



NOTICE OF MEETING

RODNEY DISTRICT COUNCIL

TO: Penny Webster - Mayor (Chairperson)

Crs Ross Craig
Pat Delich
Michael Goudie
Gaye Harding
John Kirikiri
Dave Parker QSM
Grahame Powell
Zane Taylor
June Turner
Grev Walker
Wayne Walker
Suzanne Weld

The Rodney District Council will meet in the Council Chamber, Centreway Road, Orewa on Thursday, 27 May 2010, commencing at 9.00 a.m.

Note: Councillors are requested to be in the Committee Room at 8.30 a.m. prior to the Council meeting for the Council team photo.

for: CHIEF EXECUTIVE
Rodger Kerr-Newell

OREWA
20 May 2010

* * * * *

INDEX

<u>Item No.</u>	<u>Subject</u>	<u>Page No.</u>
1.	Apologies	1
2.	Confirmation of Minutes	1
3.	Significant Contracts Let over the Period 13 February – 26 March 2010	3
4.	Bridging Finance for Puhoi Wharf Project	7
5.	Local Government New Zealand Conferences: 25 – 28 July 2010, Auckland	11
6.	Application for Remission of Rates by Gulf Harbour Country Club Inc	23
7.	Application for Remission of Rates for the Whangaparaoa Hall by the Whangaparaoa Residents' and Ratepayers' Association Inc	27
8.	Quarterly Update (Exception) Report – Nine Months to 31 March 2010	31
9.	Debt Write Off	33
10.	Auckland Regional Amenities Funding Board 2010/11 Funding Plan	37
11.	Update on Auckland Regional Governance	55
12.	Request by the Wellsford-Warkworth Vintage Car Club for the Waiver of Building and Resource Consent Fees	61
13.	Road Legalisation – Whangateau	67
14.	Reserve Classification: Rata Street, Stanmore Bay	73
15.	Allocation of Remaining \$9,572.50 from 2009/10 Heritage Item Assistance Fund	79
16.	Review of Strategic Partnerships and Memoranda of Understanding	83
17.	Draft Kaukapakapa Structure Plan: Adoption for Public Consultation	89
18.	General Bylaw 1998: Amendments to Chapter 18 – Road Speed Limits, Public Submissions and Confirmation	149
19.	Reserve Classifications – Local Purpose Reserves	213
20.	Reserve Classifications – Local Purpose (Recreation)	215
21.	Temporary Use of the (Former) Silverdale Bowling Club, Silverdale War Memorial Park	217
22.	Public Excluded	219
CONFIDENTIAL		
23.	Proposed Road Stopping	221
24.	Possible Grant	229

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ITEM NO: 1

APOLOGIES

ITEM NO: 2

REPORT



TO Council
ON 27 May 2010
SUBJECT **CONFIRMATION OF MINUTES**

CONFIRMATION OF MINUTES

- Notes:
1. Minutes for Council and Committee meetings are distributed through the month as they are published and are available for public inspection at Council offices and libraries.
 2. The purpose of the item is confirmation of correctness of the minutes only. Any recommendations to the Council from the Committees are shown as separate items in the next section of the agenda.
 3. Minutes produced after the publication of this agenda but prior to the meeting will be tabled as a supplementary item at the meeting.

RECOMMENDATION:

		Page Number
(a)	<u>Extraordinary Council – 1 April 2010</u>	
	That the minutes of an Extraordinary Meeting of the Council held on 1 April 2010, as circulated, be received and confirmed.	021042-021043 (Blue)
(b)	<u>Strategy and Community Committee – 1 April 2010</u>	
	That the minutes of a meeting of the Strategy and Community Committee held on 1 April 2010, as circulated, be received and adopted.	021044-021050 (Buff)
(c)	<u>Resource Consents Hearings Panel – 5 March 2010</u>	
	That the minutes of a meeting of the Resource Consents Hearings Panel held on 5 March 2010, as circulated, be received and adopted.	021051-021067 (White)
(d)	<u>Resource Consents Hearings Panel – 15 March 2010</u>	
	That the minutes of a meeting of the Resource Consents Hearings Panel held on 15 March 2010, as circulated, be received and adopted.	021068-021081 (White)

- (e) **Resource Consents Hearings Panel – 22 March 2010**
- That the minutes of a meeting of the Resource Consents Hearings Panel held on 22 March 2010, as circulated, be received and adopted. 021082-021108
(White)
- (f) **District Plan and Regulatory Committee – 14 April 2010**
- (i) That the words: *...once the submitter has been notified.* be added to paragraph (b) of the decision made in relation to Minute No. 194/4/10. 021109-021116
(White)
- (ii) That, with the amendment above noted, the minutes of the District Plan and Regulatory Committee meeting held on 14 April 2010, as circulated, be received and adopted.
- (g) **Council – 15 April 2010**
- (i) That it be noted that the decision made in relation to Minute No. 214/04/10 was Carried. 021117-021180
(Blue)
- (ii) That, with the amendment above noted, the minutes of the Council meeting held on 15 April 2010, as circulated, be received and adopted.
- (h) **Resource Consents Hearings Panel – 12 March 2010**
- That the minutes of a meeting of the Resource Consents Hearings Panel held on 12 March 2010, as circulated, be received and adopted. 021181-021205
(White)
- (i) **District Plan and Regulatory Committee – 12 March 2010**
- That the minutes of a meeting of the District Plan and Regulatory Committee held on 12 March 2010, as circulated, be received and adopted. 021206-021212
(White)
- (j) **Infrastructure and Environment Committee – 29 April 2010**
- That the minutes of a meeting of the Infrastructure and Environment Committee held on 29 April 2010, as circulated, be received and adopted. 021213-021220
(Pink)
- (k) **Kawau Island Advisory Committee – 6 May 2010**
- That the minutes of a meeting of the Kawau Island Advisory Committee held on 6 May 2010, as circulated, be received and adopted. 021221-021224
(Gold)
- (l) **District Plan and Regulatory Committee – 12 May 2010**
- That the minutes of a meeting of the District Plan and Regulatory Committee held on 12 May 2010, as circulated, be received and adopted. 021225-021231
(White)

REPORT



TO Council
 ON 27 May 2010
 FROM Kevin Ramsay – Director: Corporate Services
 APPROVED BY Rodger Kerr-Newell – Chief Executive
 SIGNATURE

SUBJECT **SIGNIFICANT CONTRACTS LET OVER THE PERIOD 27 MARCH – 14 MAY 2010**
 FILE REF CE/1/1

PURPOSE OF REPORT:

<input checked="" type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? Not applicable
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Council has resolved that:

A list of all significant contracts is to be tabled at the next Council meeting.

Attached as **Appendix 1** is a list of all significant contracts let over the period 27 March – 14 May 2010.

Note: *Councillors should raise any queries they may have with the relevant director prior to the day of the meeting so that these may be responded to on the day.*

RECOMMENDATION:

That the information be received.

APPENDIX 1

REPORT



TO Council
 ON 27 May 2010
 FROM Kevin Ramsay – Director: Corporate Services
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT BRIDGING FINANCE FOR PUHOI WHARF PROJECT
 FILE REF FS/186

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input checked="" type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? Minor impact if grant approved.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No consultation required.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	\$5,654
Is it currently budgeted for?	No
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Insignificant rating impact

SUMMARY:

On 18 December 2008 the Council provided an interest free loan of \$30,000 to the Puhoi Community Forum for the purposes of assisting with the funding of the Puhoi Wharf project. This loan was for a period of the lesser of one year or until alternative funding was received.

The Puhoi Community Forum requested an extension to this loan period and as a result the Council decided on 5 November 2009 to grant an additional six months, meaning that the remaining loan balance of \$21,700 was to be repaid by 30 June 2010 at the latest.

The Puhoi Community Forum through its representative, Mr Larry Mitchell, has approached the Council with a request for it to forgive \$5,654 of the loan, which would then mean that the Forum could repay the remainder in full by 30 June 2010.

RECOMMENDATION:

That the Council provide a grant of \$5,654 to the Puhoi Community Forum (by way of forgiving this portion of a loan currently outstanding), provided that the remaining loan balance of \$16,046 is fully repaid by 30 June 2010.

1.0 Background

The Puhoi Community Forum approached the Council in October 2008 with a request for financial assistance for the Puhoi Wharf Project.

The project comprises the construction of two wharves, one a community facility on the reserve side of the river, and the other a smaller wharf with historical significance on the township side.

The financial assistance was requested on the basis of bridging finance through a loan as, although it was anticipated that funding would be received, it was unlikely to be received in time to fund the current timetable for the project.

On 18 December 2008 the Council approved an interest free loan of \$30,000 to the Puhoi Community Forum for a maximum period of one year.

The Forum then approached the Council in October 2008 to ask for an extension to the loan period as fund raising hadn't progressed as well as expected.

The Council considered this request on 5 November 2009 and approved an additional six months, requiring that the loan be repaid by 30 June 2010, the end of the financial year.

2.0 Issues

2.1 Loan Repayments

Two repayment amounts of \$4,000 each have been made to the Council, the first in April 2009 and the second in August 2009. This gives a clear indication of the intention to repay the amount advanced.

In addition, Cr Powell has paid \$300 from his discretionary grant towards this loan, leaving a current balance of \$21,700.

In correspondence and discussions with Mr Larry Mitchell of the Wharf Project, it has been stated that there is still confidence that the majority of the loan will be repaid. Fundraising is continuing through both donations and events.

2.2 Council Support

As well as this interest free loan, the Council has provided other support for this project through grants to the engineering firm that undertook the design work on the wharves (\$7,384.08), and assistance with resource and building consent fees (\$3,098.73).

