



MINUTES OF MEETING OF THE 36TH COUNCIL MEETING

HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPA KURA
ON TUESDAY 23RD FEBRUARY 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 (until 6.08pm, from 6.10pm)
	Clr Jones
	Clr O'Connor
	Clr Piggott
	Clr Pringle

ATTENDING:

T Stratton	Chief Executive Officer
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 Terry	Manager Community Assets
N Mochrie	Manager Strategic Projects
A Cheng	Manager Policy Planning
K Taunga	Manager Library Services
P Le Gros	Project Manager
J LaNauze	Senior Policy Planner
M Baker	Communications Advisor
N Hayhow	Project Manager – Town Centre
B Flanagan	Building Inspector
A Christensen	Community Services Planner
R Flanagan	Payroll and HR Administrator
M Rawiri	Maori Liaison Officer
D McIntosh	Management Accountant

PAPAKURA DISTRICT COUNCIL

CONTENTS

NO.	ITEM	PAGE
1.	Apologies	3
2.	Personal	3
3.	Confirmation of Minutes	3
4.	Approval of Recommendations	3
5.	Minutes – Te Roopu Kaitiaki O Papakura	3
6.	Deputations and Petitions	3
7.	Presentations.....	3
8.	Mayor’s Report	3
9.	Items for Decision	4-9
	(a) Papakura Golf Course Consultation	4-5
	(b) Hearings Committee for Draft Pukekiwiriki Paa Reserve Management Plan.....	6
	(c) Massey Park Development Update February 2010	7-8
	(d) Karaka Centre Ltd. – Rates Remission 2009/10 (Re-Zoned Rating Units in the Business Rating Group Pending Development).....	9
10.	Items for Information	9
11.	Notices of Motion	10
12.	Confidential.....	11-13
	(a) Approach to Resolution of Outstanding Appeals	11-13
	(b) Ardmore Aerodrome Appeal Process Update Report.....	11-13
	(c) The Future of Accent Point, the Library and Museum.	11-13
	(d) Karaka Centre Ltd and Karaka Lakes Ltd Developments – Rates Relief Requests	11-13

PAPAKURA DISTRICT COUNCIL

**MINUTES FOR THE 36TH MEETING OF THE PAPAKURA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPAKURA
ON TUESDAY 23RD FEBRUARY 2010 COMMENCING AT 4.00 P. M.**

1. APOLOGIES

2. PERSONAL

3. CONFIRMATION OF MINUTES

- (a) That the Minutes of the 35th Council Meeting held on Tuesday 26th January 2010 be confirmed.

HIS WORSHIP THE MAYOR MOVED
CLR PIGGOTT SECONDED

- (A) THAT THE MINUTES OF THE 35TH COUNCIL MEETING HELD ON
TUESDAY 26TH JANUARY 2010 BE CONFIRMED AS AMENDED.
(Attachment No. 1A)

CARRIED

4. APPROVAL OF RECOMMENDATIONS

5. MINUTES – TE ROOPU KAITIAKI O PAPAKURA

6. DEPUTATIONS

Peter Bates and Bob Stevens made a deputation regarding the Papakura Golf Course encumbrance.

7. PRESENTATIONS

8. MAYOR'S REPORT

9. ITEMS FOR DECISION

(a) **PAPAKURA GOLF COURSE
CONSULTATION**

**REPORTING OFFICER: T. Stratton
Chief Executive**

RECOMMENDATIONS

1. That the information be received.
2. That Council extend the consultation period related to the partial lifting of the encumbrance on the Papakura Golf Course by a further three months to the end of May 2010.

CLR PIGGOTT MOVED
CLR AUVA'A SECONDED

1. THAT THE INFORMATION BE RECEIVED.
CARRIED

CLR PIGGOTT MOVED
CLR CATCHPOLE SECONDED

2. THAT AN EXTRAORDINARY MEETING OF THE COUNCIL TO CONSIDER THE SUBMISSIONS ON THE PAPAKURA GOLF COURSE BE CALLED ON THE 9TH OF MARCH 2010 AT 3.00PM.

