



MINUTES OF MEETING OF THE 37TH COUNCIL MEETING

HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPA KURA
ON TUESDAY 23RD MARCH 2010 COMMENCING AT 4.00 P. M. AND
RECONVENED AT 2.00 P. M. ON TUESDAY 30TH MARCH 2010

PRESENT:

Chairperson	His Worship the Mayor (Calum Penrose)
Deputy Chairperson	Clr Goldsmith
	Clr Auva'a
	Clr Catchpole
	Clr Conroy
	Clr Jones
	Clr O'Connor
	Clr Piggott
	Clr Pringle

ATTENDING:

T Stratton	Chief Executive Officer
J Hames	Director Policy & Democracy Services
T Turner	Director Business & Promotion
V Villaraza	Director Finance & Corporate Services
T Kay	Director Infrastructure Management
G McCarrison	Director Regulatory Services
M Savage	Business & Performance Analyst
M Baker	Communications Advisor
N Terry	Community Assets Manager
G Bennett	Hawkins Theatre Manager
N Maher	Projects Officer
R Gupta	Works Operations Manager
L Houston	Senior Policy Planner
R Firth	Manager Capital Works
S Cleaver	Traffic Engineer

PAPAKURA DISTRICT COUNCIL

CONTENTS

NO.	ITEM	PAGE
1.	Apologies	3
2.	Personal	3
3.	Confirmation of Minutes	3
4.	Approval of Recommendations	4
5.	Minutes – Te Roopu Kaitiaki O Papakura	4
6.	Deputations and Petitions	4
7.	Presentations	4
8.	Mayor’s Report	4
9.	Items for Decision	5-12&16-17
	(a) Attendance at Local Government Knowhow - Decision Making Workshop	5
	(b) Skateboard Facilities Funding.....	6
	(c) Kirks’ Bush Boardwalk Extension	7
	(d) Papakura Fireworks Display 2010	8
	(e) Hawkins Theatre	9-10
	(f) 2010-2011 Annual Plan and Budget	10&16-17
	(g) Renewal of Animal, Noise and Parking Control Contract 2003	11
	(h) Submission on the ATA Discussion Documents: Auckland Council Local Boards; Council Controlled Organisations of Auckland Council	12
10.	Items for Information	12
11.	Notices of Motion	12
12.	Confidential	13-14
	(a) LGAAA Update: Appeal of Papakura District Council to Change 6 to the Auckland Regional Policy Statement.....	13-14
	(b) Road Network Maintenance Contract Number PDC/06/01 – One Year Extension	13-14
	(c) Beach Road Remedial Report	13-14
	(d) Watercare Draft Statement of Corporate Intent from 1 July 2010.....	13-14
	(e) Review of Watercare’s 2010 Funding Plan	13-14

PAPAKURA DISTRICT COUNCIL

**MINUTES FOR THE 37TH MEETING OF THE PAPAKURA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPAKURA
ON TUESDAY 23RD MARCH 2010 COMMENCING AT 4.00 P. M.**

Tuesday 23rd March 2010

PRESENT:

Chairperson	His Worship the Mayor (Calum Penrose)
Deputy Chairperson	Clr Goldsmith
	Clr Auva'a (Until 5.56pm, From 5.59pm)
	Clr Catchpole
	Clr Conroy
	Clr Jones (Until 5.10pm, From 5.11pm)
	Clr O'Connor (Until 4.24pm, From 4.25pm, Until 6.18pm)
	Clr Piggott (Until 5.51pm)
	Clr Pringle

ATTENDING:

T Stratton	Chief Executive Officer
J Hames	Director Policy & Democracy Services
T Turner	Director Business & Promotion
T Kay	Director Infrastructure Management
G McCarrison	Director Regulatory Services
M Savage	Business & Performance Analyst
M Baker	Communications Advisor
N Terry	Community Assets Manager
G Bennett	Hawkins Theatre Manager
N Maher	Projects Officer
R Gupta	Works Operations Manager
L Houston	Senior Policy Planner

1. APOLOGIES

2. PERSONAL

3. CONFIRMATION OF MINUTES

- (a) That the Minutes of the Extraordinary Council Meeting held on Tuesday 16th March 2010 be confirmed.

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

- (a) THAT THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING
HELD ON TUESDAY 16TH MARCH 2010 BE CONFIRMED.

