

**Minutes of Meeting Of Kaipara District Council In The Council Chambers, Station Road,  
Dargaville On Wednesday 26 August 2009 Commencing 1.00 pm**

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confirmed

**Council Minutes: 26 August 2009****1 Opening : Cr Burnett**

Councillor Geange to open the 23 September 2009 meeting.

**1.1 Present**

Mayor N Tiller, Councillors R Alspach, B Burnett, J Geange, W Guest, B McEwing, T Smith, J Sutherland, G Taylor

**1.2 In Attendance**

J McKerchar, B Ware, M Fleming, S Soole, M Vincent, C Lichtwark McInnes, F Vessey, G Gribben.

**2 Presentation/Public Forum****2.1 Brian Plunkett: Pahi Peninsula Walk/Cycleway Tracks**

**4702.34**

Item 4.5 referred.

**3 Confirmation of Minutes****3.1 Ordinary Council Meeting : 22 July 2009**

**Governance Manager 1601.13**

A copy of the minutes was circulated.

**Amendments:**

There were two amendments

**Page 5 Item 4.1: Consultation Strategy for 2009/10 including Annual Plan 2009/10; and other key Strategic Projects. 2302.11.04**

Third bullet point to read:

*Consolidating the foundation laid down with Kaipara's Future - Working Together 2009/2019 taking into account comments received from Audit New Zealand.*

**Page 7 Item 5.1: Mangawhai Activity Zone Concept Plans: Approval. 4702.13**

Reason for the Decision to read:

*The Mangawhai Activity Zone has worked up and finalised design, location and construction costs. This information was now brought back to Council for its approval. This formalises 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.*

**Resolved Smith/Sutherland**

*That the minutes of the Ordinary Meeting of Council 22 July 2009, as circulated and amended, be confirmed as a true and correct record.*

## **4 Policy**

### **4.1 Kauri Coast Community Pool: Northland Regional Council Grant**

**Governance Manager 4701.02.01**

In its circulated letter dated 5 August 2009 the Northland Regional Council had requested that Council formally advise the Northland Regional Council by way of a resolution that all necessary funding had been secured and that this Council was satisfied that the business plan for the community swimming pool was based on sound economic analysis and forecasting estimates. It was noted that the governance arrangements were being progressed and the Chief Executive had a draft which he was considering.

**Resolved Alspach/Burnett**

*That Council confirms:*

- *It is satisfied that all necessary funding has been secured; and*
- *It is satisfied the business plan for the community swimming pool is based on sound economic analysis and forecasting estimates.*

**Reason for the decision**

Council has assured the Northland Regional Council on several occasions that all is in order. This recommendation will meet the formalities required by the Northland Regional Council in order that it may release the funds of \$700,000 to the Kauri Coast Community Pool Trust.

**Whilst Councillor Guest supported Part 1 of the resolution he voted against the motion saying he could not support Part 2 as he did not believe that the business plan for the community swimming pool was sound.**

## 4.2 Pahi Peninsula Walk/Cycleway Tracks

**Governance Manager 4702.34**

The circulated letter and enclosures from Progressive Paparoa Incorporated referred Progressive Paparoa Incorporated as a Paparoa based community group with the stated object of 'promoting and encouraging the prosperity of Paparoa and the surrounding area'. It approached Council and sought support for a Scoping Study for the proposed Paparoa-Pahi Cycle/Walkway project. The project was being promoted by Brian Plunkett however Progressive Paparoa Incorporated would be the lead agency behind the project and had advised in a letter, circulated, to Council that it was prepared to commit its resources to achieve a successful outcome. Mr Plunkett used a portion of the allocated Public Forum time to present briefly to Council on this project

The Scoping Study would build on the work that had been carried out by local individuals to date and would evaluate the route options, standards, costs and development implications associated with this project. It was proposed that the document arising out of this Study would be the basis of construction of the project.

Progressive Paparoa Incorporated had sought and received a quote, circulated, of \$8,760 plus GST from Frame Group Limited and were seeking funding from Council for the cost of the proposed Scoping Study. Frame Group had prepared a number of similar scoping studies for other councils.

The Chief Executive sounded a note of caution in that this project involved some private land over which it was proposed to build tracks, boardwalks and the like, saying that this type of work on private land raised a number of issues of concern for Council.

**Resolved Geange/Smith**

*That Council approves in principle the Pahi Peninsula Walk/Cycleway Tracks as proposed by Progressive Paparoa Incorporated; and*

*That the Council approves the request from Progressive Paparoa Incorporated for a total of \$8,760 for a scoping study as per the quote from Frame Group Limited dated 06 August 2009 and that this be funded from Reserves Contributions.*

### **Reason for the decision**

Council saw this as a worthwhile project that had considerable community support. Council also noted that the community was looking for a hand up and not a hand out having undertaken a considerable amount of the preparation work already including ways in which raise funds themselves to see the project to its completion.

