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Not for Publication until after Commencement of Meeting

Notice Of Ordinary Meeting Of Council

Date 10.00 am on Wednesday 28 November 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 Mangawhai EcoCare Project and Baylys Beach Wastewater

Items 5.1 and 4.2 refer

Mike Ritchie of EPS International will be present to brief Council on these issues, which will be discussed in the Public Excluded section of the agenda.

10.30 am Mangawhai EcoCare Project

Item 5.1 refers. Council is required to sign a contract with EarthTech by the end of November and as will be explained this is within the parameters adopted by Council. It is important that all Councillors have a good understanding of this project as work starts.

11.30 am Baylys Beach Wastewater

Item 4.2 refers. The Baylys Beach project is responding to community questions and Council needs to make decisions about whether or not to progress the project, and at what speed.

The briefing is being held to ensure Council is adequately informed and has the information it requires to enable it to make decisions at the Council meeting in the afternoon.

12.15 pm Lunch

1.00 pm Commencement of Council Meeting with Presentation/Public Forum

Public Forum

a) Mangawhai Golf Club Lease Renewal and Storage Utility Shed

Item 5.2 refers. A representative of the Club will speak to Council.

3.00 pm Afternoon Tea

3.15 pm Recommencement of Council Meeting

Ordinary Meeting Of Kaipara District Council In The Council Chambers, Station Road,
Dargaville On Wednesday 28 November 2007 Commencing 1.00pm

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 - 28 November 2007

1 Opening : Mayor Tiller

Councillor to be selected to open the 12 December meeting.

1.1 Present

1.2 In Attendance

1.3 Apologies

2 Presentation/Public Forum

P135 2.1 Mangawhai Golf Club : 1.00 pm

Item 5.2 refers. A representative of the Club will speak to Council regarding the issue of the Golf Club Lease Renewal and Storage Utility Shed.

3 Confirmation of Minutes

P1 3.1 Ordinary Council Meeting : 26 September 2007

Governance Manager 1601.12

A copy of the minutes is attached.

Recommended

That the minutes of the Ordinary Meeting of Council 26 September 2007, as circulated, be confirmed as a true and correct record.

P67 3.2 Special Council Meeting : 10 October 2007

Governance Manager 1601.12

A copy of the minutes is attached.

Recommended

That the minutes of the Special Meeting of Council 10 October 2007, as circulated, be confirmed as a true and correct record.

P71 3.3 Inaugural Council Meeting : 24 October 2007

Governance Manager 1601.12

A copy of the minutes is attached.

Recommended

That the minutes of the Inaugural Meeting of Council 24 October 2007, as circulated, be confirmed as a true and correct record.

4 Strategic

P77 4.1 Council Committees and External Appointments

Governance Manager 1904.0

A report is attached relating to Council Committees and External appointments. In order to manage its operations for the next triennium Council needs to re-establish its committees, make appointments to external organisations and formalise its operating structure. The processes for re-establishment have been determined by resolution of Council.

Included in this report are the recommendations of Mayor Tiller for 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, potential portfolio holders and external appointments after consideration of Councillors' expressed preferences and interests.

Recommendation One

- a) ***That the Raupo Drainage Committee will comprise of five representatives of the ratepayers and one West Coast Central Ward Councillor.***
- b) ***That Councillor Richard Alspach is appointed to the Raupo Drainage Committee.***

Recommendation Two

That Council make the following appointments:

- *Councillors Julia Sutherland, Tom Smith and Graham Taylor, plus the Mayor as chairperson to the Mangawhai Endowment Fund Committee; and*
- *Councillor Julie Geange to the SPARC Local Funding Allocation Committee; and*
- *Councillor Julie Geange to the Creative Communities Local Funding Allocation Committee; and*

- Councillors Julie Geange and Brian Burnett to the Taharoa Domain Management Committee; and
- Councillor Julie Geange to the Pou Tu O Te Rangi Committee; and
- The Mayor and Deputy Mayor to the Performance Management Committee.

Recommendation Three

That Council confirms 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</i>
<i>Communications</i>	<i>Bill Guest</i>	<i>Stakeholder Engagement</i>
<i>Roading</i>	<i>Richard Alspach/Tom Smith</i>	<i>Community Infrastructure Assets</i>
<i>Refuse</i>	<i>Brian Burnett</i>	<i>Community Infrastructure Assets</i>
<i>Water: existing wastewater, water supply and land drainage</i>	<i>Brian McEwing</i>	<i>Community Infrastructure Assets</i>
<i>Stormwater</i>		
• <i>Northern (Ruawai Flats west)</i>	<i>Bill Guest</i>	<i>Community Infrastructure Assets</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</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</i>
• <i>New infrastructure</i>		<i>Community Infrastructure Assets</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, Community Spaces, Policy and Planning</i>
<i>District Plan</i>	<i>Tom Smith</i>	<i>Policy and Planning</i>
<i>Emergency Management</i>	<i>Brian McEwing</i>	<i>Community Infrastructure Assets</i>
<i>Regulatory</i>	<i>Bill Guest</i>	<i>Development</i>
<i>Libraries</i>	<i>Julia Sutherland</i>	<i>Stakeholder Engagement</i>

Recommendation Four

That Council make the following external appointments:

Northland Regional Council Committees

The previous Regional Council had the following committees and it is likely that the new Council will have committees covering substantially the same areas of interest.

