



**NOTICE OF MEETING OF THE
RESOURCE MANAGEMENT & REGULATORY
COMMITTEE**

I hereby give notice that the Resource Management & Regulatory Committee meeting of the Papakura District Council is to be held on:

DATE: Tuesday 10th August 2010

TIME: 1.00 pm

VENUE: Council Chambers
 35 Coles Crescent
 PAPA KURA

T Stratton
CHIEF EXECUTIVE OFFICER

MEMBERSHIP:

Chairperson	Clr Conroy
Deputy Chairperson	Clr Jones
	HWM Penrose
	Clr Auva'a
	Clr Catchpole
	Clr Goldsmith
	Clr O'Connor
	Clr Piggott
	Clr Pringle

(Quorum 4 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 MEETING OF THE RESOURCE MANAGEMENT AND
REGULATORY COMMITTEE TO BE HELD IN THE COUNCIL CHAMBERS,
35 COLES CRESCENT, PAPAKURA ON TUESDAY 10TH AUGUST 2010
COMMENCING AT 1.00 P.M.**

1. APOLOGIES

2. CONFIRMATION OF MINUTES

- (a) That the Minutes of the Resource Management and Regulatory Committee Meeting held on Tuesday 13th July 2010 be confirmed.

3. DEPUTATIONS AND PETITIONS

4. PLAN CHANGES

(a) PLAN CHANGE NUMBER 6 AND VARIATION NUMBER 1 TO PLAN CHANGE NUMBER 6 – ARDMORE AERODROME – RESOLUTION TO MAKE OPERATIVE

**REPORTING OFFICER: Joy LaNauze
Senior Policy Planner**

PURPOSE OF THE REPORT

This report is to advise Council that the appeals lodged with the Environment Court against Council's 2003 decision on Proposed Plan Change Number 6 ("PC6") and Council's 2008 decision on Variation 1 to Plan Change 6 have now been settled by consent or withdrawn, and it is recommended that Council resolve to make the plan change and variation operative.

BACKGROUND

PC6 relating to Ardmore Aerodrome was publicly notified in 2001. A Notice of Requirement ("NoR") from the designating authority for the aerodrome, Ardmore Airport Ltd ("AAL") to amend the aerodrome's designation, was notified at the same time.

PC6 introduced District Plan provisions as a means of managing aircraft noise arising from the operation of Ardmore Aerodrome. This included rules relating to sound emissions, amendments to the District Plan zoning maps to show air noise contours based on the modelling of 275 000 aircraft movements per annum, and the introduction of noise insulation provisions.

The Council's decision on PC6 was publicly notified in July 2003. That decision was appealed to the Environment Court by seven parties. AAL's decision relating to the NoR was appealed to the Environment Court by a number of parties. A number of parties also lodged notices pursuant to Section 274 of the Resource Management Act 1991 indicating that they each wished to become a party to the appeal proceedings.

The Environment Court issued an interim decision in February 2005 directing that the appeals to PC6 and the NoR would remain on hold until Council initiated a plan change to make provision for land use planning within the noise contours, and the proposed plan change reached a position that would enable the appeal proceedings to be finally determined. The Court also directed that Council address the effects of noise contours allowing 350 000 aircraft movements per annum.

Council subsequently publicly notified Variation 1 to PC6 on 17 October 2007. Variation 1 introduced land use and subdivision provisions within the noise contour boundaries and made other amendments to PC6.

Council's decision on Variation 1 to Plan Change 6 was publicly notified on 28 Nov 2008 with a notice of erratum notified on 14 January 2009.

That decision was appealed to the Environment Court by four parties. A number of parties also lodged notices pursuant to Section 274 of the Resource Management Act 1991 indicating that they each wished to become a party to the appeal proceedings.

On 10 March 2009 Councillors Conroy, Jones, and Catchpole were given delegated authority to make decisions relating to the appeal decisions. Council also made decisions relating to resolution of the appeals on 23 February 2010.

The appeal parties to PC6, Variation 1 to PC6, and AAL's NoR either withdrew their appeals, or signed a draft consent order, which was lodged with the Environment Court in May 2010.

