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Not for Publication until after Commencement of Meeting

Notice Of Ordinary Meeting Of Council

Date 10.00 am on Wednesday 12 December 2007

Venue Council Chambers, Station Road, Dargaville

Timetable

9.45 am Morning Tea

10.00 am Workshop

10.00 am 1 Mayor and Councillors (Informal public excluded meeting)

10.30 am 2 Draft Annual Plan Discussions

The purpose of this workshop session is for Managers to explain the projects they are planning on undertaking in the 2008/09 year, plus business-as-usual.

12.15 pm Lunch

1.00 pm Commencement of Council Meeting

3.00 pm Citizens Awards Presentation followed by Afternoon Tea

3.40 pm Recommencement of Council Meeting, if required

Ordinary Meeting Of Kaipara District Council In The Council Chambers, Station Road,
Dargaville On Wednesday 12 December 2007 Commencing 1.00 pm

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

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Order Paper - 12 December 2007**1 Opening : Mayor Tiller**

Councillor to be selected to open the 30 January 2008 meeting.

1.1 Present**1.2 In Attendance****1.3 Apologies****2 Presentation/Public Forum****2.1 Kaipara District 2007 Citizens Awards: 3.00 pm**
Item 5.8 refers.

A presentation will be made to the recipients at the Council meeting at 3.00pm.

The three recipients are Janet Froggatt of Dargaville, Karen Smales of Maungaturoto and Desmond (Des) Partington of Mangawhai Heads.

3 Confirmation of Minutes**P1 3.1 Ordinary Council Meeting : 28 November 2007**

Governance Manager 1601.12

A copy of the minutes is attached.

Recommended

That the minutes of the Ordinary Meeting of Council 28 November 2007, as circulated, be confirmed as a true and correct record.

4 Strategic

4.1 Council Portfolios and Portfolio Holders: Appointments

Governance Manager 1904.0

Item 4.1 of the minutes of 28 November 2007 refers.

Council first considered this item at its meeting on 28 November 2007, however resolved that it lie on the table until its meeting on 12 December 2007 for further consideration.

Mayor Tiller has recommended a Council structure based on Councillors holding portfolios of activities for which they are responsible, a structure that has worked effectively for the previous Council. The Mayor has recommended grouping of activities and potential portfolio holders after consideration of Councillors' expressed preferences and interests.

Recommended

That Council confirm the following portfolios and portfolio holders:

<i>Portfolios</i>	<i>Councillor</i>	<i>Chief Executive/Manager</i>
<i>Iwi</i>	<i>Neil Tiller</i>	<i>Chief Executive</i>
<i>Finance</i>	<i>Bill Guest</i>	<i>Finance Manager</i>
<i>Communications</i>	<i>Bill Guest</i>	<i>Stakeholder Engagement Manager</i>
<i>Roading</i>	<i>Richard Alspach/ Tom Smith</i>	<i>Community Infrastructure Assets Manager</i>
<i>Refuse</i>	<i>Brian Burnett</i>	<i>Community Infrastructure Assets Manager</i>
<i>Water: existing wastewater, water supply and land drainage</i>	<i>Brian McEwing</i>	<i>Community Infrastructure Assets Manager</i>
<i>Stormwater</i>		
· <i>Northern (Ruawai Flats west)</i>	<i>Bill Guest</i>	<i>Community Infrastructure Assets Manager</i>
· <i>Southern (east of Ruawai)</i>	<i>Julia Sutherland</i>	
<i>Community Spaces</i>		
· <i>Northern (Ruawai Flats west)</i>	<i>Julie Geange</i>	<i>Community Infrastructure Assets Manager</i>
· <i>Southern (east of Ruawai Flats)</i>	<i>Julia Sutherland</i>	

