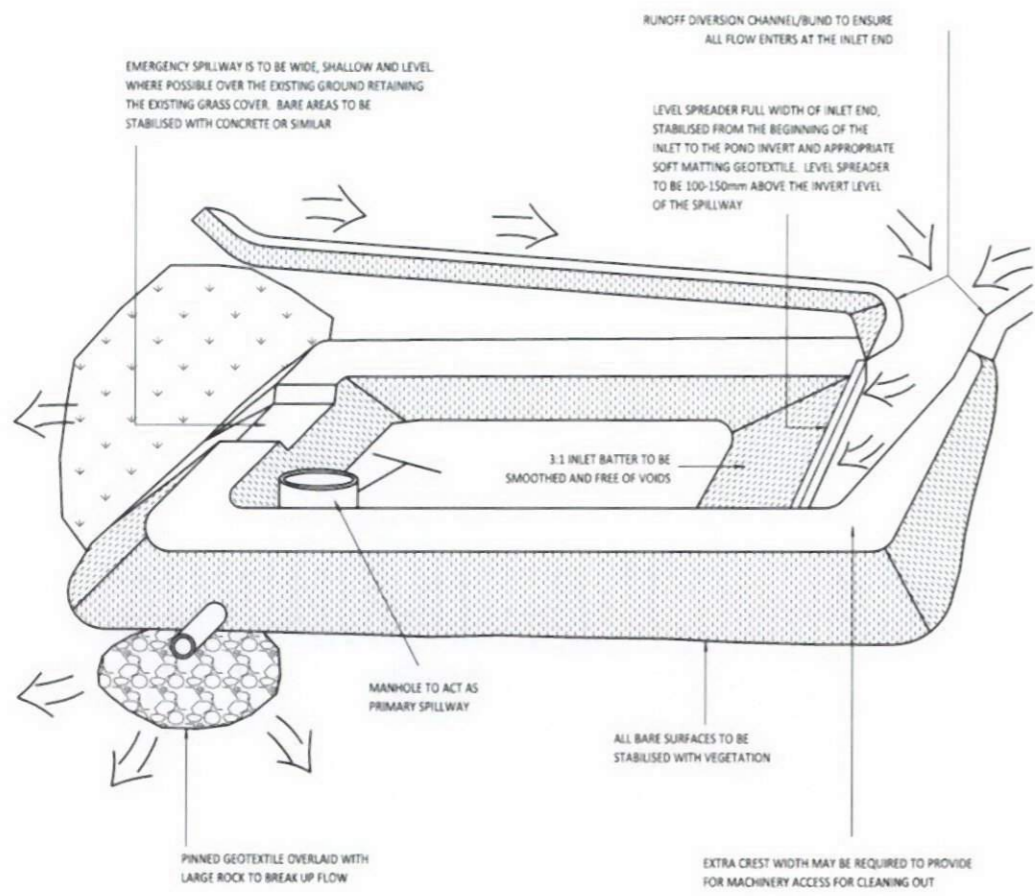


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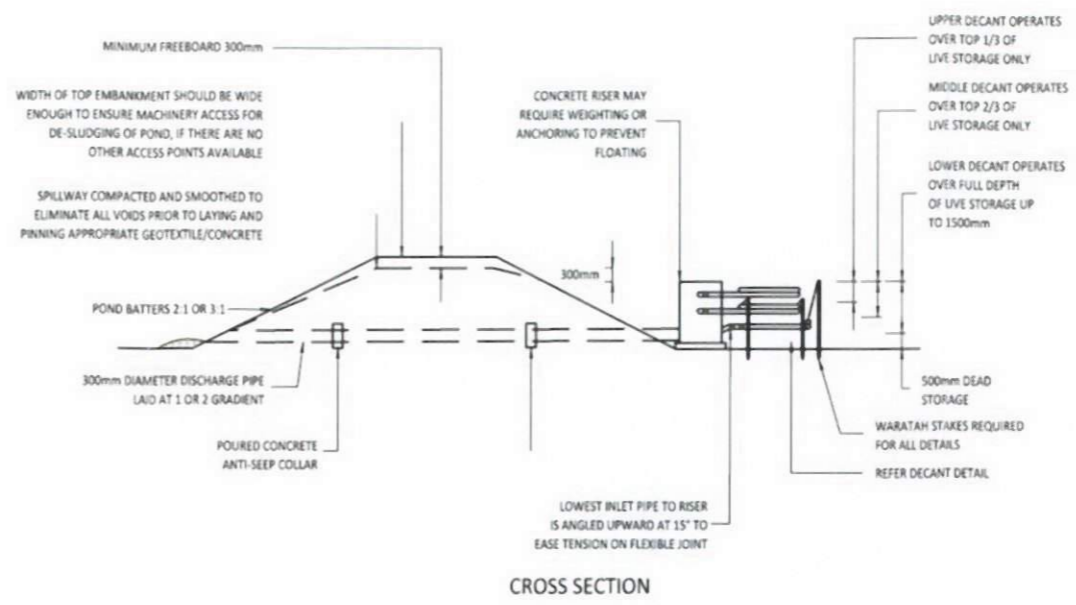
SEDIMENT & EROSION
TYPICAL DETAILS
SHEET 2 OF 5

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

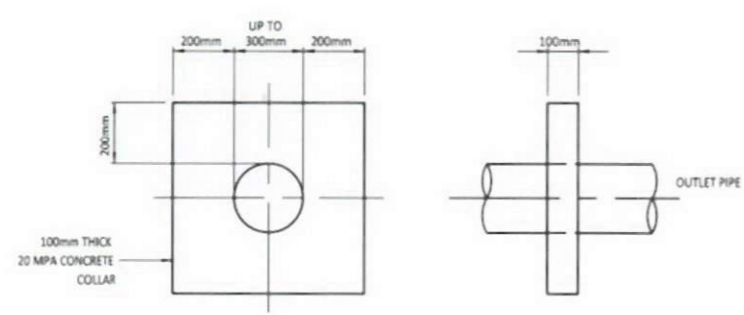
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| | | | | U1175 | 232 | E3 |



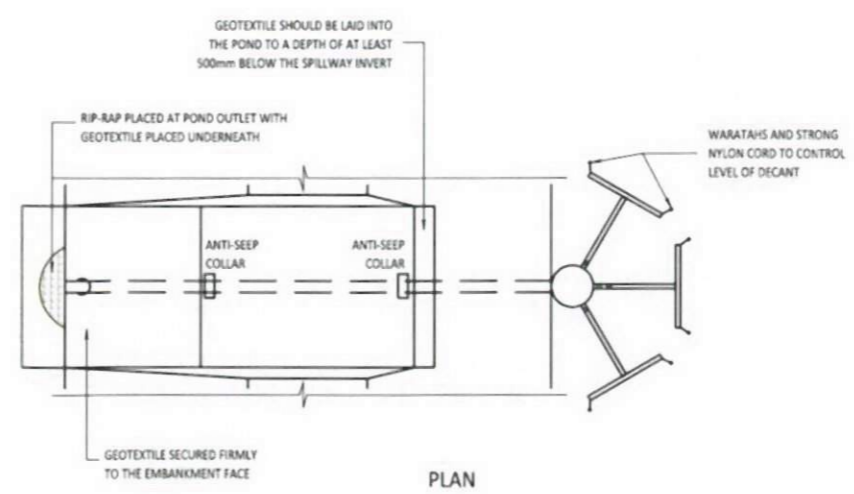
SEDIMENT RETENTION POND



CROSS SECTION



ANTI-SEEP COLLAR



PLAN

SEDIMENT RETENTION POND

NUMBER OF DECANTS FOR EACH POND SHALL BE AS FOLLOWS:

- i) UP TO 1.5HA CATCHMENT - 1 DECANT
- ii) 1.5-3.0HA CATCHMENT - 2 DECANTS
- iii) 3 TO 5 HA CATCHMENT - 3 DECANTS

NOTES:

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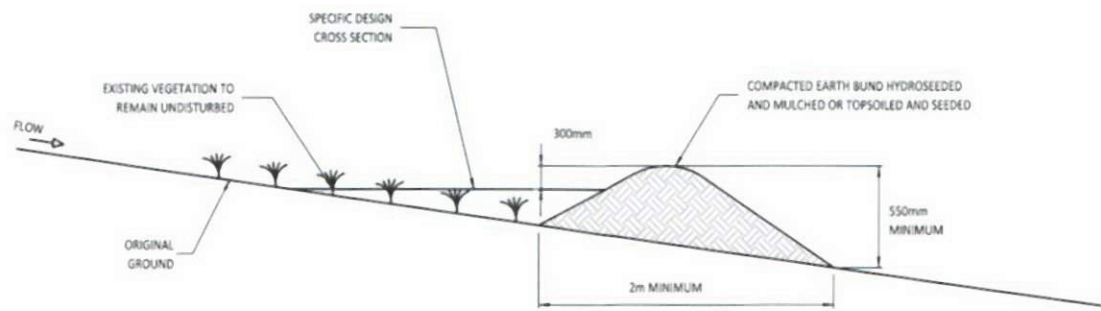


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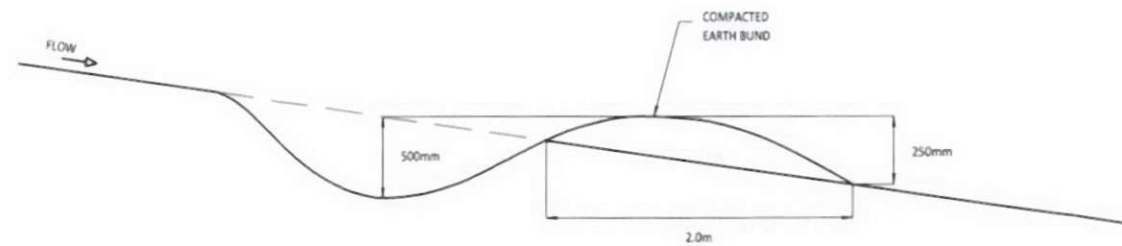
SEDIMENT & EROSION
TYPICAL DETAILS
SHEET 3 OF 5

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

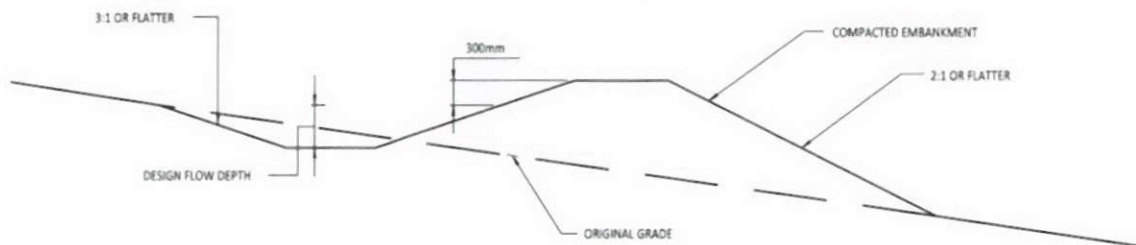
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| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 233 | E3 |