The draft Consent Order was signed by the Environment Court on 12 July 2010. It relates to Ardmore Aerodrome appeals to PC6, appeals to Variation 1 to PC6, and appeals to AAL's NoR decision.

NARRATIVE

PC6 and Variation 1 to PC6 now need to be made Operative.

Under Clause 20 of the First Schedule to the Resource Management Act 1991, Council needs to resolve to set a date on which the plan change and variation will become operative. The operative date needs to be publicly notified at least five working days before the date on which the plan change becomes operative.

A copy of the operative plan change must also be sent to parties prescribed under the Act. Council is also required to update its records and copies of the District Plan to give effect to PC6 and Variation 1 to PC6.

Pursuant to Section 175(2) of the RMA, once the Environment Court confirms or modifies a requirement (which then becomes a designation), Papakura District Council is required to include that designation in its District Plan without further formality.

Council has advised AAL that one combined set of amended District Plan provisions and maps for all amendments relating to PC6, Variation 1 to PC6, and the NoR will be issued by Council, rather than two separate sets of documents being required for plan change and designation amendments

The recommended operative date for PC6 and Variation 1 PC6 is 27 September 2010.

CONCLUSION

Council is now required to make Plan Change Number 6 and Variation 1 to Plan Change Number 6 operative, and to set an operative date.

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 Plan Change 6 and Variation 1 to Plan Change 6 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, Plan Change 6 and Variation 1 to Plan Change 6 become Operative on 27 September 2010.

5. OTHER PLANNING MATTERS

6. REGULATORY AND ENFORCEMENT

(a) ANNUAL REPORT DISTRICT LICENSING AGENCY 2009/10

REPORTING OFFICER: Steve Hull, Secretary, District Licensing Agency and June Walden Licensing Inspector

ATTACHMENT: Annual Report Papakura District Licensing Agency

(Attachment No. 1)

PURPOSE OF THE REPORT

The purpose of this report is to obtain Council endorsement of the Annual Report to the Liquor Licensing Authority for the 2009/10 period.

BACKGROUND

The principal role of the District Licensing Agency is to deal with all applications for new and renewal of On, Off and Club Licences together with all General and Club Managers' Certificates, Special Licences and Temporary Authorities.

This report is required on an annual basis to satisfy requirements under the Sale of Liquor Act 1989 stating that an annual report is to be submitted to the Liquor Licensing Authority within three months of the end of the financial year.

NARRATIVE

During the last year the agency has received and processed more applications than the previous year. The total number of licensed premises remains at 89 being the same as for the 2008/09 year. Increased regular night monitoring of high risk premises and targeted monitoring of problem sites has been effective in reducing the number of intoxicated people incidents outside these premises. The Agency and Police meet regularly to evaluate risk premises and determine appropriate courses of action for each. There has been a reduction of Papakura premises appearing in the Police Alcolink data.

CONCLUSION

Council is required to endorse the Annual Report of the District Licensing Agency. An annual report is attached. The Agency working with the Police has been more effective during the last year in enforcing the provisions of the Sale of Liquor Act 1989.

RECOMMENDATIONS

1. That the information be received.
2. That the Committee endorse the Annual Report of the District Licensing Agency.

6. REGULATORY AND ENFORCEMENT

(b) HEAVY MOTOR VEHICLE PARKING IN RESIDENTIAL AREAS

REPORTING OFFICER: Graeme McCarrison
Director Regulatory Services

ATTACHMENT: Parking and Traffic Bylaw 2009
(Attachment No. 2)

PURPOSE OF THE REPORT

The purpose of this report is to advise Council of the existing provisions contained in Council's Parking and Traffic Bylaw 2009 which relate to heavy motor vehicle parking in residential areas.

BACKGROUND

In recent times, elected members have expressed some concern at how issues with heavy motor vehicle parking can be addressed (particularly as it relates to residential areas). This report outlines how this issue can be addressed through a provision contained in the Parking and Traffic Bylaw 2009.