<i>Planning and Policy Committee</i>	<i>Cr Tom Smith</i>
<i>Landcare Committee</i>	<i>Cr Brian McEwing</i>
<i>Regional Land Transport Committee</i>	<i>Cr Richard Alspach</i>
<i>Regional Development Committee</i>	<i>Cr Brian Burnett</i>

External Appointments

<i>Mangawhai Community Trust</i>	<i>Crs Julia Sutherland and Tom Smith</i>
<i>Matakohe Church and Reserve Committee</i>	<i>Cr Graham Taylor</i>
<i>Matakohe Kauri Museum</i>	<i>Cr Graham Taylor</i>
<i>Dargaville Swimming Pool Committee</i>	<i>Cr Richard Alspach</i>
<i>Sport Northland</i>	<i>Cr Julie Geange</i>

Recommendation Five

That Council re-instates the following project team:

Mangawhai EcoCare Project. Two Otamatea Councillors and the New Infrastructure portfolio holder, being Councillors Julia Sutherland, Tom Smith and Graham Taylor.

Reason for the recommendations

To re-establish Committees of Council for the new triennium.

To fill external vacancies.

To formalise Council's operating structure.

P82 4.2 Kaipara Coastal Care Update: Baylys Beach

Chief Executive 4510.0; 4515.0

Attached is a report from the Chief Executive along with a report from Beca/EPS considering the future of provision of a wastewater system for Baylys Beach. Mike Ritchie of EPS will be present to present his report and answer questions. Also enclosed is a copy of the PowerPoint from the Council workshop.

We have responded to a public request for more testing for pollution by developing a testing regime for Council to consider. However, Council needs to consider if this is necessary or is there already sufficient information available to decide if a community wastewater scheme is necessary. It is not only the existing pollution of groundwater and waterways that needs to be considered, the growth of the community and the protection of the sensitive coastal environment need to be considered along with the health risks to people at Baylys Beach.

Council can decide to:

- a) Proceed with a community health scheme; or
- b) Undertake further groundwater testing at a cost of between \$15-40,000; or
- c) Put in place a regulatory regime for onsite refuse disposal; or
- d) Do nothing.

Should Council proceed with a community wastewater scheme it has three options for proceeding:

- a) Proceed with a community health scheme; or
- b) Undertake further groundwater testing at a cost of between \$15-40,000; or
- c) Put in place a regulatory regime for onsite refuse disposal

Given the current and proposed growth of Baylys Beach and the need to protect biodiversity, the environment generally and public health the best longterm decision is considered to be to proceed with a community wastewater scheme and asking EarthTech to provide a proposal as a modification to EcoCare.

Recommended

- 1** *That Council not commission a water testing regime at Baylys Beach.*
- 2** *That Council proceed with the provision of a community wastewater scheme for Baylys Beach.*
- 3** *That Earth Tech be requested to provide a proposal as a modification to the EcoCare project.*
- 4** *That discussions continue with the developer of Sunset West subdivision at Baylys Beach.*

Reason for the recommendation

Given the growth and potential growth of Baylys Beach along with the need to protect public health, biodiversity and the environment, the recommendations provide a sound sustainable strategy for the future of Baylys Beach.

P100 4.3 Waihue Quarry: Purchase Proposal

Community Infrastructural Assets Manager

4101.0

A report is attached, the purpose of which is to review a current opportunity to purchase a quarry and thereby secure an economic source of roading aggregate (roading metal). Council has a strategic need for reasonably priced aggregate of various types but specifically maintenance aggregate for unsealed roads. Aggregate sources will become scarce as the resource dwindles and the cost pressures of setting up new quarries increases with resource consent compliance issues.

The strategic need in this area of the District does not necessitate the purchase of this Quarry. However consideration should be made to establish a strategy to address long term supply issues prior to the tendering of the next maintenance contract.

Recommended

That Council requests the development of an aggregate resources strategy prior to the tendering of the next maintenance contract.

Reason for the recommendation

Aggregate sources are strategic to the successful delivery of Council's roading outcomes. Whilst in this case the economics are not favourable, there is a need to establish how these resources will be secured on a long term basis. The key opportunity for Council to change its procurement procedures will be at the tendering of the next roading maintenance contract.

P103 4.4 Northland Regional Council Community Trust : Vacancies

Stakeholder Engagement Manager

2117.09

The Northland Regional Council is calling for nominations to the Northland Regional Council Community Trust and its letter, a copy of the advertisement and person specification is attached. The Council is being offered the option of making a nomination to the Trust. The applications are confidential and close on Tuesday 4 December 2007.

Recommended

That Council put forward its nomination of Kaipara representative to the Northland Regional Council Community Trust, the nominations close on Tuesday 4 December 2007.

Reason for the recommendation

In order to ensure robust representation for the Kaipara community.

5 Policy

P112 5.1 Mangawhai EcoCare Project: Execution of Documentation with Earth Tech

Chief Executive 4505.07

Attached is a report from Beca/EPS outlining the history of this project and advising that all issues have been dealt with and the project documentation can be executed by Council. Also attached is the briefing PowerPoint.

The project remains within the parameters adopted by Council and is recommended for signature.

