

RODNEY DISTRICT COUNCIL

MINUTES: of a meeting of the Rodney District Council which commenced at 9.00 a.m. in the Council Chamber, Centreway Road, Orewa on Thursday, 31 January 2008.

PRESENT: Penny Webster - Mayor (Chairperson)
Crs Ross Craig
Pat Delich
Michael Goudie
Gaye Harding
John Kirikiri
Colin MacGillivray
Dave Parker QSM
Grahame Powell
Zane Taylor
June Turner
Grev Walker
Suzanne Weld

IN ATTENDANCE: Acting Chief Executive Officer (Geoff Mears)
Director Assets & Facilities (Paul Utting)
Director Finance & Business (Kevin Ramsay)
Director District Strategy & Planning (Warren MacLennan) (until 10.30 a.m.)
Director Transportation (Murray Noone)
Executive Officer (Paul Garbett)
Democracy Services Manager (Ellen Barrett)

9.00 a.m. Manager Environmental Policy & Planning (Peter Vari), Senior Policy Planner (Ian Bayliss) and Consultant Planner (Robert Scott) in attendance.

03/01/08 APOLOGIES AND ANNOUNCEMENTS

AGENDA ITEM NO. 1

Apologies

There were no apologies.

Announcements

Cr Harding commented on the effectiveness of the roadside speed-activated signs on Whangaparaoa Road.

Cr Harding also noted that Lisa Chappell, a New Zealand-born actor living in Australia, had stated in a recent magazine interview that her favourite beaches were Stanmore Bay and Pakiri/Leigh.

Cr Taylor congratulated Damien and Lucy Buckley of Eurocampers Ltd, a local company, which had recently been awarded a Qualmark Award (tourism mark of quality) after only three years' operation.

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04/01/08 REQUESTS FOR CONSIDERATION OF URGENT ITEMS**AGENDA ITEM NO. 1**Kumeu Cemetery

Cr Delich requested that an urgent confidential matter regarding Kumeu Cemetery be considered at the meeting.

Delich/Powell

That an urgent confidential matter regarding Kumeu Cemetery be considered at the meeting.

CarriedFinancial Management

In response to a request from Cr W Walker that councillors be provided with information regarding the Council's financial management in light of the sub-prime market situation in the United States, the Director Finance & Business (Kevin Ramsay) advised that the Council is a net borrower, holding limited cash on hand and drawing its funds from registered banks. Mr Ramsay noted that the biggest risk to the Council was therefore from interest rate movement.

05/01/08 CONFIRMATION OF MINUTES**AGENDA ITEM NO. 3****Delich/Powell****Page Number****(a) Strategy and Community Committee - 6 December 2007**

That the minutes of a meeting of the Strategy and Community Committee held on 6 December 2007, as circulated, be received and adopted.

**015443-015453
(Buff)****(b) Finance and Audit Committee - 5 December 2007**

That the minutes of a meeting of the Finance and Audit Committee held on 5 December 2007, as circulated, be received and adopted.

**015454-015456
(Green)****(c) Resource Consents Hearings Panel - 5 November 2007**

That the minutes of a meeting of the Resource Consents Hearings Panel held on 5 November 2007, as circulated, be received and adopted.

**015457-015477
(White)****(d) District Plan and Regulatory Committee - 5 December 2007**

That the minutes of a meeting of the District Plan and Regulatory Committee on 5 December 2007, as circulated, be received and adopted.

**015478-015494
(White)**

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(e) Council - 13 December 2007

That the minutes of a meeting of the Council held on 13 December 2007, as circulated, be received and confirmed. 015495-015541
(Blue)

(f) Resource Consents Hearings Panel - 5 November 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 5 November 2007, as circulated, be received and adopted. 015542-015558
(White)

(g) Resource Consents Hearings Panel - 26 November 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 26 November 2007, as circulated, be received and adopted. 015559-015563
(White)

(h) Resource Consents Hearings Panel - 19 October 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 19 October 2007, as circulated, be received and adopted. 015564-015587
(White)

(i) Resource Consents Hearings Panel - 2 November 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 2 November 2007, as circulated, be received and adopted. 015588-015604
(White)

(j) Resource Consents Hearings Panel - 19 November 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 19 November 2007, as circulated, be received and adopted. 015605-015612
(White)