CARRIED

4. APPROVAL OF RECOMMENDATIONS

5. MINUTES – TE ROOPU KAITIAKI O PAPAKURA

6. DEPUTATIONS

7. PRESENTATIONS

8. MAYOR'S REPORT

9. ITEMS FOR DECISION

(a) **ATTENDANCE AT LOCAL GOVERNMENT
KNOWHOW - DECISION MAKING
WORKSHOP**

REPORTING OFFICER: Riya Seth
Democracy Services Officer

ATTACHMENT: "Local Government KnowHow - Decision
Making" Course Overview

(Attachment No. 1)

RECOMMENDATIONS

1. That the information be received.
2. That Council approve the attendance of Clr Pringle at the Local Government KnowHow – Decision Making Workshop.

HIS WORSHIP THE MAYOR MOVED
CLR O'CONNOR SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT COUNCIL APPROVE THE ATTENDANCE OF CLR PRINGLE AT THE LOCAL GOVERNMENT KNOWHOW – DECISION MAKING WORKSHOP.

CARRIED

9. ITEMS FOR DECISION

(b) SKATEBOARD FACILITIES FUNDING

**REPORTING OFFICER: Nicola Terry
Manager Community Assets**

**ATTACHMENT: Photo of Multipurpose Youth Facility
(Attachment No. 2)**

RECOMMENDATIONS

1. That the information be received.
2. That the budget allocated for skateboard facilities in 2010-2011 be reclassified as 'open space facilities for young people'.

HIS WORSHIP THE MAYOR MOVED
CLR GOLDSMITH SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT THE BUDGET ALLOCATED FOR SKATEBOARD FACILITIES IN 2010-2011 BE RECLASSIFIED AS 'OPEN SPACE FACILITIES FOR YOUNG PEOPLE'.

CARRIED

9. ITEMS FOR DECISION

(c) KIRKS' BUSH BOARDWALK EXTENSION

**REPORTING OFFICER: Nicola Terry
Manager Community Assets**

RECOMMENDATIONS

1. That the information be received.
2. That an additional \$15,000 be brought forward from the 2010/11 financial year in order to complete 100m of boardwalk through Kirk's Bush this financial year.

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT AN ADDITIONAL \$15,000 BE BROUGHT FORWARD FROM THE 2010/11 FINANCIAL YEAR IN ORDER TO COMPLETE 100M OF BOARDWALK THROUGH KIRK'S BUSH THIS FINANCIAL YEAR.

CARRIED

9. ITEMS FOR DECISION

(d) PAPAKURA FIREWORKS DISPLAY 2010

**REPORTING OFFICER: Teresa Turner
Director Business and Promotion**

ATTACHMENT: Aerial Map of Mansell Field

(Attachment No. 3)

RECOMMENDATIONS

1. That the information be received.
2. To re-locate the Papakura Fireworks 2010 display to Mansell Field and allocate an additional \$10,120 for the event.

OR

To re-locate a scaled back Papakura Fireworks display to Mansell Field and and allocate an additional \$5120 for the event

OR

To cancel the 2010 Fireworks display as Massey Park is not available as a venue

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CLR AUVA'A MOVED
CLR CONROY SECONDED

2. TO RELOCATE THE PAPAKURA FIREWORKS 2010 DISPLAY TO EITHER PAPAKURA HIGH OR, IF THIS OPTION IS NOT VIABLE, TO MANSELL FIELD AND ALLOCATIE AN ADDITIONAL BUDGET OF UP TO \$10,000 FOR THE EVENT.

CARRIED

Clr Jones voted against this resolution.

9. ITEMS FOR DECISION

(e) **HAWKINS THEATRE**

**REPORTING OFFICER: Teresa Turner
Director Business and Promotion**

RECOMMENDATIONS

1. That the information be received.
2. That Council give direction on which of the above options it wishes to progress.

CLR CATCHPOLE MOVED
HIS WORSHIP THE MAYOR SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CARRIED

2. THAT THE NAME OF THE HAWKINS THEATRE BE UNCHANGED.
3. THAT THE PREVIOUS RESOLUTION TO CHANGE THE NAME OF THE HAWKINS THEATRE BE RESCINDED.

A division was called.