Council will recall the original project services 1,216 sections. This is the contract that is being signed. Further modifications will be negotiated as construction proceeds and this should connect a further 500 to 1,000 properties bringing the serviced total to increases of 2,000 properties. The treatment plant is capable of servicing beyond this level and future potential modifications will be brought to Council for consideration.

Recommended

That the Mayor and Chief Executive be authorised to execute under seal the required project documentation with Earth Tech for the community wastewater scheme at Mangawhai known as Mangawhai EcoCare Project.

Reason for the recommendation

Council has a binding contract with EarthTech to develop and operate a community wastewater scheme for Mangawhai. The finally negotiated details reflect that contract and are within the parameters set by Council.

P135 5.2 Mangawhai Golf Club: Lease Renewal, Storage Utility Shed

Community Spaces Manager 5105.09

A report is attached regarding the Mangawhai Golf Club at Molesworth Drive, Mangawhai, which has two lease arrangements with Council. One, for an area described as the "driving range/practice fairway" which relates to this report and this lease has recently expired. The second lease from Council is at a peppercorn rental and covers that land owned by Department of Conservation adjoining Mangawhai Park, which contains the actual golf course.

Mangawhai Golf Club has requested that Council accept an annual rental of \$1,520, as acceptable increase from \$215.00 per annum, set in 1996. When Council considered

1601.12

this matter in 2005, it was resolved that the lease to be Mangawhai Golf Club for 8,000 square metres be granted for nine years with an annual rental assessed at 10% of the land value, reviewable every three years. The suggested amount is therefore acceptable to both Council and the Golf Club.

Recommended

That Council accepts Mangawhai Golf Club's proposal of \$1,520 annual rental as this is in line with Council's rental policy; and

That the lease be granted for nine years, reviewable at five years; and

That Council approves construction of the 30 Metre Total Span utilities building, based on the drawings provided.

Reason for the recommendation

Renewal of the previous lease for a period acceptable to both parties, with a review period that recognises the requirements of both. The utility shed provides needed storage space but does not detract from the surrounding environment.

P144 5.3 Memorial Park: Northern Wairoa Soccer Club Lease
Community Spaces Manager 4702.16

A report is attached relating to a request from the Northern Wairoa Soccer Club Incorporated to enter into a formal lease agreement with the Kaipara District Council for the area known as the old Croquet Club site in Memorial Park. They have been using the site for the last two years for their Junior (Midget) members and this has proved very popular. The buildings and grounds have been very well maintained by the Club and they have indicated they will continue to do so with support from Council.

The Dargaville Croquet Club was dissolved in September 2003 due to the lack of membership. The Club vacated the building at Memorial Park and handed the keys back to Council. The Croquet Club buildings comprise of the clubrooms and two storage sheds. The buildings were in a bad state of repair and subject to vandalism while standing empty.

Recommended

That Council approves a lease of part of Lot 1 DP 66217 ALL 14583 PT lot 20 DP 8918-REC RES (old Croquet Club site)at Memorial Park to the Northern Wairoa Soccer Club Incorporated subject to the lease being able to be terminated should the redevelopment of Memorial Park require changed arrangements; and

That the lease be for a term of 10 years and provide for a right of renewal of 10 years; and

That the annual lease rental is \$5.00 per annum; and

That Council approves in principle with moving the Northern Wairoa Soccer Club from Selwyn Park to Memorial Park; and

That Council approves a lease of the old Cricket Storage shed for a period of 10 years.

Reason for the recommendation

To allow the Northern Wairoa Soccer Club Incorporated to continue to promote Soccer and help provide sporting activities for youth in the community.

5.4 Lake Waikere Closure Dates for /2007/2008 Tournaments and Training
Community Spaces Manager 4702.24

The Kai Iwi Lakes Water Ski Club has provided a list of dates for tournaments and championships from November 2007 to April 2008. Traditionally, the Taharoa Domain Governance Committee has agreed to the Water Ski Club's request to close the Lake to public subject to conditions. However, the Governance Committee will not be meeting until the New Year, and the Club has requested closure dates in December 2007 and January 2008. The Water Ski Club has managed National, Regional and local events very well in the past and there are wider benefits to Kaipara from these competitions.

The Club has requested that the lake be closed on Sunday 4 November 2007, however this does not give Council enough time to meet and make a decision. None of the dates requested for closure by the Club fall on public holiday weekends. This therefore means there will be no conflict with the extra demand on the lakes from public holiday usage.

It is proposed that permission be granted to close Lake Waikere for the holding of Tournaments and Coaching schools, being 14 days in total.

Recommended

That Council grants permission to the Kai Iwi Lakes Water Ski Club for Lake Waikere to be closed for the holding of tournaments and coaching days as follows, being 14 days in total:

<i>Sunday 9 December 2007</i>	<i>Club Handicap Tournament</i>
<i>Monday 17 to Friday 21 December</i>	<i>Northland Junior Training Squad Coaching School</i>
<i>Sunday 6 January 2008</i>	<i>Club Championships</i>
<i>Saturday 26 to Monday 28 January</i>	<i>Kai Iwi 3 Event Tournament</i>
<i>Sunday 24 February 2008</i>	<i>Club Handicap Tournament</i>
<i>Sunday 9 March 2008</i>	<i>Club Handicap Tournament</i>
<i>Saturday 5 to Sunday 6 April 2008</i>	<i>Northland Regionals & Handicaps</i>

subject to the following conditions:

- *That the Lake is only closed for Tournaments and training between the hours of 8.00am and 12.00 noon and 1.00pm to 5.00pm daily, except for Saturday 26 to Monday 28 January 2008 when the lake will be closed from 8.00am to 5pm.*
- *Shore fishing is allowed at all times.*
- *Public Notification in the Northern Advocate and Dargaville District News at the Kai Iwi Lakes Water Ski Club's expense.*

Reason for the recommendation

To offer a safe venue for the Kai Iwi lakes Water Ski Club training and Tournaments, enabling them to prepare for Tournaments and Championships, whilst ensuring other public uses of Lake Waikere.

