



**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 9th March 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 9th MARCH 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 9th February 2010 be confirmed.

3. DEPUTATIONS AND PETITIONS

4. PLAN CHANGES

5. OTHER PLANNING MATTERS

6. REGULATORY AND ENFORCEMENT

- (a) **PROPOSED ROAD NAMES FOR INISHFREE
PARK, PAPAKURA**

REPORTING OFFICER: Graeme McCarrison
Director Regulatory Services

ATTACHMENT: Plan showing proposed road names
Location map showing 507 Great South
Road
(Attachment No. 1)

PURPOSE OF THE REPORT

The purpose of this report is to approve under the Council Road Naming Policy proposed street names for the Inishfree Park, Papakura subdivision for two streets off Parkhaven Drive.

BACKGROUND

At its meeting on 10 July 2006, the District Development Committee considered 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.

NARRATIVE

The further development at Inishfree Park, Papakura is nearing the completion of the development works for the Stages 3 and 4 of the subdivision. Hugh Green Contractors Ltd is recommending that the streets are named:

Cooladerry Place

Drumkeen Place

The street plan attached shows the recommended street names. The suggested street names were submitted to follow the common theme of the land development. Buncrana Place, which is also off Parkhaven Drive, is a town from Hugh Green's native Ireland and more specifically County Donegal in Ireland's northwest. Similarly the names Cooladerry and Drumkeen are both towns in Donegal.

New Zealand Post has approved the proposed street names by the developer for this subdivision.

After consultation with the Kaitiaki Group, they suggested the following street names:

Korowai Kura Ave (a traditional taonga which was connected to this specific area which is told about in the ancestral stories of Ngati Tamaoho who also settled in this area

Mere Whenua Place (a taonga which was brought to the area of this rohe by Tangata Whenua.

Council is still awaiting New Zealand Post approval for these names.

The developer was contacted and advised of the suggested street names by the Kaitiaki Group. Hugh Green Group has requested that Council accepts their initial proposal to incorporate both Drumkeen and Cooladerry Place as the preferred street names for the Inishfree Park development.

With respect to the Kaitiaki Group, Hugh Green Group are prepared to offer them the opportunity to name the new Stormwater Wetland "Mere Whenua" or "Korowai Kura" that is currently being constructed at 507 Great South Road, Papakura and the proposed reserve, see attached plan. This is a substantial asset that will be vested in Council on completion of Inishfree Park Stages 2, 3 and 4.

The Road Naming Policy states that "Where a theme or name is suggested, consideration will be given to whether the theme or name is 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." The names proposed by Hugh Green Contractors Limited do have a link with a street name (Buncrana Place) already in the development and they meet the criteria of the policy which calls for consistency and thematically related names.

It is not considered that there is an established street name theme in this area. Given that there is no established street name, the Committee is requested to provide guidance on whether to:

- (a) accept the proposed theme of Irish street names within the development, including the future stages; or
- (b) name the streets in Stage 1 with the proposed names provided by Kaitiaki.

CONCLUSION

Hugh Green Contractors Limited has proposed street names that followed the common theme of the land development. Buncrana Place, which is also off Parkhaven Drive, is a town from Hugh Green's native Ireland and more specifically County Donegal in Ireland's northwest. Similarly the names Cooladerry and Drumkeen are both town lands in Donegal.

The proposed street names have been discussed with the Kaitiaki Group who suggested alternative names of Mere Whenua Place and Korowai Kura Avenue. They have not yet been approved by New Zealand Post.

Hugh Green Group is not prepared to accept the names proposed by Kaitiaki and has offered to have the proposed reserve and stormwater pond/reserve named with appropriate Maori names offered by Kaitiaki. The Committee is requested to provide guidance as to what street names they believe are appropriate for the subdivision.

RECOMMENDATIONS

- 1. That the information be received.
- 2. (i) That the proposed streets be named Cooladerry Place and Drumkeen Place, as shown on the attached plan; or
(ii) That the proposed streets be named Mere Whenua Place and Korowai Kura Place.

6. REGULATORY AND ENFORCEMENT

**(b) REGULATORY SERVICES REPORT FOR
January 2009**

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

ATTACHMENT: **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 January 2010

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

- For the month of January 2010 there were 35 consents issued and the average number of days to issue these consents was 11 days. There were 6 amendments issued during the month. All consents were issued within 20 working days. For the YTD 310 consents were issued with 99% being issued within 20 working days. The average number of days to process these consents was 13.0 days. In January in the previous year 33 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 10 days.
- The total value of consents issued in January was \$4.7 million which compares to \$9.4 million in the same month in the previous year.
- 26 consent applications were received in January 2010 compared to the 25 received in the same month in the previous year.
- There were 27 Land Information Memoranda issued in January compared to 25 in the same month last year.

Swimming Pools

In January 2010 a total of 24 properties were visited to check swimming pool fencing compliance and 6 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 will be completed by mid February 2010. All gradings can be viewed on the Papakura District Council website and are attached to this report.

Enforcement Issues

During the months of January 2010, 45 complaints were received. These complaints related to various issues including food premises, general nuisance from rubbish and overgrown sections. A total of 15 complaints related to noisy stereos. All but 2 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 January 2010 there were a total of 25 applications received which were made up of the following:

1.	General Manager's Certificate	4
2.	Renewal General Manager's Certificate	7
3.	Off Licence – Renewal	1
4.	Special Licence	11
5.	Temporary Authority	2
		—
		25

Night monitoring on alternate Thursdays & 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 January, 19 resource consents were processed and 17 were received. The average number of days to process these consents was 14.3 days. All consents were processed within the statutory timeframes.

Complaints and Resource Consent Monitoring

During January 2010, 32 complaints were received and 17 of the complaints have been resolved successfully with the remaining complaints still currently under investigation.

