



MINUTES OF MEETING OF THE 31ST COUNCIL MEETING

HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPA KURA
ON TUESDAY 27TH OCTOBER 2009 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
	Clr Jones
	Clr O'Connor (until 4.40pm, from 4.56pm)
	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
S Ford	Director Community Services
R Seth	Democracy Services Officer
M Baker	Communications Advisor
R Firth	Manager Capitol Works
A Cheng	Manager Policy Planning
G Gray	Financial Accountant
M Savage	Business Performance Analyst
J LaNauze	Senior Policy Planner
E Clark	Policy Advisor

PAPAKURA DISTRICT COUNCIL

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PAPAKURA DISTRICT COUNCIL

**MINUTES FOR THE 31ST MEETING OF THE PAPAKURA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 35 COLES CRESCENT, PAPAKURA
ON TUESDAY 27TH OCTOBER 2009 COMMENCING AT 4.00 P. M.**

1. APOLOGIES

2. PERSONAL

3. CONFIRMATION OF MINUTES

- (a) That the Minutes of the Extraordinary Council Meeting held on Tuesday 6th October 2009 be confirmed.

HIS WORSHIP THE MAYOR MOVED
CLR AUVA'A SECONDED

- (a) THAT THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING
HELD ON TUESDAY 6TH OCTOBER 2009 BE CONFIRMED.

CARRIED

4. APPROVAL OF RECOMMENDATIONS

That the following recommendation from item 6(a) of the Resource Management and Regulatory Committee Meeting held on Tuesday 13th October 2009 be approved by Council: (Attachment No. A)

2. THAT IT BE RECOMMENDED TO COUNCIL THAT THE ATTACHED PROPOSED PARKING AND TRAFFIC BYLAW 2009 BE FORMALLY ADOPTED.

That the following recommendation from item 6(b) of the Resource Management and Regulatory Committee Meeting held on Tuesday 13th October 2009 be approved by Council: (Attachment No. B)

3. THAT IT BE RECOMMENDED TO COUNCIL THAT THE ATTACHED PROPOSED SPEED LIMITS BYLAW 2009 BE FORMALLY ADOPTED.

HIS WORSHIP THE MAYOR MOVED
CLR CONROY SECONDED

THAT THE FOLLOWING RECOMMENDATION FROM ITEM 6(A) OF THE
RESOURCE MANAGEMENT AND REGULATORY COMMITTEE MEETING HELD
ON TUESDAY 13TH OCTOBER 2009 BE APPROVED BY COUNCIL.
(ATTACHMENT NO. A)

2. THAT IT BE RECOMMENDED TO COUNCIL THAT THE ATTACHED
PROPOSED PARKING AND TRAFFIC BYLAW 2009 BE FORMALLY
ADOPTED.

THAT THE FOLLOWING RECOMMENDATION FROM ITEM 6(B) OF THE
RESOURCE MANAGEMENT AND REGULATORY COMMITTEE MEETING HELD
ON TUESDAY 13TH OCTOBER 2009 BE APPROVED BY COUNCIL.
(ATTACHMENT NO. B)

3. THAT IT BE RECOMMENDED TO COUNCIL THAT THE ATTACHED
PROPOSED SPEED LIMITS BYLAW 2009 BE FORMALLY ADOPTED.

CARRIED

5. MINUTES – TE ROOPU KAITIAKI O PAPAKURA

- (a) That the Minutes of the Te Roopu Kaitiaki O Papakura Meeting held on
Tuesday 15th September 2009 be received (Attachment No.1).

HIS WORSHIP THE MAYOR MOVED
CLR PRINGLE SECONDED

- (A) THAT THE MINUTES OF THE TE ROOPU KAITIAKI O PAPAKURA
MEETING HELD ON TUESDAY 15TH SEPTEMBER 2009 BE RECEIVED
(ATTACHMENT NO.1).

CARRIED

6. DEPUTATIONS

7. PRESENTATIONS

8. MAYOR'S REPORT

Item 9(e) was brought forward and dealt with at 4.04pm.

9. ITEMS FOR DECISION

(a) SAFER PAPA KURA TRUST – APPOINTMENT OF TRUSTEES

**REPORTING OFFICER: Theresa Stratton
Chief Executive**

RECOMMENDATIONS

1. That the information be received.
2. That Council re-appoint Councillor Peter Goldsmith, Councillor Peter Jones and Councillor Mark O'Connor as Trustees of the Safer Papakura Trust backdated to 1 June 2009 and extending to 31 December 2010.
3. That Council re-appoint Councillor Peter Goldsmith as Chairman of the Safer Papakura Trust.
4. That Council review the appointment of the independent Trustees in May 2010 with a view to ensuring continuity of the Trust operations through 2011.

