

*Minutes of a meeting of the Regulatory Committee held in the Council Chambers,
101 Bank Street, Te Awamutu on Monday 27 September 2010 commencing at
9.00am*

1 PRESENT

Councillor D Sharpe, Chairperson

Committee

Councillors BJ Taranaki, GRP Webber.

2 APOLOGIES

RESOLVED

4/10/40

*That the apologies for non attendance from Mayor Livingston and Cr
Newlands be received.*

Cr Webber/Cr Taranaki

3 LATE ITEMS

There were no late items.

4 CONFIRMATION OF ORDER OF MEETING

File: 01-89-04

RESOLVED

4/10/41

That the order of the meeting be confirmed.

Cr Taranaki/Cr Sharpe

5 CONFIRMATION OF PREVIOUS MEETINGS

File: 01-89-04

- 5.1 Ordinary Meeting of Regulatory Committee held on 30 August 2010
are held up by the Applicant and were unavailable for this meeting

6 WAIPA DISTRICT LIQUOR LICENSING AGENCY

- 6.1 **Monthly Schedule of Liquor License Applications
Considered by Staff Under Delegated Authority**

File: 01-85-10

RESOLVED

4/10/42

That the monthly schedule of Liquor License Applications Considered by Staff Under Delegated Authority for August 2010 be received.

Cr Taranaki/Cr Webber

7 GENERAL

7.1 Matters Considered by Staff Under Delegated Authority – Resource Management Act 1991

File: 01-52-01

RESOLVED

4/10/43

That the schedule of Matters Considered by Staff Under Delegated Authority for August 2010, be received, a copy of which is attached to and forms part of these minutes.

Cr Sharpe/Cr Webber

8 APPOINTMENT OF HEARING COMMISSIONERS TO REGULATORY COMMITTEE FOR THE PURPOSE OF HEARING RESOURCE CONSENT APPLICATIONS

There were no appointments made at this meeting.

9 ENVIRONMENTAL COURT APPEALS & ENFORCEMENT PROCEEDINGS

There were no updates for this meeting.

10 HEARINGS

10.1 9.15am – 10.08am

**Application for a Limited Notified Resource Consent to Establish and Operate a Church, Pirongia Road, Te Awamutu being Part Allotment 317, Parish of Mangapiko
File: 04611/089.01 LU/0116/10**

The Chairperson welcomed Mr Papps and Mr Beazley and outlined the procedures for the hearing.

DECISION OF REGULATORY COMMITTEE ON A LIMITED NOTIFIED RESOURCE CONSENT APPLICATION TO ESTABLISH AND OPERATE A CHURCH IN THE RURAL ZONE PURSUANT TO SECTION 113 OF THE RESOURCE MANAGEMENT ACT 1991

THE HEARING

The hearing held on 27 September 2010 was attended by the following:

Applicant	<i>Ron Paps on behalf of The Te Awamutu Congregation of Jehovah's Witnesses</i>
Appearing for Applicant	<i>Grant Beazley – Agent</i>
Appearing for Council	<i>Jaime McLellan - Planner Karl Tutty –Team Leader, Environmental Services</i>

SITE VISIT

The Regulatory Committee did not undertake a site visit as they were either familiar with the site or had conducted an independent site visit prior to the hearing.

THE RELEVANT STATUTORY PROVISIONS

The application was considered under the provisions of the Resource Management Act 1991 (RMA).

It was assessed as a **non-complying** activity and thus, was considered in accordance with sections 104, 104B, 104D and Part 2 of the RMA.

OTHER RELEVANT PROVISIONS CONSIDERED

OPERATIVE WAIPA DISTRICT PLAN

The following provisions in the Operative Waipa District Plan (District Plan) were considered in the assessment of the application.

