

MINUTES of a hearing by an Independent Commissioner of the Waikato District Council held in the Supper Room, Tuakau Memorial Town Hall, George Street, Tuakau on **THURSDAY 21 FEBRUARY 2019** commencing at **9.30am**.

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

Present:

Commissioner D Hill

Attending:

Mr J Wright (Consents Team Leader – West)
Mr M Brown (Land Development Engineer – Consultant)
Mrs LM Wainwright (Committee Secretary)
Ms K Thomson (BTW)
Mrs B Parham (Legal Counsel for Waikato District Council)
Mr N Hegley (Hegley Acoustics)
Mr A Black (Transportation Engineer, Gray Matter)
Mr T Naidoo (Applicant)
Ms L Kisten (Applicant)
Mr S Naidoo (Applicant)
Ms K McGregor (Applicant)
Ms N Buxeda (Legal Counsel for the Objectors)
Mr T Gray (Law Clerk)
Mr P Prendergast (Submitter)
Ms S Findlay (Submitter)
Mr D Oostdam (Submitter)
Mr M Flynn (Submitter)
Mr R Doyle (Submitter)
Ms de Valk (Submitter)
Objectors

HEARING – RURAL TAILS LIMITED

File NoLUC0529/18

Application by Rural Tails Limited to establish a Dog Daycare Centre at 11 Ridge Road, Tuakau.

INTRODUCTION

Commissioner Hill welcomed all parties and outlined the hearing process.

HEARING OF THE APPLICATION - APPLICANT

The applicant presented written and verbal evidence and answered questions of the Commissioner – Doc 1.

HEARING OF THE APPLICATION - SUBMITTERS

Ms Buxeda, Legal Counsel on behalf of the submitters, presented written and verbal evidence and answered questions of the Commissioner – Doc 2.

Mr Prendergast presented written and verbal evidence and answered questions of the Commissioner – Doc 3.

Mr Oostdam presented written and verbal evidence and answered questions of the Commissioner – Doc 4.

Mr Flynn presented written and verbal evidence and answered questions of the Commissioner – Doc 5.

Ms de Valk presented written and verbal evidence and answered questions of the Commissioner – Doc 6.

Ms de Valk presented written and verbal evidence on behalf of Ms Doyle – Doc 7.

The hearing adjourned at 11.36am and reconvened at 12.10pm.

STAFF REPORT

Mrs Parham, Legal Counsel for Waikato District Council, gave a verbal presentation and addressed legal matters raised during the hearing.

Mr Black, Transportation Engineer, gave verbal evidence and answered questions of the Commissioner.

Mr Hegley, Acoustic Engineer, gave verbal evidence and answered questions of the Commissioner.

Ms Thomson, Planner gave further written and verbal evidence and answered questions of the Commissioner – Doc 8.

RIGHT OF REPLY

The applicant gave his right of reply and answered further questions of the Commissioner.

The hearing adjourned at 1.20pm and reconvened at 1.24pm.

Ms Buxeda, Legal Counsel on behalf of the submitters, addressed the amended conditions which are not accepted by the submitters.

The hearing adjourned at 1.27pm and the decision reserved.

DELIBERATIONS

The Commissioner undertook deliberations on all evidence presented.

DECISION

THAT the Independent Hearing Commissioner confirmed the application of Rural Tails Limited be declined as outlined in the decision dated 22 March 2019.

HE1902/01

The hearing was declared closed at 12 noon on Monday 4 March 2019.