

Private Bag 1001, Dargaville

Phone 439 7059

Not for Publication until after Commencement of Meeting**Notice Of Ordinary Meeting Of Council****Date 10.00 am on Wednesday 26 November 2008****Venue Council Chambers, Station Road, Dargaville****Timetable**

Note: All Councillors are invited to a briefing on Items 4.1 and 4.2 Wastewater Options, Baylys and Tinopai and Pahi in the Committee at 3.00 pm Tuesday 25 November 2008.

9.45 am Morning Tea**10.00 am Workshop****1 Consultation Debrief**

The purpose of the workshop is to give staff guidance for the preparation of the consultation plan for Council's March 2009 consultation round. Councillors will be asked to rank the effectiveness of, and consider how we can improve, each element of previous consultations:

- Flyer
- Mayors newsletter
- Displays
- Press releases
- Information to submitters
- Advertisements/public notices
- Forums
- Website
- Hearings

This assessment will be followed by a discussion on what different, or additional, engagement methods should we consider.

12.15 pm Lunch**1.00 pm Commencement of Council Meeting with Presentations****Presentations****a) 1.00 pm : Quotable Value New Zealand : Three Yearly Revaluation**

Gavin Myberg, Northland Team Leader, and Jan O'Donoghue, General Manager Revaluations, will present to Council the results of the 2008 District Revaluation. They will join Mayor and Councillors for lunch.

b) 1.00 pm : David Bargh: Montgomery Avenue, Dargaville, Chicanes

Mr Bargh will speak to Council on this issue.

Timetable continued overpage>>>

c) 3.00 pm : New Zealand Citizenship Ceremony

Genevieve Dumoulin of Dargaville will receive her New Zealand Citizenship.

d) 3.00 pm : Long Service Medal Ceremony

Garry Langridge, Deputy Controller of Ararua Volunteer Rural Fire Force will be presented with his Long Service Medal by the Mayor.

Ms Dumoulin, Mr Langridge and their guests will then join Mayor and Councillors for afternoon tea.

3.00 pm Afternoon tea to follow Citizenship ceremony

3.30 pm Recommencement of Council Meeting

Public Excluded Item 9.2 to be considered at 3.30pm.



**Ordinary Meeting Of Kaipara District Council In The Council Chambers, Station Road,
Dargaville On Wednesday 26 November 2008 Commencing 1.00 pm**

**Recommendations contained in the order paper and reports are NOT Council decisions
Please refer to Council minutes for Resolutions.**

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Order Paper: 26 November 2008

1 Opening : Cr Burnett

Councillor to be selected to open the 17 December 2008 meeting.

1.1 Present

1.2 In Attendance

1.3 Apologies

2 Presentation/Public Forum

2.1 Quotable Value New Zealand : Three yearly revaluation

Gavin Myberg, Northland Team Leader, and Jan ODonoghue, General Manager Revaluations, will present to Council the results of the 2008 District Revaluation.

2.2 David Bargh: Montgomery Avenue, Dargaville, Chicanes: 1.00pm

Mr Bargh will speak to Council on this issue.

2.3 New Zealand Citizenship Ceremony: 3.00pm

Genevieve Dumoulin of Dargaville will receive her New Zealand Citizenship.

2.4 Volunteer Rural Fire Force Long Service Medal: Garry Langridge 3.00pm

Garry Langridge, Deputy Controller of Ararua Volunteer Rural Fire Force will be presented with his Long Service Medal by the Mayor.

3 Confirmation of Minutes

P1 3.1 Ordinary Council Meeting : 22 October 2008

Governance Manager 1601.13

A copy of the minutes is attached.

Recommended

That the minutes of the Ordinary Meeting of Council 22 October 2008, as circulated, be confirmed as a true and correct record.

4 Strategic

Cir 4.1 Wastewater Options: Baylys Beach

Chief Executive 4510.0

The separately circulated report has been prepared by Beca Carter Hollings & Ferner Ltd (Beca) in conjunction with EPS and outlines the options considered available to the community for a community wide wastewater scheme.

The purpose of the report is for Council to consider whether or not it wishes to continue to promote the establishment of a community wastewater scheme for Baylys Beach. It should be noted that the Minister of Health has recently announced that this scheme will not qualify for subsidy because the community is considered to be too wealthy in terms of the deprivation index used to measure this element.

There are few options for Council consideration. These are based on proposals from Water Infrastructure Group (previously Earth Tech) and from Innoflow. The proposals each address the technical options of either treatment and disposal at Baylys Beach or to transfer to the Dargaville Treatment Works for treatment and disposal.

The Water Infrastructure Group options are based on undertaking the project as a Modification of the Mangawhai EcoCare project in response to a Council request whereas the Innoflow options is based on an unsolicited proposal with appropriate allowances for risk items.

Comparison	Initial Capital Cost	Year 11 Capital Cost	Annual Operating Cost	NPV
Local Treatment and Disposal (Innoflow)	\$7.62m	\$3.17m	\$0.280m	\$14.8m
Local Treatment and Disposal (Water Infrastructure Group)	\$8.77m	\$1.36m	\$0.262m	\$15.8m
Transfer to Dargaville (Innoflow)	\$7.17m	\$2.07m	\$0.273m	\$14.6m
Transfer to Dargaville (Water Infrastructure Group)	\$7.34m	\$0.96m	\$0.180m	\$12.2m

The use of the EcoCare documentation and Water Infrastructure Group will have significant advantages apart from having the lowest NPV, including:

- Reducing legal costs in finalising the contract,
- Maintaining an acceptable and agreed risk profile, and
- Reducing the time required to commence the works.

