

Meeting	Kaipara District Council
Date	Thursday 26 September 2019
Time	9.30 am
Venue	Mangawhai Club – 219 Molesworth Drive, Mangawhai Heads

Open Agenda

Membership

Chair:

Mayor Jason Smith

Members:

Deputy Mayor Peter Wethey

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

Jason Marris
General Manager Governance, Strategy and Democracy

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* '2018/2019 Annual Report' (item 5.1, attachment A) is available in the Supplementary Open Agenda.

⁺ 'Spatial Planning Progress and Public Consultation on Proposals' (item 7.3) is available in the Supplementary Public Excluded Agenda.

Ordinary meeting of Kaipara District Council
Thursday 26 September 2019 in Mangawhai

1 Opening

1.1 Karakia

1.2 Present

1.3 Apologies

1.4 Confirmation of agenda

The Committee to confirm the Agenda.

1.5 Conflict of interest declaration

Elected members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as Councillors and any private or other external interest they might have. It is also considered best practice for those members to the Executive Team attending the meeting to also signal any conflicts that they may have with an item before Council.

2 **Public input**

2.1 **Stop 5G in Mangawhai petition**

Lis Martinac

Stop 5G in Mangawhai petition

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Lisa Hong, Governance Advisor

Purpose/Ngā whāinga

To acknowledge the receipt of the 'Stop 5G in Mangawhai' petition.

Executive summary/Whakarāpopototanga

The council received the petition on 13 September 2019. In accordance with current policy, the petition is presented to the council and the response is being prepared.

Recommendation/Ngā tūhunga

That Kaipara District Council:

- a) Receives the 'Stop 5G in Mangawhai' petition 13 September 2019.
- b) Requests the Chief Executive investigate the issues raised in the petition that council has jurisdiction over and report back to the council.

Context/Horopaki

The principal petitioner Lis Martinac emailed the petition (attachment A) and an information sheet (attachment B) to the council on 13 September 2019. The petition consists of 403 words and 2,066 signatures.

Discussion/Ngā kōrerorero

Petitions Policy

The council's Petitions Policy allows for constituents to directly appeal to the council by presenting a petition. The policy outlines the format of the petition and how the council must respond.

In accordance with the policy:

- The staff reviewed the petition, and the petition exceeded the word limit but otherwise complies with the policy.
- The principal petitioner has been invited to speak at the council meeting.
- Staff will review the issues raised in the petition that relate to areas which Council has jurisdiction over and will present a report to a future council meeting.
- Once the report is received by the council, staff will respond to the petitioners with the outcome and carry out any follow-up actions.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

The staff will report back to the council and update the principal petitioner.

Attachments/Ngā tapiritanga

	Title
A	Stop 5G in Mangawhai petition
B	Information sheet

Lisa Hong, 16 September 2019

Stop 5G in Mangawhai ~ New Zealand



[Lis Martinac](#) started this petition to Kaipara District Council

The undersigned are urgently calling for the Kaipara District Council to halt the roll out of 5G in our community due to serious potential health effects from this new technology. 5G will substantially increase exposure to radiofrequency electromagnetic fields (RF-EMF) on top of the 2G, 3G, 4G, Wi-Fi, etc. for telecommunications already in place. RF-EMF has been proven to be harmful for humans and the environment.

5G will massively increase the microwave and millimeter wave radiation in our environment. It will also use new frequencies that are not evaluated by experts independent from industry as to their safety.

A substantial and convincing amount of scientific studies show many adverse health effects and health hazards from radiofrequency/microwave radiation.

No evaluation of health effects nor of effects on the wildlife and the environment has been undertaken. There is no research showing safety neither from 5G alone, nor from the combined exposure to 5G + already existing radiation from GSM, 3G, WiFi, 4G etc.

During the recent years over 240 scientists from more than 40 countries have expressed their "serious concerns", via EMF Scientists Appeal, regarding the ubiquitous and increasing exposure to EMF generated by electric and wireless devices – already before the additional 5G roll-out. The over 240 scientists refer to the fact that "numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines". Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative

impacts on general well-being in humans. Damage goes well beyond the human race, as there is growing evidence of harmful effects to both plants and animals.

We, the Kaipara Community, primarily urge the Kaipara District Council to assist our community to:

Take all reasonable measures to halt the 5G RF-EMF expansion until independent scientists can assure that 5G and the total radiation levels caused by RF-EMF (5G together with 2G, 3G, 4G, and WiFi) will not be harmful for our community, especially infants, children and pregnant women, as well as the environment.

We DO NOT give consent for the roll out of 5G technology in Mangawhai until these measures have been taken and our safety is assured. The health and wellbeing of our community and environment is of utmost importance to us. Please assist us to keep our community safe and well.

2,066 have signed.

[Retrieved from <https://www.change.org/p/kaipara-district-council-stop-5g-in-mangawhai-new-zealand> on 13 September 2019.]

Stop 5G ~ Supporting Information Links

Our Local Petition Link (over 2000 signatures):

<http://chnng.it/QJKMk49W>

Sue Grey Speaking about Wifi (relevant to NZ - this is essential information):

<https://youtu.be/fAHA1FtPaw0>

Video Links from reliable sources/experts:

<https://youtu.be/wIMHFU4PP50>

<https://www.youtube.com/watch?v=BwyDCHf5iCY&t=1330s>

<https://youtu.be/ol3tAxnNccY>

https://youtu.be/sDOsw_l1bcA

<https://youtu.be/yEfFkF1OHsY>

<https://takebackyourpower.net/watch-take-back-your-power-2017/>

<https://takebackyourpower.net/senate-hearing-wireless-industry-confesses-no-studies-showing-5g-safety/>

<https://ehtrust.org/michigan-senator-testifies-on-health-risks-of-5g-small-cells-and-the-internet-of-things/>

Brilliant Info Websites:

<http://phiremedical.org>

https://ehtrust.org/key-issues/cell-phoneswireless/5g-networks-iot-scientific-overview-human-health-risks/?fbclid=IwAR08gYVall7YAqTrZ0Mk7zNSHrdvmswhNbPyTjZj6zr_LUncwFQrGOBZyX0

<https://www.emfscientist.org/?fbclid=IwAR1AD4-b4hz5EpXRWbPBMh--cX-K-4IKV7LC0M20qlalbW-z36D6lpnVlfw>

https://www.5gspaceappeal.org/the-appeal?fbclid=IwAR3-9_PGc_ZsHZoL8WYxZWny4j3du3gXKNhJWUBw7cAg2Z7qMaWuCPbkAqA

<https://takebackyourpower.net>

www.5G.org.nz is a source of non industry information about 5G specific to NZ that is being created by volunteers. It has some great informative articles (some listed below).

Further in-depth reading:

<https://researcharchive.lincoln.ac.nz/handle/10182/4017?fbclid=IwAR0LnImgsvuM33wmxdyd7n0vtiWFWrtz70cO1nYh-VlglQOms5Af8FgIVO4>

<https://bioinitiative.org>

ethics.harvard.edu/files/center-for-ethics/files/capturedagency_alster.pdf

<https://www.5g.org.nz/2018/10/09/5g-in-nz-the-legal-and-regulatory-situation/>

<https://www.5g.org.nz/2019/02/27/why-is-the-minister-of-health-taking-advice-about-the-health-effects-of-5g-from-a-committee-influenced-by-people-with-ties-to-the-telecommunications-industry/>

https://www.frontiersin.org/articles/10.3389/fpubh.2019.00223/full?fbclid=IwAR1a3p8ZKWvu4jdCoGexvY0E_b8lxJycGdBTHRU1wfjWT7noWjbcCchX8CA

EMF protection:

<https://www.emfanalysis.com>

Take Action:

Ray Broomhall - Australian Barrister (Has stopped 5G cell towers from being erected in Australia):
<https://youtu.be/tLsHEVkne64>

Our STOP 5G MANGAWHAI ~ NEW ZEALAND facebook group:

<https://www.facebook.com/groups/435269183952539/>

Please, consider taking measures in your home to reduce EMF exposure to you and your family, this is important to do asap. There are some very simple measures you can do immediately.

Learn more about basics here: <https://sws.co.nz/swtnz.co.nz/reducing-your-emr-exposure-what-you-can-do/>

EMF MITIGATION: This is the essential one to watch for full education on what you can do to mitigate the effects...

Recorded June 8th, 2019 this Webinar goes in depth into what EMF's are, how they affect the body, and what we can do to lessen those effects. I highly recommend watching this. Reirani is incredibly knowledgeable. She has agreed to do a recorded speech for our next meeting. This video is very educational and in-depth, it's long, but you can watch it bit by bit if you like, it's worth it:

<https://www.kahapath.com/emf-mitigation?cid=0bbcd74f-057c-4b88-97f0-2059f1f0494b>

This information is essential for us to know and share!

Best wishes,

Lis

3 **Minutes**

3.1 **Confirmation of Open Council minutes 29 August 2019**

General Manager Governance, Strategy and Democracy

1601.24

Recommended

That the unconfirmed Open minutes of the Kaipara District Council meeting held 29 August 2019 be confirmed as a true and correct record.

Meeting	Kaipara District Council
Date	Thursday 29 August 2019
Time	Meeting started at 9.32 am Meeting ended at 2.24 pm
Venue	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville
Status	Unconfirmed

Open Minutes

Membership

Chair:

Mayor Jason Smith

Members:

Deputy Mayor Peter Wethey

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

Jason Marris
General Manager Governance, Strategy and Democracy

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Ordinary meeting of Kaipara District Council
Thursday 29 August 2019 in Dargaville

1 Opening

1.1 Karakia

Councillor Joyce-Paki opened the meeting with a karakia.