Elected Member	For	Against	Abstain
His Worship the Mayor	✓		
Clr Auva'a		✓	
Clr Catchpole	✓		
Clr Conroy		✓	
Clr Goldsmith		✓	
Clr Jones	✓		
Clr O'Connor		✓	
Clr Piggott	✓		
Clr Pringle		✓	

LOST

CLR PRINGLE MOVED
CLR CONROY SECONDED

2. THAT THE COUNCIL CONSULT WITH THE PUBLIC ON A CHANGE OF NAME TO THE HAWKINS THEATRE AND THAT THE COUNCIL ALLOCATE \$15,000 IN THE LTCCP TO SUPPORT THIS CONSULTATION PROCESS AND POTENTIAL RE-BRANDING.

CARRIED

3. THAT A WORKSHOP IS HELD TO DETERMINE A SMALL NUMBER OF POTENTIAL NAMES FOR THE THEATRE FOR CONSULTATION PURPOSES.

CARRIED

CLR PIGGOTT MOVED
HIS WORSHIP THE MAYOR SECONDED

4. THAT THE CONSULTATION PROCESS INCLUDE THE OPTION OF HEARINGS SHOULD SUBMITTERS WISH TO BE HEARD.

CARRIED

9. ITEMS FOR DECISION

(f) 2010-2011 ANNUAL PLAN AND BUDGET

**REPORTING OFFICER: Victoria Villaraza
Director Finance and Corporate Services**

**ATTACHMENT: 2010-2011 Budget
(Attachment No. 4)**

RECOMMENDATIONS

1. That the information be received.
2. That the Council review the budget recommendations attached to this report and approve it as the basis for preparing the final 2010-2011 Annual Plan.

HIS WORSHIP THE MAYOR MOVED
CLR O'CONNOR SECONDED

1. THAT THE INFORMATION BE RECEIVED.

A procedural motion was moved.

HIS WORSHIP THE MAYOR MOVED
CLR O'CONNOR SECONDED

2. THAT THIS ITEM BE DEFERRED AND RECONSIDERED NEXT TUESDAY 30TH MARCH AT 2.00PM.

CARRIED

9. ITEMS FOR DECISION

(g) RENEWAL OF ANIMAL, NOISE AND PARKING CONTROL CONTRACT 2003

**REPORTING OFFICER: Graeme McCarrison
Director Regulatory Services**

ATTACHMENT: Animal Control Services Letter dated 18 Nov 2009

(Attachment No. 5)

RECOMMENDATIONS

1. That the information be received.
2. That the Animal and Noise Control section of Contract 2 for Animal Control Services Ltd be extended to expire on 30 June 2011 with two 12 month rights of renewal at the sole discretion of the Auckland Council.
3. That the Parking control section of Contract 2 be extended to expire on 31 October 2010.
4. That the Chief Executive Officer be delegated authority to execute the contract variations once the ATA has approved the Contract.

HIS WORSHIP THE MAYOR MOVED
CLR JONES SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT THE ANIMAL AND NOISE CONTROL SECTION OF CONTRACT 2 FOR ANIMAL CONTROL SERVICES LTD BE EXTENDED TO EXPIRE ON 30 JUNE 2011 WITH TWO 12 MONTH RIGHTS OF RENEWAL AT THE SOLE DISCRETION OF THE AUCKLAND COUNCIL.
3. THAT THE PARKING CONTROL SECTION OF CONTRACT 2 BE EXTENDED TO EXPIRE ON 31 OCTOBER 2010.
4. THAT THE CHIEF EXECUTIVE OFFICER BE DELEGATED AUTHORITY TO EXECUTE THE CONTRACT VARIATIONS ONCE THE ATA HAS APPROVED THE CONTRACT.

CARRIED

9. ITEMS FOR DECISION

(h) **SUBMISSION ON THE ATA DISCUSSION DOCUMENTS: AUCKLAND COUNCIL LOCAL BOARDS; COUNCIL CONTROLLED ORGANISATIONS OF AUCKLAND COUNCIL**

REPORTING OFFICERS: Theresa Stratton
Chief Executive Officer
Erin Clarke
Policy Adviser

ATTACHMENT: Draft submission on the Discussion Documents on Auckland Council Local Boards and Council Controlled Organisations of Auckland Council

(Attachment No. 6)

RECOMMENDATIONS

1. That the information be received.
2. That Council approve the attached draft submission
3. That Council approve the drafting of a letter to the Select Committee on Auckland Governance highlighting the concerns within the draft submission which would need to be addressed via legislation.

HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT COUNCIL APPROVE THE ATTACHED DRAFT SUBMISSIONS AS AMENDED.
3. THAT COUNCIL APPROVE THE DRAFTING OF A LETTER TO THE SELECT COMMITTEE ON AUCKLAND GOVERNANCE HIGHLIGHTING THE CONCERNS WITHIN THE DRAFT SUBMISSION WHICH WOULD NEED TO BE ADDRESSED VIA LEGISLATION.

CARRIED

10. ITEMS FOR INFORMATION

11. NOTICES OF MOTION

12. CONFIDENTIAL

- (a) **LGAAA UPDATE: APPEAL OF PAPAURA DISTRICT COUNCIL TO CHANGE 6 TO THE AUCKLAND REGIONAL POLICY STATEMENT**
- (b) **ROAD NETWORK MAINTENANCE CONTRACT NUMBER PDC/06/01 – ONE YEAR EXTENSION**
- (c) **BEACH ROAD REMEDIAL REPORT**
- (d) **WATERCARE DRAFT STATEMENT OF CORPORATE INTENT FROM 1 JULY 2010**
- (e) **REVIEW OF WATERCARE’S 2010 FUNDING PLAN**

RECOMMENDATION

1. That Council move into public excluded session. The general subject matter to be considered, the reasons for passing this resolution in relation to each matter and the specific grounds under S 7(2) i and S 48 (2) a (i) and S 7 (2) g of Local Government Official Information and Meetings Act 1987 are:

Item	Reason	Grounds
12(a) LGAAA Update: Appeal of Papakura District Council to Change 6 to the Auckland Regional Policy Statement	To enable Council to maintain legal professional privilege. To enable the local authority to deliberate in private on its decision or recommendation in any proceedings before a local authority where a right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings.	S 7 (2) g S 48(2)a (i)
12(b) Road Network Maintenance Contract Number PDC/06/01 – One Year Extension	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i
12(c) Beach Road Remedial Report	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i
12(d) Watercare Draft Statement of Corporate Intent from 1 July 2010	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i
		S 7 (2) i

12(e) Review of Watercare's 2010 Funding Plan	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	
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HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

1. THAT COUNCIL MOVE INTO PUBLIC EXCLUDED SESSION. THE GENERAL SUBJECT MATTER TO BE CONSIDERED, THE REASONS FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER AND THE SPECIFIC GROUNDS UNDER S 7(2) I AND S 48 (2) A (I) AND S 7 (2) G OF LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 ARE:

ITEM	REASON	GROUNDS
12(A) LGAAA UPDATE: APPEAL OF PAPA KURA DISTRICT COUNCIL TO CHANGE 6 TO THE AUCKLAND REGIONAL POLICY STATEMENT	TO ENABLE COUNCIL TO MAINTAIN LEGAL PROFESSIONAL PRIVILEGE. TO ENABLE THE LOCAL AUTHORITY TO DELIBERATE IN PRIVATE ON ITS DECISION OR RECOMMENDATION IN ANY PROCEEDINGS BEFORE A LOCAL AUTHORITY WHERE A RIGHT OF APPEAL LIES TO ANY COURT OR TRIBUNAL AGAINST THE FINAL DECISION OF THE LOCAL AUTHORITY IN THOSE PROCEEDINGS.	S 7 (2) G S 48(2)A (I)
12(B) ROAD NETWORK MAINTENANCE CONTRACT NUMBER PDC/06/01 – ONE YEAR EXTENSION	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).	S 7 (2) I
12(C) BEACH ROAD REMEDIAL REPORT	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).	S 7 (2) I
12(D) WATERCARE DRAFT STATEMENT OF CORPORATE INTENT FROM 1 JULY 2010	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).	S 7 (2) I
12(E) REVIEW OF WATERCARE'S 2010 FUNDING PLAN	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).	S 7 (2) I

CARRIED

The public were then excluded at 6.11pm.

The meeting resumed in public session at 6.43pm.

HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

THAT THE MEETING ADJOURN UNTIL 2.00PM TUESDAY 30TH MARCH 2010.