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 JONES MOVED
CLR CONROY SECONDED

2. THAT AN EXTRAORDINARY MEETING OF THE COUNCIL TO HEAR FROM SUBMITTERS BE CALLED ON THE 9TH OF MARCH 2010 AT 3.00PM.

CARRIED

3. THAT ALL SUBMISSIONS ON THE PAPAKURA GOLF COURSE BE CONSIDERED FOR DECISION AT AN EXTRAORDINARY COUNCIL MEETING ON 16TH MARCH 2010 AT 9.30AM.

CARRIED

Clr O'Connor voted against resolutions no. 2 and 3.

9. ITEMS FOR DECISION

(b) **HEARINGS COMMITTEE FOR DRAFT
PUKEKIWIRIKI PAA RESERVE
MANAGEMENT PLAN**

**REPORTING OFFICER: Allan Christensen
Community Services Planner**

RECOMMENDATIONS

1. That the information be received.
2. That Council resolves to form a four (4) member special hearings committee comprising 2 Manawhenua representatives being Lucy Tukua and Ted Ngataki and 2 elected member representatives being X with delegated authority to hear submissions on the draft Pukekiwiriki Paa Reserve Management Plan and to make recommendations to the Council on any changes, alterations or deletions to the draft plan.

HIS WORSHIP THE MAYOR MOVED
CLR CONROY SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CLR GOLDSMITH MOVED
CLR CATCHPOLE SECONDED

2. THAT COUNCIL RESOLVES TO FORM A FOUR (4) MEMBER SPECIAL HEARINGS COMMITTEE COMPRISING 2 MANAWHENUA REPRESENTATIVES BEING LUCY TUKUA AND TED NGATAKI AND 2 ELECTED MEMBER REPRESENTATIVES CLR PIGGOTT AND CLR PRINGLE WITH CLR GOLDSMITH AS AN ALTERNATE WITH DELEGATED AUTHORITY TO HEAR SUBMISSIONS ON THE DRAFT PUKEKIWIRIKI PAA RESERVE MANAGEMENT PLAN AND TO MAKE RECOMMENDATIONS TO THE COUNCIL ON ANY CHANGES, ALTERATIONS OR DELETIONS TO THE DRAFT PLAN.

CARRIED

9. ITEMS FOR DECISION

**(c) MASSEY PARK DEVELOPMENT UPDATE
FEBRUARY 2010**

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

RECOMMENDATIONS

1. That the information be received.
2. That Council approve additional funding of \$199,500 for the Massey Park Development.
3. That Council delegate to the CEO authority to award a professional services contract to supply professional services to complete the project to AECOM Ltd in the sum of \$595,000 to replace the existing contract.

HIS WORSHIP THE MAYOR MOVED
CLR GOLDSMITH SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CARRIED

CLR CONROY MOVED
CLR PRINGLE SECONDED

2. THAT INFORMATION REGARDING PROTECTED TREES BE PROVIDED TO COUNCIL ON 2ND MARCH 2010.

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 AUVA'A MOVED
CLR JONES SECONDED

2. THAT COUNCIL APPROVE ADDITIONAL FUNDING OF \$199,500 FOR THE MASSEY PARK DEVELOPMENT.

CARRIED

3. THAT COUNCIL DELEGATE TO THE CEO AUTHORITY TO AWARD A PROFESSIONAL SERVICES CONTRACT TO SUPPLY PROFESSIONAL SERVICES TO COMPLETE THE PROJECT TO AECOM LTD IN THE SUM OF \$595,000 TO REPLACE THE EXISTING CONTRACT.

CARRIED

9. ITEMS FOR DECISION

(d) **KARAKA CENTRE LTD. - RATES
REMISSION 2009/10 (RE-ZONED RATING
UNITS IN THE BUSINESS RATING GROUP
PENDING DEVELOPMENT)**

**REPORTING OFFICER: D McIntosh
Management Accountant**

**ATTACHMENT: Remission Application Letter
Property Site Plan
Rates Remission Policy**

(Attachment No. 1)

RECOMMENDATIONS

1. That the information be received.
2. That the application by Karaka Lakes Ltd. for remission of rates for re-zoned rating units in the business rating group pending redevelopment, in relation to properties at 43 Hingaia Road and 47 Harbourside Drive, be approved.
3. That the amount of remission for the 2009/10 rating year be set at \$xxx.xx for 43 Hingaia Road and \$xxx.xx for 47 Harbourside Drive.

