

Kaipara District Council

Minutes

Meeting	Ordinary Meeting Of Kaipara District Council
Date	Tuesday 18 August 2015
Venue	Kaiwaka Sports Complex, Gibbons Road, Kaiwaka.
Time	Meeting commenced at 10.00am Meeting concluded at 11.48am
Status	Confirmed

Membership

Chair: Commissioner John Robertson

Members: Commissioner Richard Booth
Commissioner Peter Winder

Contents

1	Opening	3
1.1	Present.....	3
1.2	Apologies	3
1.3	Confirmation of Agenda	3
1.4	Conflict of Interest Declaration	3
1.5	Deputations and Presentations.....	3
2	Confirmation of Minutes	4
2.1	Ordinary Council Meeting : 28 July 2015.....	4
3	Policy	4
3.1	Chief Executive Delegation : Matters Outside Scope	4
3.2	Mangawhai Community Wastewater Scheme Stage 11.....	5
3.3	NZ Transport Agency : Designations in Proposed Auckland Unitary Plan.....	6
4	Operational	6
4.1	Taharoa Domain Governance Committee Minutes: 08 June 2015	6
4.2	Digital Enablement Plan Support and Delegation.....	7
5	Performance Reporting	7
5.1	Chief Executive's Report August 2015	7
6	Public Excluded Council Items: 18 August 2015	8
7	Public Excluded: Council Minutes: 18 August 2015	Error! Bookmark not defined.
7.1	Ordinary Council Meeting Public Excluded Items : 28 July 2015	Error! Bookmark not defined.
7.2	Mangawhai Lands Freehold: Hargreaves.....	Error! Bookmark not defined.
7.3	2015/2016 Insurance Renewals	Error! Bookmark not defined.
7.4	Kaipara Community Health Trust : Council Appointment to Otamatea Ward Position	Error! Bookmark not defined.
7.5	Accountability Review: Auditor-General mediation and Former Chief Executive update .	Error! Bookmark not defined.
8	Open Council Meeting: Minutes 18 August 2015	10
8.1	Ordinary Council Meeting Public Excluded Items : 28 July 2015	10
8.2	Mangawhai Lands Freehold: Hargreaves.....	10
8.3	2015/2016 Insurance Renewals	10
8.4	Kaipara Community Health Trust : Council Appointment to Otamatea Ward Position.....	11
9	Closure	11

**Minutes of the Ordinary meeting Kaipara District Council,
Tuesday 18 August 2015 at Kaiwaka**

1 Opening
1.1 Present

Commissioner J Robertson (Chair)

Commissioner R Booth

Commissioner P Winder

In Attendance

Name	Designation	Item(s)
Jill McPherson	Acting Chief Executive	All
Curt Martin	General Manager Infrastructure	1-7.4
Peter Marshall	Human Resources Manager	1-7.4
Helen Slater	Communications Manager	1-7.4
Venessa Anich	General Manager Community	1-7.2
Duncan McAulay	Executive Officer	1-4.2
Paul Cresswell	Financial and Corporate Planning Manager	1-7.4
Christine Johnson	Governance Administration Support	All (Minute-taker)
Linda Osborne	Administration Manager	All

1.2 Apologies

Nil

1.3 Confirmation of Agenda

The Agenda was confirmed.

1.4 Conflict of Interest Declaration

Nil

1.5 Deputations and Presentations

Nil

2 Confirmation of Minutes

2.1 Ordinary Council Meeting : 28 July 2015

Governance Support Officer 1601.20

Moved Robertson / Booth

That the unconfirmed minutes of the Ordinary Meeting of Kaipara District Council 28 July 2015, as circulated, be confirmed as a true and correct record.

