
Kaipara District Council Meeting

Minutes

Meeting	Ordinary Meeting Of Kaipara District Council
Date	Tuesday 24 February 2015
Venue	Conference Room, Northern Wairoa War Memorial Hall, Hokianga Road, Dargaville
Time	Meeting commenced at 10.00am Meeting concluded at 11.34am
Status	Confirmed

Membership

Chair: Commissioner John Robertson
Members: Commissioner Richard Booth
Commissioner Peter Winder

Anna Curnow
Governance Support Officer
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Ordinary Meeting Of Kaipara District Council, Tuesday 24 February 2015

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
John Burt	General Manager Operations	Items 1-7.2
Glennis Christie	General Manager Finance	All
Barbara Ware	Community Engagement Manager	Items 1-7
Peter Marshall	Human Resources Manager	Items 1-7
Venessa Anich	Community Planning Manager	Items 1-5.6
Rick Groufsky	Financial Accountant	Items 1-7
Anna Curnow	Governance Support Officer	All (Minute-taker)

Adjournments

Nil

Absences

Nil

1.2 Apologies

Nil

1.3 Confirmation of Agenda

The Agenda was confirmed.

1.4 Conflict of Interest Declaration

Nil

2 Deputations and Presentations

Nil

3 Confirmation of Minutes

3.1 Ordinary Council Meeting : 09 February 2015

Governance Support Officer 1601.19

A copy of the unconfirmed minutes was circulated.

Moved Booth / Winder

That the Minutes of the Ordinary Meeting of Council 09 February 2015, as circulated, be confirmed as a true and correct record.

Carried

3.2 Extraordinary Council Meeting : 30 September 2014

Governance Support Officer 1601.19

A copy of the unconfirmed minutes was circulated.

Moved Booth / Winder

That the Minutes of the Extraordinary Meeting of Council 30 September 2014, as circulated, be confirmed as a true and correct record.

Carried

4 Policy

4.1 Reserves Contribution – Kauri Coast Community Pool

Community Planner 2304.17

The Community Planner's report 'Reserves Contribution – Kauri Coast Community Pool' dated 29 January 2015 was circulated.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Community Planners report titled 'Reserves Contribution – Kauri Coast Community Pool' dated 29 January 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Applies Reserve Contribution funds to offset the outstanding amount of the pool advance.*

Carried

4.2 Royal New Zealand Navy: Northland Regional Charter Ratification

Governance Support Officer 2110.0

The Governance Support Officer's report 'Royal New Zealand Navy: Northland Regional Charter Ratification' dated 12 February 2015 was circulated.

Moved Robertson / Winder

That Kaipara District Council:

- 1 *Receives the Governance Support Officer's report 'Royal New Zealand Navy: Northland Regional Charter Ratification' dated 12 February 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 *Ratifies the signature of Commissioner John Robertson on the Royal New Zealand Navy Charter dated 06 February 2015.*

Carried

4.3 Affected Party Approval to Northland Regional Council on Variation of Conditions to Remove Mangroves from Mangawhai Harbour Restoration Society Inc

Senior Policy Analyst 2117.01.01

The Senior Policy Analyst's report 'Affected Party Approval to Northland Regional Council on Variation of Conditions to Remove Mangroves from Mangawhai Harbour Restoration Society Inc' dated 28 January 2015 was circulated.

Discussion Points:

- Council is also in discussion with the MHRS about the use of several pieces of Council land to assist with loading and unloading the barges. Officers have delegated authority to make these decisions.
- Council has supported the MHRS in every other way with regards to this matter.
- Barge was donated by Tara Iti Golf Club.

Moved Booth / Winder

That Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report 'Affected Party Approval to Northland Regional Council on Variation of Conditions to Remove Mangroves from Mangawhai Harbour Restoration Society Inc' dated 28 January 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 *Gives Affected Party Approval for the variation of consent conditions in respect of the removal of mangroves from selected consented areas of the Mangawhai Harbour by the Mangawhai Harbour Restoration Society Inc.*

Carried

4.4 Resource Management Act 1991, Clause 20A – Minor Amendments to the Kaipara District Plan

Policy Planner 3807.08

The Policy Planner's report 'Resource Management Act 1991, Clause 20A – Minor Amendments to the Kaipara District Plan' dated 13 January 2015 was circulated.

