

**Ordinary Meeting Of Kaipara District Council In The Council Chambers, Station Road,  
Dargaville, 11.45am on 27 April 2011**

**Minutes**

**Contents**

<b>1</b>	<b>Opening: Cr John Blackwell .....</b>	<b>3</b>
1.1	Present.....	3
1.2	In Attendance .....	3
1.3	Additional Business: Statement of Proposal: Mangawhai Community Wastewater Scheme... 3	
<b>2</b>	<b>Public Excluded Council Items 27 April 2011 .....</b>	<b>4</b>
	<b>Open Council Meeting Minutes: 27 April 2011 .....</b>	<b>6</b>
2.1	Kaipara District Plan Review: Hearings Panel Recommendations and Budget .....	6
2.2	Contract 681: Taharoa Domain Promenade Point Kai Iwi Lakes New Toilets .....	7
2.3	KSR Farms Limited: Settlement of Claim .....	8
<b>3</b>	<b>Confirmation of Minutes.....</b>	<b>8</b>
3.1	Extraordinary Council Meeting : 9 March 2011 .....	8
3.2	Ordinary Council Meeting : 23 March 2011 .....	8
<b>4</b>	<b>Declaration of Conflicts of Interest .....</b>	<b>8</b>
4.1	Declaration of Conflicts of Interest.....	8
<b>5</b>	<b>Policy.....</b>	<b>9</b>
5.1	Local Governance Statement April 2011: Adoption.....	9
5.2	Northland Local Government Cadet Scheme .....	9
5.3	Kaiwaka War Memorial Hall Toilet.....	10
5.4	Water Rates: Request for Remission from the Dargaville Lawn Tennis Club .....	11
5.5	Freedom Camping Bylaw.....	11
5.6	Integrated Kaipara Harbour Management Group: Integration at a Governance Level.....	12
5.7	Proposed District Plan Variation 1 - Landscapes: Acceptance of Late Submissions.....	13
5.8	Proposed National Policy Statement on Indigenous Biodiversity Submission .....	14
5.9	Alamar Crescent Boat Ramp, Mangawhai.....	15
5.10	Tinopai Volunteer Rural Fire Force: Place Into Recess.....	16
5.11	Elected Members Remuneration Authority Pool July 2011 to June 2012 .....	16
5.12	Elected Members' Code of Conduct: April 2011 .....	18
5.13	Borrowing Programme .....	18
5.14	Forestry Portfolio.....	25
5.15	Road Legalisation: Baldrock Road, Kaiwaka.....	26

5.16	Mangawhai Club: Boundary Change .....	27
5.17	Warrant of Appointment: Dog Stock and Noise Control Officer and Parking Warden.....	28
5.18	Statement of Proposal: Mangawhai Community Wastewater Scheme Targeted Rate .....	29
<b>6</b>	<b>Reports</b> .....	<b>30</b>
6.1	Mayor's Report.....	30
6.2	Councillors Reports.....	30
6.3	Chief Executive's Report: April 2011 .....	30
<b>7</b>	<b>Information Items</b> .....	<b>30</b>
7.1	Correspondence Addressed to Mayor and Councillors: 10 March 2011 to 30 March 2011 ...	30
7.2	Delegated Authority: Schedule of Decisions.....	31
7.3	Triennial Revaluation 2011 .....	31
7.4	Advice from Controller and Auditor General .....	31
7.5	Local Government New Zealand: Zone One Minutes 11 March 2011 .....	35
7.6	Northland Regional Council: Regional Policy and Development Committee Unconfirmed Minutes 11 April 2011 .....	35
7.7	Westmoreland Developments Ltd: Final decision of Commissioner .....	35
7.8	Council-Owned Land.....	35
7.9	ASB Community Trust Presentation .....	36
<b>Closure</b>	.....	<b>36</b>

unconfirmed

## Minutes: Wednesday 27 April 2011

### 1 Opening: Cr John Blackwell

Councillor Larsen to open the 25 May 2011 meeting.

#### 1.1 Present

Mayor Tiller, Councillors J Blackwell, J Geange, H Harding, J Larsen, W Linton, B McEwing, J Sutherland, A Wade

#### 1.2 In Attendance

Chief Executive, Community Infrastructural Assets Manager, Development Manager, Governance Manager, Community Spaces Manager, Corporate Services Manager.

#### 1.3 Additional Business: Statement of Proposal: Mangawhai Community Wastewater Scheme

**Resolved Linton/Sutherland**

*That Council includes a further item on its Agenda for consideration being item 5.18 Statement of Proposal: Mangawhai Community Wastewater Scheme - Replacement of Invalid Rate.*

## 2 Public Excluded Council Items 27 April 2011

### Motion 1

#### Moved Larsen Seconded Linton

*That Item 4.3 of the Council Agenda 27 April 2011, titled "Kaipara District Plan Review: Hearings Panel Recommendations and Budget" be moved to the Open section of the Council meeting.*

#### The Motion was LOST

A division was called.

FOR : Councillor Larsen

AGAINST : Councillors Blackwell, Geange, Harding, McEwing and Sutherland

#### Resolved Sutherland/Blackwell

*That the public be excluded from the following part of the proceedings of this meeting namely, Contract 681: Taharoa Domain Promenade Point Kai Iwi Lakes New Toilets, KSR Farms Limited: Settlement of Claim and Kaipara District Plan Review: Hearings Panel Recommendations and Budget*

*The general subject matter of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act, 1987 for the passing of this resolution are as follows:*

<i>Subject matter to be considered:</i>	<i>Ground(s) under Section 48 (1) for the passing this resolution:</i>
<i>Contract 681: Taharoa Domain Promenade Point Kai Iwi Lakes New Toilets</i>	<i>Part 1 Section 7 (2)(b)(ii)</i>
<i>KSR Farms Limited: Settlement of Claim</i>	<i>Part 1 Section 7 (2)(g)</i>
<i>Kaipara District Plan Review: Hearings Panel Recommendations and Budget</i>	<i>Part 7 Section 48 (2)(a)(i)</i>

Councillor Larsen asked that he be recorded as voting Against the Motion as it pertained to Item 4.3 Kaipara District Plan Review: Hearings Panel Recommendations and Budget

**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.

Section 7 (2)(g) maintain legal professional privilege.

Section 48 (2)(a)(i) a right of appeal lies to any Court or tribunal against the final decision of the local authority in those proceedings.

unconfirmed



<i>Liaison with Panel Chair</i>	\$6,600
<i>Additional Project Management Time</i>	\$33,000
<i>Additional Website Time</i>	\$3,960
<i>Additional Legal Advice</i>	\$85,000
<b>Total</b>	<u>\$705,410</u>

A division was called. FOR : Mayor Tiller, Councillors Blackwell, Geange, Harding, McEwing and Sutherland.

AGAINST : Councillors Larsen and Wade voted against the Motion.

### **Reason for the Resolution**

The update and reissue of the Section 32 Report duplicates work that will be completed as part of the Decisions Reports and should not be duplicated creating extra costs.