1.2 Present

Mayor Jason Smith, Deputy Mayor Peter Wethey, Councillors Anna Curnow, Victoria del la Varis-Woodcock, Libby Jones, Karen Joyce-Paki and Jonathan Larsen

In Attendance

Name	Designation	Item(s)
Louise Miller	Chief Executive	1—6.3
Jim Sephton	General Manager Infrastructure	1—6.3
Darla Blake	General Manager Community Customer Services and Acting General Manger Regulatory, Planning and Policy	1—6.3
Hannah Gillespie	General Manager People and Capability	All
Jason Marris	General Manager Governance, Strategy and Democracy	All
Paul Cresswell	Financial and Corporate Planning Manager	1—6.3
Jessica Hollis	Policy and Planning Manager	1—4.1
Kim Jenyns	People and Capability Co-ordinator	1—4.1
Rachael Fox	Executive Assistant	1—4.1
Darlene Lang	Community Relationships Manager	4.3
Jenny Rooney	Funding Co-ordinator	1—4.3
Gavin Dawson	Governance Advisor	1—5.5
Lisa Hong	Governance Advisor	All (Minute-taker)

Adjournments

Reason	Start	Finish
Morning tea	10.40 am	10.51 am
Lunch	12.30 pm	1.01 pm

1.3 Apologies

Moved Curnow/Joyce-Paki

That the apology of Councillor Andrew Wade be received.

Carried

1.4 Confirmation of agenda

Moved Smith/del la Varis-Woodcock

That the agenda for the 29 August 2019 meeting be confirmed.

Carried

1.5 Conflict of interest declaration

Nil.

2 Public input

2.1 Rural Connectivity Group

Caitlin Metz and Andrew Wiseman from the Rural Connectivity Group tabled a presentation¹ and spoke in the public forum.

2.2 Dot Gorrie

Dot Gorrie spoke in the public forum.

3 Minutes

3.1 Confirmation of Open Council minutes 25 July 2019

General Manager Governance, Strategy and Democracy 1601.24

Moved Jones/Curnow

That the unconfirmed Open minutes of the Kaipara District Council meeting held 25 July 2019 be confirmed as a true and correct record.

Carried

3.2 Open Committee minutes confirmed in July 2019

General Manager Governance, Strategy and Democracy 16/Various

Moved Curnow/Wethey

That Kaipara District Council notes the confirmed Open minutes of the following committee meeting:

- *Mangawhai Community Park Governance Committee meeting held Monday 15 April 2019.*

Carried

4 Decision

4.1 Independent Planning Functions Review

Chief Executive 22/SPF/D

[Secretarial Note: Briar Belgrave (Associate, Barker & Associates) and Karl Cook (Director, Barker & Associates) tabled a presentationⁱⁱ.]

Moved Wethey/Curnow

That Kaipara District Council:

- a) *Notes the Barker & Associates' report 'Kaipara District Council – Independent Planning Functions Review July 2019' at Attachment One to this report.*
- b) *Requests the Chief Executive implement the recommendations provided by Barker & Associates and set out in Appendix 7 of the above report.*

Carried

Meeting adjourned for morning tea at 10.40 am

Meeting reconvened at 10.51 am

4.2 Budget carry-overs from 2018/2019

Financial and Corporate Planning Manager 2304

Moved Smith/Wethey

That Kaipara District Council:

- a) *Approves the carrying over of financial budgets for the unfinished projects as set out in Attachment A to the "Budget carry-overs from 2018/2019" report, totalling \$2,619,822, and for the amounts to be added to the 2019/2020 Annual Plan project budgets to enable staff to complete the identified works.*
- b) *Approves the carrying over of operational project expenditure of \$324,387 for the District Plan and for the amounts to be added to the 2019/2020 Annual Plan project budgets to enable staff to complete the identified works.*

Carried

4.3 Reserve Contributions Allocation for the Reviewed Kaiwaka Township Improvement Plan

Community Funding Co-ordinator 4705.04

Moved Larsen/Wethey

That Kaipara District Council:

- a) *Notes the reviewed Kaiwaka Township Improvement Plan available at Attachment A to the Community Funding Co-ordinator's report "Reserve Contributions Allocation for the Reviewed Kaiwaka Township Improvement Plan".*
- b) *Requests the Chief Executive investigate and deliver the identified projects below, using the \$150,000 funding allocation from the Kaiwaka and Surrounds catchment included in the 2019/2020 Annual Plan:*
 - *Installation of the Kaiwaka Sports Fitness Trail*
 - *Development of the Rangiora Road Reserve and Boat Ramp.*

- c) *Notes that remaining projects from the Kaiwaka Township Improvement Plan will be incorporated for decision-making into future Annual Plan and Long Term Plan processes.*

Carried

4.4 Elected Member Allowances and Recovery of Expenses Policy Update

General Manager Governance, Strategy and Democracy 1801.0

Moved Smith/Jones

That Kaipara District Council:

- a) *Includes the childcare allowance in the Kaipara District Council's Elected Members Allowances and Recovery of Expenses Policy in accordance with the Local Government Members (2019/20) Determination 2019.*
- b) *Delegates the Mayor and Chief Executive the authority to approve final wording in the Kaipara District Council's Elected Members Allowances and Recovery of Expenses Policy.*

Carried

4.5 Raupo Drainage Committee election 2019

Governance Advisor 4303.24/Governance

Moved del la Varis-Woodcock/Smith

That Kaipara District Council:

- a) *Appoints Ian Beattie, Greg Gent, David Hart, Grace Le Gros, Brian Madsen and Ross McKinley as the ratepayer representatives on the Raupo Drainage Committee for the 2019/2021 triennium.*

Carried

5 Information

5.1 Growth considerations and financial implications

**General Manager People and Capability
General Manager Risk, IT and Finance 22SP**

Moved Smith/Joyce-Paki

That Kaipara District Council:

- a) *Notes that the Chief Executive will recruit additional 7.5 Full Time Equivalent roles to address immediate need.*
- b) *Notes that there will be no additional financial implications, and that these roles will be self-funded or funded by additional income.*

Carried

5.2 Honorary Citizens Award 2019

Governance Advisor 2120.01.03

Moved Smith/Wethey

That Kaipara District Council:

- a) *Notes that Mayor Jason Smith has awarded an Honorary Citizens Award to Richard Drake in August 2019.*

Carried

5.3 Strategic Plan Quarterly Report April—June 2019

Administration Manager 2002.02.18/August

Moved Larsen/Curnow

That Kaipara District Council notes Strategic Plan Quarterly Report April—June 2019.

Carried

5.4 Chief Executive's report for July 2019

Chief Executive 2002.02.18/August

Moved Smith/Curnow

That Kaipara District Council notes the Chief Executive's Report for July 2019.

Carried

5.5 Resolutions Register update

Governance Advisor 1202.05

Moved Jones/Curnow

That Kaipara District Council notes the Resolutions Register dated 16 August 2019.

Carried

Meeting adjourned for lunch at 12.30 pm

Meeting reconvened at 1.01 pm

6 Public Excluded Council minute items 29 August 2019

The meeting went into public excluded session at 1.01 pm.

Moved Curnow/del la Varis-Woodcock

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

- *Confirmation of Public Excluded Council minutes 25 July 2019;*
- *Public Excluded Committee minutes confirmed in July 2019;*
- *Provincial Growth Fund – Kaipara KickStart Rooding Package Funding Agreement 1; and*
- *Chief Executive’s Performance Review (January to June 2019).*

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>Confirmation of Public Excluded Council minutes 25 July 2019</i>	<i>S7(2)(g) to maintain legal professional privilege S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	<i>S48(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>Public Excluded Committee minutes confirmed in July 2019</i>	<i>S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	<i>S48(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>Provincial Growth Fund – Kaipara KickStart Rooding Package Funding Agreement 1</i>	<i>S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	<i>S48(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>Chief Executive’s Performance Review (January to June 2019)</i>	<i>S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons</i>	<i>S48(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

7 **Open Council minutes 29 August 2019**

The meeting returned to Open session at 2.23 pm.

Closure

Councillor Joyce-Paki closed the meeting with a karakia.

The meeting closed at 2.24 pm.

Confirmed

Chair

Kaipara District Council
Dargaville

ⁱ Rural Connectivity Group's presentation to Kaipara District Council (Rural Connectivity Group, 29 August 2019)

ⁱⁱ Independent Planning Functions Review presentation (Barker and Associates, August 2019)

3.2 Open Committee minutes confirmed in August 2019

General Manager Governance, Strategy and Democracy

16/Various

Recommended

That Kaipara District Council:

- a) *Notes the confirmed Open minutes of the following committee meetings:*
- *Extraordinary meeting of the Mangawhai Endowment Lands Account Committee held 18 August 2018*
 - *Remuneration and Development Committee meeting held 08 May 2019*
 - *Taharoa Domain Governance Committee meeting held 14 May 2019*
 - *Raupo Drainage Committee meeting held 16 May 2019.*
- b) *Notes and confirms as a true and accurate record the unconfirmed minutes of the following committee meetings:*
- *Community Grants Committee meeting held 23 August 2018*
 - *Extraordinary meeting of the Citizens Awards Committee held 02 October 2018.*

Meeting	Mangawhai Endowment Lands Account Committee
Date	Wednesday 18 April 2018
Time	Meeting commenced at 6.02pm Meeting concluded at 6.15pm
Venue	Kaipara District Council Offices, Mangawhai
Status	Confirmed

Minutes

Membership

Chair: Deputy Mayor Peter Wethey

Members: Councillor Libby Jones, Councillor Jonathan Larsen

Staff and Associates:

Community Relationships Manager, Funding Co-ordinator, Committee Secretary (Minute-taker)

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4.1	2017/2018 MELA fund: Re-allocation of conditional grants.....	4
Closure	5

Confirmed

Minutes of the Mangawhai Endowment Lands Account Committee meeting
 Wednesday 18 April 2018 in Mangawhai

1 Opening

Pursuant to Clause 22(1), Schedule 7 of the Local Government Act 2002, the Mayor called an Extraordinary meeting of the Mangawhai Endowment Lands Account Committee.