32 new resource consents became due for monitoring checks and 5 were signed off as completed during the month. 63 monitoring visits occurred in January 2010.

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 was due to take place on 12 February 2010 to confirm compliance; however the owners refused to allow entry on to the land. Discussions are ongoing with Council's legal team for consideration as to the appropriate course of action.

155 Hamlin Road

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

Significant/Contentious 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 is due to occur on 4 March 2010.

Retail development, Pictor Street/Clevedon Road

At the request of the Applicant a Hearing was held on 22 December 2009. A decision to approve the application subject to a number of conditions (including restrictions on the size of unit and the type of goods to be sold) was made by an independent commissioner on the 15 February 2010.

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 was held on 22 February 2010 and a decision is pending.

116 Walter Strevens Drive

An application has been received to use the above residential property as a church. The application was notified on a limited basis. Seven submissions were received

and a hearing was subsequently held on the 24 February 2010. A decision is pending.

Animal Control

Annual property visits have been maintained with 112 visits in January 2010. 32 dogs were impounded and of these 24 were unregistered with 8 being registered at the time of impounding. Of the 40 infringements issued, 22 were for failure to control and 14 for failure to register.

Noise Control

Complaints received from residents about excessive noise for January 2010 were 293 slightly reduced compared to December with 315. However, due to procedure changes, there were 97 Excessive Noise Direction Notices issued and six equipment seizures made which resulted in multiple stereos being seized.

Parking Control

A total of 504 infringement notices were issued for January with 20 issued for disabled parking offences. The remaining infringements were issued for general offences such as parking overtime or failing to display current registration and warrant of fitness. Six infringements were issued during evening truck patrols which failed to comply with regulations.

In January there were 111 infringements issued for parking on grass berms compared to 61 in December.

Summaries of the parking infringements are as follows:

	January
Registration	96
Warrant of Fitness	76
Footpath	67
Broken Yellow Lines	15
Restricted Parking	37
Disabled	20
Loading Zone	35
Bus Stop	10
No Stopping	4
Facing Wrong Direction	14
Parking on Grass Berms	111

RECOMMENDATION

1. That the information be received.

6. REGULATORY AND ENFORCEMENT

**(c) REVIEW OF PAPAKURA DISTRICT
DEVELOPMENT REVIEW PROCESS**

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

ATTACHMENT: **Review Process Report**
(Attachment No. 3)

PURPOSE OF THE REPORT

The purpose of this report is to update Council on the review process for resolution of disputes.

BACKGROUND

The Papakura District Code of Practice for Subdivision and Development (known as the Code) was approved in June 2009 along with a range of other measures to improve the development process. One of these measures was a review process which could be instigated at the request of any development customer where they were dissatisfied with resolution of their issues. The review process, approved in June 2009, is attached.

At the time it was adopted, Council resolved to consider whether this process required any further review in February 2010.

NARRATIVE

The review process was a measure developed to assist with the resolution of disputes. Basically, this is a formal process for review where the developer and Council have differences on a matter. It involves the setting up of an expert review panel to make recommendations to the Council with the costs to be met by the developer. This process does not replace the Resource Management Act objection process.

Since the review process has been put in place in June 2009, there have been no situations where a review has been required. It is considered that the process should stay in place without change as it provides developers with a "back stop" opportunity if a significant, non-RMA dispute arises.

As an observation, the changes that were made to the development systems and documents, at the same time as the review process was implemented, have significantly reduced the opportunity for development/technical issues. The key changes include:

- (a) Code of Practice for Subdivision and Development
- (b) Regularly updating of the Code of Practice for Subdivision and Development via the voluntary review group
- (c) Separation of the engineering plan approval from the subdivision consents
- (d) The enhanced pre-application process
- (e) Continued development of relationships with key developers
- (f) Enhanced project management of each key development, including formal agreement in most cases

- (g) 100% processing of resource consents within statutory timeframes. This has involved rejecting poor applications and working with those applicants to provide the right information.

Since June 2009 when the Code of Practice for Subdivision and Development was approved, a technical review group (involving consultant experts) has been established to:

- Meet each quarter to discuss changes in development engineering practices that affect the Code
- Determine changes that are required to the Code of a minor or technical nature
- Identify changes to the Code that require a major review involving a formal public process.

The technical group has met twice and agreed minor technical changes that clarify and improve the Code. This group was meant to meet in February but it was agreed by all that the meeting was not required. The technical review team has been able to identify and deal with issues that may have previously escalated in a dispute and required the “review process”.

Notwithstanding that there has been no use made of the review process as yet, it is considered that the process should stay in place without change as it provides developers with a “back stop” opportunity if a significant, non-RMA dispute arises.

CONCLUSION

In June 2009 Council approved the Papakura District Code of Practice for Subdivision and Development and other measures to improve the development process. A voluntary review process which a developer may be involved in at their request and cost was one of these improvement measures which the Council asked to be reviewed after it had been in place for some months. The process has not been required so far, primarily due to the enhanced processes around application and development, plus the new Code being kept updated. It is however, considered that the review process should be retained as originally approved as it serves as a “backstop” for developers.

RECOMMENDATIONS

1. That the information be received.

7. CONFIDENTIAL

1. That Council move into public excluded session. The general subject matter to be considered, the reason for passing this resolution in relation to these matters and the specific ground under s. 48 (2) a (i) of the Local Government Official Information and Meetings Act 1987 is:

Item	Reason	Grounds
7. (a) Local Government (Auckland) Amendment Act 2004 Appeals Update: Papakura Status as Section 274 Party	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)
7. (b) Local Government (Auckland) Amendment Act 2004 Appeals Update: Appeals to Proposed Plan Change 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)