The Hearings Panel, through its actions and decisions, has requested extra work as necessary to enable it to process the decisions, minimise future costs by reducing or eliminating appeals to the Environment Court and to make the reviewed District Plan a better document. The Council has delegated authority to the Hearings Panel to act and the Panel has requested the additional work be undertaken. To refuse to fund the work will jeopardise the District Plan Review process and is likely to create greater costs for Council and its ratepayers and call into question the capability of the Council to govern the district.

## **2.2 Contract 681: Taharoa Domain Promenade Point Kai Iwi Lakes New Toilets**

**Community Spaces Manager 4702.24.02**

**Resolved Geange/Harding**

*That Council awards Contract 681: Promenade Point, Taharoa Domain New Toilets, for the sum of two hundred and thirteen thousand, two hundred and forty two dollars (\$213,242) plus 10% contingency of twenty one thousand, three hundred and twenty four (\$21,324) to Barfoote Construction.*

### **Reason for the Resolution**

Council awarded the original tender to Plumbing and Heating/Permacrete for \$207,000. Further discussions and negotiations resulted in the withdrawal of this tender based on the revised tender price. This company was unable to complete the project for the price indicated. Discussions were held with the next preferred contractor to tender, Barfoote Construction, resulting in a revised tender price of \$213,242, plus a contingency 10% of \$21,324. A total of \$234,566.

### **2.3 KSR Farms Limited: Settlement of Claim**

**Development Manager                      3837.0 RM040328**

**Resolved                      Blackwell/McEwing**

*That the information be received.*

**The meeting adjourned for lunch**

**The meeting reconvened at 1.00pm**

## **3 Confirmation of Minutes**

### **3.1 Extraordinary Council Meeting : 9 March 2011**

**Governance Manager    1601.15**

A copy of the minutes was circulated.

**Resolved                      Sutherland/Mayor Tiller**

*That the minutes of the Extraordinary Meeting of Council on 9 March 2011, as circulated, be confirmed as a true and correct record.*

### **3.2 Ordinary Council Meeting : 23 March 2011**

**Governance Manager    1601.15**

A copy of the minutes was circulated.

**Resolved                      Sutherland/Blackwell**

*That the minutes of the Ordinary Meeting of Council 23 March, 2011 as circulated, be confirmed as a true and correct record.*

## **4 Declaration of Conflicts of Interest**

### **4.1 Declaration of Conflicts of Interest**

**Governance Manager    1902.0**

Audit had asked that this item be included on Council's Agenda each month. People's personal situations changed and Audit believed it was appropriate that both Councillors and Managers gave regular consideration as to whether or not they had a potential conflict of interest in respect of anything before Council.

No Declarations of Conflict of Interest were made.

## 5 Policy

### 5.1 Local Governance Statement April 2011: Adoption

**Governance Manager** **1203.01.01**

The Kaipara District Council was required to adopt a Local Governance Statement under the Local Government Act 2002 within six months after a general triennial election. The prime purpose of a Local Governance Statement was to demonstrate how Council made decisions, how citizens could influence those decisions and more generally how Council functioned as an organisation, or where this information could be obtained.

The Local Governance Statement of April 2011 was circulated separately.

**Resolved** **Linton/Harding**

*That Council adopts the Local Governance Statement dated April 2011.*

#### **Reason for the Resolution**

This provides information for the public in a single document as required by the Local Government Act 2002.

### 5.2 Northland Local Government Cadet Scheme

**Corporate Services Manager** **2205.05.08**

A report from the Corporate Services Manager dated 8 April 2011 regarding the Northland Local Government Cadet Scheme was circulated. The Local Government Cadet Scheme, which was a shared service between Ministry of Social Development and Northland councils, provided benefits which outweigh the costs, in terms of providing promising unemployed young people with a career opportunity and providing Council with a pool of potential employees with specific local government training for entry level positions. Kaipara had a high success rate from the Scheme.

**Resolved** **Harding/Blackwell**

*That Council continues to be a part of the Local Government Cadet Scheme; and*

*That the Chief Executive ensures appropriate systems are in place to provide training and support for all new staff.*

#### **Reason for the Resolution**

The Scheme provides outcomes that align directly with the community priorities.

### 5.3 Kaiwaka War Memorial Hall Toilet

**Community Spaces Manager**

**4603.07**

A report from the Community Spaces Manger dated 12 April 2011 was circulated, relating to the Kaiwaka War Memorial Hall toilet facility. The Kaiwaka community was well advanced in its planning to become the Welcome Centre for Northland to coincide with the 2011 Rugby World Cup with the Kaiwaka War Memorial Hall being approved as the welcome site. Council agreed at its February 2011 meeting to fast track the Structural Grant to the Kaiwaka Hall Committee to enable them to undertake and complete works on the Hall before the start of the 2011 Rugby World Cup. A meeting was held in March 2011 with the Kaiwaka Hall Committee, Council's District Growth Facilitator, Community Spaces Manager, Councillors Geange and Larsen along with Enterprise Northland's Regional Project Co-ordinator Steward McElwain, regarding a new public toilet facility alongside the Kaiwaka War Memorial Hall. It was acknowledged that the best option was to look at building a new toilet facility next to the Hall and to upgrade the existing toilets in the Hall for the use of the Hall patrons only. The Kaiwaka Hall Committee also believed this was the best long term option for new toilets in Kaiwaka. A decision on this was needed to ensure toilet construction could be completed in time for the 2011 Rugby World Cup. Council had identified the Kaiwaka toilets as a high priority to replace/upgrade. Plans had been produced by the Kaiwaka Hall Committee for approval by Council and a lease would need to be entered into for the site of the new public toilet facility.

**Resolved            Geange/Blackwell**

*That the development of a new public toilet facility on the Kaiwaka War Memorial Hall site be approved by Council, subject to there being the same facility available for both men and women as currently exists; and*

*That final quotes for the construction of this facility be brought back to Council once known for approval before proceeding with construction; and*

*That a lease for the agreed site be entered into with the Kaiwaka War Memorial Hall Committee for the new public toilet facility.*

**Reason for the Resolution**

The Kaiwaka Hall Committee has been granted permission to use the Kaiwaka War Memorial Hall as the Northland Welcome Centre to coincide with the 2011 Rugby World Cup. The Kaiwaka Hall Committee will receive funding and support from the Rugby World Cup Organising Committee for Northland (Northland 2011) and Kaipara District Council for hosting and running the Centre.

The Kaipara District Council has agreed to fast track the handover of the Hall enabling the Kaiwaka Hall Committee to undertake works ahead of the 2011 Rugby World Cup. A new

public toilet facility is urgently needed in Kaiwaka. The Kaiwaka Hall Committee has given approval and developed plans for a new facility along side the Kaiwaka Hall. This new facility will cater for the current and future expected increase in visitor and tourist numbers in the District.

#### **5.4 Water Rates: Request for Remission from the Dargaville Lawn Tennis Club**

**Corporate Services Manager**

**2306.14; 0096011200**

On 23 March 2011 Council received the circulated letter from the Dargaville Lawn Tennis Club requesting a water rates remission for the amount of \$140.00. Also circulated were copies of correspondence between Council and the Club regarding the water rates and other issues. The Club's water account for the period 5 August 2010 to 5 February 2011 was \$163.40 which was around \$140.00 higher than normal. The higher usage was due to a leak caused by a broken water line on the landowner's side of the water meter.