Carried

3 Policy

3.1 Chief Executive Delegation : Matters Outside Scope

Business and Policy Analyst 2304.15

The Business and Policy Analyst's report 'Chief Executive Delegation : Matters Outside Scope' dated 29 July 2015 was discussed.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Business and Policy Analyst's report 'Chief Executive Delegation : Matters Outside Scope' dated 29 July 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Delegates authority to the Chief Executive to execute contracts that have been approved pursuant to a resolution of Council; and*
- 4 *Delegates authority to the Chief Executive to approve contract price variations of up to 20% of the contract price or \$100,000, whichever is the lesser, provided that it is fiscally neutral and is either within budget or a substitution can be made; and*
- 5 *Delegates authority to the Chief Executive to approve contract progress claims for authorised contracts; and*
- 6 *Approves the revised Chief Executive finance delegation and the following wording for inclusion in the Delegations Register:*

"Authority to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$100,000 (in total for capital expenditure matters, and in any one year for operational expenditure matters). This includes authority to vary or terminate such transactions.

Authority is subject to expenditure being budgeted for in the Long Term Plan, Annual Plan or approved forecast financial statements and compliance with the procurement policy and any other applicable policies or procedures”; and

- 7 *Approves the following wording on the Common Seal for inclusion in the Delegations Register:*

“The Common Seal of the Kaipara District Council may be affixed to any document pursuant to:

- 1 a resolution of the Council, or*
 - 2 authority delegated by Council resolution to the Chief Executive;*
- and in the presence of either the [Mayor or] Chair of Commissioners and the Chief Executive, or two [Councillors or] Commissioners, who shall each append their signatures.*

Carried

3.2 Mangawhai Community Wastewater Scheme Stage 11

General Manager Infrastructure 4505.21

The General Manager Infrastructure’s report ‘Mangawhai Community Wastewater Scheme Stage II’ dated 06 August 2015 was discussed.

Discussion Points:

- Acknowledged the Project Team already in place. Will brief Commissioners on an execution plan in September;
- Noted that formal consultation may be in February 2016 after draft recommendations have been presented at the end of 2015;
- Will come back to Council with proposed timelines;
- Suggested that Council gets sound legal advice on the Resource Management Act on Bylaws etcetera;
- Suggested that Council looks at options to reuse solids rather than being put into landfill;
- Geologist to assess the existing farm;
- Test all landfill based options, no ocean outfall.

Moved Booth / Robertson

That the Kaipara District Council:

- 1 Receives the General Manager Infrastructure’s report ‘Mangawhai Community Wastewater Scheme Stage II’ dated 06 August 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*

- 3 Approves the recommendations as amended, as shown in the attachment to the General Manager Infrastructure's above-mentioned report, in response to the report 'Mangawhai Community Wastewater Scheme (MCWWS) Community Advisory Panel Final Report' dated July 2015 as received by Council on 28 July 2015.

Carried

3.3 NZ Transport Agency : Designations in Proposed Auckland Unitary Plan

Senior Policy Analyst 3832.04

The Senior Policy Analyst's report 'NZ Transport Agency : Designations in Proposed Auckland Unitary Plan' dated 27 July 2015 was discussed.

Discussion Point:

- First stage to get designated then investigate land options for route of approximately 30km

Moved Winder / Booth

That the Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report 'NZ Transport Agency : Designations in Proposed Auckland Unitary Plan' dated 27 July 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Confirms the acceptance of the designation for the Puhoi to Warkworth section of the Road of National Significance (RONS) in the Proposed Auckland Unitary Plan, noting the importance of the later extension on to Wellsford for the economic development of Northland.*

Carried

4 Operational

4.1 Taharoa Domain Governance Committee Minutes: 08 June 2015

Governance Services Manager 1606.13/June 2015

Noted this meeting had been rescheduled from 25 May 2015 due to bereavement.

Discussion Point:

- Acknowledged Commissioner Winder as the new Chair.

Moved Roberston / Winder

That the minutes of the meeting of Taharoa Domain Governance Committee 08 June 2015, as circulated, be received.

Carried

4.2 Digital Enablement Plan Support and Delegation

Business and Policy Analyst 2111.18

The Business and Policy Analyst's report 'Digital Enablement Plan Support and Delegation' dated 27 July 2015 was circulated.

Discussion Point:

- Noted that other Northland councils' submissions support the Plan.

