

Private Bag 1001, Dargaville

Phone 439 7059

Not for Publication until after Commencement of Meeting

Notice Of Ordinary Meeting Of Council

Date 1.00 pm on Wednesday 22 July 2009

Venue Council Chambers, Station Road, Dargaville

Timetable

Please Note: There is no Workshop scheduled for the Morning

12.15 pm Lunch

1.00 pm Commencement of Council Meeting

1.00 pm Public Forum

a) S Taylor: Grant Request Tourism Famil

3.00 pm Afternoon Tea

3.15 pm Recommencement of Council Meeting, if required

Mangawhai Endowment Fund Committee : Please Note

A Committee meeting will follow the Council meeting

The papers are circulated separately with this agenda to the Committee



Kaipara te Orangahui • Two Oceans Two Harbours

KAIPARA DISTRICT COUNCIL

**Ordinary Meeting Of Kaipara District Council In The Council Chambers, Station Road,
Dargaville On Wednesday 22 July 2009 Commencing 1.00 pm**

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

Contents

1	Opening : Cr Alspach	4
1.1	Present	4
1.2	In Attendance	4
1.3	Apologies	4
2	Public Forum	4
2.1	S Taylor: Grant Request Tourism Famil	4
3	Confirmation of Minutes.....	4
3.1	Ordinary Council Meeting : Tuesday 23 June 2009.....	4
4	Strategic.....	4
4.1	Consultation Strategy for 2009/10 including Annual Plan 2009/10; and other key Strategic Projects	4
4.2	Kaipara District Policy on Dogs and Dog Management Bylaw July 2009: Review Decision....	6
5	Policy.....	7
5.1	Mangawhai Activity Zone Concept Plans: Approval	7
5.2	Mangawhai Heads Reserve: Landscaping	8
5.3	Council Committees and External Appointments	9
5.4	Economic Development Facilitator: Position Description	10
5.5	Northland Regional Council Submission to <i>Kaipara's Future - Working Together</i> 2009/19...	13
5.6	State Highway 1, Brynderwyn Hills: Phase 1 Existing Alignment Assessment	13
5.7	Grant Request: S Taylor, Tourism Famil	14
5.8	Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM).....	14
5.9	Notice of Motion: Hamblin Dog Prosecution	15
6	Reports.....	16
6.1	Mayor's Report	16
6.2	Councillors Portfolio Reports	16
6.3	Chief Executive's Report: July 2009	17
7	Receipt Items.....	17
7.1	Hearing M Keane EcoCare: Determination of Objection: 12 June 2009	17
7.2	Judicial Committee Minutes: 3 and 31 March, 21 and 28 April 2009	17
7.3	Taharoa Domain Governance Committee Unconfirmed Minutes 30 June 2009.....	18

7.4	Road Naming: Kahu Drive and Matuku Place and off Old Waipu Road, Mangawhai	18
7.5	Collection of Rates on Behalf of Northland Regional Council	19
8	Information Items	19
8.1	Delegated Authority: Schedule of Decisions.....	19
8.2	Hamblin Dog Prosecution Update Report.....	20
8.3	Drinking Water Assistance Programme (SWAP) Funding Approval	20
8.4	District Plan Review: Monitoring Report July 2009.....	21
8.5	National Code of Practice: Utilities Access to Transport Corridors	21
8.6	Draft Regional Land Transport Strategy 2009	21
8.7	Legislative Compliance Certification	22
8.8	Elected Members Remuneration 2009/10: Councillor Guest Declines Increase.....	22
8.9	Rural and Provincial Sector Meeting Papers 11-12 June 2009 and 29 July 2009	22
9	Public Excluded Items 22 July 2009.....	23
	Open Meeting - 22 July 2009	24
	Closure	24

Order Paper: 22 July 2009

1 Opening : Cr Alspach

Councillor to be selected to open the 26 August 2009 meeting.

1.1 Present

1.2 In Attendance

1.3 Apologies

2 Public Forum

2.1 S Taylor: Grant Request Tourism Famil

Item 5.7 refers.

3 Confirmation of Minutes

P1 3.1 Ordinary Council Meeting : Tuesday 23 June 2009

Governance Manager 1601.13

A copy of the minutes is attached.

Recommended

That the minutes of the Ordinary Meeting of Council held Tuesday 23 June 2008, as circulated, be confirmed as a true and correct record.

