

**Confirmed Minutes of the Ordinary Meeting Of Kaipara District Council In The Council  
Chambers, Station Road, Dargaville On Wednesday 22 October 2008 Commencing 1.00pm**

**Contents**

<b>1</b>	<b>Opening : Cr Alspach.....</b>	<b>3</b>
1.1	Present .....	3
1.2	In Attendance.....	3
<b>2</b>	<b>Confirmation of Minutes .....</b>	<b>3</b>
2.1	Ordinary Council Meeting : 24 September 2008.....	3
<b>3</b>	<b>Public Forum.....</b>	<b>4</b>
<b>4</b>	<b>Strategic .....</b>	<b>5</b>
4.1	2007/2008 Annual Report Adoption: Receipt of Audit Report .....	5
4.2	New Zealand Transport Agency .....	5
<b>5</b>	<b>Policy.....</b>	<b>7</b>
5.1	Bylaw Review and Public Places Liquor Control Bylaw Extension.....	7
5.2	Development Contribution Requirement, Request for Remission : D and B Matamana .....	8
5.3	Development Contribution Requirement, Request for Remission J and S Duffy .....	9
5.4	Realignment of Lutrell and Charity Hill Roads, Te Kopuru.....	10
5.5	Electronic Certification of Survey Plans .....	11
5.6	Domestic Food Review Voluntary Implementation Programme .....	11
<b>6</b>	<b>Reports .....</b>	<b>12</b>
6.1	Mayor's Report.....	12
6.2	Councillors Portfolio Reports .....	12
6.3	Chief Executive's Report: October 2008 .....	12
<b>7</b>	<b>Receipt and Adoption Items .....</b>	<b>13</b>
7.1	Road Naming: Private Right of Way off Comes Road, Mangawhai: Kingfisher Lane.....	13
7.2	District Plan Review: Kaiwaka Workshop and Mangawhai Focus Group .....	14
<b>8</b>	<b>Information Items .....</b>	<b>15</b>
8.1	Delegated Authority: Schedule of Decisions .....	15
8.2	Contract Acceptances .....	15
8.3	Contract 575 Parks and Reserves: Levels of Service.....	16
8.4	Bridge 282 Speed Restriction: Tangowahine Valley Road.....	17
8.5	Comes Road, Mangawhai: Chicane Trial.....	17
8.6	Hakaru Landfill Post Closure Care Management Plan .....	18



Your complimentary use period has ended. Thank you for using PDF Complete.

Click Here to upgrade to Unlimited Pages and Expanded Features

October 2008 ..... 19

October 2008 ..... Error! Bookmark not defined.

Public Excluded Minutes 24 September 2008 ..... **Error! Bookmark not defined.**

9.2 Sale of Council Land, Finlayson Park Avenue, Dargaville: Habitat for Humanity **Error! Bookmark not defined.**

9.3 Pahi Reserve Delegations ..... **Error! Bookmark not defined.**

**Open Meeting: 22 October 2008 ..... 20**

9.1 Public Excluded Minutes 24 September 2008 .....20

9.2 Sale of Council Land, Finlayson Park Avenue, Dargaville: Habitat for Humanity.....20

9.3 Pahi Reserve Delegations .....21

**Closure ..... 21**

## Minutes: 22 October 2008

### 1 Opening : Cr Alspach

Councillor Burnett to open the meeting on 26 November 2008.

#### 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 Holden, F Vessey, V Anich, B Ware, C Lichtwark McInnes, M Vincent, G Gribben

### 2 Confirmation of Minutes

#### 2.1 Ordinary Council Meeting : 24 September 2008

##### Governance Manager 1601.13

A copy of the minutes was circulated.

##### Amendments

##### a) Item 2.1 (page 3) Northland Tourism Development Group Presentation 1.00 pm

Credit was given to Albert Lovell who presented.

