
Kaipara District Council

Minutes

Meeting	Kaipara District Council (Ordinary meeting)
Date	Tuesday 15 December 2015
Venue	Conference Room, Northern Wairoa War Memorial Hall, Hokianga Road, Dargaville
Time	Meeting commenced at 10.06am Meeting concluded at 12.10pm
Status	Confirmed

Membership

Chair: Commissioner John Robertson

Members: Commissioners Richard Booth and Peter Winder

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Ordinary Meeting of Kaipara District Council, Tuesday 15 December 2015
1 Opening
1.1 Present

Commissioners J Robertson (Chair), R Booth and P Winder.

In Attendance

Name	Designation	Item(s)
Jill McPherson	Acting Chief Executive	All
Glennis Christie	General Manager Finance	
Fran Mikulicic	General Manager Planning and Regulatory	
Curt Martin	General Manager Infrastructure	
Peter Marshall	General Manager Corporate Services	
Venessa Anich	General Manager Community	1-6
Helen Slater	Communications Manager	1-6
Sean Mahoney	Governance Services Manager	All (Minute taker)
Annette Lambly	Northern Advocate	1-6

1.2 Apologies

Nil.

1.3 Confirmation of Agenda

Council agreed that item 4.2 would be received before item 4.1.

Council agreed to accept the following papers to the Public Excluded items:

- 7.4 Contract 785 2015/2016 Road Rehabilitations and Minor Improvements Package 1.
- 7.5 Sale of Property - 52 Seaview Road, Chases Gorge, Baylys.

1.4 Conflict of Interest Declaration

Nil.

2 Deputations and presentations

Nil.

3 Confirmation of Minutes
3.1 Ordinary Council Meeting Minutes : 23 November 2015

Governance Services Manager 1601.20

Moved Robertson/Winder

That the unconfirmed Minutes of the Ordinary meeting of Kaipara District Council held 23 November 2015, be confirmed as a true and correct record.

Carried

4 Policy

4.1 Kai Iwi Lakes (Taharoa Domain) Reserve Powerboat Bylaw (Draft) and Associated Statement of Proposal for Public Consultation: Approval

Policy Planner 4702.24.06

Discussion point:

- Outcome of consultation may require further work with Northland Regional Council over a final bylaw under their jurisdiction.

Moved Winder/Robertson

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Kai Iwi Lakes (Taharoa Domain) Powerboat Bylaw (Draft) and associated Statement of Proposal for Public Consultation: Approval' dated 10 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Notes that the draft bylaw is recommended for adoption so that consultation on it can take place at the same time as consultation on the Taharoa Domain Reserve Management Plan; however also notes that should the management plan be finally adopted allowing powerboats, the need for this bylaw will disappear; and*
- 4 *Determines that the proposed bylaw is the most appropriate way of addressing the perceived problem and is the most appropriate form of bylaw; and*
- 5 *Determines that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights and is not considered to be inconsistent with the New Zealand Bill of Rights; and*
- 6 *Adopts the Statement of Proposal and draft Kai Iwi Lakes (Taharoa Domain) Powerboat Bylaw for public consultation; and*
- 7 *Delegates the hearing of submissions to the Taharoa Domain Governance Committee; and that the Committee makes a recommendation to Council on the bylaw; and the recommendation must be consistent with the recommended Reserve Management Plan.*

Carried

4.2 Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015: Adoption for Public Consultation

Policy Planner 4702.24.06

Discussion points:

- The proposed management plan is a change of emphasis for the future;
- The document presented needs to be amended to delete the second to last paragraph on page 38, which was deleted by the Taharoa Domain Governance Committee at its 14 December 2015 meeting.

Moved Winder/Robertson

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Kai Iwi Lakes (Taharoa Domain) Draft Reserve Management Plan 2015: Adoption for Public Notification' dated 02 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Notes the recommendation from the Taharoa Domain Governance Committee's 14 December 2015 meeting, as tabled at today's Council meeting (15 December 2015), which states that the Taharoa Domain Governance Committee makes the recommendation to Kaipara District Council that it adopts the Draft Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015 for Public Notification, pursuant to s41 of the Reserves Act 1977, and delegates hearing of submissions on the Draft Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015 to the Taharoa Domain Governance Committee; and*
- 4 *Adopts the Draft Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015, as amended by the Taharoa Domain Governance Committee, for Public Notification, pursuant to s41 of the Reserves Act 1977; and*
- 5 *Delegates the Taharoa Domain Governance Committee to hear any submissions to the Draft Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015; and recommends to Council a final reserve management plan for adoption; and*
- 6 *Instructs the Kaipara District Council's Acting Chief Executive to publicly notify the Draft Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015.*

Carried

4.3 No Stopping Areas Bylaw : New Addition

Roading Manager 3204.0

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Roding Manager's report 'No Stopping Areas Bylaw: New Addition' dated 08 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the painting of No Stopping lines on the portions of Kedge Drive, Spinnaker Lane and Halyard Way, Mangawhai, as indicated on the map (Attachment 3 of the above-mentioned report).*

Carried

4.4 Policy for the application of sale proceeds to debt

General Manager Finance 2304.14

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the General Manager Finance's report 'Policy for the application of sale proceeds to debt' dated 07 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provisions of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the policy for the application of sales proceeds to general rate funded debt.*

Carried

4.5 Council-owned land, View Street, Maungaturoto Property - Playground Proposal

Community Planner 2108.09.09

Moved Robertson/Winder

That Kaipara District Council:

- 1 *Receives the Community Planner's report 'Council-owned land, View Street, Maungaturoto Property - Playground Proposal' dated 16 November 2015; and*

- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Rescinds its resolution of 24 March 2010 that stated 'Council agrees to offer for sale the properties identified as surplus Council land, subject to legal clearance' including View Street, Maungaturoto Lot 34 Pt 33 35 36 DP 8374 Blk VIII Waipu SD; and*
- 4 *Agrees to remove this section of land (legal description: Lot 34 Pt 33 35 36 DP 8374 Blk VIII Waipu SD) off the market and to purchase this property using \$70,000 from the accumulated Reserve Contribution fund for the purpose of establishing it as a recreation reserve pursuant to the Reserves Act and including it in the Reserves and Open Space Asset Management Plan; and*
- 5 *Agrees to offer a Development Agreement and draft Licence to Occupy to the Maungaturoto Residents Association to develop a children's playground and green space.*

Carried

4.6 Beach Access Restrictions: Mahuta Gap, Glinks Gully, Aranga, Omamari, Pouto

Roading Manager 4102.20

Discussion point:

- The recommendation clarifies a level of service that can be expected and managed in a planned way.

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Roding Manager's report "Beach access restrictions: Mahuta Gap, Glinks Gully, Aranga, Omamari, Pouto" dated 08 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Agrees that beach access will be maintained to a level of service suitable for the use of four-wheel drive vehicles only, for Mahuta Gap, Glinks Gully, Aranga, Omamari and Pouto.*

Carried

4.7 Oparakau Road (Matakohe) Bridge Replacement Options

Roading Manager 4102.03

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the Roding Manager's report 'Oparakau Road (Matakohe) Bridge Replacement Options' dated 08 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Applies to NZ Transport Agency for funding approval under work category 141: Emergency Works at 61% subsidy to replace the collapsed Oparakau Road Bridge with a new box culvert.*

Carried

5 Operational

5.1 Forecast One 2015/2016

Financial Services Manager 2303.22

Discussion point:

- The debt level that is contained in the report is external rather than activity debt.

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Financial Services Manager's report 'Forecast One: 2015/2016' dated 01 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provisions of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the forecast as set out in the forecast sections in the above-mentioned report and its attachments, and determines that no further action is required at this point in time; and*
- 4 *Notes that the revised forecast shows key movements in planned operational expenditure are increased expenditure due to legal and associated costs of \$1.1 million, higher regulatory costs of \$0.5 million offset by revenues for the activities undertaken, set up costs for the roading business unit of \$0.3 million funded by interest cost savings of \$0.3 million and prior years' cash surplus; and*

- 5 *Approves the revised capital expenditure schedules listed in Attachment 4 of the above-mentioned report; and*
- 6 *Notes that forecast debt is currently projected in the order \$74.5 million which is in line with 30 June 2016 Annual Plan; and*
- 7 *Notes that a second forecast is planned for the second half of the financial year.*

Carried

5.2 Northland Forward Together – A Northland Strategic Collaboration

Acting Chief Executive 1908.01.02

Discussion point:

- Council acknowledged the drive of the Acting Chief Executive on this project. A way forward now seems possible.

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Acting Chief Executive's report "Northland Forward Together - A Strategic Collaboration" dated 03 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts, with the other three Northland Councils, the 'Northland Forward Together - A Strategic Collaboration', as the shared strategic plan for Northland local government, guiding the collaboration and shared services programme; and*
- 4 *Approves, along with the other three Northland councils, the signing of the documents by their Mayor/Chair and Chief Executive to represent this strategic collaboration; and*
- 5 *Notes, along with the other three Northland councils, no changes to current governance arrangements are required or proposed to implement this strategic collaboration at this time and progress will be reported regularly to each Council; and*
- 6 *Notes, along with the other three Northland councils, the programme is being managed by the Chief Executive Officer Forum and supports their Chief Executive to assign staff time to the collaboration and shared service programme where resources allow.*

Carried

5.3 Roothing Shared Services Update

General Manager Infrastructure 4102.0/BU

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Roothing Shared Services Update' dated 02 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the 'prerequisites' for a Roothing Shared Service Business Unit as detailed within the above-mentioned report; and*
- 4 *Supports, in principle, the Shared Services Business Unit with Scope and Service Solutions as outlined within the above-mentioned report; and*
- 5 *Notes that a 'Business Case' be fully developed with the other three Northland councils and the NZ Transport Agency for the Shared Services Business Unit, and this be reported to Council within the New Year 2016; and*
- 6 *Notes that the Business Case targets a proposed start date for the Shared Services Business Unit (SSBU) of 01 July 2016; and*
- 7 *Notes the expectation that NZTA will adopt the Inland Freight Route as a state highway; and*
- 8 *Notes the expectation that the proposed shared services will provide lower cost roading services than the three Northland councils can achieve individually.*

Carried

5.4 Petition against rubbish accumulation: Paparoa placement of bins

Roothing Manager 4201.01

Moved Robertson/Winder

That Kaipara District Council:

- 1 *Receives the Roothing Managers report 'Petition Against Rubbish Accumulation – Paparoa : Placement of Bins' dated 04 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provisions of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*

- 3 *Resolves that one wheelie bin remains at the Paparoa public toilets and the new 60 litre litterbins on State Highway 12 at the Four Square and Dairy remain, no other wheelie bins shall be reinstated, and no changes are made to Maungaturoto township litterbins.*

Carried

6 Performance Reporting

6.1 Chief Executive's Report December 2015

Chief Executive: 2002.02.14/Dec

Discussion point:

Noted the scope of activity underway within the district and that it was proactive and forward looking.

Moved Robertson/Booth

That Kaipara District Council receives the Chief Executive's Report for December 2015.

Carried

Confirmed

7 Public Excluded Council Minute items: 15 December 2015

The meeting moved into Public Excluded session at 11.48 am.

Moved Robertson/Booth

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

- Ordinary meeting of Council : Public Excluded Minutes 23 November 2015;
- Service Delivery Reviews : S17a Local Government Act 2002;
- Dargaville Gardens Trust Council Appointment;
- Contract 785 2015/2016 Road Rehabilitations and Minor Improvements – Package 1;
- Sale of Property – 52 Seaview Road, Chases Gorge, Baylys.

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:

General subject of each matter to be considered:	Reason for passing this resolution	Ground(s) under section 48(1) for the passing this resolution:
Ordinary meeting of Council : Public Excluded Minutes 23 November 2015	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
Service Delivery Reviews S17a Local Government Act 2002	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
Dargaville Gardens Trust Council Appointment	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

<p><i>Contract 785 2015/2016 Road Rehabilitations and Minor Improvements – Package 1.</i></p>	<p><i>Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i></p>	<p><i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i></p>
<p><i>Sale of section at 52 Seaview Road, Chases Gorge, Baylys.</i></p>	<p><i>Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i></p>	<p><i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i></p>

Confirmed

8 Open Council Minutes: Tuesday 15 December 2015

The meeting resumed in Open session at 12.06pm

Moved Winder/Robertson

That the public be re-admitted to the meeting and Item 7.1 and 7.2 resolutions made whilst in Public Excluded be confirmed in Open Meeting. That Item 7.3 resolution be made public once the applicants have been informed. That Item 7.4 resolution be made public once the successful tenderer has been notified and Item 7.5 resolution at a time agreed with the purchaser.

8.1 Ordinary Council meeting Public Excluded Minutes: 23 November 2015 (Agenda Item 7.1)

Governance Services Manager 1601.20

Moved Robertson/Booth

That the Public Excluded Minutes of the Ordinary meeting of Council held 23 November 2015, as circulated, be confirmed as a true and correct record.

Carried

8.2 Service Delivery Reviews: s17a Local Government Act 2002 (Agenda Item 7.2)

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Service Delivery Reviews: Local Government Act 2002 s17A' dated 09 December 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Endorses the recommendation that the Roads and Footpaths activity not be the subject of a further service delivery review at this stage; and*
- 4 *Endorses the service delivery review of its Three Waters activity.*

Carried

8.3 Dargaville Gardens Trust – Council Appointment (Agenda Item 7.3)

Human Resources Manager 2105.0

[Secretarial note: Item 8.3 resolution will be made public once the applicants have been informed.]

**8.4 Contract 785 2015/2016 Road Rehabilitations and Minor Improvements – Package 1
(Agenda Item 7.4)**

Roading Manager 4107.785

[Secretarial note: Item 8.4 resolution will be made public once the successful tenderer has been notified.]

8.5 Sale of Property – 52 Seaview Road, Chases Gorge, Baylys (Agenda Item 7.5)

Property and Commercial Advisor 5105.12

[Secretarial note: Item 8.5 resolution will be made public at a time agreed with the purchaser.]

9 Closure

The meeting closed at 12.10pm.

Confirmed

Chair

Confirmed