1.1 Present

Deputy Mayor Peter Wethey (Chair), Councillors Libby Jones and Jonathan Larsen

In Attendance

Name	Designation	Item(s)
Peter Tynan	Acting Chief Executive	All
Jenny Rooney	Funding Co-ordinator	All
Lisa Hong	Administration Assistant	All (Minute-taker)

1.2 Apologies

Nil.

1.3 Confirmation of Agenda

The Committee confirmed the agenda.

1.4 Conflict of Interest Declaration

Nil.

2 Deputations and Presentations

Nil.

3 Confirmation of Minutes

3.1 Mangawhai Endowment Lands Account Committee Minutes 28 March 2018

Moved Jones/Larsen

That the unconfirmed minutes of the Mangawhai Endowment Lands Account Committee meeting held on 28 March 2018 be confirmed as true and correct record.

Carried

4 Applications

4.1 2017/2018 MELA fund: Re-allocation of conditional grants

Committee Secretary 2308.05/2018

[Secretarial Note: The report to this item stated that the recommendation ‘was made to comply with the remaining amount left for conditional grants, by removing the lowest cost item from each application’. The Committee noted that this was a factual error. The line items that were removed were done so in consideration of factors such as possible volunteer labour.]

Moved Jones/Larsen

That the Mangawhai Endowment Lands Account Committee:

- 1 *Receives the Committee Secretary’s report ‘2017/2018 MELA fund: Re-allocation of conditional grants’ dated 17 April 2018 and the associated attachments circulated with the report; 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 resolution 4 of item 4.1 ‘MELA Grant Applications for 2017/2018’ as carried at the Mangawhai Endowment Lands Account Committee meeting held 28 March 2018:*

“That the Mangawhai Endowment Lands Account Committee... approves the following conditional grants for the 2017/2018 funds weighing community benefits to available funds:

<i>Group</i>	<i>*\$</i>
<i>Mangawhai Activity Zone for shade sail, log wall and quad bike and trailer, conditional on the quad bike and trailer being made available for use by the Mangawhai Tracks Trust, the Pioneer Village and St John.</i>	<i>\$21,478.00</i>
<i>Mangawhai Recreational Charitable Trust for completing loop track including drainage and vegetation clearance and installing a jetty, conditional on proof that the Trust has the right to use the land.</i>	<i>**\$22,885.00</i>
Total Conditional Grants	\$44,363.00

** Note: The amounts in the tables are excluding GST** for the organisations that are GST registered and including GST (no asterisk) for those that are not.”*

and approves the following conditional grants for the 2017/2018 funds weighing community benefits to available funds:

<i>Group</i>	<i>*\$</i>
<i>Mangawhai Activity Zone for shade sail and quad bike and trailer, conditional on the quad bike and trailer being made available for use by the Mangawhai Tracks Trust, the Pioneer Village and St John.</i>	<i>\$23,336.00</i>

<i>Mangawhai Recreational Charitable Trust for completing loop track including drainage and installing a jetty, conditional on proof that the Trust has the right to use the land.</i>	**\$20,010.00
Total Conditional Grants	\$ 43,346.00

* Note: The amounts in the tables are excluding GST** for the organisations that are GST registered and including GST (no asterisk) for those that are not.

Carried

Closure

The meeting closed at 6.15pm.

Confirmed 05 August 2019

Chair Deputy Mayor Wethey

Kaipara District Council

Mangawhai

Confirmed

Meeting	Remuneration and Development Committee
Date	Wednesday 08 May 2019
Time	Meeting commenced at 2.10 pm Meeting concluded at 3.30 pm
Venue	Mangawhai Heads Surf Lifesaving Club – Wintle Street, Mangawhai Heads
Status	Confirmed

Open Minutes

Membership

Chair: Mayor Jason Smith
 Members: Deputy Mayor Peter Wethey
 Councillor Anna Curnow
 Councillor Libby Jones
 Councillor Andrew Wade

Jason Marris
General Manager Governance, Strategy and Democracy

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	Closure	6

Confirmed

Minutes of the Ordinary meeting of the
Remuneration and Development Committee
Wednesday 08 May 2019 in Mangawhai

1 Opening

1.1 Karakia

Councillor Curnow opened the meeting with a karakia.

1.2 Present

Mayor Jason Smith (Chair), Deputy Mayor Peter Wethey, Councillor Anna Curnow, and Councillor Libby Jones.

In attendance

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Hannah Gillespie	General Manager People and Capability	Via phone for item 4.1
Jason Marris	General Manager Governance, Strategy and Democracy	All (Minute-taker)

1.3 Apologies

Moved Curnow/Jones

That the apology of Councillor Wade be received.

Carried

1.4 Confirmation of agenda

Moved Smith/Curnow

That the Remuneration and Development Committee confirms the agenda for the meeting held 08 May 2019.

Carried

1.5 Conflict of interest declaration

Nil.

2 Minutes

2.1 Confirmation of Remuneration and Development Committee minutes 13 February 2019

General Manager Governance, Strategy and Democracy 1613.03

Moved Smith/Curnow

That the unconfirmed minutes of the Remuneration and Development Committee meeting held 13 February 2019 be confirmed as a true and correct record.

Carried

3 Information

3.1 2019 Election: Elected Member Induction

General Manager Governance, Strategy and Democracy 1301.01

Moved Smith/Jones

That the Remuneration and Development Committee:

- a) *Notes the draft high level induction programme for elected members post the 2019 election.*
- b) *Requests the Chief Executive note the feedback from the committee to build an elected member induction programme for the 2019 election.*

Carried

Confirmed

4 Public Excluded Remuneration and Development Committee minute items 08 May 2019

The meeting went into Public Excluded session at 3.05 pm.

Moved Curnow/Wethey

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

- Chief Executive's Performance Agreement January 2019 – July 2019

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:
Chief Executive's Performance Agreement January 2019 – July 2019	Part 1, Section 7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons	S48(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.

Carried

5 **Open Remuneration and Development Committee minutes 08 May 2019**

The meeting returned to Open session at 3.30 pm.

Closure

The meeting closed at 3.30 pm.

Confirmed 14 August 2019
Chair Mayor Jason Smith

Kaipara District Council
Dargaville

Confirmed

Meeting	Taharoa Domain Governance Committee
Date	Tuesday 14 May 2019
Time	Meeting started at 2.04pm Meeting concluded at 3.48pm
Venue	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville
Status	Confirmed

Open Minutes

Membership

Chair: Ric Parore
Members: Alan Nesbit
Councillor Karen Joyce-Paki
Councillor Andrew Wade

Jason Marris
General Manager Governance, Strategy and Democracy

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	Closure	6

Minutes of the Ordinary meeting of
Taharoa Domain Governance Committee
Tuesday 14 May 2019

1 Opening

1.1 Karakia

Iwi Relations Manager opened the meeting with a karakia.

1.2 Present

Ric Parore (Chair) and Sonny Nesbit, Councillors Karen Joyce-Paki and Andrew Wade

In attendance	Designation	Item(s)
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Sue Davidson	General Manager Risk, IT and Finance	All
Hamish Watson	Parks and Recreation Manager	All
Shelley Paniora	Infrastructure Officer	All
Kathie Fletcher	Policy Manager	1—4.2
Mark Schreurs	Policy Analyst	1—4.2
Virginia Smith	Policy Analyst	1—4.2
Francis Toko	Iwi Relations Manager	1—4.2
Tanya Wilson	Governance Advisor	All
Lisa Hong	Governance Advisor	All (minute-taker)

1.3 Apologies

Nil.

1.4 Confirmation of agenda

Moved Wade/Joyce-Paki

That the Taharoa Domain Governance Committee confirms the agenda for 14 May 2019.

Carried

1.5 Conflict of interest declaration

Nil.

2 Presentation

2.1 Deputy Harbourmaster, Northland Regional Council

Laurence Walkinshaw spoke in the public forum.

3 Minutes

3.1 Confirmation of Taharoa Domain Governance Committee minutes 12 February 2019

General Manager Governance, Strategy and Democracy 1606.18

Moved Joyce-Paki/Parore

That the unconfirmed minutes of the Taharoa Domain Governance Committee meeting held 12 February 2019 be confirmed as a true and correct record.

Carried

4 Information

4.1 Taharoa Domain Operations Update February 2019 to April 2019

Parks and Recreation Manager 4702.13.06

Moved Joyce-Paki/Wade

That the Taharoa Domain Governance Committee:

- a) *Notes the 'Taharoa Domain Operations Update February 2019 to April 2019'.*
- b) *Agrees to hold a workshop on the future management of the Taharoa Domain at a date to be agreed by the Committee.*

Carried

4.2 Financial report for the period ended 31 March 2019

Financial Services Manager 4702.24.02.01

Moved Joyce-Paki/Parore

That the Taharoa Domain Governance Committee receives the Financial Services Manager's report 'Financial report for the period ended 31 March 2019'.

Carried

4.3 Kai Iwi Lakes Dune Lakes Galaxias Working Group update

Policy Analyst 4702.24.05

Moved Parore/Nesbit

That the Taharoa Domain Governance Committee notes the 'Kai Iwi Lakes Dune Lakes Galaxias Working Group update' report giving an update on the work of the Kai Iwi Lakes Dune Lakes Galaxias Working Group and its members.