HIS WORSHIP THE MAYOR MOVED
CLR PRINGLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT COUNCIL RE-APPOINT PETER GOLDSMITH, PETER JONES AND MARK O'CONNOR AS COUNCIL REPRESENTATIVE TRUSTEES OF THE SAFER PAPA KURA TRUST BACKDATED TO 1 JUNE 2009 AND EXTENDING TO 31 DECEMBER 2010.
3. THAT COUNCIL RE-APPOINT PETER GOLDSMITH AS CHAIRMAN OF THE SAFER PAPA KURA TRUST.
4. THAT COUNCIL REVIEW THE APPOINTMENT OF THE INDEPENDENT TRUSTEES IN MAY 2010 WITH A VIEW TO ENSURING CONTINUITY OF THE TRUST OPERATIONS THROUGH 2011.

CARRIED

This item was dealt with at 4.09pm after item 9(e).

9. ITEMS FOR DECISION

(b) SAFER PAPANURA TRUST – STATEMENT OF INTENT

REPORTING OFFICER: Theresa Stratton
Chief Executive

ATTACHMENT: Draft Statement of Intent for Safer Papanura Trust

(Attachment No. 2)

RECOMMENDATIONS

1. That the information be received.
2. That Council approve the Statement of Intent for the Safer Papanura Trust for the year commencing 1 July 2009, as attached to this report, and that the Trust be advised accordingly.

HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT COUNCIL APPROVE THE STATEMENT OF INTENT FOR THE SAFER PAPANURA TRUST FOR THE YEAR COMMENCING 1 JULY 2009, AS ATTACHED TO THIS REPORT, AND THAT THE TRUST BE ADVISED ACCORDINGLY.

CARRIED

9. ITEMS FOR DECISION

- (c) PRIVATE PLAN CHANGE NUMBER 3 –
STEVENSON'S QUARRY DRURY –
RESOLUTION TO MAKE OPERATIVE**

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

**ATTACHMENT: Environment Court Consent Order dated 21
September 2009**

(Attachment No. 3)

RECOMMENDATIONS

1. That the information be received.
2. That pursuant to Clause 17 of the First Schedule of the Resource Management Act 1991, Council approves Private Plan Change Number 3 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, Private Plan Change Number 3 become Operative on 20 November 2009.

HIS WORSHIP THE MAYOR MOVED
CLR JONES SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT PURSUANT TO CLAUSE 17 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991, COUNCIL APPROVES PRIVATE PLAN CHANGE NUMBER 3 TO THE PAKURA 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, PRIVATE PLAN CHANGE NUMBER 3 BECOME OPERATIVE ON 20 NOVEMBER 2009.

CARRIED

9. ITEMS FOR DECISION

**(d) SUBMISSION TO THE NZ LAW COMMISSION
ON THE ALCOHOL IN OUR LIVES
DISCUSSION DOCUMENT**

**REPORTING OFFICER: Erin Clarke
Policy Advisor**

**ATTACHMENT: Papakura District Council Submission to the
New Zealand Law Commission on the
Alcohol in our Lives Discussion Document**

(Attachment No. 4)

RECOMMENDATIONS

1. That the information be received.
2. That Council approve the attached Submission to the New Zealand Law Commission on the *Alcohol In Our Lives Discussion Document*.

HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT COUNCIL APPROVE THE ATTACHED SUBMISSION TO THE NEW ZEALAND LAW COMMISSION ON THE *ALCOHOL IN OUR LIVES DISCUSSION DOCUMENT*.

CARRIED

Clr Jones voted against resolution no. 2.

9. ITEMS FOR DECISION

**(e) ANNUAL REPORT FOR THE YEAR ENDED
30 JUNE 2009**

**REPORTING OFFICER: Victoria Villaraza
Director Financial and Corporate Services**

**ATTACHMENT: Draft Annual Report (subject to final audit
clearance)**

(Attachment No. 5)

RECOMMENDATIONS

1. That the information be received.
2. That the Mayor and Chief Executive be given authority to sign the Annual Report including the Statement of Compliance.
3. That the Annual Report for the year ended 30 June 2009 be adopted by Council.

HIS WORSHIP THE MAYOR MOVED
CLR CATCHPOLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT THE MAYOR AND CHIEF EXECUTIVE BE GIVEN AUTHORITY TO SIGN THE ANNUAL REPORT INCLUDING THE STATEMENT OF COMPLIANCE.
3. THAT THE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2009 BE ADOPTED BY COUNCIL.

CARRIED

**“Audit Report” from Audit New Zealand was tabled by Mr. John Scott.
(Attachment no. 1A)**

This item was dealt with at 4.04pm.

9. ITEMS FOR DECISION

- (f) **DISPENSATION FROM PAPAKURA DISTRICT COUNCIL LIQUOR CONTROL BYLAW 2008 – PAPAKURA DISTRICT COUNCIL**

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

ATTACHMENT: **Application Plan**
(Attachment No. 6)

RECOMMENDATIONS

1. That the information be received.
2. That dispensation from the Papakura District Council Liquor Control Bylaw 2008 be approved for Friday 4th December 2009, and Sundays 21st February, 7th and 21st March 2010 between 5pm and 9pm at Central Park, Papakura subject to the following conditions:
 - (a) That the dispensation area as defined in the attached application plan be clearly defined and monitored.
 - (b) That security persons be on site for the period 5 pm to 9 pm to ensure that no liquor is consumed on the reserve outside the dispensation area.