2.3 Community Project

One of the key considerations in supporting this project to date has been the perception that, to many, this project could be seen as being a community facility of the sort that a council might have otherwise provided, together with the fact that it has been built for the benefit of the community and visitors, with no personal gain to the parties involved.

2.4 Request

The request being made is for the Council to forgive \$5,654 (amount explained below) of the existing debt, with the Forum repaying the remaining balance of the loan of \$16,046 by 30 June 2010.

2.5 Project Costs and Reason for Request

The amount of the requested grant reflects the amount that the cost of the project exceeded the expected and budgeted amount. The total costs for the 2009 financial year amounted to \$80,654, which exceeded the budgeted amount of \$75,000 by \$5,654.

The main reasons for this cost escalation were an unforeseen requirement for archaeological investigations, a need for deeper drilling and larger piles, as well as additional drainage to cope with stormwater seepage from the bank above the major wharf.

3.0 Options

The Council can either:

- (a) approve a grant and thereby reduce the amount that the Forum must repay to the Council;
- (b) or, require the Forum to repay the full amount of the loan outstanding.

4.0 Conclusion

It is deemed appropriate that a grant be provided for the requested amount as this will facilitate full repayment of the loan balance and recognise that there were costs incurred for this project that were beyond those expected. Factors supporting this recommendation for a grant are the community facility nature of this project, the previous support for the project, and the successful completion of the wharves, with substantial input from the community.

REPORT



TO Council
 ON 27 May 2010
 FROM Ellen Barrett – Democracy Services Manager
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT **LOCAL GOVERNMENT NEW ZEALAND CONFERENCE: 25 – 28 JULY 2010, AUCKLAND**
 FILE REF AH/22/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? Not applicable
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	No
Is it currently budgeted for?	Yes
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Cost of each registration is \$1,200 (excluding GST)

Local Government New Zealand's 2010 Conference, Building Prosperous Places, is being held at the Sky City Convention Centre, Auckland, over the period 25 – 28 July 2010. Information from the conference programme is attached as **Appendix 1**.

A direction is requested on Council representation. It is suggested that attendance by the Mayor and three councillors would be an appropriate level of representation.

The Council is also required to nominate who will vote on its behalf at the Annual General Meeting, together with an alternate for that purpose.

RECOMMENDATION:

- (a) **That the Mayor and Crs _____ represent the Council at the Local Government New Zealand Annual Conference 2010, to be held in Auckland over the period 25 - 28 July 2010.**
- (b) **That the Mayor be appointed as the voting delegate for the AGM of Local Government New Zealand, with Cr _____ as the alternate.**

APPENDIX 1

REPORT



TO Council
 ON 27 May 2010
 FROM David Low – Manager: Revenue
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT APPLICATION FOR REMISSION OF RATES BY GULF HARBOUR COUNTRY CLUB INC
 FILE REF RB/1/1; RB/9/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? Nil
(iv)	Implications in terms of other Council Strategic documents or Council Policy? Nil
(v)	Is a budget amendment required? Nil
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil
Is it currently budgeted for?	No
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Minor

SUMMARY:

An application for a rate remission has been received from the Gulf Harbour Country Club Inc for its property at 180 Gulf Harbour Drive, Hobbs Bay. The club has recently changed ownership (October 2008), is now an incorporated society and the land is not used for the private pecuniary profit of any club members. In addition to providing a sporting and recreation facility, the club is actively involved in supporting other charitable organisations, including fundraising for Outward Bound and the local Hospice.

As the Gulf Harbour Country Club Inc has a current club liquor licence, the property does not qualify for 50% non-rateability status. Because the Sandtrap Café situated on the club grounds is open to the public, it is suggested that the Council request that Quotable Value provide a rating split for this area and exclude this from the rates remission. The café would be rated in the Commercial and Industrial Differential Rating category and an additional set of uniform charges totalling \$1,016.68 would be added to the total rates due to the additional separately used and inhabited part (SUIP), ie. the café. Rates must be based on the factors shown on the Rating Information Database (RID) as at 30 June preceding the current rating year. No adjustment to the rating category of the café would therefore be made in the current year, but for the year commencing 1 July 2010 the split valuations yet to be determined would be used.

The club's property has a capital value of \$13M and land value of \$6.4M. Rates for 2009/2010 total \$21,612.64, including one set of uniform charges based on one separately used and inhabited part. It is not practicable to assess what the rates would be if the commercial portion was split for rating purposes until a valuation of the split is received, other than to note that Commercial and Industrial rates would apply from 1 July 2010 and two sets of uniform charges would apply, there being two separately used and inhabited parts. Based on the current rating treatment, a remission of 50% would be \$8,953.97.

The club has also requested that the Council consider granting a 100% rates remission for this year and next year to assist with start-up costs. This is inconsistent with treatment of other similar organisations and is not recommended. However, if the Council wishes to assist with start-up costs a grant could be considered.

The objective of the Council's remission policy for: *...organisations which by their existence in the district directly benefit the residents of the district* is: *...to encourage certain sport, recreation and welfare organisations in the district which directly benefit the residents of the district.*

Clause 4 of the policy states that: *Sporting clubs and similar organisations that would be 50% non-rateable in accordance with the Local Government (Rating) Act 2002 Schedule 1 Part 2, except that a liquor licence is in force in respect of the land, receive a 50% remission of all rates, - with the exception of water and sewerage charges.*

RECOMMENDATION:

- (a) That the Council request that Quotable Value provide a rating split for the area occupied and used as the Sandtrap Café at 180 Gulf Harbour Drive, to be used for assessing 2010/2011 rates, and the rates for the commercial portion be excluded from the remission calculation.
- (b) That the Council approve a 50% remission of the 2009/2010 rates (excluding sewerage and water rates) for the Gulf Harbour Country Club Inc property at 180 Gulf Harbour Drive (totalling \$8,953.97 under current rating treatment), less an adjustment for rates relating to the commercial split yet to be determined.
- (c) That the property be included on future annual remission schedules.

REPORT



TO Council
 ON 27 May 2010
 FROM David Low – Manager: Revenue
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT **APPLICATION FOR REMISSION OF RATES FOR THE WHANGAPARAOA HALL BY THE WHANGAPARAOA RESIDENTS' AND RATEPAYERS' ASSOCIATION INC**
 FILE REF RB/1/1; RB/9/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? Nil
(iv)	Implications in terms of other Council Strategic documents or Council Policy? Nil
(v)	Is a budget amendment required? Nil
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil
Is it currently budgeted for?	No
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Minor

The property at 15 Main Street, Stanmore Bay, which is operated as a community hall by the Whangaparaoa Residents' and Ratepayers' Association, was included in the schedule of 2009/2010 rates remissions recommended to the Council on 5 November 2009. This particular property was excluded from the resolution approving remissions as it was reported that the hall was being used for commercial purposes and therefore should not be granted a rates remission. The Council directed that the matter be further investigated.

Investigations showed that a small part of the hall is being used by a commercial newspaper and that part should be charged Commercial and Industrial rates. Quotable Value (QV) has supplied a split of the valuations for the property as follows:

	Capital	Land	Improvements
Hall	\$595,000	\$210,000	\$385,000
Office	\$ 45,000	\$ 15,000	\$ 30,000
Totals	\$640,000	\$225,000	\$415,000

Currently the hall is rated for 2009/2010 at a total of \$1,876.11, including one set of uniform charges totalling \$1,016.68 for one separately used and inhabited part (SUIP). Rates must be based on the factors shown on the Rating Information Database (RID) as at 30 June preceding the current rating year. No adjustment to the rating category of the hall would therefore be made in the current year, but for the year commencing 1 July 2010 the split valuations shown above would be used.

The resulting adjusted rates for 2010/11, with the office charged commercial rates, uniform charges based on two SUIPs and no changes to rates would be:

Hall	\$1,817.10	(including uniform charges of \$1,016.68)
Office	\$1,217.70	(including uniform charges of \$1,016.68)
TOTAL	\$3,034.80	

The net rates after allowing a remission of 50% on the hall portion of the property, based on the assumption that there would be no changes to rates, would be:

Hall	\$1,817.10	
Less remission	\$ 692.73	1,124.37
Office		1,217.70
TOTAL		2,342.07

The objective of the Council's remission policy for: *...organisations which by their existence in the district directly benefit the residents of the district is: ...to encourage certain sport, recreation and welfare organisations in the district which directly benefit the residents of the district.*

Clause 4 of the policy states that: *Sporting clubs and similar organisations that would be 50% non-rateable in accordance with the Local Government (Rating) Act 2002 Schedule 1 Part 2, except that a liquor licence is in force in respect of the land, receive a 50% remission of all rates, - with the exception of water and sewerage charges.*

RECOMMENDATION:

- (a) That the property split provided by Quotable Value for the Whangaparaoa Residents' and Ratepayers' Hall situated at 15 Main Street, Stanmore Bay, be adopted and rates for 2010/2011 be assessed on the basis of that split.**
- (b) That the Council approve a 50% remission of the 2009/2010 rates for the hall portion of the property at 15 Main Street, Stanmore Bay, using the split values to calculate the remission (excluding sewerage and water rates) totalling \$692.73.**
- (c) That the property be included on future annual remission schedules.**

REPORT



TO Council
 ON 27 May 2010
 FROM Morna Macfarlane – Manager: Finance
 APPROVED BY Kevin Ramsay - Director: Corporate Services
 SIGNATURE

SUBJECT **QUARTERLY UPDATE (EXCEPTION) REPORT – NINE MONTHS TO 31 MARCH 2010**
 FILE REF AB/14/2

PURPOSE OF REPORT:

<input checked="" type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan/Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	No
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	No
Is it currently budgeted for?	Not applicable
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

Enclosed under separate cover with councillors' copies of the agenda is the Quarterly Update (Exception) Report, covering the nine months ending 31 March 2010. The purpose of the report is to provide an update on current progress of:

- Projects over \$50,000 with YTD spend of 75% or less of YTD revised budget; and
- Projects with an overspend of \$20,000 or more (compared to YTD revised budget).