HIS WORSHIP THE MAYOR MOVED
CLR PIGGOTT SECONDED

1. THAT THE INFORMATION BE RECEIVED.

CLR AUVA'A MOVED
CLR O'CONNOR SECONDED

2. THAT THE APPLICATION BY KARAKA LAKES LTD. FOR REMISSION OF RATES FOR RE-ZONED RATING UNITS IN THE BUSINESS RATING GROUP PENDING REDEVELOPMENT, IN RELATION TO PROPERTIES AT 43 HINGAIA ROAD AND 47 HARBOURSIDE DRIVE, BE APPROVED.
3. THAT THE AMOUNT OF REMISSION FOR THE 2009/10 RATING YEAR BE SET AT \$52,480.20 FOR 43 HINGAIA ROAD AND \$58,288.70 FOR 47 HARBOURSIDE DRIVE.

CARRIED

10. ITEMS FOR INFORMATION

11. NOTICES OF MOTION

(a) **NOTICE OF MOTION FOR THE COUNCIL
MEETING 23 FEBRUARY 2010**

(Attachment No. 2)

CLR PRINGLE MOVED
CLR CONROY SECONDED

1. THAT THE HAWKINS THEATRE BE RENAMED AS THE "PAPAKURA PERFORMING ARTS THEATRE" TO RECOGNISE THE THEATRE AS KEY ICON OF THE IDENTITY OF THE PAPAKURA DISTRICT.

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	√		

CARRIED

2. THAT IT BE RECOMMENDED TO THE LTCCP COMMITTEE THAT \$20,000 BE INCLUDED IN THE 2010/11 ANNUAL PLAN TO ALLOW FOR REBRANDING OF THE THEATRE.

CARRIED ON SHOW OF HANDS

CLR CONROY MOVED
CLR AUVA'A SECONDED

3. THAT THE "HAWKINS" NAME BE RETAINED THROUGH RENAMING THE THEATRE FOYER AS THE HAWKINS FOYER.

CARRIED ON SHOW OF HANDS

Clr O'Connor voted against resolution no. 3.

12. CONFIDENTIAL

- (a) **APPROACH TO RESOLUTION OF OUTSTANDING APPEALS**
 - (b) **ARDMORE AERODROME APPEAL PROCESS UPDATE REPORT**
 - (c) **THE FUTURE OF ACCENT POINT, THE LIBRARY AND MUSEUM**
 - (d) **KARAKA CENTRE LTD AND KARAKA LAKES LTD DEVELOPMENTS – RATES RELIEF REQUESTS**
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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) Approach to Resolution of Outstanding Appeals	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i
	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) Ardmore Aerodrome Appeal Process Update Report	To enable Council to maintain legal professional privilege.	S 7 (2) g
	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(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

Minutes
36th Council Meeting
23 February 2010

12(d) Karaka Centre Ltd and Karaka Lakes Ltd Developments – Rates Relief Requests	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations).	S 7 (2) i
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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) APPROACH TO RESOLUTION OF OUTSTANDING APPEALS	<p>TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).</p> <p>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.</p>	<p>S 7 (2) I</p> <p>S 48(2)A (I)</p>
12(B) ARDMORE AERODROME APPEAL PROCESS UPDATE REPORT	<p>TO ENABLE COUNCIL TO MAINTAIN LEGAL PROFESSIONAL PRIVILEGE.</p> <p>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.</p>	<p>S 7 (2) G</p> <p>S 48(2)A (I)</p>
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	S 7 (2) I

12(D) KARAKA CENTRE LTD AND KARAKA LAKES LTD DEVELOPMENTS – RATES RELIEF REQUESTS	INDUSTRIAL NEGOTIATIONS). TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS).	S 7 (2) I
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CARRIED

The public were then excluded at 5.53pm.

The meeting resumed in public session at 6.14pm.

The meeting closed at 6.14pm.

CONFIRMED THIS 9TH DAY OF MARCH 2010

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CHAIR