(k) Resource Consents Hearings Panel - 19 November 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 19 November 2007, as circulated, be received and adopted. 015613-015635
(White)

(l) Extraordinary Council - 21 December 2007

That the minutes of an Extraordinary Meeting of the Council held on 21 December 2007, as circulated, be received and confirmed. 015636-015638
(Blue)

(m) Resource Consents Hearings Panel - 17 December 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 17 December 2007, as circulated, be received and adopted. 015639-015649
(White)

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(n) Resource Consents Hearings Panel - 12 & 30 March 2007

That the minutes of a meeting of the Resource Consents Hearings Panel held on 12 & 30 March 2007, as circulated, be received and adopted. 015650-015673
(White)

(o) Emergency Committee - 14 January 2008

That the minutes of a meeting of the Emergency Committee held on 14 January 2008, as circulated, be received and confirmed. 015674-015675
(Blue)

(p) Independent Commissioner Hearing (Resource Consents) – 26 November 2007

That the minutes of an Independent Commissioner Hearing (Resource Consents) held on 26 November 2007, as circulated, be received and adopted. 015676- 015685
(White)

(q) Independent Commissioner Hearing (Resource Consents) – 14 December 2007

That the minutes of an Independent Commissioner Hearing (Resource Consents) held on 14 December 2007, as circulated, be received and adopted. 015686- 015693
(White)

Carried

06/01/08 **EMERGENCY COMMITTEE DECISION – VICTOR EAVES PARK
SPORTS CLUBROOMS**

FILE REF CF/1/1; RC/143/1

AGENDA ITEM NO. 4

Craig/Goudie

That the information with respect to the decision made by the Emergency Committee at its meeting on 14 January be received.

Carried

9.12 a.m. Media Manager (Mike Isle) in attendance.

9.28 a.m. Infrastructure Funding Manager (John Hall) in attendance.

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07/01/08 APPLICATION FOR PRIVATE PLAN CHANGE – GENESIS ENERGY LTD: PROPOSED RODNEY DISTRICT THERMAL ENERGY GENERATION RURAL ZONE

FILE REF TP/14/3/12

AGENDA ITEM NO. 5

Note: Bill Loutit from Simpson Grierson, the Council's legal adviser in this matter, was present for the item.

Senior Policy Planner (Ian Bayliss) provided a PowerPoint presentation outlining the application and suggestions to be considered at the meeting (copy on File: TP/14/3/12).

Delich/Taylor

- (a) That the report be received.
- (b) That pursuant to clause 25(2)(b) of the First Schedule to the Resource Management Act 1991, the Rodney District Council resolve to accept the request by Genesis Energy Ltd for a private plan change to amend the Operative Transitional District Plan 1993 and to publicly notify the request in accordance with clause 26 of the First Schedule.
- (c) That Rodney District Council resolve to accept the request by Genesis Energy Ltd to promulgate a variation to the Proposed District Plan 2000, provided that pursuant to Section 20 of the Resource Management Act 1991, the Council resolve that the variation (being a rule in the plan) shall not have effect until the Proposed District Plan 2000 is made operative under clauses 17 and 20 of the First Schedule to the Resource Management Act 1991.
- (d) That the Council not make those parts of the Proposed District Plan 2000 affected by the proposed variation operative under clauses 17 and 20 of the First Schedule of the Resource Management Act 1991 prior to the private plan change request to the Operative District Plan becoming operative.
- (e) That the proposed variation include a provision declaring the proposed variation a rule for the purposes of section 20 of the Resource Management Act 1991.
- (f) That the Council seek to engage independent resource consent commissioners to undertake the hearing and consideration of submissions relating to the private plan change and variation.
- (g) That the Council exercise its powers under section 37 of the Resource Management Act 1991 appropriately to allow, where practicable, the hearing of submissions relating to the private plan change and variation, to be combined with the related notification and submission processes of the resource consent applications for the development by the Auckland Regional Council.
- (h) That the Council provide the community with advice on the hearings processes to be conducted by the Auckland Regional Council and the Rodney District Council.

Carried

9.45 a.m. Senior Policy Planner (Ian Bayliss) retired from the meeting.

9.48 a.m. Business Manager (Lynne Booth) in attendance.