CARRIED

The meeting adjourned at 6.44pm.

The meeting reconvened at 2.00pm on 30th March 2010.

Tuesday 30th March 2010

PRESENT:

Chairperson	His Worship the Mayor (Calum Penrose)
Deputy Chairperson	Clr Goldsmith
	Clr Auva'a
	Clr Catchpole (from 2.05pm)
	Clr Conroy
	Clr Jones
	Clr O'Connor
	Clr Pringle

ATTENDING:

T Stratton	Chief Executive Officer
V Villaraza	Director Finance & Corporate Services
T Turner	Director Business & Promotion
T Kay	Director Infrastructure Management
G McCarrison	Director Regulatory Services
R Seth	Democracy Services Officer
M Baker	Communications Advisor
R Firth	Manager Capital Works
S Cleaver	Traffic Engineer

HIS WORSHIP THE MAYOR MOVED
CLR GOLDSMITH SECONDED

THAT THE APOLOGIES RECEIVED ON BEHALF OF CLR PIGGOTT AND CLR
CATCHPOLE FOR LATENESS BE SUSTAINED.

CARRIED

Item 9 (f) was then discussed at 2.01pm.

9. ITEMS FOR DECISION

(f) **2010-2011 ANNUAL PLAN AND BUDGET**

**REPORTING OFFICER: Victoria Villaraza
Director Finance and Corporate Services**

**ATTACHMENT: 2010-2011 Budget
(Attachment No. 4)**

RECOMMENDATIONS

1. That the information be received.
2. That the Council review the budget recommendations attached to this report and approve it as the basis for preparing the final 2010-2011 Annual Plan.

HIS WORSHIP THE MAYOR MOVED
CLR O'CONNOR SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CARRIED

CLR CONROY MOVED
CLR O'CONNOR SECONDED

2. THAT \$36,000 OF CAPITAL EXPENDITURE AND \$21,000 OF OPERATING EXPENDITURE BE ADDED TO THE 2010/11 ANNUAL PLAN FOR PROVISION OF SIGNAGE FOR RESTRICTION OF VEHICLE ACCESS TO NOMINATED INDUSTRIAL AND RESIDENTIAL AREAS.

CARRIED ON SHOW OF HANDS

Clrs Jones and Auva'a voted against resolution no. 2.

CLR CATCHPOLE MOVED
HIS WORSHIP THE MAYOR SECONDED

3. THAT THE BUDGET BE REDUCED BY \$15,000 FOR THE RENAMING OF HAWKINS THEATRE.

LOST

CLR PRINGLE MOVED
CLR O'CONNOR SECONDED

3. THAT COUNCIL APPROVE THE ATTACHED 2010/11 ANNUAL PLAN WITH THE INCLUSION OF ADDITIONAL BUDGET FOR HAWKINS THEATRE RENAMING (\$15,000), FIREWORKS EVENT (\$10,000) AND VEHICLE SIGNAGE (\$36,000 CAPEX AND \$21,000 APEX).

LOST

CLR CONROY MOVED
CLR CATCHPOLE SECONDED

3. THAT THE BUDGET FOR MANGROVE REMOVAL BE REDUCED BY \$250,000 TO THE ORIGINAL BUDGET OF \$100,000.

A division was called.

Elected Member	For	Against	Abstain
His Worship the Mayor		√	
Clr Auva'a		√	
Clr Catchpole	√		
Clr Conroy	√		
Clr Goldsmith		√	
Clr Jones		√	
Clr O'Connor		√	
Clr Pringle		√	

LOST

CLR O'CONNOR MOVED
CLR GOLDSMITH SECONDED

3. THAT COUNCIL (FOLLOWING FURTHER DISCUSSION) APPROVE THE ATTACHED 2010/11 ANNUAL PLAN WITH THE INCLUSION OF ADDITIONAL BUDGET FOR HAWKINS THEATRE RENAMING (\$15,000), FIREWORKS EVENT (\$10,000) AND VEHICLE SIGNAGE (\$36,000 CAPEX AND \$21,000 APEX).

CARRIED ON SHOW OF HANDS

Cls Conroy, Catchpole and His Worship the Mayor voted against the motion.

The meeting closed at 3.09pm

CONFIRMED THIS 27TH DAY OF APRIL 2010

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CHAIR