5.5 Mayoral Relief Fund: Appointment of Trustee

Development Manager 3301.0

On 10 and 11 July 2007 Northland experienced a 1 in 150 year storm event which caused damage to buildings and infrastructure with severe flooding. As part of the recovery actions resulting from this flood event a Mayoral Relief Fund was established to enable the receipt of donations from government, public and other organisations for the relief of persons adversely affected by storm damage having no other avenue of monetary support.

Monies have been received and although the impact of the storm event on Kaipara was not as significant as elsewhere, a number of Kaipara District residents were severely affected and have made application for relief. These applications have been assessed.

To enable the disbursement of the funds in the Mayoral Relief Fund it is necessary for Council to appoint Trustees of the fund. The disbursement of Mayoral Relief Funds is prescribed in Section 2 of the National Civil Defence Plan which provides a sample Trust Deed Mayoral Relief Fund document.

The Deed requires Trustees to be appointed to administer the Mayoral Relief Fund. Signing the Mayoral Relief Fund Trust Deed will enable the donations to be disbursed to those residents in need. It is important to note that while the trustees will have authority to distribute the Fund, the Council's cheque signatories will remain the same.

Recommended

That the Mayor and Deputy Mayor be appointed as Trustees to the Mayoral Relief Fund.

Reason for the recommendation

Council's Mayoral Relief Fund was established for the receipt of donations. Funds have been received, and Trustees need to be appointed in order for these funds to be distributed.

P148 5.6 Kaihu River Stopbank Reinstatement at Te Houhanga Marae

Chief Executive 4302.02

A report is attached from the Chief Executive along with a letter from Mr Des Subritzky on behalf of the Te Houhanga Marae. The photographs will be tabled at the meeting.

The Te Houhanga Marae is within the Dargaville Stormwater Drainage District and the funding for any work will come from the Dargaville Stormwater Rate. This rate is fully allocated for the 2007/08 year.

Also attached is a letter from the Northland Regional Council dated 14 November 2007 which provides the history.

It is a relatively simple exercise to reinstate this part of the stopbank. To do so would protect a treasured toanga, the oldest carved Wharanui in Northland. The Marae has agreed to undertake the work if Council provides the funds with which to hire the necessary machinery.

Recommended

That Council allocates \$10,000 to assist with the reinstatement of the stopbank on the Kaihu River behind Te Houhanga Marae from its 2008/09 budget.

Reason for the recommendation

The stopbank should be reinstated. This would assist in protecting the oldest carved wharanui in Northland which is almost 100 years old.

P152 5.7 Request to Reduce Water Fees: Meter ID 96A113729,
Bickerstaffe Road, Maungaturoto

Finance Manager 4807.0

Item 5.25 of the 26 September 2007 minutes refers.

A report from the Finance Manager is attached that contains the additional information sought by Council when the matter was first discussed at the 26 September 2007 Council meeting.

Recommended

That Council declines the request to reduce the outstanding amount of \$3,691.80 on Water Meter ID 96A113729 Bickerstaffe Road, Maungaturoto.

Reason for the recommendation

This reflects Council's long standing practice that water through the meter remains the responsibility of the user rather than general ratepayer liability.

P156 5.8 Remuneration for Elected Members

Governance Manager 1801.0

A report is attached that discusses the remuneration of Elected Members is attached.

Council remuneration levels are set by the Remuneration Authority who determines a remuneration pool for each Council based on three criteria; population (50% weighting), expenditure (33% weighting) and assets (17% weighting).

The Remuneration Authority, in putting together its remuneration framework, has given particular attention to providing for consistency and transparency of recompense. Considerable research and consultation has gone into the development of the framework.

An interim provision for remuneration of Councillors is in place. The new Council needs to recommend to the Remuneration Authority as soon as possible how it would like the remuneration pool to be divided among its members. The allocation of the remuneration pool used by previous Council worked well and this report recommends continuing it.

The new Council also needs to give consideration to and adopt rules in respect of when it will pay allowances and reimburse expenses.

Recommendation One

That Council make the following recommendation to the Remuneration Authority:

That the Kaipara District Council applies the remuneration pool which is a maximum of \$258,724 in the following way:

<i>Office</i>	<i>Annual Salary</i>
<i>Mayor</i>	<i>\$63,249</i>
<i>Deputy Mayor</i>	<i>\$29,582</i>
<i>Councillor</i>	<i>\$23,699</i>

Reason for Recommendation One

Councillors will receive proportionately more than for the previous period and this is due to the fact that there are two less councillors and individual workloads will undoubtedly increase exponentially as a result. However the margins between that payable to the Deputy Mayor as opposed to a Councillor remains the same.

It recognises that the Deputy Mayor's role is expected to take more time than Councillors.