HIS WORSHIP THE MAYOR MOVED
CLR PRINGLE SECONDED

1. THAT THE INFORMATION BE RECEIVED.
2. THAT DISPENSATION FROM THE PAPAKURA DISTRICT COUNCIL LIQUOR CONTROL BYLAW 2008 BE APPROVED FOR FRIDAY 4TH DECEMBER 2009, AND SUNDAYS 21ST FEBRUARY, 7TH AND 21ST MARCH 2010 BETWEEN 5PM AND 9PM AT CENTRAL PARK, PAPAKURA SUBJECT TO THE FOLLOWING CONDITIONS:
 - (a) THAT THE DISPENSATION AREA AS DEFINED IN THE ATTACHED APPLICATION PLAN BE CLEARLY DEFINED AND MONITORED.
 - (b) THAT SECURITY PERSONS BE ON SITE FOR THE PERIOD 5 PM TO 9 PM TO ENSURE THAT NO LIQUOR IS CONSUMED ON THE RESERVE OUTSIDE THE DISPENSATION AREA.

CARRIED

10. ITEMS FOR INFORMATION

11. NOTICES OF MOTION

12. CONFIDENTIAL

- | | | | |
|-----|--|---|--|
| (a) | | ARDMORE AERODROME APPEAL
PROCESS UPDATE REPORT | |
| (b) | | PAPAKURA GOLF COURSE | |
| (c) | | PAVEMENT REHABILITATION WORKS
2009/10 CONTRACT PDC/09/29 | |
| (d) | | PORCHESTER ROAD IMPROVEMENT,
STAGE 1 CONTRACT PDC/09/42 | |
| (e) | | APPROVAL OF CONTRACT FOR THE
OPERATION OF MANUKAU/PAPAKURA
ANIMAL MANAGEMENT SHELTER | |
| (f) | | ARDMORE AERODROME APPEAL TO
VARIATION 1 TO PROPOSED PLAN
CHANGE NO.6 – RULE 6.14.9.9 | |

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) Ardmore Aerodrome 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
12(b) Papakura Golf Course	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(c) Pavement Rehabilitation Works 2009/10 Contract PDC/09/29	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(d) Porchester Road Improvement, Stage 1 Contract PDC/09/42	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(e) Approval of Contract for the Operation of Manukau/Papakura Animal Management Shelter	To enable Council to carry on, without prejudice or disadvantage negotiations (including commercial or industrial negotiations)	S 7 (2) i
12(f) Ardmore Aerodrome Appeal to Variation 1 to Proposed Plan Change No.6 – Rule 6.14.9.9	To enable the local authority to deliberate in private on its decision or recommendation in any proceedings	S 48 (2) a i

	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.	
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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 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) ARDMORE AERODROME 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
12(B) PAPAKURA GOLF COURSE	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS)	S 7 (2) I
12(C) PAVEMENT REHABILITATION WORKS 2009/10 CONTRACT PDC/09/29	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS)	S 7 (2) I
12(D) PORCHESTER ROAD IMPROVEMENT, STAGE 1 CONTRACT PDC/09/42	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS)	S 7 (2) I
12(E) APPROVAL OF CONTRACT FOR THE OPERATION OF MANUKAU/PAPAKURA ANIMAL MANAGEMENT SHELTER	TO ENABLE COUNCIL TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE NEGOTIATIONS (INCLUDING COMMERCIAL OR INDUSTRIAL NEGOTIATIONS)	S 7 (2) I
12(F) ARDMORE AERODROME APPEAL TO VARIATION 1 TO	TO ENABLE THE LOCAL AUTHORITY TO DELIBERATE IN PRIVATE ON ITS DECISION OR RECOMMENDATION IN ANY PROCEEDINGS BEFORE A	S 48 (2) A I

Minutes
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27 October 2009

PROPOSED CHANGE NO.6 – 6.14.9.9	PLAN – RULE	LOCAL AUTHORITY WHERE A RIGHT OF APPEAL LIES TO ANY COURT OR TRIBUNAL AGAINST THE FINAL DECISION OF THE LOCAL AUTHORITY IN THOSE PROCEEDINGS.	
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AND CHERYL CLEARY (PLANNING CONSULTANT) REMAINS FOR ITEMS 12(A)
AND 12(F).

CARRIED

The public were then excluded at 4.36pm.

The meeting resumed in public session at 5.12pm.

The meeting closed at 5.12pm.

CONFIRMED THIS 10TH DAY OF NOVEMBER 2009

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CHAIR