##### b) Item 4.1 (page 4) Tourism Funding: Northland Tourism Development Group

That the words *to be brought to the November 2008 meeting* be added at the end of the resolution. The resolution will then read:

*“That Council lets the item 4.1 Tourism Funding: Northland Tourism Development Group lie on the table pending an investigation and report into the future of Enterprise Northland to be brought to the November 2008 meeting.”*

**) Notice of Motion 3: District Plan Review**

graph, the word %public+be replaced with %private+. The first paragraph would then read:

%Councillor Guest spoke to this item. He stated that the Chief Executive had misled the Council and was guilty of misconduct. He stated that in his opinion if the Chief Executive was employed in the private sector he would receive the %DCM++

*Please note: Cr Guest also spoke to this item at the October 2008 meeting, as noted in "Matters Arising" below.*

**d) Item 6.2 (page 15) Contract 562: Edward Street Stormwater Improvements 2007/08**

The word %Dargaville+be added to the heading and the resolution.

The heading will then read:

%Contract 562: Edward Street, Dargaville, Stormwater Improvements 2007/08+

The Resolution will then read:

*"That Council receives and endorses Harrison Contracting Ltd as the successful tenderer for Contract 562 Edward Street, Dargaville, Stormwater Improvements 2007/08.*

**Resolved Sutherland/Smith**

*That the minutes of the Ordinary Meeting of Council 24 September 2008, as amended, be confirmed as a true and correct record.*

**Matters Arising**

**Item 4.12 (page 12) Kaipara District Plan Review: Notices of Motion**

Councillor Guest spoke to his letter dated 21 October 2008 which he tabled at the meeting. He said that whilst he did not recall stating that the Chief Executive was %guilty of misconduct+he wished to apologise unreservedly and without hesitation if he had conveyed in anyway that this was the case. He went on to say that he believed in freedom of speech and the right to be able to express one's opinions. He asked that the Chief Executive respond to the issues raised in his letter within the next month.

**3 Public Forum**

Mr and Mrs Waring attended the Public Forum. Mr Waring spoke of his extreme disappointment in the way his resource consent for a subdivision had been handled and more particularly raised issues he had encountered with the formation of a driveway and the standard to which this formation was required.

#### **4.1 2007/2008 Annual Report Adoption: Receipt of Audit Report**

##### **Finance Manager 2303.13**

The Council was required to formally adopt the 2007/08 Annual Report, and the 2007/08 Summary Annual Report. Once adopted, Council then received the respective Audit Reports. The 2007/08 Annual Report was always circulated as a separate document for the information of Councillors. The Summary was tabled at the meeting. Both reports would be made available to the public in November 2008.

The 2007/08 Audit Reports were tabled at the meeting, and the Auckland-based Director of Audit New Zealand, Mr John Scott spoke to the Audit opinions. He began by advising that Council had received a clean audit. He said that in general the audit went well however there were a number of late changes caused by statutory requirements that impacted on all concerned. He went on to outline further changes ahead that would have an impact on next year's audit. He also issued a general caution to Councillors of the need to be wary of conflicts of interest. Mr Scott thanked the staff team for its assistance and co-operation.

##### **Resolved Sutherland/Smith**

*That the 2007/08 Annual Report, and Summary Annual Report, both be adopted; and then  
That the respective 2007/08 Audit Reports both be received.*

##### **Reason for the Decision**

The 2007/08 Annual Report, and Summary Annual Report, both accurately and fairly reflect the activities of Council during that twelve month period.

#### **4.2 New Zealand Transport Agency**

##### **Community Infrastructural Assets Manager 4106.01**

##### **a) National Land Transport Programme Changes**

The National Land Transport Programme (NLTP) Funding Manual was released in September 2008. A training session had been held on the Manual on Friday 3 October 2008. This session identified changes to priorities and raised thresholds for project funding. Under these changed priorities Bickerstaffe Road Seal Extension and Pukehuia Road Preventative Maintenance were not eligible for N funding. The full extent of changes to N Funding was not yet known and there may be more impacts on funding.

Effectively there was not enough funding available under N Funds so local authorities were being asked to consider using their R funds for improvement projects. Unfortunately, as the Northland Region committed eighty percent of their R Funds to State Highway projects this

available to Northland. The commitment of Northland funds to the made under certain conditions and it was possible those conditions may not have been satisfied. Therefore, given New Zealand Transport Agency changed priorities and raised threshold impacts on Northland Local Authorities it may be possible to revisit the decision to transfer eighty percent of the Regions R Funds to State Highways. This would need to be initiated by the Regional Transport Committee.