NARRATIVE

In 2009, Council reviewed its Parking and Traffic Bylaw (which had been adopted in 2007) in order to deal with a number of ongoing issues. One of these issues was heavy motor vehicle parking in residential areas.

Clause 7.1.8 specifies heavy motor vehicle parking as being something which can be restricted by Council and reads as follows:

7 Parking and Stopping Restrictions

7.1 The Council may by publicly notified resolution impose such prohibitions, restrictions controls directions or fees concerning parking, stopping or standing on any road or part of a road and/or the use by traffic or otherwise of any road, or part of a road as it sees fit. Such resolutions may include (but are not limited to) matters such as:

- 7.1.1 Stopping places for special vehicles;*
- 7.1.2 Loading zones;*
- 7.1.3 Disabled person parking spaces;*
- 7.1.4 Reservation of parking places;*
- 7.1.5 Long term parking;*
- 7.1.6 Standing vehicles on roads;*
- 7.1.7 Displaying vehicles on roads;*
- 7.1.8 Heavy motor vehicle parking.*

7.2 Any such resolution may apply to a specified road or part of a road, a specified class or description of a vehicle and/or be effective during a specified period of time.

Should Council wish to restrict heavy motor vehicle parking particularly in residential areas the process for this involves following:

- Step 1 - Undertake an investigation to identify and define the extent of the issue and identify those areas where such a restriction should occur. This would include holding a workshop with Councillors;
- Step 2 - Report and recommendations to Committee on options to resolve the issue;
- Step 3 - Public consultation and submission period if the approved solution is heavy vehicle parking restriction under the Parking and Traffic Bylaw 2009;
- Step 4 - Hearing of submissions;
- Step 5 - Report and recommendation/s to Council on submissions;
- Step 6 - Implementation of the Council decision.

The estimated timetable for the various steps is:

- Step 1 - 20 August 2010;
- Step 2 - Resource Management & Regulatory Committee 14 September 2010;
- Step 3 - Submission period between 20 September to 22 October 2010;
- Steps 4, 5 & 6 would be undertaken and determined by the Auckland Council.

It should be noted that Council staff do not have any specific information related to problems with heavy vehicle parking and will rely heavily on the information that elected members are able to provide at the workshop in Step 1.

Should the Council wish to undertake this project the first three steps could be completed before the Auckland Council is established on 1 November 2010. The remaining work would be transferred to the Auckland Council and Auckland Transport to complete and implement.

CONCLUSION

Council's Parking and Traffic Bylaw 2009 allows the placement of heavy motor vehicle parking restrictions on any road (including residential) via publicly notified resolution.

This project is expected to take approximately 4-5 months to complete. The first three steps could be completed before the Auckland Council is established on the 1 November 2010.

RECOMMENDATIONS

1. That the information be received.
2. That the Council provide direction as to whether to proceed with the project to restrict heavy vehicle on-street parking in the Papakura District.

6. REGULATORY AND ENFORCEMENT

(c) PROPOSED STREET NAMES – KARAKA LAKES STAGE 2 AND 3 SUBDIVISION

REPORTING OFFICER: Graeme McCarrison
Director Regulatory Services

ATTACHMENT: Karaka Lakes letter and plan in support of the proposed street names
Ngati Tamaoho Trust letter November 2007
Plan showing existing Karaka Lakes road names

(Attachment No. 3)

PURPOSE OF THE REPORT

The purpose of this report is to consider and determine under the Road Naming Policy the proposed street names for Stages 2 and 3 of the Karaka Lakes subdivision.

BACKGROUND

At its meeting on 10 July 2006, the District Development Committee considered the functionality of the Council Road Naming Policy, which outlines criteria for assessing the appropriateness and utility of proposed road names in the Papakura District. The Committee specifically looked at the extent to which developers should be able to influence the final decision on street names. It was decided that the implementation of the Road Naming Policy should include a consultative approach involving the developer in the final decision.