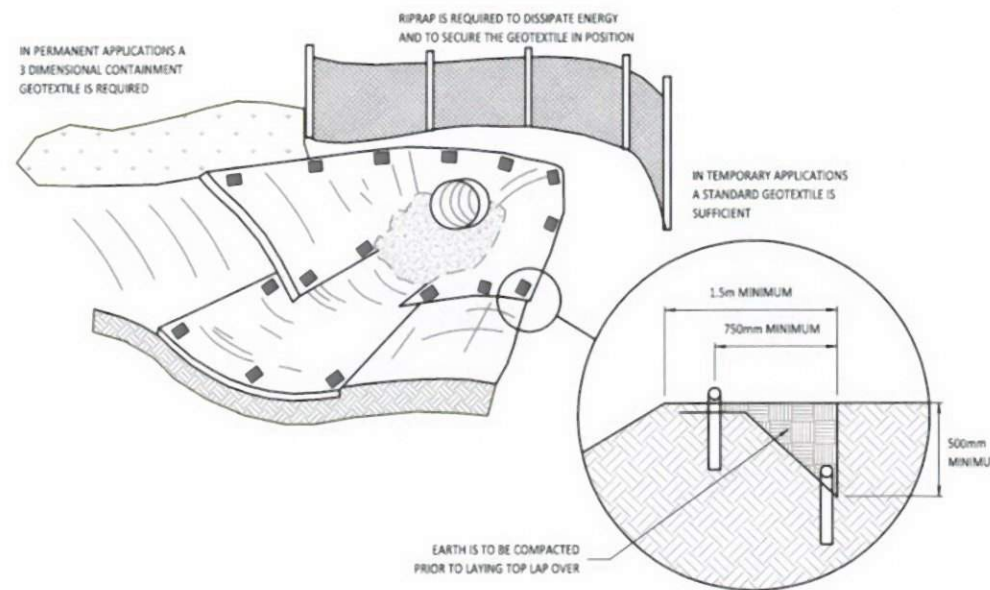
CLEANWATER RUNOFF DIVERSION BUND - CROSS SECTION



CONTOUR DRAIN



RUNOFF DIVERSION BUND - CROSS SECTION



GEOTEXTILE AT CULVERT OUTLET

FOR CONSENT

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General

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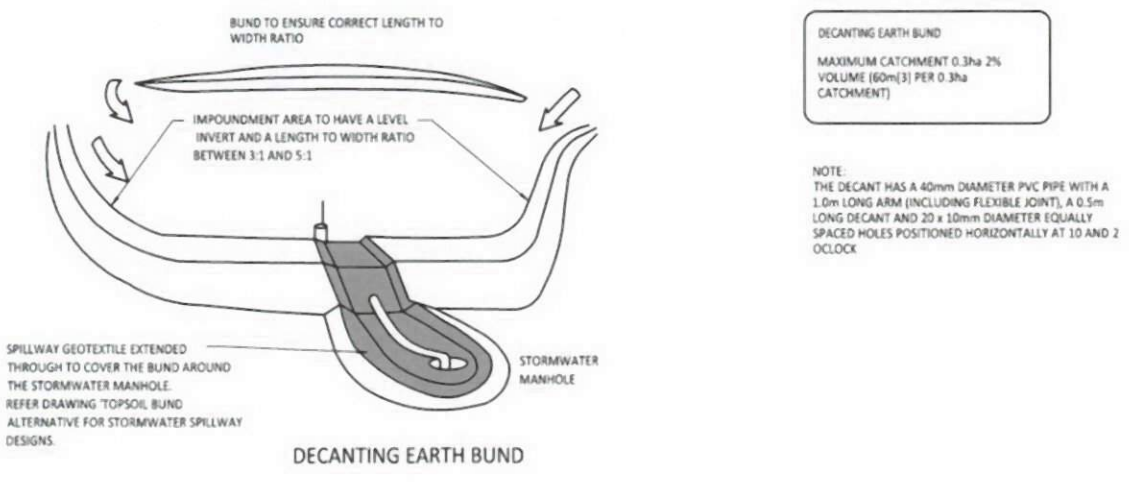
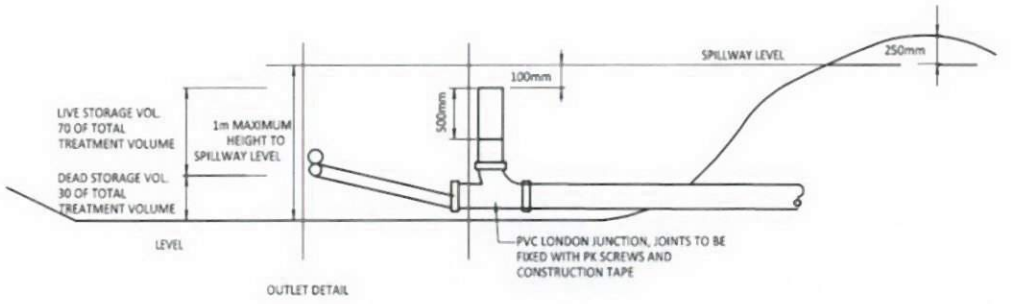
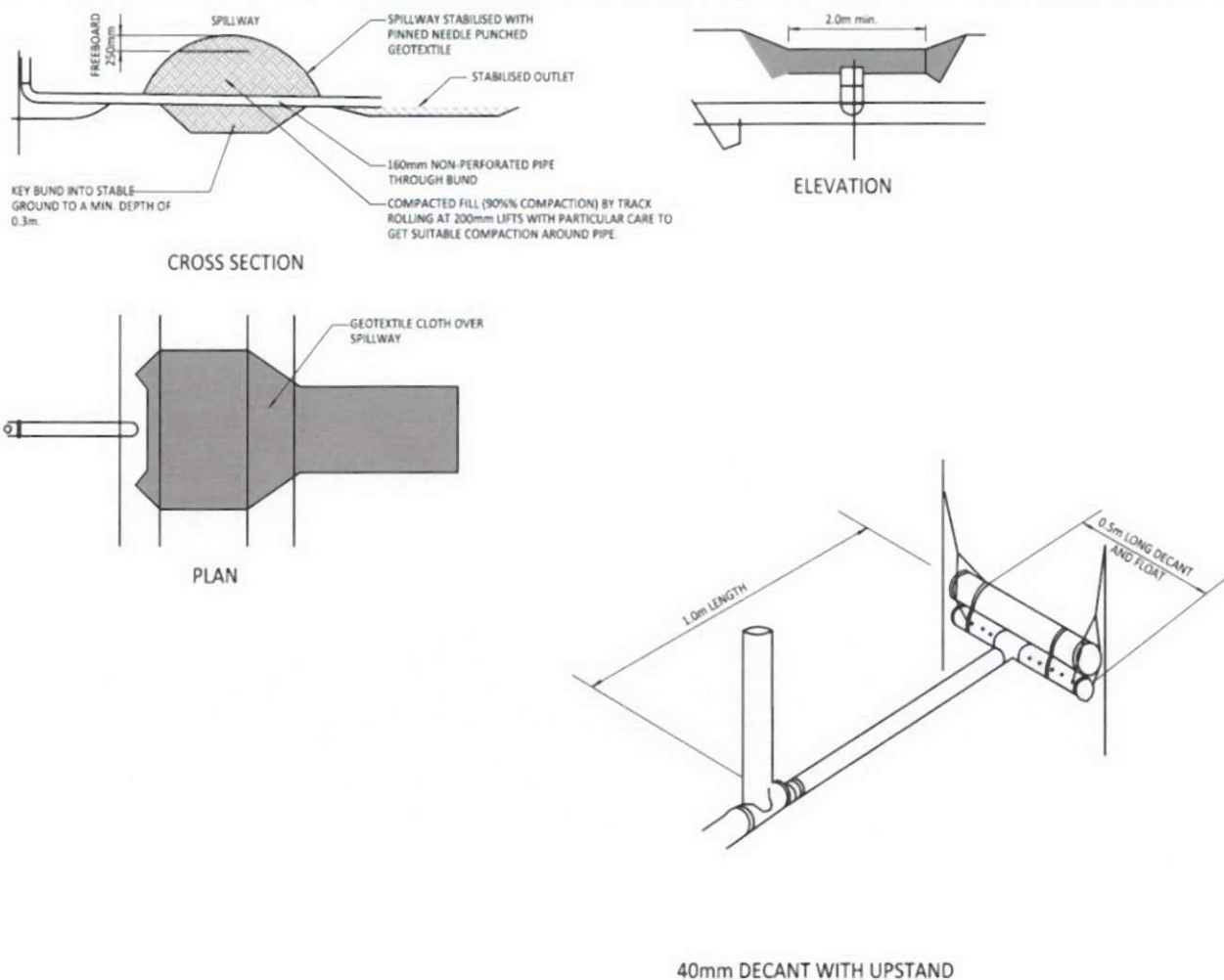


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SEDIMENT & EROSION
TYPICAL DETAILS
SHEET 4 OF 5

PROPOSED CIVIL WORKS
Mainland Poultry Ltd
64 Old Road, Orini

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| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 234 | E3 |



DECANTING EARTH BUND
 MAXIMUM CATCHMENT 0.3ha 2%
 VOLUME (60m³) PER 0.3ha
 CATCHMENT)

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 Reduced level = 30.560m
 - G-2. Major contour interval = NA
 Minor contour interval = NA
 - G-3. All earthworks to be carried out in accordance with the Waikato Regional Council technical publication "Erosion & Sediment Control Guidelines for Land Disturbing Activities (January 2009)".
 - G-4. Contractor to liaise with relevant authorities, locate and flag all existing services on or adjacent to the site prior to commencement of works.
 - G-5. For any work located in a designated road reserve, a street opening permit will be required.
 All excavations in road reserves shall comply with the National Code of Practice for Utilities' Access to the Transport Corridors

FOR CONSENT



Auckland Office:
 A: 25 Broadway, Newmarket
 P: 09 524 7029
Hamilton Office:
 A: 58 Church Road, Hamilton
 P: 07 849 9921
Te Awamutu Office:
 A: 103 Market Street, Te Awamutu
 P: 07 871 6144

**SEDIMENT & EROSION
 TYPICAL DETAILS
 SHEET 5 OF 5**

PROPOSED CIVIL WORKS
 Mainland Poultry Ltd
 64 Old Road, Orini

| Issue | Description | Checked | Date | Designed | Date | Scale |
|-------|----------------|---------|----------|--------------|------------|----------------------|
| E0 | FOR CONSENT | WL | 07/02/17 | SMcD | 06/02/17 | NTS (A3 Original) |
| E1 | REVISED LAYOUT | VB | 13/04/17 | SMcD | 06/02/17 | |
| E2 | AMENDED LAYOUT | VB | 30/05/17 | Checked: WL | 07/02/17 | |
| E3 | FOR CONSENT | WL | 12/12/17 | | | |
| | | | | Job No: | Dwg No: | Rev: |
| | | | | U1175 | 235 | E3 |

Open Meeting

| | |
|---------------------------------|---|
| To | Policy & Regulatory Committee |
| From | Sue O’Gorman General Manager Customer Support |
| Date | 13 February 2019 |
| Prepared by | Jessica Thomas Senior Consents Administrator |
| Chief Executive Approved | Y |
| Reference # | GOV1301 |
| Report Title | Delegated Resource Consent Approved for the months of November and December 2018 and January 2019 |

1. EXECUTIVE SUMMARY

This report gives information relating to all delegated Resource Consents processed for the months of November and December 2018 and January 2019 excluding hearings.

2. RECOMMENDATION

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

3. APPOINTMENT OF COMMISSIONERS

Commissioners appointed for the months of November and December 2018 and January 2019

David Hill Appointed for the hearing of the application by Mainland Poultry Limited for a Intensive egg laying farm

David Hill Appointed for the hearing of the application by Rural Tails Limited for the establishment of a Dog Day Care Centre in the Rural Zone.

David Hill Appointed for the hearing of the application by Van Den Brink 2844 Limited for the establishment and operation of a free range poultry farm; which includes the construction of 10 poultry sheds, an office building and associated earthworks.