### 4.3 2009/10 Subsidised Roding Programme

#### Community Infrastructural Assets Manager

4101.01

The Maintenance and Operational budget for 2009/10 was to be approved by the NZ Transport Agency (NZTA) by 31 August 2009. The Renewal of Local Roads projects included Pavement Rehabilitation, Structures, Traffic Services, Emergency Reinstatement and Preventative Works. In the area of Emergency Reinstatement and Preventative Works Council was awaiting approval on some projects from the NZTA.

The Improvement of Local Roads Seal Extension Programme included Bickerstaffe Road which was subject to a contribution from a subdivision and minor safety. The list provided was for the 2009/2012 financial season. These would be progressed as the financial contributions were being progressed.

The total shown would include the developer's contribution, subsidy as well as required rates. This entire programme was yet to be approved by NZTA but was included here so the programme can be progressed immediately. Various reserve projects had been identified to ensure that further projects can proceed should delays with landowners or resource consents hold up any one project.

The Regional Development Fund project had been included and would be reviewed by a joint Tai Rawhiti and Northland working group. In order to progress the programme, Council's adoption was now sought to progress this programme in an orderly manner.

The following tables detailed the projects recommended by Council's Engineers for 2009/10 and were aligned to the Asset Management Plans.

#### **Resolved**      **Smith/Alspach**

*That Council receives and adopts the 2009/10 Subsidised Roding Programme work for completion in the 2009/10 financial year, as set out below, subject to obtaining approvals from the NZ Transport Agency.*

<b>Table 1: Maintenance and Operations of Local Roads</b>	<b>Amount 2009/10</b> \$
<i>Sealed Pavement Maintenance</i>	670,000
<i>Unsealed Pavement Maintenance</i>	1,616,000
<i>Routine Drainage Maintenance</i>	137,000
<i>Structures Maintenance</i>	128,000
<i>Environmental Maintenance</i>	448,000
<i>Traffic Services Maintenance</i>	300,000
<i>Network and Asset Management</i>	1,166,000
<i>Unsealed road metalling</i>	2,555,000
<i>Sealed Road Resurfacing</i>	953,000

<b>Table 2: Renewal of Local Roads</b>	<b>Amount 2009/10</b> <b>\$</b>
<i>District-wide culvert replacements</i>	621,000
<b>Road Rehabilitation</b>	
<i>Pahi Road</i>	542,192
<i>Pahi Road</i>	565,504
<i>Tinopai Road</i>	495,944
<i>Trounson Park Road</i>	156,040
<i>Trounson Park Road</i>	239,136
<i>Tokatoka Road</i>	228,232
<i>Tomarata Road</i>	224,096
<i>Waihue Road</i>	84,976
<i>Waihue Road</i>	367,352
<i>Waihue Road</i>	172,960
<i>Molesworth Drive</i>	150,400
<i>Molesworth Drive</i>	201,536
<i>Ararua Road</i>	90,616
<i>Ararua Road</i>	255,680
<i>Tangowahine Valley Road</i>	298,920
<i>Notorious West Road</i>	142,128
<i>Notorious West Road (Bridge Approach)</i>	40,984
<i>Pukehuia Road</i>	49,632
<i>Pukehuia Road (Bridge Approach)</i>	38,728
<i>Gibbons Road (Bridge Approach)</i>	20,680
<i>Other</i>	219,264
<b>Structures</b>	
<i>District wide structural bridge repairs</i>	224,000
<i>Pukehuia Road Replacement (Br 227)</i>	200,000
<i>Tara Road Big Culvert Replacement (RP 7,305)</i>	98,000
<i>Tangowahine Valley Road (Br 282)</i>	25,000
<i>Central Road (Br 47)</i>	400,000
<b>Traffic Services Renewals</b>	
<i>Edge Marker Post's and safety railing district-wide</i>	50,000
<i>Pavement markings district-wide</i>	130,000
<i>Signs replacement district-wide</i>	120,000
<b>Emergency Reinstatement (Slips)</b>	
<i>Lawrence Road RP 3546</i>	150,000
<i>Tokatoka Road RP 295</i>	180,000
<i>Paparua Oakleigh Road RP4724</i>	150,000