4 Strategic

P44 4.1 Consultation Strategy for 2009/10 including Annual Plan 2009/10; and other key Strategic Projects

**Stakeholder Engagement Manager and Chief Executive Support Team Leader
2302.11.04**

A report is attached the purpose of which is to outline Council's proposed consultation strategy for 2010/11, and to ensure that Councillors 'own' the approach. It is expected that the proposed process will enable Councillors to engage in 'conversations' with their community. It is further considered that the strategy will enable an effective and efficient consultation process, and engagement with the community on key projects, proposals, processes and issues such as the Annual Plan, and any other key strategic projects

1601.14

cagenda July 22, 2009 public copy

Council proposes to have two rounds of public consultation per year. Therefore it is intended to include as many projects, proposals, issues and initiatives as possible.

The consultation plan is proposed in two stages:

- Stage One involves an August to October round of consultation (pre-plan) including public meetings / Open Forums held in three locations around the District, and targeted consultation with invitations to community groups and organisations to meet with Councillors and senior staff to discuss issues of local and district interest. Discussions with Te Uri O Hau and Te Roroa are proposed to discuss the process and format of consultation for 2010/11.
- Stage Two will include Open Forums, and submissions and hearings on the Draft Annual Plan.

The Local Government Act 2002 (LGA) requires councils to adopt an annual plan.

Recommended

That Council adopts the following as the basis for its consultation strategy for 2010/11:

- *October consultation (pre-plan) including three public meetings / Open Forums held across the District, and targeted consultation through invitations to community groups and organisations to meet with Councillors to discuss issues of local and district interest.*
- *Continue to discuss with Te Uri O Hau and Te Roroa their consultation requirements.*
- *March / April consultation (Draft Plan) including 10 public meetings / Open Forums around the District, and Annual Plan submissions and hearings.*

That the following proposed approach to the development of the Annual Plan 2010/11 be approved in principle:

- *Consolidating the foundation laid down with Kaipara's Future - Working Together 2006/16 taking into account comments received from Audit New Zealand.*
- *Continuing the focus on achieving community outcomes and in particular maximising opportunities to work collaboratively with other groups and organisations.*
- *Continuing Council's focus on the stewardship of community assets through sound planning and management processes.*
- *A community development basis for the provision of public facilities.*
- *Comprehensive consultation including as many issues and initiatives as possible within the draft Annual Plan.*
- *A similar document format to Kaipara's Future - Working Together 2009/19 and flyer style summary.*

Reason for the recommendation

Establishing a Consultation Strategy for the Annual Plan and other key strategic projects enables the community to effectively participate in Council's projects that they are affected by or have an interest in. Development of the Annual Plan must follow a tight time schedule and agreeing the approach at the outset will assist deadlines being met.

**P53
Cir**

4.2 Kaipara District Policy on Dogs and Dog Management Bylaw July 2009: Review Decision

Chief Executive 3502.04

A report by the Policy Planner is attached relating to the review of the Kaipara District Policy on Dogs and Kaipara District Dog Management Bylaw that has been undertaken in accordance with the Local Government Act 2002 consultation process. As part of this review process maps were introduced into the Bylaw to give a clear indication of prohibited and leash control areas. At its 23 June 2009 meeting Council asked if the maps could be refined to better reflect the wording in the Bylaw.

The Kaipara District Policy on Dogs and Kaipara District Dog Management Bylaw July 2009, with new maps, is circulated separately to Councillors for information.

Recommended

That Council retains the same provisions for dog prohibited areas within the Kaipara District Policy on Dogs and Dog Management Bylaw as notified in deliberations on submissions; and

That Council adopts the Kaipara District Policy on Dogs and the Dog Management Bylaw July 2009; and

That Council invites proposals for establishing a dog exercise area at Mangawhai for further consideration.

Reason for the recommendation

The Local Government Act 2002 process has been followed. From submissions received over the last year and a half it has been shown that most people are generally happy with the status quo subject to some changes which have been accepted by Council. Dog owners in the Mangawhai area would appreciate the opportunity to exercise their dogs at either Lincoln Road reserve of Mangawhai Park where people who do not own dogs are less likely to congregate. However this is not something that can be addressed through the current process as consultation with affected people would need to be undertaken separately.