4. ATTACHMENTS

Delegated Authority Reports - attached

- November 2018
- December 2018
- January 2019

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| Awaroa ki Tuakau | | Ward Total: 16 | | |
|-------------------------------------|---------------|---------------------------------------|--|----------|
| Applicant | ID No | Address | Details | Decision |
| G J Smit | LUC0081/19 | 8 Arawhata Way PVT TUAKAU | Retrospective consent for a second dwelling where a kitchen has been added to an existing sleepout | Granted |
| J N Baillie, J K Baillie | LUC0115/19 | 54 Te Ara Aukati Terrace POKENO | Construction of a dwelling in the Village Zone with a building platform with earthworks exceeding the maximum permitted volume and area, and an encroachment on the 20 m western (rear) yard adjacent to a national route | Granted |
| Two Degrees Networks Limited | LUC0142/19 | 88 Bluff Road POKENO | Proposed establishment, operation and maintenance of Cogent telecommunications facility on an existing 2 degrees telecommunication facility | Approved |
| Compass Homes (Franklin) Limited | LUC0154/19 | 36 Wingfield Road POKENO | To undertake earthworks that exceed the permitted volume for the purpose of creating a building platform within the Residential 2 Zone | Granted |
| Pokeno Bakehouse 18 Limited | LUC0156/19 | 51 Great South Road POKENO | Undertake additions of approximately 24 m2 in the Pokeno Business Centre area, causing the site to have one carpark less than the minimum of two required. | Granted |
| SRP Holdings 2015 Limited | LUC0164/19 | 29 George Street TUAKAU | Planning Certificate for the operation of an existing Bar and Restaurant under new management pursuant to the Sale and Supply of Alcohol Act 2012 | Approved |
| M J Martin, R A Martin | LUC0187/19 | 8 Village Place TUAKAU | To construct a conservatory addition to an existing dwelling that exceeds the total allowable site coverage in the Residential Zone | Granted |
| M R Wilson | LUC0191/19 | 26 Buckland Road TUAKAU | Landuse consent for an entrance which fails separation distance from another entrance on an arterial route in association with a subdivision(SUB0054/19) to subdivide an existing title into two freehold titles within the Residential Zone | Granted |
| B P Slater, F R Slater | LUC0304/18 | 483B Bald Hill Road WAIUKU | To construct a shed that encroaches into a setback from an unformed legal road boundary and protrudes through the height in relation to boundary angle within the Rural Zone. | Granted |
| Synlait Milk Limited | LUC0403/18.01 | 45 McDonald Road POKENO | S127 to change/cancel conditions of resource consent (LUC0403/18) in relation to storm water design and configuration of the site. | Granted |

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| | | | | |
|---------------------------------|------------|---------------------------------|--|---------|
| S M P Muir | SUB0010/19 | 11A Muir Road WAIUKU | To transfer two rural lot rights outside of the Environmental Enhancement Overlay Area (EEOA) to a site located within the Rural Zone, also located outside of the EEOA, and to undertake a boundary relocation. | Granted |
| M R Wilson | SUB0054/19 | 26 Buckland Road TUAKAU | Subdivide an existing title into two freehold titles within the Residential Zone with an associated landuse consent (LUC0191/19) for an entrance which fails separation distance from another entrance on an arterial route | Granted |
| A L Wilson | SUB0274/18 | 192 Smith Road WAIUKU | Undertake a subdivision outside of the EEOA to transfer one title to create a new allotment on the property. | Granted |
| K & H Developments Limited | SUB0295/18 | 22 Martindale Lane TUAKAU | Undertake a subdivision for the creation of four lots and the creation of a Right of Way. | Granted |
| M H Bernasconi, J Bernasconi | SUB0321/18 | 72 Ray Wright Road PUKEKOHE | To subdivide the site into three lots by way of an Environmental Lot subdivision, where the proposal does not comply with Operative District Plan rules relating to maximum lot size, specified building areas and cluster lots. | Granted |
| D M Colgan, J A Colgan | VAR0008/19 | 366 Settlement Road PUKEKOHE | Partially cancel condition 3 of consent notice 8686463.4 in so far as it relates to Lots 1 and 2 on the scheme plan of subdivision for consent number SUB0304/17. | Granted |

Eureka

Ward Total: 3

| Applicant | ID No | Address | Details | Decision |
|---------------------------------|---------------|----------------------------------|---|----------|
| M F Northcott, S L Northcott | LUC0024/19 | 32 Marshmeadow Road NEWSTEAD | Retrospective application for a transport depot in the Rural Zone, including access to a State Highway and non-compliance with separation distances. | Granted |
| Zenders Cafe and Venue Limited | LUC0186/19 | 449 Ruakura Road RUAKURA | Planning Certificate for the Sale of Alcohol for an On licence on a site in the Rural Zone pursuant to Section 100 of the Sale and Supply of Alcohol Act 2012 | Approved |
| H A Cleland, A D Cleland | SUB1140/11.01 | 567B Marychurch Road TAUWHARE | S127 to change/cancel conditions of subdivision consent (SUB1140/11) in relation to the easement schedule on the approved plans to legalise the access for Lot 14 DPS 16107 RT SA16C/1303 via the right of way on Lot 13 and Lot 17 DPS 16107 RT SA22C/810. | Granted |

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| Hukanui - Waerenga | | Ward Total: 3 | | |
|--------------------------|---------------|-------------------------------------|--|----------|
| Applicant | ID No | Address | Details | Decision |
| A Ukra | LUC0116/19 | 1056 Orini Road ORINI | Conduct earthworks for the construction of a pool house and enclosure on a flood plain within the Rural Zone that exceeds building site coverage. | Granted |
| T Singh | SUB0050/19 | 945 Valintine Road TAUHEI | Subdivide two existing parcels of land to two allotments. | Granted |
| A L Crouch | SUB0328/18.01 | 1667 Tahuna Road TE HOE | S127 to change/cancel conditions of subdivision consent SUB0328/18 to reflect the change in the size of Lot 1, a consequential boundary encroachment of an existing building on Lot 2 with amendments to also reflect recent changes to consent notice and telecommunication requirements, and consequential changes to condition numbering. | Granted |
| Huntly | | Ward Total: 1 | | |
| Applicant | ID No | Address | Details | Decision |
| Simpsons Farms Ltd | LUC0127/19 | 184A Glen Murray Road RANGIRIRI | Earthworks in the Rural Zone to construct a feed pad, and to be covered with a structure that exceeds the maximum permitted coverage of buildings used for productive rural activities | Granted |
| Newcastle | | Ward Total: 6 | | |
| Applicant | ID No | Address | Details | Decision |
| R J Barris | LUC0145/19 | 55 Exelby Road ROKOKAURI | Construction of a second 'dwelling' to be used as a dependant person's dwelling in the Rural Zone that does not comply with the internal setbacks and activities sharing a ROW. | Granted |
| D C McFadden | LUC0422/18 | 1099 State Highway 23 WHATAWHATA | To operate a commercial activity within the Rural Zone with non-compliances relating to vehicle movements, signage, setbacks from boundaries and traffic and retrospective consent for earthworks exceeding the permitted area. | Granted |
| NZTE Operations | LUC0461/18 | 172 Limmer Road TE KOWHAI | Land use consent sought for the establishment of a cafe in the Rural Zone which fails number of vehicle movement and accesses a State Highway. | Granted |
| Te Kowhai Estate Limited | SUB0021/18.01 | 714 Te Kowhai Road TE KOWHAI | S127 to change/cancel conditions of subdivision consent (SUB0021/18.01) to delay to Stage 4 the requirement to implement an approved landscape management plan for Stage 2 and to submit a bond to Council for the maintenance of the planting for Stage 2. | Granted |

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| G J Brown, H A Brown | SUB0055/19 | 626B Ngaruawahia Road TE KOWHAI | Staged subdivision involving a subdivision to provide for boundary relocation between two existing titles; and subdivision creating one additional allotment by way of the Reserve Allotment provisions within the Rural Zone of the Waikato District Plan. | Granted |
|-------------------------------|---------------|-------------------------------------|---|----------|
| Highview Properties Limited | SUB0172/18.01 | 2119A Te Pahu Road WHATAWHATA | S127 to change/cancel conditions of subdivision consent (SUB0172/18) to amend conditions of consent to create an additional lot and stage and to amend a proposed right of way access to Lots 14 and 15. | Granted |
| Ngaruawahia | | Ward Total: 7 | | |
| Applicant | ID No | Address | Details | Decision |
| Breaking Bread Cafe | LUC0014/19 | Newcastle Street NGARUAWAHIA | To convert existing building into a café and construct a car park that cannot comply with the required car parking spaces. | Granted |
| T J Watene, N K Watene | LUC0148/19 | 321A Hakarimata Road NGARUAWAHIA | To relocate an existing dwelling on to the property to be used as a dependent persons dwelling that does not share an outdoor living court in the Country Living Zone | Granted |
| J G Whalley, P D Whalley | LUC0150/19 | 119 Clark Road NGARUAWAHIA | Construct a shed that infringes building coverage in the Country Living zone | Granted |
| C R Nepia, J W Nepia | LUC0151/19 | 52 Havelock Road NGARUAWAHIA | To construct a Dependent Person's Dwelling within the Living Zone that does not share an outdoor living court with the main dwelling on the site. | Granted |
| K I M Wallace, D I Wallace | SUB0033/19 | 8 Duke Street NGARUAWAHIA | Undertake a two lot subdivision in the Living Zone, which does not comply with the required minimum separation distance between vehicle accesses. | Granted |
| River Road North Limited | SUB0178/16.04 | 75 River Road NGARUAWAHIA | Change super stages 2 and 3 to then provide changes to the construction stages 2,3 and 4, amend conditions relating to stormwater management in the New Residential Zone and cancel a Consent Notice | Granted |
| M L Pepperell | VAR0007/19 | 161D Hakarimata Road NGARUAWAHIA | To vary consent notice document 7953577.2 for the purpose of amending the building height restriction on Lot 6 DP 390231 | Granted |

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| Onewhero-Te Akau | | Ward Total: 4 | | |
|--|------------|------------------------------------|---|------------|
| Applicant | ID No | Address | Details | Decision |
| W Bellian, K Sneddon | FST0006/19 | 6 Lakeside Lane PVT RANGIRIRI | To relocate a used building to a new site in the Rural Zone | Granted |
| Sunset Beach Surf Lifesaving Charitable Trust Incorporated | LUC0071/19 | 3 Centreway Road TUAKAU | Extension to surf lifesaving clubrooms to provide for a community hall | Granted |
| D A Robinson, D A Robinson | LUC0162/19 | 667 Kohanga Road TUAKAU | Construction of a shed in the Village Zone, including ancillary earthworks and an on-site stormwater management system, inside the Onewhero Tuff Ring, a feature identified as an 'Outstanding Natural Feature'. | Granted |
| NA Rewa Limited | SUB0023/19 | 279C Mercer Ferry Road TUAKAU | To transfer one consented rural lot right from one Rural zoned site outside the EEOA to another Rural zoned site, outside the EEOA. | Granted |
| Raglan | | Ward Total: 11 | | |
| Applicant | ID No | Address | Details | Decision |
| Raglan Kopua Holiday Park | DES0007/19 | 61 Marine Parade RAGLAN | Outline Plan of works for a 99m ² storage shed at Raglan Kopua Holiday Park | AcceptPlan |
| A D Covacich | LUC0035/19 | 31B Government Road RAGLAN | Resource consent for two existing dwellings which will be unable to comply with the living court, car parking and manoeuvring standards within the Living Zone as a result of a subdivision (SUB0025/19) to create one additional lot within the Living Zone, | Granted |
| J M Morrison, I D Morrison | LUC0063/19 | 6 Long Street RAGLAN | Construct a Dwelling that Breaches the Height Control Plane, encroaches the Road Setback and Access non-compliance in the Living Zone | Granted |
| D S Parkes, N A Parkes | LUC0125/19 | 3293 State Highway 23 TE UKU | Alterations to an existing dwelling and construction of a carport in the Rural Zone that will increase the building coverage above the maximum permitted coverage of 500 m ² and encroaching on the 12 m eastern (side) boundary setback | Granted |
| V Carmody | LUC0136/19 | 29 Cambrae Road RAGLAN | To relocate a used building that will be a second dwelling on the site that cannot comply with the setback to the road, daylight admission and Appendix A in the Living Zone | Granted |
| Sublime Buildings Limited | LUC0144/19 | 30 Centrebush Lane PVT OKETE | To undertake cut to fill earthworks in excess of the permitted volume, area and depth in the Rural Zone | Granted |
| J B Crawford | LUC0147/19 | 5 Whaanga Road WHALE BAY | Retrospectively form a cut and batter face that exceeds 2m in height, at a site situated within Living Zone | Granted |