The preferred option is the transfer to Dargaville using the Water Infrastructure Group proposal because it provides an appropriate level of service and risk management at the best cost over time (NPV analysis). This provides the following recommended rates and charges over time:

Uniform Annual Charge	\$1,100	(incl GST)
Uniform Targeted Rate (once only)	\$14,520	(incl GST)
Development Contribution	\$14,250	(incl GST)

This is a conservative assessment of 500 sections by year 25. The report also highlights a more conservative growth element with the late commencement of future growth.

Council now must decide if it wishes to proceed with promoting this scheme to provide a high level of environmental and health protection for the community and its visitors. It should also be noted that the Government is promoting legislation to inspect and give warrants of fitness to onsite wastewater plants. This is likely to require the replacement of many existing systems at a cost of more than \$12,000. It may also require an at least annual cleaning of tanks at an average cost of \$500.

Recommended

- 1** *That Council continues to promote the establishment of a community wastewater scheme for Baylys Beach.*
- 2** *That Council adopts the Water Infrastructure Group model with treatment at the Dargaville Wastewater Treatment Plant.*
- 3** *That Council enters into negotiations with Water Infrastructure Group, as its preferred proponent, to finalise costs at an acceptable, affordable level.*
- 4** *That Council adopts the community growth scenario in the Beca Carter Hollings & Ferner Ltd report entitled "Kaipara Coastal Care Development of Baylys Beach Options" dated 29 October 2008; being 500 units at the end of 25 years, as the basis of its business case.*
- 5** *That Council prepares an information booklet based upon that report for issue to each Baylys Beach ratepayer before Council meets with the community.*
- 6** *That Council meets with the Baylys Beach community to discuss the proposal and to receive feedback once final development costs are known. An independently facilitated public meeting is suggested.*

Reason for the recommendation

The Council has recognised the need to protect both public health and the environment, particularly waterways, harbours and beaches, from human waste. The preferred proposal will achieve this at a reasonable cost. The cost is recognised as being at the high end of community affordability. The Council also recognised the community needs to be fully informed and be given the opportunity to provide Council with feedback.

Entering into "good faith" negotiations with Water Infrastructure Group as a preferred proponent provides Council with opportunities to further define contract costs which may result in further savings. A final position can then be considered by Council relative to affordability once these negotiations are complete.

Cir 4.2 Wastewater Options: Tinopai and Pahi

Chief Executive 4511.0; 4513.0

The separately circulated report has been prepared by Beca Carter Hollings & Ferner Ltd (Beca) in conjunction with EPS on the likely impact of the application of 50% subsidy, for which Council has received first stage approval, on the operating costs of a community wastewater scheme.

It should be noted that subsidy has been declined for both Whakapirau and Baylys Beach because of the wealth of those communities as indicated by the deprivation index.

The review has produced the following numbers:

Rates and Charges GST Included	Tinopai		Pahi	
Section Numbers (2008)	175		110	
Projected Year 25 Section numbers	350	400	230	280
Uniform annual charge	\$ 1,125.00	\$ 1,125.00	\$ 1,125.00	\$ 1,125.00
Uniform targeted rates	\$ 27,386.09	\$ 24,266.85	\$ 46,597.46	\$ 39,567.85
Uniform targeted rates (50% SWSS Applied)	\$ 5,035.69	\$ 1,916.45	\$ 16,286.19	\$ 9,256.58
Development contribution	\$ 16,875.00	\$ 16,875.00	\$ 16,875.00	\$16,875.00
Capital costs	\$ 7,922,640	\$ 8,172,640	\$ 6,768,480	\$ 7,018,480
Operating costs per annum (Year 1)	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000
Minimum cash balance (over 25 years)	-\$488,617	-\$1,188,352	-\$92,746	-\$817,840

Council needs to assure itself as to the growth projections over 25 years. A 2% growth rate has been allowed. The more conservative option of growth produces the following after including the subsidy:

	Tinopai	Pahi
Annual Charge	\$1,125.00	\$1,125.00
Lump Sum Contribution	\$5,035.69	\$16,286.19
Development Contribution	\$16,875.00	\$16,875.00

Note: The Tinopai figures assume the subdivision of the "Carter Holt Harvey" block during the next 25 years.

Recommended

- 1 **That** Council adopts the more conservative of the growth projections given the following scenario after 25 years:
 - Tinopai 350
 - Pahi 230

- 2 **That** Council proceeds with subsidy applications for both Tinopai and Pahi communities and carries out the necessary investigations to provide the level of detail required.
- 3 **That** Council authorises investigating the expansion of the Pahi drainage district to attempt to provide a more economic project.
- 4 **That** the Pahi and Tinopai communities be informed of the granting of subsidy and the likely impacts and their feedback sought.
- 5 **That** Council reviews the rates and charges and the detailed costings have been delivered.

Reason for the recommendation

Council wishes to take a conservative approach to population growth to ensure the community is provided with realistic expectations. Council also wishes to act to protect public health and environmental health, particularly of the Kaipara Harbour by ensuring human waste does not discharge into the harbour.

P28 4.3 Economic Development Future Strategy

Chief Executive 2132.01

A report by the Chief Executive is attached relating to Economic Development Future Strategy. Council's current service delivery for economic development is not satisfactory and there are indications it is not supported by Councillors. For the current year, 2008/09, a holding position has been developed which sees the wind down on the regionally based programme while Council starts to take more control over its Economic Development Activity.

The Northland Regional Council has undertaken a review of the activities of Enterprise Northland and the Northland Regional Council Community Trust. As a result of that review Enterprise Northland is refocusing its business into three areas:

- 1 Capability Development
- 2 Marketing
- 3 Projects

In addition Northland's political environment has changed and there is now a greater focus on districts focusing on their own needs and taking greater control over their own activities. In this new environment Kaipara needs to become self sufficient and take control over the economic development activity.