Councillor Alspach observed that the emphasis of the policy was not directed towards the rural sector but towards the urban sector with cities such as Auckland, Wellington and Christchurch standing to gain hugely. He believed the rural sector was being disadvantaged by political vote seeking.

Councillor Taylor asked how this would affect the planned works on Bickerstaffe Road. He was advised by the Community Infrastructural Assets Manager that the planned works would need to be reduced in scope because there was no longer any subsidy available.

**Resolved Alspach/Smith**

*That the information on the New Zealand Transport Agency: National Land Transport Programme Changes be received; and*

*That Council endorses the lodgement of a Notice of Motion with the Regional Transport Committee to demand the return of Northland's R Funds previously transferred to the State Highway.*

**Reason for the decision**

Recent Policy changes have made significant impacts on our current programme. All options need to be investigated to secure funding for our Annual Plan and *Kaipara's Future - Working Together* roading programme.

**b) Land Transport Programme Relationship Protocol 2008/09**

Annually Council signed an agreement with the New Zealand Transport Agency. This year the agreement had been replaced with the Land Transport Programme Relationship Protocol 2008/09, which was circulated. The protocol was a shorter document with fewer schedules. The New Zealand Transport Agency believed the change in name to the document reflected a desire for an increased sense of partnership with Council. This protocol was to be further reviewed with a sample of approved organisations over the period October 2008 to May 2009.

**Resolved Alspach/Burnett**

*That the information on the New Zealand Transport Agency: Land Transport Programme Relationship Protocol 2008/09 be received, signed and that Council demand the Agency stands by the terms of the agreement.*

## East Road: Access for the Field Days

Agenda however Mayor Tiller stated that this was an issue of importance and the timing necessary required that it be considered at this meeting.

Councillor Geange noted that something that should have been simple had now been made difficult.

The New Zealand Transport Agency, whilst setting aside funding under %Intersection Improvements+had failed to tag monies specifically for the Awakino Point East Road intersection upgrade. If the intersection was not upgraded, the Agency would not agree a Traffic Management Plan and without an approved Traffic Management Plan the Field Days would not be allowed to go ahead. The Agency was not able to review its decision until December 2008 which would be too late for the works to proceed and be completed in time for the 2009 Field Days.

An economic assessment had been carried out following the last Field Days which had indicated that Northland had benefited by approximately \$30 million because of this event. Council agreed that it was critical for the District that the Field Days to go ahead as planned.

### **Resolved**                      **Geange/Alspach**

*That due to the delay in "R" Funding approval Council agrees to provide contingency funding for the widening and metalling of 600 metres of Awakino Point East Road from the State Highway One junction, to allow the intersection improvements project to be put out to tender.*

### **Reason for the decision**

To provide surety for the Field Days Traffic Management Plan 2009 and consequently the Field Days 2009 being held.

## **5 Policy**

### **5.1 Bylaw Review and Public Places Liquor Control Bylaw Extension**

#### **Planning and Policy Manager                      3211.01**

A report by the Policy and Planning Manager was circulated regarding Bylaw Review and Public Places Liquor Control Bylaw Extension and an update on the outcome of the General Bylaws workshop on 27 August 2008.

As part of the review of Council's General Bylaws, there had been a request from the Police and two communities for an extension of Council's Public Places Liquor Control Bylaw to assist in managing behaviour of people. One of the requests was for an extension to the existing Mangawhai Liquor Control Bylaw to cover all day, year round.

communities this involved and the complete ban that had been  
ed that more time was needed to consult and ensure the outcome  
requested that Council and the communities want. Except for Mangawhai where we  
recommended a Statement of Proposal goes out for submissions over the month of  
November, with a decision reached before Christmas 2008, and implemented by the Police  
for the coming summer. For the remaining Liquor Control requests we recommended that  
a Statement of Proposal goes out for submissions in March 2009, at the same time as  
*Kaipara's Future - Working Together Plan 2009/19*.

Councillor Sutherland was keen to see extensive public consultation and asked that those  
people who had made submission to the Police on this issue be contacted individually and  
advised that this process was underway.