Council's Policy regarding water leaks was that any water used on the consumer's side of the meter was the responsibility of the landowner. Historically Council had considered and declined similar requests.

As a sporting club and as per Council's Rating Policy number 11, the Dargaville Lawn Club received a 50% rates remission to assist in facilitating community services.

The Club also asked why it had been charged \$325.75 for having an extra toilet. Council's response dated 28 March 2011 advised that all commercial organisations District-wide were levied an annual sewerage rate on a per pan or urinal basis. The only exemption to this was specified educational establishments.

**Resolved Geange/Harding**

*That Council declines the Dargaville Lawn Tennis Club's request to remit \$140.00 from their water rates account (period 5 August 2010 to 5 February 2011).*

#### **Reason for the Resolution**

Council's policy is that water leaks are the consumers responsibility and allowing remission places an unfair burden on the rest of the District ratepayers.

#### **5.5 Freedom Camping Bylaw**

**Community Spaces Manager**

**3204.0**

A report from the Community Spaces Manager dated 13 April 2011 regarding the Freedom Camping Bylaw was circulated. Council had asked that information on freedom camping in New Zealand, and how other councils manage freedom camping in their districts, be brought

to them for their information and consideration. Freedom camping throughout New Zealand was a growth tourism industry and it was a popular way to see the country. Many councils managed freedom camping through different mechanisms.

There were different ways to address the issues associated with freedom camping. Consideration would need to be given whether or not freedom camping was a big issue within the District and needed to be addressed through a Bylaw.

**Resolved      Geange/Sutherland**

*That Council receives the information on freedom camping; and*

*That Council looks into gaining funding from the Motor Caravan Association for the strategic placement of dump stations in the District.*

*That freedom camping be workshopped with Council to give direction for the development of a Statement of Proposal on freedom camping that meets the needs of the Kaipara District.*

**Reason for the Resolution**

Council recognises there is a need to review freedom camping in the Kaipara since it was last reviewed in 2008. Currently there is no clear direction from the community and stakeholders on the best way to manage freedom camping. Developing a Statement of Proposal ensures the process for creating a bylaw on freedom camping has considered alternatives and allows Council to develop a bylaw that best address the problem in Kaipara.

**5.6 Integrated Kaipara Harbour Management Group: Integration at a Governance Level**

**Governance Manager                      2130.02**

A report from the Governance Manager dated 13 April 2011 regarding the Integrated Kaipara Harbour Management Group was circulated. In 2005 the Te Uri o Hau Settlement Trust initiated an Integrated Kaipara Harbour management project. This project sought to bring together all the partners, stakeholders and interested parties of the Kaipara Harbour. The overall goal of the group was to develop an integrated strategic catchment management plan to realise the shared vision of a healthy and productive Kaipara.

Council had been asked to comment on the draft Long Term Strategic Integrated Plan of Action to be undertaken by the Integrated Kaipara Harbour Management Group. With the Long Term Plan pre-planning process getting underway it was timely to look at what input Council should have. Currently Council's role was at a management level and consideration needed to be given as to whether this integration should also occur at a governance level.

Council officers attend meetings of the Integrated Kaipara Harbour Management. With no governance direction they were limited in what they could contribute to this group.

Contribution had been limited to providing information, providing feedback when required and supporting the group at a community level. It was believed a governance level may produce a more consistent management approach and outcomes that could be given a level of priority amongst other Council functions. This would benefit the health of the harbour and hence the health of all the people in the Kaipara District.

The Kaipara District needed a healthy harbour environment to ensure that the Kaipara Harbour was a sustainable resource. The Kaipara Harbour contributed to the economic, social and cultural well-being of Kaipara District's people and the nation.

**Resolved      McEwing/Harding**

*That Council enters into discussions with Te Uri O Hau Ngati Whatua and Ngati Whatua Nga Rima O Kaipara Trust about an Integrated Kaipara Harbour Group at a Governance level.*

**Reason for the Resolution**

The Kaipara Harbour contributes to the well-being of the Kaipara District, whereby the health of the harbour is reflected in the health of our communities. It is believed integration at a governance level may produce a more consistent management approach.

**5.7 Proposed District Plan Variation 1 - Landscapes: Acceptance of Late Submissions**

**Governance Manager      3807.05.01.02**

A report from the Governance Manager dated 12 April 2011 regarding the acceptance of late submissions to the Proposed District Plan Variation 1 - Landscapes was circulated. The submission period for Proposed District Plan Variation 1 - Landscapes closed on 28 February 2011. Council had received 28 late submissions and must formally consider whether it would accept these or not.

Historically, Council practice had been to not accept late submissions. That said Council was aware the opportunity to submit on a variation was not an annual occurrence. Council was also aware that despite meeting its legal obligations under the Resource Management Act there was a perception among some in the community that they were unfairly disadvantaged. Council itself acknowledged that the decision of the Environment Court which forced it to notify "forthwith" meant that it was unable to complete the full consultation process identified by it as being desirable.

This report had been discussed with the Planning Portfolio Holder, Councillor John Blackwell, who supported the recommendation put up to Council.

**Resolved      Linton/Blackwell**

*That Council accepts all late submissions to the Proposed District Plan Variation 1 – Landscapes.*

**Reason for the Resolution**

The opportunity to submit on a variation is not an annual occurrence. There is a perception amongst some that they have been unfairly disadvantaged. Council's acceptance of late submissions would go some way to mitigate this perception.

**5.8 Proposed National Policy Statement on Indigenous Biodiversity Submission**

**Development Manager and Policy Planner**

**2110.23**

A report from the Development Manager and Policy Planner dated 14 April 2011 regarding the National Policy Statement on Indigenous Biodiversity was circulated. The National Policy Statement on Indigenous Biodiversity had been drafted to improve the way that biodiversity was managed under the Resource Management Act. The origins of this document could be traced to section 6(c) of the Act which referred to the "protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Submissions to the Proposed National Policy Statement on Indigenous Biodiversity close on 2 May 2011.

The National Policy Statement set out Central Government's overall policy direction while also allowing flexibility in how councils and landowners met their biodiversity obligations. This National Policy Statement was to provide clear direction and set out the Government's bottom-line expectations for protecting biodiversity. This National Policy Statement did not contain rules, but Council had to give effect to the Policy Statement.

It had been designed to strike a balance between protecting important biodiversity, recognising the rights and responsibilities of landowners, and the broader national interests that were served by providing landowners with flexibility in how they managed the land use - biodiversity maintenance equation on their land. Council was well aware that management of biodiversity on private land could be contentious and challenging. The Resource Management Act required councils to recognise and provide for the protection of biodiversity on private land.

Several matters were raised in the Development Manager's report, which should form the basis of a submission to the Ministry for the Environment regarding the proposed policy.

All Councillors had been asked for feedback on the draft submission.

**Resolved      Geange/Harding**

*That Council receives and endorses the draft submission to the proposed National Policy Statement on Biodiversity.*

### **Reason for the Resolution**

This Council will be affected by the implementation of the Policy, and accordingly should be involved in the process to influence its outcome.