<b>Preventative works (Slips)</b>	
<i>Tinopai Road RP 7690</i>	120,000
<i>Paparoa Oakleigh Rd RP 4724</i>	150,000
<i>Tinopai Road RP 7700</i>	130,000
<i>Matakohe East Road RP 400</i>	86,000
<i>Paparoa Oakleigh Road RP 4920</i>	170,000
<i>Paparoa Oakleigh Road RP 9756</i>	60,000

<b>Table 3: Improvement of Local Roads</b>	<b>Amount 2009/10 \$</b>
<b>Seal Extension</b>	
<i>Tara Road (LTCCP 09-19)</i>	203,130
<i>Arapohue Road (LTCCP 09-19)</i>	489,140
<i>Parekura Road (LTCCP 09-19)</i>	413,660
<i>Gibbons Road (LTCCP 09-19)</i>	224,220
<i>Hoanga Road (LTCCP 09-19)</i>	445,850
<i>Karaka Road (LTCCP 09-19)</i>	220,150
<i>Black Swamp Road (LTCCP 09-19)</i>	525,400
<i>Golden Stairs Road (LTCCP 09-19)</i>	566,470
<i>Trounson Park Road (LTCCP 09-19)</i>	942,020
<i>Mountain Road (LTCCP 09-19)</i>	101,750
<i>Mountain Road (LTCCP 09-19)</i>	218,300
<i>Mt Wesley Road (LTCCP 09-19)</i>	673,400
<i>Bickerstaffe Road (LTCCP 09-19)</i>	30,436
<b>Bridge Approach Sealing</b>	
<i>Mititai Road (Bridge 134)</i>	30,000

<b>Table 4: Minor Safety Works</b>	<b>Amount 2009/10 \$</b>
<i>Curnow Road / Mititai Road Realignment close to Bridge Approach</i>	50,000
<i>Oruawhoro Road Realignment (Syd Smith Road to Nukoroa Road)</i>	235,000
<i>Street Lighting</i>	43,000
<i>Walking and Cycling Initiatives</i>	175,000
<b>Bridge Guard Railing</b>	
<i>Pahi Road (Br 176)</i>	35,000
<i>Baldrock Road (Br 25)</i>	35,000
<i>Baldrock Road (Br 26)</i>	35,000

<b>Intersection improvement</b>	
<i>Garbolino/Kaiwaka-Mangawhai Intersection sight improvement</i>	100,000
<i>Kaiwaka-Mangawhai Road / Tara Road Intersection improvement</i>	100,000
<b>Sight Benching</b>	
<i>Omana Road</i>	100,000
<i>Girls High School Road</i>	100,000
<b>Filling of Deep Drains</b>	
<i>Moir Street Filling of deep drains</i>	83,500
<i>Molesworth Drive Filling of deep drains</i>	83,500
<b>Footpaths</b>	
<i>Paparoa-Oakleigh Road / Paparoa-Station Road</i>	27,000
<i>Tinopai Road Komiti Road</i>	25,000
<i>Station Road (Bluff)</i>	23,000
<i>Komiti Road RP990, kerb RP 740 + Culvert at RP 964</i>	25,000
<b>Table 5: T - Funds Projects</b>	<b>Amount 2009/10</b>
	<b>\$</b>
<i>Community Transport Fund</i>	650,000
<i>Projects yet to be identified and confirmed</i>	
<i>80% of Funding Assistance Rating (FAR)</i>	
· <i>Sealing outside community facilities (halls, schools, Maraes)</i>	
· <i>Walking and Cycling projects</i>	
· <i>Safety projects</i>	

<b>Table 6: Forestry Targeted Rate Projects</b>	<b>Amount 2009/10</b>
	<b>\$</b>
<i>Tinopai Road Neem to Kaipara View</i>	1,284,000

### Reason for the decision

Adoption of the programme will allow Council to fulfil its commitment made to the community in the current Annual Plan and ensure that Council prudently maintains its roading assets in accordance with its Asset Management Plans.

## 4.4 2009/10 Non-Subsidised Roding (Footpaths) and Urban Stormwater Programmes

### Community Infrastructural Assets Manager 4101.01

The 2009/10 Non-Subsidised Roding (Footpaths) Programme and Urban Stormwater Programme were detailed in the 2009/10 Annual Plan. Since the adoption of the Annual Plan the specific projects to be undertaken have been determined. The Non-Subsidised Roding (Footpaths) Annual Plan budget was \$130,000. The 2009/10 Urban Stormwater Programme included a large programme of works for Mangawhai, Dargaville as well as

Baylys. This will progress and complete the majority of urban stormwater projects identified in Mangawhai Village, dependent on tender prices.

The tables in the resolution below detailed the projects recommended by Council's Engineers.

