

RODNEY DISTRICT COUNCIL

MINUTES: of a meeting of the Rodney District Council which commenced at 9.05 a.m. in the Council Chamber, Centreway Road, Orewa on Thursday, 15 April 2010.

PRESENT: Penny Webster - Mayor (Chairperson)
Crs Ross Craig
Pat Delich
Michael Goudie
Gaye Harding
John Kirikiri
Dave Parker QSM
Grahame Powell
June Turner (until 11.21 a.m.)
Grev Walker
Wayne Walker
Suzanne Weld

IN ATTENDANCE: Chief Executive (Rodger Kerr-Newell)
Director: Customer Services (Lloyd Barton)
Director: Corporate Services (Kevin Ramsay)
Assistant Chief Executive (Warren Maclennan) (until 10.03 a.m.)
Director: Infrastructure (Murray Noone)
Executive Manager (Paul Garbett)
Executive Assistant (Kaye Davey)
Democracy Services Manager (Ellen Barrett)

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9.05 a.m. Senior Water Services Operations Engineer (Philip du Plooy), Democracy Services Officer (Elaine Stephenson), Communications Adviser (Allanah Jarman) and Consultant (Geoff Ward) in attendance.

202/04/10 APOLOGIES

AGENDA ITEM NO. 1

Delich/Powell

That the apologies from Cr Taylor for absence be received and sustained.

Carried

203/04/10 REQUEST FOR CONSIDERATION OF URGENT ITEM: AUCKLAND REGIONAL AMENITIES FUNDING BOARD LEVY

FILE REF. MB/1/1

The Mayor, Penny Webster, advised that an urgent confidential item relating to the Auckland Regional Amenities Funding Board Levy would be considered during the Public Excluded part of the meeting.

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204/04/10 CONFIRMATION OF MINUTES**AGENDA ITEM NO. 2****Powell/Kirikiri****Page Number**

- (a) **District Plan and Regulatory Committee – 3 March 2010**
- That the minutes of a meeting of the District Plan and Regulatory Committee held on 3 March 2010, as circulated, be received and adopted. 020923-020929
(White)
- (b) **Council – 4 March 2010**
- That the minutes of a meeting of the Council held on 4 March 2010, as circulated, be received and confirmed. 020930-020942
(Blue)
- (c) **Extraordinary Council – 11 March 2010**
- That the minutes of an Extraordinary Meeting of the Council held on 11 March 2010, as circulated, be received and confirmed. 020943-020945
(Blue)
- (d) **District Plan and Regulatory Committee – 17 March 2010**
- That the minutes of a meeting of the District Plan and Regulatory Committee held on 17 March 2010, as circulated, be received and adopted. 020946-020955
(White)
- (e) **Extraordinary Council – 10 March 2010**
- That the minutes of an Extraordinary Meeting of the Council held on 10 March 2010, as circulated, be received and confirmed. 020956-020967
(Blue)
- (f) **Infrastructure and Environment Committee – 18 March 2010**
- That the minutes of a meeting of the Infrastructure and Environment Committee held on 18 March 2010, as circulated, be received and adopted. 020968-020974
(Pink)
- (g) **Extraordinary Council – 18 March 2010**
- That the minutes of an Extraordinary Meeting of the Council held on 18 March 2010, as circulated, be received and confirmed. 020975-020976
(Blue)
- (h) **Resource Consents Hearings Panel – 11 December 2009 and 29 January 2010**
- That the minutes of a meeting of the Resource Consents Hearings Panel held on 11 December 2009 and 29 January 2010, as circulated, be received and adopted. 020977-021034
(White)

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(i) District Plan and Regulatory Committee – 31 March 2010

That the minutes of a meeting of the District Plan and Regulatory Committee held on 31 March 2010, as circulated, be received and adopted. 021035-021041
(White)

Carried

205/04/10 **GENERAL BYLAW 1998:
REVIEW OF CHAPTER 17: TRADE WASTE – DELIBERATION AND
CONFIRMATION REPORT
CHAPTER 25: PARKING AND TRAFFIC CONTROL – CORRECTION OF
ERROR IN SECTION 21**

FILE REF BC/1/4

AGENDA ITEM NO. 3

Note: Eddie Grooten, owner, and Kevin Smith, Manager, of Dad's Pies and submitters to the bylaw review were present for this item.

The Mayor, Penny Webster, invited Eddie Grooten and Kevin Smith to address the meeting.

During the discussion which followed it was noted that Mr Grooten's concerns related to the recent introduction of volumetric wastewater charges and that, as had occurred with other commercial and industrial ratepayers, an audit of the company's water and wastewater usage could be arranged to determine whether the amount of wastewater discharged into the public network was less than 80% of the water supplied.