## **5.9 Alamar Crescent Boat Ramp, Mangawhai**

**Community Spaces Manager                      4104.004**

A report from the Community Spaces Manager dated 13 April 2011 regarding improvements needed on Alamar Crescent was circulated. The Mangawhai Boating and Fishing Club had developed concept plans and asked that the proposal be placed before Council for consideration. The proposed plans centred on improvements to traffic flow and increasing the capacity of the existing boat ramp in Alamar Crescent. The proposed plan had been treated as a 2011/12 Annual Plan submission. Further work detailing likely costs, associated with the proposal, needed be developed for consideration as an Annual Plan project.

The proposed workshop will be held in Mangawhai with the suggested venue being the Mangawhai Boating Club.

**Resolved                      Geange/Sutherland**

*That Council receives the report and plans from the Mangawhai Boating and Fishing Club regarding reducing congestion and improving traffic circulation around the Mangawhai Boat Ramp; and*

*That the Proposed Plan, along with the future of the Mangawhai Campground and the Alamar Crescent area, be workshopped by Council to give guidance to staff and community of the future development in the area.*

### **Reason for the Resolution**

Council has received a proposal from the Mangawhai Boating and Fishing Club, with the support of the Mangawhai Harbour Restoration Society, to increase the capacity of the existing boat ramp and alter the existing pontoon in order to reduce boat trailer and vehicle congestion, rationalise traffic circulation, improve traffic flow and increase safety in the Alamar Crescent area of Mangawhai Heads. Further information is needed including the likely costs and works associated with the proposal before Council can make any decision. The Proposal is to be treated as a 2011/12 Annual Plan submission.

### 5.10 Tinopai Volunteer Rural Fire Force: Place Into Recess

#### Community Infrastructural Assets Manager

6209.0

A report from the Community Infrastructural Assets Manager dated 21 March 2011 that informed Council of the loss of Council's emergency response to the Tinopai community was circulated. The Volunteer Rural Fire Force Constitution required the participation of not less than six suitable persons, one of whom shall be the Controller with a deputy, both holding Rural Fire Officer Warrants from the Rural Fire Authority. All members shall hold relevant fire fighting unit standards prescribed by the National Rural Fire Authority and undergo regular training. The members shall attend all vegetation fires in their designated area without delay and carry out such action as may be necessary. In addition, the Controller was required to manage the affairs of the Fire Force and submit on an annual basis, a Controller's report and an audited copy of the Fire Force's accounts to the Rural Fire Authority's Principal Rural Fire Officer.

Having received the resignation of the Controller and Deputy Controller of the Tinopai Volunteer Rural Fire Force and there being insufficient numbers of suitable persons willing to continue the Tinopai Volunteer Rural Fire Force, it was appropriate that the Tinopai Volunteer Rural Fire Force be placed into recess.

This report had been discussed with the Emergency Management Portfolio Holder and the Otamatea Ward elected member who both supported the recommendation put to Council.

#### **Resolved**      **McEwing/Linton**

*That the Tinopai Volunteer Rural Fire Force be placed into recess; and*

*That the small fire appliance stays in the care of the Rural Fire Officer at Tinopai until such time that Council considers a community proposal on Fire Response as part of the 2011/2012 Annual Plan.*

#### **Reason for the Resolution**

The Tinopai Rural Fire Force no longer meets the standards required by the National Rural Fire Force and the Rural Fire Authority and cannot provide a rural fire response.

### 5.11 Elected Members Remuneration Authority Pool July 2011 to June 2012

#### Governance Manager

1801.0

A report from the Governance Manager dated 5 April 2011 regarding the Elected Members Remuneration Authority Pool was circulated. The Remuneration Authority had set the indicative pool for Kaipara District Council for the period July 2011 to June 2012 at \$228,339 excluding the Mayoral position which did not form part of the pool. While the Remuneration

1601.15

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Authority ultimately made the decision each council recommended to the Authority how that pool would be divided amongst its members.

Council could choose to recommend that the pool be split into either straight salary or a salary and meeting allowance. In the past the Council had chosen a straight salary split. In adopting straight salary the previous Council recognised that the Deputy Mayor's role was expected to take more time than Councillors. The simplest application of the pool was to pay a straight uniform salary to all remaining members. It should be noted that the Remuneration Authority had indicated a desire to see an end to the use of meeting fees by all councils as a remuneration tool.

Council needed to make a recommendation on how the pool was split; either straight salary or a salary and meeting allowance. It was also an opportunity for Council to review the contribution that the current Deputy Mayor made. This Council had continued the trend of being more actively involved in the governance of its district. The Mayor and Mayoress also took very active roles, much more so than previous incumbents. This had a flowon effect for all Councillors but particularly for the position of Deputy Mayor.

This Council's past practice had been to link the Deputy Mayor's salary to that of the Mayor. This had resulted in the current formula whereby the Deputy Mayor was paid 46% of the Mayor's salary. This was in contrast with both Whangarei District Council and the Far North District Council. These Councils link the Deputy Mayor's salary to that of Councillors paying a ratio of 1:1.25. Local Government New Zealand had been contacted. It published a "Best Practice Guide to Setting Elected Members' Remuneration" in 2006 however the document did not give advice on appropriate ratios or formulas as this ultimately depended on the range of delegations given to the Deputy Mayor and his/her roles.

**Resolved      McEwing/Sutherland**

*That Council recommends that the Remuneration Authority apply the \$228,339 pool for its Elected Members for 2011/2012 as follows:*

<i>Deputy Mayor (50% of the Mayor)</i>	<i>\$36,301 rounded up</i>
<i>Councillors (equal division of remainder)</i>	<i>\$27,434</i>

Councillor Geange abstained from voting.

**Reason for the Resolution**

Whilst the Remuneration Authority ultimately makes the decision on how the indicative pool will be divided, each council is asked to recommend to the Authority how it believes that pool should be divided amongst its members. This division recognises an active Deputy Mayor.

## 5.12 Elected Members' Code of Conduct: April 2011

### **Governance Manager**                      **1203.01**

Council reviewed its Code of Conduct at workshops held on 16 March and 23 March 2011. A copy of the Code of Conduct was circulated.

Schedule 7 section 15(2) of the Local Government Act 2002 stated that a Code of Conduct must set out understandings and expectations about the manner in which members may conduct themselves while acting in their role as an elected member. This included behaviour toward one another, staff and the public and the disclosure of information. A Code of Conduct should also contain a general explanation of the Local Government Official Information and Meetings Act 1987 and any other enactment or rule of law applicable to members.

Schedule 7 section 15 (3) of the Local Government Act 2002 stated that a local authority may amend or replace its Code of Conduct but may not revoke it without replacement. Section 15(6) of the same Schedule required that any amendment of a Code of Conduct or the adoption of a new Code of Conduct required, in every case, a vote in support of the amendment of not less than 75% of the members present.

