



NOTICE OF MEETING OF THE 29TH COUNCIL MEETING

I hereby give notice that the 29th Council meeting of the 7th Papakura District Council is to be held on:

DATE: Tuesday 25th August 2009

TIME: 4.00 P.M.

VENUE: Council Chambers
35 Coles Crescent
PAPAKURA

T Stratton
CHIEF EXECUTIVE OFFICER

MEMBERSHIP:

Chairperson
Deputy Chairperson

His Worship the Mayor (Calum Penrose)
Clr Goldsmith

Clr Auva'a
Clr Catchpole
Clr Conroy
Clr Jones
Clr O'Connor
Clr Piggott
Clr Pringle

(Quorum 5 members)

(The reports and recommendations contained in this Order Paper are not necessarily Council Policy and should not be taken as Council Policy, or opinion)

PAPAKURA DISTRICT COUNCIL

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PAPAKURA DISTRICT COUNCIL

**AGENDA FOR THE 29TH MEETING OF THE PAPAKURA DISTRICT COUNCIL TO
BE HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPAKURA
ON TUESDAY 25TH AUGUST 2009 COMMENCING AT 4.00 P. M.**

1. APOLOGIES

2. PERSONAL

3. CONFIRMATION OF MINUTES

- (a) That the Minutes of the 28th Council Meeting held on Tuesday 21st July 2009 be confirmed.

4. APPROVAL OF RECOMMENDATIONS

5. MINUTES – TE ROOPU KAITIAKI O PAPAKURA

- (a) That the Minutes of the Te Roopu Kaitiaki O Papakura Meeting held on Tuesday 19th May 2009 be received (Attachment No.1).
- (a) That the Minutes of the Te Roopu Kaitiaki O Papakura Meeting held on Tuesday 16th June 2009 be received (Attachment No. 2).

6. DEPUTATIONS

7. PRESENTATIONS

8. MAYOR'S REPORT

9. ITEMS FOR DECISION

**(a) I.R. & J.C. ROSS PRIVATE PLAN CHANGE 7 -
RESOLUTION TO MAKE OPERATIVE**

**REPORTING OFFICER: Bain Cross
Policy Planner – Strategic**

PURPOSE OF THE REPORT

The purpose of this report is to recommend that the Council resolve to make Private Plan Change 7 Operative.

BACKGROUND

On 22 February 2008, I.R. & J.C. Ross lodged Private Plan Change 7 (“**PPC7**”) with Council. PPC7 sought to rezone properties fronting that part of the eastern side of Great South Road between Glenora and Beach Roads, and parts of Glenora and Beach Roads, from Urban Residential 1 to Urban Industrial 1.

Public notification of the Change was given on 17 September 2008 and further submissions were notified on 26 November 2008. Submissions were heard on 29 April 2009. Decisions were publicly notified on 10 June 2009. The period for lodging appeals has now expired and no appeals have been received by either Council or the Environment Court.

It is appropriate therefore to complete the processing of PPC7 by making it operative.

The Resource Management Act 1991 (“**the Act**”) requires Council to resolve to set a date after which PPC7 will be operative, and to publicly notify this resolution not less than five days before the operative date. Council must also ensure that its public records, that is, the District Plan, are updated to reflect PPC7.

NARRATIVE

Under the procedure set out in the Act, the earliest date on which PPC7 can be made operative is 4 September 2009. The procedure is that:

The Council passes a resolution approving PPC7 and making it operative at its meeting on 25 August 2009.

Public notice (in Papakura Courier) advising that PPC7 has been approved, and stating the Operative Date is given 26 August 2009.

The Plan change becomes operative 4 September 2009 (not less than 4 working days after the date of the public notice).

Prior to the operative date, Council is required to post a copy of the Operative version of PPC7 to a list of parties prescribed under the Act. Council is also required to update its records and its copies of the District Plan to give effect to PPC7.