Recommended

- 1 **That** for the current, 2008/09, year Council winds down the regionally focused role of Economic Development while maintaining all appropriate regional relationships and any budget surplus be transferred to the 2009/10 year.
- 2 **That** Council proposes in its 2009/19 Kaipara's Future - Working Together (LTCCP) the following:
 - i) the establishment of an Economic Development Advisory Group of successful business people and entrepreneurs
 - ii) the current Kaipara District Economic Development Strategy be reviewed
 - iii) Council employs an Economic Development Facilitator
 - iv) the Economic Development budget be set at \$220,000 to be reviewed at the next review of Kaipara's Future - Working Together.
- 3 **That** Council adopts as its strategic outcomes:

To increase economic activity within the Kaipara District by:

 - 1 Growing existing businesses
 - 2 Attracting new, complementary, businesses
 - 3 Attracting new residents.

Reason for the recommendation

The proposed actions will enable the community to have input into, and influence, how Council delivers its Economic Development Activity, ensure Council takes strong control of the activity and achieves the outcomes Council wished to achieve. The outcomes reflect Council's aspirations for Economic Development.

5 Policy

**P33
& cir**

5.1 Development Contribution Policy: Application

Development Manager **2304.11; RM070151; 0115033304**

Item 5.2 and 5.3 of the October 2008 minutes refers.

A report from the Development Manager on the application of Council's Development Contribution Policy is attached. The Policy is circulated separately with this agenda for information.

The background to this report is that Council has received a number of requests for waiver of the development contribution which has been levied against various developments. Two of

these requests were placed on Council's October 2008 agenda for consideration, however because of concerns about application of the policy and the process for dealing with such applications, the two items were left to 'lie on the table'. Legal advice has been sought in relation to a series of questions in an endeavour to clarify these matters. It is now clearer from this advice what the statutory criteria are for the requirement for a development contribution to be triggered, and the basis upon which the Council may grant a remission from the policy. Council's lawyers have also confirmed that there is no right of objection against application of the policy as it has been through a public process already, and that in most cases it will be an administrative question (sometimes with legal advice) to determine whether or not the policy applies.

If Council wants to apply the policy with greater flexibility it needs to amend the policy to reflect this. It needs to be noted this does not apply to the targeted code for Mangawhai EcoCare as it is not a development contribution, it is a capital contribution.

These conclusions have different consequences for the four requests currently with Council

Recommended

That Council accepts that there is no right of objection against imposition of its Development Contributions Policy as it stands; and

That Council confirms that the Policy meets its requirements in assisting with the funding of capital expenditure arising from the impacts of growth within the Kaipara District; and

That decisions on the application of the provision in Section 2.5.1 of the policy which allows waiver of the policy where infrastructure is being provided by other means, be determined under delegated authority by the Chief Executive, except where there is a doubt about the applicability of the Policy; and

That the Chief Executive determines under delegated authority whether or not any particular development is caught by the statutory basis of the policy under Section 119(1), if necessary with the benefit of expert legal advice; and

That Mr and Mrs Matamana be advised that they are not liable to pay a development contribution for wastewater or Mangawhai roading; and

That Mr and Mrs Duffy, Mrs May and Mr Westlake be advised that they are liable to pay a development contribution for Otamatea roading; and

That no further action be taken with the two items left to lie on the table from the Council meeting on 22 October 2008 regarding the Matamana and Duffy requests for waiver of the Policy

Reason for the recommendation

To ensure Council is relieved of having to consider requests for waiver of the policy where clearly the development falls within its scope, and to ensure funding for works required because of growth is collected to enable the works to proceed.

Cir 5.2 Mangawhai Coastal and Harbour Reserve Management Plan Draft: Approval for Release

Governance Manager 4702.13.03

In December 2006 Council notified its intention to prepare a Reserve Management Plan for the Mangawhai coastal and harbour reserve areas and as required by the Reserves Act 1977, called for suggestions from the public. The next step in the process was the preliminary draft Management Plan and Concept Plans prepared by Council's consultants SOUL Environments. These two documents were workshopped by Councillors on 21 January 2008.

It is now the appropriate time to separate the process surrounding these two documents and for the draft Mangawhai Coastal and Harbour Reserve Management Plan to be approved for release and submissions to be called for. A copy of the Draft Reserve Management Plan dated October 2008 is circulated separately with this agenda.

Under the Reserves Act, a two month submission period is required however the period 15 December 2008 to 10 January 2009 cannot statutorily form part of the submissions period. It is Council's intention to commence the submission period on Monday 01 December 2008 and conclude it on Monday 02 March 2009. This will help Council to reach the widest possible range of people, those who live in the area and those who visit over the summer period. It is also Council's intention to again be part of the Mangawhai Gala Day on Saturday 03 January 2009 and to use it as an opportunity to highlight the draft Plan.

Submissions will be considered by Council at a public hearing. Any changes arising out of this process will then be made. Council will then adopt the final Reserve Management Plan and this will be forwarded to the Minister of Conservation for signature.

There are two aspects to the Reserve Management Plan for the Mangawhai coastal and harbour reserve areas under the Reserves Act 1977. There is the development of the concept plans which have had a high priority and profile and contains discussion and proposed plans describing site specific issues on the ground in particular reserves. It also contains actions to improve some immediately so that they meet the objectives set down in Section B of the draft Management Plan. For example, Council had promised the community that the redevelopment of the Mangawhai Head Reserve/Surf Beach area would take place before Christmas 2008. The redevelopment work is currently being undertaken to meet this deadline and is something which fell out of the concept plans.

The other aspect is the draft Management Plan, the adoption of which is the basis of this report and which is an over-arching strategic policy document. It seeks to outline a comprehensive approach to the management of the coastal edge of the Mangawhai Harbour in recognition of the diverse characteristics of the individual reserves. This Management Plan is a statutory document for those reserves identified in the Reserves Act 1977 as requiring such a plan. The plan outlines the general intentions for use, a clear set of management objectives to assist in the effective day-to-day management and long term planning for them.

