

Kaipara District Council Ordinary Meeting

Meeting:	Kaipara District Council
Date:	Monday 26 September 2016
Time:	The meeting commenced at 10.04am The meeting concluded at 12.31pm
Venue:	Conference Room, Northern Wairoa War Memorial Hall (Dargaville Town Hall), Hokianga Road, Dargaville
Status:	Confirmed

Minutes

Membership

Chair: Commissioner John Robertson

Members: Commissioners Richard Booth and Peter Winder

Seán Mahoney
Governance Services Manager
09 439 3602
smahoney@kaipara.govt.nz

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Confirmed

Minutes Kaipara District Council, Monday 26 September 2016
1 Opening
1.1 Present

Council acknowledged the passing of Former Mayor and Councillor P King QSM, and former Councillor W Guest.

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

In Attendance

Name	Designation	Item(s)
Graham Sibery	Chief Executive	All
Glennis Christie	General Manager Finance	All
Curt Martin	General Manager Infrastructure	All
Venessa Anich	General Manager Community	All
Duncan McAulay	General Manager Strategy and Administration	All
Peter Marshall	General Manger Corporate Services	All
Fran Mikulicic	General Manager Planning and Regulatory	All
John Burt	Property and Commercial Advisor	Item 4.2
Christine Johnson	Governance Administration Support	All (Minute-taker)
Sean Mahoney	Governance Services Manager	All

Adjournments

Nil.

Absences

Nil.

Apologies

Nil.

Confirmation of Agenda

The Committee confirmed the Agenda with the addition of the item below.

Included Item 7.2a – Chief Executive Review Committee Minutes 20 September 2016.

1.2 Conflict of Interest Declaration

Nil

2 Deputations and presentations

Nil.

3 Confirmation of Minutes

3.1 Council Minutes : Ordinary meeting 23 August 2016

Governance Services Manager 1601.21

Moved Robertson/Booth

That the unconfirmed Minutes of the Ordinary meeting of Kaipara District Council held 23 August 2016, be confirmed as a true and correct record.

Carried

4 Policy

4.1 Hearing Panel Recommendation: Adoption of Final Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2016 and Withdrawal of Draft Kai Iwi Lakes (Taharoa Domain) Powerboat Bylaw 2015

General Manager Community 4702.24.01/CDP

Moved Winder/Robertson

That Kaipara District Council:

- 1 *Receives the General Manager Community's report 'Hearing Panel Recommendation: Adoption of final Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2016, and withdrawal of Draft Kai Iwi Lakes (Taharoa Domain) Powerboat Bylaw 2015' dated 08 September 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 *Accepts the report and adopts the recommendations (circulated as Attachment 1 and Attachment 2 of the above-mentioned General Manager Community's Council report dated 08 September 2016) of the Taharoa Domain Governance Committee at its meeting on 19 September 2016; and*
- 4 *Having considered the report and recommendations of the Taharoa Domain Governance Committee, Council adopts those recommendations and as a consequence:*
 - a) *Adopts the final Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2016 (circulated as Attachment 3 of the above-mentioned General Manager Community's Council report dated 08 September 2016); and*

- b) *Adopts the Compendium to the final Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2016 (circulated as Attachment 4 of the above-mentioned General Manager Community's Council report dated 08 September 2016); and*
- c) *Withdraws the Draft Kai Iwi Lakes (Taharoa Domain) Powerboat Bylaw 2015 (circulated as Attachment 5 of the above-mentioned General Manager Community's Council report dated 08 September 2016), and instructs staff to work with the Northland Regional Council to draft new Bylaws to reflect the management direction set in the final Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2016; and*
- d) *Endorses the intent of the new Bylaw, as outlined in the Taharoa Domain Governance Committee report (Attachment 1) and minutes (Attachment 2) from their 19 September 2016 meeting, noting that the new Bylaw must be consistent with the final Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2016 (Attachment 3); and*
- e) *Notes the replies to submissions to the draft Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan 2015 (circulated as Attachment 6 of the above-mentioned General Manager Community's Council report dated 08 September 2016); and*
- f) *Notes the replies to submissions to the draft Kai Iwi Lakes (Taharoa Domain) Powerboat Bylaw 2015 (circulated as Attachment 7 of the above-mentioned General Manager Community's Council report dated 08 September 2016).*

5 *Thanks the staff who were involved in and contributed to the review.*

Carried

4.2 Wastewater Drainage Policy and Wastewater Drainage Bylaw Adoption

Policy Planner 3210.02

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Wastewater Drainage Policy and Wastewater Drainage Bylaw Adoption' dated 06 September 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 changes to the Wastewater Drainage Policy and Wastewater Drainage Bylaw (changes shown in Attachment 2 to the above-mentioned report) recommended by the Hearing Panel and set out within the Policy Planner's report 'Wastewater Drainage Policy and Wastewater Drainage Bylaw Adoption' dated 06 September 2016; and*

- 4 Adopts the final Wastewater Drainage Policy and Wastewater Drainage Bylaw 2016 (circulated as Attachment 1 to the above-mentioned report) with the changes described in 3 and 9; and
- 5 Notes the tracked changes version of the final Wastewater Drainage Policy and Wastewater Drainage Bylaw 2016 (circulated as Attachment 2 to the above-mentioned report); and
- 6 Instructs the Chief Executive to place a public notice informing the community of the Wastewater Drainage Policy and Wastewater Drainage Bylaw being adopted and the date on which the Bylaw comes into force; and
- 7 Approves the replies to submissions to draft Wastewater Drainage Policy and Wastewater Drainage Bylaw, circulated as Attachment 3 to the above-mentioned report.
- 8 Directs the Chief Executive to ensure there is no duplication between the Northland Regional Council's monitoring requirements and the Kaipara District Council Wastewater Drainage Bylaw requirements; and
- 9 Adopts the additional wording for the Policy:

'There will be no duplication between the Northland Regional Council's monitoring requirements and the Kaipara District Council Wastewater Drainage Bylaw requirements. Where an onsite wastewater system owner has a resource consent from the Regional Council, the requirement to comply with the Bylaw may will be waived where the Regional Council consent conditions have higher or same requirements than the bylaw. In these circumstances the monitoring reports from Northland Regional Council will be deemed appropriate to show compliance with the bylaw. Where Northland Regional Council monitoring reports are not deemed appropriate then an assessment under the Wastewater Drainage Bylaw will need to be undertaken. This will be determined on a case-by-case basis. The Kaipara District Council will work with the Regional Council to ~~minimise~~ remove any duplication in process ~~where possible~~.'

Adopts the additional wording for the Bylaw:

'In some circumstances Council will accept monitoring reports from Northland Regional Council as appropriate to show compliance with this bylaw. This will be determined on a case-by-case basis. Where Northland Regional Council monitoring reports are not accepted as appropriate then inspection and maintenance as stipulated in Clause 12 will need to be undertaken. In any event, there will be no duplication between the Northland Regional Council's monitoring requirements and the Kaipara District Council Wastewater Drainage Bylaw requirements.'

Carried

4.3 Fire Safety Rules (Land Use) : Plan Change 2 withdrawal and new Plan Change 4 and Section 32 Evaluation Report, adopt for public notification

Senior Policy Analyst 3807.09.04

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report 'Fire Safety Rule (Land Use) : Plan Change 2 withdrawal and new Plan Change 4 and Section 32 Evaluation Report, adopt for public notification' dated 15 September 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 *Withdraws Plan Change 2 - The Fire Safety Rules - notified on 08 December 2014 in accordance with the requirements of clause 8D(2) of the First Schedule to the Resource Management Act 1991; and*
- 4 *Adopts Plan Change 4 - Fire Safety Rules (Land Use) - and the accompanying Section 32 Evaluation Report, circulated as Attachment 4 (and its appendices 1-15) to the above-mentioned report, for public notification in accordance with the provisions of the First Schedule to the Resource Management Act 1991; and*
- 5 *Delegates to the Chief Executive the authority to appoint, from Council's Independent Resource Management Commissioner Pool, suitably qualified and accredited Resource Management Commissioner(s) in terms of s39A and s39B(3)(a) of the Resource Management Act and delegate to them the "powers, functions and duties" under s34A(1) to hear and make decisions on this Plan Change.*

Carried

4.4 Chief Executive Delegation – matters outside scope

Executive Assistant 2304.15

Moved Robertson/Booth

That Kaipara District Council:

- 1 *Receives the Executive Assistant's report 'Chief Executive Delegation – matters outside scope' dated 16 September 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 revised Chief Executive Finance Delegations, as specified in the worksheet circulated as Attachment 1 of the above-mentioned report; and
- 4 Approves changing any reference to Commissioner(s) in the Chief Executive Delegations to the appropriate title.

Carried

4.5 Chief Executive Delegation – Building Act 2004

Executive Assistant 2304.15

Moved Booth/Winder

That Kaipara District Council:

- 1 Receives the Executive Assistant report 'Chief Executive Delegation – Building Act 2004 dated 15 September 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 revised Building Act 2004 Delegations, as specified in the worksheet circulated as Attachment 1 of the above-mentioned report.

Carried

4.6 Governance arrangements between 2016 triennial local body election and new Kaipara District Council appointments

Governance Services Manager 1203.01

Moved Robertson/Booth

That Kaipara District Council:

- 1 Receives the Governance Services Manager's report 'Governance arrangements between 2016 triennial local body election and new Kaipara District Council appointments' dated 29 August 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 to the Chief Executive the full power of Council, from the Declaration date until the first meeting of Council, except for those responsibilities, duties and powers specifically excluded in Clause 32 of Schedule 7 of the Local Government Act; and*
- 4 *Notes that any exercise of this delegated power will be reported to the next available full Council meeting; and*
- 5 *Delegates to the Chief Executive to act as Council's representative on the Civil Defence Emergency Management Group Committee from the Declaration date until Council appoints an Elected Member to take up this role; and*
- 6 *Recommends that the Chief Executive appoints Mr Mark Farnsworth as Commissioner to Chair the District Licensing Committee under s193 of the Sale and Supply of Alcohol Act 2012, commencing on the Declaration date and until Council appoints a Chair and/or Deputy Chair to the District Licensing Committee; and*
- 7 *Notes the Schedule of External Appointments on Council Committees as at 23 August 2016, circulated as Attachment 1 to the above-mentioned report.*

Carried

5 Operational

5.1 Annual Report 2015/2016 : Adoption

Chief Executive 2303.22

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Chief Executive's report 'Annual Report 2015/2016 Adoption' dated 16 September 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, 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 Annual Report for the year ending 30 June 2016; and*
- 4 *Notes that this is the first Annual Report since 2010 that has a standard audit report with no qualifications and that the Summary Annual Report will be released to the public once the Annual Report is adopted; and*
- 5 *Acknowledges the efforts of the executive over the past four years in advancing accounting and financial management; and*

6 *Acknowledges the assistance and professionalism of Deloitte as auditors.*

Carried

5.2 Direct Debit Promotion

Revenue Manager 2306.09

Moved Robertson/Winder

That Kaipara District Council:

- 1 *Receives the Revenue Manager's report 'Direct Debit Promotion' dated 14 September 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 *Nominates Commissioner Booth to draw the winner of the direct debit promotion on Monday 26 September 2016.*

Carried

5.3 Dargaville Placemaking Works Programme 2016/2019

Community Facilitator 2108.09

Moved Robertson/Winder

That Kaipara District Council:

- 1 *Receives the Community Facilitator's report 'Dargaville Placemaking Works Programme 2016/2019' dated 16 September 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 *Agrees in principle with the Dargaville Placemaking Works Programme 2016/2019; and*
- 4 *Recommends this report and the approach to Dargaville Placemaking to the newly elected Council; and*

- 5 Works with the Dargaville Business Forum to ensure local businesses support, help and implement the Dargaville Placemaking Vision Guide and there is partnership between Council, businesses and community.

Carried

5.4 Contract 682: 2016/2017 Heavy Metalling Programme and Budget Reallocation

Roading and Solid Waste Manager 4107.682

Moved Booth/Robertson

That Kaipara District Council:

- 1 *Receives the Roding and Solid Waste Manager's report 'Contract 682: 2016/2017 Heavy Metalling Programme and Budget Reallocation' dated 15 September 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 2016/2017 Heavy Metalling Programme and associated budget reallocations as follows:*

Heavy Metalling 2016/2017			
Description	Annual Plan \$	Revised Programme \$	Comments
<i>Avoca Road</i>	<i>0</i>	<i>276,412</i>	<i>Forestry block to be harvested in 2018, works split over two financial years to limit disruption to local residents and to fit within budget.</i>
<i>Houtu Road</i>	<i>0</i>	<i>159,500</i>	<i>Forestry block to be harvested in 2019, works to coincide with Kirikopuni Valley Road works shown below.</i>
<i>Arcadia Road</i>	<i>0</i>	<i>271,382</i>	<i>Forestry block to be harvested in 2017.</i>
<i>Kirikopuni Valley Road</i>	<i>220,000</i>	<i>204,160</i>	<i>Budget changed based on estimates for design overlay.</i>
<i>Opuna Road</i>	<i>138,000</i>	<i>159,041</i>	<i>Budget changed based on estimates for design overlay.</i>
<i>Ounuwhao Road</i>	<i>180,000</i>	<i>190,798</i>	<i>Budget changed based on estimates for design overlay.</i>
<i>Pukemiro Road</i>	<i>16,500</i>	<i>39,098</i>	<i>Budget changed based on estimates for design overlay.</i>

Heavy Metalling 2016/2017			
Golden Stairs Road	150,000	150,000	No change.
Black Swamp Road	100,000	100,000	No change.
Bull Road	60,000	60,000	No change.
Testing	0	20,000	Required for 2017/2018 programme validation.
Ups and Downs Road / Pasley Road	0	90,000	Urgent remedial works required to maintain safe access due to unforeseen private forestry block harvested causing pavement damages.
Blend Sites	0	40,700	Monitoring/upgrade costs for unsealed blends research proposal currently in progress
Business Unit Costs	104,180	66,919	
REMOVED/Deferred Heavy Metalling			
Ford Road	250,000	0	Lower priority, deferred due to budget constraints. Non-forestry, defer to 2017/2018.
Maropiu Road	25,000	0	Lower priority, deferred due to budget constraints. Non-forestry, defer to 2017/2018.
Mititai Road	184,320	0	Lower priority, deferred due to budget constraints. Non-forestry, defer to 2017/2018.
Tokatoka Road	370,000	0	Upgraded in 2014/2015. Forestry is now completed – removed.
Tramline Road	270,000	0	Removed after conducting testing which confirmed an existing suitable pavement depth.
	\$2,068,000	\$1,828,010	Amended to suit approved NZTA budget.

Carried

5.5 Forestry – Expression of Interest (EOI)

Property and Commercial Advisor 5105.12

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the Property and Commercial Advisor's report "Forestry - Expression of Interest (EOI)" dated 16 September 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 issue of an Expression of Interest in Council's forestry land and/or tree crop; and*
- 4 *Delegates to the Chief Executive responsibility for the finalisation of the Expression of Interest (EOI) documentation and running the EOI process.*

Carried

5.6 Mangawhai Museum Partial Surrender of Lease

Property and Commercial Advisor 5105.09

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the Property and Commercial Advisor's report 'Mangawhai Museum partial Surrender of Lease' dated 08 September 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 Partial surrender of the lease by the Mangawhai Museum; and*
- 4 *Approves the grant to Mangawhai Museum of a non-exclusive licence to use the surrendered area for the use permitted in its lease; and*
- 5 *Delegates to the Chief Executive responsibility for the execution of the Deed of partial Surrender the lease has been replaced by a Licence to Occupy.*

Carried

5.7 Grazing Licence, Partial Surrender – BF and RE Sanford**Property and Commercial Advisor 5105.09****Moved Robertson/Booth***That Kaipara District Council:*

- 1 *Receives the Property and Commercial Advisor's report 'Grazing Licence Partial Surrender – BF and RE Sanford' dated 16 September 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 partial surrender of a 19.5ha portion of the licence executed in 2013 by BF and RE Sanford Limited and Council; and*
- 4 *Approves the addition of the 5ha of existing grazing area to the BF and RE Sanford Limited licence; and*
- 5 *Delegates to the Chief Executive responsibility for the finalisation and execution of the Deed of Surrender, the lease has been replaced by a Licence to Occupy.*

Carried**5.8 Tinopai Community Kids Project Development Agreement and Licence to Occupy Application****Parks and Community Manager 5105.09****Moved Winder/Booth***That Kaipara District Council:*

- 1 *Receives the Parks and Community Manager's report 'Tinopai Community Kids Project Development Agreement and Licence to Occupy Application' dated 05 September 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 terms and conditions for a Development Agreement and Licence to Occupy with the Tinopai Community Kids Project Incorporated Society to establish a playground and activity zone on Komiti Road, Tinopai (Pt Lot 22 DP 12065); as outlined in Attachment 1 and Attachment 2 to the above-mentioned report and with the following additional terms:*

- a) *The licence will be for a period of five years with five-yearly reviews and the possibility of two extension terms of five years each;*
- b) *The Development Agreement and Licence to Occupy shall be for a playground and activity zone only;*
- c) *That any plans for the playground and activity zone be approved by Council first to ensure ongoing maintenance is considered; and*
- d) *The rental shall be a peppercorn rental of \$1.00 per year.”*

, and

- 4 *Delegates Council's Chief Executive to finalise and sign the Development Agreement and Licence to Occupy with the Tinopai Community Kids Project Incorporated Society.*

Carried

5.9 Ruawai Promotions and Development Group Inc. - Development Agreement and Licence to Occupy Application

Parks and Community Manager 4702.22

Moved Booth/Winder

That Kaipara District Council:

- 1 *Receives the Parks and Community Manager's report 'Ruawai Promotions and Development Group Inc. - Development Agreement and Licence to Occupy Application' dated 06 September 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 terms and conditions as outlined in the above-mentioned report for a Development Agreement and Licence to Occupy with the Ruawai Promotions and Development Group Inc. for a gazebo on Lot 7 and Lot 8 DP 9765; and*
- 4 *Delegates Council's Chief Executive to finalise and sign the Development Agreement and Licence to Occupy, circulated as Attachment 1 to the above-mentioned report, with the Ruawai Promotions and Development Group Inc.*

Carried

5.10 Water Treatment Plants

General Manager Infrastructure 48.0

Moved Robertson/Winder

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Water Treatment Plants' dated 15 September 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 while the testing results are positive and the schemes at Dargaville (including Baylys), Ruawai, Maungaturoto and Glinks Gully are fully compliant with the Drinking-water Standards for New Zealand, further work is needed at the Mangawhai plant; and*
- 4 *Approves a budget of \$175,000 to allow the upgrade of the Mangawhai Water Treatment Plant to proceed this financial year (2016/2017).*

Carried

5.11 Maungaturoto Wastewater Treatment Plant De-sludge Options

General Manager Infrastructure 4506.0

Moved Winder/Booth

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Maungaturoto Wastewater Treatment Plant De-sludge Options' dated 15 September 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 an additional loan-funded operational budget of \$75,000 excluding GST to fully de-sludge the Maungaturoto Wastewater Treatment Plant's oxidation pond to restore its design capacity using Option 3 'Dewater and dispose sludge (300 tonne) to Council's closed Hakaru Landfill'.*

Carried

5.12 Raw Water Connections – Testable Backflow Prevention Devices**General Manager Infrastructure 4817.0****Moved Winder/Robertson***That Kaipara District Council:*

- 1 *Receives the General Manager Infrastructure's report 'Raw Water Connections – Testable Backflow Prevention Devices' dated 21 September 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 a budget of \$62,000 excluding GST to install testable backflow prevention devices on the raw water connections this financial year (2016/2017).*

Carried**5.13 Minutes of various Committee meetings****Governance Services Manager 1606.11; 1607.10; 1607.11; 1610.04; 1610.05; 1611.02; 1611.03;****Moved Robertson/Booth**

- 1 *That Kaipara District Council receives the confirmed minutes of the following meetings as circulated with Council's 26 September 2016 agenda:*
 - *Audit and Risk Committee 16 May 2016;*
 - *Mangawhai Community Park Governance Committee 27 June 2016;*
 - *Harding Park/Pou Tu Te Rangi Joint Committee 28 June 2016; and*
 - *Taharoa Domain Governance Committee 22 August 2016.**; and*
- 2 *That Kaipara District Council receives and confirms the unconfirmed minutes of the following meetings as circulated with Council's 26 September 2016 agenda:*
 - *Harding Park/Pou Tu Te Rangi Joint Committee 19 September 2016;*
 - *Taharoa Domain Governance Committee 19 September 2016;*
 - *Mangawhai Community Park Governance Committee 20 September 2016; and*
 - *Audit and Risk Committee 20 September 2016.*

Carried

5.14 Kai Iwi Lakes Water Ski Club Inc. Assets: Approval to purchase**General Manager Community 4702.24.01****Moved Winder/Booth***That Kaipara District Council:*

- 1 *Receives the General Manager Community's report 'Kai Iwi Lakes Water Ski Club Inc. Assets: Approval to purchase' dated 09 September 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 *Rescinds the resolution from Council's 22 February 2016 meeting that Kaipara District Council "Appoints the two Commissioners who sit on the Taharoa Domain Governance Committee and the Acting Chief Executive to enter into negotiations with the Kai Iwi Lakes Ski Club Inc. for the purchase of their assets at Lake Waikare, Taharoa Domain and the extinction of any leases to the extent existing in law, with consideration not to exceed \$210,000 (GST Inclusive)"; and*
- 4 *Approves the purchase of the Kai Iwi Lakes Water Ski Club Inc. clubrooms and other associated assets at Lake Waikare in Taharoa Domain for the price of \$300,000 (GST inclusive); and*
- 5 *Delegates to the Chief Executive responsibility to finalise and execute the Sale and Purchase Agreement, subject to a maximum consideration of \$300,000 (GST inclusive).*

Carried

The meeting adjourned at 11.49am

The meeting recommenced at 11.52am

5.15 Dargaville Community Development Board – Request for Funds

Administration Manager 5102.07

Moved Robertson/Booth

That Kaipara District Council:

- 1 *Receives the Administration Manager's report 'Dargaville Community Development Board – Request for Funds' dated 13 September 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 funding to the Dargaville Community Development Board Inc. of \$33,000 to allow for the immediate maintenance work to be carried out, as per the Schedule of Requirements, dated August 2016; and*
- 4 *Notes that the funding will be included in forecast one for 2016/2017.*

Carried

6 Performance Reporting

6.1 Chief Executive's Report August 2016

Chief Executive: 2002.02.17/August

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

Discussion point:

- The Chief Executive acknowledged the Commissioners for their contribution to the district over the past four years.

Moved Robertson/Winder

That Kaipara District Council receives the Chief Executive's Report for August 2016 and the Commissioners note their appreciation of the work of the executive and staff over their four year term.

Carried

7 Public Excluded Council Minute items: Monday 26 September 2016

The meeting went into Public Excluded session at 12.12pm

Moved Robertson/Winder

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

- *Council Minutes: Public Excluded 23 August 2016;*
- *Audit and Risk Committee minutes Public Excluded 20 September 2016;*
- *Chief Executive Performance Review Committee minutes*
- *Contract 827 Baylys Beach Watermain Contract : tender evaluation;*
- *Contract 816 Tangowahine Valley Road and Hoanga Road Rehabilitation 2016;*
- *Contract 799 Minor Improvements 2016/2017;*
- *Lease of Office Unit : Unit 10, The Hub, 6 Molesworth Drive, Mangawhai, first right of refusal;*
- *Northlink Health Incorporated (formerly Rodney Health Trust Incorporated) debt; and*
- *Business Case – Contact Management Software.*

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 s48(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:
<i>Council Minutes Public Excluded 23 August 2016</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>Audit and Risk Committee minutes Public Excluded 20 September 2016</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>

General subject of each matter to be considered:	Reason for passing this Resolution	Ground(s) under Section 48(1) for the passing this resolution:
Chief Executive Performance Review Committee 20 September 2016	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiation	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.
Contract 827 Baylys Beach Watermain Contract : tender evaluation	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.
Contract 816 Tangowahine Valley Road and Hoanga Road Rehabilitation 2016	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.
Contract 799 Minor Improvements 2016/2017	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.
Lease of Office Unit : Unit 10, The Hub, 6 Molesworth Drive, Mangawhai, first right of refusal.	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.

General subject of each matter to be considered:	Reason for passing this Resolution	Ground(s) under Section 48(1) for the passing this resolution:
<i>Northlink Health Incorporated (formerly Rodney Health Trust Incorporated) debt</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>Business Case – Contact Management Software</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>

Carried

Confirmed

8 Open Council Minutes Monday 26 September 2016

The meeting moved back into Open Session at 12.31pm

Moved Winder/Booth

That the public be re-admitted to the meeting and resolutions 7.1, 7.2 and 7.2a be confirmed in open meeting and 7.3 to 7.6 made whilst in Public Excluded be confirmed in Open Meeting once the relevant parties have been informed.

Carried

8.1 Ordinary Council meeting Public Excluded Minutes : 23 August 2016 (Item 7.1)

Governance Services Manager 1601.21

Moved Robertson/Booth

That the Public Excluded minutes of the Ordinary meeting of Council held 23 August 2016 be confirmed as a true and correct record.

Carried

8.2 Audit and Risk Committee Minutes 20 September 2016 (Item 7.2)

Governance Services Manager 1610.05

Moved Booth/Robertson

That Kaipara District Council receives and confirms the Public Excluded Minutes of the Audit and Risk Committee 20 September 2016.

Carried

8.3 Chief Executive Performance Review Committee Minutes 20 September 2016 (Item 7.2a)

Governance Services Manager 1205.0/2016

Moved Robertson/Booth

That the Kaipara District Council receives and confirms the Public Excluded Minutes of the Chief Executive Performance Review Committee 20 September 2016.

Carried

8.4 Contract 827 - Baylys Beach Watermain Contract: Tender Evaluation (Item 7.3)

General Manager Infrastructure 4107.827

[Secretarial Note: The resolution made whilst in Public Excluded be confirmed in Open Meeting once the relevant parties have been informed.]

**8.5 Contract No: 816 Tangowahine Valley Road and Hoanga Road Rehabilitation 2016/2017
(Item 7.4)**

Roading and Solid Waste Manager 4107.816

*[Secretarial Note: The resolution made whilst in Public Excluded be confirmed in Open Meeting
once the relevant parties have been informed.]*

8.6 Contract 799 Minor Improvements 2016/2017 (Item 7.5)

Roading and Solid Waste Manager 4107.799

*[Secretarial Note: The resolution made whilst in Public Excluded be confirmed in Open Meeting
once the relevant parties have been informed.]*

8.7 Mangawhai Museum Partial Surrender of Lease (Item 7.6)

Property and Commercial Advisor 5105.09

*[Secretarial Note: The resolution made whilst in Public Excluded be confirmed in Open Meeting
once the relevant parties have been informed.]*

Closure

Confirmed

Chair

Chief Executive