CONCLUSION

Processing PPC7 has been completed, and it is appropriate to formally approve it and make it operative by following the procedure prescribed in the Act.

RECOMMENDATIONS

1. That the information be received.
2. That pursuant to clause 17 of the First Schedule to the Resource Management Act 1991, Council approves Private Plan Change 7 to the Papakura District Plan, and affixes the seal of the Council thereto.
3. That pursuant to clause 20 of the First Schedule to the Resource Management Act 1991, Private Plan Change 7 become Operative on 4 September 2009.

9. ITEMS FOR DECISION

(b) COMMUNITY FORUM - FREQUENCY

**REPORTING OFFICER: Theresa Stratton
Chief Executive**

PURPOSE OF THE REPORT

This report seeks Council direction on the proposal to hold Community fora on a more frequent basis.

BACKGROUND

In January 2008 Council considered a range of models for ongoing community engagement. The result of that consideration was a decision to hold a quarterly community forum with the Mayor delegated to sign off the format.

These fora have been held regularly since then with an attendance of 40-50 people on average.

NARRATIVE

The government's decisions to re-organise Auckland governance have resulted in the formation of a Papakura community activist group – "savepapakura.com". This group are seeking more frequent engagement with the community to ensure that interest in the government's proposals and community reaction to those proposals continues.

Councillors Conroy and O'Connor are working with the group and wish to hold the community fora on a bi-monthly basis with "Super City" being a regular item on the agenda. There is also a desire to advertise these meetings in a prominent place in the local papers and provide some refreshments.

These costs are unbudgeted and the desired frequency is not in alignment with the Council resolution from January 2008, therefore Council direction is sought to confirm this approach.

The costs associated with each meeting are advertising, security and light refreshments. This is estimated to equate to \$1500 per meeting. Between now and the end of the Council term there are likely to be 6 to 7 meetings i.e. \$9000-\$10,500.

While these costs are unbudgeted, Council did set aside up to \$30,000 for support of community action on Auckland governance. At this point approximately half of this amount has been spent so \$15,000 is available should Council wish to use it for these meetings.

CONCLUSION

The activities of the "savepapakura.com" group are leading to a proposal for more frequent Community fora. Additional advertising as well as provision of security and refreshments result in unbudgeted costs of approximately \$9000 - \$10,500. There is a currently unspent amount of \$15,000 in the funding Council set aside to support community action regarding the Super City.

RECOMMENDATIONS

1. That the information be received.
2. That Council provide direction on the frequency of future Community fora and the provision of funding for these meetings.

9. ITEMS FOR DECISION

(c) REQUEST FOR REVIEW OF DEVELOPMENT CONTRIBUTIONS – TUI HOUSE, 2 - 4 TRENTHAM RD

**REPORTING OFFICER: David Russell
Development Engineer**

**ATTACHMENT: Request for Review
Original Assessment of Development Contribution
Revised Assessment of Development Contribution
Plan of proposed development
Supporting information from applicant**

(Attachment No. 3)

PURPOSE OF THE REPORT

The purpose of this report is to consider the request to review the development contribution as assessed under the Development Contributions Policy, LTCCP 2006/16 for the proposed development of the site at 2-4 Trentham Road, Papakura.

BACKGROUND

An application for a land use consent (No. 8738 for a redevelopment of an existing resthome) was made in November 2006 by ROL Properties Ltd. The consent was issued in May 2007. The invoice prepared identified that a Development Contribution of \$165,888.00 including GST would be required. This has not yet been paid by the developer. The Developer is now looking for the final Code of Compliance Certificate for the development and has requested that the Development Contributions assessed be reviewed (dated 26 July 2009).

BASIS OF THE OBJECTION

The applicant ROL Properties Ltd has requested a review of the above assessment.

The basis for the request (copy attached) is as follows;

- The 12 units proposed are not to be unit titled as indicated by the plans
- The units are independent rooms but operate as an extension of Tui House itself.