Moved Winder / Booth

That the Kaipara District Council:

- 1 *Receives the Business and Policy Analyst's report 'Digital Enablement Plan Support and Delegation' dated 27 July 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Delegates authority to the Acting Chief Executive and the Chair of Commissioners to approve the Digital Enablement Plan prior to it being submitted to the Ministry of Business, Innovation and Employment (MBIE); and*
- 4 *Agrees to provide officer support to assist Northland Inc with the development of the Digital Enablement Plan as requested at the discretion of the Acting Chief Executive.*

Carried

5 Performance Reporting

5.1 Chief Executive's Report August 2015

Chief Executive: 2002.02.16

A copy of the Chief Executive's Report for August 2015 was circulated.

Discussion Points:

- Acknowledged Infrastructure Team on their efforts with roading issues;
- Roading advisory panel to be operated before the dry season;
- Baylys community approached Council about stabilising the bank at the beach entry.
- Suggested that Council includes a report on RMA compliance with resource consents and health and safety.
- No financial report due to the preparation of the Annual Report and Council meeting being brought forward.
- Council's building consents were strong, with Council leading in Northland.

Moved Robertson / Booth

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

Carried

6 Public Excluded Council Items: 18 August 2015

The meeting went into Public Excluded session at 11.11am

Moved Robertson / Winder

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

- Ordinary Meeting of Council Public Excluded Minutes 28 July 2015
- Mangawhai Lands Freehold: Hargreaves
- 2015/2016 Insurance Renewals
- Kaipara Community Health Trust : Council Appointment to Otamatea Ward Position
- Auditor-General Mediation (Accountability Review)

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 28 July 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.
Mangawhai Lands Freehold: Hargreaves	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.

<i>2015/2016 Insurance Renewals</i>	<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>	<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>
<i>Kaipara Community Health Trust : Council Appointment to Otamatea Ward Position</i>	<p><i>Section 7(2)(a) Protect the privacy of natural person, including that of deceased natural persons</i></p> <p><i>Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</i></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>
<i>Accountability Review: Auditor-General mediation and Former Chief Executive update</i>	<p><i>7(2)(g) Legal Professional Privilege.</i></p> <p><i>Section 7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i></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>

7 Open Council Meeting: Minutes 18 August 2015

The meeting moved back into Open Meeting at 11.47am

Moved Robertson / Booth

That the public be re-admitted to the meeting and resolutions for Items 7.1, 7.2 (once the transaction is completed), 7.3 and 7.4 (once the applicant has been notified) made whilst in Public Excluded, be confirmed in the Open Meeting.

Carried

7.1 Ordinary Council Meeting Public Excluded Items : 28 July 2015

Governance Support Officer 1601.20

Moved Robertson / Winder

That the Public Excluded Minutes of the Ordinary Meeting of Council on 28 July 2015, as circulated, be confirmed as a true and correct record.

Carried

7.2 Mangawhai Lands Freehold: Hargreaves

[**Secretarial Note:** The resolution for this item will be moved to Open Meeting once the transaction has been completed]

7.3 2015/2016 Insurance Renewals

Finance and Corporate Planning Manager 5105.10; 2304.15

Moved Winder / Booth

That the Kaipara District Council:

- 1 *Receives the Finance and Corporate Planning Manager's report '2015/2016 Insurance Renewals' dated 30 July 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Receives the 'C.E.O Overview and Insurance Portfolio 2015/2016' document prepared by Council's insurance brokers, Crombie Lockwood; and*

- 4 Approves the sum of \$237,923.46 (including GST) for premiums for 2015/2016 insurance cover; and
- 5 Requests the Chief Executive to review the forestry coverage and amend to her satisfaction.

Carried

7.4 Kaipara Community Health Trust : Council Appointment to Otamatea Ward Position

Acting General Manager Corporate Services 2105.45

[**Secretarial Note:** The resolution for this item has been moved to Open Meeting as the applicant has been notified]

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Acting General Manager Corporate Services report titled 'Kaipara Community Health Trust – Council Appointment to Otamatea Ward Position' dated 03 August 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Appoints Ms Jayne King to the Kaipara Community Health Trust as the Otamatea Ward Council Appointee with effect from 01 November 2015.*

Carried

8 Closure

The meeting closed at 11.48am

Confirmed

Chair