This report combines both financial results/reports and also a progress update on key projects. Additionally, capital expenditure projects which fall within the exception criteria outlined above have an explanation included.

A short presentation on the Quarterly Report, which is for information purposes only, will be made at the meeting.

The report will also be made available for public inspection with the agenda at the Council's Orewa Office, Helensville Service Centre and the Whangaparaoa, Warkworth, Wellsford and Kumeu Libraries.

RECOMMENDATION:

That the quarterly update report for the nine months to 31 March 2010 be received.

REPORT



TO Council
 ON 27 May 2010
 FROM Liz Evans – Debt Recovery Officer
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT DEBT WRITE OFF
 FILE REF AB/9/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	No
Is it currently budgeted for?	No
Funding source of capital costs	No
Ongoing operational cost implications	No
Is it currently budgeted for?	No
Funding and rating impact (whether resulting from capital expenditure or arising directly)	No

SUMMARY:

Reuben's Water Taxi Limited has ceased trading and gone into receivership. The six monthly liquidator's report states that: *At this stage it is unlikely there will be a distribution to unsecured creditors.* The company's assets have been sold off with monies going to secured creditors, the preferred creditor being the Inland Revenue. Reuben's Water Taxi Limited's debt to the Council of \$14,569 is not recoverable.

Origin Properties Group has ceased trading and was struck off the Company Register on 14 June 2006. Its debt of \$18,447.79 to the Council is not recoverable.

Warkworth Custodians Limited has ceased trading and was struck off the Company Register on 29 September 2009. Its debt to the Council of \$8,984.21 is not recoverable.

RECOMMENDATION:

That the following debts totalling \$42,001.00 be written off:

- (a) Reuben's Water Taxi Limited \$14,569.00.**
- (b) Origin Properties Group \$18,447.79.**
- (c) Warkworth Custodians Limited \$8,984.21.**

1.0 Background

Reuben's Water Taxi Limited (customer number 183881) had an agreement with the Council to use Sandspit wharf for ferries and water taxis. The debt incurred is for wharfage fees dating from 18 January 2008 until 14 May 2009. Numerous letters and personal reminders from the Harbour Master were issued to try and recover the debt. The Council exercised caution in banning Reuben's Water Taxi Limited from using the wharf as it was the only current transport option to Kawau Island for the majority of islanders. The Debt Recovery Officer contacted the owner of Reuben's Water Taxi in September 2009 to arrange payment of the debt and was informed that the company had gone into receivership on 2 July 2009. An unsecured creditor's form was submitted to the receivers. Notification was received from the liquidators on 26 May 2009 that all company assets had been sold and unsecured creditors were not going to receive any monies. All steps of the debt recovery process have been completed in an effort to recover the monies owed. These debts are not recoverable and should be written off.

Origin Properties Group (customer number 225144) incurred debts for processing costs in relation to resource consent Lan-36461 and the resource consents department issued a letter of demand requesting payment. The Council passed the debt to Buddle Findlay and instructed that they engage in recovery research. The company was struck off in June 2006 so the debt is not recoverable and should be written off.

Warkworth Custodians Limited (customer number 250608) incurred debts for processing costs in relation to a notified resource consent Lan-50175 and the resource consents department issued a notice of demand for collection of fees on 7 July 2008. The debt was then passed to Buddle Findlay on 22 July 2008 which issued a further letter of demand on 12 August 2008, then issued a court search and property search. The company was struck off on 29 September 2009. The debt is not recoverable and should be written off.

REPORT



TO Council
 ON 27 May 2010
 FROM Lynne Booth – Manager: Business Services
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT **AUCKLAND REGIONAL AMENITIES FUNDING BOARD 2010/2011 FUNDING PLAN**
 FILE REF OC/25/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

On 15 April 2010 councillors considered an urgent item relating to the approval of the Auckland Regional Amenities Funding Board (ARAFB, the Funding Board) 2010/2011 Funding Plan. The item was raised because the Territorial Local Authorities Electoral College Board had not approved the \$11.6m levy requested by the ARAFB. In turning down the \$11.6m levy, the College Board indicated to the Funding Board that it would approve the levy if it was reduced to \$11.1m. This was not accepted by the Funding Board and therefore, as the legislation setting up the Funding Board requires, the matter went to arbitration.

The Arbitrator upheld the Funding Board's recommendation and draft funding plan in the total amount of \$11.6m, because there was no evidence to suggest the Funding Board had incorrectly or inadequately assessed the requests for funding, or that it had failed to apply the Funding Principles set out in the Auckland Regional Amenities Funding Act 2008.

The purpose of this report is to provide councillors with details of the arbitration decision, related correspondence and the Funding Board response to the Rodney District Council's submission to the 2010/2011 Funding Plan.

The following documents are attached as **Appendix 1**:

- Matthew Casey QC reporting on the Regional Funding Plan – Arbitration.
- Decision of Arbitrator – Hon Peter Salmon QC.
- Auckland Regional Amenities Funding Board confirming the levies to be charged 2010/2011.
- Auckland Regional Amenities Funding Board response to the submission to the funding plan.

RECOMMENDATION:

That the information be received.

APPENDIX 1

REPORT



TO Council
 ON 27 May 2010
 FROM Kevin Ramsay – Director: Corporate Services
 APPROVED BY Kevin Ramsay – Director: Corporate Services
 SIGNATURE

SUBJECT UPDATE ON AUCKLAND REGIONAL GOVERNANCE
 FILE REF CF/1/1

PURPOSE OF REPORT:

<input checked="" type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? Not applicable
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Auckland Transition Agency continues to coordinate a series of workstreams to implement the transition to a new Auckland Council, with a substantial amount of work now being undertaken on the detailed organisational structure, including responsibilities for specific roles.

Rodney District Council (RDC) is involved through officer participation in the workstreams, secondment of staff to projects and reviews of legislation and discussion documents.

The Council is waiting to see if its submission to the Third Bill and feedback to discussion documents prepared by the Auckland Transition Agency on Watercare's structure, Local Boards and CCOs have resulted in any changes.

The purpose of this report is to update the Council on the current situation, to outline the approach being taken by the Transition Agency in implementing the legislation and outline the level of involvement of RDC staff to date.

RECOMMENDATION:

That the update on Auckland Regional Governance be received.

1.0 Background

The Local Government (Tamaki Makaurau Reorganisation) Act 2009 came into force on 24 May 2009. The Local Government (Auckland Council) Act 2009 came into force on 22 September 2009, after a select committee process involving several thousand submissions.

Both of these Acts are proposed to be substantially amended by a third piece of legislation, the Local Government (Auckland Law Reform) Bill, which has been introduced to Parliament and is proceeding through the formal select committee process.

2.0 Issues

2.1 Legislation

The Local Government (Tamaki Makaurau Reorganisation) Act 2009 (First Act) established the Auckland Transition Agency (ATA), placed some restrictions around the decision making powers of the existing councils, outlined the disestablishment of existing councils and establishment of a new Auckland Council as of 1 November 2010.

The Local Government (Auckland Council) Act 2009 (Second Act) advised that all of Rodney District would be included in the new Super-City, more formally established the Auckland Council, described the governance arrangements, including Mayor, councillors and local boards, and stated obligations around annual plans and annual reports.

The third piece of legislation, the Local Government (Auckland Law Reform) Bill, was introduced to Parliament on 15 December 2009 and is currently going through a submission process. Rodney District Council has made a submission and is now waiting for the select committee to complete its process.

At 194 pages, the third Bill goes into much more detail than previous legislation around the roles and functions of various organisations and the processes to be followed. In preparing this Council's submission, consideration was given to the following fifteen main areas covered by the Bill:

2.2 Auckland Transition Agency Actions

Work continues within the sixteen workstreams that ATA has identified as making up the overall transition programme. These workstreams are further broken down into around 100 sub-streams, each with attached project teams that have been tasked with meeting key milestones and deliverables.

As well as the ongoing work to identify the systems and processes that Auckland will need in place to operate from 1 November 2010, there has been a substantial amount of work undertaken on developing detailed designs for the operational structures.

2.3 Structure for New Auckland Organisations

As well as the new single Auckland Council, which will be a unitary authority having the powers of both a regional and local council, there are to be a set of Council Controlled Organisations (CCOs) to undertake various functions.

To date seven CCOs have been mentioned, as follows:

- Watercare Services Limited – existing organisation with functions and powers to be extended as outlined in First Act;
- Auckland Transport – established as part of Third Bill;
- Waterfront Development Agency – instruction to establish within the Third Bill;
- Property Holdings and Development – outlined in ATA discussion document;
- Economic Development, Tourism & Events Agency – outlined in ATA discussion document;
- Major Regional Facilities – outlined in ATA discussion document;
- Council Investments – outlined in ATA discussion document.

2.4 Service Delivery Model

ATA has announced a service delivery model which outlines the principles to be used in determining how services will be delivered under the new structure and where service centres are intended to be located for day one (1 November 2010). A key concept identified within the principles is that existing service levels will be maintained or possibly enhanced.

The Head Office of the Auckland Council will be located in the Auckland CBD and there will be four types of service centres.

Full Service Centres: there will be four of these located in the North (Takapuna), the West (Henderson), the Central/East (Central Auckland) and the South (Manukau) to deliver all Auckland Council and some CCO services.

Local Service Centres: there will be four of these located at Orewa, Waiheke, Papakura and Pukekohe. These will generally provide the services that are currently delivered out of them.