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| | | | | |
|----------------------------|---------------|-------------------------------|---|---------|
| T R Mason | LUC0153/19 | 11 Earles Place RAGLAN | Construct a new Dependent Persons Dwelling in the Living Zone that does not share an outdoor living court with the principal dwelling onsite, does not provide adequate parking and manoeuvring, encroaches into the height control plane along the northern boundary, and breaches the earthworks cut requirements | Granted |
| P M Pegler, N & M Couch | LUC0160/19 | 37 Wallis Street RAGLAN | Construct a Dependent Persons Dwelling in the Living Zone that does not share an outdoor living court with the principal dwelling on site | Granted |
| A D Covacich | SUB0025/19 | 31B Government Road RAGLAN | To create one additional lot within the Living Zone, where the subdivision results in non-compliances with the minimum allotment size, setbacks, daylight admission, building platform and access standards and with associated land use consent (LUC0035/19). | Granted |
| Wainui Holdings Limited | SUB0162/18.01 | 12 Wainui Road RAGLAN | S127 to change/cancel conditions of subdivision consent (SUB0162/18) relating to the Stormwater Management Plan | Granted |

Tamahere

Ward Total: 4

| Applicant | ID No | Address | Details | Decision |
|-----------------------------|---------------|---------------------------------|---|----------|
| M R Huddart, A C Huddart | LUC0020/19.01 | 30A Woodcock Road TAMAHERE | S127 to change/cancel conditions of resource consent (LUC0020/19.01) relating to the impervious surfaces rule non-compliance | Granted |
| Sanderson Group Limited | LUC0023/19 | 650 Airport Road TAMAHERE | Disturb soil within a piece of land that contains contaminated soils and construct and operate a retirement village with building setback, construction noise and earthworks non-compliances in the Rural Zone | Granted |
| W W Herod, A L Herod | LUC0163/19 | 30 Woodcock Road TAMAHERE | To extend an existing accessory building in the Country Living Zone that is non-compliant with rule 27.47 as the proposal has a floor area greater than 80m ² and rule 27.40B as the site has impervious surfaces in excess of 700m ² | Granted |
| B J N Lee | LUC0166/19 | 8 Oakwood Place PVT TAMAHERE | Construct a new residential dwelling in the Country Living Zone that breaches site coverage, Tamahere impervious surfaces and earthworks requirements. | Granted |

Delegated Authority Report

Period from 1 November 2018 to 30 November 2018

| Whangamarino | | Ward Total: 6 | | |
|---|------------|---------------------------------|---|----------|
| Applicant | ID No | Address | Details | Decision |
| M F Morgan, S Oostdam | LUC0139/19 | 322 Monument Road MARAMARUA | To construct a Dependent Persons Dwelling in the Rural Zone | Granted |
| J S Woods | LUC0140/19 | 66A Wayside Road TE KAUWHATA | To resite a second hand dwelling and to undertake earthworks that exceeds area, volume and cut depth. | Granted |
| S R Melrose | LUC0159/19 | 283 Esk Road MARAMARUA | To relocate an existing dwelling into the Rural Zone that is within the 12m road setback. | Granted |
| Waikiwi Farms Limited | LUC0543/18 | 134 Jefferis Road WAERENGA | Establish and operate either a commercial (indoor only) or a free-range (indoor/outdoor) poultry operation (intensive farming activity) with earthworks and non-residential building size non-compliances | Granted |
| Lakeside Developments 2017 Limited | LUC0557/18 | 95 Scott Road TE KAUWHATA | To undertake bulk earthworks that is non-compliant with the earthworks requirements in the Living, Rural and Business Zones. To undertake earthworks within a designated site (M14) and road corridor To undertake disturbance of soil on a piece of land where soil contamination exceeds the applicable standard. | Granted |
| P C Aston, D H L Kelsall, H M W Kelsall | VAR0006/19 | 410 Falls Road WAERENGA | Vary consent notice document 10760265.1 to cancel condition 1 relating to retention and maintenance of on-site vegetation. | Granted |

Delegated Authority Report¹⁴¹

Period from 1 December 2018 to 31 December 2018

| Awaroa ki Tuakau | | Ward Total: 9 | | |
|----------------------------------|---------------|---------------------------------|--|----------|
| Applicant | ID No | Address | Details | Decision |
| All Resources Limited | LUC0060/19 | 327 Ridge Road TUAKAU | To undertake deposition of cleanfill, topsoil screening and earthworks over 30 year period and removal of indigenous vegetation in the Rural Zone. | Granted |
| S Edwards | LUC0128/19 | 45 Burrow Road PUKEKOHE | Locate a wastewater disposal system 15m from the required 30m development setback in the Franklin Rural Zone. | Granted |
| Compass Homes (Franklin) Limited | LUC0155/19 | 19 Bellenden Crescent POKENO | Earthworks to construct a building platform for a dwelling that exceeds the maximum permitted volume by 20 m3. Construction of a dwelling that exceeds the maximum permitted coverage for the site by 19.15 m2 or 3.4 % of the site and with an outdoor living court that fails minimum circle requirements by 0.65 m. | Granted |
| S A R Sahib, R B Sahib | LUC0165/19 | 17 Gibboney Place POKENO | To establish two attached integrated dwellings at a site in the Residential Zone. | Granted |
| J Zuo | LUC0174/19 | 6 Crickett Lane PVT POKENO | Undertake earthworks that exceed the permitted volume to establish a suitable building platform in the Village Zone. | Granted |
| J B Parsons | LUC0178/19 | 62 Pioneer Road POKENO | Retrospective resource consent for an existing dwelling located within 500m of a site zoned for mineral or aggregate extraction activities, being the Aggregate Extraction and Processing Zone ("AEPZ"). | Granted |
| Summit Homes NZ Limited | LUC0195/19 | 17 Thomason Crescent POKENO | Construction of a dwelling in the Residential 2 Zone with a garage that encroaches onto the 6 m front yard by 1 m. | Granted |
| Synlait Milk Limited | SUB0058/19 | 45 McDonald Road POKENO | To undertake a boundary adjustment between three Records of Title in the Industrial 2 Zone, Pokeno | Granted |
| V M Black | SUB0308/18 | 151A Beaver Road BOMBAY | Creation of environmental lots from the protection and enhancement of a QNF feature inside of the EEOA in the Rural Zone where the additional lots are not clustered. | Granted |
| Eureka | | Ward Total: 6 | | |
| Applicant | ID No | Address | Details | Decision |
| K S Dhillon | LUC0074/18.01 | 11 Davison Road RUAKURA | S127 to change/cancel conditions of resource consent LUC0074/18 relating to onsite stormwater management | Granted |
| Mayall Farms Limited | LUC0173/19 | 198 Eureka Road EUREKA | Construct and use a cover over an existing dairy feedpad which exceeds the maximum permitted gross floor area for buildings for productive rural activities in the Rural Zone. | Granted |

Delegated Authority Report¹⁴²

Period from 1 December 2018 to 31 December 2018

| | | | | |
|---|------------|-------------------------------|--|---------|
| L A Orr, W A Orr | LUC0211/19 | 23 Trentham Road MATANGI | Construct and use a new shed for storage of farm equipment which will exceed the District Plan maximum permitted building coverage in the Rural Zone. | Granted |
| K C Deane, A J Deane, Tompkins Wake Trustees 2012 Limited | LUC0220/19 | 54 Eureka Road EUREKA | To undertake earthworks within the Hauraki Gulf Catchment Area in the Rural Zone. | Granted |
| P S Main, L J Main | SUB0056/19 | 997 Tauwhare Road TAUWHARE | To undertake a boundary relocation between three titles within the Rural Zone and to undertake earthworks within the Hauraki Gulf Catchment Area. | Granted |
| G D Crow, T V Crow | SUB0068/19 | 14 Woodside Road MATANGI | To undertake a subdivision which proposes to relocate a boundary between two existing Records of Title that are not under the same ownership and where one Record of Title is not considered to be a viable title, in the Rural Zone, Matangi. | Granted |

Huntly Ward Total: 2

| Applicant | ID No | Address | Details | Decision |
|--|------------|------------------------------|--|----------|
| Genesis Energy Limited | LUC0183/19 | Te Ohaki Road HUNTLY | Exceed heavy vehicle movements for transporting coal from the Ports of Auckland and Tauranga to the Huntly Power Station | Granted |
| Glen Afton Citizens Sports Club Incorporated | LUC0231/19 | 38 Inglis Road GLEN AFTON | Extension of Existing Use Rights | Granted |

Newcastle Ward Total: 7

| Applicant | ID No | Address | Details | Decision |
|---|------------|------------------------------------|--|----------|
| D M Gifford, Eltan Trust Management No 2 Limited | LUC0104/19 | 2 Hartstone Road TE KOWHAI | To construct a dwelling within the rear and side yard setbacks and exceed total building coverage for the site zoned Rural Zone. | Granted |
| N M Harris, S Y Harris | LUC0171/19 | 51 Taitua Road WHATAWHATA | Construct and use a new dwelling and future attached garage, separate barn and separate chapel, which are located within the minimum building setback to boundaries in the Rural Zone | Granted |
| G & S Singleton Heritage Limited | LUC0192/19 | 635 State Highway 23 WHATAWHATA | Construct a 192m ² Kiwi Span single pitch storage shed that infringes on the 25m boundary setback and exceeds permitted site coverage for the Rural Zone. | Granted |
| A Rayner | LUC0197/19 | 11 O'Brien Road ROKOKAURI | Construct a dependent persons dwelling in the Rural Zone that is further than 20m away from the principal dwelling on site as well as not sharing an outdoor living court with the principal dwelling. | Granted |

Delegated Authority Report¹⁴³

Period from 1 December 2018 to 31 December 2018

| | | | | |
|---------------------------------|---------------|----------------------------------|--|---------|
| Anthem Homes Limited | LUC0263/18.01 | 43B Houkura Rise WHATAWHATA | S127 to change/cancel conditions of resource consent (LUC0263/18) to reflect updated technical reports for the removal of unsuitable material and replace with fill that will increase the area and volume of earthworks previously consented in the Country Living Zone | Granted |
| M P Young | SUB0286/08.03 | 979 Horotiu Road HOROTIU | S127 to change the conditions of consent to allow for wireless telecommunication options. | Granted |
| C P Aitchison, R M Aitchison | VAR0011/19 | 468C Rotokauri Road ROKOKAURI | To vary Consent Notice 9484526.4 in relation to the building setback restriction on Lot 1 DP 444560 | Granted |