### **Resolved Sutherland/Smith**

*That Council adopts the Statement of Proposal for Public Places Liquor Control Bylaw  
Extension for Mangawhai for public consultation; and*

*That Council receives the Policy and Planning Manager's report of 8 October 2008 entitled  
"Bylaw Review and Public Places Liquor Control Bylaw Extension" and endorses the  
approach outlined in this report for the balance of the bylaw matters.*

### **Reason for the decision**

The establishment of a liquor control bylaw is a complex issue. Each community has  
differing requirements. The nature and extent of the requested bans need to be tailored to  
community requirements. There is the need for further community consultation. There is  
also a need for robust community engagement on the remaining bylaw matters.

The extension of the Liquor Control Bylaw at Mangawhai has been requested for some time  
and is a simple extension of existing control.

While the Police do have significant powers under public law the extension of the Liquor  
Control Bylaw will assist them in preventing unruly or disorderly behaviour associated with  
alcohol consumption. Council needs to balance assisting the Police with ensuring the  
communities in Kaipara have choices.

## **5.2 Development Contribution Requirement, Request for Remission : D and B Matamana**

### **Development Manager RM070151, 2304.11**

A report from the Development Manager and associated documents were circulated. The  
letter from the Centre for Resource Management Studies and supporting statement from  
Mr and Mrs Matamana amount to a request for waiver of the Council's Development  
Contribution Policy as it related to Mangawhai.

They were surprised to learn that their retrospective land use consent to operate a motel on the property they purchased in 2006 would attract a \$64,000 development contribution. This had come as an unexpected expense in addition to the remedial work they had carried out to improve the quality of the accommodation and its services. At all times since purchasing the property they had acted conscientiously to remedy a situation not of their making.

The property cannot claim to have existing use rights as a motel, as the activity was not lawfully established prior to the district plan rule coming into existence. The land use consent application was made after the policy came into force.

The reasons a waiver of the policy was sought were that it would cause undue financial hardship, they were not told about the policy, and the development had, in effect, already taken place. These concerns were not within the scope of the Council's Development Contributions Policy to grant a waiver, and if the Council was of a mind to accede to this request, it was not recommended that the policy be amended to accommodate these circumstances.

#### **Resolved      Smith/Sutherland**

*That the request by Dianne and Bill Matamana for waiver of the Development Contributions Policy in respect of their consent to operate motel units on Lot 3 DP 55358 at Moir Street, Mangawhai lie on the table until the 26 November 2008 Council meeting.*

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

The Council believed that in the interests of receiving further information and of natural justice that Dianne and Bill Matamana should be afforded the opportunity to attend the meeting and to speak to their request.

### **5.3 Development Contribution Requirement, Request for Remission J and S Duffy Development Manager 0115033304, 2304.11**

A report from the Development Manager, and letter from Mr and Mrs Duffy regarding a Development Contribution requirement, was circulated. Mr and Mrs Duffy were surprised to learn that their building consent application to convert an existing garage to a small dwelling for an elderly parent would attract an Otamatea Roding development contribution. They had asked the Council to exercise its discretion and waive application of the policy because of the financial hardship which would result, because they did not know about the existence of the policy, and because it was merely the upgrading of an existing building to convert it to a dwelling, not a completely new building project. These concerns were not within the scope of the Council's policy to grant a waiver, and none was recommended.

h/Taylor

and Sharon Duffy for waiver of the Development Contribution policy in respect of their building consent (ref: BC080539) on Lot 4 DP179214, located in Matakohe East Road lie on the table until the 26 November 2008 Council meeting.

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

The Council believed that in the interests of receiving further information and of natural justice that Jim and Sharon Duffy should be afforded the opportunity to attend the meeting and to speak to their request.

### **5.4 Realignment of Lutrell and Charity Hill Roads, Te Kopuru**

#### **Commercial Manager 4104.266**

Entry was made on the Moonrock Farm Limited property for the realignment of a small portion of Lutrell Road northwest of Te Kopuru and work was completed in December 2006. A Survey Office plan (number 407495) showed that 45 square metres was required for this realignment, and in order to complete the legalisation an agreement for compensation had been reached at the sum of \$120.00 plus GST.