Neighbourhood Service Centres: there will be five of these located at Warkworth, Huapai, Helensville, Great Barrier and Waiuku. These will continue to provide the services currently being provided.

Specialist Service Centres: these will be identified and provided as required, including Auckland CBD (for resource and building consents), Botany (for building consents), Newmarket (for Watercare) and an as yet unconfirmed location for Transport.

There is still some uncertainty as to what centres will actually provide but the model starts to identify the intentions behind a structure of offices.

2.5 Recruitment within New Structure

Recruitment is continuing for the top levels of Auckland Council, Auckland Transport and Watercare Services Limited.

Appointments to date include Ian Parton to the position of Watercare Transition Chief Executive (appointed 11 December 2009) and Doug McKay to the position of Interim Chief Executive for Auckland Council (to start 1 August 2010).

Appointments have also been made at Watercare to level 2 and some level 3 positions. Recruitment for levels 2 and 3 at Auckland Council and Auckland Transport has progressed substantially through the process with announcements expected at any time.

Work continues on the structure beneath these levels with Workforce Plans expected to be completed and released for staff comment on a staggered basis for different activities from the end of May to the end of June. These Workforce Plans will outline the detailed structures beneath each level 3 role, with descriptions for each individual position and an outline as to how it is intended that these positions be filled.

2.6 RDC Involvement

Work on the 16 workstreams established by the Auckland Transition Agency (ATA) continues, with RDC staff continuing to be involved.

Of around 100 sub-streams officially recognised by ATA, RDC has representation on approximately 73, with around 40 staff having official roles on the project teams. Additionally there are other staff providing administrative and technical support to RDC representatives.

From Council's transition time recording system there are now over 120 staff with time recorded against the various workstreams or transition work in general (e.g. review of legislation), with a total of over 19,000 hours recorded to the start of May 2010.

The following table shows the number of hours entered into the Council's time recording up to 2 May 2010 against each of the identified workstreams or against Transition in general. A calculation is then made using average bands of salaries to assess an estimated cost of those hours.

Workstream	Sum of Hours	Sum of Cost \$
Business Processes & Systems	2956.0	\$ 137,288
CCOs	143.0	\$ 6,960
Communications & Public Affairs	139.5	\$ 8,230
Community Services	2167.5	\$ 89,275
Customer Services	748.5	\$ 38,845
Economic Development	227.0	\$ 13,635
Finance & Treasury	2283.0	\$ 125,383
Governance	599.5	\$ 34,055
Legal	54.0	\$ 3,090
P&E: Environment	714.5	\$ 35,165
P&E: Policy & Planning	449.5	\$ 27,585
P&E: Regulatory	1738.0	\$ 83,048
Property & Assets	109.5	\$ 5,110
Transition	3684.0	\$ 224,758
Transport	1020.0	\$ 62,720
Watercare	1188.0	\$ 56,040
Workforce/HR	1191.0	\$ 55,790
Grand Total	19412.5	\$ 1,006,975

On top of this direct hours worked there are associated overhead costs (e.g. office, electricity, parking, travel) and some external costs where extra resourcing has had to be contracted. The following table identifies the estimated total costs, including these additional factors, bringing the total cost to 2 May 2010 to around \$2.5M.

Data as at 2 May 2010		
Staff costs	19412.5 Hours	\$1,006,975
Overheads	(double staff costs)	\$1,006,975
External Costs		\$465,017
Grand Total	Indicative	\$2,478,967

For information, the most significant work demands to date have been around the following elements:

- Watercare due diligence (August 2009);
- forming of Auckland Council Workstreams (mid September 2009);
- Auckland Council Discovery Information Requests (September 2009);
- Development of Candidate Projects (September/October 2009) – to date;
- Continued Information Requests (January/February 2010);
- Mapping of Staff to the Council Organisations (March/April 2010);
- Business Scenario Reviews (March 2010);
- Organisation Design (March/April 2010);
- Work Force Plans (April/May 2010).

Communication remains a key focus for the organisation, with staff forums being held, a series of intranet pages being available and regular updates as new information comes to light.

A project office has been established out of existing resources to provide overall coordination and advice on issues such as decision confirmations, time recording and information requests.

2.7 Decision Making

A requirement of the First Act is for certain decisions to have to go to ATA for confirmation. To date this Council has forwarded 28 requests for confirmation to the ATA (which has so far received around 550 such requests from all of the councils) and none from RDC have been rejected.

3.0 **Option**

Not applicable.

4.0 **Conclusion**

The current update should be received.

REPORT



TO Council
 ON 27 May 2010
 FROM Ian Dobson – Manager: Resource Consents
 APPROVED BY Lloyd Barton – Director: Customer Service
 SIGNATURE

SUBJECT **REQUEST BY THE WELLSFORD-WARKWORTH VINTAGE CAR CLUB FOR THE WAIVER OF BUILDING AND RESOURCE CONSENT FEES**
 FILE REF L55374; RB/5/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input checked="" type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? Yes
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Nil
Is it currently budgeted for?	No
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	No
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Wellsford-Warkworth Vintage Car Club has requested a refund of the processing fees relating to its resource and building consents authorising the use of a building at the Warkworth Satellite Station as club rooms.

The request has been made under Financial Policy 90 of the Corporate Manual: Reduction or Waiver of Permission Fees for Non Profit and Charitable Organisations. A copy of this policy is attached as **Appendix 1**.

RECOMMENDATION:

- (a) **That, as it is considered that the Wellsford and Warkworth Vintage Car Club is not an incorporated society or charitable organisation undertaking an activity which provides a benefit to the public wider than its individual members and thus Financial Policy 90 giving Council discretion over fee waivers does not apply, the request for a waiver of resource and building consent fees totalling \$4,225.59 not be granted.**
- (b) **That it be noted that it is considered appropriate for the applicant to incur the costs for the processing of the resource and building consent applications as any reduction or waiver to the invoiced amounts would incur costs to the ratepayer.**

1.0 Background

The Wellsford-Warkworth Vintage Car Club has received both a resource consent and building consent to use an existing building at the Warkworth Satellite Station as club rooms.

The fees associated with the processing of the resource consent were \$2,333 and some \$1892.50 in fees was incurred in the processing of the building consent. The applicant initially approached the Council seeking a waiver of the fees for the resource consent. Whilst unable to agree to a waiver of fees, the Director: Customer Service authorised a reduction of \$1,000 on 31 March 2010.

Following this, the Council received a further request from the applicant for the complete waiver of all processing fees associated with its project, amounting to \$4,225.59.

2.0 Issues

When a request is made to waive or reduce fees the Council must first consider whether Financial Policy 90 applies to the particular applicant. The Policy states that:

The granting of a consent is predominantly a private good with the applicant benefiting from the use of land for a particular purpose. Therefore the applicant must meet the full cost for the processing and monitoring of a permission.

Exceptions

Notwithstanding the above policy there may be limited instances where a permission is of benefit to the wider community, with little or no individual benefit. In this circumstance the Council may, at its sole discretion, consider a complete or partial waiver of a permission fee and subsequent monitoring fee, lodged with the Customer Services Department of Rodney District Council. In exercising its discretion the Council will consider the following criteria:

Whether:

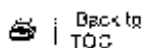
- a. The reduction or waiver of the permission fee is to reduce the financial burden on an Incorporated Society or charitable organisation when undertaking an activity that provides a benefit to the public wider than its individual members; or*
- b. The reduction or waiver is for a non profit marae / tangata whenua institution.*

This policy does not absolve an applicant from complying with the conditions of a consent including the payment of financial contributions and damage deposits, and the payment of levies to other organisations such as BRANZ or the DBH.”

It is not considered that the operation of a vintage car club offers benefits to the public wider than its individual members. Members of the club have stated their belief that, since they support many community events such as the Kowhai festival, Kauri Museum Open Day, Warkworth A&P Show, Wellsford A&P Show, Warkworth Hospice Garden Day and the Wellsford Santa Parade, they offer wider benefits to the community. However, the principal beneficiaries of the club are its members themselves who have a particular interest in vintage cars.

Club members have also stated in their request that it is an enormous burden on the club to pay the Council \$4,225.59 in order to have a venue in which to meet. However, this is no different to many other clubs currently operating in the district. The Council operates a user pays system for the processing of both resource consents and building consents, recognising that the benefits that accrue from the granting of a consent are largely a private benefit and do not positively affect the wider Rodney community. Thus, should the Council agree to waive the fees associated with the vintage car club, the cost will have to be borne by the ratepayers, to which there is very little, if any, tangible benefits arising from the granting of resource or building consent.

APPENDIX 1

**SECTION 2****FROM****Financial Policies****90****90 REDUCTION OR WAIVER OF PERMISSION FEES – NON PROFIT & CHARITABLE ORGANISATIONS**

Type: P
 File: A6/17/1
 Min: 603/8/05

Last Reviewed: Dec 2008
 Next Review: Dec 2010

Permissions are a private benefit

The granting of a consent is predominantly a private good with the applicant benefiting from the use of land for a particular purpose. Therefore the applicant must meet the full cost for the processing and monitoring of a permission.

Exceptions

Notwithstanding the above policy there may be limited instances where a permission is of benefit to the wider community, with little or no individual benefit.

In this circumstance the Council may, at its sole discretion, consider a complete or partial waiver of a permission fee and subsequent monitoring fee, lodged with the Customer Services Department of Rodney District Council. In exercising its discretion the Council will consider the following criteria:

Whether:

- a. The reduction or waiver of the permission fee is to reduce the financial burden on an Incorporated Society or charitable organisation when undertaking an activity that provides a benefit to the public wider than its individual members; or
- b. The reduction or waiver is for a non profit marae / tangata whenua institution.

This policy does not absolve an applicant from complying with the conditions of a consent including the payment of financial contributor's and damage deposits, and the payment of levies to other organisations such as BRANZ or the DBH.

