



NOTICE OF MEETING OF THE 30TH COUNCIL MEETING

I hereby give notice that the 30th Council meeting of the 7th Papakura District Council is to be held on:

DATE: Tuesday 22nd September 2009

TIME: 4.00 P.M.

VENUE: Council Chambers
35 Coles Crescent
PAPAKURA

T Stratton
CHIEF EXECUTIVE OFFICER

MEMBERSHIP:

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

(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 30TH MEETING OF THE PAPAKURA DISTRICT COUNCIL TO
BE HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPAKURA
ON TUESDAY 22ND SEPTEMBER 2009 COMMENCING AT 4.00 P. M.**

1. **APOLOGIES**

2. **PERSONAL**

3. **CONFIRMATION OF MINUTES**
 - (a) That the Minutes of the 29th Council Meeting held on Tuesday 25th August 2009 be confirmed.

4. **APPROVAL OF RECOMMENDATIONS**

5. **MINUTES – TE ROOPU KAITIAKI O PAPAKURA**

6. **DEPUTATIONS**

7. **PRESENTATIONS**

8. **MAYOR’S REPORT**

9. ITEMS FOR DECISION

(a) GRANT TO “SAVEPAPAKURA.COM”

**REPORTING OFFICER: Theresa Stratton
Chief Executive**

PURPOSE OF THE REPORT

This report seeks Council approval to make a small grant to the “savepapakura.com” group to cover their expenses during the Auckland Supercity activities.

BACKGROUND

Earlier in the year, in response to the Government’s proposals for changes to Local Government in Auckland, the Council organised a public meeting to hear the community’s concerns on the proposals. Approximately 1000 people attended the meeting and there was a strong consensus of opposition to the proposals as they were framed. Following that meeting a small group of community volunteers took on the task of organising awareness raising and encouraging public submissions to the legislative change. Councillors O’Connor and Conroy were nominated as Council’s liaison with the group.

NARRATIVE

While the group have freely donated their time to this activity there have been some out of pocket expenses incurred which Council may wish to assist with. The major expense has been photocopying and printing but there have also been other minor costs associated with website hosting etc.

It is suggested that at this point the group be asked to bring photocopying to the Council where it can be done at minimal cost and that Council approve a grant of \$500 for future minor expenses to be administered by Councillors Conroy and O’Connor.

There is still sufficient funding available in the amount that Council set aside for activities associated with the supercity debate.

CONCLUSION

The “savepapakura.com” group are heavily involved in activities designed to raise awareness and encourage public participation in the legislative process for the reform of Auckland Local Government. They are seeking reimbursement for minor out-of-pocket expenses incurred in these activities.

RECOMMENDATIONS

1. That the information be received.
2. That Council support “savpapakura.com” through:
 - a. Supplying photocopying services for relevant material
 - b. Approving a grant of \$500 for minor out-of-pocket expenses to be administered by Councillors Conroy and O’Connor.

9. ITEMS FOR DECISION

(b) PRIVATE PLAN CHANGE 8; PARAREKAU ISLAND COUNTRY-SIDE LIVING ZONE

REPORTING OFFICER: Joy Hames
Director Policy and Democracy Services

ATTACHMENT: Private Plan Change Request
Change to the District Plan

(Attachment No. 1)

PURPOSE OF THE REPORT

This report seeks Council's agreement to changes, as requested by the applicant, to Private Plan Change 8; Pararekau Countryside Living Zone prior to public notification of the Plan Change.

The report seeks Council's further acceptance of the amended plan change request and endorsement for public notification.

BACKGROUND

At its meeting held on 21 July 2009 Council considered an assessment in accordance with clause 25 of the First Schedule of the Resource Management Act 1991 ("RMA") of an application requesting the rezoning of Pararekau Island for countryside living purposes. It was resolved as follows:

THAT COUNCIL ACCEPT AND APPROVES AND PROCEED TO NOTIFY THE REQUEST UNDER CLAUSE 25 2 (B) OF THE FIRST SCHEDULE TO THE RMA AND THAT THE OFFICERS WORK WITH THE APPLICANT TO PREPARE THE NOTIFICATION.