In December 2006 entry had been made on the Moonrock Farm Limited property for the realignment of Lutrell and Charity Hill Road, located approximately 15 kilometres southwest of Dargaville. The construction work for this was now complete.

In September 2007 Council's engineers instructed Crown Properties Limited to contact the owners to discuss the acquisition of land for road. They agreed to compensation being \$120.00 plus GST. As the area required was minimal a valuation report was not obtained. However, Crown Properties did discuss this with a Registered Valuer who agreed that the compensation was fair and reasonable. The owners consulted with their legal representative and their signed agreements were now with Council for approval and execution.

#### **Resolved McEwing/Geange**

*That Council gives authority to Crown Properties to attend to the intersection legalisation of Charity Hill and Lutrell Roads and due process followed; and*

*That compensation of \$120.00 be paid to Moonrock Farms Limited, for an area of 45 square metres of land required for road realignment.*

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

To complete an intersection legalisation.

## Development of Survey Plans

### **Development Manager                      2111.06**

A report by the Development Manager was circulated. The issuing of survey plan approvals and conditions certificates was currently being processed electronically under delegated authority. For convenience the scope of this delegation needed to be extended to enable the full benefits of electronic processing to be realised. There were current staff suitably trained and experienced to exercise this delegation.

### **Resolved                      Taylor/McEwing**

*That authority for signing certificates under the Resource Management Act be delegated to Council officers Dina Tetzner and Rachel Ashford relating to:*

- *Where the survey plan is to be approved and there are no related conditions to satisfy (s223NC)*
- *Where a lot to vest as reserve shall remain subject to a right of way easement (s239(2))*
- *Revocation of an existing easement (s243(e))*
- *Creation of an easement for right of way (s348)*
- *Approval of a Unit Plan under the Unit Titles Act (5(1)(g))*
- *Dealings with conditions requiring amalgamation of lots (s241(3), s220 and s240)*

*In addition to:*

- *Signing survey plans with conditions (s223); and*
- *Signing conditions certificates (s224c)*

### **Reason for the decision**

There are benefits in providing a timely, efficient service by processing documents electronically, and suitably trained and experienced staff are available to carry out this function.

## **5.6 Domestic Food Review Voluntary Implementation Programme**

### **Development Manager                      3612.0**

A report from the Development Manager and a letter from the New Zealand Food Safety Authority inviting this council to participate in the Voluntary Implementation Programme of the Domestic Food Review were circulated. The New Zealand Food Safety Authority sought to improve the safety of food for public consumption by introducing a regime of quality assurance to be carried out by the operator, instead of the current inspection-based system. In anticipation of the Food Bill being passed into law next year, a Voluntary Implementation Programme had commenced. Unless Council signed on to the scheme, individual food operators would not be able to participate.

Council should take no action as the intended implementation was and unwarranted increase in bureaucracy for food vendors.

Councillor Taylor moved the motion but the motion lapsed as it was not seconded.

## **6 Reports**

### **6.1 Mayor's Report**

#### **1701.02.03**

The Mayor tabled a written report 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**

- Roothing

#### **Cr Burnett**

- Refuse
- Economic

#### **Cr Guest**

- Finance
- Stormwater - Northern
- Regulatory

#### **Cr Smith**

- Roothing
- Planning

### **6.3 Chief Executive's Report: October 2008**

#### **Chief Executive 2002.02.08**

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

Councillor Sutherland asked when it was intended that the meeting with the Brown Road residents referred to in Item 1.8 was to take place. She was advised that a date was yet to be set. She asked that those residents affected be notified once a date had been set.

all those involved in the Redhill grazing agreement had signed. There was still one signature to be obtained. The Chief Executive advised that if the signature was not obtained the next course is to publicly tender. Cr Guest asked that if the agreement fell through Council consider other commercial options including camping.

Councillor Guest urged the Chief Executive to contact the Chief Executive of the Northland Regional Council and begin working with the local school and landscape architect rather than waiting to be contacted, in relation to the wetland which may be able to be used as part of Maungaturoto Wastewater Discharge.

Councillor Smith asked if, in light of the current financial climate, there was any concern regarding the funding of EcoCare. The Chief Executive replied that only that week ABN Amro had confirmed all was well.