Authority and Delegation

The Chief Executive, Director Customer Service, Group Manager: Regulatory, Chief Legal Officer, Manager: Building Consents and Manager: Resource Consents are authorised to approve or decline the request and determine the amount of waiver, if any, in their area of responsibility. The decision of the Council officer may upon request be referred to the Council for review. The decision of the Council is final. All decisions are to be recorded in a centrally held file.

Accounting & Budget

A budget is to be set through the Annual Plan by the Manager with financial responsibility for the waiver of fees and charges under this policy. The processing and monitoring fees that would otherwise be normally payable shall be charged against this budget.

REPORT



TO Council
 ON 27 May 2010
 FROM Mark Johannsen – Group Manager: Property Services
 APPROVED BY Murray Noone – Director: Infrastructure
 SIGNATURE

SUBJECT ROAD LEGALISATION - WHANGATEAU
 FILE REF PK/29/4

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input checked="" type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transitional Authority approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

This report seeks the Council's approval to declare parts of the Council-owned property situated at 307 Leigh Road (corner of Leigh and Ti Point Roads, Whangateau) to be legal road in order to legalise existing road encroachments.

RECOMMENDATION:

- (a) That the Council resolve to declare the land described as Sections 1, 2, 3, and 4, Survey Office Plan 431362, to be legal road, pursuant to Section 114 of the Public Works Act 1981.
- (b) That the Group Manager: Property Services be delegated authority to complete all the necessary statutory processes to give effect to resolution (a) above.

1.0 Background

At its February 2009 meeting, the Council approved the disposal of the Council-owned property situated at 307 Leigh Road, Whangateau.

It has also been determined that parts of both Leigh and Ti Point Roads formations encroach onto the Council land. The draft Survey Office Plan 431362 attached as **Appendix 1** identifies the road encroachment areas.

It is deemed prudent to legalise these encroachments before the land is sold.

This report seeks that the Council approve to declare Sections 1, 2, 3, and 4 on Survey Office Plan 431362 to be legal road, pursuant to Section 114 of the Public Works Act 1981.

2.0 Issues

2.1 Land Details

The land details for 307 Leigh Road, Whangateau are:

Owner:	Rodney District Council
Legal Description:	Part Allotment 145 and Allotment 200 Parish of Omaha
Computer Freehold Register:	NA31B/616
Area:	17.9351 Hectares
Status:	Fee Simple

2.2 Process

The process to declare land as road is outlined within Section 114 of the Public Works Act 1981. This requires a legalisation survey, Council resolution, consent form signed by the Council and the publication of a gazette notice in the New Zealand Gazette.

This above processes do not necessitate public or iwi consultation.

3.0 **Options**

The options available to the Council are:

- (a) Approve the proposed road legalisation.
- (b) Decline the proposed road legalisation.

4.0 **Conclusion**

The Council should resolve to complete the legalisation of the road encroachments as detailed in this report.

APPENDIX 1

REPORT



TO Council
 ON 27 May 2010
 FROM Mark Johannsen – Group Manager: Property Services
 APPROVED BY Murray Noone – Director: Infrastructure
 SIGNATURE

SUBJECT RESERVE CLASSIFICATION: RATA STREET, STANMORE BAY
 FILE REF PK/39/2

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? No
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? No
(vii)	Does a decision on this matter require Auckland Transition Authority approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding & rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

This report seeks a Council resolution to classify 2.7606 hectares of land recently purchased from the Crown, situated in Rata Street, Stanmore Bay and adjacent to the Hibiscus Coast Leisure Centre sports fields, as a Local Purpose (Drainage) Reserve pursuant to Section 16(2A) of the Reserves Act 1977.

RECOMMENDATION:

- (a) That in exercise of the powers conferred on it under section 16(2A) of the Reserves Act 1977, Rodney District Council hereby resolve to classify the land described as Sections 1, 2, 3, 4 and 8 on Survey Office Plan 417244, Computer Freehold Register 521520, as Local Purpose (Drainage) Reserve within the meaning of the said Act.
- (b) That the Group Manager: Property Services be delegated authority to complete all the necessary statutory processes to give effect to resolution (a) above.

1.0 Background

In May 2009, the Council resolved to purchase approximately 2.7 hectares of land situated in Rata Street, Stanmore Bay from the Crown for flood protection works. The land acquisition has now been concluded and it is necessary to classify this land as a Local Purpose (Drainage) Reserve in accordance with Special Condition 16.1 of the Sale and Purchase Agreement. A location plan of the property is attached as **Appendix 1**.

2.0 Issues

2.1 Land Details

The land details for the property to be classified are outlined below:

Owner:	Rodney District Council
Legal Description:	Section 1-4 and 8 Survey Office Plan 417244
Computer Freehold Register:	521520
Area:	2.7606 Hectares
Status:	Held subject to the Reserves Act 1977 as an unclassified Local Purpose (Drainage) Reserve
Acquisition History:	Acquired by the Council in 2010.

2.2 Process

The process to classify land as a reserve is prescribed within Section 16(2A) of the Reserves Act 1977 (the Act).

The Act requires the Council to resolve to classify the land for the required purpose.

A copy of the Council resolution is then presented to the Department of Conservation and the Department then amends its records, thus completing the classification.

3.0 **Options**

There is only one option available to the Council, which is to resolve to classify the land a Local Purpose (Drainage) Reserve in accordance with Special Condition 16.1 of the Sale and Purchase Agreement.

4.0 **Conclusion**

The Council should resolve to classify the land as a Local Purpose (Drainage) Reserve.

APPENDIX 1

REPORT



TO Council
 ON 27 May 2010
 FROM Warren Maclennan – Assistant Chief Executive
 APPROVED BY Warren Maclennan – Assistant Chief Executive
 SIGNATURE

SUBJECT **ALLOCATION OF REMAINING \$9,572.50 FROM 2009/10 HERITAGE ITEM ASSISTANCE FUND**

FILE REF TP/14/2/7/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input checked="" type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? Assists to protect and enhance heritage resources in the district.
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? \$50,000 was set aside in the 2009/10 budget, but only \$40,427.50 of this was able to be granted in December 2009.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? No
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? The public was able to apply to the fund during September/October 2009; however, eligible applications were received for only \$40,427.50. There has been no further consultation on the allocation of the remaining \$9,572.50.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?) No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Yes - \$50,000 for 2009-10.
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Nil (already budgeted for)
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Council's Heritage Item Assistance Fund for 2009/10 was allocated in December 2009. However, the fund was undersubscribed and the Strategy and Community Committee requested that options be provided for the remaining \$9,572.50.

Although each of the options in this report represents legitimate funding alternatives, it is recommended that the remaining funds be granted to the trust being set up to restore the Stoney Homestead.

RECOMMENDATION:

That the remaining \$9,572.50 from the 2009/10 Heritage Item Assistance Fund be granted to the trust being established to restore the Stoney Homestead.

1.0 Background

The Council's Heritage Item Assistance Fund of \$50,000 for 2009/10 was allocated in December 2009. However, the fund was undersubscribed and only \$40,427.50 was granted. At the Strategy and Community Committee meeting on 3 December 2009 the Committee resolved:

That a further report be provided with options for the remaining fund monies.
(Minute No. 883/12/09)

This agenda item fulfils that resolution.

2.0 Issues

To be consistent with the original intent of the budget amount of \$50,000, it is appropriate that the remaining funds are allocated to a heritage project.

The purpose of the Heritage Item Assistance Fund is to assist owners of heritage items (primarily those listed in the District Plan) to conserve, restore and protect valued heritage items within the Rodney District for the enjoyment and benefit of current and future generations.

The section (below) outlines a number of options for allocating the remaining money for heritage purposes.

3.0 Options

3.1 Readvertise for applications

This option would mean readvertising the fund for applications for the remaining \$9,572.50, to be assessed in line with the current assessment criteria for the fund. However, this is not recommended as there are significant administration costs to this process (advertising, staff time) that would likely be excessive compared to the amount being granted.

It should be noted that the 2010/11 fund of \$50,000 is currently being advertised for applications and recommendations on funding will be brought to the Council in July. Another option could be that the remaining money from the previous year's fund is added to this current fund. However, the Council's policy is to not carry over operational expenditure and therefore this option can be discounted.

3.2 Rodney Museums

The Rodney District has four main museums: Silverdale Pioneer Village, Helensville Museum, Warkworth and District Museum and the Albertland and Districts Museum (Wellsford).

These museums are actively protecting and promoting the district's heritage through the preservation of artefacts/structures that have heritage value in Rodney, the display of these items and tours/events to actively inform the public.

These functions require funding which is raised through admission sales and donations. However, the museums are largely run by volunteers and do not receive any ongoing assistance from the Council, although there are various grants that the museums can apply for.

It could be argued that some of the functions that the museums undertake help the Council meet its District Plan policy (17.4.7) of increasing public awareness of cultural heritage resources. Raising public awareness of and appreciation for the community's cultural heritage resources is a means of combating the loss and damage of these items.

The remaining \$9,572.50 from the 2009/10 Heritage Item Assistance Fund could be split amongst the museums to assist them in carrying out a restoration/project to an artefact/structure within their ownership.

3.3 Jane Gifford

The Jane Gifford is a scow (boat) that is over 100 years old and is the country's last remaining rigged sailing scow. It was built in 1908 by Davey Darroch in Whangateau and was based in Warkworth from 1921 to about 1938. The scow has undergone extensive restoration, undertaken by the Jane Gifford Restoration Trust, and is currently berthed at the wharf in Warkworth.

The Jane Gifford Restoration Trust has made a number of applications to the Heritage Item Assistance Fund since the fund's inception in 2005. However, the Jane Gifford has not been eligible for funding as it is a portable heritage item, which is specifically excluded from the fund.