On 8 November 2007 Councillors Conroy and Piggott and the Director Regulatory Services acting as delegated authority, determined the road names for Stage 1 Karaka Lakes, see the attached plan. The approved names were:

- Wawatai Drive
- Lake Drive
- Cornwall Place
- Thornton Green
- Trekarne Street
- Anchorage Drive
- Fountain Avenue
- Turua Rise

NARRATIVE

The Policy requires that a theme and street name are in keeping with the specific area it is identified for, and/or whether it has an identifiable connection to some aspect of the Papakura District. Proposed names are assessed for appropriateness against the following criteria.

- The name is a single word or name that is not hyphenated
- The name does not contain any inflection marks (eg macrons, accents)
- The name is not longer than 12 letters
- The name is not already used to name or identify another road or landmark feature within the District and surrounds

- The name would not sound similar to existing road names in use within the District and surrounds
- The name would not be considered offensive (including when translated into another language).

Karaka Lakes Stage 2 is essentially completed with the completion certificate issued at the end of July 2010. Works on Stage 3 are progressing. Karaka Lakes has requested in the attached letter and plan dated 16 July 2010 the following road names:

Proposed Names	Alternative Option/s
Pickaberry Avenue	
Springcrest Drive	Heritage Grove or Pearfield Drive
Anchorage Drive	
Waterview Road	Bridgeview Road
Edgewater Drive	Waterfall Drive

Anchorage Drive is an extension of the existing Anchorage Drive approved for Stage 1. No approval is required for this.

NZ Post has approved the use of the above names, except in regard to Waterview Road, for both the proposed and alternative names. Waterview Road is not considered an option as there already exists a Waterview Road in the Papakura District.

In Stage 1 a couple of themes for road names were established based around:

- Water, eg Lake Drive, Fountain Avenue, Anchorage Drive
- History links relevant to the Reynolds family, eg Thornton Green, Cornwall Place
- Names relevant to Ngati Tamaoho and Tainui, eg Wawatai Drive and Turua Rise.

Karaka Lakes have proposed names that are considered to be relevant and consistent with the themes established for Stage 1. Taking into consideration the road naming policy, the following names (as per the attached plan) are considered appropriate:

- Pickaberry Avenue – this name remembers the past Reynolds family “Pickaberry” significant horticultural business that operated on the property
- Bridgeview Road and Edgewater Drive fit into the water theme base, based around a name relevant to the lakes in the development.

It is considered important that Council give consideration to approving for use in the Karaka area the following names proposed by Ngati Tamaoho in November 2007, see the attached letter:

- Rori Avenue – well respected Rangatira amongst Ngati Tamaoho people and lived at Whatapaka in Karaka and Papakura
- Tori Drive – wife of Rori. Both Rori and Tori were very prominent figures amongst Ngati Tamaoho people and the Tainui.

CONCLUSION

Karaka Lakes have requested approval for road names for Stages 2 and 3 of the Karaka Lakes subdivision. It is recommended that the suggested road names as shown on the Karaka Lakes plan be approved with the exception of Waterview Road which should be named Bridgeview Road. The proposed names conform to the Council's road name policy. The road name themes established in Stage 1 are enhanced and further developed by the recommended names. It is recommended that approval be given to Rori Avenue and Tori Drive. Both names were proposed by Ngati Tamaoho in November 2007 for use in the Hingaia subdivision. These names are proposed to be used in the future stage of the Karaka Lakes related subdivisions.

RECOMMENDATION

1. That the information be received.
2. That the road names of Pickaberry Avenue, Springcrest Drive, Bridgeview Road and Edgewater Drive as shown on the attached plan be approved in accordance with the Papakura District Council Road Naming Policy.
3. That Rori Avenue and Tori Drive be approved for use in the future stage of the Karaka Lakes related subdivisions.

6. REGULATORY AND ENFORCEMENT

(d) REGULATORY SERVICES REPORT FOR JUNE 2010

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

ATTACHMENT: **Statistical Data**
Food Grading List of Premises
(Attachment No. 4)

PURPOSE OF THE REPORT

The purpose of this report is to provide the Committee with information on Regulatory Services operations.