**Resolved Sutherland/Burnett**

*That Council receives and adopts the 2009/10 Non-Subsidised Roding (Footpaths) Programme and Urban Stormwater Programme work for completion in the 2009/10 financial year as set out below:*

<b>Table 1: Unsubsidised Footpaths</b>	<b>Amount 2009/10 \$</b>
<i>Dargaville: Station Road (170 metres of footpath)</i>	15,708
<i>Mangawhai: Moir Point Road (185 metres of footpath)</i>	17,000
<i>Mangawhai: Molesworth Drive (Eveline Street to Bridge) (1,235 metres of footpath)</i>	55,000
<i>Maungaturoto: Hurndall Street East and West (120 metres of footpath)</i>	11,000
<i>Maungaturoto: Gorge Road (340 metres of footpath)</i>	31,292

<b>Table 2: Urban Stormwater</b>	<b>Amount 2009/10 \$</b>
<i>Dargaville: Gordon Street (Upgrade and replace 300 metres of pipe from Carrington Street to Onslow Street to cope with 5 year (Average Return Interval) ARI storm event)</i>	280,000
<i>Dargaville: Cobham Avenue (Improvements to drainage within the road reserve)</i>	20,000
<i>Baylys: Cynthia Place (Extending stormwater culvert and outlet pass residential street area)</i>	41,000
<i>Mangawhai: Moir Street East Molesworth Drive to outlet - piping of 400 metres of open drains</i>	535,000
<i>Mangawhai: Moir Street East - Piping open drains (roading component)</i>	75,000
<i>Mangawhai: Molesworth Drive South – Piping of open drains (roading component)</i>	75,000

**Reason for the decision**

Adoption of the 2009/10 programme will allow Council to fulfil its commitment made to the community in the current Annual Plan while maintaining its assets in accordance with the Asset Management Plan

#### **4.5 Telecom Mobile Limited, Huarau: Appointment of Independent Commissioner for Consent Extension**

**Development Manager RM040101E**

In 2004 an independent commissioner was appointed by Council to determine an application by Telecom Mobile to establish a new cellphone tower at Ariel's Hill between Paparoa and Maungaturoto. An independent commissioner was used because of the complex technical issues involved. Consent was granted in August 2004. Until recently, no action had been taken to implement the project. Only now had funding been allocated to enable it to proceed, but the consent was on the point of lapsing, and would have lapsed if the consent holder had not lodged an application for an extension of time.

There was no delegated authority for the extension of time application to be determined by staff, as the original application was determined by Commissioner Mr Harry Bhana.

Approval was sought for Mr Bhana to determine the extension of time request. He had advised that he was available.

**Resolved Taylor/Alspach**

*That pursuant to s34A Resource Management Act Mr Harry Bhana be appointed to determine the application by Telecom Mobile for extension of time for the consent to erect a cellphone tower at Ariel's Hill (reference: RM040101).*

#### **Reason for the decision**

The original application was determined by Mr Bhana, and he is available to deal with the current request.

#### **4.6 Road Stopping: Road North of State Highway 1, Brynderwyn, near Artillery Road**

**Community Infrastructural Assets Manager 4102.17**

Council had been approached by Birt and Currie Surveyors Ltd on behalf of Mathew Metcalfe and Lance and Demelza Aukett who were currently conducting a boundary adjustment between each other. Within this boundary adjustment were two separate unformed paper roads, which ran over steep terrain that the Aukett's and Mr Metcalfe would be interested in purchasing from Council.

The two pieces of land in question were marked "A", "B" and "C" on the circulated map. Area A was to be amalgamated with proposed Lot 1 of 21.42 hectares. Area B was to be amalgamated with Lot 2 DP208322, Allot 152 and proposed Lot 2 with an area of 21.66 hectares. The area marked C on the circulated map was to be amalgamated with Part Lot 1 DP28821. The current portion of paper road sits north and south of Lots 1-3 DP 208322

Sec 2 SO 67448 Allots 376 152 Kaiwaka Parish Block X Waipu Survey District.

Council's Roading Engineer had inspected the roads in question with the Surveyor. The roads were considered as an inappropriate location for an intersection any time in the future. Coupled with that was the steep terrain that the paper road was on. Council owned property to the west of the proposed road stopping, but can be accessed via Artillery Road which was a metalled road just to the north of the proposed stopped road, if Council ever had a need in the future; although due to the nature of the terrain this was highly unlikely.

The surveyor had found that no other properties would be adversely affected by this road stopping. Council research had found the same.

The affected area subject to survey was approximately 9,200 square metres, and both parties, via their surveyor, have indicated that should this application be successful, they would meet the costs involved for the legalisation costs.