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

*That Council adopts its Code of Conduct April 2011 subject to the following amendments:*

*Page 5: the words "Conduct Review Committee" be replaced with the words "Chief Executive's Review Committee"*

*Page 8: the words "an experienced" be replaced with "one other"*

*and that this forms part of the Kaipara District Council's Local Governance Statement April 2011.*

### **Reason for the decision**

Five new Councillors were elected to Council in the October 2010 Triennial Local Body Elections. Council felt that it was timely to review its Code of Conduct so as to be confident it was still relevant.

## 5.13 Borrowing Programme

### **Acting Finance Manager**                      **2305.01**

A report from the Acting Finance Manager dated 14 April 2011 was circulated which recommended the raising of three loans totalling \$4,729,600. In part, this sum was to roll over, and refinance two maturing loans - the 2006 Infrastructure Loan (\$1,029,000), and the 2007 Refinancing Loan (\$476,600). The third loan (\$3,224,000) is fresh, additional borrowings to finance recent or forthcoming infrastructure investment as per the 2010/11 Annual Plan.

### **Resolution One      Geange/Harding**

*That in pursuance of the powers conferred on it by the Local Government Act 2002 and the regulations made thereunder, and any other powers enabling it the Kaipara District Council*

*Hereby resolves to raise a loan of \$1,029,000 by the issue of stock or any other means to be known as the Kaipara District Council Refinancing Loan 2011 - \$1,029,000 - for the following purpose:*

	\$
a) <i>To refinance maturing 2006 loans for the upgrading of the Stormwater Services in the Dargaville Urban Area</i>	(238,000)
b) <i>To refinance maturing 2006 loans for the upgrading of the Stormwater services in the Baylys Beach Area</i>	(50,000)
c) <i>To refinance maturing 2006 loans for the upgrading of the Stormwater services in the Mangawhai Area</i>	(62,000)
d) <i>To refinance maturing 2006 loans for the upgrading of the Wastewater Services in the Dargaville Urban Area</i>	(200,000)
e) <i>To refinance maturing 2006 loans for the upgrading of landfill facilities within the Kaipara District</i>	(200,000)
f) <i>To refinance maturing 2006 loans for the replacement of bridges within Kaipara District</i>	(279,000)

*And that the Chief Executive and the Acting Finance Manager be delegated authority to determine the conditions of the said loan.*

*And that security for the loan and interest thereon shall be as follows:*

a) <i>Dargaville Stormwater Upgrading</i>	\$ 238,000
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*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Dargaville Stormwater Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

b) <i>Baylys Beach Stormwater Upgrading</i>	\$ 50,000
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*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Baylys Beach Stormwater Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

c) <i>Mangawhai Stormwater Upgrading</i>	\$ 62,000
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*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Mangawhai Stormwater Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

d) *Dargaville Wastewater Upgrading* \$ 200,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Dargaville Urban Drainage District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

e) *District Landfill Upgrading* \$ 200,000

*A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Kaipara District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

f) *District Bridge Replacement* \$ 279,000

*A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Kaipara District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

**And that** *if raised by local authority stock, that the sinking fund continues during the currency of the loan, and such sinking fund to be adequate with accumulated interest to repay the loan over the maximum term of the loan.*

**And that** *due and careful consideration has been given, both at the time of inclusion of this loan in the 2010/2011 Annual Plan, and again at the date of this resolution, to both the risks, and benefits, of the loan.*

**And that** *satisfactory explanations have been obtained that the general terms and conditions of the loan and the security given in relation to the loan are in accordance with the current Liability Management Policy of Council.*

#### **Reasons for Resolution One**

Implementation of the borrowing programme approved in the 2009/19 Long Term Plan, and re-confirmed in the 2010/11 Annual Plan so as to ensure adequate Council liquidity.

#### **Resolution Two      Geange/Harding**

**That** *in pursuance of the powers conferred on it by the Local Government Act 2002 and the regulations made thereunder, and any other powers enabling it the Kaipara District Council*

**Hereby** *resolves to raise a loan of \$476,600 by the issue of stock or any other means to be known as the Kaipara District Council Consolidated Loan 2011 - \$476,600 - for the following purpose:*

a) *To refinance maturing 2007 loans for the upgrading of stormwater services in the Maungaturoto Stormwater District* (20,000)

- |  |           |
|--|-----------|
| b) <i>To refinance maturing 2007 loans for the upgrading of stormwater services in the Dargaville Urban Area</i>   | (50,000)  |
| c) <i>To refinance maturing 2007 loans for the upgrading of stormwater services in the Mangawhai Urban area</i>    | (40,000)  |
| d) <i>To refinance maturing 2007 loans for the upgrading of wastewater services in the Maungaturoto Urban Area</i> | (81,000)  |
| e) <i>To refinance maturing 2007 loans for the upgrading of water services in the Maungaturoto Urban Area</i>      | (285,600) |

**And that** the Chief Executive and the Acting Finance Manager be delegated authority to determine the conditions of the said loan.

**And that** security for the loan and interest thereon shall be as follows:

- |   |           |
|---|-----------|
| a) <i>Maungaturoto Stormwater Upgrading</i> | \$ 20,000 |
|---|-----------|

A separate annual recurring rate of such amount each year on the rateable value of all rateable property in the Maungaturoto Stormwater District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.

- |   |           |
|---|-----------|
| b) <i>Dargaville Stormwater Upgrading</i> | \$ 50,000 |
|---|-----------|

A separate annual recurring rate of such amount each year on the rateable value of all rateable property in the Dargaville Stormwater District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.

- |  |           |
|--|-----------|
| c) <i>Mangawhai Stormwater Upgrading</i> | \$ 40,000 |
|--|-----------|

A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Mangawhai Stormwater District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.

- |   |           |
|---|-----------|
| d) <i>Maungaturoto Wastewater Upgrading</i> | \$ 81,000 |
|---|-----------|

A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Maungaturoto Urban Drainage District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.

- |  |            |
|--|------------|
| e) <i>Maungaturoto Water Upgrading</i> | \$ 285,600 |
|--|------------|

A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Maungaturoto Water Supply Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.

**And that** if raised by local authority stock, that the sinking fund continues during the currency of the loan, and such sinking fund to be adequate with accumulated interest to repay the loan over the maximum remaining term of the loan.

**And that** due and careful consideration has been given, both at the time of inclusion of this loan in the 2010/2011 Annual Plan, and again at the date of this resolution, to both the risks, and benefits, of the loan.

**And that** satisfactory explanations have been obtained that the general terms and conditions of the loan and the security given in relation to the loan are in accordance with the current Liability Management Policy of Council

### **Reasons for Resolution Two**

Implementation of the loan refinancing programme approved in the 2009/2019 Long Term Plan and re-confirmed in the 2010/2011 Annual Plan, so as to ensure adequate Council liquidity.