Moved Winder / Robertson

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Resource Management Act 1991, Clause 20A - Minor Amendments to the Kaipara District Plan' dated 13 January 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 *Resolves pursuant to Clause 20A of Schedule 1 to the Resource Management Act 1991, to make amendments to the Kaipara District Plan as set out in the schedule entitled "Kaipara District Plan Clause 20A Amendments, 7 January 2015", which are of minor effect and to correct minor errors; and*
- 4 *Approves that a Public Notice is placed in newspapers that cover the Kaipara District announcing these amendments.*

Carried

4.5 Draft Regional Land Transport Plan 2015/2021 : Submission from Kaipara District Council

Senior Policy Analyst 4102.21

The Senior Policy Analyst's report 'Draft Regional Land Transport Plan 2015/2021 : Submission from Kaipara District Council' dated 05 February 2015 was circulated.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report titled 'Draft Regional Land Transport Plan 2015-2021 : Submission from Kaipara District Council' to dated 05 February 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 *Endorses the Kaipara District Council's submission to the Draft Regional Land Transport Plan 2015-2021.*

Carried**4.6 Licence to Occupy – Komiti Road Reserve, Tinopai**

Policy Analyst 2109.01.04

The Policy Analyst's report 'Licence to Occupy – Komiti Road Reserve, Tinopai' dated 17 February 2015 was circulated.

Discussion Points:

- That this agreed location is near the hall. Is a new location to previous discussions but the community has endorsed it as the preferred location.
- Department of Internal Affairs needs a Council resolution before it can be put before the Minister.

Moved Robertson / Winder

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Licence to Occupy – Komiti Road Reserve, Tinopai' dated 17 February 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 *Pursuant to Section 140(4)(a) of the Local Government Act 2002, requests that the Minister of Local Government approves for the use of Part Lot 1 DP 12065 to be extended to include 'Community Services' as well as the purposes for which the land is currently held by Council, so that a first response building can be established.*

Carried

5 Operational

5.1 Taharoa Domain Governance Committee Meeting : 08 December 2014

Governance Support Officer 1606.14

A copy of the unconfirmed minutes was circulated. The confirmed minutes were tabled with no changes.

Moved Winder / Robertson

That the Minutes of the Meeting of Taharoa Domain Governance Committee held on 08 December 2014, as tabled, be received.

Carried

5.2 Audit and Risk Committee Meeting : 17 November 2014

Governance Support Officer 1610.03

A copy of the confirmed minutes was circulated.

Moved Booth / Robertson

That the Minutes of the Meeting of Audit and Risk Committee held on 17 November 2014, as circulated, be received.

Carried

5.3 Raupo Drainage Committee Meeting : 17 November 2014

Governance Support Officer 1603.19

A copy of the confirmed minutes was tabled.

Moved Booth / Winder

That the Minutes of the Raupo Drainage Committee held on 20 November 2014, as tabled, be received.

Carried

5.4 Harding Park Committee: Adoption of Terms of Reference

Governance Support Officer 47025.06

The Governance Support Officer's report 'Harding Park Committee: Adoption of Terms of Reference' dated 12 February 2015 was circulated.

Discussion Points:

- That the wording around the responsibility for financial management be changed to “oversee” rather than “manage”.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Governance Support Officer’s report ‘Harding Park Committee: Adoption of Terms of Reference’ dated 12 February 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 *Adopts the Terms of Reference for the Harding Park Committee, as attached to the above-mentioned report, as amended - with the wording around the responsibility for financial management be changed to “oversee” rather than “manage”.*

Carried**5.5 Standing Orders – Amendment to Allow Attendance by Audio or Audiovisual Link**

Governance Support Officer 1203.01

The Governance Support Officer’s report ‘Standing Orders – Amendment to Allow Attendance by Audio or Audiovisual Link’ dated 10 January 2015 was circulated.