Carried

5 Public Excluded Taharoa Domain Governance Committee minute items 14 May 2019

The meeting went into Public Excluded session at 3.35pm

Moved Joyce-Paki/Parore

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

- *Kai Iwi Lakes Camp Ground – Options Report*

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>Kai Iwi Lakes Camp Ground – Options Report</i>	<i>Part 1, Section 7(2)(f) maintain the effective conduct of public affairs through (ii) the protection of such members, officers, employees, and person from improper pressure or harassment.</i>	<i>S48(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

6 **Open agenda Taharoa Domain Governance Committee 14 May 2019**

The meeting returned to open session at 3.47pm.

Closure

The meeting closed at 3.48pm.

Confirmed **19 August 2019**

Chair **Ric Parore**

Kaipara District Council
Dargaville

Confirmed

Meeting	Raupo Drainage Committee
Date	Thursday 16 May 2019
Time	Meeting started at 10.00am Meeting concluded at 12.40pm
Venue	Ruawai Tokatoka War Memorial Hall, Ruawai
Status	Confirmed

Open Minutes

Membership

Chair: Ian Beattie
Members: Councillor Anna Curnow
David Hart
Greg Gent
Brian Madsen
Ross McKinley
Mayor Jason Smith
Ken Whitehead

Jason Marris
General Manager Governance, Strategy and Democracy

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Minutes of the Raupo Drainage Committee meeting
 Thursday 16 May 2019 in Ruawai

1 Opening

1.1 Karakia

The Governance Advisor opened the meeting with a karakia.

1.2 Present

Ian Beattie (Chair), Councillors Anna Curnow, David Hart, Brian Madsen, Mayor Jason Smith and Ken Whitehead

In Attendance

Name	Designation	Item(s)
Wayne Crump	Drainage Co-ordinator	All
Donnick Mugutso	Waters and Waste Manager	All
Matthew Smith	4 Waters Planning and Design Engineer	All
John Burt	Property and Commercial Advisor	3—Close
Lisa Hong	Governance Advisor	All (Minute-taker)

1.3 Apologies

Moved **Smith/Curnow**

That the apologies of Ross McKinley and Greg Gent be received.

Carried

1.4 Confirmation of agenda

Moved **Smith/Curnow**

That the Committee confirm the agenda for 16 May 2019.

Carried

1.5 Conflict of interest declaration

Nil.

2 Presentations and Petitions

Nil.

3 Minutes

3.1 Confirmation of Raupo Drainage Committee minutes 21 February 2019

General Manager Governance, Strategy and Democracy 1603.23

Moved Beattie/Curnow

That the unconfirmed minutes of the Raupo Drainage Committee meeting held 21 February 2019 be confirmed as a true and correct record, with the following amendment:

- *Item 1.5 – ‘Clive Smith spoke in the public forum regarding G Canal and Smiths Canal’ to ‘Clive Smith spoke in the public forum regarding machine cleaning of G Canal and lack of alligator weed in Smiths Canal’.*

Carried

5 Information

5.1 Raupo Drainage Committee Operations Update – February 2019 to April 2019

Land Drainage Co-ordinator 4303.24/AM

Moved McKinley/Madsen

That the Raupo Drainage Committee notes the ‘Raupo Drainage Committee Operations Update – February 2019 to April 2019’ report.

Carried

5.2 Raupo Drainage District financial report for the period ended 31 March 2019

Financial Services Manager 4303.24

Moved Beattie/Madsen

That the Raupo Drainage Committee:

- Notes the Raupo Drainage District financial report for the period ended 31 March 2019.*

Carried

4 Decision

4.1 Raupo Drainage Board Election 2019

Governance Advisor 4303.24/Governance/2019 elections

[Secretarial Note: This item was taken out of order, between items 5.2 and 5.3.]

Moved Beattie/Curnow

That the Raupo Drainage Committee:

a) Notes the draft timeline for the 2019 Raupo Drainage Board election as below:

Early July	Media campaign starts (council website, local newspaper)
Friday 05 July	Mail-out to all Raupo Drainage Targeted Rate ratepayers
Friday 12 July	Nominations open
Friday 09 August	Nominations close
Wednesday 14 August	Ballot papers mailed out
Saturday 07 September	Election day, voting to close at noon
Monday 09 September	Provisional result
Monday 16 September	Final results

Carried

5 Information

5.3 Murphy Bower stopbank update

Planning Engineer 4303.24

Moved Smith/Beattie

That the Raupo Drainage Committee:

- b) Recommends to the Chief Executive to engage full legal representation to confirm the appropriate statutory process in the event an amicable agreement cannot be reached with the landowner regarding the Murphy Bower Stopbank issue.
- c) Notes that the Raupo Drainage Committee does not have a budget for these legal costs.

Carried

6 Public Excluded Raupo Drainage Committee agenda items 16 May 2019

The meeting went into Public Excluded session at 12.11pm.

Moved Beattie/Curnow

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

- Confirmation of Public Excluded Raupo Drainage Committee minutes 21 February 2019

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:
Confirmation of Public Excluded Raupo Drainage Committee minutes 21 February 2019	Section 7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	S48(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.

Carried

CONFIRMED

7 **Open minutes Raupo Drainage Committee 16 May 2019**

The meeting returned to Open session at 12.12pm.

7.1 **General Business**

The Committee discussed:

- The rental property behind Raupo Drainage Board office
- Floodgates – 2 complaints received
- Preston Farms culvert block – depth of culvert
- Council infrastructure projects in the Ruawai area
- Drain 11 – cleaning required due to landslip.

Closure

The meeting closed at 12.40pm.

Confirmed **15 August 2019**

Chair **Ian Beattie**

Kaipara District Council
Dargaville

Confirmed

Community Grants Committee

Meeting	Community Grants Committee
Date	Thursday 23 August 2018
Time	Meeting commenced at 3.00pm Meeting concluded at 5.30pm
Venue	Gateway North Conference Room – 1999 State Highway 1, Kaiwaka
Status	Unconfirmed

Minutes

Membership**Chair:** Councillor Anna Curnow**Members:** Councillors Jonathan Larsen and Andrew Wade**Staff and Associates:**

Funding Co-ordinator, Community Relationships Manager, Governance Advisor (Minute-taker)

Jason Marris
General Manager Governance, Strategy and Democracy

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5	Closure.....	6

Unconfirmed

**Minutes of the Community Grants Committee meeting
Thursday 23 August 2018 in Kaiwaka**

1 Opening

The meeting opened at 3.00pm.

The meeting adjourned at 3.00pm.

The meeting recommenced at 4.12pm.

1.1 Present

Councillors Anna Curnow (Chair), Jonathan Larsen and Andrew Wade.

In Attendance

Name	Designation	Item(s)
Darlene Lang	Community Relationships Manager	All
Jenny Rooney	Funding Co-ordinator	All
Lisa Hong	Governance Advisor	All (minute-taker)

1.2 Apologies

Nil.

1.3 Confirmation of Agenda

Moved Curnow/Wade

The Committee confirmed the agenda, with the addition of a criteria prioritisation exercise.

Carried

1.4 Conflict of Interest Declaration

Name	Item
Councillor Jonathan Larsen	Item 4.2 'Community Grants 2018 Applications' – Kaiwaka Fitness Centre is an associated organisation with the applicant Kaiwaka Sports Association
Councillor Anna Curnow	Item 4.2 'Community Grants 2018 Applications' – Dargaville Community Development Board is the umbrella organisation for the applicant Kaipara Arts Award

2 Deputations and Presentations

Nil.

3 Confirmation of Minutes

3.1 Community Grants Committee Minutes 09 February 2018

[Secretarial Note: Councillor Julie Geange, who served as Chair of the Community Grants Committee until April 2018, has confirmed these minutes as a true and accurate record.]

Administration Manager 1615.02

Moved Curnow/Larsen

That the unconfirmed minutes of the Community Grants Committee meeting held on 09 February 2018 be received.

Carried

4 Decision

4.1 Extension of expenditure period for Marohemo Hall Society Incorporated

Governance Advisor 2109.01.05

Moved Curnow/Larsen

That the Community Grants Committee:

- 1 *Receives the Governance Advisor's report 'Extension of expenditure period for Marohemo Hall Society Incorporated' dated 16 August 2018 and Attachments 1–2; 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 nine-month extension (to 31 March 2019) of expenditure period for the \$10,598.00 granted to Marohemo Hall Society Incorporated in the 2016/2017 round of Community Assistance Grant.*

Carried

4.2 Community Grants 2018 Applications

Community Funding Co-ordinator 2109.01.02.04

[Secretarial Note: The Committee noted that Attachment 1 'Community Assistance Policy' states that 'Decision on Community Grant applications will be made by the Community Assistance Committee'. Staff clarified that this was a clerical error and the Policy should instead read 'Decision on Community Grant applications will be made by the Community Grants Committee'.]