It provides a simple and transparent method of remuneration.

Recommendation Two

That Council will reimburse actual reasonable:

- a) *Expenses incurred by Councillors attending pursuant to a resolution of the Council or of a Committee: National Conferences or zone Meetings of the New Zealand Local government Association or when carrying out any similar work pursuant to a resolution of the Council.*
- b) *Registration, travel (economy airfares in the case of air travel), accommodation, meal and related incidental expenses incurred by members in attendance at conferences, courses, seminars and training programmes.*

Provided:

- *the related expenditure can be accommodated within existing budgets*
- *the major subject of the event (conference, course, seminar or training programme etc) is of significant relevance to the Council and includes a significant policy/governance content*
- *attendance at the event is relevant for obtaining an understanding of policies and initiatives taken by other local authorities relevant to the Council's activities*
- *in selecting which member(s) should attend the event, preference is given to those members who have a responsibility for or who take a lead on the issues which the event is related to.*

- c) *The Council will pay a kilometre allowance when Councillors are:*
- i. attending meetings of the Council or any Committee thereof*
 - ii. attending Council or Committee Workshops and Open Days*
 - iii. representing the Council at meetings called by other organisations and bodies at which the particular Councillor has been appointed as its representative (or to attend), or attending such meetings when requested by the Mayor or Chief Executive Officer*
 - iv. representing the Council pursuant to a resolution of the Council or a Committee at a public meeting called by the Council/Committee*
 - v. attending Hearings Committee and District Plan Committee site visits*
 - vi. attending meetings of ratepayer associations etc within the ward which they represent*
 - vii. attending informal meetings but only when the meeting has been requested or been authorised in advance by the Mayor and Chief Executive*
- d) *When Councillors are travelling to areas outside the Kaipara district they are expected to ensure that an unnecessary number of vehicles do not travel to the same destination.*
- e) *The Council will reimburse reasonable meal and/or morning/afternoon tea costs in those instances where a kilometre allowance is payable and the meeting or site visit necessitates the meal and/or morning/afternoon tea being purchased (receipts to be provided)*
- f) *The Council will provide stationery necessary for Councillors in their role as Councillors, on request.*

Reason for Recommendation Two

A complicated structure would only increase administration costs.

Recommendation Three

That no Mayoral vehicle be purchased and the Mayor continue to claim mileage on his private vehicle.

Reason for Recommendation Three

It is financially prudent to continue to reimburse the Mayor for Council work undertaken in his personal vehicle.

Recommendation Four

That Council policy is to pay Mayor and Councillors \$0.70 per kilometre for approved mileage.

Reason for Recommendation Four

Given the rising costs of operating motor vehicle the maximum rate allowed by the Remuneration Authority should be applied to ensure that elected members are not out of pocket

5.9 Refuse Cages

Stakeholder Engagement Manager 4201.01.02

In response to requests Council allocated \$6,000 through the 2007/08 Annual Plan to install five refuse cages to be placed in key troublesome areas to help contain the blue rubbish bags until the collection date. Council currently has one placed at Glinks Gully that is working well, and has received positive feedback from the Glinks community.

Staff have since investigated a kitset alternative and if the community were willing to assemble these onsite. The cost would be \$500.00 plus GST for the materials delivered to Council offices. This would enable twelve cages to be placed around the district. Staff believe this would provide two additional benefits to the fully installed option.

- it helps the community to be involved and take pride in establishing a tidy collection point
- the obvious benefits in terms of leveraging off the small amount of dollars.

If Council approves of investigating community support for this alternative the Community Development Facilitator could discuss this with the various communities and ascertain if there is support for this option.

Some known problem areas are Turiwiri crossroads (Dargaville), Tangowahine crossroads, King Road (Mangawhai), Petley Road (Paparoa) and Rangiora Road (Oniriri). Councillors will have information on what other areas are a priority.

Recommended

That Council approves the purchase of twelve refuse cages at a cost of \$500.00 provided the community are willing to assemble them; and

That Councillors advise staff of any requests they have received from the community.

Reason for the recommendation

This will assist in cleaning up the collection points around the Kaipara District, involve the community and will allow Council to install more cages with the limited amount of dollars available.

P165 5.10 Hakaru Transfer Station: Compacted Refuse

Stakeholder Engagement Manager 4202.01

Item 5.17 of the 26 September 2007 Council meeting refers.

In September 2007 Council considered a report from the Assets Manager proposing a separate price for compacted refuse at the Hakaru refuse facility. Councillors raised a number of queries relating to the item and resolved that the item lie on the table pending a fuller impact statement and more comprehensive delivery of facts. A report is attached providing additional information in response to the issues raised by Council at its September meeting.

Consideration of a compacted refuse charge is at the request of the contractor. The current agreement allows for the contractor to charge \$40.00 per cubic metre of waste at the gate. The per metre charge is fixed for the first year of operation and adjustments for each financial year would be based on the Consumer Price Index and a fuel matrix.

The requested \$62.50 charge is touted by the contractor as a compromise because the refuse expands to three times its size when emptied and therefore could be charged at \$120.00. Under the current contract it cannot be charged at \$120.00 and is therefore an increase not a compromise.

The public as well as other commercial operators had a right to expect the charges would not increase in the first year, an increase in the early stages of the contract would place an unfair burden on users.

It is understandable that refuse being carted from a transfer station has significantly higher handling and cartage costs if it is compacted. It is less easy to understand how tipping it into a landfill intended for closure soon could be so much more expensive to handle. This will be a problem from the second week of December 2007 when the facility is a transfer station, however the means to apply a weight not volume method of charging is not yet available. A weighbridge is expected to be installed in February/March and Council will then be in a position to implement a change to the charging method.

Recommended

That Council declines the request from Masons Contractor for a compacted refuse charge at the Hakaru refuse facilities.

Reason for the recommendation

Council wants to honour the commitment it made to the community through the Annual Plan process.

P169 5.11 2007 Job Evaluation

Stakeholder Engagement Manager

2204.02

The quality of the services Council delivers is dependent on the calibre of the staff organisation wide. The Kaipara District Council has a reputation for employing well qualified, motivated, 'can do' people and providing them with opportunities for career advancement. This reputation is an important factor in the quality of the applicants it can attract for key positions and is therefore not a reputation it can afford to tarnish.

Attracting and retaining good staff is dependent on offering fair remuneration comparable with the market rate. High employment nation wide, combined with the relatively high turnover of staff Kaipara District Council is currently experiencing indicated the need for an independent review of the salaries for all positions. Council last evaluated all positions in relation to the market using an external consultant in 1999. This information does not remain current and requires periodical review.

An evaluation has been undertaken by a firm that provides this service for 74 other councils and therefore has the data to show robust benchmarking with the local government sector.

The results show that a number of Kaipara District Council positions, particularly those requiring technical skills, are currently being paid significantly lower than market value. Closing the gap immediately has a general rate impact of \$37,300 per annum. Although this has not been budgeted for in the 2007/08 year some of the discrepancies are significant and will be impacting now of the ability to fill vacancies, and the potential to lose staff.

Recommended

That Council approves expenditure in excess of the 2007/08 budget for increased staff costs of \$37,300.

Reason for the recommendation

Council wants to meet its obligation to be a good employer and to ensure good staff are not lost through a comparative financial disadvantage.

5.12 Warrants of Appointment

(a) Warrants of Appointment Mangawhai EcoCare Project

Development Manager 3991.0; 4505.07

The Mangawhai EcoCare project is about to get underway, and staff from the project engineers and contractors involved will need to enter onto private property to carry out survey and construction works associated with the proposed scheme. The Local Government Act 2002 gives Council the power to authorise such people to do this, and for the Council to issue warrants as evidence of the authority from Council in this regard. There will be changes in personnel involved as the project progresses, so it is proposed that Earth Tech and Hawkins Construction be required to maintain a register for Council of warranted staff so that it is clear at all times who has authority to act for the Council in this business. Council's solicitors have confirmed that this is a pragmatic and proper course to take.

Recommended

- 1 ***That Council warrants Earth Tech Engineering Pty Ltd and Hawkins Construction Ltd as authorised officers pursuant to section 174 of the Local Government Act 2002 to enter onto private land for the purposes of the implementation of the EcoCare sewerage scheme for Mangawhai.***
- 2 ***That the warrants issued to Earth Tech Engineering Pty Ltd and Hawkins Construction Ltd be withdrawn if any of the following conditions are not met:***
 - *The warrant holders must maintain a register to be provided for Council of all persons engaged in the project who are required to enter onto private property in order to fulfil their duties in implementing the proposed sewerage scheme and issue individual copies of the warrant to each such person containing the name and photograph of that individual.*
 - *The persons recorded in the register must, if requested, produce their warrant before entering onto private property.*
 - *The warrant holders and all persons recorded in the register must surrender their warrants upon the sooner of completion of their duties in relation to the implementation of the EcoCare sewerage scheme for Mangawhai, or when this authorisation is terminated.*

Reason for the recommendation

This authorisation is necessary to enable the EcoCare project team to set about its business and get the project underway without compromising the rights of affected property owners.

b) Warrant of Appointment Building Compliance Schedules

Development Manager 3996.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

Ronald Pattenden performs the audit inspections regarding buildings for which a compliance schedule is issued, the inspection, maintenance, and reporting procedures stated in the compliance schedule are being complied with. As a result of recent changes to the Building Act 2004 we are required to warrant staff performing the building warrant of fitness inspections to ensure that the specified systems stated in the compliance schedule are performing, and will continue to perform, to the performance standards for those systems that are set out in the relevant building consents.

Recommended

That Council warrants Ronald Pattenden as authorised officer pursuant to section 222 of the Building Act 2004 to carry out the necessary inspections regarding building compliance schedules.

That Council reaffirms the expiry of this appointment 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 Ronald Pattenden to the necessary and regular inspections of building compliance schedules.

c) Warrants of Appointment Environmental Health Officers

Development Manager 3999.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

Northland District Health Board of Whangarei is the contracted service provider for our Environmental Health Officers. Pursuant to the Local Government Act 2002 every local authority shall appoint one or more environmental health officers, to undertake regular inspections for the purposes of ascertaining if any nuisances, or conditions likely to be injurious to health or offensive exist in the district and to and to take proper steps to secure the abatement of the nuisance or the removal of the condition. Pursuant to the Sale of Liquor Act 1989 the District Licensing Agency shall appoint one or more inspectors to enter on and inspect any licensed premises, or any part of any licensed

premises, to ascertain whether the licensee or any manager is complying with the conditions of the licence.