It should be noted that the rules for the 2010/11 fund have been amended to exclude portable items except: *water craft with historical links to the Rodney District that are currently located within Rodney or its coastal areas*. However, the points scoring system is still weighted towards listed items in the District Plan (the Jane Gifford is not listed).

The remaining \$9,572.50 from the 2009/10 Heritage Item Assistance Fund could be granted to the Jane Gifford Restoration Trust for further restoration work as recognition of the contribution the Jane Gifford makes to Rodney's heritage and the perseverance of the Trust in carrying out its restoration.

However, it should also be noted that the fund rules have now been amended to allow the Jane Gifford to apply (an application can be made now for the 2010/11 fund).

3.4 Grants to specific heritage item(s)

There are a number of specific heritage items in the district that are possibly being restored in the near future and would benefit from the remaining funds. Some examples known to Council staff are the Stoney Homestead (Silverdale), Wilkins House (Waimauku), Old Cottage on Phillips Road (Warkworth), Former Matakana Dairy Company Building (Matakana), Old Church building (Parakai), Grand Hotel (Helensville) and the Wann Homestead (Matakana). However, there are essentially many structures that could fit into this category.

The remaining \$9,572.50 from the 2009/10 Heritage Item Assistance Fund could be granted to one particular building or split between multiple buildings for their restoration.

It is recommended that the full amount of \$9,572.50 be granted to the restoration of the Stoney Homestead, which has been the subject of a resource consent application by the owners to demolish the building. The Council declined the consent and it has been appealed to the Environment Court. The appellant has agreed in principle to exchange the land on which the Stoney Homestead is located with road land owned by the Council and possibly future reserve land to be vested in Council. A charitable trust is being established for the purposes of restoring the building and it is likely that the Trust will seek to lease the land on which the house is located from the Council.

The building is in a dilapidated state and therefore needs urgent attention. However, evidence given at the Council hearing stated that the building was not beyond restoration.

The Council should therefore grant the \$9,572.50 to the trust being established for the restoration of the Stoney Homestead.

3.5 Mixture of the above options

The Council may choose to split the funds between a number of different options mentioned above.

4.0 Conclusion

Although each of the options represent legitimate funding alternatives, the remaining \$9,572.50 from the 2009/10 Heritage Item Assistance Fund should be granted to the trust being set up to restore the Stoney Homestead.

REPORT



TO Council
 ON 27 May 2010
 FROM Rory Palmer – General Manager: Strategy
 APPROVED BY Warren Maclennan – Assistant Chief Executive
 SIGNATURE

Warren Maclennan

SUBJECT **REVIEW OF STRATEGIC PARTNERSHIPS AND MEMORANDA OF UNDERSTANDING (MoU)**
 FILE REF DG/11/4

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input type="checkbox"/> Strategic decision	<input checked="" type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? Vision Rodney's scope is wider than that of the Council and involves the activities of the strategic partners affected by this decision.
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? The LTCCP contains performance measures around forming new partnership arrangements and the maintenance and renewal of existing partnerships. These were drafted in the expectation that Rodney District Council (RDC) would continue to exist as an independent local authority. The report proposes that this is not appropriate unless there is certainty that RDC continues to exist beyond 1 November 2010.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? The MoU partnerships were created under the 2002/2003 version of Vision Rodney.
(v)	Is a budget amendment required? No
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required? It is recommended that representatives from each MoU partner be informed of the ongoing status of their MoU in the light of the changes to Auckland governance, with an invitation to discuss future relationships if they wish.

(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	No

FINANCIAL IMPLICATIONS:

Capital cost implications	None
Is it currently budgeted for?	Not applicable
Funding source of capital costs	None
Ongoing operational cost implications	Any operational cost savings will be applied to debt reduction according to standard council practice.
Is it currently budgeted for?	Yes, in the 2009-19 LTCCP.
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Council has formalised its relationships with 13 external agencies through memoranda of understanding (MoU). These MoU implicitly assume that local governance of Rodney District will continue to be provided through the Rodney District Council.

Some performance measures in the 2009-19 Long Term Council Community Plan (LTCCP) anticipate renewal of some MoUs.

It is not considered an effective use of Council or MoU partners' resources to renew or develop these MoUs until there is some certainty around Rodney District Council continuing to exist beyond 1 November 2010.

RECOMMENDATION:

- (a) That no further MoUs be developed or renewed unless there is sufficient certainty the Rodney District will remain an independent unit of local government.
- (b) That a letter to MoU partners be prepared for the signature of the Mayor stating the Council's wish that the existing MoUs continue to operate until 30 October 2010.

1.0 Background

The MoUs are a collaborative response of these external agencies to the community outcomes and priorities set out in Vision Rodney.

The current MoUs, as described in the 2009-19 LTCCP, are listed in **Appendix 1**. In addition to these the Council has also recently formalised an MoU with the North Harbour Sports Trust.

2.0 Issues

If Rodney District is to come under the jurisdiction of the Auckland Council, any MoUs would need to be considered by the Auckland Council in the light of its own strategic objectives. These strategic objectives would presumably be derived from the Mayoral Vision, Spatial Plan and community outcomes and priorities within the LTCCP, and would be consistent across the whole area of the Auckland Council.

It is therefore considered inappropriate to further develop, renew, or add new MoUs until there is some certainty that Rodney District will continue as an independent unit of local government.

3.0 Options

The options are:

- 3.1 Continue operating according to existing MoUs until 31 October 2010.
- 3.2 Carry out short term development work on MoUs in the period running up to 31 October 2010 (not recommended).
- 3.3 Cease operating on the basis of the MoUs immediately (not recommended).

4.0 Conclusion

It is considered that the Council and MoU partners should continue to operate on the basis of the existing MoUs until 31 October 2010 (as per option 3.1 above).

APPENDIX 1

PARTNER (2009-19 LTCCP)**NATURE OF MoU**

Accident Compensation Corporation	To collaborate to ensure the safety of the people in Rodney.
Auckland Regional Triennial Agreement	A commitment by all the local authorities in the region to work for the good governance of the cities, districts and the region as a whole by acting co-operatively and collaboratively.
Department of Conservation	A commitment to working together to help achieve the outcomes identified in Vision Rodney and in the Auckland Conservation Management Strategy.
Manuhiri Omaha Kaitiakitanga Ora Charitable Trust (MOKO Trust)	To develop a relationship of mutual benefit in the context of legislation affecting the Council and of the Treaty of Waitangi. Manuhiri Omaha Kaitiakitanga Ora Charitable Trust (MOKO Trust) and Council are working together to achieve sustainable development for the district.
Massey University	A commitment to working co-operatively and collaboratively for the good of the communities that make up Rodney District.
Ministry of Education (Northern Region)	To work together to ensure the provision of education facilities in the district and that educational and economic outcomes of the district are achieved.
Ministry of Social Development (Auckland Region)	A commitment to working together to take a long-term strategic focus on achieving the social, cultural and economic outcomes identified in Vision Rodney.
New Zealand Police	A commitment to working co-operatively and collaboratively for the wellbeing of the communities of Rodney.
Ngati Whatua Nga Rima o Kaipara	To develop a relationship of mutual benefit in the context of legislation affecting the Council and of the Treaty of Waitangi. Ngati Whatua Nga Rima o Kaipara and Council are working together to achieve sustainable development for the district.
Te Uri o Hau Settlement Trust	To develop a relationship of mutual benefit in the context of legislation affecting the Council and of the Treaty of Waitangi. Te Uri o Hau and Council are working together to achieve sustainable development for the district.
Transit New Zealand (now NZTA)	To facilitate communication and collaboration relating to all activities of Council which impact on the state highway network and all transport activities that impact on the communities within Rodney District.
Waitemata District Health Board	To work together to help achieve the social, cultural and economic outcomes identified in Vision Rodney consistent with the role of the WDHB, particularly in terms of aspects of community life and development that have a direct impact on health and wellbeing, e.g. poverty, income, deprivation, employment, education, housing, social cohesion and family and community development, and healthy lifestyles.

REPORT



TO Council
 ON 27 May 2010
 FROM James Copley – Project Manager
 Peter Vari – Manager: District Planning
 APPROVED BY Warren MacLennan – Assistant Chief Executive
 SIGNATURE

SUBJECT **DRAFT KAUKAPAKAPA STRUCTURE PLAN: ADOPTION FOR PUBLIC CONSULTATION**

FILE REF TP/9/69

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input checked="" type="checkbox"/> Strategic decision	<input checked="" type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? Yes. The draft Kaukapakapa Structure Plan has been prepared to meet the intentions of Vision Rodney.
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No significant additional infrastructure at Kaukapakapa has been included in the current LTCCP, apart from some minor footpaths. Most of the infrastructure proposed in the draft structure plan would have to be provided by developers.
(iv)	Implications in terms of other Council Strategic documents or Council Policy? The draft structure plan (once adopted) will have future implications for the District Plan.
(v)	Is a budget amendment required? No

(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required?
	The draft Kaukapakapa Structure Plan is the result of 5 years of work including 3 public open days. Subject to the Council adopting the draft structure plan at this meeting it will be publicly notified allowing the public to make submissions on the draft.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

The Council provided funding in 2006 which enabled the Kaukapakapa Residents' and Ratepayers' Association (KARRA) to initiate the first steps of the Kaukapakapa Structure Plan. Since that time the plan has been progressed with the assistance of Council officers and lately a Council appointed consultant to draw together the earlier work by KARRA and Council officers to complete a draft Structure Plan. In preparing the draft Structure Plan there has been extensive consultation with KARRA and members of the Kaukapakapa community, the Auckland Regional Council (ARC), New Zealand Transport Agency (NZTA), Ministry of Education (MOE), Ngati Whatua Nga Rima O Kaipara, the Kaukapakapa Primary School and at least 30 land owners. Community consultation also involved three open days, the last of which was held in October 2009. A copy of the draft structure plan is attached as **Appendix 1**.

