



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

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

DATE: Tuesday 9th February 2010

TIME: 1.00 pm

VENUE: Council Chambers
35 Coles Crescent
PAPAKURA

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 9TH FEBRUARY 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 8th December 2009 be confirmed.

3. DEPUTATIONS AND PETITIONS

4. PLAN CHANGES

(a) STATUS SCHEDULE OF PROPOSED DISTRICT PLAN CHANGES - SUMMARY

REPORTING OFFICER: Nathanael Savage
Senior Policy Planner

ATTACHMENT: Plan Change Schedule as of February 2010
(Attachment No. 1)

PURPOSE OF THE REPORT

The purpose of the report is to update the Council on the status of all proposed public and private District Plan Changes.

BACKGROUND

The Papakura District Council has been progressing a number of Plan Changes to the Operative Papakura District Plan. Such plan changes include both public and private changes.

NARRATIVE

The attached schedule of proposed public and private District Plan Changes is provided for information purposes.

RECOMMENDATIONS

1. That the information be received.

5. OTHER PLANNING MATTERS

6. REGULATORY AND ENFORCEMENT

**(a) REGULATORY SERVICES REPORT FOR
NOVEMBER AND DECEMBER 2009**

REPORTING OFFICER: Graeme McCarrison
Director Regulatory Services

ATTACHMENT: Analysis of BCA Customer Surveys
Statistical Data
Food Grading List of Premises

(Attachment No. 2)

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 November 2009

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

- For the month of November 2009 there were 54 consents issued and the average number of days to issue these consents was 16 days. There were 20 amendments issued during the month. 98% of consents were issued within 20 working days. For the YTD 232 consents were issued with 99% being issued within 20 working days. The average number of days to process these consents was 16.3 days. In November in the previous year 39 consents were issued with 97% of these being processed within 20 working days. The average number of days to process the consents in the previous year was 11 days.
- The total value of consents issued in November was \$10.7 million which compares to \$7.4 million in the same month in the previous year.
- 56 consent applications were received in November 2009 compared to the 35 received in the same month in the previous year.

- There were 51 Land Information Memoranda issued in November compared to 28 in the same month last year.

Building Consents December 2009

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

- For the month of December 2009 there were 44 consents issued and the average number of days to issue these consents was 15 days. There were 6 amendments issued during the month. 100% of consents were issued within 20 working days. For the YTD 276 consents were issued with 99% being issued within 20 working days. The average number of days to process these consents was 13.3 days. In December in the previous year 38 consents were issued with 97% of these being processed within 20 working days. The average number of days to process the consents in the previous year was 11.6 days.
- The total value of consents issued in December was \$9.3 million which compares to \$3.9 million in the same month in the previous year.
- 44 consent applications were received in December 2009 compared to the 33 received in the same month in the previous year.
- There were 51 Land Information Memoranda issued in December compared to 30 in the same month last year.

Building Consents for Year to date as at 31 December 2009

- There were 276 consents issued in the first six months of the year compared to 254 issued in the same period last year.
- The total value of consents issued for the first six months to 31 December 2009 was \$44.9 million compared to \$30.1 million issued in the same period last year.

Customer Survey forms have been sent out for the period August 2009 to December 2009 inclusive. The average response rate to these survey forms was 36%. Of those that have responded 95% were more than satisfied with the level of service they received from the Building Control Team. A copy of the analysis is attached to this report.

Swimming Pools

In November 2009 a total of 44 properties were visited to check swimming pool fencing compliance and 15 failed the initial inspection. The failed inspections generally related to maintenance items such as repairs to gates, fences and window restrictors. In December 2009 a total of 12 properties were visited to check swimming pool compliance and 4 failed the initial inspection.

Environmental Health

Details of Current Food Grades

All food premises have had their inspections for re-grading completed. The next round of grading inspections are currently being undertaken and should be completed by the end of January 2010. All gradings can be viewed on the Papakura District Council website and are attached to this report.

Enforcement Issues

During the months of November/December 2009, 108 complaints were received. These complaints related to various issues including pests, food premises and general nuisance from rubbish related matters. A large portion of these complaints related to noisy stereos. All but 5 of those complaints received have been resolved and the Environmental Health Officer is working with the complainants in order to resolve these outstanding issues.

Liquor Licensing

During the month of November/December 2009 there were a total of 66 applications received which were made up of the following:

1.	General Manager's Certificate	19
2.	Renewal General Manager's Certificate	13
3.	Club Licence – Renewal	2
4.	Club Managers Certificate	1
5.	Club Manager's Certificate - Renewal	2
6.	On-Licence	1
7.	On-Licence – Renewal	1
8.	Special Licence	24
9.	Temporary Authority	3
		—
		66

Night monitoring of liquor premises by the Liquor Licensing Inspector, in conjunction with the Police/Medical Officer of Health, continue to be undertaken.

A Controlled Purchase Operation (CPO) was undertaken which resulted in finding one premise selling liquor to an under aged person. This resulted in the premise (Clevedon Liquor) having to close for 3 days and the manager, who sold the liquor, receiving a 3 week suspension of his certificate. Further Controlled Purchase Operations (CPOs) will be undertaken but timing of these operations is dependent on availability of staff, especially the Police.

Resource Consents

November 2009

In November, 36 resource consents were processed and 36 were received. The average number of days to process these consents was 14.4 days. In November all of the consents processed were issued within the statutory timeframes.

December 2009

In December, 31 resource consents were processed and 36 were received. The average number of days to process these consents was 17.4 days. In December all of the consents processed were issued within the statutory timeframes.