Ngaruawahia

Ward Total: 8

| Applicant | ID No | Address | Details | Decision |
|--|------------|-------------------------------------|--|----------|
| M L Pepperell | LUC0108/19 | 161D Hakarimata Road NGARUAWAHIA | Undertake earthworks for a new dwelling that exceeds the permitted District Plan limits for cut volume, fill volume and fill area in the Country Living Zone. The dwelling will also exceed the permitted building height in the Country Living Zone by 0.5m. | Granted |
| R W Fletcher | LUC0143/19 | 1 Park Road HOROTIU | Relocation of a dwelling to a site in the Rural Zone without access to reticulated wastewater that is below the minimum size of 2,500 m ² and encroaches on the front road boundary setback of 7.5 m by 2.5 m, the eastern (side) boundary setback of 12 m by 4 m and the south western (side) boundary setback of 12 m by 7.9 m. | Granted |
| Versatile Buildings Limited - Frankton | LUC0167/19 | 8 Edgecombe Drive GLEN MASSEY | Construct a dwelling on a non-reticulated site less than 2500m ² in the Living Zone | Granted |
| Jennian Homes North Waikato Limited | LUC0172/19 | 57 Matariki Terrace NGARUAWAHIA | To construct a dwelling that encroaches the road setback and fails to comply with access, parking and manoeuvring provisions in the New Residential Zone | Granted |
| Te Awe Awe Trust | LUC0196/19 | 6 Rangawhenua Street NGARUAWAHIA | Construct a residential dwelling that encroaches the Height to boundary as per Rule 21.45. | Granted |
| Black Tiki Limited | LUC0210/19 | 3 Te Putu Street TAUPIRI | To construct a dwelling that encroaches the front road setbacks and exceeds earthwork volumes. | Granted |
| S Goodwin, O Clarke | SUB0059/19 | 26 Jackson Street NGARUAWAHIA | To create one additional lot within the New Residential Zone, where the subdivision results in non-compliances with the required road frontage and vehicle entrance separation distance (with associated section 221 application to cancel a consent notice in so far as it relates to Lot 1) | Granted |
| S Goodwin, O Clarke | VAR0010/19 | 26 Jackson Street NGARUAWAHIA | To cancel consent notice B428948.2 insofar as it relates to Lot 1 on the scheme plan of subdivision for consent number SUB0059/19. | Granted |

Delegated Authority Report¹⁴⁴

Period from 1 December 2018 to 31 December 2018

| Onewhero-Te Akau | | Ward Total: 5 | | |
|-------------------------------------|---------------|---|--|----------|
| Applicant | ID No | Address | Details | Decision |
| Rayvon Property Investments Limited | LUC0176/19 | 30 Ashwell Drive TUAKAU | To construct a dwelling, garage and septic tank within the permitted activity setbacks from a wetland in the Village Zone. | Granted |
| Gradia Investments Limited | LUC0185/19 | 774 Glen Murray Road RANGIRIRI | To construct a future dwelling within the building setback in the Rural Zone as part of subdivision consent (SUB0061/19) to create one conservation house allotment via the protection of an area of significant indigenous vegetation, in the Rural Zone with a non-complying Building Platform. | Granted |
| S A Carly | LUC0206/19 | 29 Aislabie Road TUAKAU | Construction of a building on the Onewhero Tuff Ring and encroaching on the 30 m development setback from a stream by 14 m. Retrospective consent also sought for 40 m ³ of earthworks within the development setback and on the Onewhero Tuff Ring for construction of the building platform for the shed. | Granted |
| Gradia Investments Limited | SUB0061/19 | 774 Glen Murray Road RANGIRIRI | To undertake a subdivision involving the creation of one conservation house allotments via the protection of an area of significant indigenous vegetation, in the Rural Zone with a non-complying Building Platform (LUC0185/19). | Granted |
| The Kelliher Charitable Trust | SUB0065/19 | 1378 Wairamarama Onewhero Road TUAKAU | Undertake a boundary relocation between two adjoining Records of Title in the Rural Zone | Granted |
| Raglan | | Ward Total: 6 | | |
| Applicant | ID No | Address | Details | Decision |
| L G T Pratt, P M Pratt | LUC0177/19 | 14 Calvert Road WHALE BAY | To undertake additions and alterations to the existing dwelling within the Living Zone, involving infringements of the road boundary setback, daylight admission, and parking rules. | Granted |
| S J Dickey | LUC0198/19 | 37 Bayview Road RAGLAN | Construction of a building platform in the Living Zone for a dwelling with earthworks exceeding the maximum permitted volume of 100 m ³ by 72 m ³ . | Granted |
| J R Haultain | LUC0214/19 | 10 Greenslade Road RAGLAN | To construct a shed within the Coastal Zone which is to be located outside of an approved building envelope and within 1000m of mean high water springs. | Granted |
| Kiwi Capital Hospitality Limited | LUC0222/19 | 2 Bow Street RAGLAN | Planning Certificate for the Sale and supply of alcohol (On Licence) in the Business Zone | Granted |
| A S Fox, M J M Mitchell | LUC0482/18.01 | 25A Primrose Street RAGLAN | S127 to change/cancel conditions of resource consent LUC0482/18 to allow for the dwelling to protrude through the daylight admission angle by a greater extent than was originally approved. | Granted |

Delegated Authority Report¹⁴⁵

Period from 1 December 2018 to 31 December 2018

| | | | | |
|-------------------------------|---------------|--------------------------------|---|---------|
| S F Millward, B L Millward | SUB0234/17.01 | 97 Upper Wainui Road RAGLAN | S127 to change/cancel conditions of subdivision consent SUB0234/17 to allow a revised subdivision layout. | Granted |
|-------------------------------|---------------|--------------------------------|---|---------|

Tamahere Ward Total: 4

| Applicant | ID No | Address | Details | Decision |
|-----------------------------|------------|--------------------------------|---|----------|
| Parklea Investments Limited | LUC0170/19 | 6 Parklea Drive TAMAHERE | To construct a new dwelling which exceeds permitted activity building coverage requirements, maximum permitted impervious surfaces and located within the permitted activity building setback in the Country Living Zone. | Granted |
| A Banks | LUC0204/19 | 15 Te Awa Road TAMAHERE | To construct a garage and carport within the setback, relocate a water tank within the setback and for all accessory buildings on site to exceed building coverage permitted activity requirements in the Country Living Zone. | Granted |
| S Kumar, R Kumar | LUC0227/19 | 26 Bates Road TAMAHERE | Construct and use a new dependant persons dwelling which is not contained within the main dwelling and to increase impervious surfaces on-site so that the District Plan maximum permitted impervious surfaces per site is exceeded in the Country Living Zone. | Granted |
| D J Connell, M L Connell | SUB0069/19 | 28 Cedar Park Road TAMAHERE | To revoke an easement relating to stormwater drainage and to create a replacement easement relating to stormwater drainage. | Granted |

Whangamarino Ward Total: 3

| Applicant | ID No | Address | Details | Decision |
|---------------------------|------------|----------------------------------|--|----------|
| Parangon Building Limited | LUC0179/19 | 9 Fernbird Avenue TE KAUWHATA | To construct a dwelling that is unable to comply with earthworks and retaining wall setbacks. | Granted |
| Golden Homes Hamilton | LUC0182/19 | 144 Travers Road TE KAUWHATA | Retrospective Earthworks consent for a dwelling in the Te Kauwhata West Living Zone | Granted |
| K A Sorensen | LUC0190/19 | 718A Findlay Road MARAMARUA | For retrospective and new land use consent to undertake earthworks within the Hauraki Gulf Catchment Area that exceed the permitted area in order to form a building platform and driveway and install on-site wastewater and stormwater disposal systems. | Granted |

Delegated Authority Report¹⁴⁶

Period from 1 January 2019 to 31 January 2019

| Awaroa ki Tuakau | | Ward Total: 15 | | |
|--|---------------|---------------------------------|---|----------|
| Applicant | ID No | Address | Details | Decision |
| Fire and Emergency New Zealand | LUC0092/19 | 37 Great South Road POKENO | Establishment and operation of a new fire station within the Pokeno Business Town Centre | Granted |
| S D C Budden, A R K Budden | LUC0152/19 | 215B Bald Hill Road WAIUKU | Undertake retrospective earthworks that exceed the permitted cut height and undertake remedial earthworks within the Rural Zone. | Granted |
| DW Homes Limited | LUC0208/19 | 5 Moyle Street POKENO | Construct a residential dwelling that exceeds the permitted earthworks limit in the Residential 2 Zone, Franklin Section of the Waikato District Plan. | Granted |
| RJF Construction Limited | LUC0218/19 | 12 Bellenden Crescent POKENO | To undertake earthworks that exceeds the permitted volume for the purpose of creating a building platform within the Residential 2 Zone. | Granted |
| B M Sutton, D W Sutton | LUC0228/19 | 42 Hitchen Road POKENO | Construction of a dwelling in the Residential 2 Zone to be used as a show home for 24 months longer than the maximum 12 months permitted, and exceeds the maximum permitted coverage of 35% by 4.965% (29.08 m ²). Construction of a temporary sign that exceeds the maximum permitted area of 1.0 m ² by 1.32 m ² and to be placed on site 33 months longer than the maximum permitted duration of 3 months. | Granted |
| E Millett | LUC0233/19 | 500 Forestry Road WAIUKU | Construction of a subsidiary dwelling in the Rural Zone for a dependent relative that encroaches on the 10 m front yard setback by 1.72 m, encroaches on a 30 m development setback by 3.96 m, and is 39.18 m from the main dwelling on the site. Construction of an effluent disposal system that encroaches on a 30 m development setback by 13.3 m. | Granted |
| QunYi Construction Group LTD | LUC0241/19 | 3 Culverwell Crescent POKENO | To construct a dwelling with a garage that encroaches into the required front yard within the Residential 2 Zone. | Granted |
| JSM Properties Limited | LUC0268/19 | 68 Elizabeth Street TUAKAU | Construction of a driveway for a Multi-Unit Housing development over two separate titles with a common access way separated by an existing property boundary. Each property will have 1.75 m which fails the 3.5 m minimum legal width for an access by 1.75 m. | Granted |
| Tuakau Joinery & Builders Supplies Limited | LUC0379/17.01 | 23 Liverpool Street TUAKAU | S127 to change/cancel conditions of resource consent LUC0379/17 to allow for a revised car parking and manoeuvring layout. | Granted |