Craig/Powell**(a) Chapter 17: Trade Waste**

- (i) That Chapter 17: Trade Waste of the Council's General Bylaw 1998, with amendments as shown by ~~single and double strikethrough~~ for deletions and single and double underlining for additions, as set out in Appendix 2 to the agenda report, be confirmed;
- (ii) That Chapter 17: Trade Waste of the Council's General Bylaw 1998 be publicly notified under section 157 of the Local Government Act 2002 and become operative on 27 April 2010.

(b) Chapter 25: Parking and Traffic Control

- (i) That the Council correct an error in the clause numbering in Section 21 Chapter 25: Parking and Traffic Control of its General Bylaw 1998 by amending clause '20.1' to read clause '21.1', as enabled under section 156 (2) of the Local Government Act 2002;
- (ii) That the amendment in (b)(i) be publicly notified.

Carried

*Note: The amended bylaw is attached to these minutes as **Appendix 1**.*

Eddie Grooten and Kevin Smith were thanked for their attendance and contribution at the meeting.

9.33 a.m. Revenue Manager (David Low) in attendance.

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9.38 a.m. Senior Water Services Operations Engineer (Philip du Plooy) and Consultant (Geoff Ward) retired from the meeting.

**206/04/10 SIGNIFICANT CONTRACTS LET OVER THE PERIOD 13 FEBRUARY –
26 MARCH 2010**

FILE REF CE/1/1

AGENDA ITEM NO. 4

Goudie/Harding

That the information be received.

Carried

**207/04/10 APPLICATION FOR REMISSION OF RATES BY THE ODC RODNEY
GIRL GUIDES**

FILE REF RB/1/1; RB/9/1

AGENDA ITEM NO. 5

Goudie/Turner

(a) **That the Council approve a 100% remission of the 2009/2010 rates of \$1,412.71 (excluding water and sewerage charges) for the ODC Rodney Girl Guides' property at 224 Centreway Road, Orewa.**

(b) **That the property be included on future annual remission schedules.**

Carried

9.42 a.m. Revenue Manager (David Low) retired from the meeting.

208/04/10 UPDATE ON AUCKLAND REGIONAL GOVERNANCE

FILE REF CF/1/1

AGENDA ITEM NO. 6

Goudie/Craig

That the update on Auckland Regional Governance be received.

Carried

9.45 a.m. General Manager: Strategy (Rory Palmer) in attendance.

209/04/10 ANZAC DAY CEREMONIES – 25 APRIL 2010

FILE REF AK/1/1

AGENDA ITEM NO. 7

Powell/Turner

That the following arrangements be made for ANZAC Day Ceremonies to be held on Sunday, 25 April 2010:

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Helensville (10.45 a.m.)	Cr Weld to represent the Council
Parakai (5.45 a.m.)	Cr G Walker to represent the Council
Leigh (11.00 a.m.)	Cr Parker to represent the Council
Orewa Remembrance Reserve (12.40 p.m.)	Cr Goudie to represent the Council
Riverhead (9.00 a.m.)	Cr Delich to represent the Council
Silverdale (12.15 p.m.)	Cr W Walker to represent the Council
Vipond Road (11.00 a.m. but representative should be there by 10.30 a.m.)	Cr Kirikiri to represent the Council
Waimauku (11.00 a.m.)	Cr Delich to represent the Council
Warkworth (6.00 a.m.)	Cr Parker to represent the Council
Warkworth (10.30 a.m.)	Cr Turner to represent the Council
Wellsford (5.45 a.m.)	Cr Powell to represent the Council
Upper Waiwera Cenotaph Weranui Road (2.30 p.m.)	Cr Craig to represent the Council

Carried

9.50 a.m. Manager: Transport Assets and Programmes (Ahmed Khaled), Manager: Parks and Coastal Operations (Chris Burgess) and Senior Parks and Coastal Capital Works Engineer (Peter Bilton) in attendance.

210/04/10 ECONOMIC PROFILE OF RODNEY DISTRICT AND KEY SECTORS
FILE REF DG/7/1
AGENDA ITEM NO. 8

Discussion during consideration of this matter focussed on:

- encouraging rather than discouraging small local businesses;
- the benefits of the survey being carried out prior to establishment of the Auckland Council;
- the future of Rodney Economic Development Trust; and
- recovery after the recent recession.

Goudie/Parker

That the report be received.

Carried

9.55 a.m. Social Policy Advisor (Michael Sinclair) in attendance.
 9.57 a.m. Manager: Community Development (Paul Green) in attendance.
 10.00 a.m. General Manager: Strategy (Rory Palmer) retired from the meeting.
 10.03 a.m. Assistant Chief Executive (Warren Maclennan) retired from the meeting.