5 Policy

P56 5.1 Mangawhai Activity Zone Concept Plans: Approval

Community Spaces Manager 4702.13

A report from the Community Spaces Manager is attached regarding the Council allocation, through the 2007/2008 Annual Plan process, of \$20,000 to develop concept plans for a skate park in Mangawhai. This was done after receiving a record number of submissions from both the Dargaville and Mangawhai communities supporting the development of skate parks in these areas. Council supported the development of concept plans provided an appropriate incorporated entity was formed and that the final location, design and construction costs were brought back to Council for approval. The Mangawhai Activity Zone was formed shortly after and moved swiftly to become an incorporated society.

The Mangawhai Activity Zone approached Council in August 2008 seeking Council approval for a one hectare site in Mangawhai Park to develop the planned Mangawhai Activity Zone; this approval was granted. The Mangawhai Activity Zone has from that time worked tirelessly towards its goal of developing concept plans for a community outdoor activity zone in Mangawhai Park. These concept plans have been finalised along with construction costs and the group is now seeking Council's final approval for these.

The Mangawhai Activity Zone has been thankful for the help and support given to them by Council with the allocation of funds and the endorsement of a one hectare piece of land in Mangawhai Park. Council has not committed any funding beyond the Annual Plan allocation and its approval for the use of a one hectare site within the Park.

Recommended

That the Kaipara District Council receives the Community Spaces Manager's report dated 13 July 2009, along with finalised concept plans and costs for an outdoor Activity Zone at Mangawhai Park, Mangawhai; and

That the Kaipara District Council gives its approval to the Mangawhai Activity Zone Committee for the final concept plans developed along with construction costs.

Reason for the recommendation

The Mangawhai Activity Zone has worked up and finalised design, location and construction costs. This information is now brought back to Council for its approval. This finalises Council's involvement and its approval of the information provided will enable the Mangawhai Activity Zone Committee to proceed with the next stage of this project including securing funding to begin works associated with the development of an outdoors Activity Zone in Mangawhai Park, Mangawhai.

P63 5.2 Mangawhai Heads Reserve: Landscaping

Governance Manager 4702.13

At its July 2008 meeting Council received the initial costing for the redevelopment works of the Mangawhai Heads Reserve. A decision was made to take the landscape portion out of the initial contract. There were two reasons for this; firstly, that those tendering for the bulk of the redevelopment works were not able to do the landscaping works as it was outside the scope of business and secondly, landscape planting could not take place until the planting season mid 2009 when all other works should have been completed.

There is an expectation in the community that the Mangawhai Heads carpark and surrounding area will be landscaped this planting season which is a valid one given that it has always been Council's intention to finish the redevelopment of the area off with appropriate landscaping. It was noticeable that many drivers took the opportunity to park on the newly developed shell beds and barked gardens during the peak summer period which, because of the timing of the redevelopment, had not been landscaped. Landscaping these areas is not just about keeping drivers off, it is also about the overall aesthetics and feel of the area. However human nature being what it is, planting here will be a mixture of taller, more established plants and small plants. These will be staked to further discourage those who would otherwise park over small plantings. The planned landscaping will reduce and soften the large expanse of tarseal and concrete and will help assimilate it into the surrounding environment.

Tender documents have been prepared for weed management and planting as part of the redevelopment works at Mangawhai Heads Reserve. The proposed works include but are not limited to: vegetation clearance, weed eradication, planning bed preparation, planting of trees and shrubs, revegetation planting, minor earth shaping, planting maintenance and grassing. It is proposed that these works will be carried out in the amenity garden areas, rain gardens through the carpark itself, bush buffer planting, grassing of redeveloped areas and revegetation of areas including the removal of a small number of pine trees. A series of maps are attached, which show the areas in which works are proposed to be carried out.

Iwi have been consulted regarding which plants it would be most appropriate to use and all the plant species it is planned to use are native and found in the Northland environment.

The Council has spent in the region of \$1.4 million on redeveloping the Mangawhai Heads Reserve and it is proposed to spend a further \$50,000 to complete the landscaping portion of the redevelopment works which will add the finishing touches to Council and the community's vision for the Reserve. When landscaping a house, it is recommended that one should spend up to 10% of the cost of the house to add maximum value without overcapitalising. The \$50,000 required is considerably less than this but will provide the final polish to a highly visual and much awaited redevelopment and will assist in integrating the hard landscape elements better into the soft surrounding natural environment.