Submissions will be considered by Council at a public hearing. Any changes arising out of this process will then be made. Council will then adopted the final Reserve Management Plan and this will be forwarded to the Minister of Conservation for signature.

Recommended

That Council approves for release the draft Mangawhai Coastal and Harbour Reserve Management Plan for public consultation and submissions in accordance with the consultation process required by the Reserves Act 1977 and the Local Government Act 2002.

Reason for the recommendation

The reason for preparing the draft Plan and releasing it for consultation is to meet the terms of Council's policy and statutory requirements.

P51 5.3 District Plan Review: Outstanding Landscape Direction

Policy and Planning Manager 3807.01.02

A report by the Policy and Planning Manager regarding protection of Outstanding Landscapes in the Kaipara District, as part of the review of the District Plan.

At the workshop on 29 October 2008, Council discussed and decided to change the approach to the inclusion of Outstanding Landscapes in the reviewed District Plan. This agenda items is formal confirmation of the outcomes of the 29 October 2008 workshop.

Recommended

That Council takes no further action on the identification of, and consultation on, Outstanding Landscapes in the Review of the Kaipara District Plan.

Reason for the recommendation

Council needs to concentrate on key strategic elements of the District Plan including the promotion of economic growth and environmental wellbeing. Council considers the resources of managing the Outstanding Landscape process outweighs the benefit to the ratepayer and the community. Council notes the issue is likely to be dealt with in the public and Environment Court processes of the District Plan Review.

P54 5.4 Statement of Proposal Liquor Control Bylaw Extension Mangawhai Hearing Options

Policy and Planning Manager 3211.01

A report is attached relating to the Statement of Proposal for the Liquor Control Bylaw Extension in Mangawhai, which Council adopted on 24 September 2008 for public consultation. Given the timeframes involved Council needs to take into consideration how best to hear the submissions.

The Liquor Control Bylaw can be heard by either a full Council or a Committee of Council. The Committee would consist of at least three Councillors. Both of these options have their merits. A Committee would allow for a more manageable proceeding to occur with their recommendations going to the full Council for adoption.

Recommended

That Council selects a Committee consisting of Councillors Taylor, Geange and the Mayor to hear, deliberate and make recommendations to the full Council on the Public Places Liquor Control Bylaw Extension Mangawhai.

Reason for the recommendation

Three members on the 'Committee' will relieve the full Council of any additional workload, while reaching a balanced and fair decision while Council will still retain the control of making the final decision.

P56 5.5 Kopuru Beach Domain Leases

Community Spaces Manager 5105.09

A report from the Commercial Manager regarding leases for the Kopuru Beach Domain land, which is administered by Kaipara District Council for the Department of Conservation under Section 59A of the Reserves Act 1977 and Section 17Q of the Conservation Act 1987. Over the years there has been considerable discussion between the incumbent leaseholders and Council about the nature of the leases.

In 1999 Council held discussions with the Lessees regarding the then new grazing leases and Kopuru Domain and agreed a process for valuing the leases at renewal and has followed this process. Certain obligations were placed on Council when these leases were next negotiated. In March these leases expired and a new agreement negotiated. All statutory processes have been followed and lessees have been involved and advised at every stage with the new documentation.

One lessee, Mr D Antonio, has so far not accepted the new lease provisions. This piece of land has legal access, and so can be publicly tendered. Adjoining landowners have also expressed interest.

The leases reflect the two Acts that govern the administration of the Kopuru Beach Domain, and these are the Reserves Act 1977 and the Conservation Act 1987. The leases are for a five year period with a further five year right of renewal, and a rent review of current market rates at five years.

Recommended

That the Kopuru Domain leases be approved by Council and signed under seal by the Chief Executive and Mayor. The leases be for a five year period with a further five year right of renewal, and a rent review of current market rates at five years; and

That the one unsigned lease, legal description Pt Allot 141 TK parish BLK IV Kopuru Survey District, be publically tendered for lease.

Reason for the recommendation

Enables the continued grazing of this land to benefit the district reserves activity while meeting community aspirations.

P58 5.6 Onsite Wastewater National Environment Standard

Community Infrastructural Assets Manager 4509.0

A report from the Community Infrastructural Assets Manager is attached regarding the Onsite Wastewater National Environmental Standard and affordability implications.

The likelihood of the implementation at a National Environmental Standard for 'On-site Wastewater Systems' is likely to drive a push for public sewerage systems, especially in areas which have been identified as a potential risk to public and environmental health.

Council has progressively continued to develop wastewater schemes for Baylys, Tinopai, Pahi and Whakapirau under the Sanitary Works Subsidy Scheme.

Recommended

That Council includes the information in the Community Infrastructural Assets Manager's report dated 18 November 2008 entitled "Onsite Wastewater National Environmental Standard, in its 2009/19 Kaipara's Future - Working Together and any information prepared for communities considering community wastewater systems.

Reason for the recommendation

To ensure the community is fully informed about the Onsite Wastewater Environmental Standard proposal.

5.7 Whenuanui Reserve Grazing Licence

Community Spaces Manager 4702.29

The Whenuanui Reserve was gazetted in 1994 (page 118). Pursuant to the Reserves Act 1997, and a delegation from the Department of Conservation this piece of land was vested in the Kaipara District Council in trust for the purposes of a reserve. The Whenuanui Reserve is located on Robertson Road, Ruawai and is part of the Council's Open Spaces portfolio.

The Whenuanui Reserve comprises areas of native bush, pine plantation and an area of 9.94 hectares of grazing area separated from the Whenuanui Scenic Reserve by a canal and stopbank. This area is fully grassed, and has been leased out. The land surrounding the reserve is farmland. All boundaries are fenced and there is access to the grazing area off Robertson Road.