Moved Larsen/Wade

That the Community Grants Committee:

- 1 Receives the Community Funding Co-ordinator's report 'Community Grants 2018 Applications' dated 10 August 2018 and Attachments 1—39; 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 Awards the following unconditional grants for the 2018/2019 round of the Community Assistance Grant:

Organisation	Amount Approved
Ararua Hall Committee	\$ 1,300.00
Baylys Beach Society Incorporated	\$ 2,550.00
Dargaville Business Forum Inc	\$ 500.00
Dargaville Menz Shed	\$ 3,450.00
Hakaru Community Hall & Domain Society Inc	\$ 2,454.91
Kaiwaka War Memorial Hall	\$ 7,000.00
Kelly's Bay Improvement Society	\$ 6,700.00
Kumarani Productions Trust (AKA Circus Kumarani)	\$ 2,550.00
Mangawai Activity Zone Charitable Trust (MAZ)	\$ 750.00
Mangawai Museum and Historical Society Incorporated	\$ 1,649.15
Maungaturoto Library	\$ 1,646.40
Maungaturoto Residents Association	\$ 13,680.00
Mountains to Sea Conversation Trust	\$ 1,000.00
North Kaipara Agricultural Association Inc	\$ 2,867.64
Northern Wairoa Genealogy Society	\$ 438.88
Northern Wairoa A&P Association (Inc)	\$ 7,996.70
Paparoa Community Library Inc	\$ 12,216.08
Paparoa War Memorial Hall Society Inc	\$ 3,500.00
Ruawai Community Church	\$ 1,000.00
Ruawai Community Sports Club	\$ 10,000.00
Scout Association of NZ Inc - Dargaville Scout Group	\$ 1,400.00

<i>Upper Wairoa Memorial Park Assn Inc</i>	\$	10,000.00
Total	\$	94,649.76

- 3 Awards the following conditional grants for the 2018/2019 round of Community Assistance Grant, on the condition that the event proceeds:

Organisation		Amount Approved
<i>Dargaville Arts Association</i>	\$	2,000.00
<i>Dargaville Dalmatian Cultural Club Inc</i>	\$	2,425.12
<i>Kaipara Arts Awards 2018</i>	\$	925.12
Total	\$	5,350.24

Carried

4.3 Licence to Occupy Review

Community Funding Co-ordinator 5105.09.02

Moved Larsen/Wade

That the Community Grants Committee:

- 1 *Receives the Community Funding Co-ordinator's Report 'Licence to Occupy Review' dated 10 August 2018; 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 staff will amend the Licence to Occupy Template; and*
- 4 *Notes that staff will continue converting historical Leases to Licences to Occupy; and*
- 5 *Notes that staff will develop and implement a robust monitoring programme.*

Carried

- 5 Closure

The meeting closed at 5.30pm.

Confirmed

Chair

Kaipara District Council

Dargaville

Citizens Awards Committee

Meeting	Citizens Awards Committee (Extraordinary)
Date	Tuesday 02 October 2018
Time	Meeting commenced at 1.00pm Meeting concluded at 1.40pm
Venue	Wairoa Room, Kaipara District Council Offices – 42 Hokianga Road, Dargaville
Status	Unconfirmed

Minutes

Membership**Chair:** Mayor Jason Smith**Members:** Councillors Geange, Jones and Joyce-Paki

Staff and Associates:

Community Relationships Manager, Governance Advisor (Minute-taker)

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6.1	Citizens Awards Nominations 2018.....	6
Closure	7

Unconfirmed

Minutes of the Extraordinary meeting of the Citizens Awards Committee
Tuesday 02 October 2018, Dargaville

1 Present

Mayor Jason Smith (Chair), Councillors Julie Geange, Libby Jones and Karen Joyce-Paki

In Attendance

Name	Designation	Item(s)
Darlene Lang	Community Relationships Manager	All
Lisa Hong	Governance Advisor	All (Minute-taker)

2 Apologies

Nil.

3 Confirmation of Agenda

Moved Joyce-Paki/Jones

That the Committee confirm the Agenda.

Carried

4 Conflict of Interest Declaration

Name	Conflict
Councillor Karen Joyce-Paki	Item 6.1 'Citizens Awards Nominations 2018' – Councillor Joyce-Paki declared conflict of interest as one of the nominees is a close personal friend, and did not participate in the discussion for this nomination.

5 Minutes

5.1 Citizens Awards Committee minutes 18 August 2017

Democratic Services Advisor 1614.02

[Secretarial Note: The Committee noted a typographical error in the agenda: the agenda incorrectly stated that the meeting was held on '18 August 2018'. This was corrected to '18 August 2017' in these minutes. The Committee also requested that the heading of this section be changed from 'Confirmation of Minutes' to 'Minutes' to emphasise that this Committee, with an entirely different membership, is only receiving rather than confirming the 18 August 2017 minutes.]

Moved Smith/Joyce-Paki

That the unconfirmed minutes of the Citizens Awards Committee meeting held 18 August 2017 be received.

Carried

Unconfirmed

6 Public Excluded Citizens Awards Committee minute items 02 October 2018

The meeting went into Public Excluded session at 1.06pm.

Moved Jones/Joyce-Paki

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

- *Citizens Awards Nominations 2018.*

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:
Citizens Awards Nominations 2018	Section 7(2)(a) enables any local authority to protect the privacy of natural persons, including that of deceased natural persons	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.

Carried

Unconfirmed



Closure

The Citizens Awards Committee meeting returned to Open session at 1.40pm.

Meeting closed at 1.41pm.

Confirmed

Chair

**Kaipara District Council
Dargaville**

Unconfirmed

4 **Notice of Motion**

- a) That Council directs the Chief Executive to prepare a report on the planning and implementation of the Mangawhai Community Plan (MCP); and
- b) That the report include but not be limited to
 - i) Workstream and project priorities
 - ii) Budgets and funding
 - iii) Consultation plan
 - iv) Any proposed changes projects, priorities, budgets, funding sources, and associated consultation plan; and
- c) That the report be brought back to the November 2019 Council ordinary meeting.

Reasons for the notice of motion

1. The MCP is a high level document without specific detail on design or on-site location of projects.
2. The implementation of the MCP has been proceeding without the expected consultation on the detail of the implementation including at Alamar Crescent and Moir St.
3. Priorities for projects have emerged that contradict the agreed priorities in the MCP.
4. There is community concern about the cost of the projects against the proposed budgets.
5. There is a lack of understanding in the community about how the MCP is being funded.
6. It is important the incoming Council has a full understanding of the plan and associated projects.

Signed



Councillor Jonathan Larsen

18 September 2019

- a) That Council directs the Chief Executive to prepare a report on the use of the Lincoln Downs bush block; and
- b) That the report include but not be limited to the proposed use as a recreation reserve for walking and mountain biking, and access options and issues.
- c) That the report be presented to the November 2019 Council ordinary meeting.

Reasons for the notice of motion

1. There is strong community interest in the retention and use of the bush block as a recreation area.
2. The Mangawhai Tracks Charitable Trust has offered to utilise its team of volunteers to build tracks for public walking and mountain biking. The Trust has made submissions over several years on this proposal.
3. The Trust presented its revised proposal to Council two years ago in October 2017.
4. Direction to retain the block and investigate access options occurred a considerable time ago.
5. If Council does not make progress with this project the volunteer offering may not be available at a later time.

Signed



Councillor Jonathan Larsen

18 September 2019

5 **Decision**

2018/2019 Annual Report Adoption

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Sue Davidson, GM Risk, Finance & IT

Purpose/Ngā whāinga

To adopt the 2018/2019 Annual Report which reports against measures and outcomes agreed in year 1 of the 2018/2028 Long Term Plan.

Executive summary/Whakarāpopototanga

The Annual Report reflects the work completed for the year ended 30 June 2019. There is a statutory requirement for Council to adopt an Annual Report prior to 31 October 2019.

This Council will be one of the first to adopt. The results are mainly in line with information provided to Council throughout the year.

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Notes the Audit, Risk and Finance Committee has recommended adoption of the 2018/2019 Annual Report.
- b) Adopts the 2018/2019 Annual Report circulated as Attachment A.
- c) Delegates the Chief Executive and the Mayor to approve minor typographical changes that do not alter the intent of the information in the 2018/2019 Annual Report.
- d) Notes that an audit report will be provided upon adoption of the 2018/2019 Annual Report.

Context/Horopaki

The Local Government Act requires the Council to prepare and adopt an Annual Report within four months of the end of each financial year.

An Annual Report is to provide an outline of Council's performance in comparison with what was planned in its Annual Plan or the Long Term Plan. This year Council is comparing with the first year of the 2018/2028 Long Term Plan. The Annual Report details the operating activities of Council and includes the financial statements for the year.

Clause 34 of Schedule 10 requires a Statement of Compliance to be included in the Annual Report indicating whether the statutory requirements in relation to the preparation of the Annual report have been met. The statutory requirements are outlined under Part 6, Section 98 and Part 3 of Schedule 10. Staff have ensured the 2018/2019 Annual Report meets these requirements.

The summary of the Annual Report will be completed and is to be audited but it is not required to be adopted by Council.

The 2018/2019 Annual Report has been reviewed by Deloitte on behalf of the Auditor-General who is appointed as Council's auditor under the Public Audit Act 2001. The draft opinion will be included in the Annual Report to Council.

Discussion/Ngā kōrerorero

Highlights this year are:

- Council has worked progressively to reduce debt from the level of \$76 million in 2013/2014.
- This year debt was slightly down on the previous year at \$45 million compared to \$46 million.
- Finance costs are lower than planned as many of our capital projects were not in the construction phase until later in the year.
- Council has kept within the required treasury ratios.
- The largest capital project completed was the Quail Way stormwater programme which was completed within budget.

Council has consistently been told that the expected surplus for the revenues and expenses statement would be just above that budgeted. A last minute adjustment for the market valuation of the swaps we hold as at the 30 June 2019 has meant the overall surplus has reduced and is now slightly under that budgeted – \$9.3 million as opposed to \$9.9 million. Interest hedging (swaps) is utilised to reduce risks and fix interest rates which is a prudent action to take. This change is a non-cash adjustment until the swaps are realised.

Other movements are:

- Both building and resource consent activity was much higher than planned and this meant the relevant activity revenue was higher than planned. Demand was higher than the resource we were able to provide and the processing of resource consents was not within statutory timelines target of 100% however there was some improvement from 54% to 71% at year end.
- Higher growth has meant additional financial contributions will allow further improvements and additions to reserves in future. There was also a positive increase in development contributions which go towards the Mangawhai sewer.
- Additional grants – Tourism Infrastructure Fund and Provincial Growth Fund were negotiated and confirmed.
- Other Income has increased because of additional roads and reserves vested in Council.
- Additional staff and consultants were needed for the additional work relating to both building and resource consents and also for work related to the Provincial Growth Fund.
- Finance costs were lower as capital projects were not able to be completed as planned, and interest rates were also lower.