Delegated Authority Report¹⁴⁷

Period from 1 January 2019 to 31 January 2019

| | | | | |
|--|---------------|-----------------------------------|--|---------|
| L C Hatch | SUB0047/19 | 177 Cameron Town Road PUKEKOHE | Undertake a transferable subdivision of a consented lot where both the receiver and donors sites are outside the Environmental Enhancement Overlay Area (EEOA) within the Rural Zone | Granted |
| Tuakau Joinery & Builders Supplies Limited | SUB0052/19 | 23 Liverpool Street TUAKAU | To undertake a boundary adjustment between 3 adjacent properties in the Business Zone. NES: Subdivision of land on a site known to have a HAIL Activity | Granted |
| Waikato District Council | SUB0077/19 | 74 Geraghtys Road TUAKAU | Undertake a minor boundary relocation between two titles in the Rural Zone. | Granted |
| N Ruygrok, N C Ruygrok | SUB0185/12.01 | 259 Masters Road WAIUKU | S127 to change/cancel consent condition EC5 of resource consent SUB0185/12 to bring the entrance design in-line with the current engineering standards. | Granted |
| J Darlington | SUB0269/18.01 | 100 Wily Road PUKEKOHE | S127 to change/cancel conditions of Subdivision consent (SUB0269/18) to amend Condition 9 to allow for solar powered connections to the site to satisfy the condition. | Granted |
| R R Walles | VAR0009/19 | 101 Hull Road WAIUKU | Cancellation of a Consent Notice 10707136.5 in relation to Lot 2 DP 525068 regarding geotechnical requirements | Granted |

Hukanui - Waerenga Ward Total: 2

| Applicant | ID No | Address | Details | Decision |
|---------------------|---------------|---|--|----------|
| T A Vea, H M Vea | LUC0246/19 | 326 Horsham Downs Road HORSHAM DOWNS | To construct a covered portico that will be in conjunction with the existing development on site, failing the site coverage in the Rural Zone. | Granted |
| M R McDonald | SUB0200/17.01 | 175 Puketaha Road ROTOTUNA | S127 to change/cancel conditions of subdivision consent SUB0200/17 to increase the size of Lot 3 and decrease the size of Lot 7 | Granted |

Huntly Ward Total: 4

| Applicant | ID No | Address | Details | Decision |
|-----------|------------|----------------------------|--|----------|
| T H Ng | LUC0141/19 | 223 Kimihia Road HUNTLY | To construct two dwellings on a site and undertake associated earthworks for the building platform and driveway. | Granted |
| B E Shaw | LUC0188/19 | 45B Bone Road HUNTLY | To establish and operate a Rural Industry in the Rural Zone | Granted |
| N Gibbons | LUC0203/19 | 34 Russell Road HUNTLY | Relocate a second hand dwelling to the site, which will be the second dwelling on the site for a temporary period and will fail entrance separation distance in the Living Zone. | Granted |

Delegated Authority Report¹⁴⁸

Period from 1 January 2019 to 31 January 2019

| | | | | |
|--------------------------|------------|------------------------------------|--|---------|
| Eastside Heights Limited | LUC0209/19 | 891 Hakarimata Road NGARUAWAHIA | Construct a new vehicle crossing to serve the site, which does not comply with the District Plan required minimum separation distances between vehicle crossings in the Country Living Zone. | Granted |
|--------------------------|------------|------------------------------------|--|---------|

Newcastle Ward Total: 3

| Applicant | ID No | Address | Details | Decision |
|-------------------------------|---------------|-----------------------------------|--|----------|
| J R Adams, B J Adams | LUC0225/19 | 2119A Te Pahu Road WHATAWHATA | To construct and use a dependant persons dwelling which will not share an outdoor living court with the main dwelling in the Country Living Zone. | Granted |
| Henderson Farms Trust Limited | SUB0954/11.01 | 717 Karakariki Road KARAKARIKI | Change of conditions to amend condition PC5, FC2 and DC1 in relation to telecommunications, financial contributions and development contributions. | Granted |
| Henderson Farms Trust Limited | SUB0956/11.01 | 717 Karakariki Road KARAKARIKI | Change of conditions to amend condition PC5 in relation to telecommunications. | Granted |

Ngaruawahia Ward Total: 2

| Applicant | ID No | Address | Details | Decision |
|--------------------------------|---------------|------------------------------|---|----------|
| Northgate Developments Limited | LUC0105/19 | 53 Holmes Road HOROTIU | To authorise an Indicative Development Plan for Stage 3A of the Horotiu Industrial Park and the physical works associated with constructing the internal roads and reticulated services within this portion of stage 3A, including bulk earthworks. | Granted |
| River Road North Limited | SUB0178/16.05 | 75 River Road NGARUAWAHIA | S127 to change/cancel conditions of subdivision consent SUB0178/16 to remove the road infrastructure requirements covered in stage 1 from super stage 2 and covered in stage 2 from super stage 3, add a consent notice within super stages 2 restricting building works until physical works are completed within the appropriate stages, add an easement to serve Lot 507 in Super Stage 3 and allow for the cancellation of superseded consent notices | Granted |

Onewhero-Te Akau Ward Total: 2

| Applicant | ID No | Address | Details | Decision |
|---|------------|-------------------------|--|----------|
| K C Van Velthuisen, A A Van Velthuisen | LUC0169/19 | 311 Hunt Road TUAKAU | Large-scale Earthworks to construct building platforms for sheds to run a chicken farm operation on the site with animal enclosures exceeding the minimum permitted distance of 12 m from adjacent sites by 7 m. | Granted |

Delegated Authority Report¹⁴⁹

Period from 1 January 2019 to 31 January 2019

| Pukekawa Land Company Ltd | SUB0076/19 | 4 Mile Bush Road TUAKAU | Partial revocation of existing rights-of-way easements "A", "B", "J" and "K" created by Easement Instrument 10268761.3 pursuant to Section 243(e) of the Resource Management Act 1991 | Granted |
|-------------------------------|--------------|--------------------------------|--|-----------------|
| Tamahere | | Ward Total: 2 | | |
| Applicant | ID No | Address | Details | Decision |
| R D George, K George | LUC0184/19 | 107C Tauwhare Road TAMAHERE | To construct a shed that encroaches on a boundary setback and exceeds the permitted accessory building coverage and total impervious surfaces within the Country Living Zone. | Granted |
| J J Myles, J L Baty-Myles | LUC0216/19 | 148 Tamahere Drive TAMAHERE | Reposition the existing dwelling and construct of a Dependent Person's Dwelling within the Rural Zone that does not share an outdoor living court with the main dwelling on the site; Both the DPD and western wing of the main dwelling will be within the permitted 25m setback and the access way is within the permitted 100m separation distance of another access way. | Granted |
| Whangamarino | | Ward Total: 3 | | |
| Applicant | ID No | Address | Details | Decision |
| D O Townsend, K F Townsend | LUC0199/19 | 2A Jackway Rise TE KAUWHATA | To construct a retaining wall with fence along boundary which exceeds yard setbacks and height. | Granted |
| R and T Pastoral Limited | LUC0229/19 | 40 Awariki Road WAERENGA | To construct a Building for Productive Rural Activities greater than 1000m ² , being an Effluent Tank in the Rural Zone | Granted |
| Aradag Limited | SUB0021/19 | 123A Caie Road MANGATAWHIRI | To undertake a boundary adjustment involving seven Records of Title in the Rural Zone | Granted |

Open Meeting

| | |
|---------------------------------|---|
| To | Waikato District Council |
| From | S O’Gorman General Manager Customer Support |
| Date | 23 January 2019 |
| Prepared by | Christine Cunningham |
| Chief Executive Approved | Y |
| Reference # | GOV1301 |
| Report Title | Summary of Applications Determined by the District Licensing Committee October – December 2018 |

I. EXECUTIVE SUMMARY

This report provides a summary of applications determined by the District Licensing Committee between October and December 2018.

2. RECOMMENDATION

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

3. ATTACHMENTS

Report: The Schedule of Applications Determined by District Licensing Committee between October and December 2018.

LICENCES

| Applicants Name | Application Type | Premises | Decision | Date Issued | Licence No. |
|--|--------------------------|---|----------|-------------|----------------|
| The Ngaruawahia R.S.A Memorial Club Incorporated | Club Renewal | Ngaruawahia RSA | Granted | 2/10/18 | 14/CL/12/2018 |
| Ngaruawahia United Association Football Club Incorporated | Club Renewal | Ngaruawahia United Association Football Club | Granted | 2/10/18 | 14/CL/14/2018 |
| Huntly College Old Boys Rugby Football Club Incorporated | Club Renewal | Huntly College Old Boys Rugby Football Club | Granted | 2/10/18 | 14/CL/13/2018 |
| Rockaway Beach Limited | On Renewal | Yot Club, Raglan | Granted | 9/10/18 | 14/ON/21/2018 |
| Huntly Quoit Club Incorporated | New Club | Huntly Quoit Club | Granted | 9/10/18 | 14/CL/15/2018 |
| SRP Holdings 2015 Limited | Temporary Authority (On) | Scoundrels & Sea Dogs Bar & Grill | Granted | 16/10/18 | 14/TA/04/18.01 |
| Turangawaewae Rugby League Sports And Cultural Club Incorporated | Club Renewal | Turangawaewae Rugby League Sports And Cultural Club | Granted | 23/10/18 | 14/CL/17/2018 |
| Te Kauwhata Squash Club Incorporated | Club Renewal | Te Kauwhata Squash Club | Granted | 23/10/18 | 14/CL/20/2015 |
| Rizak Pvt Limited | Temporary Authority | Tuakau Wholesale Liquor | Granted | 23/10/18 | 14/TA/07/18 |

| | | | | | |
|---|--------------------------|--|---------|----------|----------------|
| | (Off) | | | | |
| Kiwi Capital Hospitality Limited | Temporary Authority (On) | George's Beach Club, Raglan | Granted | 23/10/18 | 14/TA/06/18 |
| Pokeno Motel Limited | On Renewal | Pokeno Motel | Granted | 30/10/18 | 14/ON/22/2018 |
| Tuakau Combined Sports Society Incorporated | New Club | Tuakau Combined Sports Society | Refused | 13/11/18 | LicApp07/2018 |
| V. J. & Co Limited | Off Renewal | Bottle-O Huntly | Granted | 30/10/18 | 14/OFF/16/2018 |
| SRP Holdings 2015 Limited | Temporary Authority (On) | Scoundrels & Sea Dogs Bar & Grill | Granted | 20/11/18 | 14/TA/04/18.02 |
| S J Tiwana Limited | Off Renewal | Meremere Superette | Granted | 20/11/18 | 14/OFF/17/2018 |
| Rizak Pvt Limited | New Off | Tuakau Wholesale | Granted | 4/12/18 | 14/OFF/18/2018 |
| Nikau Cave Limited | On Renewal | Nikau Cave & Café | Granted | 4/12/18 | 14/ON/23/2018 |
| Ngaruawahia Rugby League Football Club Incorporated | Club Renewal | Ngaruawahia Rugby League Football Club | Granted | 4/12/18 | 14/CL/18/2018 |
| Maramarua Golf Club Incorporated | Club Renewal | Maramarua Golf Club | Granted | 4/12/18 | 14/CL/19/2018 |
| Maramarua Rugby Football Club Incorporated | Club Renewal | Maramarua Rugby Football Club | Granted | 11/12/18 | 14/CL/20/2018 |
| Zealong Tea Estate Limited | On Variation | Zealong Tea Estate, Gordonton | Granted | 11/12/18 | 14/ON/24/2018 |
| Kiwi Capital Hospitality Limited | Temporary Authority (On) | George's Beach Club, Raglan | Granted | 18/12/18 | 14/TA/06/18.01 |

| | | | | | |
|--|--------------|-----------------------------------|---------|----------|----------------|
| Te Mata Social Club Incorporated | Club Renewal | Te Mata Social Club | Granted | 18/12/18 | 14/CL/21/2018 |
| Waikato Stock and Saloon Car Club Incorporated | Club Renewal | Waikato Stock and Saloon Car Club | Granted | 18/12/18 | 14/CL/22/2018 |
| SRP Holdings 2015 Limited | On New | Bar 29, Tuakau | Granted | 11/12/18 | 14/On/25/2018 |
| Funtime Foods And Amusements Limited | Special | Meremere Dragway | Granted | 2/10/18 | 14/SP/050/2018 |
| Raglan Club Incorporated | Special | Raglan Club | Granted | 2/10/18 | 14/SP/048/2018 |
| Te Kauwhata Rugby Sports Club Incorporated | Special | Te Kauwhata Rugby Sports Club | Granted | 2/10/18 | 14/SP/049/2018 |
| Funtime Foods and Amusements Limited | Special | Meremere Dragway | Granted | 9/10/18 | 14/SP/051/2018 |
| Debbie Maree Hawkins | Special | Gordonton Community Hall | Granted | 16/10/18 | 14/SP/057/2018 |
| Ngaruawahia Bowling Club Incorporated | Special | Ngaruawahia Bowling Club | Granted | 16/10/18 | 14/SP/056/2018 |
| Pukekawa Pony Club Incorporated | Special | Pukekawa Community Hall | Granted | 23/10/18 | 14/SP/054/2018 |
| Waikato Hispano-Latino Cultural Group Incorporated | Special | Gordonton Community Hall | Granted | 30/10/18 | 14/SP/059/2018 |
| Sheryl Joy Cleaver | Special | Mercer Rowing Club | Granted | 30/10/18 | 14/SP/055/2018 |

| | | | | | |
|---------------------------------------|---------|--|---------|----------|----------------|
| Leanne Unkovich | Special | The Hungry Morepork, Hamilton Zoo | Granted | 27/11/18 | 14/SP/062/2018 |
| Marlize De Witt | Special | Cornerstone Alpaca, Peach Road Gordonton | Granted | 28/11/18 | 14/SP/063/2018 |
| Ngaruawahia Golf Club Incorporated | Special | Ngaruawahia Golf Club | Granted | 4/12/18 | 14/SP/065/2018 |
| Maramarua Golf Club Incorporated | Special | Maramarua Golf Club | Granted | 11/12/18 | 14/SP/064/2018 |
| Aloha Victoria Bailey | Special | Ex: Waipa Tavern Ngaruawahia | Granted | 11/12/18 | 14/SP/069/2018 |
| Zu Entertainment Limited | Special | Wainui Reserve, Raglan | Granted | 14/12/18 | 14/SP/066/2018 |
| Tuakau Cosmopolitan Club Incorporated | Special | Tuakau Cosmopolitan Club | Granted | 18/12/18 | 14/SP/068/2018 |
| The Cocktail Cart Limited | Special | 103 Te Awa Road, Tamahere | Granted | 18/12/18 | 14/SP/058/2018 |

MANAGER'S CERTIFICATES

| Applicant's Name | Application Type | Premises employed | Decision | Date Issued | Certificate No. |
|-----------------------------|------------------|----------------------------|----------|-------------|------------------|
| Frances Bronwyn Clark | New | Raglan Club | Granted | 2/10/18 | 14/Cert/061/2018 |
| Tahli Brooke Ryder-Mitchell | Renewal | The Pantry, Raglan | Granted | 2/10/18 | 14/Cert/056/2017 |
| Stephen Christopher Parton | Renewal | Harbour View Hotel, Raglan | Granted | 2/10/18 | 14/Cert/046/2017 |
| Christina Dawn Slade | New | Te Kauwhata Trust Tavern | Granted | 2/10/18 | 14/Cert/059/2018 |

| | | | | | |
|----------------------------|---------|------------------------------------|---------|----------|------------------|
| Timothy Joseph Ryan | New | Raglan Golf Club | Granted | 2/10/18 | 14/Cert/060/2018 |
| Tui Manila Pairama | Renewal | Raglan Club | Granted | 9/10/18 | 14/Cert/062/2018 |
| Taishah Marlene Kutia | Renewal | Cheep Liquor Ngaruawahia | Granted | 9/10/18 | 14/Cert/041/2017 |
| Peter James McKenzie | Renewal | Woodside Estate, Matangi | Granted | 9/10/18 | 14/Cert/111/2014 |
| Philip Cedric Woodward | Renewal | Nikau Cave Limited | Granted | 16/10/18 | 14/Cert/099/2015 |
| Alan Stanley Mills | Renewal | Countdown, Huntly | Granted | 23/10/18 | 14/Cert/065/2018 |
| Justin Trevor Thomson | Renewal | The Shack, Raglan | Granted | 23/10/18 | 14/Cert/094/2015 |
| James Andrew Miller | Renewal | Huntly Quoits Club | Granted | 23/10/18 | 14/Cert/101/2015 |
| Preeti Sharma | Renewal | Essex Arms, Huntly | Granted | 23/10/18 | 14/Cert/064/2018 |
| Linda Jane Swetman | Renewal | Hukanui Golf Club | Granted | 23/10/18 | 14/Cert/120/2014 |
| Jeffery Neville Holloway | Renewal | Harbour View Hotel, Raglan | Granted | 23/10/18 | 14/Cert/089/2015 |
| Anne Lorraine Richmond | Renewal | Ngaruawahia Golf Club | Granted | 23/10/18 | 14/Cert/063/2018 |
| Robert David MacMillian | Renewal | Tuakau Cosmopolitan Club | Granted | 30/10/18 | 14/Cert/104/2015 |
| Chandrasekar Gnanasundaram | Renewal | Namaste Kitchen | Granted | 30/10/18 | 14/Cert/127/2014 |
| Sean Patrick Carmichael | New | The Beer Cellar, Horotiu | Granted | 30/10/18 | 14/Cert/066/2018 |
| Liu Yi Fan Zhang | New | Zealong Tea Estate, Gordonton | Granted | 6/11/18 | 14/Cert/069/2018 |
| Colleen Mary Woodman | New | Waikato Clay Target Club, Newstead | Granted | 6/11/18 | 14/Cert/068/2018 |

| | | | | | |
|---------------------------------|---------|--|---------|----------|-------------------|
| Laurel Alison Pratt | New | Waikato Clay Target Club, Newstead | Granted | 6/11/18 | 14/Cert/067/2018 |
| Anouschka Makerita Moka | Renewal | Countdown Huntly | Granted | 6/11/18 | 14/Cert/057/2017 |
| Charlene Maree Mansell | Renewal | Countdown Huntly | Granted | 6/11/18 | 14/Cert/116/2015 |
| Madeline Grace Black | New | Onewhero Rugby Club | Granted | 13/11/18 | 14/Cert/070/2018 |
| Inderpal Singh Sekhon | Renewal | Tuakau Wholesale | Granted | 20/11/18 | 14/Cert/051/2017 |
| Marangamai Marie Kathleen Te Ao | Renewal | Mokai Awhina Sports Cultural & Recreation Club, Tuakau | Granted | 20/11/18 | 14/Cert/053/2017 |
| Nicola Joy Lydiard | Renewal | Ngaruawahia RSA | Granted | 20/11/18 | 14/Cert/058/2017 |
| Emily Tasisio Afleaki | Renewal | McGinty's Bar, Huntly | Granted | 20/11/18 | 14/Cert/3870/2014 |
| Jaskaran Vir Singh | New | The India Restaurant and Bar, Tuakau | Granted | 4/12/18 | 14/Cert/071/2018 |
| Lakhwinder Singh | Renewal | Bar 29, Tuakau | Granted | 4/12/18 | 14/Cert/054/2017 |
| Gabrielle Francesca Bregmen | New | Te Akau Waingaro Community Complex | Granted | 11/12/18 | 14/Cert/072/2018 |
| Donella Clare Bond | Renewal | Tuakau Hotel | Granted | 18/12/18 | 10/Cert/100/2015 |

| | | | | | |
|-----------------------|---------|-------------------------------|---------|----------|------------------|
| Rajpal Singh Dhillon | Renewal | Tuakau Bottle-O | Granted | 18/12/18 | 11/Cert/110/2017 |
| Mario Ivan Vodanovich | Renewal | Te Kauwhata Rugby Sports Club | Granted | 18/12/18 | 14/Cert/004/2015 |

APPLICATIONS DETERMINED AT A DISTRICT LICENSING COMMITTEE HEARING

LICENCES

| Applicant's Name | Application Type | Premises | Decision | Date Of Hearing | Licence No. |
|-----------------------|---------------------|----------------|----------|-----------------|----------------|
| Pilot Brewery Limited | Temporary Authority | Isobar, Raglan | Granted | 26/11/18 | 14/TA/05/18.01 |

MANAGER'S CERTIFICATES

| Applicant's Name | Application Type | Premises employed | Decision | Date of Hearing | Certificate No. |
|-------------------------|------------------|--------------------------------|----------|-----------------|------------------|
| Kushla Moengarangi Weke | Renewal | Tuakau Wholesale Liquor Centre | Refused | 1/11/18 | 14/Cert/060/2015 |

Open Meeting

| | |
|---------------------------------|-------------------------------|
| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | 7 February 2019 |
| Chief Executive Approved | Y |
| Reference # | GOV1318 |
| Report Title | 2019 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 2019. 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.

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 2019.

7. ATTACHMENTS

Annual Calendar

ANNUAL CALENDAR - 2019

| | 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 | |
| SAT | | | | | | | | | | | 1 | | | | | | | | | | | | | | SAT |
| SUN | | | | | | | | | | | 2 | | | | | | | | | | | | | | SUN |
| MON | | | | | | | 1 | | | | 3 | Queen's Birthday | 1 | | | | | 2 | | | | | | 2 | MON |
| TUES | 1 | New Year's Day | | | | | | | | | | | | | | | | | | | | | | | TUE |
| WED | 2 | New Year's Day Observed | | | | | | | | | | | | | | | | | | | | | | | WED |
| THU | 3 | | | | | | | | | | | | | | | | | | | | | | | | THU |
| FRI | 4 | | 1 | | 1 | | | | | | | | | | | | | | | | | | | | FRI |
| SAT | 5 | | 2 | | 2 | | | | | | | | | | | | | | | | | | | | SAT |
| SUN | 6 | | 3 | | 3 | | | | | | | | | | | | | | | | | | | | SUN |
| MON | 7 | | 4 | | 4 | | | | | | | | | | | | | | | | | | | | MON |
| TUE | 8 | | 5 | | 5 | | | | | | | | | | | | | | | | | | | | TUE |
| WED | 9 | | 6 | Waitangi Day | 6 | | | | | | | | | | | | | | | | | | | | WED |
| THU | 10 | | 7 | | 7 | | | | | | | | | | | | | | | | | | | | THU |
| FRI | 11 | | 8 | | 8 | | | | | | | | | | | | | | | | | | | | FRI |
| SAT | 12 | | 9 | | 9 | | | | | | | | | | | | | | | | | | | | SAT |
| SUN | 13 | | 10 | | 10 | | | | | | | | | | | | | | | | | | | | SUN |
| MON | 14 | | 11 | | 11 | | | | | | | | | | | | | | | | | | | | MON |
| TUE | 15 | | 12 | | 12 | | | | | | | | | | | | | | | | | | | | TUE |
| WED | 16 | | 13 | | 13 | | | | | | | | | | | | | | | | | | | | WED |
| THU | 17 | | 14 | | 14 | | | | | | | | | | | | | | | | | | | | THU |
| FRI | 18 | | 15 | | 15 | | | | | | | | | | | | | | | | | | | | FRI |
| SAT | 19 | | 16 | | 16 | | | | | | | | | | | | | | | | | | | | SAT |
| SUN | 20 | | 17 | | 17 | | | | | | | | | | | | | | | | | | | | SUN |
| MON | 21 | | 18 | | 18 | | | | | | | | | | | | | | | | | | | | MON |
| TUE | 22 | | 19 | | 19 | | | | | | | | | | | | | | | | | | | | TUE |
| WED | 23 | | 20 | | 20 | | | | | | | | | | | | | | | | | | | | WED |
| THU | 24 | | 21 | | 21 | | | | | | | | | | | | | | | | | | | | THU |
| FRI | 25 | | 22 | | 22 | | | | | | | | | | | | | | | | | | | | FRI |
| SAT | 26 | | 23 | | 23 | | | | | | | | | | | | | | | | | | | | SAT |
| SUN | 27 | | 24 | | 24 | | | | | | | | | | | | | | | | | | | | SUN |
| MON | 28 | Auckland Anniversary | 25 | | 25 | | | | | | | | | | | | | | | | | | | | MON |
| TUES | 29 | | 26 | | 26 | | | | | | | | | | | | | | | | | | | | TUE |
| WED | 30 | | 27 | | 27 | | | | | | | | | | | | | | | | | | | | WED |
| THU | 31 | | 28 | | 28 | | | | | | | | | | | | | | | | | | | | THU |
| FRI | | | | | 29 | | | | | | | | | | | | | | | | | | | | FRI |
| SAT | | | | | 30 | | | | | | | | | | | | | | | | | | | | SAT |
| SUN | | | | | 31 | | | | | | | | | | | | | | | | | | | | SUN |
| KEY | JAN | | FEB | | MAR | | APR | | MAY | | JUN | | JUL | | AUG | | SEP | | OCT | | NOV | | DEC | | KEY |
| | Waikato | | Infrastructure (9.00am) | | Council (1.15pm) | | Policy & Regulatory (9.00am) | | Strategy & Finance (9.00am) | | Citizenship | | Pokeno CC (7.00pm) | | Taupiri CB (6.00pm) | | 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) | | | | Ngaruawahia CB (6.00pm) | | Huntly CB (6.00pm) | | Te Kauwhata CC (7.00pm) | | Civil Defence Management Group | | Other Meetings | | |

Open Meeting

| | |
|---------------------------------|---------------------------------|
| To | Policy & Regulatory Committee |
| From | Gavin Ion Chief Executive |
| Date | February 2019 |
| 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 2018/2019 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 2018/2019.

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

Nil at this stage.

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 are involved as a strategic partner of Council.

Iwi have 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 2018/2019.

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 – 2018/2019

| Key project/priority | Key deliverables/KPIs | | Progress | Final Achievement Met/Not Met |
|---|-----------------------|--|---|-------------------------------|
| 1. Delivery and achievement of LTP year 1 (covers normal business activities and the delivery of the annual work programme) | 1.1 | LTP financial year 2018/2019 work programmes are completed on time, cancelled, agreed for deferral or carried forward as agreed with Council. | Work is underway, predominantly with the letting of contracts for carry forward works. A resource allocation assessment is being undertaken to determine whether there are sufficient resources available to complete the work budgeted and carried forward. | |
| | 1.2 | The LTP year 1 is completed within agreed budget and variations approved by Council. | At this early stage of the year budgets and tenders are being worked through to identify any concerns. | |
| | 1.3 | 80% of the 2018/2019 year LTP non-financial KPIs are achieved. | A quarterly report on this is provided to the Strategy & Finance Committee meeting. The last update was in November 2018. | |
| | 1.4 | a) A comprehensive review of the Economic Development Implementation Plan is to be completed by the end of May 2019. b) The agreed 2018/2019 projects in the Implementation Plan are delivered by 30 June 2019. | a) This work has not commenced at present but scheduled for completion in line with the deadline. b) Once the review of the Implementation Plan is completed, this goal will be triggered. | |
| | 1.5 | Provide evidence that services are being delivered in an efficient, innovative (where possible, taking into account available Council resources) and cost effective manner e.g. Regional Library Service. | Work is underway on the feasibility of a Regional Library Service. The Alliance with Downer delivered a gain share for 2017/18 which is an indication of cost effectiveness. The Waikato Building Cluster is seeking efficiencies through reducing auditing from eight audits (one per council) to one audit (for all eight councils). Approval has been sought from government on this idea. | |

| Key project/priority | Key deliverables/KPIs | | Progress | Final Achievement Met/Not Met |
|--|-----------------------|---|---|-------------------------------|
| | | | Work continues on the review of the i-Site contracts. | |
| | 1.6 | Demonstrate progress with delivering or completing action points on the Audit & Risk Committee's work programme at each meeting. | Progress has been made in reducing outstanding items on the work programme. A detailed deep dive into a specific topic has been undertaken. In September, this related to the zero harm strategic risk. In December the focus was on our waters management. | |
| 2. Continued improvements in customer service | 2.1 | Completion of more than 90% of service requests within set timeframes for the year. | At the end of December 88.37% of service requests have been completed within the set timeframes. | |
| | 2.2 | Overdue service requests are less than 110 on average for the year. | Overdue service requests at the end of December averaged 135. This resulted from a significant increase in December. Work is being undertaken to ensure that (over the Christmas period) completed service requests have been closed out. | |
| | 2.3 | The agreed programme items in the Council agreed customer strategy are implemented by 30 June 2019. | The Customer Experience Strategy work plan is being developed in conjunction with Gearing for Growth and Greatness. A number of projects will be required. | |
| 3. Partnerships, relationships, regional initiatives and engagement with external stakeholders | 3.1 | <p>a) Engage with key stakeholders, including developers, community organisations, Community Boards/Committees, Iwi, key regional contacts and other council contacts about how relationships with the Chief Executive and Council can be strengthened and made more productive.</p> <p>b) Provide evidence of progress against the current</p> | <p>(a) The Chief Executive has met with Iwi, neighbouring councils and developers on strategic issues. Feedback to date has been constructive. As a result, more meetings have been organised with Waikato-Tainui and with NZTA to progress mutual outcomes.</p> <p>There have also been several community meetings attended by the Chief Executive to build stronger relationships.</p> <p>(b) <u>Leadership</u> The Chief Executive has been working with</p> | |

| Key project/priority | Key deliverables/KPIs | | Progress | Final Achievement Met/Not Met |
|----------------------|-----------------------|---|--|-------------------------------|
| | | action plan and update the action plan to incorporate new feedback at each sub-committee meeting. | <p>developers and Waikato Regional Council about water allocation. This led to a successful agreement that will benefit our community and economic development activities.</p> <p>The Chief Executive is leading the regional conversation about the transformation of WLASS.</p> <p><u>Interpersonal Ability</u> A key focus has been engagement with Iwi. Two hui have been held to advance engagement. A further hui is planned during February.</p> <p><u>Visibility</u> More time is being allocated for key regional meetings. This is evident in the Hamilton to Auckland Corridor work and the Waikato Economic Development Forum held at the end of August.</p> <p>The Chief Executive, Mayor and Councillor Thomson the National Maaori Housing Conference in November and this presented some important networking opportunities particularly with government Ministers and Chief Executives.</p> | |
| | 3.2 | Provide evidence of collaboration with NZTA to deliver key outcomes. | <p>Discussions were held at the Local Government Conference and through several meetings. This engagement is the basis for further collaboration.</p> <p>A recent staff change at NZTA will necessitate further efforts to re-establish links.</p> | |
| | 3.3 | Provide evidence of collaboration and engagement | The Chief Executive has attended several Waikato-Tainui events. The Mayor and Chief Executive | |

| Key project/priority | Key deliverables/KPIs | | Progress | Final Achievement Met/Not Met |
|----------------------|-----------------------|--|---|-------------------------------|
| | | with Iwi including the key outcomes achieved. | <p>have now established regular meetings with the Waikato-Tainui Te Arataura Chair and Chief Executive.</p> <p>As noted above, The Chief Executive, Mayor and Councillor Thomson also attended the National Maaori Housing Conference which was well received by local and national Iwi.</p> | |
| | 3.4 | Agreed milestones are met in implementing the Strategic Plan for the Waikato Building Cluster Group. | <p>Work is progressing on the Strategic Plan:</p> <ul style="list-style-type: none"> ▪ Additional customer research has been undertaken. The results are being summarised for use in a work plan. ▪ Contact has been made with Government in relation to audit fees for the Cluster. ▪ A plan is being put in place for staff development and the development of a training and development centre. ▪ A review of resourcing for the cluster is underway. | |
| | 3.5 | <ul style="list-style-type: none"> ▪ An implementation plan for the Waters Governance Board is agreed by 31 October 2018. ▪ The agreed action items for 2018/2019 are completed on time and to budget. | <ul style="list-style-type: none"> ▪ Work is underway on the implementation plan. This will be heavily influenced by feedback from Watercare. ▪ This will follow development from the implementation plan. ▪ The Waters Governance Board has met several times and is starting to provide valuable input into our Waters Management. | |
| | 3.6 | Provide evidence of community engagement on key initiatives. | <p>Work continues on engagement in relation to the notified District Plan.</p> <p>The Blueprints project has also been progressing master planning in the District.</p> | |

| Key project/priority | Key deliverables/KPIs | Progress | Final Achievement Met/Not Met |
|---|---|---|-------------------------------|
| 4. Staff and Culture (including leadership, engagement, retention, zero harm) | 4.1 Leadership – The Staff Survey indicates a positive movement of 2% or more in relation to the leadership provided by senior management. | The survey will be undertaken later in the year. | |
| | 4.2 The Engagement Index shows a positive movement of 2% or more in the Annual Staff Survey. | The survey will be undertaken later in the year. | |
| | 4.3 Performance on key HR measures is as follows: a) Staff movement due to general turnover is less than 16%. b) Outstanding leave balances reduce by 5% or more by 30 June. c) Sick leave taken reduces by 5% or more by 30 June (noting this is an indication only of staff welfare and wellbeing). d) The score on the survey question “This organisation cares about the well-being of its people” increases by 2% or more. e) Provide a quarterly update summary and associated | a) Annual staff turnover is 16.08% at 31 December (previous year 17.14%). b) This goal was achieved for 2018. This measure relates to 2019. c) For the year 1 July 2017 to 30 June 2018 – Total sick leave taken 21,564.5 hours From 1 July 2018 to 31 December 2018 - Sick leave taken 10,275.3 hours - For comparison: For 1 July 2017 to 31 December 2017 – sick leave taken 10,545 hours This means the sick leave used for 2018/2019 year so far is tracking 2.56% less than the same period in the year 2017/2018 d) The survey will be undertaken later in the year. New providers are being considered. e) A summary of exit interview material was provided to the Chief Executive Performance Review Sub-committee for the 2017/2018 | |

| Key project/priority | Key deliverables/KPIs | | Progress | Final Achievement Met/Not Met |
|----------------------|-----------------------|--|---|-------------------------------|
| | | actions based on feedback from exit interviews. | year. f) The next summary update will be provided in December 2018 Vanessa | |
| | 4.4 | Provide quarterly updates to Council on progress with implementing the 100 day plan. | Implementation is well underway with Gearing for Growth & Greatness. This included a Team Up event on 15 January which included all available staff. The new Executive Leadership Team is functioning well. The first wave of recruitment for additional resources has been completed with 83% of the roles filled. Of the remaining two roles, one has been re-advertised and one has been reassessed. | |
| | 4.5 | The Zero Harm Strategic Plan actions for 2018/19 are completed by 30 June. | An update on the Zero Harm Strategic Plan was discussed with Council at the August meeting. Regular updates are provided on progress to Council and the Audit & Risk Committee. A summary dashboard presents the key information. | |