

**Time:** 9.00am  
**Date:** Monday 21 November 2011  
**Venue:** Council Chambers, Waipa District Council, 101 Bank Street,  
Te Awamutu

## 1 PRESENT

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### Chairperson

DL Sharpe

### Members

SDC Milner, BJ Taranaki

### Others

Manager Planning Services – W Allan, Environmental Services Team Leader – K Tutty;  
Manager Community Facilities – T Roxburgh; Planner – A Eden; Governance Support  
Senior – C Shaw

## 2 APOLOGIES

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### RESOLVED

3/11/53

*That the apologies of Mayor Livingston, Cr Thomas and Committee Member Roberts  
for non attendance be received.*

Cr Milner/Cr Taranaki

## 3 DISCLOSURE OF MEMBERS' INTERESTS

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There were no new disclosures.

## 4 VISITORS

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There were no visitors.

## 5 MINUTES OF PREVIOUS MEETING

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File: 01-89-04

**RESOLVED**

3/11/54

*That the minutes of the Regulatory Committee held on 15 August 2011, be confirmed as a true and accurate record.*

Cr Sharpe/Cr Milner

## 6 LATE ITEMS

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Manager Planning Services asked that a late item for information purposes only be accepted so the Committee can be appraised of Appeals, High Court and Enforcement Proceedings to date.

**RESOLVED**

3/11/55

*That a report on Waipa District Council Appeals (Environment Court), High Court and Enforcement Proceedings be accepted as item 18 of this meeting.*

Cr Sharpe/Cr Taranaki

## 7 CONFIRMATION OF ORDER OF MEETING

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File: 01-89-04

**RESOLVED**

3/11/56

*That the order of the meeting be confirmed with the addition of item 18. It was also noted that the items listed as "hearings" was incorrect and these items would be items 16 and 17 respectively.*

Cr Taranaki/Cr Milner

**8 WAIPA DISTRICT LIQUOR LICENSING AGENCY: MONTHLY SCHEDULE OF LIQUOR LICENCE APPLICATIONS CONSIDERED BY STAFF UNDER DELEGATED AUTHORITY**

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File: 01-85-10

**RESOLVED**

3/11/57

*That the monthly schedule of Liquor License Applications Considered by Staff under Delegated Authority for August, September and October 2011 be received.*

Cr Milner/Cr Taranaki

**9 MATTERS CONSIDERED BY STAFF UNDER DELEGATED AUTHORITY - RESOURCE MANAGEMENT ACT 1991**

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File: 01-52-01

**RESOLVED**

3/11/58

*That the schedule of Matters Considered by Staff Under Delegated Authority for August, September and October 2011, be received, a copy of which is attached to and forms part of these minutes.*

Cr Sharpe/Cr Taranaki

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

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This item was not required for this meeting.

**11 NOTICES OF REQUIREMENT BY THE NZTA TO ALTER THE EXISTING DESIGNATIONS OF LAND FOR THE HAMILTON CAMBRIDGE SECTION OF THE WAIKATO EXPRESSWAY WITHIN WAIPA AND WAIKATO DISTRICTS – RECOMMENDATIONS AND DECISIONS FROM THE INDEPENDENT HEARING COMMISSIONERS**

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File: 01-52-01

**RESOLVED**

3/11/59

*That the recommendations and decisions of the Independent Hearing Commissioners for the Notices of Requirement by the New Zealand Transport Authority to alter the existing designations of land for the Hamilton Cambridge section of the Waikato Expressway within Waipa and Waikato Districts be received.*

Cr Taranaki/Cr Milner

**12 WAIPA DISTRICT COUNCIL PRIVATE PLAN CHANGE 69, WAIKATO DISTRICT COUNCIL VARIATION 14 AND HAMILTON CITY COUNCIL VARIATION 22 AIRPORT DESIGNATIONS – RECOMMENDATIONS AND DECISIONS OF COMMISSIONERS**

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File: 01-52-01

**RESOLVED**

3/11/60

*That the recommendations and decisions of the Independent Hearing Commissions for Waipa District Council Private Plan Change 69, Waikato District Council Variation 14 and Hamilton City Council Variation 22 – Airport Designations be received.*

Cr Sharpe/Cr Taranaki

**13 PLANNING AND REGULATORY SERVICES MONITORING ENFORCEMENT QUARTERLY REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2011**

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File: 65-18-01

Environmental Services Team Leader presented his report highlighting areas of interest and answered questions of clarification.

**RESOLVED**

3/11/61

*That the Monitoring and Enforcement Quarterly report for the period 1 July 2011 to 30 September 2011 from Wayne Allan, Manager Planning and Regulatory be received.*

Cr Taranaki/Cr Milner

## 14 UPDATE ON ALCOHOL LAW REFORM BILL

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File: 33-25-18

Environmental Services Team Leader presented his report and highlighted aspects from the Liquor Licensing Inspector's annual conference which had been held recently.