<i>Development</i>		
• <i>Community</i>		
• <i>Halls</i>	<i>Graham Taylor</i>	<i>Community Spaces Manager</i>
• <i>New infrastructure</i>		<i>Community Infrastructure Assets Manager</i>
• <i>Economic</i>	<i>Brian Burnett</i>	<i>Chief Executive</i>
• <i>Social: Youth, Elderly, Sport, Schools</i>	<i>Julie Geange</i>	<i>Stakeholder Engagement Manager, Community Spaces Manager, Policy and Planning Manager</i>
<i>District Plan</i>	<i>Tom Smith</i>	<i>Policy and Planning Manager</i>
<i>Emergency Management</i>	<i>Brian McEwing</i>	<i>Community Infrastructure Assets Manager</i>
<i>Regulatory</i>	<i>Bill Guest</i>	<i>Development Manager</i>
<i>Libraries</i>	<i>Julia Sutherland</i>	<i>Stakeholder Engagement Manager</i>

Reason for the recommendation

To assign portfolios to Councillors for the new triennium.

4.2 Council Ordinary Meeting Schedule for 2008

Governance Manager 1203.01

The Council has been meeting on the fourth Wednesday of each month and holding workshops on the second Wednesday of each month. This has worked well. That said there will potentially be the need to hold a greater number of workshops over the next few months than only having them on the second Wednesday of each month would allow, so Councillors are encouraged to keep all Wednesdays free. This will enable Council staff to meet a number of timeframes in respect of issues such as the District Plan Review, draft Annual Plan and *Kaipara's Future - Working Together* (Long Term Council Community Plan) to name but a few.

Council's adoption of the schedule of meetings will constitute a notification of every meeting on the schedule and will mean that all interested parties will know well in advance the days on which Council meetings fall. A schedule of meetings for the current financial year is found in the Council's 2007/2008 Business Plan as Part 2: Council Meeting Schedule for 2007/08 and Proposed Agenda Items. This schedule is a guide and is subject to change.

Recommended

That the Ordinary Meeting of the Kaipara District Council be set for the fourth Wednesday every month for 2008, with the following exceptions:

- 30 January 2008
- 19 November 2008
- 10 December 2008

Reason for the recommendation

Sets the meeting schedule for the next 12 month period.

5 Policy

P36 5.1 Kaipara District Plan: Hearing of Two Notices of Requirement for Designations from Vector Gas Limited (RM070193) and New Zealand Refining Company (RM070011)

Policy and Planning Manager RM070193, RM070011

A report by the Policy and Planning Manager is attached on the options for the Hearing of two notices of requirement (requests) for designations to the Kaipara District Council for inclusion in the District Plan. These two notices of requirements will be going to a joint Hearing in the New Year. A consistent approach by Council for both pipes and with our neighbouring authorities is therefore required.

Recommended

- 1 ***That the notices of requirement for designations from Vector Gas Limited (RM070193) and New Zealand Refining Company (RM070011) to the Kaipara District Plan be heard by a Commissioner or Commissioners.***
- 2 ***That Council authorises the Commissioner(s) to hear the notices of requirement for designation and make recommendations, with reasons.***
- 3 ***That the recommendations from the Commissioner(s) on the notices of requirement for designation is put to the full Council for adoption, or to rehear the whole matter itself.***

Reason for the recommendation

Due to the existing pipelines running through neighbouring Districts to Kaipara, a consistent approach across Rodney, Kaipara and Whangarei Districts and with both pipelines is considered desirable and achievable by using the same Commissioner(s).

In-depth resource management and technical knowledge of the Commissioner(s) would be an advantage.

Full Council will still retain the power to make the *final* recommendation.

5.2 Regional Policy Statement: Confirmation of Steering Group Membership

Policy and Planning Manager 3820.01

Through the five year efficiency and effectiveness review and the development of a criteria matrix for ranking priority topics, two topics have been selected as the top priorities for change in the Regional Policy Statement (RPS).

These are Infrastructure and Ecosystems & Biodiversity. The other priority topics will be reviewed as part of the 10 year review of the RPS due in 2009.

The purpose of this report is to briefly outline the process for the two proposed plan changes and to seek confirmation of the membership of the steering group to oversee the process. Each of the two proposed plan changes has been approached by using a staged process. The key stages being:

1. Establish a Steering Group to guide the project
2. Identify the scope and boundaries of the topic
3. Establish a working group to undertake the project
4. Identify existing information sources and information gaps
5. Development of Issues and Options Paper
6. Development of Plan Change

The Steering Group has been established and consists of the following representatives responsible for each of the following Resource Management Plans:

- Regional Policy Statement and Regional Air Quality Plan (Resource Policy Team Leader, Vaughan Cooper)
- Regional Water and Soil Plan (Water and Soil Planning Team Leader, Treena Davidson)
- Regional Coastal Plan (Coastal Planning Team Leader, Ben Lee)
- Far North District Plan (Environmental Policy Manager, Alison Newell)
- Whangarei District Plan (Policy and Monitoring Manager, Paul Waanders)
- Kaipara District Plan (Policy and Planning Manager, Venessa Anich).

This item is seeking formal endorsement of the Kaipara District Council's representatives on the steering group.

Recommended

That Council endorses the membership of the Policy and Planning Manager as Kaipara District Council's representative to the Regional Policy Statement Steering Group.

Reason for the recommendation

Northland Regional Council has passed a similar endorsement in June 2007 and is seeking endorsement from each of the District Councils.

P40 5.3 Communities for Climate Protection New Zealand (CCP NZ): Milestone 1

Policy and Planning Manager 3835.02

On 28 March 2007, Kaipara District Council joined the Communities for Climate Protection New Zealand (CCP-New Zealand) Programme and committed to completing the five milestones of the Programme. These are:

- 1 Conduct a greenhouse gas emissions inventory, analysis and forecast
- 2 Set emission reduction goals
- 3 Develop a local action plan to achieve these goals
- 4 Implement and quantify the benefits of policies and measures in the action plan
- 5 Monitor progress towards the reduction goal

Council has now completed the requirements of Milestone 1 of the CCP-NZ Programme (refer to detailed report attached) and needs to begin work on Milestone 2 and 3. The next step is to establish a reduction goal, that is a Council-endorsed, public statement of commitment to reduce greenhouse gas emissions. For example "X % below 2001 levels by 2010". Different reduction goals can be set for the corporate and the community sector. Council needs to consider if it wishes to involve community stakeholders in establishing the reductions goal(s) and if it wishes to adopted the reduction goal separately or as part of a local action plan. It is intended to workshop Milestones 2 and 3 first internally, with staff, then with Council and possibly the public.

A draft press release is attached for the endorsement of Council.

Recommended

That Council adopts the achievement of Milestone 1 of the Communities for Climate Protection New Zealand (CCP-NZ) Programme and commences work on the next Milestones.

That Council issues a press release on achieving Milestone 1.

That Council adopts a process for working towards achieving Milestones 2 and 3 i.e. first, internal workshopping with staff, then a workshop with Council.

That Council sets aside a budget in the Draft Annual Plan 2008/09 for work on the next Milestones.

Reason for the recommendation

Council committed to completing the five Milestones of the programme and received an award for joining CCP-NZ at the Local Government Conference in Dunedin. Achieving Milestone 1 is a further positive public relations opportunity for Council to show leadership on good environmental practice. Working towards achieving the next Milestones will also improve Council's organisational energy and waste efficiency.

P72 5.4 Kaipara Heritage Assistance Fund Allocation 2007/08

Policy and Planning Manager 3839.02.02

A report by the Policy Planner is attached that recommends to Council the allocation of the funds following assessment of the received applications to the Kaipara Heritage Assistance Fund. As part of this year's Annual Plan, Council set aside \$10,000 for a contestable Kaipara Heritage Assistance Fund. The aim of the Fund is to help and encourage people to protect and preserve resources of heritage value within Kaipara. It was considered that such a fund would help contribute to the 'strong communities' and 'special character' of Kaipara' Community Outcomes.

Of the eighteen applications received, eight are recommended to be funded from the Heritage Assistance Fund. Where possible, applications that are not proposed to be funded, will be sent letters suggesting other sources of funding.