Recommended

- 1** *That Council warrants Rajendra Ramsaroop, Brian Denison, Paul Reid and Gavin De Clerk of Whangarei as authorised officers pursuant to s.23; s.288, s. 42; s.128 of the Health Act 1956; and s.103 of the Sale of Liquor Act 1989 to enable them to undertake their duties in the Kaipara District.*
- 2** *That warrant holders and all persons (Rajendra Ramsaroop, Brian Denison, Paul Reid and Gavin De Clerk) must surrender their warrants upon the expiry of the contract with Northland District Health Board on or before 30 June 2009; 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 Rajendra Ramsaroop, Brian Denison, Paul Reid and Gavin De Clerk to enable the Environmental Health Officers to undertake inspections on a regular basis to abate public nuisances and undertake inspections of licensed premises to ensure compliance to their license is adhered to.

d) Warrants of Appointment Environmental Northland

Development Manager 3994.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

Environmental Northland of Whangarei is the contracted service provider for the Dog, Stock and Noise; and Parking Wardens within the district. We find the various issues relating to dogs such as animal welfare, wandering and aggressive behaviour to very prominent in today's media. Council continues to maintain a high level of enforcement activity especially in larger urban areas. The Dog Control Act 1996 gives Council the power to authorise such people to do this, and for the Council to issue warrants as evidence of the authority from Council in this regard.

Recommended

- 1** *That Council warrants Keith Thompson, Trevor Sinclair, Jennifer Quintal, Shirley Gilmour and Kathy Bourke as authorised officers pursuant to s.13; and s.14; and s.17; and s.19; s.19A; and s.59; and s.60; pursuant to Dog Control Act 1996; and s.164; and s.177; and; s.171; and s.172; and s.173; and s.164; and s.245 pursuant to Local Government Act 2002; and; s.38(1)(2)(5)(6); and s.327; and s.328 pursuant to the Resource Management Act 1991;*

- 2** *That Council warrants Keith Thompson, Trevor Sinclair and Jennifer Quintal as authorised parking wardens pursuant to s.7 pursuant to Transport Act 1962;*
- 3** *That the Contract held by Environmental Northland Limited for Dog, Stock and Noise Control and Bylaws Response be extended for a period of twelve months from 01 December 2007 to 30 November 2008 on the same terms and conditions as those currently in force as agreed to in their letter of 3 July 2007; 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 Keith Thompson, Trevor Sinclair, Jennifer Quintal, Shirley Gilmour and Kathy Bourke to the necessary duties of a Dog, Stock and Noise Control Officer, and to enable Keith Thompson, Trevor Sinclair, Jennifer Quintal to undertake the necessary duties of a parking warden in the Kaipara District.

e) Warrant of Appointment Hazardous Substances and New Organisms

Development Manager 3998.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

We understand the purpose of the Hazardous Substances and New Organisms Act 1996 is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms. James Goodland will continue to recognise and provide the safeguarding of life supporting capacity of air, water, soil, and ecosystems as well as maintenance and enhancement of the capacity of people and communities.

Recommended

That Council warrants James Goodland as an Enforcement Officer pursuant to section 12 of the Hazardous Substances and New Organisms Act 1996, to carry out the functions and duties within the Kaipara District; and

That Council reaffirms the expiry of this appointment 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 James Goodland carry out the necessary functions and duties.

f) Warrants of Appointment Rural Fire Officers

Development Manager 3992.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

The Kaipara Region extends from Mangawhai in the east to Dargaville in the west and Waipoua Forest in the North to Pouto in the South. Our district is rich in natural bush, farm land and residential settlements and as such we constantly live with the inherent danger of fires especially during the hotter months of the year. The Forest and Rural Fires Act 1977 and the Forest and Rural Fires Regulations provides us with the basis to assist the regular fire service, promote and educate the community and to protect lives, property and animals in the district.

Recommended

- 1 **That** Council warrants Ernie Unkovich of Dargaville, Stephen Soole of Dargaville, Jack Steed of Dargaville, Ian Rawlings of Dargaville, Todd Heaven of Dargaville, Noel Futter of Paparua, Kenneth Ogilvy of Paparua, Michael Moulds of Ararua, Gary Langridge of Ararua, Robert Kersey of Tinopai, Lance Lister of Tinopai, Robert Donald of Trounson Park, Pierre Morine of Trounson Park, Desmond Partington of Mangawhai, Maurice Doughty of Mangawhai, Edward Bishop of Dargaville, Wayne Graham of Dargaville, James Goodland of Dargaville, Diane Reihana-Ruka of Trounson Park and Darren Searle of Dargaville as rural fire officers pursuant to section 13 of the Forest and Rural Fires Act 1977 and Forest and Rural Fires Regulations 2005 to enable them to carry out the powers, functions and duties under the Forest and Rural Fires Act 1977 in the Kaipara District; and
- 2 **That** Council reaffirms the expiry of these appointments as recommended for Ernie Unkovich, Stephen Soole, Jack Steed, Ian Rawlings, Todd Heaven, Noel Futter, Kenneth Ogilvy, Michael Moulds, Gary Langridge, Robert Kersey, Lance Lister, Robert Donald, Pierre Morine, Desmond Partington, Maurice Doughty, Edward Bishop, Wayne Graham, James Goodland and Darren Searle 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 Ernie Unkovich, Stephen Soole, Jack Steed, Ian Rawlings, Todd Heaven, Noel Futter, Kenneth Ogilvy, Michael Moulds, Gary Langridge, Robert Kersey, Lance Lister, Robert Donald, Pierre Morine, Desmond Partington, Maurice Doughty, Edward Bishop, Wayne Graham, James Goodland, Diane Reihana-Ruka of Donnelly's Crossing and Darren Searle to assist the regular fire service, promote and educate the community and to protect lives, property and animals in the district.