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**08/01/08 APPLICATION FOR PRIVATE PLAN CHANGE:
PROPOSED 8 LOT RESIDENTIAL AEROPARK AT KAIPARA FLATS
AIRFIELD**

FILE REF TP/14/3/15

AGENDA ITEM NO. 6

Manager Environmental Policy & Planning (Peter Vari) introduced Robert Scott, Consultant Planner, who summarised the agenda report and answered questions relating to the proposed upgrading of the existing bridge across Kourawhero Stream on Newton Road and the level of financial contributions that should be paid by the applicant.

Cr W Walker noted his concerns about the sustainability of the proposed aeropark.

Turner/Craig

- (a) That the report be received.
- (b) That pursuant to clause 25(2) (b) of the First Schedule to the Resource Management Act 1991, the Rodney District Council resolve to accept in part the request by Dentra Holdings Ltd for a private plan change to amend the Operative Transitional District Plan 1993 and that the request be publicly notified in accordance with clause 26 of the First Schedule of the Act.
- (c) That the Council reject in part Section 11.15.7.6 - Newton Road Upgrade of the plan change request and that it be amended to remove reference to:
 - The Council paying the equivalent of 70% of the cost of the road upgrade; and
 - The payment to the Council of a cash amount equivalent to 30% of the cost of construction.
- (d) That Rodney District Council resolve to accept the request by Dentra Holdings Ltd to promulgate a variation to the Proposed District Plan 2000, provided that, pursuant to Section 20 of the Resource Management Act 1991, the Council resolve that the variation (being a rule in the plan) shall not have effect until the Proposed District Plan 2000 is made operative under clauses 17 and 20 of the First Schedule to the Act.
- (e) That the Council not make operative those parts of the Proposed District Plan 2000 affected by the proposed variation under clauses 17 and 20 of the First Schedule of the Resource Management Act 1991 prior to the private plan change request to the Operative District Plan becoming operative.
- (f) That the proposed variation include a provision declaring the proposed variation a rule for the purposes of section 20 of the Resource Management Act 1991.

Carried

Cr W Walker requested that his vote against the decision be recorded.

10.00 a.m. Manager Environmental Policy & Planning (Peter Vari), Infrastructure Funding Manager (John Hall) and Consultant Planner (Robert Scott) retired from the meeting.

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09/01/08 PRESENTATION BY (MOTAT) MUSEUM OF TRANSPORT AND TECHNOLOGY**FILE REF** MB/2/1**AGENDA ITEM NO.** 7

Note: Mr Jeremy Hubbard, Museum Director of MOTAT, was present for this item.

Mr Hubbard provided a PowerPoint presentation highlighting improvements and enhancements made at the Museum since 2001 and future proposed projects (copy on File: MB/2/1).

A brief discussion followed during which it was noted that there were several museums in the district which struggled financially and the formula on which the levy charged by the Museum for Rodney ratepayers was explained.

Harding/Goudie

That the presentation about the Museum of Transport and Technology (MOTAT) be received.

Carried

The Mayor, Penny Webster, thanked Mr Hubbard for his presentation and attendance at the meeting.

10.30 a.m. Director District Strategy & Planning (Warren MacLennan) retired from the meeting.

10.30 – 10.50 a.m. Morning tea adjournment.

10.58 a.m. Information Systems Manager (Andrew Cranna-Powell) and Property Manager (Mark Johannsen) in attendance.

10/01/08 SUBMISSIONS TO 2008/2009 DRAFT ANNUAL PLANS OF MOTAT & AUCKLAND WAR MEMORIAL MUSEUM**FILE REF** MB/1/1**AGENDA ITEM NO.** 9

A brief discussion took place about the possibility of detailing annual levies paid to organisations such as MOTAT on individual rates bills and ways in which the Council could assist in the promotion of MOTAT and its own local museums.

Powell/Kirikiri

- (a) **That the submission attached as Appendix 3 to the agenda report be forwarded as the Council's submission to the Museum of Transport and Technology's draft 2008/2009 annual plan.**
- (b) **That no submission be made to the Auckland War Memorial Museum's draft 2008/2009 annual plan, as levy amounts are in line with the proposed ten year plan.**

Carried

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11/01/08 **NEW RODNEY DISTRICT COUNCIL COMPUTER ROOM**
FILE REF CS/1/1
AGENDA ITEM NO. 8

Kirikiri/Delich

- (a) **That the Trak Limited tender for Contract C0720: New Computer Room, for the sum of \$389,721 (three hundred and eighty nine thousand seven hundred and twenty one dollars), exclusive of GST, be accepted and that formal contract documents be prepared and issued as required under seal, signed by authorised officers.**
- (b) **That the allocated project budget be committed.**

Carried

Cr W Walker requested that his vote against the decision be recorded, noting his concerns about the ground floor location of the new computer room.