Objectives and Policies

- *Objectives NS1, NS2, TR1, TR2, TR3, TR5,*
- *Policies NS1, NS2, TR2, TR8, RU18, RU31, RU53, RU54, RU61, RU63, RS1, RS3, RS4, RS20*

Rules

- *Rural Zone Rules*

OTHER LEGISLATION

The provisions of the Local Government Act 2002 (LGA) are applicable to this proposal and have been considered in the assessment of the application. In particular, a development contribution has been levied to off-set the potential increase in demand on roading and transport infrastructure, pursuant to Sections 197-212 of the LGA.

OTHER POLICY STATEMENTS

The proposal was not inconsistent with any National Policy Statement, New Zealand Coastal Policy Statement, Waikato Regional Policy Statement or Proposed Regional Policy Statement, or Waikato Regional Plan.

THE PRINCIPAL ISSUES THAT WERE IN CONTENTION:

The principal issues that were in contention were:

- The potential adverse traffic effects
- The potential adverse noise effects.

SUMMARY OF THE EVIDENCE HEARD

Evidence on behalf of the applicant was given by Grant Beazley of GMB Design. Mr Beazley presented a general summary of the application.

Mr Beazley discussed the hours of operation and in particular the size and nature of the services. Mr Beazley noted that up to four regular services would be held each week at the church. The regular services catered for gatherings of no more than 120 people. In addition to these services, up to four special services would be held for weddings and funerals each year. Mr Beazley anticipated that on occasion the special services may exceed 120 people, in which case the building was able to safely accommodate up to 200 people.

Mr Beazley noted that condition 10 of the planner's report required a further 10 parking unformed spaces to the north of the proposed carpark to accommodate the additional demand for parking during special services. Mr Beazley offered to provide a further 32 unformed parking spaces. This would provide a total of 42 spaces for 'over-flow' parking.

Mr Beazley discussed the potential noise that would be generated by the church and detailed the typical church proceedings and the use of audio equipment. He advised that the design of the church included the acoustic treatment, which would attenuate any noise and avoid any nuisance to neighbours. He noted the comments of the Council's Team Leader - Environmental Services, contained in the planners report, which noted that

there had not been any recorded complaints concerning the existing Jehovah's Witness church at 115 Rewi Street, and added that other similar Jehovah's Witness Churches had operated in residential areas in other Districts without complaint.

Mr Beazley noted that the acoustic fencing would reduce the noise from the parking area, and accepted condition 14. Mr Beazley agreed to provide a visually permeable fence along the frontage to Alexandra Street and Pirongia Road. However, he noted that the District Plan permitted fences up to two-metres in height. On this basis, Mr Beazley requested that if condition 15 in the planner's report is imposed as a condition of consent, then it should be amended to allow a fence of up to 1.8-metres in height along the front boundary.

Mr Beazley stated that the proposed church has been designed with opening windows to provide natural ventilation and cooling. He advised that the mechanical ventilation and possibly air-conditioning may be required if some of the windows are non-operational and cannot be opened. The estimated cost of mechanical ventilation and air-conditioning would be in the order of \$20,000 and \$35,000, respectively. Mr Beazley submitted that the acoustic certificate, and the installation of mechanical ventilation, are an unreasonable expense and is not necessary to achieve compliance with the noise standards contained in the District Plan.

For the Council, Mr McLellan presented a summary of the main findings and recommendations contained in the planner's report. Mr McLellan noted that the traffic impact assessment (TIA) that was submitted with the application, confirmed that more than adequate provision has been made for on-site parking for regular services. He also noted that the TIA had concluded that there was ample parking available along Alexandra Street and Pirongia Road.

Mr McLellan advised that the use of any proposed over-flow parking on the grass area behind the main (formed) carpark would have limited use during the winter months and after periods of prolonged rainfall. However, Mr McLellan accepted that the additional over-flow parking could be used during dry periods and particularly over the summer months.

Mr McLellan noted that the changes to conditions 4-6 '*hours of operation*' would increase in the seating capacity which, in turn, would increase the demand for parking. Mr McLellan advised that the weddings are typically scheduled and therefore the parking and seating can be catered according to the number of guests. Whereas funerals are not scheduled far in advance due to their inherent and uncertain nature. Accordingly, funerals need have the flexibility to cater for an unknown number of guests, which on occasion may exceed the number of people that attend regular services.

Mr McLellan concluded that four special services per annum together with the additional over-flow parking would minimise the use of street parking. On this

basis, Mr McLellan accepted the proposed changes to conditions 4-6 and recommended that condition 7 '*Maximum Patron Numbers*' be deleted.

Regarding the height of the fence along the road frontage, Mr McLellan advised that the boundary treatment along Alexandra Street typically comprised low fences. However, he accepted that a fence of up to 1.8-metres would be permitted under the District Plan. Mr McLellan recommended that condition 15 be amended accordingly.

Mr McLellan introduced Council's Team Leader -Environmental Services, Karl Tutty and asked that Mr Tutty respond to the matters raised by Mr Beazley relating to the acoustics and the design of the proposed church. Mr Tutty, advised that Council could enforce the noise standards, if necessary, by way of conditions 10 and 29 in the planner's report. On this basis, Mr Tutty recommended that conditions 12 and 13, in the planner's report, be deleted.

The Committee noted the points raised by submitters concerning the potential adverse effects that may arise from the increase in the use of the street for parking. These concerns were considered during the Committee deliberations.

THE MAIN FINDINGS OF FACT:

The Regulatory Committee have considered the application, the evidence, the submissions, the planning assessment report prepared by the planner, the relevant statutory and planning provisions, and the principal issues that were in contention. The main findings of fact determined by the Regulatory Committee, which have led to the following decision and the reasons for that decision are as follows.

- The proposed use of the church is an efficient use of the site and the application should proceed, subject to the necessary controls over the size and scale of the activity and the proposed mitigation measures.
- Weddings, funerals and incidental activities are an accepted part of the churches activities and a maximum capacity of 200 people is considered necessary to accommodate larger attendances during these special services.
- Alexandra Street and Pirongia Road can accommodate the additional 'over-flow' parking required for special services.
- The provision of 42 over-flow parks will minimise the demand for parking along Alexandra Street and Pirongia Road.
- The increase in demand for street-parking will not necessitate any parking restrictions along Alexandra Street and Pirongia Road in the short term, as noted in the Traffic Impact Assessment that was submitted with the application. The formed parking and the provision for 'over-flow' parking may be reviewed in the future, if deemed necessary by Council.
- The church has been designed and can be established and operated in a manner that complies with the noise standards contained in the District

Plan, provided that acoustic fencing be installed along the eastern boundary with 2092 Alexandra Street.

RESOLVED

4/10/44

That

- a) *The report from Jaime McLellan dated 17th September 2010 be received; and*
- b) *That in consideration of Section 104, and pursuant to Sections 104B, 104D and 108 of the Resource Management Act 1991 and the Operative Waipa District Plan; the Waipa District Council grants landuse consent to the Te Awamutu Congregation of Jehovah's Witnesses to establish and operate a church on the land legally described as Part Allotment 317 Parish of Mangapiko, subject to the following conditions:-*

Cr Webber/Cr Taranaki

GENERAL

1. *The proposal must be undertaken in general accordance with the information and plans submitted by the consent holder in support of application number LU/0116/10 and officially received by Council on 25 June 2010. Copies of the approved plans are attached.*

MONITORING

2. *The consent holder shall notify the Waipa District Council Enforcement Team in writing two weeks prior to the commencement of activities associated with this consent. All communications with the Council must be channelled via the sole representative that is to be nominated by the consent holder.*

Note, this advice should be emailed to
consentmonitoring@waipadc.govt.nz

3. *Pursuant to Section 36 of the Resource Management Act 1991 the consent holder must pay the actual and reasonable costs incurred by the Waipa District Council when monitoring the conditions of this consent.*

HOURS OF OPERATION

4. *The facility shall provide no more than four (4) regular services per week. Such regular services must not exceed 120 persons. The facility must*

provide for no more than four (4) “special services” per annum. Such “special services” must not exceed 200 persons. Other scheduled gathering may be conducted in the church provided that they are incidental to church services. Examples may include a wedding, funeral or meetings.

5. *The hours of operation for the church must be no later than 10pm, seven days a week.*
6. *The church must not be hired-out as a venue for social events or functions.*

OUTDOOR STORAGE AND WASTE DISPOSAL

7. *That all waste from the operation be stored in suitable containers with appropriate lids and be removed from the site when full. All waste shall be transported to appropriate refuse disposal sites.*

GLARE

8. *Any external lighting for the buildings or carpark shall be designed and installed to ensure that illumination does not spill in excess of 10 lux (vertically or horizontally) onto any adjoining residential property, measured two (2) metres inside the boundary of the neighbouring property.*

NOISE

9. *All activities must be conducted and buildings located, designed and used to ensure that noise levels within the boundaries of any site which is zoned Residential or within the notional boundary of any rural dwelling do not exceed the following limits:*

<i>Day Time</i>	<i>7:00am - 8:00pm</i>	<i>50dBA(L10)</i>
<i>Night Time</i>	<i>8:00pm – 7:00am</i>	<i>40dBA(L10)</i>

That the noise level from the works authorised by this consent must comply with and be assessed in accordance with the provisions of New Zealand Standard NZS 6803:1999 “Acoustics – Construction Noise”.

USE OF AMPLIFIED AUDIO EQUIPMENT

10. *No amplified audio devices or equipment, of any kind, (excepting security alarms) may be used outdoors. This prohibits the use of amplified musical instruments, audio sound systems, PA systems, and any other amplified device positioned outside of the church.*

FENCING

11. *The applicant must erect a two (2) metre high acoustic fence along the internal boundary with 2092 Alexandra Street (Lot 25 Deeds Plan 77) as shown . In addition, the acoustic fence must:*

- *be continuous.*
- *be erected along the south-eastern boundary, adjacent to the carpark, as hatched on the approved site plan.*
- *be constructed of 25mm thick timber, overlapped board and batten configured design to ensure its effectiveness as an acoustic barrier. Any variation to the materials must be approved by Council's Team Leader - Environmental Services.*

The acoustic fence must be constructed at the consent holders expense and to the satisfaction of Council's Team Leader -Environmental Health. Any variation to the materials must be approved by Council's Team Leader, Environmental Services. The works must be completed prior to the commencement of this consent.

12. *Any fence erected along the frontages to Pirongia Road or Alexandra Street and/or the internal boundary with the land legally described as Section 1 Survey Office Plan 420476 (shown as hatched on the approved landscaping plan reference Z11, prepared by GMB Design (2005) LTD job reference 0021, dated April 2010) must be visually permeable and no more than 1.8-metres in height.*

Note: *For the purposes of this consent a visually permeable fence shall mean: a fence with at least 50 percent of the fence area that is not obstructed by the materials that make up the fence (i.e. 'pool-type' material).*

SIGNAGE

13. *No signs may be erected on the site other than the proposed signs detailed in the approved plan referenced Sheet Z21 prepared by GMB Design (2005) LTD, job reference 0021, dated April 2010.*

POWER

14. *The consent holder must arrange with a local network electricity operator for the reticulation of electricity to serve the building and pay all costs attributable to such work. Any power cables/conduit that is supplying the church building must be underground. The works must be completed prior to the commencement of this consent.*

TELEPHONE

15. *The consent holder must arrange with a telephone company for the reticulation of telephone cables to serve all lots and pay all costs*

attributable to such work. Any telephone cables/conduit that is supplying the church building must be underground. The works must be completed prior to the commencement of this consent.

ENTRANCE FORMATION

16. *That the consent holder must construct a figure 14 type urban commercial vehicle crossing to access the proposed carpark prior to the commencement of this consent. The crossing is to be constructed to the Council's standards as set out in the Code of Practice for Land Development and Subdivision. All work is to be completed to the satisfaction of the Council's Engineering Manager and must be at the consent holder's expense. The following issues must also be addressed:*

- *The entrance must be formed with concrete from the edge of the road to the property boundary.*
- *Any existing road signs that are located in the area of the proposed entrance must be relocated to the east of the entrance*
- *Should any part of the footpath along Pirongia Road, or Alexandra Street, be damaged or cut during the construction of the entrance, then the entire section shall be replaced to the nearest break and re-laid with concrete that has been poured in a seamless section.*

Advice Note: *Upon completion of the entrance formation, the consent holder may apply to Council's development engineering department for a street number.*

PARKING PROVISION

17. *The consent holder must construct the proposed carpark generally as outlined in the GMB Design reference 'Set-Out Plan' sheet Z3 dated Jan 2010 (unless otherwise specified in the following conditions), to the Council's standards as set out in the Code of Practice for Land Development and Subdivision. All work is to be carried out and completed to the satisfaction of the Council's Engineering Manager and must be at the consent holder's expense. All works must be completed prior to the commencement of this consent. The following issues must also be addressed:*

- *The carpark must have a sealed/concrete surface.*
- *All parking spaces must be marked.*
- *That parking for at least 38 vehicles must be provided on site, including two spaces designed and reserved for disabled access.*
- *The proposed stormwater management for the carpark must be installed as per the GMB Drainage Plan dated August 2010.*

18. *Two producer statements from a suitably qualified and experienced professional must be submitted to Council to demonstrate that the works undertaken in conditions 16, 17, 25. The first must include pavement*

design and drainage of the carpark and the second must cover the construction of the carpark. In addition the Quality Assurance Certificates for Pavements and Pavement Drainage must be filled out and submitted to Council. This condition must be satisfied prior to the commencement of the landuse.

19. A suitable area to the north of the sealed carpark (specified in condition 17) shall be reserved for 'overflow' parking. This parking area shall be kept free of any structures of landscaping, and shall:

- accommodate at least 42 off-street parking spaces;
- provide sufficient parking and manoeuvring in accordance with accordance with Appendix 8 of the Operative Waipa District Plan.

This condition must be complied with on an on-going basis.

LANDSCAPING

20. Landscaping must generally be carried out in accordance with the approved landscape plan reference Z11, prepared by GMB Design (2005) LTD job reference 0021, dated April 2010. Any changes to the landscaping plan must be approved by Council's Senior Planner(s). In addition to the above the following points must be addressed:

- All land not covered by the proposed buildings, car parking area or raised gardens must be maintained in grass.
- Any raised planting bund must be located to allow for the additional 'over-flow parking' area required under condition 19, above.

The landscaping and plantings must be completed no later than twelve months after the commencement of the landuse. The landscaping must be undertaken, and maintained on an on-going basis, to the satisfaction of Council.

WATER SUPPLY

21. The consent holder must arrange for Council to install a metered water connection to the proposed site. The consent holder must meet all costs incurred.

SEWER CONNECTIONS

22. The consent holder must provide a sewerage connection to service the proposed Site. This system must be designed, constructed and recorded in accordance with the Council's standards as set out in the Code of Practice for Land Development and Subdivision. All work must be to the satisfaction of the Council's Engineering Manager and be at the consent holder's expense. An application and construction drawings must be submitted for approval prior to any work being carried out. **An inspection**

is required prior to any backfill being placed. As-built plans and information of all infrastructure assets, must be provided prior to the final inspection. This information is a statutory requirement. This condition must be satisfied prior to any application to Council for a code of compliance certificate, pursuant to the Building Act 2004.

23. *Prior to any earthworks commencing on-site, the consent holder must locate the sewer lines and either:*

- a) relocate the lines, at least 1.5-metres away from any part of the proposed church building; or,*
- b) submit a scale plan that demonstrates that the distance between the sewer and the nearest structure is a minimum of 1.5-metres, and*

*Should the sewer be required to be relocated, then this system must be designed, constructed and recorded in accordance with the Council's standards as set out in the Code of Practice for Land Development and Subdivision. All work must be to the satisfaction of the Council's Engineering Manager and be at the consent holder's expense. An application and construction drawings must be submitted for approval prior to any work being carried out. **An inspection is required prior to any backfill being placed.** As-built plans and information of all infrastructure assets, must be provided prior to the final inspection. This condition must be satisfied prior to any application to Council for a code of compliance certificate, pursuant to the Building Act 2004.*

24. *Where existing or proposed Council sewer, water or stormwater lines are located within Lots A 3-metre minimum easement in gross in favour of Council is required over the existing sewer and stormwater mains that are located beneath the site.*

Easements for pipes and cables must be placed centrally over the pipe or cable location and must be contained wholly within the lots. All costs in connection with the easements must be met by the consent holder. Easements in gross must be approved by the Council's solicitors at the cost of the consent holder.

IMPLEMENTATION OF THE STORMWATER MANAGEMENT PLAN

25. *All stormwater control must be in accordance with the stormwater management plan by Tilsley Engineering Ltd, report for the "Kingdom Hall Alexandra Street, Te Awamutu Stormwater trench design" dated 23 August 2010 and in accordance with the standards as set out in the HCC Development Manual, NZS 4404: 2004 Land Development and Subdivision Engineering and to the satisfaction of the Council's Engineering Manager and must be at the consent holder's expense.*

REVIEW CONDITION

26. That the Waipa District Council may give notice pursuant to Section 128(1) of the Resource Management Act (RMA) 1991 of its intention to review, at the consent holders expense, the conditions of this consent for the following purposes:

- To review the effectiveness of the conditions of this consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent (in particular noise levels, parking provision, traffic generation, operating hours) and if necessary to avoid, remedy, or mitigate such effects by way of further or amended conditions; or
- To address any adverse effect on the environment which has arisen as a result of the exercise of this consent; or
- If necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
- To review the adequacy of and the necessity for monitoring undertaken by the consent holder.

REASONS FOR DECISION

- a) Any adverse environmental effects resulting from the proposal are deemed to be no more than minor, or can be mitigated by the imposition of appropriate consent conditions. The proposal is not contrary to the relevant objectives and policies of the Operative Waipa District Plan. Accordingly, the proposal meets the statutory test for non-complying activities.
- b) Pursuant to section 94 of the Resource Management Act 1991 the application has not been publicly notified as the adverse effects of the proposal are deemed to be minor. The application has been processed on a limited notified basis, as Council has identified potentially affected parties.
- c) The review condition provides Council with the flexibility to review the exercise of the consent and address any significant adverse effects that might arise during the exercise of the consent.
- d) The signage condition will ensure that the signage is restricted to that proposed in the application.
- e) The noise conditions will ensure that the land use can achieve the noise standards set out in the District Plan.
- f) An acoustic fence along the internal boundary with 2092 Alexandra Street will avoid and mitigate any potential noise generated in the proposed parking area.

- g) Condition 16 will ensure safe and convenient access to the site. It will also ensure that any damage caused to the footpath during the site works, by either the consent holder or their contractors, is reinstated to a suitable standard that:
- has suitable provision for the safe movement of pedestrians;
 - avoids the creation of any trip hazards; and,
 - maintains the visual appearance of the roadside berm.
- h) The provision of overflow parking to the north of the car park will provide additional on-site parking for any “special services”. This will reduce the demand for parking along Alexandra Street and Pirongia Road and avoid and mitigate any potential conflicts over the use of street parking between residents and church members.
- i) In granting consent, Council has dispensed with Rule 2.4.2 ‘Protection of Prime Agricultural Land’; Rule 2.4.4 ‘Tree Planting, Management and Harvesting’; Rule 2.4.8 ‘Minimum Site Area and Minimum Site Frontage’; Rule 2.4.9 ‘Size of Activities’; Rule 2.4.14 ‘Building Setback from Internal Site Boundaries’; having consideration for;
- the area of the site in terms of its viability as a productive farmland,
 - the location of the rural land in proximity the residential zone,
 - the topographical constraints and geophysical limitations on farming the site in conjunction with adjacent farmland and as part of a larger farm holding,
 - the layout of the proposed plantings will have a less than minor adverse effects on the occupiers of the neighbouring properties,
 - the road frontage exceeds the 20-metre length that would otherwise be required if the site was subdivided, and the site has sufficient frontage to enable a safe vehicle access to be installed.
 - The size and scale of the proposal will not detract from the visual amenity of the surrounding environment.
 - The bulk and location of the church will not contribute to adverse effects on the rural amenity provided suitable boundary treatment is erected and landscaping is undertaken. Furthermore, the siting of the church will avoid the potential adverse effects on the occupiers of the adjacent Residential properties.
- j) The flexibility to provide additional seating will fully utilise the floor area within the church auditorium, and will ensure that the outdoor area is not used during services.

ADVISORY NOTES

BUILDING CONSENT

- The consent holder shall obtain the necessary building consents prior to the commencement of works on site. The maximum capacity of the church will

have to comply with the requirements of the Building Act 2004 for fire safety.

SERVICES

- Where any sanitary sewerage, stormwater or water pipes or cable or power lines are required to cross another Lot or Lots or pass across the boundary of another lot or Lots, a 2-metre minimum width easements are to be created and registered against the certificates of title of those lots affected.

EARTHWORKS

- All earthworks shall be carried out in accordance with the standards set out in the Code of Practice for Land Development and Subdivision and in accordance with NZS 4404:2010.
- All earthworks associated with any development of land must be undertaken in accordance with the following matters:
 - a) All earthworks must be carried out so as to provide sound foundations as required under NZS 4431:1989 and avoid any hazard to persons or property;
 - b) All earthworks must be carried out so as to avoid or mitigate any detrimental effect on the environment particularly with regard to the unnecessary destruction of vegetation, the contamination of natural water or the diversion of surface or ground water flows
 - c) The existing landform must not be altered in such a manner that adjoining properties will be detrimentally affected particularly through changes in drainage systems or abrupt changes in ground level
 - d) All earthworks must be carried out in accordance with the Waipa District Council Code of Practice for Land Development and Subdivision for formation and construction standards.

DISCOVERY OF ARCHAEOLOGICAL OR CULTURALLY SIGNIFICANT FINDS

- Where during earthworks, any archaeological features, artefact or human remains are accidentally uncovered or are suspected to have been discovered, the following protocol must apply:
 - (i) All works within the vicinity must cease immediately.

In cases other than suspected human remains:

- (ii) The contractor must immediately secure the area and advise the NZ Historic Places Trust of the occurrence.
- (iii) The consent holder must consult with a representative of the relevant iwi authority and the NZ Historic Places Trust to determine what

further actions are appropriate to safeguard the site or its contents.

Where human remains are suspected:

- (iv) The contractor must take steps immediately to secure the area in a way that ensures human remains are not further disturbed.
- (v) The consent holder must notify the NZ Police of the suspected human remains as soon as is practicably possible after the remains have been disturbed. The consent holder must notify the relevant iwi authority and the NZ Historic Places Trust within 12 hours of the suspected human remains being disturbed or otherwise as soon as practicably possible.
- (vi) Excavation of the site must not resume until the NZ Police, NZ Historic Places Trust and relevant Kaumatua have each given the necessary approvals for excavation to proceed.

10.2 10.00am

**AD & CM Miller, 164 Luck at Last Road, Cambridge –
Application for six Environmental Protection Lots**

Manager Community Facilities informed the Committee that Mr Miller had been advised that staff suggest that they may be eligible for four lots however, they are requesting six lots.

Discussion was held around the relativities of other similar properties in the area and Mr Roxburgh said he would be comfortable with providing four lots in this instance but thinks that six would be excessive. He said the fence is not that flash and will need upgrading soon.

Committee recommended to the Manager Community Facilities that they would be comfortable with four and asked Mr Roxburgh to convey this to the applicant.

There being no further business the meeting closed at 10.37am

CONFIRMED AS A TRUE AND ACCURATE RECORD

CHAIRPERSON:

DATE:
