



MINUTES OF MEETING OF THE 39TH COUNCIL MEETING

HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPA KURA
ON TUESDAY 25TH MAY 2010 COMMENCING AT 4.00 P. M.

PRESENT:

Chairperson	His Worship the Mayor (Calum Penrose)
Deputy Chairperson	Clr Goldsmith
	Clr Auva'a
	Clr Catchpole
	Clr Conroy
	Clr Jones
	Clr O'Connor (until 5.27pm, from 5.28pm)
	Clr Piggott
	Clr Pringle

ATTENDING:

J Hames	Director Policy & Democracy Services
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
N Mochrie	Manager Strategic Projects
N Terry	Manager Community Assets
E Clark	Policy Advisor
N Savage	Senior Policy Planner
D McIntosh	Management Accountant
M Baker	Communications Advisor

PAPAKURA DISTRICT COUNCIL

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PAPAKURA DISTRICT COUNCIL

**MINUTES FOR THE 39TH MEETING OF THE PAPAKURA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPAKURA
ON TUESDAY 25TH MAY 2010 COMMENCING AT 4.00 P. M.**

1. APOLOGIES

2. PERSONAL

3. CONFIRMATION OF MINUTES

- (a) That the Minutes of the 38th Council Meeting held on Tuesday 27th April 2010 be confirmed.

HIS WORSHIP THE MAYOR MOVED
CLR PRINGLE SECONDED

- (a) That the Minutes of the 38th Council Meeting held on Tuesday 27th April 2010 be confirmed.

CARRIED

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 20th April 2010 be received. (Attachment No. 1)

HIS WORSHIP THE MAYOR MOVED
CLR PRINGLE SECONDED

- (A) THAT THE MINUTES OF THE TE ROOPU KAITIAKI O PAPAKURA MEETING HELD ON TUESDAY 20TH APRIL 2010 BE RECEIVED. (ATTACHMENT NO. 1)

CARRIED

6. DEPUTATIONS

Juliet Reynolds made a deputation regarding Karaka Centre Limited – Rates Objection/Remission request.

(Attachment No. 1A)

Item 9(e) was brought forward and dealt with at 4.13pm.

Tony Erceg made a deputation regarding Dumas Place Footpath at 5.04pm.

Item 9(f) was brought forward and dealt with at 5.32pm.

7. PRESENTATIONS

8. MAYOR'S REPORT

9. ITEMS FOR DECISION

- (a) **PROPOSED GREAT SOUTH ROAD
RESTRICTION ON DISPLAYING VEHICLES
FOR SALE**

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

ATTACHMENT: **Clause 7 Papakura District Council Parking
and Traffic Bylaw 2009**
Map showing restriction

(Attachment No. 2)

RECOMMENDATION

1. That the information be received.
2. That Council, by public notification under Clause 7.1 of the Papakura District Council Parking and Traffic Bylaw 2009, impose a prohibition on the displaying of vehicles for sale along Great South Road in accordance with the attached map.

HIS WORSHIP THE MAYOR MOVED
CLR PRINGLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CARRIED

2. THAT COUNCIL, BY PUBLIC NOTIFICATION UNDER CLAUSE 7.1 OF THE PAKAKURA DISTRICT COUNCIL PARKING AND TRAFFIC BYLAW 2009, IMPOSE A PROHIBITION ON THE DISPLAYING OF VEHICLES FOR SALE ALONG GREAT SOUTH ROAD IN ACCORDANCE WITH THE ATTACHED MAP.

CARRIED ON SHOW OF HANDS

Clr Jones voted against resolution no.2.

This item was dealt with at 6.00pm after item 9(e).

9. ITEMS FOR DECISION

(b) RATES REVOLT PETITION

REPORTING OFFICER: Erin Clarke
Policy Advisor

ATTACHMENT: Copy of "Notice of Rates Dispute with
Papakura District Council" provided by Ms
Penny Bright

(Attachment No. 3)

RECOMMENDATIONS

1. That the information be received.
2. That Council decline its support for a "rates revolt" in opposition to the formation of the Auckland Council or for the suspension of any penalties or rates recovery action associated with any such "rates revolt".

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CARRIED

9. ITEMS FOR DECISION

**(c) ATTENDANCE AT LGNZ CONFERENCE AND
23RD ANNUAL GENERAL MEETING**

REPORTING OFFICER: Riya Seth
Democracy Services Officer

ATTACHMENT: Registration Form
(Attachment No. 4)

RECOMMENDATIONS

1. That the information be received.
2. That Council approve the attendance of elected members at the LGNZ Annual General Meeting 2010.
3. That Council appoint x to act as its presiding delegate and as the alternate delegate at the LGNZ Annual General Meeting 2010.

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

1. THAT THE INFORMATION BE RECEIVED.
CARRIED

CLR AUVA'A MOVED
CLR CONROY SECONDED

2. THAT COUNCIL DECLINE TO SEND ANY ELECTED MEMBER TO THE LGNZ ANNUAL GENERAL MEETING 2010.

CARRIED ON SHOW OF HANDS

3. THAT COUNCIL APPOINT THE CEO TO ACT AS ITS PRESIDING DELEGATE AT THE LGNZ ANNUAL GENERAL MEETING 2010.

CARRIED

9. ITEMS FOR DECISION

(d) **PROPOSED REGULATORY FEES AND CHARGES 2010/11**

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

**ATTACHMENT: PDC Schedule of Fees and Charges 2010/11
(Attachment No. 5)**

RECOMMENDATION

1. That the information be received.
2. That the Council approve the proposed Schedule of Regulatory Fees and Charges 2010/11 as attached.

HIS WORSHIP THE MAYOR MOVED
CLR JONES SECONDED

1. THAT THE INFORMATION BE RECEIVED.
CARRIED

CLR JONES MOVED
CLR PIGGOTT SECONDED

2. THAT THE COUNCIL APPROVE THE SCHEDULE OF REGULATORY FEES AND CHARGES TO REMAIN AT THE 2009/10 LEVELS.
CARRIED

Clr O'Connor voted against resolution no. 2.

9. ITEMS FOR DECISION

(e) **KARAKA CENTRE LTD. – RATES
OBJECTION/REMISSION REQUEST**

**REPORTING OFFICER: D McIntosh
Management Account**

**ATTACHMENT: Excerpt Rating Policy
Letter KCL requesting review/remission
Letters Ellis Gould in support of request**

(Attachment No. 6)

RECOMMENDATIONS

1. That the information be received.
2. That Council note that rates have been assessed on properties at 43 Hingaia Road and 47 Harbourside Drive within the Business rating group in accordance with adopted rating policy for the years 2006/07 through 2009/10 and there are no grounds for amendment under the provisions of section 40 or 41 of the Local Government (Rating) Act 2002.
3. That Council note that while remission of rates under the policy “Remission of Rates for Re-zoned Rating Units in the Business Rating Group Pending Development” was granted on the properties for the 2009/10 year, as the policy was first adopted in the 2009-2019 Long Term Council Community Plan no retrospective remission is possible for prior rating years.

HIS WORSHIP THE MAYOR MOVED
CLR O’CONNOR SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CARRIED

CLR O’CONNOR MOVED
CLR PIGGOTT SECONDED

2. THAT THE A REPORT SETTING OUT THE PROCEDURE AND OPTIONS TO IMPLEMENT A GRANT TO THE REYNOLDS OF \$236,342.00 BE BROUGHT TO THE NEXT COUNCIL MEETING.

CARRIED ON SHOW OF HANDS

This item was dealt with at 4.13pm.

9. ITEMS FOR DECISION

(f) DUMAS PLACE FOOTPATH

REPORTING OFFICER: Tony Kay
Director Infrastructure Management

ATTACHMENT: PDC letter 8 October 2009
PDC letter 28 April 2010
Erceg letter 30 April 2010
PDC letter 4 May 2010
Locality plan

(Attachment No. 7)

RECOMMENDATIONS

1. That the information be received.
 - 2(a) The Mr Erceg not be permitted to construct the Dumas Place footpath and be requested to reinstate the work already undertaken.
- OR
- 2(b) That Mr Erceg be permitted to construct the Dumas Place footpath subject to an agreement with the following conditions:
 - a. Mr Erceg must meet all standard Health and Safety practices as would normally apply to any Council contractor including Traffic Management and the Code of Practice for Working in the Road.
 - b. The specification and construction of the footpath must meet standard Council requirements for a public asset, as would be expected on any other developer.
 - c. All buried services in the location must be identified and protected as required by Council of any other contractor
 - d. Should the Whitehouse development proceed then any costs of reinstatement that the Whitehouse can legitimately argue should not be theirs, be borne by Mr Erceg.
 3. That should an agreement be entered into then the lighting pole be relocated at Council's cost.