At the meeting it was identified that a factor taken into consideration in the clause 25 assessment was that Council was not in receipt of a "complete" set of notification documents.

Following the meeting the applicant was advised of Council's decision and agreed to supply Council with complete documentation for public notification. On 31 July 2009 Council was supplied with a revised plan change request, "clean" and marked up versions of the proposed plan change and section 32 report, and a draft public notice.

NARRATIVE

The documentation supplied by the applicant on 31 July 2009 differed from the material that had been submitted with the original application and/or in response to a request for further information. The revised plan change sought to amend parts of the District Plan that had not been part of the original request, including an additional appendix (17H) to be added to the District Plan and some further changes to rules of the plan change. Some 17 pages of additional reporting was included in the section 32 analysis.

A meeting was held with the applicant's legal, planning and project management advisers at which Council's planner and its consultant planner discussed the amendments to plan change request. The applicant was able to clarify the nature and extent of the changes to the request made since Council's consideration of the request in accordance with clause 25 of the First Schedule of RMA. The changes include:

- Amendments to Plan 1 Hingaia Structure Plan Area
- Amendment to Rule 17.3.3.6 Controlled Activity Subdivision – Standards and Terms
- Amendment to Rule 17.3.4.3 Restricted Discretionary Activities in the Pararekau Country-side Living Zone
- Minor amendment to Rule 17.3.5.1, 3 & 7 Controlled Activity Assessment Criteria in respect of information requirements
- Amendment to rule 17.3.6.2 – explanation of Maximum Building Coverage
- Editorial changes including removing duplicated text, additional cross-referencing and correction of font, numbering and punctuation errors.

At the meeting it was agreed that an Appendix 17H would not be added to the plan as part of the plan change. Revised plan change request documentation, reflecting the outcomes of the meeting, was subsequently received by Council on 7 September 2009. (See Attachment 1). Subject to some minor formatting changes to Plan 1; Hingaia Structure Plan Area, the documentation meets the requirements of Council for public notification of the plan change.

CONCLUSION

Council has previously made an assessment of, and decision to accept, Private Plan Change 8; Pararekau Country-side Living Zone in accordance with clause 25 of the First Schedule of RMA. Council resolved that Council officers work with the applicant to prepare for notification. The Plan Change must be publicly notified within four months of Council's decision of 21 July 2009. The applicant submitted amended plan change request documentation following that decision. Officers subsequently met with the applicant's advisers and agreed the scope of the request.

It is recommended that Council accepts the changes to the plan change documentation and proceeds to notify the request as amended, without delay.

RECOMMENDATIONS

1. That the information be received.
2. That Council accepts the changes to the plan change documentation for Private Plan Change 8; Pararekau Country-side Living Zone and proceeds to notify the request as amended.

9. ITEMS FOR DECISION

(c) 2008/2009 BUDGETS TO BE CARRIED FORWARD TO 2009/2010

REPORTING OFFICER: Victoria Villaraza
Director Financial and Corporate Services

ATTACHMENT: Schedule of Proposed Carry Forward Budgets

(Attachment No. 2)

PURPOSE OF THE REPORT

The purpose of the report is to obtain Council approval to carry forward unspent budgets from the 2008/09 financial year to the 2009/10 financial year.

BACKGROUND

The 2008/09 budget includes projects which for a number of reasons were not fully completed by the end of the financial year to 30 June 2009. Approval of Council is now required to bring a number of these projects forward into the current financial year together with their funding sources.