Moved Robertson / Winder

That the Kaipara District Council:

- 1 *Receives the Governance Support Officer’s report ‘Standing Orders – Amendment to Allow Attendance by Audio or Audiovisual Link’ dated 10 January 2013; 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 amendment to Standing Orders as outlined below:*

The addition of two new sections 2.19, 2.20:

2.19 ATTENDANCE AT MEETINGS BY MEMBERS OF THE LOCAL AUTHORITY OR OF ANY COMMITTEE OF THE LOCAL AUTHORITY BY AUDIO LINK OR AUDIOVISUAL LINK

<p>Statutory provision for attendance at meetings by audio link or audiovisual link</p>	<p>2.19.1</p> <p><i>“A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee by means of audio link or audiovisual link if ... the presiding member at that meeting is satisfied that all conditions and requirements in the standing orders in relation to attendance at that meeting by means of audio link or audiovisual link are met.”</i></p> <p><i>[Clauses 25A(1) and 27(5)(a), Schedule 7, LGA]</i></p>
<p>Definitions for the purposes of this Standing Order</p>	<p>2.19.2</p> <p><i>“ ‘audio link’ means facilities that enable audio communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting</i></p> <p><i>“ ‘audiovisual’ link means facilities that enable audio and visual communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting.”</i></p> <p><i>[Clause 25A(7), Schedule 7, LGA]</i></p>
<p>Meetings to which Standing Order 2.19 applies</p>	<p>2.19.3</p> <p><i>Subject to the provisos below the presiding member may permit attendance by a member at meetings of the local authority or of the committee by means of audio link or audiovisual link either generally or for specified meetings:</i></p> <p><i>(a) If the member is representing the Council at some place which makes the member’s physical presence at the meeting impossible or impracticable,</i></p> <p><i>(b) If the member lives more than 75 kilometres by road from the place of the meeting, or</i></p> <p><i>(c) If the member is temporarily absent from the member’s usual place of residence and more than 75 kilometres by road from the place of the meeting, or</i></p> <p><i>(d) To accommodate the member’s illness or infirmity, or</i></p>

	<p><i>(e) To accommodate unforeseen circumstances such that physical attendance is not possible,</i></p> <p><i>Provided however that Standing Order 2.19 does not apply to meetings in the nature of hearings (for instance, hearings under the Local Government Act 2002 or the Resource Management Act 1991), and</i></p> <p><i>Provided that the necessary audio or audiovisual technology is available to facilitate the member's request.</i></p> <p><i>[Clause 25A(1), Schedule 7, LGA]</i></p>
<p><i>Prior arrangements to enable a member of a local authority, or of a committee of a local authority to attend any meeting of the local authority or committee by means of audio link or audiovisual link under Standing Order 2.19</i></p>	<p>2.19.4</p> <p><i>(a) Where it is possible to do so, a member of the local authority or of any committee shall give the chairperson and the chief executive not less than two clear working days' written notice of the member's desire to attend a meeting of the local authority or of the committee by means of audio link or audiovisual link for specified meetings.</i></p> <p><i>(b) Where, because of the member's illness or infirmity or some emergency, it is not possible for a member to give the chairperson and chief executive not less than two working days' written notice of the member's desire to attend a meeting of the local authority or of the committee by means of audio link or audiovisual link the member may give less than two working days' written notice.</i></p> <p><i>(c) The chief executive shall take reasonable steps to seek to facilitate a member's desire to attend a meeting of the local authority or of the committee by means of audio link or audiovisual link.</i></p> <p><i>(d) An act or proceeding of the local authority or committee is not invalidated if a member's request under this Standing Order 2.19 is not accommodated or if there is any technological failure or defect in any audio link or audiovisual link for a meeting.</i></p> <p><i>[Clauses 25A(1) and 27(5), Schedule 7, LGA]</i></p>
<p><i>Duties of the person presiding where a member of a local</i></p>	<p>2.19.5</p>

authority, or of a committee of a local authority, participates in a meeting under Standing Order 2.19

(a) Where a member of a local authority, or of a committee of a local authority attends any meeting of the local authority or committee by means of audio link or audiovisual link the “person presiding must ... ensure that—

[(i)] technology for the audio link or audiovisual link is available and is of suitable quality; and

[(ii)] the procedure for the use of that technology in all the circumstances of the particular meeting will ensure that—

[A] all those participating in the meeting can hear and be heard by each other; and

[B] in relation to [Standing Order 2.19.1], the attendance of a member by means of audio link or audiovisual link does not reduce the accountability or accessibility of that person in relation to the meeting; and

[C] the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met.”

(b) Where a member of a local authority, or of a committee of a local authority, participates in a meeting under this Standing Order the chairperson may direct that the audio link or audiovisual link be terminated after taking into account relevant factors including:

(i) That having people participating by audio link or audiovisual link has unreasonably increased or may unreasonably increase the length of the meeting,

(ii) The behaviour of the people participating by audio link or audiovisual link,

(iii) The style, degree and extent of inter-action between the different people participating by audio link or audiovisual link, and

(iv) Any distraction to those physically present at the meeting caused as a result of having people participating by audio link or audiovisual link.