The licence came up for renewal on 30 June 2008. In preparation for this the area was valued by DTZ Northland Ltd and this report was received in June 2008. The current market rental was assessed at \$9,000 per annum.

The Public Notice, pursuant to Section 74 of the Reserves Act whereby Kaipara District Council gives notice of intention to grant a licence, was placed in the Dargaville and Districts News on 9 July 2008. No submissions were received. Tenders were called in August 2008 with the tender period ending early September.

Four tenders were received and they were:

Jeffrey Wood	\$9,500 per annum
Kevin Reid	\$9,000 per annum
G Bryham	\$2,700 per annum
Colin Carter	\$1,200 per annum

Recommended

That Council agrees to accept the tender of Jeffrey Wood at \$9,500 for grazing an area of 9.94 hectares of the Whenuanui Reserve for a period of five years.

Reason for the recommendation

Part of the Whenuanui Reserve not being used for recreational purposes can be utilised for grazing, and revenue can be obtained by entering into a licence to occupy for grazing purposes.

P60 5.8 Dargaville Town Hall Maintenance

Stakeholder Engagement Manager

4603.03.08

Over the last three years under the management of the Library staff, usage of the Town Hall has increased significantly. Many people believe that with improvements to the kitchen this success could now be built on and the Hall could be successfully marketed to further increase the number of bookings for large dinner functions, weddings etc. A photograph is attached showing how attractive the facility is when decked out for this purpose.

People from the community have approached Councillors suggesting that the replacement of the temperamental gas cooker with suitable electric appliances would make the facility much more user friendly. This was particularly highlighted recently when a community group hosting a dinner had difficulty operating the equipment and had to cart the food away to heat and return it to the hall.

Council has obtained quotes for more practical electrical appliances from the firm who originally designed and installed the kitchen. Replacement of the gas cooker with a top of the line fan oven and broiler could be achieved at a cost of \$24,300. Also recommended is the addition of two commercial microwave ovens at a cost of \$400.00 each. This amount could be reduced by approximately \$8,000 by substituting a still oven and not including the broiler, these modifications would considerably reduce the capability to cater for large numbers. This report recommends installing the fan oven at a cost of \$24,300. The improved facilities will increase revenue long term and could be funded in the interim by deficit funding until the Dargaville Development loan is due in May 2010, at which time the loan could be increased by \$24,000.

Also attached are quotes to supply tables, tablecloths, catering equipment etc. This information is included because another concern the community has raised is that for large functions tables, tablecloths, glasses etc must be hired from commercial hirers and this is seen as a missed opportunity for the hall to increase revenue. This type of equipment can be locked away and charged for separately. Recently a community group spent \$800 hiring tables from Whangarei for a function in the Town Hall. At that rate if Council purchased twenty tables it could recoup the full purchase cost from only seven uses. The tables can be purchased within existing budgets.

The tables are the most pressing need currently as there are insufficient in the hall to seat more than half the hall capacity. If some were purchased immediately then more could be added if demand justified. The need for full catering equipment as per the third quote attached could be discussed with the community in the March 2009 consultation round.

Recommended

- 1 *That the current gas cooker in the Dargaville Town Hall be replaced with electric appliances at a cost of \$24,300.00 plus two commercial microwaves at \$400.00 each. The upgrade to be deficit funded until the Dargaville Development loan is renewed in May 2010, then by way of increasing the loan by \$24,000; and*
- 2 *That Council purchases an additional twenty tables at a cost of \$5,700.00 from existing budgets; and*
- 3 *That the matter of providing extra catering equipment to enhance catering to be available for hire be included in the draft Kaipara's Future - Working Together (LTCCP) for consultation with the community.*

Reason for the recommendation

- 1 To make the facility more user friendly.
- 2 To ascertain the community's view of the need and affordability of additional equipment.

P70 5.9 Review of Rating Policies: Re-adoption**Finance Manager 2306.20**

A report from the Finance Manager is attached. Council is obliged to review its key financial policies every three years. Any significant amendment that happens to arise from such review must be formally consulted on as part of the *Kaipara's Future - Working Together* 2009/19 process.

Recommended

That the existing Rating Policies be re-adopted by Council, unchanged.

Reason for the recommendation

The policies have stood the test of time well, and have worked effectively since the last review three years ago.

P78 5.10 Review of Investment Policy: Re-adoption**Finance Manager 2304.02**

A report from the Finance Manager is attached. Council is obliged to review its key financial policies every three years. Any significant amendment that happens to arise from such review must be formally consulted on as part of the *Kaipara's Future - Working Together* 2009/19 process.

Recommended

That the existing Investment Policy be re-adopted by Council, unchanged.

Reason for the recommendation

The policy has stood the test of time well, and has worked effectively since the last review three years ago.

P82 5.11 Review of Liability Management Policy: Re-adoption**Finance Manager 2304.01**

A report from the Finance Manager is attached. Council is obliged to review its key financial policies every three years. Any significant amendment that happens to arise from such review must be formally consulted on as part of the *Kaipara's Future - Working Together* 2009/19 process.

Recommended

That the existing Liability Management Policy be re-adopted by Council, unchanged.

Reason for the recommendation

The policy has stood the test of time well, and has worked effectively since the last review three years ago at which time the new principles of Segmentation of Debt were debated and adopted.

P88 5.12 Community Outcomes Review 2008/09**Stakeholder Engagement Manager****1203.04**

A report is attached regarding Community Outcomes Review 2008/09. Community Outcomes are what people in the Kaipara value and how they want our community to be. The Local Government Act 2002 requires that community Outcomes must be reviewed every six years.

Council has facilitated a very robust process of identification in 2003, the indications are that the outcomes identified then are still valid. The community has been asked if this assumption is correct through the preplan 2009/19 process. No requests for additions or alterations were received as a result of that consultation.

Recommended

That the following Kaipara Community Outcomes be reconfirmed:

Sustainable Economy

Kaipara District has a diversified and sustainable economy that supports the well-being of its communities and residents

Strong Communities

Kaipara District is built on strong communities where people have a sense of belonging and work together to shape their collective future

Safety And A Good Quality Of Life

Kaipara District is a safe place to live and raise a family, where people enjoy a good quality of life

Special Character And Healthy Environment

Kaipara District is proud of and renowned for its beautiful environment and sound management of natural resources, where residents enjoy a clean, healthy environment

Reason for the recommendation

This has been discussed with the Community in the September/October 2008 consultations. The indications from the community are that the outcomes adopted by the community in 2003 are still relevant and current. They have the support of the Community Outcomes Steering Group, are consistent with the regional priorities and were adopted following a very robust consultation.

P98 5.13 Road Legalisation: Paparoa-Oakleigh Road**Community Infrastructure Assets Manager****4102.08**

Council has been approached by Birt and Currie Surveyors Ltd who is currently subdividing a property on Paparoa-Oakleigh Rd for G M Hames. As part of the surveying, Birt and Currie Surveyors Ltd has found that two different sections of the Hames property are on Council's sealed road. This is shown as Lot 3 and Lot 4 DP 407119 on the attached plan. The area of land involved for the two sections amounts to 805 square metres.

On behalf of G M Hames, the Surveyor has asked whether Council will accept the land as Road to Vest. The amount proposed for this land is \$805.00 plus GST, to which Mr Hames is agreeable. A formal valuation is not warranted, as the cost to obtain one would exceed the value of the land.

The area of land on Lot 3 and Lot 4 is covenanted land. Birt and Currie Surveyors Ltd has written to the QE II Trust to have the existing covenant revoked so that this land may be free from encumbrance for Council. It is proposed that Council compensate G M Hames the amount of \$805.00 plus GST once the land is clear from encumbrance.

To undertake this formalisation work at a later date is likely to be at a greater cost to Council.

Recommended

That Council agrees that \$805.00 plus GST be paid to GM Hames for the 805 square metres of land to vest as road, shown as Lot 3 and 4 DP 407119, once the land has been cleared from encumbrance.

Reason for the recommendation

To formalise a situation where private land is on sealed road by working in conjunction with the private land owner.

5.14 Warrant of Appointment: Environmental Northland, Dog Control Officer**Development Manager****3994.0**

Environmental Northland Ltd is the contracted service provider for Dog Stock Noise, Parking Management and Bylaw Response for Council.

It is Council's responsibility to ensure that all its external contractors are warranted officers in order for them to undertake their regulatory functions pursuant to the General Bylaws, Dog Control Act 1996, Local Government Act 2002, The Resource Management Act 1991 and The Transport Act 1962.

This proposed warrant will not have an expiry date but will rather be valid until the respective staff member is no longer in that position; or when there is a need to update the warrants because of new legislation; or Environmental Northland Ltd no longer holds the contract.

Recommended

That Council warrants Te Rangi James Potter as an Authorised Officer pursuant to the Kaipara District Council General Bylaw 2008, a Dog Control Officer pursuant to Dog Control Act 1996; and an Enforcement Officer pursuant to Local Government Act 2002; the Resource Management Act 1991 and the Transport Act 1962.

Reason for the recommendation

This authorisation is necessary to enable Te Rangi James Potter to perform these various functions and duties

5.15 Warrants of Appointment: Water Meter Readers

Development Manager 3995.0

Downer EDI of Dargaville is the contracted service provider for Council. They are required to undertake water usage recording and reporting and new or remedial works to the water and waste water piping from time to time within the district. This sometimes requires their personnel to enter onto private land to perform these functions. To save them from being accused of trespassing on private land, authorisation is sought from Council pursuant to section 174 of the Local Government Act 2002, so they may be warranted accordingly.

Recommended

That Council warrants Hamish Watson, Trevor Flood, Stephen Astbury and Annette Frost as authorised officers pursuant to section 174 of the Local Government Act 2002 to enter onto private land for the purposes of recording water meter readings and related tasks in the district.

Reason for the recommendation

This authorisation is necessary to enable Hamish Watson, Trevor Flood, Stephen Astbury and Annette Frost to enter private property to undertake their duties without compromising the rights of affected.

P99 5.16 The Kauri Museum Shop, Kaiwaka: Lease**Stakeholder Engagement Manager 2115.02**

On Wednesday 29 October 2008 The Kauri Museum shop based in our Kaiwaka office premises closed its doors. This space was subleased to them by Kaipara District Council until the 14 August 2009 with a five year right of renewal.

Attached is a letter from The Kauri Museum advising Council of the Board's decision of this closure and requesting that Council take a sympathetic approach and release them from their contractual obligations for the remaining lease.

This section of the museum has struggled financially and could no longer justify the viability for its continuation. If Council agreed to allow them to terminate the lease early then the money spent on the lease could be better utilised elsewhere in the museum from which the community would benefit.

While Council has no obligation to satisfy the request, the Museum has no legal right to be released from their agreements, Council does support community organisations and would not wish to disadvantage them by holding the organisation to a commitment they cannot afford.

There is less than one year to run on the lease. The maximum cost to Council is less than \$5,000 as this is the annual lease charge.

It is certain that other organisations are interested in these premises as shown by an expression of interest recently received by a commercial operation wishing to occupy the site in order to sell similar New Zealand made merchandise. This option could provide Council with an opportunity to re-let the premises and therefore suffer no or little financial loss and at the same time uphold their stance of supporting community groups. Council has other alternatives including providing an area for Councillors and Mayor to meet with residents, which is the staff recommendation. It is important that the eastern area stakeholders have an opportunity to meet in a convenient location.

Recommended

That Council looks favourably upon releasing The Kauri Museum from their lease in light of the fact that this is a successful community organisation; and

That Council uses the space for Council related activities.