It was proposed that the road stopping be attended to in terms of Local Government Act 1974 Section 342. These requirements being:

- Sale price to be determined by a Registered Valuer
- Obtain consent Minister of Lands
- The portion of stopped road was to be amalgamated with the adjoining land under one Certificate of Title.
- Public notice of the proposal be attended to including details of where the plan may be inspected.
- Serve a notice in the same form as the public notice to the occupiers of all the land adjoining the road proposed to be stopped.
- Place a notice at each end of the road proposed to be stopped.

The purchasers were to meet all costs to the proposal, these being survey, public notification, valuation, gazetting and all other incidental costs that may be incurred.

Council said that it was imperative that public access be safeguarded.

**Resolved Taylor/Smith**

*That Council approves of the road stopping of land north and south of Lots 1-3 DP 208322 Sec 2 SO67448 Allots 376 152 Kaiwaka Parish Block X Waipu Survey District, in terms of Section 342 of the Local Government Act 1974; and*

*That L and D Aukett and M Metcalfe meet all costs incurred for the road stopping and any associated costs.*

**Reason for the decision**

This portion of unformed road will not be required for roading purposes in the future.

#### **4.7 Wairere Road Bridge and Ontrack (NZRC) Agreement**

**Community Infrastructural Assets Manager 4107.503**

Circulated were copies of a report from the Community Infrastructural Assets Manager and a Deed of Grant Agreement between New Zealand Railways Corporation and Kaipara District Council granting right to erect, use and replace an overbridge on railway land at Wairere Road, Paparoa.

The existing Wairere Road Bridge N° 318 over the railway had reached the end of its useful life and was due for replacement. The planned Wairere Road Bridge N° 318 Replacement Project provided a new road bridge over the railway at this location. The construction of this new replacement bridge alongside the old bridge involved activities that were within and above the rail corridor.

**Resolved Smith/Taylor**

*That Council approves signing of the Deed of Grant Agreement granting right to erect, use and replace an overbridge on railway land at Wairere Road, Paparoa as it was received on 27 November 2008; and*

*That Council insurers be advised that the requests for amendments as outlined in their letter dated 26 January 2009 (Clauses 3 h, 3i and 3l) are not able to be deleted or changed and New Zealand Railways Corporation advise these are standard in all New Zealand Railway Corporation grant and lease documents.*

#### **Reason for the decision**

To continue with the Wairere Road Bridge N° 318 Replacement Project. There is no alternative but to accept the New Zealand Railways Corporation (NZRC) Deed of Grant Agreement in its present form.

#### **4.8 Warrants of Appointment: Dog, Stock and Noise Control Officers and Parking Wardens**

**Development Manager 6404.0 WOA**

Jason Tana and John Carrick made a request to the Kaipara District Council to be appointed as authorised Dog, Stock and Noise Control Officers and Parking Wardens pursuant to the Dog Control Act 1996, the Impounding Act 1955, the Local Government Act 2002, the Resource Management Act 1991 and the Transport Act 1962.

Mr Tana and Mr Carrick were employed by Environmental Northland Limited, Council's contractor for providing these services. The proposed warrants would not have expiry dates but would rather be valid until the respective officer was no longer in that position or when there was a need to update the warrant because of new legislation.

**Resolution One                    Sutherland/McEwing**

*That Council appoints Jason Joseph Tana and John Stephen Carrick as Authorised Officers under the Kaipara District Council General Bylaw No.1 2008 and authorises them to carry out the functions and powers of Authorised Officers under this Bylaw.*

**Reason for Decision One**

Making the appointment as recommended, will allow the warrant to be issued to the respective officer in order for him to undertake his duties under the Kaipara District Council General Bylaw No.1 2008.

**Resolution Two                    Sutherland/McEwing**

- 1     *That Council warrants Jason Joseph Tana and John Stephen Carrick as authorised officers pursuant to s.13, s.14, s.17, s.19, s.19A, s.59 and s.60 of the Dog Control Act 1996; and pursuant to s.8 of the Impounding Act 1955; and pursuant to s.164, s.171, s.172, s.173, s.177, s.245 of the Local Government Act 2002; and pursuant to s.38(1)(2)(5)(6), s.327, s.328 of the Resource Management Act 1991.*
- 2     *That Council warrants Jason Joseph Tana and John Stephen Carrick as authorised parking wardens pursuant to s.7 of the Transport Act 1962;*

**Reason for Decision Two**

This authorisation is necessary to enable Jason Tana and John Carrick to undertake the duties of a Dog, Stock and Noise Control Officer and a Parking Warden in the Kaipara District.