[Clause 25A(1) and (3), Schedule 7, LGA]

<p>Member not physically present at meeting not to be counted as present for the purposes of the quorum</p>	<p>2.19.6</p> <p>(a) “Despite [Standing Order 2.20.1], a member of the local authority who is not physically present at the meeting is not to be counted as present for the purposes of clause 23 [of Schedule 7 of the Local Government Act 2002].”</p> <p>[Clause 25A(4), Schedule 7, LGA]</p>
<p>Local authority not required to make technology for an audio link or audiovisual link available</p>	<p>2.19.7</p> <p>“Nothing in this [Standing Order] requires [the] local authority to make technology for an audio link or audiovisual link available.”</p> <p>[Clause 25A(5), Schedule 7, LGA]</p>
<p>Giving or showing documents to a person appearing at a meeting by way of audio link or audiovisual link</p>	<p>2.19.8</p> <p>“A document may be given or shown to, or by, a person appearing at a meeting by way of audio link or audiovisual link—</p> <p>(a) by transmitting it electronically; or</p> <p>(b) by use of audiovisual link (if the person is appearing by audiovisual link); or</p> <p>(c) by any other manner that the person presiding thinks fit.”</p> <p>[Clause 25A(6), Schedule 7, LGA]</p>
<p>Local authority not responsible for the failure of any audio link or audiovisual link</p>	<p>2.19.9</p> <p>“The local authority is not responsible for the consequences of any inadequacies or any failure of an audio link or audiovisual link, but if any member ceases to be able to participate in a meeting by reason of any technological failure or defect in any audio link or audiovisual link for the meeting that member shall be deemed to have ceased to be in attendance at the meeting.”</p> <p>[Clause 25A(1), Schedule 7, LGA]</p>

2.20 ATTENDANCE AT MEETINGS BY MEMBERS OF THE PUBLIC AT MEETINGS OF THE LOCAL AUTHORITY OR OF ANY COMMITTEE OF THE LOCAL AUTHORITY BY AUDIO LINK OR AUDIOVISUAL LINK

<p>Statutory provision for attendance at meetings by audio link or audiovisual link</p>	<p>2.20.1</p>
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	<p><i>“A person other than a member of a local authority, or committee, may participate in a meeting of the local authority or committee by means of audio link or audiovisual link if ... the presiding member at that meeting is satisfied that all conditions and requirements in the standing orders are met in relation to—</i></p> <p><i>(i) participation at that meeting by persons other than members; and</i></p> <p><i>(ii) the use of audio link or audiovisual link for that participation.”</i></p> <p><i>[Clauses 25A(2) and 27(5)(a), Schedule 7, LGA]</i></p>
<p>Definitions for the purposes of this Standing Order</p>	<p>2.20.2</p> <p><i>“ ‘audio link’ means facilities that enable audio communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting</i></p> <p><i>“ ‘audiovisual’ link means facilities that enable audio and visual communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting.”</i></p> <p><i>[Clause 25A(7), Schedule 7, LGA]</i></p>
<p>Meetings to which Standing Order 2.20 applies</p>	<p>2.20.3</p> <p><i>Subject to the provisos below the presiding member may permit a person other than a member of a local authority or committee, to participate in a meeting by means of audio link or audiovisual link for specified meetings. When considering whether or not to grant such permission the presiding member may take into account factors such as:</i></p> <p><i>(a) The likely length of the meeting and the possibility that having people participating by audio link or audiovisual link may unreasonably increase the length of the meeting,</i></p>

	<p><i>(b) The potential behaviour of people participating by audio link or audiovisual link,</i></p> <p><i>(c) The likely style, degree and extent of interaction between the different people participating by audio link or audiovisual link, and</i></p> <p><i>(d) The potential that having people participating by audio link or audiovisual link may have to distract those physically present at the meeting</i></p> <p><i>[Clause 25A(2), Schedule 7, LGA]</i></p>
<p><i>Prior arrangements to enable a person other than a member of a local authority or committee to participate in a meeting under Standing Order 2.20</i></p>	<p>2.20.4</p> <p><i>(a) A person other than a member of a local authority or committee shall give the chairperson and the chief executive not less than two clear working days' written notice of that person's desire to participate in a specified meeting of the local authority or of the committee by means of audio link or audiovisual link.</i></p> <p><i>(b) The local authority shall take reasonable steps to seek to facilitate that person's desire to participate in a specified meeting of the local authority or of the committee by means of audio link or audiovisual link.</i></p> <p><i>(c) An act or proceeding of the local authority or committee is not invalidated if that person's request under this Standing Order 2.20 is not accommodated or if there is any technological failure or defect in any audio link or audiovisual link for a meeting.</i></p> <p><i>[Clause 25A(2), Schedule 7, LGA]</i></p>
<p><i>Duties of the person presiding where a person other than a member of a local authority or committee participates in a meeting under Standing Order 2.20</i></p>	<p>2.20.5</p> <p><i>(a) Where a person other than a member of a local authority or committee participates in a meeting of the local authority or committee by means of audio link or</i></p> <p><i>audiovisual link the "person presiding must ... ensure that—</i></p>

	<p><i>[(a)] technology for the audio link or audiovisual link is available and is of suitable quality; and</i></p> <p><i>[(b)] the procedure for the use of that technology in all the circumstances of the particular meeting will ensure that—</i></p> <p><i>[(A)] all those participating in the meeting can hear and be heard by each other; and</i></p> <p><i>[(B)] in relation to [Standing Order 2.20.1], the attendance of a member by means of audio link or audiovisual link does not reduce the accountability or accessibility of that person in relation to the meeting; and</i></p> <p><i>[(C)] the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met.”</i></p> <p><i>(b) Where a person other than a member of a local authority or committee participates in a meeting under this Standing Order the meeting may direct that the audio link or audiovisual link be terminated after taking into account relevant factors including:</i></p> <p><i>(i) That having people participating by audio link or audiovisual link has unreasonably increased or may unreasonably increase the length of the meeting,</i></p> <p><i>(ii) The behaviour of people participating by audio link or audiovisual link,</i></p> <p><i>(iii) The style, degree and extent of inter-action between the different people participating by audio link or audiovisual link, and</i></p> <p><i>(iv) Any distraction to those physically present at the meeting caused as a result of having people participating by audio link or audiovisual link.</i></p> <p><i>[Clause 25A (2) and (3), Schedule 7, LGA]</i></p>
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<p>Local authority not required to make technology for an audio link or audiovisual link available</p>	<p>2.20.6</p> <p><i>“Nothing in this [Standing Order 2.20] requires [the] local authority to make technology for an audio link or audiovisual link available.”</i></p> <p><i>[Clause 25A(5), Schedule 7, LGA]</i></p>
<p>Giving or showing documents to a person appearing at a meeting by way of audio link or audiovisual link</p>	<p>2.20.7</p> <p><i>“A document may be given or shown to, or by, a person appearing at a meeting by way of audio link or audiovisual link—</i></p> <p><i>(a) by transmitting it electronically; or</i></p> <p><i>(b) by use of audiovisual link (if the person is appearing by audiovisual link); or</i></p> <p><i>(c) by any other manner that the person presiding thinks fit.”</i></p> <p><i>[Clause 25A(6), Schedule 7, LGA]</i></p>
<p>Local authority not responsible for the failure of any audio link or audiovisual link</p>	<p>2.20.8</p> <p><i>“The local authority is not responsible for the consequences of any technological failure or defect in any audio link or audiovisual link for a meeting.”</i></p> <p><i>[Clause 25A(1), Schedule 7, LGA]</i></p>

An amendment to Section 3.17.2 to add “the names of those members attending the meeting by means of audio link or audiovisual link” after the phrase “the names of those members present”; and

4. *Requests staff to prepare a further amendment to the Standing Orders, once Council’s technical facilities are of a standard that will allow public attendance at Hearings via audiovisual or audio link.*

Carried

5.6 Community Assistance Policy: Operational Discretionary Grant Recommendations

Policy Planner 2109.01.02.02

The Policy Planner's report 'Community Assistance Policy: Operational Discretionary Grant Recommendations' dated 13 January 2015 was circulated.