11.15 a.m. Information Systems Manager (Andrew Cranna-Powell) and Property Manager (Mark Johannsen) retired from the meeting.

Transport Office Manager (Kim Gordon) in attendance.

12/01/08 **FINANCIAL DELEGATIONS – TRANSPORT DIRECTORATE UPDATE**
FILE REF PK/1/1; SC /21/1
AGENDA ITEM NO. 10

Kirikiri/Powell

That, pursuant to the provisions of the Public Bodies Contract Act 1959, the Local Government Act 2002, all other relevant powers and such additional conditions and restrictions as the Chief Executive Officer shall see fit to impose, the financial delegations for the Transport Directorate be updated as follows:

NEW DELEGATION

- (a) **That the Transport Asset Manager be empowered to enter into contracts in relation to the duties of the position up to a limit of \$20,000 for any one contract.**

AMENDED DELEGATION

- (a) **That the Transport Infrastructure Manager be empowered to enter into contracts in relation to the duties of the position up to a limit of \$60,000 for any one contract.**
- (b) **That the Transport Office Manager be empowered to enter into contracts in relation to the duties of the position up to a limit of \$60,000 for any one contract.**

Carried

Cr G Walker requested that his vote against the decision be recorded for the reason that he believed the matter should be referred to the new Chief Executive Officer.

Cr Weld requested that her vote against the decision be recorded for the reason that she believed a full review of all financial delegations should be undertaken as soon as the new Chief Executive Officer is on board.

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11.29 a.m. Transport Office Manager (Kim Gordon) retired from the meeting.

13/01/08 PHARVET SOLUTIONS ANIMAL ETHICS COMMITTEE
FILE REF AJ/1/1
AGENDA ITEM NO. 11

Turner/Delich

That Cr Grahame Powell be nominated to serve on PharmVet Solutions Animal Ethics Committee.

Carried

14/01/08 APPOINTMENT TO RATES POSTPONEMENT JOINT COMMITTEE
FILE REF RB/1/1
AGENDA ITEM NO. 12

Harding/Turner

That Cr John Kirikiri and the Mayor, Penny Webster, be appointed as Rodney District Council's representatives on the Rates Postponement Project Joint Committee, and that Crs Goudie and G Walker be appointed as alternates.

Carried

11.35 a.m. Media Manager (Mike Isle) retired from the meeting.

15/01/08 MEMBERSHIP OF KAWAU ISLAND ADVISORY COMMITTEE
FILE REF CG/7/1
AGENDA ITEM NO. 13

Delich/Powell

- (a) **That in view of the fact that only three nominations have been received for the Kawau Island Advisory Committee, the Council not proceed with its previous intention to hold a poll of the electors of Kawau Island.**
- (b) **That Lyn Hume, Michael Marris and John Pryor be appointed as members of the Kawau Island Advisory Committee.**

Carried

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**16/01/08 REMUNERATION OF MAYOR, DEPUTY MAYOR, COMMITTEE
CHAIRPERSONS AND COUNCILLORS FROM 1 JULY 2008****FILE REF** CG/2/1; CF/1/1**AGENDA ITEM NO.** 14**Delich/Powell**

- (a) That it be recommended to the Remuneration Authority that the following annual salaries be paid from 1 July 2008:
- (i) Deputy Mayor - \$59,983;
 - (ii) Chairpersons of the Strategy and Community Committee, the Infrastructure and Environment Committee, the Finance and Audit Committee, and the District Plan and Regulatory Committee - \$55,984 (each);
 - (iii) Other councillors - \$54,984 (each).
- (b) That the Remuneration Authority be advised that the Mayor will continue to be provided with a Council vehicle available for private as well as official use and asked to confirm the resulting adjustment to the Mayoral salary.

Carried**17/01/08 UPDATED DELEGATIONS REGISTER****FILE REF** CF/1/1; CG/7/1**AGENDA ITEM NO.** 15

It was noted that those financial delegations approved earlier in the meeting (refer to Minute No. 11/01/08) should be incorporated into the updated register.