The Reserves Contribution Fund for Mangawhai stands at approximately \$2,300,000. This includes the \$1,000,000 earmarked for Mangawhai Park.

Recommended

That Council approves a budget of not more than \$50,000 from the Reserve Contribution fund to complete the landscaping portion of the redevelopment works at the Mangawhai Heads Reserve.

Reason for the recommendation

Council needs to complete this redevelopment in a manner that befits its high profile and that meets the community's expectation.

5.3 Council Committees and External Appointments

Governance Manager 1904.0

At its meeting held 24 June, Council considered and reallocated portfolios. As a result Council needs to reconfirm its appointments to Council committees and external committees and to appoint new representatives where appropriate.

Recommendation One

That the appointment of Councillor Richard Alspach to the Raupo Drainage Committee be reconfirmed.

Recommendation Two

That Council reconfirms or appoints as follows:

- *Councillors Julia Sutherland, Tom Smith and Graham Taylor, plus the Mayor as chairperson to the Mangawhai Endowment Fund Committee; and*
- *Councillor Julia Sutherland to the SPARC Local Funding Allocation Committee; and*
- *Councillor Julia Sutherland to the Creative Communities Local Funding Allocation Committee; and*
- *Councillors Julie Geange and Brian Burnett to the Taharoa Domain Management Committee; and*
- *Councillor Julie Geange to the Pou Tu O Te Rangi Committee; and*
- *The Mayor and Deputy Mayor to the Performance Management Committee.*

Recommendation Three

That Council reconfirms or appoints external appointments as follows:

Northland Regional Council Committees

Regional Land Transport Committee Cr Richard Alspach

Environmental Management Committee Cr Brian McEwing

External Appointments

Mangawhai Community Trust Crs Julia Sutherland and Tom Smith

Matakohe Church and Reserve Committee Cr Graham Taylor

Matakohe Kauri Museum Cr Graham Taylor

Dargaville Swimming Pool Committee Cr Richard Alspach

Road Safety Forum Cr Tom Smith

Northland Sport and Physical Activity Strategy Group Cr Julia Sutherland

Recommendation Four

That Council reconfirms the following Project Team:

Mangawhai EcoCare Project. Two Otamatea Councillors and the Wastewater Portfolio holder, being Councillors Julia Sutherland, Tom Smith and Graham Taylor.

Reason for the recommendations

Council reviewed which Councillors held which portfolios and as a result, appointments to Council committees and external committees are to be reconfirmed or new Councillors appointed as appropriate.

P75 5.4 Economic Development Facilitator: Position Description

Chief Executive 2205.03

A report by the Chief Executive is attached, relating to the Economic Development Facilitator Position. *Kaipara's Future - Working Together* provides very clear guidance as to the Council's direction for Economic Development. The Council had asked that a position description and Economic Development Strategy be approved by Council before recruiting a Facilitator. However, this is not reflected as part of the contract with the community and the Portfolio holder and the Chief Executive both agree it will be more effective to have the appointee involved in the preparation of the strategy.

It is proposed that a facilitator be appointed as follows:

Purpose of the Position

To assist the Chief Executive to achieve the following goals:

- To promote the District
- To attract new people to the District
- To attract new business to the District
- To assist existing businesses to develop
- To assist businesses to establish in the District.

Responsibilities

- To develop a concise, action oriented Economic Development Strategy that delivers and gives effect to the Regional Growth Strategy
- To identify where the greatest successes can be achieved
- To identify potential business to locate or relocate into the Kaipara District
- To identify and sell the advantages of establishing a business in the Kaipara District
- To work with businesses to ensure the benefits of the synergies that are available are maximised
- To bring together potential partners to create new opportunities for business
- To work with Kaipara's iconic businesses: These include Iwi, Museums, Horticulture and Agriculture
- To ensure that new and growing businesses are not delayed by Council's regulatory processes
- To develop high profile promotional activities within the District.

Critical Success Factors

- Action oriented
- Establish effective networks
- Passionately communicating the Council's message
- Listening to learn what will attract more people and business
- Achievement of outcomes agreed
- Proven ability to plan and deliver.

Key Performance Indicators

- Population growth
- Existing businesses expanded or grown
- New businesses to the District
- Attractions and/or events highlighting the Kaipara
- Visitors numbers more positive than Northland/national trends.

Recommended

That Council approves the recruitment of a Economic Development Facilitator as follows:

Purpose of the Position

To assist the Chief Executive to achieve the following goals:

- *To promote the District*

- *To attract new people to the District*
- *To attract new business to the District*
- *To assist existing businesses to develop*
- *To assist businesses to establish in the District.*

Responsibilities

- *To develop a concise, action oriented Economic Development Strategy that delivers and gives effect to the Regional Growth Strategy*
- *To identify where the greatest successes can be achieved*
- *To identify potential business to locate or relocate into the Kaipara District*
- *To identify and sell the advantages of establishing a business in the Kaipara District*
- *To work with businesses to ensure the benefits of the synergies that are available are maximised*
- *To bring together potential partners to create new opportunities for business*
- *To work with Kaipara's iconic businesses: these include Iwi, Museums, Horticulture and Agriculture*
- *To ensure that new and growing businesses are not delayed by Council's regulatory processes.*
- *To develop high profile promotional activities within the District*

Critical Success Factors

- *Action oriented*
- *Establish effective networks*
- *Passionately communicating the Council's message*
- *Listening to learn what will attract more people and business*
- *Achievement of outcomes agreed*
- *Proven ability to plan and deliver*

Key Performance Indicators

- *Population growth*
- *Existing businesses expanded or grown*
- *New businesses to the District*
- *Attractions and/or events highlighting the Kaipara*
- *Visitors numbers more positive than Northland/national trends; and*

That the development of an Economic Development Strategy be a key task of the appointee.

Reason for the recommendation

This builds on the direction set in *Kaipara's Future - Working Together* and provides a clear path for success. It will also assist in developing the commitment of the appointee to the achievement of the Strategy's outcomes.

P80 5.5 Northland Regional Council Submission to *Kaipara's Future - Working Together 2009/19*

Chief Executive 2302.13.02

A submission was received from Northland Regional Council dated 20 April 2009 to the draft *Kaipara's Future - Working Together 2009/19*. Council's Chief Executive has drafted a reply to this submission, dated 7 July 2009, for Council's approval. Both the submission and reply are attached for the information of Council.

Recommended

*That Council approves the response to Northland Regional Council's submission to *Kaipara's Future - Working Together 2009/19* as drafted by the Chief Executive dated 7 July 2009.*

Reason for the recommendation

The response replies to issues raised in the submission received from the Northland Regional Council to *Kaipara's Future - Working Together 2009/19*.

P91 5.6 State Highway 1, Brynderwyn Hills: Phase 1 Existing Alignment Assessment

Community Infrastructural Assets Manager 4106.06

A report from the Community Infrastructural Assets Manager is attached relating to the NZ Transport Agency study undertaken on Existing Alignment Assessment of State Highway 1 Brynderwyn Hills. The Executive Summary of the study is also attached. A full copy of the study is available on request.

Whilst reviewing the Northland State Highway Network for links prone to flooding and landslides, the NZ Transport Agency identified that the State Highway 1, Brynderwyn link as a critical link. A subsequent study by the Agency, the State Highway 1 Brynderwyn Hills: Phase 1 Existing Alignment Assessment concludes and recommends that "future effort should initially focus on identifying and prioritising improvements to the existing State Highway route (and the current detour routes)". This approach is supported and Council seeks the assistance of the Agency to improve the current detour routes.

Recommended

That Council writes to the NZ Transport Agency supporting the recommendation contained within the State Highway 1 Brynderwyn Hills: Phase 1 Existing Alignment Assessment that improvements to the Paparoa-Oakleigh Road and Kaiwaka/Mangawhai detour routes be identified and prioritised; and

That Council seeks the financial assistance of the NZ Transport Agency to improve the Paparoa-Oakleigh and Kaiwaka/Mangawhai detour routes.

Reason for the recommendation

To ensure State Highway 1 detour routes are fit for purpose.

P94 5.7 Grant Request: S Taylor, Tourism Famil

Stakeholder Engagement Manager 2109.01

A request from S Taylor dated 7 July 2009 is attached requesting financial assistance to run a tourism famil in October. The request is for \$2,500.

Recommended

That Council declines the request of a grant by S Taylor for \$2,500 as Council has not budgeted for this. All grants were allocated prioritised comprehensively following submissions last month in accordance with Council's Grant Policy.

Reason for the recommendation

No money has been allocated to this in the 2009/10 Annual Plan.

P97 5.8 Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM)

Community Infrastructural Assets Manager 4101.01

A report by the Community Infrastructural Assets Manager is attached relating to the Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's COPTTM, a traffic control manual designed for low volume roads such as Kaipara's. This manual supplements the requirements of Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM).

Council's Roading Engineers have examined the supplement and consider it appropriate for use on local roads throughout Kaipara. It allows for quick and easy development of traffic management plans that meet appropriate safety and traffic standards.

Recommended

That Council adopts the Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM).

Reason for the recommendation

To ensure consistent, safe and practical temporary traffic management on Council's roading network

P99 5.9 Notice of Motion: Hamblin Dog Prosecution**Development Manager 3504.01**

Notice of Motion to 22 July 2009 meeting of the Kaipara District Council, lodged under the terms of 3.10 of the Council's standing orders, by Councillor W Guest.

"Notice of Motion Cr Guest/

That the Kaipara District Council takes no further legal action against Dave Hamblin regarding the prosecution proceedings issued against him as set out in the Infringement Notices issued to Dave Hamlin pertaining to complaints made against his huntaway farm dog named Jack Under Council's Dog Control By-Laws.

That the Kaipara District Council forego all Dog Pound fee charges for the time of dog Jack's incarceration over a seven month period at the Council's dog pound. That Council also foregoes all legal costs relating to this matter.

That the Kaipara District Council accepts responsibility for failing to ensure the safe custody of Hamblin's dog Jack and compensate Hamblin for the loss of his dog."

Please Note: The above Notice of Motion is recorded 'as received'.

The following comment is made on the Notice of Motion

The prosecution proceedings should stand as the death of Mr Hamblin's dog does not alter the reason for the prosecution; that Mr Hamblin has committed an offence against the Dog Control Act, and to withdraw proceedings would leave the inference that the Council did not have a case. As the recent report from Mr Jim Boyd provided elsewhere in this agenda states: *From what I have read of the prosecution file in this matter, I have no doubt that the offences with which Mr Hamblin has been charged, are proper; and that the evidence to convict, is there.*

Mr Boyd also recommended diversion as a way of resolving this matter, and the offer was made to Mr Hamblin through his lawyer some weeks ago, but to date there has been no response. The offer includes forgoing any pound sustenance fees and legal costs by Council, but Mr Hamblin would have to formally acknowledge responsibility for the actions of his dog. If the prosecution is successful, as both Council's solicitor and Mr Boyd believe it will be, in addition to the expense of a defended hearing Mr Hamblin may well have costs awarded against him by the Court.

It is contrary to the findings of Mr Boyd's report that Council should accept responsibility for failing to ensure the safe custody of Mr Hamblin's dog. As Mr Boyd's report states: *The fact that Jack escaped, cannot be seen as negligence on the part of the foster carer, as it appears that all reasonable precautions were undertaken, and : The use of the foster home to care for Jack, was therefore perfectly legal.*

It is also clear from the advice of Council's solicitors included in last month's agenda (copy attached) that the reasons for the delay in progressing this matter through the Court lay in part with the Court system and in part with the defendant who on one occasion declined to enter a plea then sought a further continuance so that Cr Guest's submissions could be considered.

There is no issue about compensating Mr Hamblin for the loss of his dog; if the prosecution is successful as it is expected to be, then the consequence would have been destruction of the dog apart from any sentence passed by the Court.

6 Reports

6.1 Mayor's Report

1701.02.03

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

6.2 Councillors Portfolio Reports

Councillors 1904 (various)

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

Cr Alspach	Strategy
Cr Burnett	Finance
	Refuse
Cr Geange	Community Spaces
	• Reserves
	• Halls
	• Council Land
Cr McEwing	Regulatory
	Emergency Management
	Land Drainage
	Water
	Environmental Management Committee
	Kaihu Drainage
Cr Smith	Roading Operation
	Planning
Cr Sutherland	Social
	• Youth
	• Elderly
	• Sports

- Schools
- Arts
- Libraries

Stormwater

Cr Taylor

Economic Development / Tourism

Judicial Committee

Wastewater

Cir 6.3 Chief Executive's Report: July 2009

Chief Executive 2002.02.08

The Chief Executive's report for July 2009 is circulated separately.

Recommended

That the Chief Executive's report for July 2009 be received.