### **RESOLVED**

3/11/62

*That the information contained in the report of Karl Tutty, Environmental Services Team Leader be received.*

Cr Milner/Cr Taranaki

## 15 APPLICATION BY MR M GILMER TO KEEP FIVE DOGS ON PROPERTY

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File: BDG/00025/11

Environmental Services Team Leader presented the application by Mr Gilmer to keep five dogs on the property in Ohaupo. He said the reason the application was before the Committee was due to a previous resolution by the Committee which allowed for up to four dogs and therefore was outside his delegated authority. He indicated that there had been no objections to the application and no further issues with barking on the property. He said the measures taken by the owner including barking collars appeared to be working. However, the barking abatement notice would remain in place.

Members of the Committee considered the application and in view of the lack of objections and the level of compliance with the barking abatement notice there was no reason to decline the application. The Committee noted that at the previous hearing the dogs were all young and still in training which may have had an impact at that time.

### **RESOLVED**

3/11/63

*That*

- a) *the report of the Environmental Services Team Leader be received;*
- b) *the application by Mr Gilmer to house five dogs on the property detailed, be granted with the existing conditions.*

Cr Taranaki/Cr Milner

**16 KL & LC GOODMAN: REQUEST TO CONFIRM ENVIRONMENTAL PROTECTION LOT ENTITLEMENTS, 70 HARBUTT ROAD, CAMBRIDGE**

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File: 04445/460.05

Planner Amy Eden presented her report which outlined her investigation and recommendation in relation to the request for the environment protection lot entitlements at Harbutt Road, Cambridge. Manager Community Facilities reported that he concurred with the recommendation of the Planner.

RESOLVED  
3/11/64

*That*

- a) The report of Amy Eden, Planner, be received; and*
- b) The Waipa District Council grants two Environmental Protection Lots for the property at 70 Harbutt Road, legally described as Lot 2 DPS 69287, Lot 1 DPS 90251 (held in CT71C/390) and Lot 16 DP 315282 and Lot 3 DPS 90251 (held in CT 112891)*

Cr Sharpe/Cr Milner

**Reasons for decision:**

- a) One Environmental Protection Lot is considered appropriate for the new covenant area proposed.
- b) A second Environment Protection Lot would be appropriate only on the basis of increased restoration of the existing covenanted areas.
- c) The application is not in conflict with the Objectives and Policies of the Waipa District Plan and the potential adverse effects on the environment will be minor.

**17 SHARLAND FARM LTD: REQUEST TO CONFIRM ENVIRONMENTAL PROTECTION LOT ENTITLEMENTS, 307 FLUME ROAD, CAMBRIDGE**

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File: 04445/453.00

Planner Amy Eden presented her report which outlined her investigation and recommendation in relation to the request for the environment protection lot entitlements at 307 Flume Road, Cambridge. Manager Community Facilities agreed that the pockets of trees were actually smaller isolated fragments and considered that it was marginal as to the public good value as they were not able to be seen from the road. He said the conservation value was where the application deserved some merit. He said in time staff would like to see "Farm Plans" in place for the management of these areas as there are aspects of grazing still happening.

**RESOLVED**

3/11/65

*That*

- a) The report of Amy Eden, Planner be received; and*
- b) The Waipa District Council grants two Environmental Protection Lots for the property at 307 Flume Road, legally described as Lot 1 DP422230.*

Cr Taranaki/Cr Sharpe

**Reasons for Decision**

- a) One Environmental Protection Lot would be appropriate for the combined areas of A and B considering that these form part of the same area of continuous forest.
- b) Due to the smaller size of proposed covenants C and D, only one additional Environmental Protection Lot would be appropriate.
- c) The application is not in conflict with the Objectives and Policies of the Waipa District Plan and the potential adverse effects on the environment will be minor.

## **18 APPEALS & HIGH COURT & ENFORCEMENT PROCEEDINGS UPDATE**

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Manager Planning Services provided an update on matters before the Environment Court and High Court at the current time. He said a resolution to the Finlay Plan Change 41 has been reached and provided a copy of the changed decision for the interest of the Committee.

He said currently Council has received 2 appeals from Air New Zealand and Meridian 37 Ltd on the Commissioners decision on Plan Change 67 (Hamilton Airport runway extension) and an appeal from Meridian 37 Ltd on the Requiring Authority (WRAL's) decision on the Hamilton Airport designation requirements.

**RESOLVED**

3/11/66

*That the information be received.*

Cr Milner/Cr Taranaki

There being no further business the meeting closed at 10.18am

**CONFIRMED AS A TRUE AND ACCURATE RECORD OF PROCEEDINGS**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_