**Resolved Sutherland/Smith**

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

## **7 Receipt and Adoption Items**

### **7.1 Road Naming: Private Right of Way off Cames Road, Mangawhai: Kingfisher Lane**

**Community Infrastructural Assets Manager 4102.09**

North Shore Projects Ltd had completed a ten lot subdivision located off Cames Road, Mangawhai. In line with Council's Road Naming Policy, the developer had requested Council approval of a name for the private Right of Way servicing these lots. The circulated map showed the location of the road.

Three names had been suggested by the developer in order of preference. The third name was a variation of the second suggested name. The three names suggested were; Liesl Lane, Romy Road and Romy Way. The developer did not give any indication as to how he came about with the proposed names.

Again in line with Council's Road Naming Policy, residents in the subdivision had also made application to Council for naming of the same private Right of Way. The three names suggested by the residents were, in order of preference; Tui Lane, Kingfisher Lane and Crimson Lane. The first two names were in keeping with the native bird theme of the area. The road below was Kereru Lane. Crimson Lane was derived from the view that occurred when the sunset hit the hill with reddish colours.

Kingfisher Lane was the second choice of the residents in the subdivision. There was currently Tui Crescent in Dargaville and Tui Lane was considered to similar to this. The reason for recommending the residents choice above the subdivider was due to some type of explanation being offered as to the choice of name and the name being sufficiently dissimilar to other Kaipara roads to meet Council's needs.

with Council's policy and was accepted.

**Burnett**

*That the information be received and endorsed.*

## **7.2 District Plan Review: Kaiwaka Workshop and Mangawhai Focus Group**

### **Chief Executive 3807.01**

A report by the Chief Executive was circulated, and associated papers regarding the review of the District Plan. The Council had been discussing the progressing of the review of the District Plan and held a workshop at Kaiwaka on 3 September 2008 to review the process. It also held a forum at Mangawhai on 23 September 2008 to gain insight into community views on Outstanding Landscapes. From these discussions some major issues identified:

- Council's decision to proceed with the current District Plan Review and the need to continue the process
- The relationship between the District Plan Review and the Regional Policy Statement and its proposed review
- The need for and the nature of a Section 32 Evaluation
- The need to identify Outstanding Landscapes

The Council through its *Kaipara's Future - Working Together* Plan process and specific decisions of Council had determined the nature of the process and the current process was delivering to these Council decisions. The Resource Management Act requires Council to carry out the review as promptly as was reasonable in the circumstances, all of which tended to confirm the approach that Council was taking. The Resource Management Act required Council to give effect to the Regional Policy Statement and this review was achieving this required outcome. The question of a possible review of the Regional Policy Statement does not mean Council cannot proceed. However, it does mean that the Council should work closely with the Northland Regional Council, something which was already happening.

The Section 32 Evaluation requirement for the review of the District Plan was not an economic assessment of each and every provision adopted by Council. It was an evaluation of the appropriateness of the tools chosen by Council to achieve the adopted outcomes. Consultation was seen as a significant factor in the development of the Section 32 Evaluation. Interestingly, Council's consultation process for the District Plan review mirrors best practice as identified by both the Ministry for the Environment and the Environment Court.

Council was statutorily required to consider the identification of outstanding landscapes. It could not just endorse those already adopted in the Regional Policy Statement. Outstanding Landscapes also needed to be considered in the context in which they existed.

Conclusion that Council's District Plan Review process follows best practice and that the community was kept well informed so that Council could take the community into account in the decisions had yet been made. This would happen when the reviewed Plan was adopted for formal public consultation pursuant to the Resource Management Act. This was planned to happen between October 2009 and March 2010.

**Resolved Taylor/Burnett**

*That the Chief Executive's report of 10 October 2008 entitled "District Plan Review: Kaiwaka Workshop and Mangawhai Public Forum" be received and endorsed; and*

*That its consideration be noted in the Section 32 Report that must be published with the notification of the Reviewed District Plan.*

**Reason for the decision**

Council's process can be shown to be best practice, and that the process is considered to be appropriate, while being groundbreaking, for the review of the Kaipara District Plan while reflecting Council's aspirations for the process.