Recommended

That Council funds the 2007/08 applications to the Kaipara Heritage Assistance Fund as follows:

Applicant	Heritage Resource	Funding \$
<i>Catholic Parish Northern Wairoa</i>	<i>Kaihu Catholic Church, St Angus</i>	<i>\$2,500.00</i>
<i>Anglican Parish of Northern Wairoa</i>	<i>Church of the Holy Trinity Dargaville</i>	<i>\$1,250.00</i>
<i>Ruawai Co-operating Parish</i>	<i>St Michael on the Hill, Hukatere</i>	<i>\$1,729.00</i>
<i>Mangawhai Library Hall</i>	<i>Mangawhai Hall</i>	<i>\$1,100.00</i>
<i>All Saints Church Mititai</i>	<i>All Saints Anglican Church</i>	<i>\$ 360.93</i>

<i>Fish Factory Youth Trust</i>	<i>Former Dargaville Salvation Army Building</i>	<i>\$2,000.00</i>
<i>Arapohue Bush Camp</i>	<i>Former Dargaville Police Station</i>	<i>\$200.00</i>
<i>Friends of the Paparoa Brickworks</i>	<i>Archaeological Site, Old Brick Kiln, Paparoa</i>	<i>\$850.00</i>

Reason for the recommendation

The allocation of the Kaipara Heritage Assistance Fund will help contribute to the 'strong communities' and 'special character' of Kaipara's Community Outcomes.

P75 5.5 Cames Road Petition

Community Infrastructural Assets Manager

4104.069

A report is attached responding to a petition received on a perceived nuisance on Cames Road. A map showing the location is also attached. This report reviews the concerns of residents raised in the petition to Council. These concerns are then considered in terms of the nature of development allowed by the District Plan and how this impacts on Cames Road.

This development has occurred at a scale and pace that has prevented Council requiring upgrading to a sealed road standard. Further development will be captured by the Otamatea Ward Roding Development Contribution policy. The creation of the through road has been undertaken illegally by persons unknown.

Cames Road is undergoing extensive development. The District Plan requires development to be above thresholds before road upgrading and sealing are required. Development on Cames Road has not reached the Threshold required for sealing. The road currently acts as a through road with a small section in the middle being unformed and not maintained by Council. Through traffic is causing problems with dust and speed as noted by the petitioners. Sealing would not currently obtain Land Transport New Zealand subsidy. The current situation is the result of development permitted by the District Plan.

In order to consider the direction the community wishes to take, consultation with the residents and the wider community is required.

Recommended

That Council receives the report entitled Cames Road Petition of 4 December 2007; and

That Council receives the Petition from the residents of Cames Road; and

That consultation be undertaken with the petitioners and other affected parties to ascertain the most appropriate solution.

Reason for the recommendation

Development is causing concerns amongst the community regarding dust and vehicle speeds. There are various solutions available to Council but these solutions need to respond to the wider community. Liaison with the community will establish whether there is a clear direction or competing interests that may be difficult to resolve. Development is controlled by the District Plan and inevitably there will be some tension as development progresses.

5.6 Raupo Drainage Committee Election Process

Governance Manager 4303.24

The Council, at its meeting on 28 November 2007 passed a resolution that the Raupo Drainage Committee would comprise five representatives of the ratepayers and one West Coast Central Ward Councillor. Effectively this meant Council agreed to reduce the number of Councillors from two to one.

Nominations for the five places were called and closed on Tuesday 20 November 2007. Seven nominations were received.

The most recent Chairperson of the Raupo Drainage Committee and one of the nominees for the next three year period, Mr Graeme Tapp, has requested that Council give consideration to appointing all seven nominees to the Committee. The nominees are well known to each other and it is believed they will work well together. Mr Tapp believes the increased number will improve the way in which the Committee carries out its business, an outcome which can only benefit the district. Previously this Committee has operated with more than five representatives to great effect.

There is no procedural barrier that would prevent Council from doing this should it wish to do so.

There will be no financial impact on Council or the Raupo Drainage District ratepayers should the number of representatives increase from five to seven. Council has been advised that should it agreed to the increase in the number of representatives, the individual honorarium paid to each representative will be adjusted to accommodate the increase in numbers.

Recommended

That Council appoints to the Raupo Drainage Committee for the next three year period, the following seven nominees:

<i>Beattie, Ian</i>	<i>Tapp, Graeme</i>
<i>Hart, David</i>	<i>Whitehead, Ken</i>
<i>McKinley, Ross</i>	<i>Wilson, Peter</i>
<i>Madsen, Brian</i>	

Reason for the recommendation

To fill external vacancies for the new triennium.

The increased number on the Committee from five to seven will improve the way in which the Committee carries out its business, an outcome which can only benefit the district.

P82 5.7 Creative Communities Local Funding Allocation Committee and Sport and Recreation New Zealand (SPARC) Local Funding Allocation Committee : Appointments of Members

Governance Manager 2109.02, 2109.06

Nominations for community representatives for Creative Communities Local Funding Allocation Committee and Sport and Recreation New Zealand (SPARC) Local Funding Allocation Committee have been called. In the event of more nominations than positions Council would select its appointees at its December 2007 meeting.

Creative Communities Local Funding Allocation Committee has received four nominations for four positions. The details for the nominees are set out below and copies of the nomination letters are attached for your information.

Nominees:

Evans, Debbie	Ruawai
Flower, Maura	Matakohe
Grover, Jan	Mangawhai
Salter, Wendy	Mamaranui

Sport and Recreation New Zealand (SPARC) Local Funding Allocation Committee has received three nominations for three positions as set out below. Copies of the nomination letters are attached.

Nominees:

Biddles, Chris	Te Kopuru
Smales, Karen	Maungaturoto
Stevens, Vern	Dargaville

Recommended

That Council appoint all four nominees listed to the Creative Communities Local Funding Allocation Committee for the next three-year period:

- *Evans, Debbie of Ruawai*
- *Flower, Maura of Matakohē*
- *Grover, Jan of Mangawhai*
- *Salter, Wendy of Mamaranui*

That Council appoint all three nominees listed to the Sport and Recreation New Zealand (SPARC) Local Funding Allocation Committee for the next three-year period.

- *Biddles, Chris of Te Kopuru*
- *Smales, Karen of Maungaturoto*
- *Stevens, Vern of Dargaville*

Reason for the recommendation

To re-establish Committees to administer the two grant schemes.

5.8 Kaipara District 2007 Citizens Awards

Governance Manager 2120.01.03

Council annually recognises three volunteers in Kaipara for their dedication in helping other people and making their community a better place in which to live.

The quality of nominations in the past has meant that a number of highly deserving people have not been able to be recognised as Council only gives three awards each year. Instead of calling for further nominations for 2007 it was decided to take the opportunity to recognise three of those who had been unsuccessful in past years.

The three recipients were: Janet Froggatt of Dargaville, Karen Smales of Maungaturoto and Desmond (Des) Partington of Mangawhai Heads.

A presentation will be made to the recipients at the Council meeting at 3.00pm.

Recommended

That Council recognises the Kaipara District 2007 Citizens Award recipients, being Janet Froggatt of Dargaville, Karen Smales of Maungaturoto and Desmond (Des) Partington of Mangawhai Heads for their dedication.

Reason for the Recommendation

To acknowledge, and support the work and service provided to communities by our District's volunteers.

P93 5.9 Kaipara District Council Public Places Liquor Control Extension

Development Manager 3211.0

A report is attached regarding the request from Police both at Dargaville and Mangawhai for extensions to the current Council Liquor Control Bylaw to assist them in dealing with activities exacerbated by consumption of alcohol. This report describes the legislative options for dealing with the situation, and the process by which any such changes to the Bylaw might be made.

Recommended

That the information be received; and

That Council gives consideration to extending the annual liquor ban period at Mangawhai to cover the period from 6.00pm 26 December to 8.00am 1 January the following year, and to institute an annual liquor ban in the Taharoa Domain in the period from 6.00pm 26 December until 8.00am 15 January the following year as part of the bylaws review; and

That the Police be advised of the powers available to them currently under the Council's general Bylaw, and the Reserves Act 1977.

Reason for the recommendation

While the Police do have significant powers under the public law and the Council's general bylaw, extension of the liquor control bylaw will assist them in preventing unruly or disorderly behaviour associated with alcohol consumption.

P95 5.10 G Larsen, Otioro Road, Kaiwaka: Request for Waiver of Development Contribution

Development Manager RM070235

A report is attached relating to a request for waiver of development contribution by Mr G Larsen.