NARRATIVE

The attached schedule list the projects programmed for the 2008/2009 financial year that were not fully completed by year end. For each project the carry forward amount requested and the proposed source of funding is outlined. A summary of the funding impacts are shown below:

Table 1: Funding Impact of the Proposed Carry Forward Budget				
Activity	Proposal in \$000	Funding Source in \$000		
		Loans	Other Sources	Rates
District Administration	20			20
Transportation and Roothing	4,711	4,711		
Stormwater and Environmental Infrastructure	3,905	3,905		
Reserves	4,828	4,693		135
Aquatic and Leisure Centre	179		179	
Conveniences	90	90		
Library	86	86		
Community Services	660	650		10
Grants	13			13
Totals	14,442	14,085	179	178

A number of the projects in the schedule were funded in the 2008/2009 year wholly or partly from rates. For these projects it is necessary to ensure that at the end of the 2008/09 financial year, sufficient general funds remain available to enable the projects to be carried forward. The available rate surplus is as follows

Table 2: Rates Surplus Available to Fund Proposed Projects:	\$000
Rates Funding Surplus at 30 June 2009 available for proposed carry forward projects	209
Less: Rating Impact of proposals (see Table 1)	178
Rates Surplus available to fund requirements that may arise during the 2009/10 year	31

CONCLUSION

There are a number of projects still in progress at June 2009 to be considered for carry forward. Sufficient unallocated surplus is available to cover the rating impact of the proposed projects and it is recommended that these along with the proposed funding sources be approved for carry forward to the 2009/10 year. In addition, capital project budgets are proposed to be carried forward along with the relevant financing sources – reserves, contributions and loans.

RECOMMENDATIONS

1. That the information be received.
2. That the projects and budgets brought forward as included in the attached schedule be carried forward from 2008/09 to the 2009/10 financial year along with the associated funding sources.

9. ITEMS FOR DECISION

(d) AMENDMENTS TO REGULATORY DELEGATIONS

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

ATTACHMENT: **Amended Delegations**
(Attachment No. 3)

PURPOSE OF THE REPORT

This purpose of this report is for Council to review and approve amended regulatory delegations of authority.

BACKGROUND

The Resource Management (Simplifying and Streamlining) Amendment Act was passed by Parliament in September 2009. The Amendment Act changes a number of critical sections of the Resource Management Act (RMA) 1991 under which delegated decisions in regard to resource consents and related matters are made by committees, officers and independent commissioners.

NARRATIVE

Council adopted the “Papakura District Council Regulatory Delegations” on 20 November 2007. The delegations provide delegated authority under all legislation related to the regulatory business including the Resource Management Act 1991. The RMA amendments change a number of sections under which decisions are made on applications currently including:

Section 95	Related to notification and non-notification
Section 100A	Request to delegate hearing to one or more hearing commissioner/s
Section 127	Restricting upon deposit of survey plan
Section 139	Certificates of compliance
Section 169	Notice of requirement
Section 357	Right of objection
Section 221(2)	Authority to sign consent notice

The 20 November 2007 delegations have been updated to reflect the changes in the Act to ensure Council Committees and Officers have the authority for the efficient implementation of Council’s regulatory role.

CONCLUSION

The Resource Management (Simplifying and Streamlining) Amendment Act 2009 has altered a number of the sections on which the regulatory functions of Council rely. To enable Council to efficiently process and determine applications and related matters under the RMA the 20 November 2007 Regulatory Delegations require amendment.

RECOMMENDATIONS

1. That the information be received.
2. That Council approve the delegations as set out in the attached document "Papakura District Council Regulatory Delegations September 2009".

10. ITEMS FOR INFORMATION

11. NOTICES OF MOTION

12. CONFIDENTIAL

- (a) **PRIVATE PLAN CHANGE NO 10**
- (b) **THE FUTURE USE OF 69 WOOD STREET,
PAPAKURA**

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 48 (2) a (i) and S 7 (2) i of Local Government Official Information and Meetings Act 1987 are:

Item	Reason	Grounds
12(a) Private Plan Change No 10	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 48 (2) a i
12(b) The Future Use of 69 Wood Street, Papakura	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i