Key changes in the Statement of Financial Position (Balance Sheet) are:

- Trade and other receivables include \$1.5 million subsidy from NZTA which was unpaid at balance date.
- Employee entitlements include a full fortnight's salary in this year's figures.

Council also made provision over the next two years for grants of up to \$300,000 for reserve and open space projects from financial contributions.

Council was successful in being awarded grants for a boardwalk at Baylys Beach and toilets at Matakoho and Maungaturoto. In addition, Council put forward detailed applications for various projects in our district and was successful in gaining funding from the Provincial Growth Fund.

Roading continued to be the largest part of our capital works programme however much of this was not undertaken until later in the year which has meant that loans as planned did not need to be taken up as early as had been initially planned.

Council because of its parlous financial state in the past has not been providing for renewals to the extent required by the Local Government Act. This year rates funding of depreciation which is used for renewals was increased from 50% to 67%.

Options

- a) Adoption of the 2018/2019 Annual Report.

Adoption of the 2018/2019 Annual Report and then a final audit opinion will be provided.

- b) Ask for further adjustments

Under this option Council would not adopt the Annual Report at this time and would ask that further adjustments be made. Council would need to be clear about their concerns so that the Chief Executive can ensure that any changes proposed are adequately explained in order to be submitted for further audit clearance.

Policy and planning implications

This 2018/2019 Annual Report contains both the financial statements and also details how Council performed to what was planned in Year 1 of the Long Term Plan.

Financial implications

There are no additional financial considerations about whether to adopt the Annual Report.

At the time of preparing this report, the audit is substantially complete but is still in progress. If there are any changes required these will be noted at the meeting.

Risks and mitigations

Council must ensure it adopts the Annual Report within four months of balance date. If adopted today, then Council will have adopted within three months and will comply with the Act.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

The Annual Report and the Summary Annual Report must be available to the public one month after adoption of the Annual Report. These will be placed on Council's website and printed copies will be available at the library or on request.

The information contained within the Annual Report will be of considerable interest to the community and of some significance in that it reports on the performance of Council over the 2018/2019 financial year.

Next steps/E whaiake nei

The Mayor and Chief Executive sign the report.

Deloitte to issue an audit opinion.

The report will be released and the Annual Report Summary will be produced. This is required to be publicly available one month after adoption.

Attachments/Ngā tapiritanga

	Title
A	2018/2019 Annual Report

Sue Davidson 5 September 2019

Kaipara District Council Dog Control Annual Report 01 July 2018 to 30 June 2019

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Darla Blake, Acting General Manager Planning and Regulatory

Purpose/Ngā whāinga

The Kaipara District Council, as a territorial authority, is required to manage and enforce provisions pursuant to the Dog Control Act 1996 (the Act) and subsequent amendments in 2003, 2004, 2006 and 2010. Section 10A of the Act requires the Council to report annually to the Secretary of Local Government on its Dog Control Policy and practices.

Executive summary/Whakarāpopototanga

The Dog Control Annual report (Attachment 1) fulfils this statutory requirement for the dog registration year 01 July 2018 to 30 June 2019.

Recommendation/Ngā tūhunga

That Kaipara District Council:

- a) Adopts the 'Kaipara District Council Dog Control Annual report for the 12 months ending 30 June 2019' (circulated as Attachment A to the above mentioned report) and forwards it to the Secretary for Local Government, in terms of s10A(1) and s10A(2) of the Dog Control Act 1996.
- b) Delegates the Chief Executive and the Mayor to approve minor typographical changes that do not alter the intent of the information in the 'Kaipara District Council Dog Control Annual report for the 12 months ending 30 June 2019'.

Context/Horopaki

Council is required to report to the Secretary of Local Government annually and the report is required to cover details of Council's policy on dogs, dog control practices and a variety of dog control related statistics during the period under review. It is appropriate that Council approves the Annual Report prior to presentation to the Secretary for Local Government.

Discussion/Ngā kōrerorero

Council has two options; it may either adopt the Kaipara Territorial Authority Annual Report, covering the period from 01 July 2018 to 30 June 2019; or it may seek amendments to the Annual Report.

Options

Option A: Council may adopt the Kaipara Territorial Authority Dog Control Annual Report, covering the period 01 July 2018 to 30 June 2019.

Option B: Council may seek amendments to the Kaipara Territorial Authority Dog Control Annual Report.

Assessment of options

Option A would enable the Kaipara District Council Dog Control Annual Report to be presented to the Secretary for Local Government in fulfilment of Council's legal obligation under s10A of the Dog Control Act 1996.

Option B would require amendments to be made to the Kaipara District Council Dog Control Annual Report and a consequent delay in its presentation to the Secretary for Local Government.

Recommended option

The recommended option is Option A.

Policy and planning implications

There are no policy implications in adopting the Kaipara District Council Dog Control Annual Report for the period ending 30 June 2019.

Financial implications

There are no financial implications in adopting the Kaipara District Council Dog Control Annual Report for the period ending 30 June 2019.

Risks and mitigations

Adoption of Council's Dog Control Annual Report and its subsequent presentation to the Secretary for Local Government fulfils Council's legal obligation under s10A(1) of the Dog Control Act 1996.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Once adopted by Council, a copy of the Kaipara District Council Dog Control Annual Report for the period ending 30 June 2019 will be forwarded to the Secretary for Local Government and publicised on Council's website.

Attachments/Ngā tapiritanga

	Title
A	Kaipara Territorial Authority Dog Control Annual Report

Darla Blake, 25 July 2019

Dog Control Annual Report for the 12 months ending 30 June 2019

Introduction

In accordance with s10A of the Dog Control Act 1996, the Kaipara District Council (KDC) is required to publicly report each financial year on the administration of its Dog Control Policy and its dog control practices [s10A(1)] and on a variety of dog control related statistics [s10A(2)]. The relevant section of the Act is inserted below:

“10A Territorial authority must report on dog control policy and practices”

- 1 A territorial authority must, in respect of each financial year, report on the administration of:
 - (a) its dog control policy adopted under section 10; and
 - (b) its dog control practices.

- 2 The report must include, in respect of each financial year, information relating to:
 - (a) the number of registered dogs in the territorial authority district;
 - (b) the number of probationary owners and disqualified owners in the territorial authority district;
 - (c) the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made;
 - (d) the number of dogs in the territorial authority district classified as menacing under section 33A or section 33C and the relevant provision under which the classification is made;
 - (e) the number of infringement notices issued by the territorial authority;
 - (f) the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints; and
 - (g) the number of prosecutions taken by the territorial authority under this Act.

- 3 The territorial authority must give public notice of the report:
 - (a) by means of a notice published in:
 - (i) 1 or more daily newspapers circulating in the territorial authority district; or
 - (ii) 1 or more other newspapers that have at least an equivalent circulation in that district to the daily newspapers circulating in that district; and
 - (b) by any means that the territorial authority thinks desirable in the circumstances.

- 4 The territorial authority must also, within one month after adopting the report, send a copy of it to the Secretary for Local Government.”

The primary purpose of this report is to allow the community to see how Council is managing its dog control responsibilities. This report is for the period 01 July 2018 to 30 June 2019.

Discussion – Dog Control Policy and Practices

What we do - This activity is about providing controls for dogs to reduce any risks to public safety. The activity involves registering dogs, investigating complaints about dogs, formulating policy on issues relating to nuisance dogs and legal responsibilities, as well as promoting responsible dog ownership.

Why we do it - Dog control contributes to creating safe places (homes, public places and roads) through education, registration of dogs and Dog Control Officer/Ranger activities. The activity also contributes to a treasured environment where control activities also help to protect wildlife. In the activity, Council must comply with the legal requirements of the Dog Control Act 1996 and associated amendments, and the Impounding Act 1955.

Dog control in the Kaipara district - The Kaipara District Council covers a large geographical area, which includes both urban and rural dog owners. As at 30 June 2019, there were 5,101 registrations for dogs, of which approximately 62% were non-working dogs. In order to deliver an animal management service, Council has contracted the animal management team service to provide fully trained enforcement officers who are rostered on call as Dog Control Officers. The Dog Control Officers have received specialised training on dog attack response procedures. The animal management team has a close working relationship with key stakeholders in the community such as the Society for the Protection of Cruelty to Animals (SPCA), local veterinarians, Police, dog clubs and other local authorities, in particular, Whangarei District Council.

Dog control enforcement practices

The animal management team operates a seven day, 24-hour service. Over the last 12 months, the team responded to 1,584 complaints in 2018/2019, including responses with regard to aggressive, attacking, barking, wandering dogs, and dogs that were “contained” by members of the public.

Complaints received:

- Dog attacks 63;
- Barking dogs 298;
- Found/wandering dogs 390;
- Dog rush/threaten (nil bite) 41; and
- Other (worrying stock, fouling, conditions etcetera) 792

In addition, 99 dogs were impounded over the review period and during the course of enforcing the dog control legislation and policies, 249 infringement notices were issued to dog owners.

Upgrading and replacement signage with regard to Dogs Prohibited, Leash Only and Dog Exercise Areas is to be upgraded throughout Kaipara district to assist compliance by dog owners to Council's recently reviewed Policy on Dogs and Dog Management Bylaw adopted by Council on 27 June 2019.

Fees history:

- 2008 to 2010, \$40.00;
- 2011 to 2012, \$42.00;
- 2012 to 2013, \$45.00;
- 2013 to 2015, \$52.00;
- 2015 to 2017, \$50.00 for working dogs and \$60.00 for non-working/pet dogs.
- 2017 to 2018, \$52.00 for working dogs and \$62.00 for non-working dogs.

An adjustment in the dog registration fees adopted by Council for the 2018/2019 financial year is as follows:

- 2018 to 2019, \$44.00 for working dogs and \$66.00 for non-working/pet dogs.