BACKGROUND

The Regulatory Services operation has seven primary functions being Building Consents, Resource Consents, Environmental Health Inspections, Liquor Licensing, Animal Control, Noise Control and Parking Control and each is reported on separately within this report. Detailed information is provided on each functional area in the attachment to this report. The first section of the attachment provides comparative data for Building, Environmental Health and Liquor.

The second section relates to Resource Consents and is divided into four key parts related to the number of applications received and processed, monitoring and compliance, significant on-going matters and applications and finally matters before the Environment Court.

The third, fourth and fifth sections concern Animal Control, Noise Control and Parking Control respectively.

NARRATIVE

Building Consents June 2010

The key building performance statistics for the month are as follows:

- For the month of June 2010 there were 57 consents issued and the average number of days to issue these consents was 13.8 days. There were 13 amendments issued during the month. All consents were issued within 20 working days. In 2009/10 there were 565 consents issued with 99.6% being issued within 20 working days. The average number of days to process these consents was 13.8 days. In June in the previous year 56 consents were issued with 100% of these being processed within 20 working days. The average number of days to process the consents in the previous year was 9.6 days.
- The total value of consents issued in June was \$15.3 million which compares to \$8.1 million in the same month in the previous year. In 2009/10 the total value of consents issued was \$102.9 million compared to \$65.3 million in the previous year.
- 55 consent applications were received in June 2010 compared to the 67 received in the same month in the previous year.

- There were 37 Land Information Memoranda issued in June compared to 46 in the same month last year. In 2009/10 there were 507 Land Information Memorandum have been issued compared to 410 in 2008/09.

Swimming Pools

In June 2010 a total of 57 properties were visited to check swimming pool fencing compliance and 17 failed the initial inspection. The failed inspections generally related to maintenance items such as repairs to gates, fences and window restrictors.

Environmental Health

Details of Current Food Grades

Grading inspections are currently being undertaken with 92% of the premises re-graded by the end of June 2010. The remainder will be inspected once the Environmental Health Officer has organised access to these premises. One premise has received a D grading due to staff being required to complete a basic refresher course on food hygiene. Once they have completed the course the premise will be able to apply for a re-inspection and gain a new grading. All gradings can be viewed on the Papakura District Council website and are attached to this report.

Enforcement Issues

During the month of June 2010, 39 complaints were received. These complaints related to various issues including food premises, general nuisance from rubbish and overgrown sections.

Liquor Licensing

During the month of June 2010 there were a total of 39 applications received which were made up of the following:

1.	General Manager's Certificate	5
2.	Renewal General Manager's Certificate	12
3.	Renewal Club Manager	1
4.	Off Licence	2
5.	On Licence	1
6.	Renewal Club Licence	1
7.	Special Licence	17
		—
		39

Night monitoring on alternate Thursdays and Fridays of liquor premises continues to be carried out by the Liquor Licensing Inspector, in conjunction with the Police/Medical Officer of Health.

Resource Consents

In June, 33 resource consents were processed and 40 were received. The average number of days to process these consents was 15.3 days. All consents issued were processed within the statutory timeframes. In 2009/10 316 consents were issued and the average number of days to process these consents was 16 days. 98.4% of the consents were processed within the statutory timeframes. It is worth noting that 100% of the consents received within this financial year have been processed within statutory timeframes.

Complaints and Resource Consent Monitoring:

During June 2010, 29 complaints were received and 15 of these complaints have been resolved successfully with the remaining 10 complaints still currently under investigation. Currently there are 55 complaints dating to back to July 2007 which are being worked on. Only 7 of the complaints are more than 10 months old.

27 new resource consents became due for monitoring checks and 7 were signed off as completed during the month. A total of 88 resource consent monitoring visits occurred in June 2010.

Resource Consent Matters:

201 and 211 Opaheke Road

Stage one of the six stage management plan has been successfully completed, and the owners are currently working towards compliance for stage two. Stage one involved removal all scrap metal, vehicle wrecks, shipping containers and all other materials stored contrary to the Papakura District Plan 1999.