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211/04/10 OREWA WEST WALKWAY/CYCLEWAY
FILE REF RF/219/1; Project No. 1071
AGENDA ITEM NO. 9

Kirikiri/Harding

- (a) That the proposed savings listed below be transferred to the Orewa West Walkway/Cycleway project:

(i) Savings from Transport projects deferred due to subsidy being declined	\$175,778
(ii) Savings from Parks & Coastal projects	\$100,000
Total	\$275,778

- (b) That Contract C2010.024 – Orewa Estuary Cycleway – Southern Link Shared Paths 1, 4 & 5 be awarded to Opie Contractors Ltd for the tendered sum of \$938,380.50 (excluding GST).

- (c) That the funds for this project be made up as follows:

Savings from other projects (as detailed above)	\$275,778.00
Subsidy this year	\$380,836.00
Remaining budget this year	\$68,000.00
Balance from next year's budget	\$213,766.50
Total	\$938,380.50

Carried

10.13 a.m. Manager: Transport Assets and Programmes (Ahmed Khaled), Manager: Parks and Coastal Operations (Chris Burgess) and Senior Parks and Coastal Capital Works Engineer (Peter Bilton) retired from the meeting.

Note: Cr Greville Walker indicated that he had a commercial interest in the Helensville CAB and did not take part in either the discussion or the decision made on the following item.

212/04/10 COUNCIL SUPPORT OF CITIZENS' ADVICE BUREAUX
FILE REF GA/1/1
AGENDA ITEM NO. 10

Comparisons between the different circumstances under which the Helensville and Wellsford Citizens' Advice Bureaux operated were made during the discussion on this item and it was agreed that equity could be achieved through the Service Level Agreements.

Parker/Powell

That the Service Level Agreements for the Hibiscus Coast, Helensville and Wellsford Citizens' Advice Bureaux, as presented at the 1 April Strategy and Community Committee meeting and attached as Appendix 1 to the agenda report, be approved

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subject to final annual budget confirmation to ensure equity between the Helensville and Wellsford Bureaux.

Carried

213/04/10 **KENSINGTON PARK POOL HOUSE CAFÉ – LICENCE TO OCCUPY
PART OF RECREATION RESERVE**

FILE REF RC/1/1

AGENDA ITEM NO. 11

Craig/Delich

- (a) That a Licence agreement be granted to Kensington Park Holdings Limited to construct a deck over part of the recreation reserve (Lot 1 DP404630) at Parkside Drive, Orewa for use by the adjacent café at Kensington Park, the agreement being for a term of five plus five years with an initial annual rent of \$5,000 plus GST, effective from 1 July 2010.
- (b) That the proposed Licence, attached as Appendix 1 to the Agenda report, amended to include negotiated toilet arrangements, be publicly notified in accordance with the provisions of the Reserves Act 1977.

Carried

10.29 a.m. Manager: Community Development (Paul Green), Social Policy Advisor (Michael Sinclair) and Democracy Services Officer (Elaine Stephenson) retired from the meeting.

10.29 – 10.55 a.m. Morning tea adjournment.

10.55 a.m. Group Manager: Policy and Planning (Laura White) in attendance.

214/04/10 **PUBLIC EXCLUDED**

AGENDA ITEM NO. 12

Powell/Parker

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Minute No(s) 215/04/10, 216/04/10 and 217/04/10

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48(1) for the passing of this resolution
Possible Land Disposals	The disclosure of information would not be in the public interest because of the greater need to enable the council to carry out, without prejudice or disadvantage, commercial activities (section 7(2)(h) Local Government Official Information and Meetings Act 1987).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 or section 7 (except section 7(2)(f)(i) of the Act). (section 48(1)(a) Local Government Official Information and Meetings Act 1987.)

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Possible Agreement – Indicative Road	The disclosure of information would not be in the public interest because of the greater need to enable the council to carry out, without prejudice or disadvantage, commercial activities (section 7(2)(h) Local Government Official Information and Meetings Act 1987).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 or section 7 (except section 7(2)(f)(i) of the Act). (section 48(1)(a) Local Government Official Information and Meetings Act 1987.)
	The disclosure of information would not be in the public interest because of the greater need to enable the council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (section 7(2)(i) Local Government Official Information and Meetings Act 1987).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 or section 7 (except section 7(2)(f)(i) of the Act). (section 48(1)(a) Local Government Official Information and Meetings Act 1987.)
Auckland Regional Amenities	The disclosure of information would not be in the public interest because of the greater need to maintain legal professional privilege (section 7(2)(g) Local Government Official Information and Meetings Act 1987).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 or section 7 (except section 7(2)(f)(i) of the Act). (section 48(1)(a) Local Government Official Information and Meetings Act 1987.)

The meeting closed at 11.24 a.m.

CONFIRMED AS A TRUE AND CORRECT RECORD THIS 27TH DAY OF MAY 2010MAYOR

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APPENDIX 1

CONFIDENTIAL