

Kaipara District Council

Minutes

Meeting	Ordinary Meeting Of Kaipara District Council
Date	Tuesday 30 June 2015
Venue	Conference Room, Northern Wairoa War Memorial Hall, Hokianga Road, Dargaville
Time	Meeting commenced at 10.10am Meeting concluded at 11.47am
Status	Confirmed

Membership

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

Anna Curnow
Governance Services Manager
09 439 3123
acurnow@kaipara.govt.nz

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Ordinary Meeting Of Kaipara District Council, Tuesday 30 June 2015

1 Opening

1.1 Present

Commissioner J Robertson (Chair)

Commissioner R Booth

In Attendance

Name	Designation	Item(s)
Jill McPherson	Acting Chief Executive	All
Glennis Christie	General Manager Finance	Items 1-4.3
Venessa Anich	General Manager Community	Items 1-8.6
Curt Martin	General Manager Infrastructure	Items 1-8.6
Peter Marshall	Human Resources Manager	Items 1-8.6
Henri van Zyl	Roading Manager	Items 1-8.6
Barbara Ware	Community Engagement Manager	Items 1-7.2
Paul Cresswell	Financial and Corporate Planning Manager	Items 1-7.2
Rick Groufsky	Financial Services Manager	Items 1-7.2
Christine Johnston	Document Production	Items 1-8.7
Anna Curnow	Governance Services Manager	All (Minute-taker)

1.2 Apologies

Moved Booth / Robertson

That the apology of Commissioner Peter Winder be received.

Carried

1.3 Confirmation of Agenda

The agenda was confirmed subject to the correct report for item 4.3 Setting of Rates 2015/2016 which had been circulated under separate cover; and

That item 8.3 of the agenda be deferred as Commissioner Booth had a conflict of interest which did not leave a voting quorum present to deliberate on the matter.

1.4 Conflict of Interest Declaration

Name	Conflict of Interest
Commissioner Richard Booth	Commissioner Booth is the Chair of Delta Produce, therefore declared a conflict of interest with item 8.3 Reserve Status Revocation of Council-owned Land – Lot 67 DP 81939 and Lot 12 DP 111969

2 Deputations and Presentations

The scheduled deputation from the Maungaturoto Residents Association was cancelled as they have deferred their petition for the time being.

3 Confirmation of Minutes

3.1 Extraordinary Ordinary Council Meeting: 25 May 2015

Governance Services Manager 1601.19

A copy of the unconfirmed minutes was circulated.

Moved Robertson / Booth

That the Minutes of the Extraordinary Meeting of Kaipara District Council Council 25 May 2015, as circulated, be confirmed as a true and correct record.

Carried

3.2 Ordinary Council Meeting: 26 May 2015

Governance Services Manager 1601.19

A copy of the unconfirmed minutes was circulated.

Moved Robertson / Booth

That the Minutes of the Ordinary Meeting of Kaipara District Council Council 26 May 2015, as circulated, be confirmed as a true and correct record.

Carried

4 Long Term Plan 2015/2025

4.1 Long Term Plan 2015/2025: Adoption of Final 2015 Asset Management Plans (AMP)

General Manager Infrastructure 4001.05

The General Manager Infrastructure's report 'Long Term Plan 2015/2025 : Adoption of Final 2015 Asset Management Plans (AMP)' dated 11 June 2015 was circulated.

Discussion Points:

- Noted that the Asset Management Plans were adopted in December 2014. However the Auditor required that the AMPs were changed to reconcile to the LTP. Therefore these needed to be readopted as amended.
- Only four AMPs are required to be legally adopted; water supply, wastewater, stormwater and roads and footpaths.

Moved Booth / Robertson

That the Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report titled 'Long Term Plan 2015/2025 : Adoption of Final 2015 Asset Management Plans (AMP)' dated 11 June 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 Asset Management Plans for 'Roads and Footpaths', 'Water Supply', 'Urban Stormwater' and 'Wastewater' as supporting documents for the Long Term Plan 2015/2025.*

Carried

4.2 Long Term Plan 2015/2025 : Adoption

Acting Chief Executive 2302.19.06

The Acting Chief Executive's report 'Long Term Plan 2015/2025 : Adoption' dated 11 June 2015 was circulated.

Discussion Points:

- The Source Documents were adopted in December 2014 however have since been updated to reflect the changes requested in Deliberations.
- Funding for community development was increased to \$125,000 per year for each year of the LTP.
- Dog registration fees had been set to allow discounts for working dogs and owners of more than 20 dogs.
- Increased fees for implementation of new Food Act.
- No significant changes to rates rises; average 3.47% plus 1.47% for forestry rate.
- Community housing rent changes. The Chair noted the view of some in the Mangawhai community that there should be no differential between rents in Mangawhai and rents in Ruawai and Dargaville.

- Following this year community housing rents will only increase by CPI for the rest of the life of the LTP.
- The LTP leaves Council in good shape financially with rating levels increasing by approximately 3.4% over the life of the Plan.
- Debt is tracking down to \$60 million.
- Commissioners thanked staff for their work on this project.

Moved Robertson / Booth

That the Kaipara District Council:

- 1 *Receives the Acting Chief Executive's report 'Long Term Plan 2015/2025 : Adoption' dated 11 June 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 *Amends the Revenue and Financing Policy for the classification of general rates funding of Operating Expenditure for the Provision of Roads and Footpaths from High to Med/High; and*
- 4 *Delegates authority to the Acting Chief Executive to make any minor editorial corrections needed to the final Long Term Plan 2015/2025 document; and*
- 5 *Adopts the Long Term Plan 2015/2025; and*
- 6 *Adopts the Fees and Charges 2015/2016 and determines that they are to be applied from 01 July 2015 and as soon as practical for community housing rentals.*

Carried

4.3 Setting Of Rates 2015/2016

Acting Chief Executive 2306.18

The Acting Chief Executive's report 'Setting of Rates 2015/2016' dated 02 June 2015 was circulated.

Discussion Points:

- The rates are consistent with the Funding Impact Statement and the rating tools in the LTP.
- There are three penalty resolutions; instalment and two further penalties over and above instalment penalties.
- The Ruawai targeted rate is the result of a community vote.

- Rate resolution amounts are inclusive of GST, while accumulated yields are reported exclusive of GST.
- Since 2013 general rates have increased faster than UAGC increase. This matter is noted for next year's Plan.

Moved Booth / Robertson

That the Kaipara District Council:

- 1 *Receives the report from the Acting Chief Executive, titled 'Setting of Rates 2015/2016' dated 02 June 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 section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of the costs and benefits of different options prior to making a decision on this matter; and*
- 3 *Adopts the rates resolution for the 2015/2016 financial year, which is attached as Appendix 1 to the Acting Chief Executive's 02 June 2015 'Setting of Rates 2015/2016' report, to set the rates and state the due dates for the 2015/2016 financial year and authorise penalties to be added to unpaid rates; as set out below:*

Rates Resolution for the 2015/2016 Financial Year

The following rates are set for the period commencing on the first day of July 2015 and ending on the last day of June 2016. All rates and amounts are GST inclusive unless otherwise stated.

A. General Rate

Under Section 13 of the Local Government (Rating) Act 2002 (the Act), a General Rate be set for all rateable land within the District based on the land value of the land and at different rates in the dollar for different categories of land as set out in the table below.

Differential category*	Rate in the Dollar (including GST)
<i>Residential and small sized lifestyle properties</i>	<i>0.002902</i>
<i>Other</i>	<i>0.004498</i>

**The definitions of these differential categories can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.*

This rate is for the general purposes of the Council's activities in the 2015/2016 financial year and is intended to yield \$12,442,300 (excluding GST).

B. Uniform Annual General Charge

Under Section 15 of the Act, a uniform annual general charge on all rateable land within the District of \$708.00 (including GST) per Rating Unit. This rate is for the general purposes of the Council's activities in the 2015/2016 financial year and is intended to yield \$8,146,600 (excluding GST).

C. Targeted Rates for Water Supply

Under Sections 16 and 19 of the Act, targeted rates for Water Supply in each of the networks referred to in the table below, for maintaining the Water Supply network. In particular, the costs associated in treating the water for domestic consumption.

The rates are set on a differential basis based on the provision or availability to the land of the water supply service provided by, or on behalf of, the Council. The definition for each rates differential category is listed in the table below.

Differential category	Definition
Metered properties	Land that is connected to the relevant water supply network as at 30 June 2015 irrespective of how much water is consumed.
Other properties	Land that is not connected to the relevant water supply network as at 30 June 2015, but is situated within 30 metres of a water supply network to which it is capable of being effectively connected.

Each targeted rate is calculated as:

Metered properties as at 30 June 2015:

- a A scale of charges based on the per cubic metre amount of water consumed.

Other properties (except in the Mangawhai water supply network, where there is no rate set for "other properties"):

- b A fixed amount per rating unit.

	Metered Properties*		Other properties*
	Volumetric Charge (up to and including the first cubic metre) (including GST)	Volumetric Charge (per cubic metre beyond the first cubic metre) (including GST)	Fixed amount per Rating Unit (including GST)
Dargaville	\$104.30	\$2.68	\$78.22
Glinks Gully	\$268.10	\$1.23	\$201.08
Mangawhai	\$104.30	\$2.97	N/A
Maungaturoto (Station Village)	\$201.34	\$2.84	\$151.00
Maungaturoto (Township)	\$225.00	\$2.80	\$168.75
Ruawai	\$161.13	\$3.06	\$120.85

*The definitions of each network can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.

D. Targeted rates for Wastewater – Networks

Under Section 16 of the Act, targeted rates for Wastewater in each of the networks referred to in the table below, for maintaining Wastewater treatment plant and pump stations and reticulation repairs and minor upgrades, including renewals of the respective systems.

The rates are set on a differential basis based on the use to which the land is put and the provision or availability to the land of the Wastewater service provided by, or on behalf of, the Council.

Each targeted rate is calculated as:

Properties not connected to the Wastewater network as at 30 June 2015, however capable of being connected (being situated within 30 metres of a public sewerage drain to which it is capable of being effectively connected, either directly, or through a private drain):

- c A fixed amount per Separately Used or Inhabited Part of a Rating Unit (SUIP) for all units used primarily as a residence;
- d A fixed amount per Rating Unit for all other units.

Properties that are connected to the Wastewater network as at 30 June 2015:

- e A fixed amount per SUIP for all units used primarily as a residence;
- f For all other units:
- g A fixed amount per Rating Unit; and
- h A charge per pan (urinal or water closet) for each pan after the second.

Wastewater Network*	Differential Category*	Charge per Rating Unit (including GST)	Charge per SUIP (including GST)	Charge per pan (after the second) (including GST)
Dargaville	Residence and connected	-	\$850.20	-
	Residence and serviceable	-	\$637.70	-
	Other and connected	\$850.20	-	\$425.10
	Other and serviceable	\$637.70	-	-
Glinks Gully	Residence and connected	-	\$1,069.40	-
	Residence and serviceable	-	\$802.10	-
	Other and connected	\$1,069.40	-	\$534.70
	Other and serviceable	\$802.10	-	-
Kaiwaka	Residence and connected	-	\$950.90	-
	Residence and serviceable	-	\$713.20	-
	Other and connected	\$950.90	-	\$475.45
	Other and serviceable	\$713.20	-	-
Mangawhai	Residence and connected	-	\$1,069.40	-
	Residence and serviceable	-	\$802.10	-
	Other and connected	\$1,069.40	-	\$534.70
	Other and serviceable	\$802.10	-	-
Maungaturoto Township and Maungaturoto Station Village	Residence and connected	-	\$864.80	-
	Residence and serviceable	-	\$648.60	-
	Other and connected	\$864.80	-	\$432.40
	Other and serviceable	\$648.60	-	-

Te Kopuru	Residence and connected	-	\$526.40	-
	Residence and serviceable	-	\$394.80	-
	Other and connected	\$526.40	-	\$263.20
	Other and serviceable	\$394.80	-	-

*The definitions of each network, differential categories and a SUIP can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.

E. Targeted Rates for Wastewater – Capital Contributions

Under Section 16 of the Act, targeted rates for all rateable land connected or capable of connection to the Mangawhai wastewater network, based on where the land is situated, as defined on maps in the Appendix of the Council's Long Term Plan 2015/2025. The targeted rates for each of the four defined areas (A, D, E and F) are as follows:

Targeted rate*	Fixed amount per Rating Unit (including GST)
Mangawhai Wastewater Capital Contribution A	\$676.00
Mangawhai Wastewater Capital Contribution D	\$569.95
Mangawhai Wastewater Capital Contribution E	\$606.31
Mangawhai Wastewater Capital Contribution F	\$643.26

*The full definitions of the land subject to each targeted rate can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.

F. Targeted Rates for Stormwater – Networks

Under Section 16 of the Act, targeted rates for Stormwater in each of the following networks, for the purpose of running and maintaining each Stormwater network. The rate is the amount per dollar of the land value for all land situated in the respective Stormwater network.

Stormwater Network*	Rate in the Dollar (including GST)
Baylys	0.001950
Dargaville	0.002982
Kaiwaka	0.001248
Mangawhai	0.001032
Te Kopuru	0.001667

*The definitions of each network can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.

G. Targeted Rate Land Drainage – Raupo

Under Section 16 of the Act, a targeted rate for all rateable land within the Raupo Land Drainage scheme, at different rates in the dollar for different categories of land based on where the land is situated. The rate is an amount per dollar of the land value of the land.

This rate is to fund work undertaken to maintain and improve the current capacity of the land drainage network and stopbanks. The rate is intended to yield \$327,300 (excluding GST) in the 2015/2016 financial year.

Differential Category*	Rate in the Dollar (including GST)
<i>Raupo District A</i>	<i>0.002254</i>
<i>Raupo District B</i>	<i>0.001262</i>
<i>Raupo Township</i>	<i>0.004706</i>

*The definitions of these differential categories can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.

H. Targeted Rates for Land Drainage – Other Schemes

Under section 16 of the Act, targeted rates for Land Drainage in each of the following schemes, for the purpose of maintaining and improving the capacity of the land drainage network and stopbanks. The rate is an amount per dollar of the land value for all land situated in the respective Land Drainage scheme. The rate is intended to yield \$273,700 (excluding GST) in the 2015/2016 financial year.

Land Drainage Scheme*	Rate in the Dollar (including GST)
<i>Aoroa</i>	<i>0.001739</i>
<i>Arapohue N°1</i>	<i>0.000389</i>
<i>Arapohue N°2</i>	<i>0.000551</i>
<i>Aratapu Swamp</i>	<i>0.001280</i>
<i>Aratapu Village</i>	<i>0.000555</i>
<i>Awakino Point</i>	<i>0.000595</i>
<i>Awakino Valley</i>	<i>0.000489</i>
<i>Greenhill</i>	<i>0.000265</i>
<i>Hoanga</i>	<i>0.002129</i>
<i>Horehore</i>	<i>0.000687</i>
<i>Kaihu</i>	<i>0.000475</i>
<i>Kopuru Swamp</i>	<i>0.001274</i>
<i>Koremoa</i>	<i>0.000380</i>
<i>Mangatara</i>	<i>0.000494</i>
<i>Mangonui</i>	<i>0.000093</i>
<i>Mititai</i>	<i>0.000541</i>
<i>Notorious</i>	<i>0.000833</i>
<i>Oruariki</i>	<i>0.001260</i>
<i>Otiria</i>	<i>0.000565</i>
<i>Owairangi</i>	<i>0.000477</i>
<i>Tangowahine N°1</i>	<i>0.001293</i>
<i>Tangowahine N°2</i>	<i>0.000724</i>
<i>Tangowahine Valley</i>	<i>0.000164</i>
<i>Tatarariki N°1</i>	<i>0.000490</i>
<i>Tatarariki N°2</i>	<i>0.001326</i>
<i>Tatarariki N°3</i>	<i>0.000584</i>
<i>Tikinui</i>	<i>0.000926</i>
<i>Whakahara</i>	<i>0.000432</i>

The definitions of each land drainage scheme can be found in the "Prospective Financial Statement" section – "Funding Impact Statement - Rating Tools" of Council's Long Term Plan 2015/2025.

I. Targeted Rate for Mangawhai Harbour Restoration

Under Section 16 of the Act, a targeted rate for all rateable land within the Mangawhai Harbour Restoration area of \$77.80 (including GST) per Rating Unit.

This rate is to fund servicing a loan to the Mangawhai Harbour Restoration Society for rectification of the collapse of the geomorphyl and ecological structure of the Mangawhai Harbour, an enhanced harbour dredging programme, and other operating costs such as replanting. The rate is intended to yield \$267,000 (excluding GST) in the 2015/2016 financial year.

A map of the Mangawhai Harbour Restoration Area can be found in the Appendix of Council's Long Term Plan 2015/2025.

J. Targeted Rate for Ruawai Tokatoka Hall

Under Section 16 of the Act, a targeted rate for all rateable land within the Ruawai Tokatoka Hall Targeted Rate area of \$36.30 (including GST) per Rating Unit.

This rate is to fund the operating costs of maintaining the Ruawai Tokatoka Hall. The rate is intended to yield \$15,000 (excluding GST) in the 2015/2016 financial year.

A map of the Ruawai Tokatoka Hall Targeted Rate can be found in the Appendix of Council's Long Term Plan 2015/2025.

K. Targeted Rate for Forestry Roding

Under Section 16 of the Act, a targeted rate for all rateable land within the Forestry Roding Targeted Rate area of 0.008015 (including GST) per dollar of the land value for all land situated in the area.

This rate is to partially fund the impact of forestry and logging trucks and maintain current standards on Council roads. The rate is intended to yield \$390,000 (excluding GST) in the 2015/2016 financial year.

A map of the Forestry Roding Targeted Rate can be found in the Appendix of Council's Long Term Plan 2015/2025.

L. Due Dates

Under Section 24 of the Act, the rates, except targeted rates for water supply, will be payable in four instalments with the following due dates:

Instalment 1	20 August 2015
Instalment 2	20 November 2015
Instalment 3	20 February 2016
Instalment 4	20 May 2016

M. Penalties

Under Sections 57 and 58 of the Act:

- a. A penalty of 10% of the rates assessed in the 2015/2016 financial year that are unpaid after the due date for each instalment will be added on the day following the due date except where a

ratepayer has entered into an arrangement by way of direct debit authority, or an automatic payment authority, and honours that arrangement so that all current years rates will be paid in full by 30 June in any year, then no penalty will be applied; and

- b. A penalty of 10% of the amount of all rates assessed in any financial year that are unpaid on 07 July 2015 will be added on the day following that date; and
- c. A penalty of 10% of the amount of all rates to which a penalty has been added under (b) and which are unpaid on 07 January 2016 will be added on the day following that date.

Under Section 19(2) (b) of the Act:

- a. A penalty of 10% of the amount outstanding for water-by-meter rates charged will be added on the day after the due date.

N. Due Dates for Water Rates

Water Rates will be billed twice during the year. The due date for each billing is the 20th of the month following the delivery of the invoice. The proposed billing and due dates for each area are:

Billing Month	Area	Payment Due Date
July 2015 January 2016	Dargaville – Hokianga Road and side streets; Glinks Gully	20 August 2015 20 February 2016
August 2015 February 2016	Dargaville – Station, Beach, Mangawhare	20 September 2015 20 March 2016
September 2015 March 2016	Dargaville – Township East	20 October 2015 20 April 2016
October 2015 April 2016	Dargaville – Awakino Road and Main Street; Ruawai	20 November 2015 20 May 2016
November 2015 May 2016	Dargaville – Ranfurly, Plunket and Tirarau; Maungaturoto Railway; Maungaturoto Township, Mangawhai	20 December 2015 20 June 2016
December 2015 June 2016	Dargaville – Out of Borough (Kaihu etcetera), Awakino Point, Baylys	20 January 2016 20 July 2016

; and

- 4 Notes that it is required to send a copy of the adopted resolution within 20 working days to the Secretary of Local Government.

Carried

5 Policy

5.1 Tupeka Kore Smokefree Tai Tokerau 2025

Policy Analyst 1908.01.04

The Policy Analyst's report 'Tupeka Kore Smokefree Tai Tokerau 2025' dated 13 May 2015 was circulated.

Discussion Points:

- That KDC wishes to be a good employer and show leadership by encouraging staff to quit smoking.
- Council resources do not stretch to discretionary activities however can provide support to staff to quit.

Moved Booth / Robertson

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report titled 'Tupeka Kore Smokefree Tai Tokerau 2025' dated 13 May 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 *Supports the vision of Tupeka Kore Smokefree Tai Tokerau 2025; and*
- 4 *Signs the Statement of Intent to support Tupeka Kore Smokefree Tai Tokerau 2025; and*
- 5 *Instructs staff to work with the Northland District Health Board's Smokefree team to develop a Kaipara District Council Agency Plan, the scope of which to be limited to working within existing Council resources, and the initial priority being to be a good employer and show leadership by encouraging and helping its staff to quit smoking.*

Carried**5.2 Mangawhai Endowment Lands Account Review of Funding Allocation**

Administration Manager 2308.0

The Administration Manager's report 'Mangawhai Endowment Lands Account Review of Funding Allocation' dated 10 June 2015 was circulated.

Discussion Points:

- That the capital is currently protected by not granting the full amount of interest.
- That there is greater value in making the amount of available grant money larger.

Moved Robertson / Booth

That the Kaipara District Council:

- 1 *Receives the Administration Manager's report 'Mangawhai Endowment Lands Account Review of Funding Allocation' dated 10 June 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 that it discontinues the current practice of protecting the capital value of the Mangawhai Endowment Lands Account (MELA) meaning that over time all earnings are allocated by way of grants under the criteria within the Community Assistance Policy.*

Carried

6 Operational

6.1 Chief Executive's Performance Review Committee Recommendation – Adoption

Governance Services Manager 1205.0.2015

The Governance Services Manager's report 'Chief Executive's Performance Review Committee Recommendation – Adoption' dated 12 June 2015 was circulated.

Discussion Points:

- That work on defining a high performing organisation is due to start in July.

Moved Robertson / Booth

That Kaipara District Council:

- 1 *Receives the Governance Services Manager's report titled 'Chief Executive's Performance Review Committee Recommendation – Adoption' dated 12 June 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 recommendation that the Chief Executive Performance Review Committee and the Acting Chief Executive develop further definition of a "High Performing Organisation" at a workshop; and*
4. *Acknowledges the Acting Chief Executive for her commitment to the organisation, and endorses her drive for a customer focused, high performing organisation.*

Carried

6.2 Kaipara District Council Resource Management Commissioner Pool : Additional Planning Commissioner

Senior Policy Analyst 3807.09.01

The Senior Policy Analyst's report 'Kaipara District Council Resource Management Commissioner Pool : Additional Planning Commissioner' dated 03 June 2015 was circulated.

Discussion Points:

- That a need had been identified a Commissioner with specialist Maori knowledge and to increase the number of Commissioners as numbers are currently limited.

Moved Booth / Robertson

That the Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report titled 'Kaipara District Council Resource Management Commissioner Pool : Adding a suitably skilled, accredited and experienced Maori Commissioner' dated 03 June 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 Mr William Kapea to Council's Hearing Commissioner Pool for Resource Management Act matters; and*
- 4 *Appoints Mr William Kapea as an additional Commissioner to assist Les Simmons as Chair and delegates to him the functions, powers and duties to hear and assist in making decisions on submissions received to Private Plan Change No 1.*

Carried**6.3 Resource Management Act (RMA), Local Government Act (LGA) and Public Works Act (PWA) Delegations : Amendments****Business and Policy Analyst 2304.15**

The Business and Policy Analyst's report 'Resource Management Act (RMA), Local Government Act (LGA) and Public Works Act (PWA) Delegations : Amendments' dated 12 June 2015 was circulated.

Discussion Points:

- These additional delegations are to address matters that have arisen since the delegations policy was implemented and are mainly minor delegations.

Moved Robertson / Booth

That Kaipara District Council:

- 1 *Receives the Business and Policy Analyst's report 'Resource Management Act (RMA), Local Government Act (LGA) and Public Works Act (PWA) Delegations: Amendments' dated 12 June 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 revised Resource Management Act (RMA), Local Government Act (LGA) and Public Works Act (PWA) Delegations and Unit Titles Act (UTA) as specified in the schedule below:

Amendments to RMA Delegations

The amendments to the RMA Delegations (**Attachment 1**) include updates to position titles as a result of the recent restructure as well as the addition of further delegations pursuant to section 34A of the Resource Management Act 1991.

The additional RMA delegations are:

Resource Management Act 1991		
Section		Delegation
239(2)	Pursuant to s239(2) of the Resource Management Act 1991 the [easement or other interest] specified in the attached Annexure Schedule, which affects an allotment to vest as reserve, shall remain with the land upon deposit of the plan.	Regulatory Officer Consents, Land Information Memorandum Officer.
243	Grant or revoke an easement condition in whole or part.	General Manager Planning and Regulatory, Principal Planner, Resource Officer Consents.
245(5)	Approval of a plan of survey of reclamation.	Regulatory Officer Consents, Land Information Memorandum Officer, General Manager Planning and Regulatory, Principal Planner.
Unit Titles Act 1972		
Section		Delegation
25(5)	Unit title - deposit in stages.	General Manager Planning and Regulatory, Regulatory Officer Consents, Land Information Memorandum Officer, Planner.
32(2)	Restriction on deposit unit title plan.	General Manager Planning and Regulatory, Regulatory Officer Consents, Land Information Memorandum Officer, Planner.
5(1)	Building shown on plan has been erected and all other development work has been carried out to the extent necessary to enable all the boundaries of every unit and the	General Manager Planning and Regulatory, Regulatory Officer Consents, Land Information Memorandum Officer, Planner.

	<i>common property shown on the plan to be physically measured.</i>	
General		
<i>Authority and Instruction for an Electronic Transaction (A&I)</i>	<i>'Public Corporate Client Authority and Instruction for an Electronic Transaction' form - insofar as it relates to survey plans, easement and LINZ certificates.</i>	<i>General Manager Planning and Regulatory, Regulatory Officer Consents, Land Information Memorandum Officer.</i>

Amendments to LGA Delegations

The amendment to the LGA Delegations pursuant to section 32 of the Local Government Act 2002 includes the addition of the Chief Executive to be given the delegation to remit or partially remit a Development Contribution that has been incorrectly identified in writing as being applicable through the process of granting a Resource Consent or Project Information Memorandum.

The additional LGA Delegations which have been inserted are:

Local Government Act 2002		
Section		Delegation
201(1)(c)	<i>A Development Contributions Policy must include, the conditions and criteria (if any) that will apply in relation to the remission, postponement, or refund of Development Contributions, or the return of land.</i>	<i>Chief Executive</i>

Amendments to PWA Delegations

The amendment to the PWA Delegations is to include the addition of the General Manager Infrastructure being delegated to execute Council's responsibilities under s17(1) of the PWA by agreement up to \$50,000 in value for the purchase or disposal of land.

Public Works Act 1981		
Section		Delegation
17 (1)	<i>The Minister or a local authority may enter into an agreement to purchase any land for any public work for which the Crown or local authority, as the case may be, is responsible.</i>	<i>General Manager Infrastructure (up to \$50,000)</i>

Carried

6.4 Unformed Road off Settlement Road, Kaiwaka

Roading Manager 4102.20

The Roothing Manager's report 'Unformed Road off Settlement Road, Kaiwaka' dated 09 June 2015 was circulated.

Discussion Points:

- The property could not be offered for sale as it would landlock a property further on.

Moved Booth / Robertson

That the Kaipara District Council:

- 1 *Receives the Roothing Manager's report 'Unformed Road off Settlement Road, Kaiwaka' dated 09 June 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 *Allows use of unformed road under consent application RM140183 to access approximately 250 metres off Settlement Road in Kaiwaka.*

Carried

7 Performance Reporting

7.1 Chief Executive's Report June 2015

Chief Executive: 2002.02.14

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

Discussion Points:

- A highlight is getting a clean audit for LTP except for the reference to the MRRA Appeal.
- Noted the great work of the MCWWS Advisory Panel – recommendation due in July 2015.
- That the Revenue Management Team has now developed its business improvement programme.
- Noted that the Community Development Fund increases to \$125,000.
- Council is pursuing around 50 ratepayers through the Court for rate arrears.
- That the Annual Report is on track for a September 2015 adoption.
- Interest swaps are now accounted for in District Leadership.

Moved Booth / Robertson

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

Carried

8 Public Excluded Council Items: Minutes 30 June 2015

The meeting went into Public Excluded session at 11.13am

Moved Robertson / Booth

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

- Ordinary Council Meeting Public Excluded Items 26 May 2015
- Chief Executive's Performance Review Committee 28 April 2015 Minutes
- Reserve Status Revocation of Council owned Land – Lot 67 DP 81939 and Lot 12 DP 111969
- Kaipara District Council Resource Management Commissioner Pool : Adding a suitably skilled, accredited and experienced Maori Commissioner : CV for W Kapea
- Professional Services Contract 666 Provision: MWH Rollover Report
- Electricity Procurement – Contract Award
- Accountability Review and Judicial Review Legal Fees.

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 Council Meeting Public Excluded Items 26 May 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.
Chief Executive's Performance Review Committee 28 April 2015 Minutes		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>Reserve Status Revocation of Council owned Land – Lot 67 DP 81939 and Lot 12 DP 111969</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>Kaipara District Council Resource Management Commissioner Pool : Adding a suitably skilled, accredited and experienced Maori Commissioner : CV for W Kapea</i></p>	<p><i>Section 7(2)(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 where the withholding of the information is necessary to: Protect the privacy of natural persons, including deceased natural persons,</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>Professional Services Contract 666 Provision: MWH Rollover Report</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>Electricity Procurement – Contract Award</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>

<i>Accountability Review and Judicial Review Legal Fees</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>
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Carried

Confirmed

9 Open Council Meeting: Minutes 30 June 2015

The meeting moved back into Open Session at 11.45am

Moved Robertson / Booth

That the public be re-admitted to the meeting and resolutions made for items 8.1, 8.4 and 8.7 whilst in Public Excluded, be confirmed in the Open Meeting. Items 8.2 and 8.3 have been deferred. Resolutions made for items 8.5 and 8.6 be withheld until the tenderers have been notified.

Carried

9.1 Ordinary Council Meeting Public Excluded Items: 26 May 2015

Governance Services Manager 1601.19

Moved Robertson / Booth

That the Public Excluded Minutes of the Ordinary Meeting of Council 26 May 2015, as circulated, be confirmed as a true and correct record.

Carried

9.2 Kaipara District Council Resource Management Commissioner Pool : Adding a suitably skilled, accredited and experienced Maori Commissioner : CV for W Kapea

Senior Policy Analyst 3807.09.01

Moved Robertson / Booth

That Kaipara District Council receives the Curriculum Vitae of Mr W Kapea, which was circulated with the Senior Policy Analyst's report 'Kaipara District Council Resource Management Commissioner Pool : Adding a suitably skilled, accredited and experienced Maori Commissioner : CV for W Kapea' dated 03 June 2015.

Carried

9.3 Accountability Review and Judicial Review Legal Fees

Business and Policy Analyst 2112.04

Moved Robertson / Booth

That the Kaipara District Council:

- 1 *Receives the Business and Policy Analyst's report 'Accountability Review and Judicial Review Legal Fees' dated 09 June 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 Accountability Review unbudgeted expenditure of \$323,101.50 has been incurred during the 2014/2015 year; and*
- 4 *Approves continuing with the Accountability Workstreams; and*
- 5 *Requests Commissioner Winder to review the case against Mr McKerchar (the former Chief Executive) in conjunction with the present Acting Chief Executive; and*
- 6 *Notes that further unbudgeted expenditure will continue to be incurred this financial year as legal counsel keeps working on specific claims.*

Carried

Closure

The meeting closed at 11.47am

Confirmed 28 July 2015

Chair John Robertson

Confirmed