Reason for the recommendation

This organisation provides a world class facility to the region and money spent on this lease would be better utilised in other areas that benefit the community as a whole.

Council has a need for this space to provide suitable facilities for Councillors and the Mayor to meet with stakeholders.

P100 5.17 Te Runanga O Ngati Hine Environmental Monitoring Project

Policy and Planning Manager

2114.03.01

A proposal has been received from Te Runanga O Ngati Hine, a tribe from the Far North, asking Council to support the pre-planning stage of establishing a laboratory to assist with monitoring the environment. This proposal has the support of other Northland councils and they have asked Council to match Far North District Council's confirmation of \$5,000.

While the proposal has merits and will potentially provide benefits to the whole of Northland, Council's first priority must be to Council's two iwi partners, Te Uri O Hau and Te Roroa. There has not been any evidence that suggests Te Uri O Hau and Te Roroa support this proposal.

The Ngati Hine rohe (area) does not fall within the Kaipara District and there has been no funding allocated in the 2008/09 Annual Plan for this proposal.

The proposal appears to be a private commercial venture. Historically Council does not fund private commercial initiatives however when the laboratory is established and provides a competitively priced service, Council could consider supporting Ngati Hine by engaging their services.

Presently all environmental monitoring is done by Northland Regional Council and Council's contractors. While Ngati Hine proposal is worthy as a means to empower them, at this stage there appears to be no benefit to Kaipara, nor to the two iwi within Kaipara District.

Recommendation

That Council declines Te Runanga O Ngati Hine's request for funding of \$5,000 to assist with the Environmental Monitoring Project; but

That Council sends a letter of support for the proposal.

Reason for the recommendation

Te Runanga O Ngati Hine area does not fall within Kaipara District, and Council's relationship and support is with the two iwi within the Kaipara District, Te Roroa and Te Uri O Hau. Neither are part of the Ngati Hine proposal. Council does not fund commercial ventures however Council is supportive of this Northland iwi initiative.

P114 5.18 Road Naming Policy Update**Community Infrastructure Assets Manager 4102.09**

Council resolved in the September 2008 meeting, that the Road Naming Policy be reviewed.

Changes to the 2008 policy include the New Zealand Standards for Road Naming being incorporated. The previous policy had reference to Section 320 of the Local Government Act. This has been repealed, therefore there is a variation to the process for changing a road name. Guidelines have been added to the policy to clarify the procedure for the naming and renaming of new roads.

Attached is the revised Policy for Council approval. The previous policy written in 2003 was used as the basis for the new policy.

Recommended

That Council adopts the Road Naming Policy dated November 2008.

Reason for the recommendation

To give developers and residents a consistent procedure for the naming of new roads or changing of existing road names.

P118 5.19 Triennial Agreement**Governance Manager 1908.01.01**

In accordance with the Local Government Act 2002, all local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them during the period from one triennial general election to the next. Each agreement must include a statement of the process for consultation on proposals for new regional council activities.

Attached is a copy of the Triennial Agreement signed by the Far North District Council, Whangarei District Council, Kaipara District Council and Northland Regional Council.

Recommended

That Council endorses the Triennial Agreement for the 2007/2010 general election period.

5.20 Triennial Agreement: Notice of Motion

Governance Manager 1908.01.01

At the Council meeting on 22 October 2008 Councillor Guest asked that the following Notice of Motion regarding the Triennial Agreement to be placed upon the November Agenda.

That the Kaipara District Council receives and endorses the terms as set out in the triennial agreement that was signed on 20 May 2008 by the Far North District Council Mayor, the Whangarei District Council Mayor, the Kaipara District Council Mayor and the Northland Regional Council Chairman.

The basis of Councillor Guest's request has been dealt with earlier in this Agenda with the Triennial Agreement having been presented to Council for endorsement in the previous item.

6 Reports

6.1 Mayor's Report

1701.02.03

The Mayor to report, for information, on matters of interest.

P120 6.2 Councillors Portfolio Reports

Councillors 1904 (various)

The Councillors to give written reports on portfolio matters and other items of interest.

Cr Taylor

- Community; halls, new infrastructure

Cr Alspach

- Roothing

Cr Burnett

- Refuse
- Economic

Cr Geange

- Community Spaces - Northern
- Social: Youth, Elderly, Sport, Schools

Cr Guest

- Finance
- Stormwater - Northern
- Regulatory

Cr McEwing

- Water; existing wastewater, water supply and land drainage
- Emergency Management

Cr Smith

- Roding
- Planning

Cr Sutherland

- Stormwater - Southern
- Community Spaces - Southern
- Libraries
- Arts

cir 6.3 Chief Executive's Report: November 2008

Chief Executive 2002.02.08

The Chief Executive's report for November 2008 is circulated separately.

Recommended

That the Chief Executive's report for November 2008 be received.

7 Receipt Items

P122 7.1 Taharoa Domain Governance Committee Minutes: 25 August, 22 September 2008

The minutes of the Taharoa Domain Governance Committee meetings as follows are attached.

- P122 a) 25 August 2008; and
P130 b) 22 September 2008

Recommended

That Council receives and endorses the Taharoa Domain Governance Committee meeting minutes of 25 August and 22 September 2008.

P135 7.2 Judicial Committee Minutes: 13 August, 16 September and 14 October 2008

The minutes of the Judicial Committee meetings as follows, are attached.

- P135 a) 13 August 2008
 P151 b) 16 September 2008; and
 P170 b) 14 October 2008

Recommended

That Council receives and endorses the Taharoa Domain Governance Committee meeting minutes of 13 August, 16 September and 14 October 2008.

P180 7.3 Road Naming: Three Private Right of Ways off Comes Road, Mangawhai: Pohut Drive, Kokopu Lane and Archey's Lane

Community Infrastructural Assets Manager 4102.09

Mangawhai Ridge Society has completed a forty two lot subdivision located off Comes Road, Mangawhai. In line with Council's Road Naming Policy, the developer has requested Council approval for the naming of three private Right of Ways servicing these lots. The attached map shows the location of the roads. Three names were suggested by the developer in order of preference, for each of the new Right of Ways.

Section 1 on the attached map, the three proposed names are Pohut Drive, as there has been an avenue of Pohutakawa trees planted, Rama Lane, after a fencing contractor who completed the fencing in the subdivision and Reed Way, after a property owner to the north who has helped the subdivider with grazing.

Section 2 on the attached map, the names proposed are Kokopu Lane, after a fish distribution survey found abundant numbers of Kokopu, Koura and Inanga species in the streams. The other two proposed names being Koura Lane and Inanga Way for the reason outlined above.

Section 3 on the attached map, the names proposed are Archey's Lane. This is after a species of frog, while not found in the area, the developer believes that Archey's Frog's have been named the most important amphibian in the world by the Zoological Society of London. The second choice is Longfin Lane after the Longfin Eel found in the area and Shortfin Lane after the Shortfin Eel found in the area.

While Pohutakawa Place is in use in the district, Pohut Drive is considered to be dissimilar enough as outlined in Council's Road Naming Policy. Kokopu Lane and Archey's Lane are not currently used in the district and comply with Council policy.

Therefore Pohut Lane, Kokopu Lane and Archey's Lane all comply with Council's policy and are recommended.

Recommended

That Council receives and endorses Pohut Lane, Kokopu Lane and Archey's Lane as road names for the Cames Road, Mangawhai private right of ways, as all comply with Council's Road Naming Policy.

cir 7.4 Communitrak Survey 2008

Stakeholder Engagement Manager 2121.01

The results of the 2008 Communitrak Survey have been circulated to Councillors separately. Copies will now be available to the public on the website and in all libraries. The is conducted by telephone, respondents are selected randomly from within each of the four Wards. Three hundred people were surveyed.

Council began surveying its customers during the year 2000 in order to collect information that would enable it to understand the needs of its customers and measure its effectiveness in meeting those needs. The National Research Bureau conducted the 2000 survey on Council's behalf. The results are compared with both the national average of local authorities and a peer group of like authorities. Council decided to continue this survey annually and use the information collected in 2000 to provide baseline data for measuring improvement.

To get the most benefit from the comparison for subsequent surveys the same firm and basically the same survey has been used. Some additional questions have been asked and some questions expanded.

It is important to bear in mind the need to examine trends over a number of years. Identification of overall improvements in satisfaction are best made over a number of years. A difference between two annual surveys may be misleading as it does not necessarily indicate a trend. There is also a significant amount of information to be gleaned from the verbatim responses to the open-ended questions which are contained in the appendices, which adds to the feedback received through other channels such as the open forums.

Initially when Council began surveying, there were some big improvements in roads and in the performance of the Mayor and Councillors. Over the years there has been fluctuations in satisfaction with roads but generally it has continued to improve, this year it has dropped slightly. For most activities Kaipara is on a par with the peer group and national averages.

Highlights of the report include:

- Satisfaction with Council had declined but has now come back up and is on a par with peer group and national averages.
- The survey shows that 91% of respondents believe that the quality of life in the Kaipara District is good or very good, 81% of residents rate the community spirit in their community as good or very good. 78% of residents are satisfied that the natural environment in the Kaipara District is being preserved and sustained for future generations.
- More people than previously can recall an action or decision of Council they approve of.

The community has indicated through the Communitrak Survey their support for Council's general direction and the service currently provided. The information provides Council with valuable information on issues in the community.

Recommended

That Council receives and endorses the Communitrak Survey 2008 report..

8 Information Items

P181 8.1 Delegated Authority: Schedule of Decisions

Development Manager 3803.0

Attached is a schedule of decisions that has been made under delegated authority. The purpose of this is not for Council to review the detail of these decisions as they have already been made under delegated authority, but rather to give an indication of the nature and scale of developments taking place within the District in a reasonably concise way.

Recommended

That the Delegated Authority Schedule of Decisions be received.

P206 8.2 Northland Field Days 2008 Economic Impact Study

Chief Executive 2120.01.01

A report from the Chief Executive, and associated study from Institute of Public Policy, are attached. The study entitled "Northland Field Days 2008: Economic Impact Study 2 July 2008" was commissioned by Enterprise Northland by way of funding from the Kaipara District Council's Economic Development 2007/08 business plan.

Recommended

That the information be received.

9 Public Excluded Council Agenda 26 November 2008

Recommended

That the public be excluded from the following part of the proceedings of this meeting namely, Dargaville Floating Pontoon: Options for Construction, Kauri Coast Community Pool: Tender Recommendation, Information Services and Library, Dargaville Area: Shared Services from Old Post Office Building, Leaky Building Claim, Chief Executive's Performance and Salary Review.

The general subject matter of each matter to be considered while the public is excluded, the reasons 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:

<i>Subject matter to be considered:</i>	<i>Ground(s) under Section 48 (1) for the passing this resolution:</i>
<i>Dargaville Floating Pontoon: Options for Construction</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Kauri Coast Community Pool: Tender Recommendation</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Information Services and Library, Dargaville Area: Shared Services from Old Post Office Building</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Leaky Building Claim</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Chief Executive's Performance and Salary Review</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>

Reason for passing this resolution in relation to each matter

This resolution is made in reliance of Section 48 (1)(a) of the Local Authority Official Information and Meetings Act and the particular interest or interests protected by Section 7 of that Act Section 7 of the Official Information Act 1982, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

Section 7 (2)(b)(ii) would be unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Open Meeting Council Agenda - 26 November 2008

Recommended

That the resolutions made whilst in Public Excluded, be confirmed.

Closure

Kaipara District Council

Dargaville