**4.9 Warrant of Appointment: Rural Fire Officer**

**Community Infrastructural Assets Manager                    6402.0**

Wayne Paget made a request to the Kaipara District Council to be appointed as a Rural Fire Officer pursuant to the Forest and Rural Fires Act 1977; the Forest and Rural Fires Regulations 2005. He was the Deputy Chief Fire Officer of the New Zealand Fire Service Brigade at Mangawhai. This appointment was necessary to enable Wayne Paget to act under the authority of the Forest and Rural Fires Act 1977 in absence of the Chief Fire Officer, Maurice Doughty, pursuant to the agreement that Council had with the New Zealand Fire Service for the Mangawhai Brigade to respond to rural vegetation fires in the Mangawhai area.

**Resolved Sutherland/Smith**

*That Council warrants Wayne Paget as an authorised officer of the Rural Fire Officer pursuant to Section 13 of the Forest and Rural Fires Act 1977 and the Forest and Rural Fires Regulations 2005 to carry out the powers, functions and duties under the Forest and Rural Fires Act 1977 in the Kaipara District:*

**Section Function/Power**

*Section 13 Fire Officers and other employees*

*Powers, functions, and duties of Fire officers*

- (1) *In each district other than a State area the Fire Authority shall appoint one or more suitable persons as a Rural Fire Officer or as Rural Fire Officers. Where there are 2 or more Rural Fire Officers one shall be appointed as Principal Rural Fire Officer.*
- (2) *The Fire Authority for each district other than a State area may appoint or employ all such other officers and employees as it deems necessary for the purposes of this Act.*
- [(3) *For each State area the Minister of Conservation may—*
  - (a) *Appoint one or more suitable persons as a Rural Fire Officer or Rural Fire Officers:*
  - (b) *Appoint one Rural Fire Officer as Principal Rural Fire Officer.]*
- [(3A) *Every warranted officer appointed under section [59\(1\)](#) of the Conservation Act 1987 shall be a Rural Fire Officer for every State area.]*
- [(3B) *Where no Principal Rural Fire Officer has been appointed for a State area,*
  - (a) *Any Rural Fire Officer appointed for that area under subsection [\(3\)\(a\)](#) of this section; and*
  - (b) *Any warranted officer referred to in subsection [\(3A\)](#) of this section,— shall have all the powers of a Principal Rural Fire Officer in respect of the area.]*
- (4) *Deputies of officers and employees may be appointed under this section or under section [14](#) of this Act.*
- (5) *Any Fire Authority may in its discretion allocate to its officers, employees, and servants such responsibilities as may from time to time appear to it appropriate and necessary.*

### Reason for Decision

Affirming the appointment as recommended, will allow Mr Paget to act as a Rural Fire Officer on behalf of and with the authority of this Council.

#### 4.10 Mangawhai Coastal and Harbour Reserves Management Plan: Reserve Parcel Classification Obligations

**Governance Manager 4702.13.03**

A copy of a report and maps from the Governance Manager were circulated. Kaipara District Council owned 85 legal parcels of Reserve which either were, or could be brought, under the ambit of the Mangawhai Coastal and Harbour Reserves Management Plan. In order that this might happen and as part of the statutory process of establishing a Management Plan under the Reserves Act 1997, reserves needed to be classified.

#### Resolved Geange/Smith

*That the reserves below be classified as Local Purpose Reserves under Section 16 (2A) of the Reserves Act; and*

*That reserves be classified as Local Purpose Esplanade Reserves under Section 16A of the Reserves Act 1997.*

<b>Parcel Map Key</b>	<b>Legal Description</b>	<b>CT/Gazette</b>	<b>Valuation Number</b>	<b>Primary Purpose</b>
1	Lot 33 DP 348513	CFR 226802	0122009233	L P Esplanade
11c	Lot 8 DP 1010578	NA 1314/20	122168000	L P Esplanade
11d	Lot 16 DP 138742	NA 1314/19	122168000	L P Esplanade
12a	Lot 20 DP 144580	NA 19A/87	122173300	L P Esplanade
13	Lot 4 DP 87193	-	122183200	L P Esplanade
13a	Lot 5 DP 39468	LT 415936		L P Esplanade
14a	Lot 6 DP 202178	NA 130D/9	122183604	L P Esplanade
14b	Lot 6 DP 163375	NA 98C/195	122183604	L P Esplanade
15a	Lot 25 DP 139051	NA93D/31	122015400	L P Esplanade
15b	Lot 26 DP 139051	NA93D/32	122015400	L P Esplanade
15c	Lot 3 DP 133293	NA 1327/19	122015400	L P Esplanade
15d	Lot 4 DP 103132	NA 53D/1128	122015400	L P Esplanade
16a	Lot 9 DP 118397	NA56D/915 and Part NA 56D/916	122012001	Recreation Reserve
16b	Lot 10 DP 118397	NA 56D/916	122012001	LP Utility
17a	Lot 6 DP 155248	NA 92D/62	122010802	L P Esplanade
17b	Lot 6 DP 106483	Part NA11B/304	122010802	L P Esplanade