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CLR AUVA'A MOVED
CLR PIGGOTT SECONDED

2. THAT MR ERCEG BE PERMITTED TO CONSTRUCT THE DUMAS PLACE FOOTPATH SUBJECT TO AN AGREEMENT WITH THE FOLLOWING CONDITIONS:
 - A. MR ERCEG MUST MEET ALL STANDARD HEALTH AND SAFETY PRACTICES AS WOULD NORMALLY APPLY TO ANY COUNCIL CONTRACTOR INCLUDING TRAFFIC MANAGEMENT (AT COUNCIL'S COST), AND THE CODE OF PRACTICE FOR WORKING IN THE ROAD.
 - B. THE SPECIFICATION AND CONSTRUCTION OF THE FOOTPATH MUST MEET STANDARD COUNCIL REQUIREMENTS FOR A PUBLIC ASSET, AS WOULD BE EXPECTED ON ANY OTHER DEVELOPER.
 - C. ALL BURIED SERVICES IN THE LOCATION MUST BE IDENTIFIED AND PROTECTED AS REQUIRED BY COUNCIL OF ANY OTHER CONTRACTOR
 - D. SHOULD THE WHITEHOUSE DEVELOPMENT PROCEED WITH IN SIX MONTHS THEN ANY COSTS OF REINSTATEMENT THAT THE WHITEHOUSE CAN LEGITIMATELY ARGUE SHOULD NOT BE THEIRS, BE BORNE BY MR ERCEG.
3. THAT SHOULD AN AGREEMENT BE ENTERED INTO THEN THE LIGHTING POLE BE RELOCATED AT COUNCIL'S COST (UNLESS ANOTHER SOLUTION IS REACHED BY MUTUAL AGREEMENT).

CARRIED

This item was dealt with at 5.32pm.

10. ITEMS FOR INFORMATION

(a) **PLAN CHANGE 15 TAKAKNINI STRUCTURE
PLAN – PREHEARING MEETINGS**

**REPORTING OFFICER: Nathanael Savage
Senior Policy Planner**

**ATTACHMENT: RMA extract c18AA
List of submitters
Letter – D Newman 3 May 2010
(Attachment No. 8)**

RECOMMENDATIONS

1. That the information be received.

HIS WORSHIP THE MAYOR MOVED
CLR CONROY SECONDED

1. THAT THE INFORMATION BE RECEIVED.
CARRIED

11. NOTICES OF MOTION

12. CONFIDENTIAL

- (a) **LAND PURCHASES FOR ROADING UPGRADES – 507 – 561 GREAT SOUTH ROAD**
- (b) **HINGAIA SPORTS FIELDS UPDATE MAY 2010**
- (c) **THE FUTURE OF ACCENT POINT, THE LIBRARY AND MUSEUM**
-

RECOMMENDATION

1. That Council move into public excluded session. The general subject matters to be considered, the reasons 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) Land Purchases for Roothing Upgrades – 507 – 561 Great South Road	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i
12(b) Hingaia Sports Fields Update May 2010	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, the Library and Museum	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i

HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

1. THAT COUNCIL MOVE INTO PUBLIC EXCLUDED SESSION. THE GENERAL SUBJECT MATTERS TO BE CONSIDERED, THE REASONS 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) LAND PURCHASES FOR ROADING UPGRADES – 507 – 561 GREAT SOUTH ROAD	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).	S 7 (2) I
12(B) HINGAIA SPORTS FIELDS UPDATE MAY 2010	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, THE LIBRARY AND MUSEUM	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 6.49pm.

The meeting resumed in public session at 7.43pm.

The meeting closed at 7.43pm.

CONFIRMED THIS 8TH DAY OF JUNE 2010

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CHAIR