g) Warrants of Appointment Taharoa Domain

Development Manager 3993.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

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 Lloyd Harris, Andrew Bagnall, Leslie Atkinson, Sydney Teesdale and Andrew Howells 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 Lloyd Harris, Andrew Bagnall, Leslie Atkinson, Sydney Teesdale and Andrew Howells to manage the Kai-Iwi Lakes area in the district

h) Warrants of Appointment Water Meter Readings, Environmental Operations Ltd

Development Manager 3995.0

Council makes every effort to maintain up-to-date warranted personnel. As part of this ongoing process and in-line with warrant expiry dates and changes in legislation Council finds it necessary to update warrants from time to time.

Environmental Operations Limited of Dargaville is the contracted service provider for the recording and reporting of the water usage within the district. This sometimes requires their personnel to enter onto private land to perform this function. To avoid the implications associated with trespassing on private land we rely on the Local Government Act 2002 and in particular section 174 Authority to act.

Recommended

That Council warrants Albert Paniora, Peter Marinkovich, Alan Nesbit, Brian Armstrong, Graham Marshall and Donna Curel as authorised officers pursuant to section 174 of the Local Government Act 2002 to enter onto private land for the purposes of recording the water meters in the district.

Reason for the recommendation

This authorisation is necessary to enable Albert Paniora, Peter Marinkovich, Alan Nesbit, Brian Armstrong, Graham Marshall and Donna Curel to enter private property to record the water usage periodically without compromising the rights of affected property owners.

6 Reports

6.1 Mayor's Report

1701.02.03

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

6.2 Councillors Portfolio Reports

Councillors 1904 (various)

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

Cr Alspach

Cr Burnett

Cr Geange

Cr Guest

Cr McEwing

Cr Smith

Cr Sutherland

Cr Taylor

cir 6.3 Chief Executive's Monthly Reports: October 2007 and November 2007

Chief Executive 2002.02.08

The reports of the Chief Executive are circulated separately.

Recommended

That the reports of the Chief Executive for October 2007 and November 2007 be received.

7 Receipt and Adoption Items

P172 7.1 Judicial Committee Minutes: 14 August, 28 August, 18 September,

Regulatory Manager 1605.09

Copies of the unconfirmed minutes of the Judicial Committee Meetings held as listed are attached.

P172 14 August 2007

P201 28 August 2007; and

P209 18 September 2007

Recommended

That the unconfirmed minutes of the Judicial Committee Meeting held 14 August, 28 August, and 18 September 2007 be received and adopted.

P219 7.2 Raupo Drainage Committee Minutes: 16 August 2007

Assets Manager 1603.12

A copy of the unconfirmed minutes is attached.

Recommended

That the unconfirmed minutes of the Raupo Drainage Committee Meeting held 16 August 2007 be received and adopted.

P223 7.3 Independent Rates Enquiry: Scorecard Inquiry

Finance Manager 2306.20

A summary report from the Finance Manager is attached, which compares the ten specific recommendations made by Council in their April 2007 submission to the Enquiry Panel, against the Panel's final recommendations to Central Government.

Recommended

That the information be received and adopted.

8 Information Items

P225 8.1 Browns Road Trust Subdivision: Decision on Objection Against Fees

Development Manager RM060057

The decision of the Independent Commissioner in respect of the fees objection by Browns Road Trust, is attached. A copy of the objection and a plan of the subdivision are also attached for Council's information.

Recommended

That the information be received.

P232 8.2 Citizens Advice Bureau, Wellsford: Annual Report 2006-07

Governance Manager 2105.02

A copy of the Wellsford Citizens Advice Bureau's Annual Report 2006-2007, presented at their Annual General Meeting on 28 August 2007, is attached. They also express their thanks to Council for its continued support and interest taken in the Bureau.

Recommended

That the information be received.

P251 8.3 Enterprise Northland: Statement of Intent Report Year to June 2007

Stakeholder Engagement Manager 2132.04.03

Enterprise Northland Trust's Statement of Intent 2006/07 is attached for the information of Council.

Recommended

That the information be received.

9 Public Excluded Items: 28 November 2007

Recommended

That the public be excluded from the following part of the proceedings of this meeting namely: Council Public Excluded Minutes 24 October 2007 Items 2.1, 9.3 and 9.4; Reserve Purchase Land at Ruawai, Refuse update on unauthorised collection, Contract 527: Water Supply and Wastewater Services

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>Council Public Excluded minutes 24 October 2007 Items 2.1, 9.3 and 9.4;</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Reserve Purchase Land at Ruawai</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Refuse update on unauthorised collection</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Contract 527: Water Supply and Wastewater Services</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>

Reason for passing this resolution in relation to each matter

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

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

Open Meeting - 28 November 2007

Recommended

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

Closure

Kaipara District Council

Dargaville