17c	Lot 4 DP 106483	Part NA11B/304	122010802	L P Esplanade
17d	Lot 5 DP 106483	Part NA11B/304	122010802	L P Esplanade
17e	Lot 3 DP 132183	NA726/111 & NA 867/176	122010802	L P Esplanade
17f	Lot 3 DP 120027	NA 867/175	122010802	L P Esplanade
18a	Lot 4 DP 121358	Part NA 645/5 cancelled	-	L P Esplanade
18b i	Lot 5 DP 121358	Part NA 645/5 cancelled	122012904	L P Esplanade
18b	Lot 1 DP 154785	NA 88C 944	122012904	L P Esplanade
18c i	Lot 10 DP 135476	Part NA 73C/75 cancelled	-	L P Esplanade
18c	Lot 11 DP 135476	Part NA 73C/75 cancelled	-	L P Utility
	Lot 8 DP 152746	Part NA 42A/692 cancelled	-	L P Utility
	Lot 10 DP 152746	Part NA 42A/692 cancelled	-	L P Esplanade
	Lot 12 DP 152746	Part NA 42A/692 cancelled	-	L P Esplanade
	Lot 13 DP 152746	Part NA42A/692 (cancelled)	-	L P Esplanade
	Lot 14 DP 152746	Part NA42A/692 (cancelled)	-	L P Esplanade
18d	Lot 15 DP 152746	Part NA 42A/692 cancelled	122012904	L P Esplanade
19	Lot 3 DP 121358	Part NA 645/5 cancelled	122184301	L P Esplanade
20a	Lot 10 DP 138939	NA 577/179	122184407	L P Esplanade
20b	Lot 4 DP 186567	NA 116D/593	122184407	L P Esplanade
21a	Lot 8 DP 115278	NA 31C/903	122184607	L P Esplanade
22a	Lot 22 DP 362172	253775	-	L P Esplanade
22b	Lot 23 DP 362172	253776	122188728	L P Accessway
23	Lot 2 DP 91013	NA 48B/278	122189801	L P Esplanade
24	Lot 10 DP 106013	NA 1894/40	122190190	L P Esplanade
25	Lot 14 DP 106013	NA 4B/1003	122191202	L P Esplanade
26c	Lot 1 DP 177202	NA110A/179	123101300	L P Esplanade

### Reason for the decision

Council is required to complete the classification of its reserves prior to adopting the Mangawhai Coastal and Harbour Reserves Management Plan. This will complete that process.





## **7 Information Items**

### **7.1 Delegated Authority: Schedule of Decisions**

**Development Manager 3803.0**

Circulated was a schedule of decisions that had been made under delegated authority. The schedule was not for Council to review the detail of those decisions as they have already been made under delegated authority, but rather it gave an indication of the nature and scale of developments taking place within the District in a reasonably concise way.

**Resolved Alspach/Burnett**

*That the Delegated Authority Schedule of Decisions be received.*

### **7.2 District Plan Review: Monitoring Report August 2009**

**Chief Executive 3807.01.08**

The monthly Monitoring Report from the Project Manager of District Plan Review was circulated.

**Resolved Alspach/Burnett**

*That the information be received.*

### **7.3 Whangarei District Council Submission on the Local Government (Auckland Council) Bill**

**Governance Manager 1908.02.04**

A copy of the Whangarei District Council submission, and additional material, on the Local Government (Auckland Council) Bill was circulated.

**Resolved Alspach/Burnett**

*That the information be received.*

### **7.4 Brookfields: Crest Energy Power Turbines**

**Governance Manager 2130.02**

A letter from Brookfields dated 14 July 2009 was circulated, responding to the question of responsibility for building consent if and when Crest Energy places power turbines at the mouth of the Kaipara Harbour.

**Resolved Alspach/Burnett**

*That the information be received.*

## **7.5 Removal of Department of Conservation Fire Safety Margins**

**Community Infrastructural Assets Manager 6208.0**

Circulated was a copy of the decision from the National Rural Fire Authority dated 27 July 2009 regarding the removal of Department of Conservation Fire Safety Margins.

Council held a workshop in March 2009 around the proposed removal of the margins. From this a recommendation was made to lodge a submission with the National Rural Fire Authority to retain the 35 fire safety margins across Kaipara.

Councillor Brian McEwing, Fiona Vessey and Jim Goodland attended the hearing held on 8 July 2009 on Council's behalf. The decision from the Authority was to disestablish all the margins with the exception of state area land of Kellys Bay, Omamari and the Brynderwyn Walkway, Mangawhai.

**Resolved Alspach/Burnett**

*That the information be received.*

## **7.6 Local Government New Zealand: Public Versus Private Ownership of Utility Infrastructure**

**Community Infrastructural Assets Manager / Strategic Support Team Leader 4810.0**

Local Government New Zealand had released the circulated report on Public versus Private Ownership of Utility Infrastructure. This report had been commissioned by Local Government New Zealand as a response to a report prepared by New Zealand Council for Infrastructure Development (NZCID) which was critical of local government ownership of water infrastructure.

**Resolved Alspach/Burnett**

*That the information be received.*

## **7.7 Cycleway Kaipara**

**Community Spaces Manager 2110.20**

A copy of a report from the Community Spaces Manager was circulated regarding the New Zealand Cycleway Project. The report brought Council up-to-date with the Government's Cycleway Project and made Council aware of work done to date on Kaipara's Proposed Cycleway Route.

In early 2009 the Government, through the Prime Minister and Minister of Tourism, John Key, announced its intention to provide a \$50 million operating fund to Vote Tourism over three years to progress the New Zealand Cycleway Project. The concept of a national cycleway system was one of the proposed ideas which came from the Employment Summit, "Near Term and High Priority ", as a means to stimulate jobs through the present economic crisis while creating the best possible environment for businesses to prosper as economic conditions improve. The Minister believed the cycleway project was a way of revitalising communities by generating revenue and employment opportunities.

The project proposes to create a series of 'Great Rides' of New Zealand, with a long term aim of creating a network that linked these experiences together through branding and / or route development.

**Resolved      Alspach/Burnett**

*That the information be received.*

confirmed

## 8 Public Excluded Items 26 August 2009

### **Resolved Alspach/Geange**

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

- *Awakino Transfer Station Options*
- *Baylys Wastewater System*
- *Sale of Council Property: Change of Procedure*

*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>Awakino Transfer Station Options</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Baylys Wastewater System</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Sale of Council Property: Change of Procedure</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.

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### Resolved Geange/Sutherland

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

### 8.1 Awakino Transfer Station Options

**Community Infrastructural Assets Manager 4202.01**

#### Resolved Burnett/Alspach

*That Council calls for Expressions of Interest to develop and manage the transfer station at Awakino Road, Dargaville or any other site.*

#### Reason for decision

To develop a transfer station facility which would be most cost effective to Kaipara ratepayers while offering Council long term security.

### 8.2 Baylys Wastewater System

**Community Infrastructural Assets Manager 4515.0**

#### Resolved Alspach/Geange

*That the Kaipara District Council consults with the community regarding proposals for a community wastewater scheme at Baylys.*

#### Reason for the decision

A wastewater system is the most effective way of mitigating public health and environment risk at Baylys. The cost of such a system will need to be born by the local community and therefore community must be part of the decision on how to proceed.

### **8.3 Sale of Council Property: Change of Procedure**

**Strategic Support Team Leader                    5105.15**

**Resolved                    Geange/Smith**

*That Council agrees to market and sell identified Council land using a selected local real estate agent(s) appointed through a tender process; and*

*That Council invites all Kaipara registered real estate agencies to attend a Council-run presentation on the project plan and the criteria required by Council for expressions of interest to be submitted by tender; and*

*That Council enters into an agreement with the preferred real estate agency(s) for a period of two years.*

#### **Reason for the decision**

To use the expertise and knowledge of local real estate agents to market and sell any identified surplus Council land for the purpose of obtaining a true market price to increase the value of the return for Council and its communities.

### **8.4 Matters Arising from Public Excluded**

**Hamblin Dog Issue Update                    3505.01**

Council asked for an update on the Hamblin dog issue and was advised that whilst a resolution was expected soon, the matter was still outstanding.

### **8.5 Forestry Funding**

**Kauri Coast Community Pool                    4701.02.01**

**Resolved                    Alspach/Guest**

*That Council allocates the returns from its forestry estate for the next 15 years to the Kauri Coast Community Pool should it be required, or other recreational projects in the previous Hobson County/Dargaville Borough areas.*

## **Closure**

Meeting closed at 3.30 pm.

Confirmed this 23<sup>rd</sup> day of September 2009

Mayor Tiller