The owner has taken a long time to complete his subdivision, however, Council has contributed to the delays in finalising some of the consent conditions arising from confusion as to the status of the application at the critical stage when time was running out. The consequence of this is that Mr Larsen has become liable for payment of a development contribution when otherwise he would not have been. While it is not in accordance with the policy to allow such a waiver, the circumstances are considered to be sufficiently extraordinary as to justify an exception being made without the need to amend the policy.

Recommended

That the request by Mr G Larsen for waiver of the application of the Council's development contributions policy in respect of the subdivision of Lot 4 DP197164 and Lot 1 DP167893 (ref:RM980161 and RM070235) be granted.

Reason for the recommendation

The Council acknowledges that the circumstances of this development are sufficiently extraordinary to justify waiving the requirement on grounds of equity, and are not such as to warrant an amendment to the policy.

5.11 Warrants of Appointment: Taharoa Domain

Development Manager 3993.0

Council will recall in November 2007 approving the issuing of warrants relating to the Taharoa Domain. An ongoing concern of the Council has been the inability to manage the deteriorating behaviour over the past few years and as a result of this it is recommended the number of warranted personnel be increased for the Taharoa Domain.

As the group is not or has not been warranted by Council before it is recommended that checks be undertaken to ensure suitability for the role as well as some in-house training and mentors be assigned in the initial period.

It is anticipated that levels of visitors, day users and campers will increase in the upcoming months and this has prompted Council to review the warranted personnel at the Domain. It is likely that this will provide the support and presence necessary over the weekends and public holidays. It is on this basis that we consider the desirability of warranting further personnel in the list below. Each person listed has been contacted and is more than willing to assist Council.

For our part it is usual to undertake the following checks prior to issuing warrants:

- Character references
- Police check
- Assigning mentors

It is not likely that all checks will be completed by the next scheduled Council meeting therefore we would like to have the listed personnel warranted even if the reports may be incomplete. Council finds it necessary to enforce activities in the lakes contained within the boundaries of the Taharoa Domain and as such has relied on the General Bylaws-Public Places and Reserves; and the Reserves Act 1977.

Recommended

1 That Council warrants Bruce Clare, Ruby Martin, Noel Martin, Peter Coles, Rex Finlayson, Karen Finlayson and Janice Peterson pursuant to the following:

- as "authorised officers" pursuant to clause 101.1 of the General Bylaw
- as rangers pursuant to section 8(9) of the Reserves Act 1977
- as enforcement officers pursuant to section 177 of the Local Government Act 2002 in relation to offences under Chapter 2 of the General Bylaws.
- Navigation Safety Bylaw 2007 for administering activities on the water

2 That Council reaffirms the expiry of these appointments as recommended on or before 21 November 2010; or; amendments in legislation; or; pursuant to s.174(4) of the Local Government Act 2002.

Reason for the recommendation

This authorisation is necessary to enable Bruce Clare, Ruby Martin, Noel Martin, Peter Coles, Rex Finlayson, Karen Finlayson and Janice Peterson to manage the Kai Iwi Lakes area in the District.

6 Reports

6.1 Mayor's Report

1701.02.03

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

P97 6.2 Councillors Portfolio Reports

Councillors 1904 (various)

The Councillors to give written reports, for information, on matters of interest.

Cr Alspach

Cr Burnett

Cr Geange

Cr Guest

- The Regulatory Portfolio report is attached.

Cr McEwing

Cr Smith

Cr Sutherland

Cr Taylor

6.3 Chief Executive's Monthly Report

Chief Executive 2002.02.08

The combined report for December and January will come before the January 2008 meeting.

Recommended

That the information be received.

7 Information Items

P123 7.1 Contract 556: Matakohe East Road and Pahi Road AWPT 2007/08 Tender Evaluation

Governance Manager 4107.556

A report from Council's engineers regarding the valuation of tenders received for Contract 556 is attached for the information of Councillors.

Recommended

That the information be received.

P137 7.2 RoadSafe Northland: Kaipara District Report November 2007

Governance Manager 4102.10

A report from RoadSafe Northland for November 2007 is attached for the information of Councillors.

Recommended

That the information be received.

Closure

Kaipara District Council

Dargaville