RECOMMENDATION:

- (a) That the report be received.
- (b) That the Council adopt the draft Kaukapakapa Structure Plan (attached as Appendix 1 to the agenda report) for the purposes of public consultation.
- (c) That the Council resolve to publicly notify the draft Kaukapakapa Structure Plan for public input, with a submission period of at least one month.

1.0 Background

In Planning Rodney (2008), Kaukapakapa is identified as a 'town under pressure'. Such towns all require substantial investment in infrastructure to accommodate further growth. With the exception of Riverhead, and eventually Waimauku, these towns have not been the focus of capital expenditure in the current 10 year LTCCP. If infrastructure is required earlier, funding is likely to have to be obtained from those wishing to develop these centres.

Kaukapakapa is located approximately 5kms from the Kaipara Harbour and 20km from the Hibiscus Coast. The town is divided into a north and a south township by a large floodplain, with SH16 as the only cross-river link, is bound in the north by steep forested slopes and in the south by open rolling countryside. The town has a population of 600 people in 200 households with an average household size of three persons. There are limited local commercial facilities with only basic local services with

potential for a further 1,000m² gross floor area approximately by 2020. The town is dependant on external areas for employment and almost all services and facilities and comprises a largely dormitory residential and commuter-based functional lifestyle.

Almost all facilities are found in the northern township with the exception of a church and Sinclair Park in the southern township. The town exhibits poor urban spaces and built form and lacks an identifiable heart. There is almost no provision for pedestrian or cycle movements within or between the townships.

The background research has identified that the existing villages both north and south reached their development capacity some years ago and that there are no opportunities for further growth within the villages. Most of the growth has been occurring in the rural and countryside living areas and through the subdivision of rural land via the bush lot subdivision process.

There are approximately 200 residential sites within the town, of which 92 are township residential, with 51 in the northern township and 41 in the southern township. Of the 77 rural residential blocks located mainly in the north, there are 32 sites in the northern countryside living zone and 45 in rural zoned areas split evenly between the northern and southern nodes. There are 25 rural residences split evenly between the northern and southern nodes.

There are currently no vacant township residential sites and about 50 vacant countryside living sites.

No public waste water system is envisaged within the 10 to 15 year lifetime of the draft structure plan and this has to some extent dictated the growth proposed for the area. Options for wastewater treatment for the proposed village residential expansion areas are limited by the evapo-transpiration requirements of septic tanks, which in this area require a 2200m² site. The option of communal wastewater systems with a minimum site size of 1000m² is suggested for developments greater than 10 lots. The proposed commercial heart of the northern village will in any event require a communal treatment system. Any proposed communal wastewater system will be required to meet stringent statutory management and technical requirements, which are recommended to be incorporated into an eventual plan change and future engineering standards.

1.1 Development Strategy

Based on the current situational analysis the Draft Structure Plan sets out the following development strategy for Kaukapakapa. A draft Structure Plan document is attached as **Appendix 1**. (In the interests of reducing paper use, technical appendices supporting the structure plan will be available in the Councillor's workroom and at the meeting, rather than being attached.)

The development strategy is influenced by key physical constraints, such as topography and hydrology, as well as by the aspirations of the Kaukapakapa residents and KARRA to retain the village look and feel of the existing town while improving linkages and providing direction for long term potential development. The key strategies include:

- Keeping built areas outside the floodplain;
- Protecting the visual landscape value of the northern hillsides by limiting further residential development in this area;
- Enabling a range of residential options in both the northern and southern townships, requiring:
 - Additional township residential provision in both nodes for 2200m² with on-site wastewater treatment or 1000m² with communal wastewater treatment;
 - Additional Countryside Living provision in the southern township;
- Consolidating stormwater attenuation management through the provision of a minimum number of detention ponds;
- Limiting further subdivision in rural areas;
- Focussing commercial and community development in the central northern township;
- Establishing an identifiable and high quality village heart with good urban design;
- Improving local connections between both townships by introducing a pedestrian network and within both townships by providing local roads; and
- Protecting the very long term potential for denser and central area development in the southern township.

1.2 Urban form and amenity

Urban form and amenity in the town can be improved by introducing frontage controls, pavements, improved intersections, landscaping and walkways linking the townships. It is proposed that an integrated street and frontage plan for the section of SH16 between the fire station and the hotel be prepared to counter the current appearance of neglect; this would complement attempts to create an identifiable village heart in the northern township.

2.0 Conclusion

The draft Kaukapakapa Structure Plan should be adopted for public consultation to allow the public to make submissions on the document over a period of at least one month. The intention is that a hearing of the submissions and final adoption of a structure plan will occur prior to October 2010.

APPENDIX 1

REPORT



TO Council
ON 27 May 2010
SUBJECT **GENERAL BYLAW 1998: AMENDMENTS TO CHAPTER 18 - ROAD SPEED LIMITS CONFIRMATION**
FILE REF BC/1/4; RF/228/5

The following recommendation is from the Strategy and Community Committee meeting held on Thursday, 13 May 2010:

That it be recommended to the Council

- (a) That, subject to any changes it may make at the meeting, the amendments to General Bylaw 1998: Chapter 18 - Road Speed Limits, for road speed limit changes made for 2009, as shown in Appendix 2 to the agenda report, be confirmed.
- (b) That the bylaw amendments made in accordance with Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001) and set out in Schedules 1 – 4 and Map numbers RDC 17690 – 1 to 23, 24A, 25 – 26, as shown in Appendix 2 to the agenda report, be adopted and confirmed.
- (c) That General Bylaw 1998: Chapter 18 - Road Speed Limits, as amended, come into effect on 1 July 2010 following public advertisement under section 157 of the Local Government Act 2002.

*Note: Appendix 2 from the Strategy and Community Committee agenda for the meeting on 13 May is attached to this report as **Appendix 1**.*

APPENDIX 1

RODNEY DISTRICT COUNCIL

RODNEY DISTRICT COUNCIL GENERAL BYLAW 1998

Amendment No 1 of 2010

CHAPTER 18

ROAD SPEED LIMITS BYLAW 2005

EXPLANATION

This Bylaw was prepared under the Land Transport Act 1998 and Regulations and the Local Government Act 2002.

This Bylaw is the sole means by which all permanent road speed limits on public roads under the control of the Council are set or altered.

It does not apply to State Highways or Motorways passing through the Rodney District and under the control of NZ Transport Agency (NZTA).

1.0 ADMINISTRATION

- 1.1 This Bylaw is cited as the Road Speed Limits Bylaw 2005 and is made by the Rodney District Council pursuant to powers contained in The Land Transport Act 1998, specifically Land Transport Rule 54001:Setting of Speed Limits 2003 and the Local Government Act 2002.
- 1.2 The Bylaw applies within the Rodney District and came into effect on 1 July 2005; it will be reviewed no later than June 2010.
- 1.3 No part of this Bylaw shall apply to any roads not under the jurisdiction of the Rodney District Council.

2.0 INTERPRETATION

- 2.1. Expressions used in this Bylaw shall have the same meaning as in the Land Transport Rule 54001: Setting of Speed Limits 2003, in particular although not inclusive of:
 - holiday speed limit;
 - minimum speed limit;
 - permanent speed limit;
 - road;
 - rural area;
 - rural speed limit;
 - speed limit;
 - urban speed limit;
 - urban traffic area;
 - variable speed limit.

3.0 ROAD SPEED LIMITS

- 3.1 All of the roads or areas in Schedule 1 and specified on RDC Plan No17690 Sheets 1 to 26 are designated as urban traffic areas.
- 3.2 Except where specified otherwise under this Bylaw or any other enactment, the speed limit on roads in an urban traffic area is 50 kilometres/hour.
- 3.3 The speed limit on those roads within an urban traffic area and specified on RDC Plan No17690 Sheets 1 to 26 is as set out in Schedules 2 to 4.
- 3.4 Except where specified otherwise under this Bylaw or any other enactment, the speed limit on roads in the rural area is 100 kilometres/hour.

4.0 SCHEDULE

- 4.1 The Schedules, plans and legends are incorporated as part of this Bylaw.
- 4.2 In the case of each Schedule:
 - (a) a reference to a plan is a reference to the plan with that number which is attached to the Schedules;
 - (b) where there is reference to a plan, the relevant areas or roads and any relevant speed limits for the purposes of the Schedule are as indicated by markings in accordance with the legend on that plan.

- 5.0** The Council may by publicly notified resolution, and subject to compliance with the Local Government Act 2002, in particular the consultation principles in Section 82 and the Land Transport Rule 54001: Setting of Speed Limits 2003:
- (a) alter the boundaries of an urban traffic area;
 - (b) alter, add to or delete from the list of roads within the urban traffic area which have a speed limit other than 50 kilometres/hour and specify the speed limit for such roads;
 - (c) establish or alter the boundaries of a rural area;
 - (d) alter, add to or delete from the list of roads within the rural area which have a speed limit other than 100 kilometres/hour and specify the speed limit for such roads;
 - (e) review or set any permanent speed limit, holiday speed limit, minimum speed limit, variable speed limit or any other speed limit which it may review or set under the Land Transport Rule 54001: Setting of Speed Limits 2003, including a permanent speed limit in a designated location, and rescind, amend or vary any such resolution.

6.0 OFFENCES AND PENALTIES

Offences and penalties relating to infringement of speed limits are as provided for in the relevant provisions of the Land Transport Act 1998 and the Transport Act 1962.