NARRATIVE

The existing development level of the complex was a rest home on one title and a dwelling on the second title. The existing rest home buildings have been assessed as Non-residential A with an area of 435 sq m or 2.35 Units of Demand (UD) which, combined with the existing house, gave an existing use credit of 3.35 UD for the complex.

The dwelling was to be removed, the rest home extended and 12 units added. In doing the original assessment it was assumed that the new units would be unit titled for "sale" to occupiers as in many rest homes.

The attached review request advises that this is not the case and that there is no intention to "sell" the units. It also details how the "units" are to operate. This has led to the need to re-assess the contribution required. The amended calculation is shown in Attachment 2.

The changes in building area are an addition of 184.7m² to 619.7m² in the rest home and the 12 units totalling 571.1m² giving 6.44 UD total demand after development. Note that should the rest home owners wish to sell the units in the future then a unit title plan development will be needed. In that event, the Council would be able to recover additional development contributions, at that time.

CONCLUSION

The initial application development plan for the redevelopment of the rest home at 2-4 Trentham Road was titled "Proposed Unit Site Plan" and the assessment of development contributions was based on the development of additional units on the site as indicated in the land use consent. In considering the nature of the development as detailed by the applicant in the review request, it is apparent that the operation is run as a larger composite entity which is consistent with the Non-residential A category rather than as individual independent residential dwellings with separate title. Accordingly, it is recommended that the original assessment of demand be reduced to 6.44 Units of Demand due to the operation of the additional units as an integral component of the rest home and the development contribution be reduced from \$165,888.00c to \$42,716.16c (incl. GST).

DEVELOPERS COMMENTS

The applicant has advised in discussion about the contents of the report, that the proposed approach was acceptable and the expected outcome would be welcome. Confirmation was awaited at time of drafting the report but she had indicated that she did not consider it necessary to present further information to Council and would send a representative to answer any questions as she would not be in Auckland at the time of the meeting.

FURTHER COMMENT

No further comment.

RECOMMENDATIONS

1. That the information be received.
2. That the original assessment of demand be reduced to 6.44 Units of Demand due to the operation of the additional units as an integral component of the rest home and the development contribution be reduced from \$165,888.00c to \$42,716.16c (incl. GST).

9. ITEMS FOR DECISION

(d) COUNCIL MEETING TIMING - 2009

REPORTING OFFICER: **Riya Seth**
Democracy Services Officer

PURPOSE OF THE REPORT

The purpose of this report is to review the adopted meeting times for Council and Operations and Monitoring Committee meetings for the current year.

NARRATIVE

The meeting schedule for the current year with changed meeting times for Operations and Monitoring Committee and Council meetings was adopted by Council on 24th February 2009. It was resolved in that meeting that Council will review the times for those meetings in the August Council meeting. Therefore Council's direction on the Council and Operations and Monitoring Committee meeting times is sought.

RECOMMENDATIONS

1. That the information be received.

10. ITEMS FOR INFORMATION

11. NOTICES OF MOTION

12. CONFIDENTIAL

- (a) **DRURY SOUTH BUSINESS PROJECT**
- (b) **LAND PURCHASE: 69 WOOD STREET, PAPA KURA**
- (c) **THE FUTURE OF ACCENT POINT**
- (d) **COUNTYGLEN LIMITED AGREEMENT VARIATION NO. 2 (ADDISON DEVELOPMENT AGREEMENT)**

RECOMMENDATION

1. That Council move into public excluded session. The general subject matter to be considered, the reason for passing this resolution in relation to each matter and the specific grounds under S 7 (2) i of Local Government Official Information and Meetings Act 1987 are:

Item	Reason	Grounds
12(a) Drury South Business Project	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(b) Land Purchase: 69 Wood Street, Papakura	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(c) The Future of Accent Point	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(d) Countyglen Limited Agreement Variation No. 2 (Addison Development Agreement)	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i