### **Resolution Three Geange/Harding**

**That** in pursuance of the powers conferred on it by the Local Government Act 2002 and the regulations made thereunder, and any other powers enabling it the Kaipara District Council

**Hereby** resolves to raise a loan of \$3,224,000 by the issue of stock or any other means to be known as the Kaipara District Council Infrastructure Loan 2011 - \$3,224,000 - for the following purpose:

	\$
a) The upgrading of Stormwater services in the Dargaville Urban Area	(212,000)
b) The upgrading of Stormwater services in the Te Kopuru Stormwater Rating Area	(8,000)
c) The upgrading of Stormwater services in the Mangawhai Area	(234,000)
d) The upgrading of Wastewater services in the Dargaville Urban Area	(208,000)
e) The upgrading of Wastewater services within the Kaiwaka Urban Drainage Area	(56,000)
f) The upgrading of Wastewater services in the Maungaturoto Urban Drainage Area	(82,000)
g) The upgrading of Water supply services within the Dargaville Water Supply Area	(942,000)
h) The upgrading of Water supply services within the Glinks Gully Water Supply Area	(12,000)

- i) *The upgrading of Water supply services within the Maungaturoto Water Supply Area* (877,000)
- j) *The replacement of bridges within Kaipara District* (173,000)
- k) *The upgrading of public toilets within the Kaipara District* (420,000)

**And that** the Chief Executive and the Acting Finance Manager be delegated authority to determine the conditions of the said loan.

**And that** security for the loan and interest thereon shall be as follows:

- a) *Dargaville Stormwater Upgrading* \$ 212,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Dargaville Stormwater Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

- b) *Te Kopuru Stormwater Area* \$8,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Te Kopuru Stormwater Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

- c) *Mangawhai Stormwater Upgrading* \$ 234,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Mangawhai Stormwater Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

- d) *Dargaville Wastewater Upgrading* \$ 208,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Dargaville Urban Drainage District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

- e) *Kaiwaka Wastewater Upgrading* \$56 ,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Kaiwaka Urban Drainage Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

f) *Maungaturoto Wastewater Upgrading* \$82,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Maungaturoto Urban Drainage Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan*

g) *Dargaville Water Supply Upgrading* \$942,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Dargaville Water Supply Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

h) *Glinks Gully Water Supply Upgrading* \$12,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Glinks Gully Water Supply Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

i) *Maungaturoto Water Supply Upgrading* \$ 877,000

*A targeted annual recurring rate of such amount each year on the rateable value of all rateable property in the Maungaturoto Water Supply Area as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

j) *District Bridge Replacement* \$ 173,000

*A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Kaipara District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

k) *Public Toilet Upgrading* \$420,000

*A general annual recurring rate of such amount each year on the rateable value of all rateable property in the Kaipara District as may in that year provide sufficient revenue for the payment of annual charges in respect of the loan.*

**And that** *if raised by local authority stock, that a sinking fund be established, and that the sum be lodged annually with the Sinking Fund Commissioner during the currency of the loan, and such sinking fund to be adequate with accumulated interest to repay the loan over the maximum term of the loan.*

***And that** the Chief Executive and Acting Finance Manager be delegated authority to select the appropriate institution with which to establish the sinking fund, provided such selection complies with Clause 3.4 of the Investment Policy.*

***And that** due and careful consideration has been given, both at the time of inclusion of this loan in the 2010/11 Annual Plan, and again at the date of this resolution, to both the risks, and benefits, of the loan.*

***And that** satisfactory explanations have been obtained that the general terms and conditions of the loan and the security given in relation to the loan are in accordance with the current Liability Management Policy of Council.*

### **Reason for Resolution Three**

Implementation of the borrowing programme approved in the 2010/11 Annual Plan, so as to ensure adequate Council liquidity.

## **5.14 Forestry Portfolio**

### **Governance Manager 1904.01**

At its meeting held 24 November 2010 Council considered and adopted a list of Portfolios and associated Portfolio Holders.

Council operated on Portfolios of responsibility. Each Councillor could not be expected to have an in-depth knowledge of all components of Council's business. The Portfolio system meant that each Councillor gains an in-depth knowledge of his/her Portfolio(s) which they in turn impart to their counterparts as and when required. A Portfolio Holder was the champion of the subject(s) of his/her Portfolio. There should be a close relationship with the relevant Manager(s) with the elected member providing the governance and political input and the Manager providing the technical and operations input. Together they should work to advance solutions and successes.

Council had been involved in commercial forestry since the early 1970's. It had nine separate forests totalling 640 hectares of stocked area. Management of Council's forests had been guided by the Forest Management Plan 2006 developed by Forest Industry Consultants, Chandler Fraser Keating. Northland Forest Managers undertook the day to day management of Council's forests.

Council's forestry was at a crossroads with significant development expenditure forecast as being required over the next five to eight years if Council was to realise the full economic potential of these assets. A new management plan and management contract would also be

required. The New Zealand Emissions Trading Scheme (NZETS) and carbon credits would also have an impact on the way in which Council moved forward with its forestry estates.

Council believed that in light of the importance of its forestry asset now and into the future a Forestry Portfolio should be created and a Portfolio Holder appointed. Council was to attend a workshop on Wednesday 27 May 2011 which would provide the background and options for the future.

**Resolved Mayor Tiller/Blackwell**

*That Council appoints Councillor Jonathan Larsen as the Portfolio Holder for Forestry.*

**Reason for the decision**

Council's Forestry is a major asset. Significant development expenditure is forecast as being required together with a new management plan and management contract. Council believes that given its importance and the decisions it faces, that it is appropriate that a Portfolio Holder be appointment.

**5.15 Road Legalisation: Baldrock Road, Kaiwaka**

**Community Infrastructural Assets Manager 4102.08**

As a result of improvements to Baldrock Road in 2010 an area of 2,657 square metres of privately owned land was required from three separate owners for road. Council engaged Crown Property Services on its behalf to acquire the land from all parties involved. Maps of the area were circulated. Crown Property Services had obtained valuations and reached agreement with all three parties for compensation of land taken for road.

Agreement had been reached with Toby Crowther and Susan Burvill to acquire 31 square metres of land, with a valuation of \$300.00 including GST if any. This piece of land was described as Section 4 SO 438723 on the circulated map (named Crowther and Burvill – Baldrock Road). The second section of land was owned by John, Audrey, Innes and Ewen Anderson with an area of 1,068 square metres required for road and a valuation of \$1,602.00 plus GST if any. This was described at Section 6 SO 438723 on the circulated map (named Anderson's, Baldrock Road). The last piece of land required for roading was owned by Albert Doornenbal with an area of 1,558 square metres and a valuation of \$2,337.00 plus GST if any. This was shown as Section 5 SO 438723 on the circulated map (named Doornenbal, Baldrock Road).

This had been discussed with the Portfolio Holder who supported the recommendation put to Council.

**Resolved Geange/Linton**

*That Council compensates:*

*Toby Fenton Crowther and Susan Angela Burvill \$300.00 including GST, if any, for 31 square metres of land for road, being Section 4 SO 43872; and*

*John Alexander Anderson, Audrey Clare Anderson, Innes McRae Anderson and Ewen John Anderson \$1,602.00 plus GST, if any, for 1,068 square metres of land for road, being Section 6 SO 438723; and*

*Albert Doornenbal \$2,337.00 plus GST, if any, for 1,558 square metres of land for road, being Section 5 SO 438723 for land taken for roading due to improvements on Baldrock Road, Kaiwaka.*

**Reason for the Resolution**

To undertake this formalisation work at a later date is likely to be at greater cost to Council.