## **8 Information Items**

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

**Development Manager 3803.0**

Circulated was a schedule of decisions that has been made under delegated authority. The purpose of this was not for Council to review the detail of these decisions as they had 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.

**Resolved Sutherland/Taylor**

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

### **8.2 Contract Acceptances**

**Community Infrastructural Assets Manager 4107.0**

The following contracts had been accepted. All tender prices accepted were within budget.

**a) Contract 503: Wairere Road Bridge No. 318 Replacement 2006/07**

The successful tender was that provided by GHK Piling of \$442,759.15 (excluding GST)

**b) Contract 574: Membrane Filtration Supply (Maungaturoto)**

The successful tender was that provided by Canadian Pacific Limited of \$660,916.00 (excluding GST)

### Works (Maungaturoto)

The successful tender was that provided by Harrison Contracting Limited of  
\$725,167.30 (excluding GST)

**Resolved Taylor/McEwing**

*That the information on Contract Acceptances be received.*

### 8.3 Contract 575 Parks and Reserves: Levels of Service

#### **Community Spaces Manager 4107.575**

A report from the Community Spaces Manager was circulated. At its September 2008 meeting Council asked for information on where levels of service had been increased when looking at contract acceptance for Contract 575 Parks, Reserves and Recreational Facilities Maintenance.

At its February 2008 workshop Council identified and discussed the levels of service being provided throughout the District to its parks, reserves and recreational facilities contract. It had been agreed that toilet cleaning was an area where levels of service needed increasing and more particularly over the peak summer periods in the higher profile areas. A new contract had been developed, tendered and awarded and became operational as of 1 October 2008. This contract was for a five year period and reflected an increased level of service in respect of toilet cleaning and maintenance along with the mowing of higher profile areas. Also increased were the number of Contractor meetings, audits and monitoring to better reflect the feedback from Council and the communities.

The contract would be monitored and reviewed after the main summer peak periods every year to ensure that it was meeting Council's and communities' expectations.

Councillor Alspach asked what the increased actually meant in respect of meetings, audits and monitoring. The Chief Executive said there would be fortnightly meetings and monthly surprise audits. He said the pressure was being upped for both Council and the contractor.

Councillor Geange asked what guarantee could be given that an increase in the frequency of cleaning would mean an increase in the standard of cleanliness. The Chief Executive replied none, because someone could enter the toilet the moment it was cleaned and undo all the work that had just been done. He went on to say that Council was looking at providing a contact number that people could ring if the toilets were not up to standard.

there was any reason that the toilets at Paparoa had been mentioned in the report. The Chief Executive said he believed it was merely an oversight but undertook to look into the matter.

**Resolved** **Guest/Taylor**

*That Council receives the information provided regarding levels of Service (Contract 575 Parks, Reserves and Recreational Facilities).*

#### **8.4 Bridge 282 Speed Restriction: Tangowahine Valley Road**

**Community Infrastructural Assets Manager** **4102.03**

A 15kph speed restriction had been placed on Bridge 282 which was situated close to the forestry block on Tangowahine Valley Road as Council organised repairs to the bridge decking. The bridge was used daily by up to 24 logging trucks. Hancocks had been advised of the speed restrictions and had informed logging contractors. Regulatory signs would be erected and the bridge speed restriction will be gazetted.

**Resolved** **Geange/Sutherland**

*That the information on Bridge 282 Speed Restriction Tangowahine Valley Road be received.*

#### **8.5 Cames Road, Mangawhai: Chicane Trial**

**Community Infrastructural Assets Manager** **4104.069**

Cames Road had two sections, the northern section adjoins Lawrence Road and the southern section joined Mangawhai Road. There was a short section of unformed paper road within the length. This section of paper road had been informally developed by persons unknown and now Cames Road could be used as a through route from Lawrence Road to Mangawhai Road. The road has various complications including being managed by four different regimes.

The short term solution for Cames Road was currently the installation of chicanes which was an outcome from the meeting with residents in May 2008. The design for this was underway. The cost of this would be \$30,000 and will be funded out of the Minor Safety budget.

Longer term solutions for Cames Road were more problematic and would take considerably more time to advance. This included an application to the New Zealand Transport Agency for a strategy study for Mangawhai roads, which scope would include either closure or formation of a link for Cames Road.

udget for implementing possible solutions for Cames Road and  
sidered as part of the *Kaipara's Future -Working Together Plan*

**Resolved Geange/Smith**

*That the information on Cames Road chicane trials be received.*

## **8.6 Hakaru Landfill Post Closure Care Management Plan**

**Community Infrastructural Assets Manager 4203.02**

The Hakaru Post Closure Care Landfill Management Plan has been discussed with Northland Regional Council. A proposal has been submitted to Northland Regional Council which includes:

- capping of the landfill by December 2008
- monitoring rainfall and leachate volumes throughout the capping process until 30 January 2009
- negotiating the closure plan to align with the assessment of leachate volumes

Hakaru is a consented landfill and its closure is a straightforward process.

**Resolved Burnett/Sutherland**

*That the information on the Hakaru Post Closure Care Landfill Management Plan be received.*

ems 22 October 2008

**Resolved McEwing/Smith**

*That the public be excluded from the following part of the proceedings of this meeting namely, Public Excluded Minutes of 24 September 2008, Sale of Council Land, Dargaville: Habitat for Humanity, Pahi Reserve Delegations*

*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>Public Excluded Minutes 24 September 2008</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Sale of Council Land Dargaville: Habitat for Humanity</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Pahi Reserve Delegations</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 unreasonable to prejudice the commercial position of the person who supplied or who is the subject of the information.

**Resolved Geange/Sutherland**

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

### **9.1 Public Excluded Minutes 24 September 2008**

**Governance Manager 1601.13**

The Public Excluded resolution had not been confirmed in the Open Meeting session on 24 September 2008. Council confirmed that resolution in this Public Excluded session.

**Resolved Geange/Burnett**

*That the Public Excluded Minutes of 24 September 2008, as circulated, be confirmed as a true and correct record.*

### **9.2 Sale of Council Land, Finlayson Park Avenue, Dargaville: Habitat for Humanity**

**Community Spaces Manager 5105.12**

**Resolved Guest/Geange**

*That Council agrees to sell Lots 1, 2 and 3 DP 111969 situated in Finlayson Park Avenue, Dargaville for the sum of \$25,000 (excluding GST) per section to Habitat for Humanity Northland and that payment of the total purchase price of \$75,000 be spread as follows:*

- an initial payment of \$25,000 and transfer of one title upon agreement of Kaipara District Council and the Board of Habitat for Humanity Northland,*
- a further payment of \$25,000 and transfer of a second title one year after signing of the above agreement or upon issue of a building consent for a house on the land, whichever is the sooner; and*
- a final payment of \$25,000 and transfer of the third title two years after signing of the agreement or upon issue of a building consent for a house on the land, whichever is the sooner.*

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

Council has agreed to sell the sections for \$25,000 a piece and this price has been agreed to. It is considered appropriate given the philanthropic nature of Habitat for Humanity Northland and the benefit it will afford to agree to staging payment of the full purchase price of \$75,000.



Your complimentary use period has ended. Thank you for using PDF Complete.

Click Here to upgrade to Unlimited Pages and Expanded Features

ions

**Community Spaces Manager**

**4702.34**

**Resolved Taylor/Sutherland**

*That Council takes up the offer of delegation of concessions as outlined by the Department of Conservation; and*

*That Council staff with the co-operation of the Department of Conservation works towards putting in place concessions that reflect current market rentals and expiry dates on the baches concerned at Pahi Domain Reserve.*

**Reason for the decision**

With the transfer of delegated authority from the Department of Conservation to the Kaipara District Council, concessions can be issued by the Council over the properties concerned and leases put in place. The Kaipara District Council can set in place rentals and lease terms that better reflect the current market valuations on the properties concerned and can build in timeframes for reviewing the rentals along with the overall future of the properties concerned including the option of removal should the bach owner wish. Council would receive rental from the properties and would bring the management of the properties concerned under the control of the Pahi Recreational Reserve Management Plan (1996).

**Closure**

The meeting closed at 3.20 pm

Confirmed this 0 0 0 0 0 .. day of 0 0 0 0 0 0 2008

Mayor 0 0 0 0 0 0 0 0 ..