Discussion Points:

- The process for assessing applications was discussed.
- Overall community assistance budget is \$80,000 which has to account for all types of community assistance grants including Surf Lifesaving.
- A lower number of applications were received this year. This is perhaps because the community is understanding the criteria better.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Community Assistance Policy: Operational Discretionary Grant recommendations' dated 13 January 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 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 following Operational Discretionary Grants applications:*

<i>Pouto Land Care</i>	<i>\$5,000.00</i>
<i>Hakaru Community Hall and Domain Society</i>	<i>\$1,000.00</i>
<i>Kumarani Productions Trust (photocopying and hall hire)</i>	<i>\$0.00</i>
<i>Northland Chamber of Commerce</i>	<i>\$5,000.00</i>

Carried

5.7 Contracts Approved Under Delegations**General Manager Operations 4107.0**

The General Manager Operations' report 'Contracts Approved Under Delegations' dated 03 February 2015 was circulated.

Moved Robertson / Winder

That Kaipara District Council:

- 1 *Receives the General Manager Operation's report 'Contracts Approved under Delegation' dated 03 February 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 *Notes that Commissioners approved under delegation in January 2015, the awarding of the following contracts to Huband Contracting Ltd: Contract 740 Ruawai Watermain Upgrade for \$178,791,743; Awakino Bridge Watermain Crossing for \$122,829; Contract 744 Raw Watermain Crossing at Parore for \$146,502; Contract 732 Maungaturoto Watermain Renewal for \$221,036; Contract 737 Dargaville PS1 Rising Main Renewal for \$161,923.*

Carried

5.8 Acting Chief Executive Appointment: Dr Jill McPherson

Commissioner Chair **22/SP/Chief Executive**

The Chair of the Commissioners' report 'Acting Chief Executive Appointment: Dr Jill McPherson' dated 05 February 2015 was circulated.

Moved **Robertson / Booth**

That Kaipara District Council:

- 1 *Receives the Chair of the Commissioner's report titled 'Acting Chief Executive Appointment: Jill McPherson' dated 05 February 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 extension of the appointment of Dr Jill McPherson as Acting Chief Executive until 31 December 2016, or such earlier date that a new Chief Executive is appointed or the responsibilities of Kaipara District Council are overtaken by a new body; and*
- 4 *Thanks Dr McPherson for her willingness to take on this extension of her role.*

Carried

6 Performance Reporting

6.1 Quarterly Report October to December 2014

Chief Executive: **2002.02.15**

A Quarterly Report October to December 2014 was circulated.

Discussion Points:

- That the Alpha system developer is looking at using KDC to help him integrate RC with BCA.
- New format of the report is easy to engage with.
- That a new section could be added to the report to track contract progress.
- CAPEX delivery is causing some concern as some delivery is behind schedule e.g. roading.
- Any estimated loss on derivatives is not included at this stage – this might be useful in future.
- The prioritisation of projects particularly roading.

Moved **Robertson / Booth**

That the Quarterly Report October to December 2014 be received.

Carried

6.2 Chief Executive's Report February 2015

Chief Executive: 2002.02.15

The Chief Executive's Report dated February 2015 had not been included with the Agenda packs. It was agreed that this item would be withdrawn as a result. The report should be distributed to members separately.

7 Public Excluded Council Minute Items: 24 February 2015

The meeting went into public Excluded Session at 11.03am

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 09 February 2015*
- *Contract for Estuary Drive Reticulation Extension, Mangawhai*
- *Accountability Workstream*

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>General Subject of Each Matter to be considered:</i>	<i>Reason for Passing this Resolution</i>	<i>Ground(s) under Section 48 (1) for the passing this resolution:</i>
<i>Ordinary Meeting of Council Public Excluded Minutes 09 February 2015</i>	<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>	<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>Contract for Estuary Drive Reticulation Extension, Mangawhai</i>	<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>	<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 Workstream</i>	<i>Section 7(2)(g) Maintain legal professional privilege. 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>	<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>

Carried

8 Open Council Minutes: 24 February 2015

The meeting came out of Public Excluded Session at 11.32am

Moved Robertson / Winder

That the public be re-admitted to the meeting and resolutions made on item 7.1 made whilst in Public Excluded, be confirmed in Open Meeting and those made in item 7.2 be transferred into open minutes once stakeholders have been informed of the project.

Carried

8.1 Extraordinary Council Meeting Public Excluded Items : 09 February 2015

Governance Support Officer 1601.19

Moved Robertson / Booth

That the Public Excluded Minutes of the Extraordinary Meeting of Council 09 February 2015, as circulated , be confirmed as a true and correct record.

Carried

Closure

The meeting closed at 11.34am

Confirmed 24 March 2015

Chair