7 Receipt Items

P102 7.1 Hearing M Keane EcoCare: Determination of Objection: 12 June 2009

Development Manager 1605.11

A copy of the Hearing Committee's deliberation of M Keane's objection to an EcoCare drain across his property in Mangawhai, is attached.

Recommended

That the Hearing minutes for M Keane of 12 June 2009 be received.

P107 7.2 Judicial Committee Minutes: 3 and 31 March, 21 and 28 April 2009

Development Manager 1605.11

Copies of the Judicial Committee minutes for the following meetings are attached:

- P107 a) 3 March
- P119 b) 31 March
- P126 c) 21 April; and
- P138 d) 28 April 2009.

Recommended

That the Judicial Committee Minutes for 3 March, 31 March, 21 April and 28 April 2009 as circulated, be received.

P147 7.3 Taharoa Domain Governance Committee Unconfirmed Minutes 30 June 2009**Governance Manager 4702.24.02**

A copy of the unconfirmed minutes of the Taharoa Domain Governance Committee meeting of 30 June 2009, is attached.

Recommended

That the unconfirmed minutes of the Taharoa Domain Governance Committee meeting held 30 June 2009 as circulated, be received.

P152 7.4 Road Naming: Kahu Drive and Matuku Place and off Old Waipu Road, Mangawhai**Community Infrastructure Assets Manager 4102.09**

Verano Properties Limited is in the process of completing an 88 Lot subdivision off Old Waipu Road in Mangawhai. They have approached Council to name two roads in the subdivision.

Three names for each road have been submitted for approval. The three names suggested, in order of preference, for the larger piece of road in the attached plan are; Vista Verano, Kahu Drive and Ruru Drive. Vista Verano being the name of the development. The other two names are Maori bird names. There is currently a Vista Lane in Kaiwaka, therefore, Vista Verano is considered too similar to this and the second choice of Kahu Drive, being the Maori name for Hawk is suggested.

For the smaller road in the attached plan, the three names suggested in order of preference were; Matuku Place, Matata Place and Piopio Place, again all Maori bird names. All of the names meet Council's Road Naming Policy so the first choice of Matuku Place which is the Maori name for the Bittern is suggested.

Therefore Kahu Drive and Matuku Place both comply with Council's policy and are recommended.

Recommended

That the information be received.

P153 7.5 Collection of Rates on Behalf of Northland Regional Council

Finance Manager 2306.15

A copy of the Rates Collection Agreement between Council and the Northland Regional Council is attached, for the three years commencing 1 July 2009 which is due for signing.

The Local Government (Rating) Act 2002 stipulated that collection of Regional Council rates was to be the subject of individual agreement between councils (The Collecting Agency) and the various Regional Councils. At that time, in 2001/2002, the Northland Mayoral Forum debated the matter, and decided unanimously that the three Northland councils would continue to collect Regional Rates (which they had always done, the Regional Council not having their own rating system). The Mayoral Forum decision was based on avoiding cost duplication for the ratepayers of the North.

Had any of the three Northland District Councils decided not to continue to collect those rates, then formal notice, under the 2006/2009 Rates Collection Agreement, would have needed to have been given to Northland Regional Council by 1 December 2008, to allow them any chance of establishing their own rating operation.

In summary, Kaipara District Council is obliged under the 2006/2009 Agreement, to collect regional rates for the 2009/2010 rating year.

Recommended

That the information be received.

8 Information Items

P160 8.1 Delegated Authority: Schedule of Decisions

Development Manager 3803.0

A schedule of decisions that has been made under delegated authority is attached. 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.

P188 8.2 Hamblin Dog Prosecution Update Report

Development Manager 3504.0

A report from Mr Jim Boyd of Off The Beaten Track Enterprises, Consultancy Services in Law Enforcement and Animal Welfare is attached. This report, dated 28 June 2009, endorses the approach taken by Council, and commends it for offering diversion as a means of concluding the legal action against Mr Hamblin.

Recommended

That the information be received.

8.3 Drinking Water Assistance Programme (SWAP) Funding Approval

Community Infrastructural Assets Manager 4807.0; 4809.0

In May 2008 Council decided to lodge applications for the Ruawai and Maungaturoto water supplies to the Ministry of Health Drinking Water Assistance Programme for small drinking water supplies. The outcome of the application process was expected in September 2008. On 9 June 2009 the Ministry of Health advised the approval of Council's funding applications for Ruawai and Maungaturoto water supplies. The total funding approved is \$807,154.35, GST excluded.

Council is currently working with the Ministry of Health's Technical Assistance Programme Facilitator to agree a contract to which the Ministry will make the funding available. A milestone payment schedule has been developed for each water supply. The milestones for Ruawai include bore decommissioning, improving water treatment by removing the iron and manganese, new filtration plant, monitoring and training. Maungaturoto milestones include pipeline condition assessments, installation of automatic backwashing facilities, new filters, turbidimeters, alarms, low and high pressure pumps, new telemetry, manual development, monitoring and training. These milestones are being used by the Ministry to make up the contract documents which are expected to be available for signing in July. Once the contracts have been signed they will be processed by the Ministry of Health. Council can then proceed with engaging contractors to undertake the work.

When all work is completed Council will be required to submit a brief report stating the projects are finished and outlining how the project went from Council's point of view.

Recommended

That the information be received.

P194 8.4 District Plan Review: Monitoring Report July 2009**Chief Executive 3807.01.08**

The monthly Monitoring Report from the Project Manager of the District Plan Review is attached.

Recommended

That the information be received.

8.5 National Code of Practice: Utilities Access to Transport Corridors**Community Infrastructural Assets Manager 4001.11**

A national Code of Practice has been developed to formalise access to transport corridors by utility companies, while still allowing corridor managers rights to set reasonable conditions for use. The reason for the introduction of the Code is to offer a nationally consistent approach or process, formalise "best practice" industry standards and minimise third party damage.

The Code has been developed so that it is fair to all parties, harbours co-operation and outlines processes for all involved. Currently introduction of the Code is voluntary, but it is expected that legislation passed later this year will make the Code mandatory.

The impact of this on Council will be the need for processing and monitoring of applications between the corridor manager and the utility companies when undertaking work on Council's roads and road reserves. This should be financially neutral to Council as a fee can be charged to cover the cost of processing and monitoring.

Recommended

That information be received.

P196 8.6 Draft Regional Land Transport Strategy 2009**Community Infrastructural Assets Manager 4102.21**

The Regional Land Transport Committee for Northland has been preparing a new Regional Land Transport Strategy. This document is to provide guidance on land transport outcomes for the region over the next 30 years.

In conjunction with the Roding Operations Portfolio holder Council has developed a submission to the draft document. It is anticipated that these comments will mean that the document will strategically align more to Kaipara's needs.

The Kaipara District Council letter dated 30 June 2009 that has been submitted, is attached for the information of Councillors.

Recommended

That the information be received.

P200 8.7 Legislative Compliance Certification

Chief Executive 2112.01

The signed certificates are attached for the period ended 30 June 2009 of the sign-off from Management to Council that is undertaken half-yearly.

Recommended

That the information be received.

P205 8.8 Elected Members Remuneration 2009/10: Councillor Guest Declines Increase

A letter received from Councillor Guest, dated 7 July 2009, is attached, in which he confirms his intention to donate his Elected Members' remuneration increase for the 2009/10 year back to the Kaipara District Council.

Recommended

That the information be received.

P206 8.9 Rural and Provincial Sector Meeting Papers 11-12 June 2009 and 29 July 2009

Governance Manager 2113.02.01

Copies of the following Rural and Provincial Sectors' documents are attached:

- | | |
|------|---|
| P206 | a) The Minutes from the 11-12 June 2009 meeting |
| P214 | b) The Agenda for the upcoming AGM on 29 July 2009 |
| P215 | c) The Minutes from the previous year's AGM on 30 July 2008 |
| P220 | d) The 2008/2009 Annual Report |

Recommended

That the information be received.

9 Public Excluded Items 22 July 2009

Recommended

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

- *Contract 526: Professional Services*
- *Maungaturoto Water Supply: Brookland's Irrigation Dam*
- *Trade Waste Discharge Agreement: Silver Ferns Farms Ltd, Dargaville*
- *Sale of Station Road Council Depot (old Depot), Dargaville*

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>Contract 526: Professional Services</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Maungaturoto Water Supply: Brookland's Irrigation Dam</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Trade Waste Discharge Agreement: Silver Ferns Farms Ltd, Dargaville</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Sale of Station Road Council Depot (old Depot), Dargaville</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 - 22 July 2009

Recommended

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

Closure

Kaipara District Council

Dargaville