Webster/Harding

- (a) That the Council adopt the revised Delegations Register as circulated under separate cover with the agenda.
- (b) That the Delegations Register be made available for public inspection at Council Offices and Service Centres and be placed on the Council's website.
- (c) That the register be kept updated on an ongoing basis incorporating Council decisions and only referred back to the Council in the case of a major update, as on this occasion.
- (d) That all financial delegations to staff be reviewed by the Finance and Audit Committee and the incoming Chief Executive Officer.

Carried

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11.45 a.m. Building Compliance Manager (Stephen Hubuck) in attendance.

18/01/08 CONTRACTS LET WITH A VALUE ABOVE \$20,000
FILE REF CE/1/1
AGENDA ITEM NO. 16

Delich/Powell

That the information be received.

Carried

19/01/08 MONTHLY MEETINGS IN DIFFERENT RODNEY COMMUNITIES
FILE REF CF/1/1
AGENDA ITEM NO. 17

Parker/Harding

That the community meetings proposed to take place on the third Thursday of each month be held in the following locations:

- **February: Hibiscus Coast**
- **March: Riverhead/Coatesville**
- **April: Warkworth**
- **May: (No community meeting – Annual Plan hearings)**
- **June: Kumeu**
- **July: Stillwater**
- **August: Wellsford**
- **September: Puhoi**

Carried

20/01/08 INVITATION TO ATTEND CRIME PREVENTION UNIT (MINISTRY OF JUSTICE) REGIONAL MEETING
FILE REF PD/1/1
AGENDA ITEM NO. 18

Note: This item was withdrawn from the agenda.

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21/01/08 **PROGRESS REPORT ON IMPLEMENTATION OF COUNCIL DECISIONS**
FILE REF CF/1/1
AGENDA ITEM NO. 19

Following a brief discussion it was agreed that updates on the proposed wastewater treatment plant for Helensville and the Auckland Region Business Land Strategy would be provided for the next Council meeting and that a progress report on the Penlink Project would be made available for the next Infrastructure and Environment Committee meeting.

Webster/Powell

That the information be received.

Carried

22/01/08 **REPORTS FROM COUNCIL REPRESENTATIVES ON MEETINGS OF REGIONAL COMMITTEES AND OTHER REGIONAL BODIES**
FILE REF CF/1/1; AI/1/1
AGENDA ITEM NO. 20

Cr Kirikiri noted that he had placed copies of his reports from Civil Defence and Emergency Management, Hauraki Gulf Forum and Auckland Museum and MOTAT Electoral College meetings, previously emailed to councillors, in the Councillors' Office.

Cr Harding noted that a meeting of the Auckland Region Physical Activity and Sports Strategy Working Party was scheduled to take place at 3.00 p.m. on 12 February 2008.

Delich/Goudie

That the reports from Council representatives provided at the Council meeting be received.

Carried

23/01/08 **PUBLIC EXCLUDED**
AGENDA ITEM NO. 21

Parker/Powell

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

Minute No(s) 24/01/08, 25/01/08 and 26/01/08

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:

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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
Dangerous Buildings	The disclosure of information would be likely to prejudice the maintenance of the law, including the prevention of, investigation of, and detection of offences, or prejudice the right to a fair trial (section 6(a) 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 maintain legal professional privilege (section 7(2)(g) Local Government Official Information and Meetings Act 1987).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 or section 7 (except section 7(2)(f)(i) of the Act). (section 48(1)(a) Local Government Official Information and Meetings Act 1987.)
Confidential Progress Report on Implementation of Committee Decisions	The disclosure of information would not be in the public interest because of the greater need to maintain the effective conduct of public affairs through the protection of members, officers, employees or persons acting under contractual agreement with the council (in the manner defined in section 2(5) of the Act) from improper pressure or harassment (section 7(2)(f)(ii) Local Government Official Information and Meetings Act 1987).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 or section 7 (except section 7(2)(f)(i) of the Act). (section 48(1)(a) Local Government Official Information and Meetings Act 1987.)

The meeting closed at 12.36 p.m.

CONFIRMED AS A TRUE AND CORRECT RECORD THIS 28TH DAY OF FEBRUARY 2008MAYOR

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31 January 2008

CONFIDENTIAL