Any adult unregistered working dog as at 01 September 2018 will be charged at \$66.00 per dog.

Any adult unregistered non-working/pet dog as at 01 September 2018 will be charged at \$99.00 per dog.

A further adjustment in dog registration fees adopted by Council for the 2019-2020 financial year is as follows:

- Non-working dog registration per dog – if paid by 31 August 2019, \$68.00
- Non-working dog registration per dog – if paid after 31 August 2019, \$99.00
- Working dog registration per dog – if paid by 31 August 2019, \$44.00
- Working dog registration per dog – if paid after 31 August 2019, \$66.00
- Working dog registration per dog where there are 4 or more dogs registered to the same owner:
 - - if paid by 31 August 2019, \$33.00
 - - if paid after 31 August 2019, \$44.00
- Dog registration per dog for 20 or more dogs registered to the same owner:
 - - if paid by 31 August 2019, \$44.00
 - - if paid after 31 August 2019, \$66.00
- Dangerous dogs, \$93.00

To ensure there is ongoing compliance of owners registering their dog(s), the animal management team undertakes scheduled visits to all addresses where a dog had been registered for the previous year, but is not currently registered. A reasonable number of non-registrations were identified in this exercise, resulting in more dogs being registered together with the identification and registration of dogs that were previously not known to Council and subsequently also registered. The door-to-door visits also undertake checks for compliance with microchipping requirements for non-working dogs.

Dog education

Opportunities for education include attendance to the Northland Agricultural Field Days held in Dargaville annually, attendance at the Whangarei Summer Show, website information, patrols, site visits, promotional pamphlets and similar informative material available is at front desks and via the registration process. Reminder registration forms are sent annually to all known current dog owners.

The currently contracted service to Council also provides for a competitive microchipping service for non-compliant non-working dogs. These occasions also provide an ideal forum for dog ownership education on a one-to-one basis.

Disqualified/probationary dog owners and dogs generally

Over the last 12 months, there were no dog owners disqualified from owning dogs. Dogs that attack persons or animals, or rush at vehicles may be classified as dangerous or menacing dogs. The owner of the dog may be liable for any damage caused by the attack. Between 01 July 2018 and 30 June 2019 there were five incidents which required prosecution as follow up action to dog attacks. All incidents resulted in the voluntary surrender and subsequent destruction of the offending dogs.

Barking dogs may create stress for other people. Dogs usually bark excessively because they are bored, lonely or hungry. The Dog Control Act requires dog owners to ensure that their dog is currently registered, under control at all times and that the dog receives proper care, attention and adequate exercise.

In comparison with previous years there have been a similar number of dogs impounded, released, re-homed or euthanised.

Menacing Dogs and Dangerous Dogs

There were 5 dogs during the 2018/2019 year that necessitated Council to apply a dangerous dog classification, all of these dogs were voluntarily surrendered by the dog owners and subsequently put to sleep. 20 dogs were classified as menacing by breed (as per Schedule 4 of the Dog Control Act 1996). 5 dogs were classified as menacing by behaviour.

Council's contracted service provides for professional enforcement officers to respond to complaints received about dogs across the district. A harder line is being taken with regard to an increased number of dogs reported as "wandering" within the district and also with regard to dog attacks. The stance to take firmer action with irresponsible dog owners and dog owners that fail to microchip their dogs has resulted in enforcement proceedings by way of infringement notices being issued for non-compliance.

During the 2018/2019 year no formal prosecutions were necessary to be taken with regard to dog attacks. The five incidents involving evidence based dog attacks were resolved by way of surrender of the subject dogs prior to prosecution.

Infringements issued (2018/2019):

- Obstructed a Dog Control Officer (AMO) - nil
- Fail to supply or wilfully provided false information - nil
- Failed to comply with bylaw - nil
- Fail to comply Dangerous Dog classification - nil
- Failure to comply Menacing Dog classification - nil
- Failed to implant microchip in dog - 61
- Kept an unregistered dog - 120
- Failed to keep dog controlled or confined - 67
- Failed to keep dog under control - nil
- Failure to provide proper care - nil
- Releasing a dog from custody - 1

Council is required to implement the microchip requirements for dogs when they become three months old, and also for dogs classified as dangerous and menacing either by breed or action. Working dogs as defined under the Act are not required to be microchipped.

The Department of Internal Affairs requires details of all registered dogs to be entered in a national dog database (NDDDB). The details are also to include the date of birth of the owner and colour and breed of all dogs.

Council's service provider for animal management continues to use a combined dog facility established and owned by Kaipara's adjoining Territorial Authority, Whangarei District Council. A positive working relationship for both authorities has been operating successfully for approximately nine years. The facility continues to be

successfully utilised by both councils and provides an adequate animal shelter including provisional space for veterinary purposes, together with a separate administration office area.

Kaipara District Policy on Dogs and Dog Management Bylaw 2009 was reviewed during the past year with the changes being adopted by Council on 27 June 2019.

Council continues to seek ways to encourage and promote responsible dog ownership, to reduce dog attacks, dog wandering and any anti-social behaviour that may be remedied by education rather than enforcement.

Dog control statistical information for the review period 01 July 2018 to 30 June 2019

- a) Total: Registered Dogs at 30 June 2019 – 5,127
- b) Total: Probationary Owners - (nil) and Disqualified Owners - (nil) in the district;
- c) Total: Dangerous Dogs - still active - nil
 - Dangerous by Owner Conviction under s31(1)(a) - nil
 - Dangerous by Sworn Evidence s31(1)(b) - nil
 - Dangerous by Owner Admittance in writing s31(1)(c) - nil
- (d) Total: Menacing Dogs - active - 25
 - Menacing under s33A(1)(b)(i) - i.e. by behaviour - 5
 - Menacing under s33A(1)(b)(ii) - by breed characteristics - 0
 - Menacing under s33C(1)(ii) by Schedule 4 breed - 20
- (e) Total: Infringement Notices Issued - 249
- (f) Total: Complaints received during 2018/2019 – 1,584

Conclusion

During 2018/2019, Council received approximately 300 more dog related complainants compared with the previous year. Most of these related to wandering dogs in the Dargaville area. In response to community appeals it was recognised that Council needed to address and provide a better way to provide for a more efficient dog control service to the Kaipara community. Subsequently, on 30 May 2019, a review of changes to current procedures was approved by Council which will result in dog control to be managed “in-house” rather than relying on a remotely based contracted service. It is expected that the transition will be completed no later than December 2019.

Rachel Sheppard, Team Leader Licensing

Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 – 01 July 2018 to 30 June 2019

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Darla Blake, Acting General Manager Planning and Regulatory

Purpose/Ngā whāinga

Council, as the Kaipara Territorial Authority, is required to prepare and make publicly available an Annual Report under s.19 of the Sale and Supply of Alcohol (Fees) Regulations 2013.

Executive summary/Whakarāpopototanga

The Report (**Attachment A**) outlines the Territorial Authority's proceedings and operations during the period 01 July 2018 to 30 June 2019 and gives an accounting for expenditure incurred with regard to the administration of the legislative requirements under the Sale and Supply of Alcohol Act 2012.

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Adopts the 'Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2018 to 30 June 2019', circulated as Attachment A to the afore-mentioned report, and makes it publically available to meet the requirements of s19 of the Sale and Supply of Alcohol (Fees) Regulations 2013.
- b) Delegates the Chief Executive to approve minor typographical changes that do not alter the intent of the information in the 'Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2018 to 30 June 2019'.

Context/Horopaki

The report outlines the District Licensing Committee (DLC) proceedings, operations and expenditure during the period 01 July 2018 to 30 June 2019.

Discussion/Ngā kōrerorero

Options

Council has two options; it may either adopt the Kaipara Territorial Authority Annual Report, covering the period from 01 July 2018 to 30 June 2019; or it may seek amendments to the Annual Report.

Option A: Adopt the Kaipara Territorial Authority Annual Report, covering the period from 01 July 2018 to 30 June 2019.

Option B: Seek amendments to the Kaipara Territorial Authority Annual Report.

Assessment of options

Option A would enable the Annual Report to be formally presented to the public in fulfilment of Council's legal obligation under s.19 of the Sale and Supply of Alcohol (Fees) Regulations 2013.

Option B would require amendments to be made to the Report and a consequent delay in its formal presentation to the public.

Recommended option

The recommended option is **Option A**.

Policy and planning implications

There are no policy implications in adopting the Kaipara Territorial Authority Annual Report for the period ending 30 June 2019.

Financial implications

There are no financial implications in adopting the Kaipara Territorial Authority Annual Report for the period ending 30 June 2019.

Risks and mitigations

Adoption of the Kaipara Territorial Authority Annual Report and its subsequent presentation to the public fulfils Council's legal obligation under s.19 of the Sale and Supply of Alcohol (Fees) Regulations 2013.

The decisions or matters of this report do not trigger the significance criteria outlined in council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Once adopted by Council, a copy of the Kaipara Territorial Authority Annual Report for the period ending 30 June 2019 will be forwarded to the Alcohol Regulatory and Licensing Authority and publicised on Council's website.

Attachments/Ngā tapiritanga

	Title
A	Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2018 to 30 June 2019.

Darla Blake, 19 July 2019

Kaipara Territorial Authority

Annual Report - Kaipara District Licensing Committee Proceedings for the period 01 July 2018 to 30 June 2019

Introduction

The Kaipara Territorial Authority presents the following report pursuant to s.19 of the Sale and Supply of Alcohol (Fees) Regulations 2013. It outlines the Territorial Authority's (TA) proceedings and operations during the period 01 July 2018 to 30 June 2019 and gives an accounting for expenditure incurred with regard to the administration of the legislative requirements under the Sale and Supply of Alcohol Act 2012.