Year to Date

In the year to date 156 resource consents were issued and 201 were received. For the same period in the previous year 147 consents were issued and 176 consents were received. For the year to date 98% of the consents were issued within the statutory timeframes.

Complaints and Resource Consent Monitoring:

November 2009

During November 2009, 39 complaints were received and 26 of the complaints have been resolved successfully with the remaining complaints still currently under investigation.

29 new resource consents became due for monitoring checks and 15 were signed off as completed during the month. 134 monitoring visits occurred in November 2009.

December 2009

During December 2009, 41 complaints were received and 22 of the complaints have been resolved successfully with the remaining complaints still currently under investigation.

30 new resource consents became due for monitoring checks and 10 were signed off as completed during the month. 79 monitoring visits occurred in December 2009.

Resource Consent Matters:

201 and 211 Opaheke Road

In December 2008 Council issued an abatement notice requiring the owner to remove the old car bodies and vehicles stored on the site. The Manager Resource Consents visited the site with one of Council's legal representatives on 23 October 2009. After the site visit and following legal advice, it was decided to cancel the current abatement notice issued to Mr Gary van den Bogaart and issue three separate notices to all property owners as Mr van den Bogaart told the Court that the materials and wrecks onsite belonged to several family members. A site visit is due to take place on 12 February 2010 to confirm compliance.

155 Hamlin Road

Council has withdrawn the abatement notice awaiting the outcome of the resource consent application for a second household unit.

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 are currently assessing the noise report and a further report to the Court is required. The parties have requested further Court assisted mediation and we are awaiting a date for such mediation from the Court.

Retail development, Prictor Street/Clevedon Road

A new application has been lodged so that it can be determined with regard to the amendments to the Resource Management Act which came into force on 1 October 2009. At the request of the Applicant a Hearing was held on 22 December 2009. A decision has not yet been received.

190 Flanagan Road, Drury

An application for Resource Consent has been received to establish a drilling contractor's depot and engineering/repair operation for farming machinery and equipment on the above land. The application was notified on a limited basis until 26 June 2009. Following submissions received as part of the notification process, the applicant has agreed to commission a noise assessment. This noise report has been received and subsequently assessed. A Hearing is to be held on 22 February 2010.

35-39 Waihoehoe Road, Drury

The application was to subdivide two existing titles, which were approved and created in 2003 as intensive horticultural units with areas of 1.0632 ha (39 Waihoehoe Road: Lot 2 DP 334434) and 8793 m² (35 Waihoehoe Road: Lot 3 DP 334434). The intention was to create three lots having areas of 1292m² (Lot 1), 2493m² (Lot 2) and 1.5640ha (Lot 3). The proposal was refused consent as the subdivision will result in more than minor adverse effects on the environment, in terms of rural character and amenity, increased likelihood of reverse sensitivity issues for existing productive horticultural activities in the neighbourhood, and the loss of productive land and was contrary to the objectives and policies of the Papakura Operative District Plan and Proposed Plan Change 13.

Animal Control

Annual property visits for unregistered dogs have continued in November and 49 dogs were impounded which was the same figure in November 2008. 32 of the impounded dogs were unregistered and 15 were unclaimed. 47 infringements were issued, 19 of these were for failing to register and 24 for failing to control a dog.

Following annual property visits for unregistered dogs in December, 54 dogs were impounded which was the same figure for December 2008. 36 of the impounded dogs were unregistered and 2 were unclaimed. 53 infringements were issued with the majority for failure to control or register a dog.

Noise Control

Complaints received from residents about excessive noise for November were 267 up from 240 last month. In December there were 315 excessive noise complaints received.

55 excessive noise notices were issued in November compared to 52 in October. An alarm continuously activating at night at a commercial premise with high security fences proved problematic to getting a resolution for nearby residents.

In December there were 71 excessive noise notices issued. ACSL have recently allocated additional resources to this work to close down troublesome properties. Excessive Noise Direction notices are issued at every available opportunity to ensure they are able to call Police to assist with seizure of equipment as early as possible.

Parking Control

573 infringement notices were issued in total for November compared to 538 in October 2009. 14 of these matters were disabled parking offences. 40 school patrols were undertaken in November. Only nine complaints were received which is a reduced figure on previous months.

In December there were 562 infringement notices issued with 19 for parking illegally in a disabled parking space. School patrols were reduced to 24 due to schools being closed which allowed for increased patrols in areas such as Takanini and additional truck patrols.

61 infringements for parking on grass berms were issued in December following adoption of Council's Parking and Traffic Bylaw 2009.

Summaries of the parking infringements are as follows:

	November	December
Registration	151	160
Warrant of Fitness	91	104
Footpath	51	45
Broken Yellow Lines	49	32
Restricted Parking	99	62
Disabled	14	19
Loading Zone	27	47
Bus Stop	6	10
No Stopping	21	3
Facing Wrong Direction	20	15
Parking on Grass Berms		61

RECOMMENDATION

1. That the information be received.

7. NOTICES OF MOTION

8. CONFIDENTIAL

- (a) **PPC4 AND PC11 TO PAPAKURA DISTRICT PLAN / RPS11 AND RPS12 TO AUCKLAND REGIONAL POLICY STATEMENT / VAR2 TO AIR, LAND WATER REGIONAL PLAN - APPEAL PROCESS UPDATE REPORT**
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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 this matter and the specific ground under s. 48 (2) a i of Local Government Official Information and Meetings Act 1987 is:

Item	Reason	Grounds
7(a) PPC4 and PC11 to Papakura District Plan / RPS11 and RPS12 to Auckland Regional Policy Statement / Var2 to Air, Land Water Regional Plan - Appeal Process Update Report	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