Significant Resource Consent Applications:

Motocross, Ardmore Quarry Road

The Environment Court mediation was held on 22 May 2009. Agreement on the main issues (and in particular on noise and frequency of use) was not reached. Council has undertaken further noise monitoring and the results have been distributed to the parties of the appeal. The parties have assessed the noise report and have requested further Court assisted mediation. This was due to occur on 4 March 2010 but was subsequently postponed. Council was pushing for the case to be set down for a hearing however the Courts have now set a further date for mediation for the 9 August 2010. The debt issues have not been resolved with the Club.

Pak n' Save, 331 Great South Road, Takanini

An application for a new supermarket has been received. The application was publicly notified and the submission period closed on the 3 February 2010. A Hearing was held on 14 and 15 May 2010. The application was approved subject to conditions on the 4 June 2010. The applicant has subsequently appealed some of the conditions of consent namely in relation to:

- Condition 20 which requires the consent holder to, inter alia, design, fund and construct an access road across land referred to as 'the esplanade reserve' between the site and Inlet Road (Inlet Road connection);
- Condition 22 which requires the consent holder to enter into an agreement with the applicant in respect of, inter alia, the Inlet Road connection, such agreement to include a traffic assessment for the construction of the Inlet Road connection;
- Condition 39 which limits the hours during which earthworks and other on-site works can occur; and
- Condition 86 which authorises the applicant to review the conditions of consent for a certain period and as a result of certain events.

The parties are continuing to have discussions regarding options to resolve the appeal.

Mana Park Seventh Day Adventist Church, 653 Great South Road, Drury

Resource Consent for the above church was declined by Council on the 10 August 2009. The applicant has appealed the decision and the parties have resolved the appeal and the consent order documents will be referred to the Environment Court for signing.

Bunnings, 173 Great South Road, Takanini

A Resource Consent for a new Bunnings store at the above address was formally lodged on 18 June 2010. The application is currently being assessed for whether notification of the application is required.

55 Takanini School Road, Takanini

A Resource Consent for 2280m² of retail space, 32 residential apartments, 26 live/work units, 3,249m² of light industrial, a childcare centre and 98 (medium density) residential units at the above address has recently been formally lodged. The application was publicly notified on the 21 July 2010 with the date for submissions closing on the 18 August 2010.

Animal Control

There were 238 property visits in June compared to 212 visits in May 2010 and the majority of the 57 infringements that were issued during this work were to ensure registration compliance.

The number of dogs that were impounded is down in June at 49 compared with 80 in May 2010. The total number of dogs impounded to 30 June 2010 was 573 compared to 694 up to 30 June 2009.

Noise Control

After hours complaints received from residents about excessive noise were lower in June 2010 with 152 compared to 182 in May 2010. For the period to 30 June 2010 there was a 23.5% increase in after hours noise complaints compared to the period to 30 June 2009.

39 verbal warnings were issued this month compared to 52 in May 2010. 46 Excessive Noise Notices were issued compared to 66 in May and equipment was seized on three occasions to reduce noise without consequence.

For June 2010 there were 20 noise complaints received during working hours. All but two of these were resolved with verbal warnings being given. Council is working with the remaining two complainants in an order to resolve those issues.

Parking Control

There were 994 infringement notices issued this month compared to 886 in May 2010. For the period to 30 June 2010 there was a 26.8% decrease in issuing of infringement notices compared to the period to 30 June 2009.

During June 8 evening truck patrols were undertaken. This resulted in 4 infringement notices being issued related to failure to display the correct rear parking lights.

Infringements for parking on the grass berm remain consistent with 54 infringements being issued in June 2010 compared to 47 in May 2010.

Summaries of the parking infringements are as follows:

June

Registration	297
Warrant of Fitness	183
Footpath	19
Broken Yellow Lines	35
Restricted Parking	134
Disabled	22
Loading Zone	24
Bus Stop	26
No Stopping	31
Facing Wrong Direction	9
Parking on Grass Berms	54

RECOMMENDATION

1. That the information be received.

7. CONFIDENTIAL