1 Overview of the Territorial Authority's Workload

1.1 Changes to Territorial Authority's Structure and Personnel

- From 19 December 2013, with the full implementation of the Sale and Supply of Alcohol Act 2012, all applications received are required to be placed before and determined by the Kaipara District Licensing Committee (DLC).
- Council continues to conduct its day-to-day business with administrative staff based at Kaipara District Council's (KDC) service centre at Mangawhai. From 11 July 2016, the role of Licensing Inspector was brought back "in-house". This position was formerly satisfied on a contractual basis between Council and the Northland District Health Board (NDHB). Council's Regulatory Team Leader Licensing continues to hold the appointment of Chief Licensing Inspector pursuant to s197(5) of the Act.

1.2 Staff training undertaken relating to the Sale and Supply of Alcohol Act 2012

- The administration staff have not undertaken any formal training courses over the past year other than attendance to a District Licensing Committee Workshop. In-house training throughout the year continues to provide an upskill on a knowledge sharing basis. Staff training remains a learning curve with a "hands on" approach rather than formal training by external providers. It is critical new administration team members are provided in depth training that is essential for quality control and professional performance. Success in this aspect is reflected by the timely processing of all alcohol applications which currently averages out at 19 working days.

1.3 Noticeable increase or decrease in the TA's business

- A review of the past history for the last four years identifies the following trends:

Year ending 30 June	Applications received	New premises	District Licensing application and annual fees collected
2016	200	2	\$106,464.70
2017	216	2	\$117,962.40
2018	197	0	\$103,674.80
2019	181	1	\$87,802.50

- Compared with previous years, there is a continued slightly downward trend with regard to applications received by the Territorial Authority. During 2018/2019 this also reflects a comparative decrease in revenue received for licensing administration. There was only one change of licensee during the year compared with three premises changing hands during the 2017/2018 financial year. Two new premises have been licensed within Kaipara district during the past fiscal year.
- Revenue paid to the Territorial Authority for application fees and annual fees continues to partly finance the inspectorate, administrative and committee components with regard to the preparing of all applications which must be determined by the District Licensing Committee.
- A schedule of applications received is compiled and sent to the Alcohol Regulatory and Licensing Authority (ARLA) in Wellington on a monthly basis, together with a remittance to cover the proportion of fees due in terms of the Sale and Supply of Alcohol (Fees) Regulations 2013/452;
- Fees paid to ARLA for 2018/2019 totalled \$6,578.00;
- DLC expenditure – the Chair and members have been paid a total of \$10,741.86.
- Administration – Salaries (or parts thereof) of those administering the alcohol legislation within Council equates to \$88,032.
- Monitoring and administrative team members continue to spend considerable time on scrutinising and auditing the applications received by Council in order to ensure consistency and compliance with the Sale and Supply of Alcohol Act 2012;
- During the review period, there have been three licensed premises that have ceased trading alcohol sales, (two premises ceased trading and one premises renewal refused by the District Licensing Committee). There are 70 premises currently licensed, of these, six premises hold both on- and off-licences, this being a comparative number with previous years.

1.4 Agency meetings or hearings

- Quarterly meetings continue to be held for the Kaipara Alcohol Accord. These meetings are well supported by the licensees who have expressed their desire to continue to meet regularly with agency representation. The meetings are held and hosted at alternating venues to allow maximum licensee attendance across the district. From the agency perspective; the Licensing Inspectors, Police, Medical Officer of Health and Fire Service (Kaipara Management of Alcohol Group representation) continue to work together collaboratively in satisfaction of s.295 of the Sale and Supply of Alcohol Act 2012.
- One Controlled Purchase Operation was carried out within Kaipara district during the financial year on 13 October 2018. Fourteen premises in total were visited with no attempted sales. Compliance checks and random visits to all licensed premises within Kaipara continue to be undertaken with a joint agency initiative.

1.5 Noticeable trends or issues faced by the Territorial Authority

- Monitoring and policing the alcohol control areas in the Dargaville, Ruawai and Mangawhai areas continue as per the recently reviewed Policy adopted by Council on 18 December 2018.

2 Territorial Authority Initiatives

2.1 New initiatives adopted or tried by the Territorial Authority

- The Kaipara Alcohol Accord continues to provide a forum where positive relationships are being maintained with the Police, licensees and other agencies. During each 12-month period, an incentive of the Accord group is to deliver one key message to the community with regard to their mission statement. *“As a collective we agree to promote the safe and responsible use of alcohol in the community as outlined in the Sale and Supply of Alcohol Act 2012 and any amendments with the aim of contributing to the reduction in alcohol abuse”.*

3 Sale of Alcohol Policy

3.1 Sale of Alcohol Policy and when last reviewed

- Kaipara district does not have a Local Alcohol Policy (LAP). The Territorial Authority continues to successfully work closely with the Police, Ministry of Health, Fire Service and other agencies to provide a uniform and consistent approach when reporting on applications. In order for Council to consider the implementation of a LAP, there would need to be evidence based statistical data directly linked to alcohol related harm within Kaipara district. To date no evidence has proven conclusive to necessitate the progressing of a LAP for Kaipara district.

4 Enforcement and Inspections

4.1 Alcohol-related Bylaws

- As referred in 1.5 above, the Alcohol Control Bylaw 2018 was passed by Council resolution, and adopted on 18 December 2018. The Alcohol Control areas in Mangawhai, Dargaville, Ruawai, Kaihu, Aranga, Omamari, Baylys, Glinks Gully, Pouto and Te Kopuru continue to be monitored and policed as necessary.

4.2 Summary of inspections undertaken of licensed premises

- From 01 July 2018 all compliance checks were undertaken by warranted officers appointed by Council. Licensed premises have been subject to inspections as and when required with the aim of visiting 100% of all licensed premises annually. 95% of all premises were checked during this past year but reported at 100% as two premises did not require inspections because they are privately based and operate as remote (website based) sellers.
- The total number of inspections of Licensed Premises conducted during the year was 82.

5 Liaison with Other Agency Groups

5.1 Liaison Group Meetings

- As referred in 1.4 above, the Territorial Authority representation at inter-agency meetings namely, Kaipara Management of Alcohol Group, with Kaipara hosting regular meetings;
- As referred in 2.1 above, the Kaipara Alcohol Accord also continues to meet quarterly with enthusiasm. Attendance is strong from a cross-selection of licensees representing hotels, taverns, restaurants and clubs. The Territorial Authority continues to facilitate the meetings and to encourage the Accord Committee with their innovative and creative ideas targeting the reduction in alcohol related harm within the community.

5.2 Joint initiatives

- As referred in 1.4 above, under the supervision of the Police, one Controlled Purchase Operation was carried out within Kaipara district during the 2018/2019 financial year with no sales to minors.
- The Territorial Authority continues to work closely with the Environmental Health Officers, Licensing Inspectors, Police, Public Health and the Fire Service in relation to inspections and any complaints lodged with the Territorial Authority. General checks for compliance are undertaken during both scheduled and impromptu visits to licensed premises. Joint agency/licensee meetings are held regularly to resolve any issues of concern and any remedial actions deemed necessary.

6 Statistical Information

6.1 Annual return to the Alcohol Regulatory and Licensing Authority (ARLA)

- A quantitative return (**Attachment A**) is prepared annually and furnished as requisite to the TA.

7 Current listing of licensed premises

The list of currently licensed premises within Kaipara district is included and circulated with this report (**Attachment B**).

Conclusion

The Alcohol administration team continues to explore business improvement opportunities to ensure the continued timely processing of all applications. The formative setting of a regular weekly hearing date for unopposed applications for determination by the Committee Chair continues to provide for streamlined administrative procedures. Processing timeframes remain steady at an average 19 working days. Tangible efficiency gains and overall professional performance remain a high priority as Kaipara District Council continues to be portrayed as a high performing organisation.

Rachel Sheppard, Team Leader Licensing

Attachments:

- Annual Return
- List of licensed premises

Territorial Authority: Kaipara District

Return for year ending: 30 June 2019

On-licence, Off-licence and Club Licence applications received:

Application Type	Number in received fee category: Very Low \$368.00 @ \$17.25	Number in received fee category: Low \$609.50 @ \$34.50	Number in received fee category: Medium \$816.50 @ \$51.75	Number in received fee category: High \$1,023.50 @ \$86.25	Number in received fee category: Very High \$1,207.50 @ \$172.50
On-licence new		1	1		
On-licence variation					
On-licence renewal	1	2	4		
Off-licence new			1		
Off-licence variation					
Off-licence renewal	1	1	5		
Club licence new	1				
Club licence variation					
Club licence renewal	5	1			
Total number	8	5	11		
Total fees paid to ARLA (GST incl)	\$138.00	\$172.50	\$569.25	\$	\$

Annual fees for existing licences received:

Application Type	Number in received fee category: Very Low \$161.00 @ \$17.25	Number in received fee category: Low \$391.00 @ \$34.50	Number in received fee category: Medium \$632.50 @ \$51.75	Number in received fee category: High \$1,035.00 @ \$86.25	Number in received fee category: Very High \$1,437.50 @ \$172.50
On-licence	3	8	16		
Off-licence	3	1	21	2	
Club licence	14	4			
Total number	20	13	37	2	
Total fees paid to ARLA (GST incl)	\$345.00	\$448.50	\$1,914.75	\$172.50	\$

Manager's Certificate applications received:

	Number received
Manager's Certificate new	35
Manager's Certificate renewal	63
Total number @ \$28.75	98
Total Fee paid to ARLA (GST incl)	\$2,817.50

Special Licences applications received:

Number of special licences received in:	Class 1 \$575.00	Class 2 \$207.00	Class 3 \$63.25
	2	23	34

Temporary Authority applications received: 0

Permanent club charter payments received: 0

Total fees payable to ARLA 01 July 2016 to 30 June 2017: \$6,578.00

2018-2019 Currently Licensed Premises - