

Meeting:	Kaipara District Council
Date:	Tuesday 13 December 2016
Time:	The meeting commenced at 10.00am The meeting concluded at 2.31pm
Venue:	Conference Room, Northern Wairoa War Memorial Hall (Dargaville Town Hall), Hokianga Road, Dargaville
Status:	Confirmed

Minutes

Membership

Chair: Mayor Greg Gent

Members: Councillor Peter Wethey (Deputy Mayor)
Councillor Anna Curnow
Councillor Victoria Del la Varis-Woodcock
Councillor Julie Geange
Councillor Libby Jones
Councillor Karen Joyce-Paki
Councillor Jonathan Larsen
Councillor Andrew Wade

Seán Mahoney
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**Minutes of the Ordinary Meeting of Kaipara District Council,
Tuesday 13 December 2016 in Dargaville**

1 Opening
1.1 Karakia

Councillor Jones opened the meeting with a Karakia.

1.2 Present

Mayor Greg Gent, Councillors Peter Wethey (Deputy Mayor), Anna Curnow, Victoria Del la Varis-Woodcock, Julie Geange, Libby Jones, Karen Joyce-Paki, Jonathan Larsen, Andrew Wade.

In Attendance

Name	Designation	Item(s)
Graham Sibery	Chief Executive	All
Barry Harris	Crown Observer	All
Glennis Christie	General Manager Finance	All
Curt Martin	General Manager Infrastructure	All
Venessa Anich	General Manager Community	All
Fran Mikulicic	General Manager Planning and Regulatory	All
Duncan McAulay	General Manager Strategy and Performance	All
Peter Marshall	General Manager Corporate Services	All
Sue Hodge	Parks and Community Manager	All
Annie van der Plas	Community Planner	All
Rick Groufsky	Financial Services Manager	4
Natalie Robinson	Policy Analyst	5
John Burt	Property and Commercial Advisor	6.2
Ruth Hamon	Human Resource Manager	6.6
Peter Litchfield	Health and Safety Consultant	6.6
Sarah Ho	NZ Transport Agency	All
Sean Mahoney	Democratic Services Manager	All
Christine Johnson	Governance Support	All (Minute taker)
Lisa Hong	Administration Assistant	All

Absences

Nil.

Apologies

Nil.

1.3 Confirmation of Agenda

Council confirmed the Agenda. Council agreed to consider item 5.1 before items 4.1 and 4.2.

1.4 Conflict of Interest Declaration

Councillor Larsen noted a change to the Interest Register on 25 November 2016 as a submitter on Plan Change 4.

Mayor Gent noted that he will no longer be the Chair of FMG at the end of the month.

Councillors Curnow and Jones noted an Interest on Item 5.4 "Council Appointments to the Kaipara Community Health Trust".

2 Deputations and presentations

Mr Chris Sellars spoke in the public forum.

3 Confirmation of Minutes

3.1 Council Minutes 09 November 2016

Democratic Services Manager 1601.21

Moved Geange/Del la Varis-Woodcock

That the unconfirmed Minutes of the Kaipara District Council meeting held 09 November 2016, be confirmed as a true and correct record.

Carried

4 Performance Reporting

4.1 Chief Executive's Report October 2016

Chief Executive: 2002.02.17/October

A copy of the Chief Executive's Report for October 2016 was circulated.

Moved Geange/Wethey

That Kaipara District Council receives the Chief Executive's Report for October 2016.

Carried

4.2 Forecast one 2016/2017

Financial Services Manager 2303.23

Moved Gent/Curnow

That Kaipara District Council:

- 1 *Receives the Financial Services Manager's report 'Forecast One: 2016/2017' dated 24 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provisions of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the forecast as set out in the forecast sections in the above-mentioned report and its attachments, and determines that no further action is required at this point in time; and*
- 4 *Notes that the revised forecast shows key movements in planned operational expenditure are largely offset by revenues for the activities undertaken, with the increased deficit of \$1.4 million resulting from capital expenditure carried forward and funded from the original sources in the prior year budget; and*
- 5 *Approves the revised capital expenditure schedules listed in Attachment 4 of the above-mentioned report; and*
- 6 *Notes that forecast debt is currently projected in the order \$64.7 million which is in line with 2016/2017 Annual Plan; and*
- 7 *Notes that a second forecast is planned for the second half of the financial year.*

Carried

The meeting adjourned at 11.46am

The meeting recommenced at 11.50am

5 Operational

5.1 Jessie Trust Limited, Mangawhai Development Agreement

General Manager Infrastructure/General Manager Community 2304.13 & 3837/RM60235

Moved Geange/Wethey

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's and General Manager Community's report 'Jessie Trust Limited, Mangawhai: Development Agreement' dated 05 December 2016; and*

- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Resolves to enter into a Development Agreement with The Jessie Trust Limited for the provision, supply or exchange of infrastructure, land or money to provide network infrastructure, community infrastructure and reserves related to its proposed Moir Point Development in Estuary Drive, Mangawhai as proposed in Attachment 1 of the above-mentioned report, and subject to the amendments annexed as Attachment 2 of the above-mentioned report; and*
- 4 *Delegates authority to the Chief Executive to finalise Council's amendments to the proposed Development Agreement and to execute the Development Agreement on Council's behalf.*

Carried

5.2 Kaiwaka Township Improvement Plan

Parks and Community Manager 2108.09

Moved Gent/Curnow

That Kaipara District Council:

- 1 *Receives the Parks and Community Manager's report 'Kaiwaka Township Improvement Plan' dated 29 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Receives the Kaiwaka Township Improvement Plan and in supporting the Plan notes that no additional financial commitments are given.*

Carried

The meeting adjourned at 12.17pm

The meeting recommenced at 12.50pm

5.3 Community Planning Programme Round Two

Parks and Community Manager 2108.09

Moved Larsen/Joyce-Paki

That Kaipara District Council:

- 1 *Receives the Parks and Community Manager's report 'Community Planning Programme Round Two' dated 25 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Endorses and supports Round Two of Council's Community Planning Programme as amended.*

Carried

5.4 Council appointments to the Kaipara Community Health Trust

Democratic Services Manager 2105.45

Moved Jones/Gent

That Kaipara District Council:

- 1 *Receives the Democratic Services Manager's report 'Council Appointments to the Kaipara Community Health Trust' dated 28 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Re-appoints Councillor Anna Curnow to the Kaipara District Health Trust as the Central Ward appointee with effect from 01 December 2016 for a period of three months whilst the position is advertised; and*
- 4 *Re-appoints Brenda Jackson to the Kaipara District Health Trust as the West Coast Ward appointee with effect from 01 December 2016 for a period of three months whilst the position is advertised.*

Reason for the resolution

Council to run an Expression of Interest process to allow for any other potential candidates to come forward.

Carried

6 Policy

6.1 Code of Conduct Elected Members

Democratic Services Manager 1203.01

Moved Curnow/Wade

That Kaipara District Council:

- 1 *Receives the Democratic Services Manager's report 'Code of Conduct Elected Members' dated 22 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Revokes the "Code of Conduct Commissioners 2013/2014" adopted on 29 April 2014; and*
- 4 *Adopts the Code of Conduct Elected Members 2016 as amended at the meeting.*

Carried

6.2 Mangawhai Water Treatment Plant upgrade – funding option

Property and Commercial Advisor 5105.08

Moved Wethey/Wade

That Kaipara District Council:

- 1 *Receives the Property and Commercial Advisors report 'Mangawhai Water Treatment Plant upgrade - funding option' dated 01 December 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Notes that the leaseholder of the property at 250 Molesworth Drive, Mangawhai has served notice on Council of his intention to freehold the land in accordance with the provisions of the Mangawhai Lands Empowering Act 1966 (sic); and*
- 4 *Notes that the net proceeds from the sale of any of the sections will be entered into the Mangawhai Endowment Lands Account (MELA) reserve in accordance with the provisions of the Mangawhai Empowerment Lands Act 1966 (sic); and*

- 5 *Notes that Council will leave all the proceeds from the sale in the MELA reserve account as outlined in Option A of the above-mentioned report.*

Carried

6.3 Mangawhai Wastewater Irrigation Scheme – Financial Delegation

General Manager Infrastructure 4505.0

Moved Curnow/Jones

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Mangawhai Wastewater Irrigation Scheme – Financial Delegation' dated 21 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Delegates authority to the Chief Executive and Mayor to commit Council to financial transactions (or projects consisting of multiple transactions) relating to capital expenditure for the extension of the Mangawhai wastewater irrigation scheme up to the Annual Plan budget of \$445,000 plus GST, subject to compliance with Council's Procurement Policy and any other applicable policies or procedures.*

Carried

6.4 Kaipara District Easter Sunday Shop Trading Policy

General Manager Community 3215.0

Moved

That Kaipara District Council:

- 1 *Receives the General Manager Community's report 'Kaipara District Easter Sunday Shop Trading Policy' dated 24 November 2016; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*

- 3 Approves the draft Statement of Proposal and draft Easter Sunday Shop Trading Policy to allow for a public consultation process to occur and a final policy be in place by 16 March 2017; and
- 4 Appoints Councillors Curnow, Geange and Joyce-Paki to hear the submissions.

Carried

6.5 Adoption of Policies: Constituent Engagement Policy and Gifts for Elected Members Policy

Democratic Services Manager 1201.03

Moved Curnow/Jones

That Kaipara District Council:

- 1 Receives the Democratic Services Manager's report 'Adoption of Policies: Constituent Engagement Policy and Gifts for Elected Members Policy' dated 05 December 2016; and
- 2 Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and
- 3 Adopts the Constituent Engagement Policy; and
- 4 Adopts the Gifts for Elected Members Policy.

Carried

6.6 Health and Safety system progress at Kaipara District Council

General Manager Corporate Services 2209.09

Moved Gent/Del la Varis-woodcock

That Kaipara District Council:

- 1 Receives the General Manager Corporate Services' report 'Health and Safety system progress at Kaipara District Council' dated 25 November 2016 and the information contained therein; and
- 2 Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and

- 3 *Notes the update on Health and Safety Performance and the work currently being conducted for compliance with the Health and Safety at Work Act 2015.*

Carried

7 General Business

7.1 Next Year

Mayor 1701.02

Closure

The meeting closed at 2.31pm

Confirmed: 13 February 2017

Mayor: Greg Gent