

**DISTRICT PLAN AND REGULATORY COMMITTEE**

**MINUTES:** of a meeting of the District Plan and Regulatory Committee which commenced at 9.00 a.m. in the Committee Room, Centreway Road, Orewa on Wednesday, 3 March 2010.

**PRESENT:** Crs Suzanne Weld (Chairperson)  
Michael Goudie  
Dave Parker QSM  
Grahame Powell

**IN ATTENDANCE:** Democracy Services Officer (Elise Heyns)

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9.00 a.m. Animal Control and Bylaws Manager (Wayne Knightbridge) and Planner (Laura Christian) in attendance.

**079/03/10 APOLOGIES**

**AGENDA ITEM NO. 1**

**Weld/Powell**

**That the apology from Cr Harding be received and sustained.**

**Carried**

9.02 a.m. Chief Legal Officer (Rob Goldsbury) in attendance.

**080/03/10 NOTIFICATION OF NEW APPEAL(S)**

**AGENDA ITEM NO. 2**

There was no notice of new appeals.

3 March 2010

**081/03/10 APPEAL FOR RELEASE OF DOG RETAINED UNDER SECTION 71 OF THE DOG CONTROL ACT 1996 – SUE TOMLINSON****FILE REF** DC/10/1**AGENDA ITEM NO.** 3

Animal Control and Bylaws Manager (Wayne Knightbridge) distributed two emails received by the Council subsequent to the appeal hearing for the release of the Tomlinsons' dog, Bing (copies on File: DC/10/1).

**082/03/10 PUBLIC EXCLUDED****AGENDA ITEM NO.** 5**Parker/Powell**

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Minute No(s). 083/03/10

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48(1) for the passing of this resolution
Appeals / Proposed District Plan 2000	Refer grounds	<p>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation in any proceedings before it where:</p> <p>(i) a right of appeal lies to any court or tribunal against the final decision of the Local Authority in those proceedings; or</p> <p>(ii) the Local Authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.</p> <p>(section 48(1)(d) Local Government Official Information and Meetings Act 1987.)</p>

**Carried**

3 March 2010

*Note: The following decision was made with the public excluded then brought into open meeting.*

**084/03/10 APPEAL FOR RELEASE OF DOG RETAINED UNDER SECTION 71 OF THE DOG CONTROL ACT 1996 – SUE TOMLINSON**

**FILE REF DC/10/1**

**AGENDA ITEM NO. 3**

**Powell/Parker**

- (a) That the Appeal for Release of Dog retained under section 71 of the Dog Control Act 1996 be reconvened, subject to new information being provided to Mr and Mrs Tomlinson of 78 Spindler Road, Wellsford.
- (b) That the decision be restated into open meeting.

**Carried**

**085/03/10 SCHEDULE OF DELEGATED DECISIONS ON RESOURCE CONSENT APPLICATIONS**

**FILE REF TP/1/6**

**AGENDA ITEM NO. 4**

**Goudie/Powell**

That the report on decisions relating to:

- (a) Land Use Resource Consent Applications [s.88 of the Resource Management Act 1991] (Controlled Activity, Discretionary Activity, Non-Complying Activity, Preservation or Conservation of Landscape);
- (b) Lapsing of Consents [s.125 of the Resource Management Act 1991];
- (c) Change or Cancellation of Consent Conditions by Consent Holder [s.127 of the Resource Management Act 1991];
- (d) Existing Uses [s.10 of the Resource Management Act 1991];
- (e) Non-Conforming Buildings [s.10 of the Resource Management Act 1991];
- (f) Any Other Decision Relating to Activities;
- (g) Subdivision Consent [s.105 of the Resource Management Act 1991] and Development Plans [s.409];

made pursuant to delegated authority from the Council, be received.

**Carried**

3 March 2010

**086/03/10 PUBLIC EXCLUDED**

**AGENDA ITEM NO. 5A**

**Weld/Goudie**

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Minute No(s). 087/03/10, 088/03/10, 089/03/10, 090/03/10 and 091/03/10

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48(1) for the passing of this resolution
Appeals / Proposed District Plan 2000	Refer grounds	<p>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation in any proceedings before it where:</p> <p>(i) a right of appeal lies to any court or tribunal against the final decision of the Local Authority in those proceedings; or</p> <p>(ii) the Local Authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.</p> <p>(section 48(1)(d) Local Government Official Information and Meetings Act 1987.)</p>

**Carried**

**Powell/Goudie**

That Legal Counsel, Bronwyn Carruthers and Sally Carnachan, be permitted to remain at this meeting, after the public has been excluded, because of their knowledge which will be of assistance in relation to matters to be discussed in confidential agenda item 10.

**Carried**

The meeting closed at 10.40 a.m.

CONFIRMED AS A TRUE AND CORRECT RECORD THIS 15TH DAY OF APRIL 2010

MAYOR

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3 March 2010

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**CONFIDENTIAL**