The NZ Police are responsible for enforcement of the speed limits set out in this Bylaw.

**ROAD SPEED LIMITS ADOPTED BY THE RODNEY DISTRICT COUNCIL ON
27 MAY 2010**

**SCHEDULE 1
URBAN TRAFFIC AREAS**

Locality	Description of Urban Traffic Area	Council Bylaw Reference
Coatesville	As indicated on RDC Plan 17690, Sheet 21	2007
Algies Bay	As indicated on RDC Plan 17690, Sheet 15	2007
Buckletons Bay	As indicated. on RDC Plan 17690, Sheet 14	2007
Hatfields Beach, Orewa, Silverdale, Stillwater, Waiwera and Whangaparaoa	As indicated on RDC Plan 17690, Sheet 1	2007
Helensville	As indicated on RDC Plan 17690, Sheet 6	2007
Huapai and Kumeu	As indicated on RDC Plan 17690, Sheet 9	<u>2009</u>
Kaukapakapa	As indicated on RDC Plan 17690, Sheet 5	2007
Leigh and Matheson Bay	As indicated on RDC Plan 17690, Sheet 12	2007
Matakana	As indicated on RDC Plan 17690, Sheet 4	2007
Muriwai	As indicated on RDC Plan 17690, Sheet 17	2007
Omaha	As indicated on RDC Plan 17690, Sheet 13	2007
Parakai	As indicated on RDC Plan 17690, Sheet 6	2007
Point Wells	As indicated on RDC Plan 17690, Sheet 13	2007
Puhoi	As indicated on RDC Plan 17690, Sheet 3	2007
Rainbows End	As indicated on RDC Plan 17690, Sheet 15	2008
Riverhead	As indicated on RDC Plan 17690, Sheet 2	2007
Sandspit	As indicated on RDC Plan 17690, Sheet 15	<u>2009</u>
Scotts Landing	As indicated on RDC Plan 17690, Sheet 16	2007
Shelly Beach	As indicated on RDC Plan 17690, Sheet 23	2007
Snells Beach	As indicated on RDC Plan 17690, Sheet 15	2008
Te Hana	As indicated on RDC Plan 17690, Sheet 10	2007
Waimauku	As indicated on RDC Plan 17690, Sheet 7	<u>2009</u>
Waitoki	As indicated on RDC Plan 17690, Sheet 18	2008
Warkworth	As indicated on RDC Plan 17690, Sheet 8	2007
Wellsford	As indicated on RDC Plan 17690, Sheet 11	2007
Whangateau	As indicated on RDC Plan 17690, Sheet 13	2007

SCHEDULE 2

ROADS WITHIN URBAN TRAFFIC AREA WITH A SPEED LIMIT OTHER THAN 50 KPH

Locality	Description of Road and Speed Limit	Council Bylaw Reference
Hatfields Beach, Orewa, Silverdale, Stillwater, Waiwera and Whangaparaoa	As indicated on RDC Plan 17690, Sheet 1	2007
Riverhead	As indicated on RDC Plan 17690, Sheet 2	2008

SCHEDULE 3
ROADS WITH 70 KPH SPEED LIMIT

Locality	Description of Road	Council Bylaw Reference
Coatesville	As indicated on RDC Plan 17690, Sheet 21	2007
Dairy Flat	As indicated on RDC Plan 17690, Sheet 19	2007
Hatfields Beach, Orewa, Silverdale, Stillwater, Waiwera and Whangaparaoa	As indicated on RDC Plan 17690, Sheet 1	2007
Huapai and Kumeu	As indicated on RDC Plan 17690, Sheet 9	2007
Kaipara Flats	Kaipara Flats Road from Kaipara Hills Road to a point 1100 metres in a southerly direction.	1995, No 1
Muriwai	As indicated on RDC Plan 17690, Sheet 17	2007
Point Wells	As indicated on RDC Plan 17690, Sheet 13	2007
Port Albert	As indicated on RDC Plan 17690, Sheet 26	<u>2009</u>
Sandspit	As indicated on RDC Plan 17690, Sheet 15	2007
Silverdale	As indicated on RDC Plan 17690, Sheet 1	2007
Taupaki	As indicated on RDC Plan 17690, Sheet 22	<u>2009</u>
Warkworth	As indicated on RDC Plan 17690, Sheet 8	2007

SCHEDULE 4
ROADS WITH 80 KPH SPEED LIMIT

Locality	Description of Road	Council Bylaw Reference
Ahuroa	Ahuroa Road from Clifford Road for 1km	2007
Coatesville	As indicated on RDC Plan 17690, Sheet 21	<u>2009</u>
Dairy Flat	As indicated on RDC Plan 17690, Sheet 19	<u>2009</u>
Helensville	As indicated on RDC Plan 17690, Sheet 6	2007
Huapai /Kumeu	As indicated on RDC Plan 17690, Sheet 9	<u>2009</u>
Kaukapakapa	As indicated on RDC Plan 17690, Sheet 5	2008
Mahurangi East	As indicated on RDC Plan 17690, Sheet 15	2007
Matakana	As indicated on RDC Plan 17690, Sheet 4	2008
Muriwai	As indicated on RDC Plan 17690, Sheet 7	2008
Parakai	As indicated on RDC Plan 17690, Sheet 6	2007
Puhi	As indicated on RDC Plan 17690, Sheet 3	2008
Omaha	As indicated on RDC Plan 17690, Sheet 13	2008
Port Albert	As indicated on RDC Plan 17690, Sheet 26	<u>2009</u>
Rainbows End	As indicated on RDC Plan 17690, Sheet 15	2008
Redvale	As indicated on RDC Plan 17690, Sheet 20	2008
Riverhead	As indicated on RDC Plan 17690, Sheet 2	2007
Silverdale	As indicated on RDC Plan 17690, Sheet 1	2007
Stillwater	As indicated on RDC Plan 17690, Sheet 1	2008
Taupaki	As indicated on RDC Plan 17690, Sheet 22	2007
Ti Point	As indicated on RDC Plan 17690, Sheet 13	2008
Waikoukou Valley	As indicated on RDC Plan 17690, Sheet 7	2008
	Peak Road from Old North Road for 3.1km	2008
Waimauku	As indicated on RDC Plan 17690, Sheet 7	<u>2009</u>
Waitakere	As indicated on RDC Plan 17690, Sheet 25	2008
Waitoki	As indicated on RDC Plan 17690, Sheet 18	2007
Warkworth	As indicated on RDC Plan 17690, Sheet 8	<u>2009</u>

REPORT



TO Council
ON 27 May 2010
SUBJECT **RESERVE CLASSIFICATIONS – LOCAL PURPOSE RESERVES**
FILE REF RC/1/1

The following recommendation is from the Infrastructure and Environment Committee meeting held on Thursday, 29 April 2010:

That it be recommended to the Council:

- (a) **That the land described herein be classified Local Purpose (Drainage) Reserve pursuant to Section 16(5) of the Reserves Act 1977:**
Parts Allotment 13 Parish of Kaukapakapa.
- (b) **That the land described herein be classified Local Purpose (Utility) Reserve pursuant to Section 16(5) of the Reserves Act 1977:**
Part Lot 5 DP 9826 marked A on SO Plan 50134.
- (c) **That the Group Manager: Property Services be delegated authority to complete all the necessary statutory processes to give effect to resolutions (a) and (b) above.**

REPORT



TO Council
ON 27 May 2010
SUBJECT RESERVE CLASSIFICATIONS – LOCAL PURPOSE (RECREATION)
FILE REF RC/1/1

The following recommendation is from the Infrastructure and Environment Committee meeting held on Thursday, 29 April 2010:

That it be recommended to the Council:

- (a) That the land described herein be classified Local Purpose (Recreation) Reserve pursuant to Section 16(5) of the Reserves Act 1977:
 - (i) Allotment 209 Parish of Mahurangi comprised in Computer Freehold Register NA 458/170;
 - (ii) Lot 23 Deposited Plan 83752 comprised in Computer Freehold Register NA 40A/691;
 - (iii) Part Allotment 75 Parish of Paremoremo comprised in Computer Freehold Register NA 516/54.

- (b) That the Group Manager: Property Services be delegated authority to complete all the necessary statutory processes to give effect to resolution (a) above.

REPORT



TO Council
ON 27 May 2010
SUBJECT **TEMPORARY USE OF THE (FORMER) SILVERDALE BOWLING CLUB,
SILVERDALE WAR MEMORIAL PARK**
FILE REF RC/403/1

The following recommendation is from the Infrastructure and Environment Committee meeting held on Thursday, 29 April 2010:

That it be recommended to the Council:

- (a) That temporary use of the former Silverdale Bowling Club's clubroom building be granted to the Nippon Judo Club to operate a martial arts centre on a month-to-month tenancy from 1 June 2010, at a peppercorn rent, until such time as the recreation study for the Hibiscus Coast ward has been completed and a long-term decision over the future use of the Silverdale Bowling Club site can be made.
- (b) That temporary use of the former Silverdale Bowling Club's three bowling greens be granted to the Silverdale Rugby Club on a month-to-month tenancy from 1 June 2010, at a peppercorn rent, until such time as the recreation study for the Hibiscus Coast ward has been completed and a long-term decision over the future use of the Silverdale Bowling Club site can be made.
- (c) That should either of the clubs in (a) and (b) above decline, terminate or breach the conditions of the temporary use agreement of the respective facilities, the Group Manager: Property Services, be granted delegated authority to find a suitable replacement tenant on the same temporary terms and conditions as appropriate.

SUBJECT PUBLIC EXCLUDED**Recommendation:**

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

Agenda Item No(s) 23 and 24

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
Proposed Road Stopping	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.)
Muriwai Surf Lifesaving Club – Possible Grant	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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