**5.16 Mangawhai Club: Boundary Change****Community Spaces Manager 5105.09**

A report from the Community Spaces Manager dated 11 April 2011 was circulated. The Mangawhai Club (the Club) had approached Council requesting a boundary change to the land they currently lease from Council. The current boundary runs through the middle of their second bowling green.

The Club had provided an application for this boundary change and had asked that Council consider this favourably. They had also requested Council consider granting them further land from the area known as Mangawhai Park for future expansion of the Club. The neighbouring property was known as Mangawhai Park and the area was in two titles. As there were no additional titles being created, this could be viewed as a controlled activity under the provisions of the Operative District Plan.

Council was currently developing the Mangawhai Park Management Plan. Council may want to consider the Club's request for land for further expansion within the context of this Management Plan.

This report had been sent to Councillors Julie Geange, Jonathan Larsen and Julia Sutherland prior to the Council meeting for their information and comment.

**Resolved      Larsen/Sutherland**

*That Council grants the Mangawhai Club (the Club) their request for a boundary adjustment between Lots 1 DP 153155 and Pt Lot 3 DP 108638. This is to include the land required for the third green.*

*That all costs associated with this adjustment be paid by the Mangawhai Club (the Club).*

**Reason for the Resolution**

The current boundary of the land the Mangawhai Club (the Club) occupies runs through their bowling green. This boundary change will remedy the situation without impacting on the existing use of the park.

**5.17 Warrant of Appointment: Dog Stock and Noise Control Officer and Parking Warden****Development Manager      6404.0 WOA**

Lyn Kennedy made a request to the Kaipara District Council to be appointed as authorised Dog, Stock and Noise Control Officer and Parking Warden pursuant to the Dog Control Act 1996, the Impounding Act 1955, the Local Government Act 2002, the Resource Management Act 1991 and the Transport Act 1962.

Mr Kennedy was employed by Environmental Northland Limited, Council's contractor for providing these services. The contractor was responsible for ensuring that all staff were suitably qualified and trained to carry out their duties, and wished to call upon Mr Kennedy for relief work if required in Kaipara.

The proposed warrant would not have an expiry date but would be valid until the officer was no longer in that position or when there was a need to update the warrant because of new legislation.

**Resolution One      Harding/Sutherland**

*That Council appoints Lyn David Kennedy as an Authorised Officer under the Kaipara District Council General Bylaw No.1 2008 and authorises him to carry out the functions and powers of an Authorised Officer under this Bylaw.*

**Reason for Resolution One**

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

**Resolution Two          Harding/Sutherland**

- 1 *That Council warrants Lyn David Kennedy as an authorised officer pursuant to s.13, s.14, s.17, s.19, s.19A, s.59 and s.60 of the Dog Control Act 1996; and pursuant to s.8 of the Impounding Act 1955; and pursuant to s.164, s.171, s.172, s.173, s.177, s.245 of the Local Government Act 2002; and pursuant to s.38(1)(2)(5)(6), s.327, s.328 of the Resource Management Act 1991.*
- 2 *That Council warrants Lyn David Kennedy as an authorised parking warden pursuant to s.7 of the Transport Act 1962.*

**Reason for Resolution Two**

This authorisation is necessary to enable Lyn David Kennedy to undertake the duties of a Dog, Stock and Noise Control Officer and a Parking Warden in the Kaipara District.

**5.18 Statement of Proposal: Mangawhai Community Wastewater Scheme Targeted Rate**

**Chief Executive          4505.0**

Following a recent complaint from a ratepayer which had been upheld by a legal opinion, the Kaipara District Council was required to prepare a Statement of Proposal: Mangawhai Community Wastewater Scheme - Replacement of Invalid Uniform Targeted Rate for public consultation pursuant to Section 120, Local Government (Rating) Act 2002, as part of the process to replace an invalid rate.

The Invalid Differential Uniform Targeted Rate was levied as a one off charge on the Mangawhai Community Wastewater Scheme. The original differential was based on a location and a date. A differential based on a date is no longer available to Council following the implementation of the Local Government (Rating) Act 2002, consequently the rates were invalid. The replacement rate was based on location only; the original area to be serviced.

The Act required that no ratepayer could be required to pay any more rates than those originally levied.

**Resolved          Sutherland/Geange**

*That Council adopts the Statement of Proposal: Mangawhai Community Wastewater Scheme Targeted Rate, dated April 2011.*

**Reason for the resolution**

A differential based on a date is no longer available to Council following the implementation of the Local Government (Rating) Act 2002, consequently the rates are invalid. It is Council's intention to rectify this pursuant to Section 120, Local Government (Rating) Act 2002.

## **6 Reports**

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

**1701.02.03**

The Mayor reported on matters of interest.

### **6.2 Councillors Reports**

**Councillors 1904 (various)**

This was an opportunity for Councillors to inform Council of activities they had undertaken on behalf of Council. Written reports were preferred as these were then circulated with the Minutes. Verbal reports were not recorded in accordance with Section 3.17.2 of Standing Orders.

### **6.3 Chief Executive's Report: April 2011**

**Chief Executive 2002.02.10**

The Chief Executive's report was circulated separately.

**Resolved Sutherland/Harding**

*That the Chief Executive's report for April 2011 be received.*

## **7 Information Items**

### **7.1 Correspondence Addressed to Mayor and Councillors: 10 March 2011 to 30 March 2011**

**Governance Manager 1701.01**

For the information of Councillors, circulated were copies of all correspondence received addressed to the Mayor and Councillors, with a copy of the response where applicable, and file notes for all others. Note the agenda timetable necessitated this information to be collated two weeks prior to the meeting. Correspondence received after that date would be reported to the next meeting along with responses which had been sent after the cut-off date.

All letters were acknowledged on receipt unless they were answered the day of receipt, or the Mayor specifically requested no acknowledgement.

**Resolved Geange/Blackwell**

*That the information be received.*

## 7.2 Delegated Authority: Schedule of Decisions

**Development Manager 3803.0**

A schedule of decisions that had been made under delegated authority was circulated. 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 Geange/Blackwell**

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

## 7.3 Triennial Revaluation 2011

**Acting Finance Manager 2306.19**

The Revaluation timetable from Quotable Value Limited was circulated. It should be noted that, although 1 September 2011 was the official date of the revaluation, the rating impacts that would inevitably arise would not take place until the subsequent rating year, commencing 1 July 2012.

Once Quotable Value Limited had completed the revaluation exercise they would be invited to attend a Council meeting to provide a full briefing to Councillors.

**Resolved Geange/Blackwell**

*That the information be received.*

## 7.4 Advice from Controller and Auditor General

**Acting Finance Manager 2303.01**

The Controller and Auditor General, Lyn Provost, had written a standard letter to all councils about her expectations. Her topic was 'Looking at 2011 and beyond'. The matters which she covered followed below, with Kaipara District Council Management comment one each on also.

Controller and Auditor General Comment	Management Comment
<p><b>1 Auckland</b></p> <p>We will be working with the Council to define our new statutory role of "reviewing service performance of Council</p>	<p>Not applicable to Kaipara</p>

<b>Controller and Auditor General Comment</b>	<b>Management Comment</b>
<p>and its group". We also recognise that most councils outside Auckland are interested in the effect of local government reform in Auckland on their won districts and regions, and we will produce a number of short reports to Parliament and the sector on our observations.</p>	
<p><b>2 Accountability</b></p> <p>The Transparency, Accountability and Financial Management (TAFM) legislation has attracted its share of comment – with much debate during its passage to enactment on 26 November 2010. However, the passage of the legislation presents a number of matters that councils need to embed in their planning and accountability processes to meet their disclosure requirements.</p>	<p>Council continues to strive to follow Best Practice</p>
<p><b>3 Infrastructure and Asset Management</b></p> <p>Local authorities are inescapably in the business of managing expensive asset systems that deliver essential core services to their communities. Sound asset management practice – and its links to the corporate planning, financial management, and performance reporting processes of councils – is important. Central government is increasingly influencing the priorities of centrally funded asset spending and is developing its approach through the National Infrastructure Unit within Treasury. Throughout 2009 and 2010, we have observed the effects of central government reprioritising. This can raise questions about the adequacy of a local authority's asset management system to nimbly handle different, often constrained, funding.</p> <p>Asset management will remain one of the key pillars of our approach to local government auditing.</p>	<p>Council and its Professional Service providers continue to prepare robust Asset Management Plans</p>
<p><b>4 Performance Information</b></p> <p>I have noted the gains made by the sector in performance reporting. There is a chance in 2011 to further embed and where necessary, improve on these gains. I still consider that accountability documents often lack effective reporting against a financial strategy. Reporting against a clear financial strategy is an integral part of reporting on</p>	<p>Performance reporting for 2009/10 received a clean audit, and Management aims for the same result in 2010/11</p>

Controller and Auditor General Comment	Management Comment
<p>performance. Although we will look for continued and improved effective report in the 2010/11 annual reports, disclosing councils' financial strategies will be a specific focus in the audits of long-term plans.</p>	
<p><b>5 Reporting Standards</b></p> <p>The dilemma of effective reporting standards for the sector remains. Transparency, Accountability and Financial Management will bring regulated change to financial reporting as well.</p> <p>However, we should not dismiss the core financial statements on these grounds. They still have an important financial story to tell. All councils need to consider how to use them as a base to inform their communities. Summaries and innovative summary reporting are still important.</p>	<p>Council continues to strive to follow best practice</p>
<p><b>6 Ongoing Change</b></p> <p>Other matters affecting councils include:</p> <ul style="list-style-type: none"> <li>• The Government's "first principles" review of local and central government relationships under the working title of <i>Smarter Governance/Stronger Communities</i>;</li> <li>• The ongoing challenge for smaller and medium-size local authorities to deliver affordable services;</li> <li>• Building a consensus on councils' financial strategies, including the place of depreciation;</li> <li>• Legislative and regulatory change – in particular, changes involving the Resource Management Act and water; and</li> <li>• Increased public demand for greater transparency of council decisions and transactions – often through web-based disclosures.</li> </ul> <p>My office will focus on getting efficiently through the annual report round for 2010/11, because in late 2011 we will be working with local authorities in the early phases of the 2012/22 long term plan round. I have noted above the importance of good preparation. I would urge you to meet early with your appointed auditor to discuss a programme</p>	<p>-</p> <p>Of particular importance to Kaipara District Council</p> <p>-</p> <p>-</p> <p>-</p> <p>Noted</p>

Controller and Auditor General Comment	Management Comment
<p>that sets out clear expectations from your perspective and theirs.</p> <p>We expect that next year will also bring its share of inquires about pecuniary conflicts of interest. Another publication we produced in 2010 and took with us to the Local Government New Zealand new member training was our updated Guidance for members of local authorities about the Local Authorities (Members' Interest) Act 1968 (which is also available on our website). We have already received a steady stream of enquiries from new members about their position. A critical element of a well-functioning council is a common understanding of individual member responsibility and how management can assist in ensuring that business and good governance are not implemented by allegations of conflicts of interest.</p> <p>We recognise that these matters are only a small part of the challenges you face in delivering sustainable services to your communities in an affordable manner. I fully intend to keep up my close contact with the sector so I can remain aware of the issues you face and , where necessary, work with the sector to meet those challenges.</p>	<p>Noted</p> <p>Noted</p>
<p><b>7 Public Sector Survey on Fraud Awareness, Prevention, and Detection</b></p> <p>I will be writing to you soon, asking for your support in completing a survey. My office is seeking information and insight about fraud awareness, prevention, and detection. In my view, we should not be complacent and should continue to ensure that systems and controls for preventing and detecting fraud are effective. I would greatly appreciate you taking the time to complete the survey.</p>	<p>Council has a 'Best Practice' Fraud and Detection Policy</p>

**Resolved Geange/Blackwell**

*That the information be received.*

## 7.5 Local Government New Zealand: Zone One Minutes 11 March 2011

**Governance Manager 2113.05**

A copy of the minutes of the Zone One meeting, hosted by Auckland Council, on 11 March 2011 was circulated for the information of Councillors.

**Resolved Geange/Blackwell**

*That the information be received.*

## 7.6 Northland Regional Council: Regional Policy and Development Committee Unconfirmed Minutes 11 April 2011

**Chief Executive 2117.01**

A copy of the unconfirmed minutes of the Regional Policy and Development Committee meeting, hosted by Northland Regional Council, on Monday 11 April 2011 was circulated for the information of Councillors.

**Resolved Geange/Blackwell**

*That the information be received.*

## 7.7 Westmoreland Developments Ltd: Final decision of Commissioner

**Development Manager 3837.0/RM100079**

The final decision of Commissioner Robert Chan, in relation to the Application made by Westmoreland Developments, for a multi-unit residential development in Kawau Lane off Molesworth Drive, Mangawhai Heads, was circulated for the information of Council. This followed the interim decision included in the March 2011 agenda.

**Resolved Geange/Blackwell**

*That the information be received.*

## 7.8 Council-Owned Land

**Governance Manager 5105.12**

Council-owned land was as identified located on the circulated spreadsheet advising the valuation number, location, legal description, land status and title numbers if known. The information had been gathered directly from the rating database and in some cases still required further information. Work as ongoing to identify and collate all leasehold land.

All properties that had a previous Council resolution to be sold had been highlighted in blue and will be hyperlinked to the 'legal clearance' and history information Council has on file.

Throughout this process other properties had been identified which may potentially be surplus to Council requirement, these had been highlighted in yellow and further investigation will be done to establish the current status of these properties.

This was an ongoing and time consuming process but well underway. Once completed this record will provide simple access of all Council-owned land, and any relevant information regarding the lands status.

**Resolved      Geange/Blackwell**

*That the information be received.*

## **7.9 ASB Community Trust Presentation**

**Governance Manager                      2302.16.04**

A presentation from the ASB Community Trust had been held Friday 15 April 2011 for Mayors and Members of Parliament. A copy of the presentation was circulated.

**Resolved      Geange/Blackwell**

*That the information be received.*

## **Closure**

The meeting closed at 4.05 pm

Confirmed this ..... day of ..... 2011

Mayor .....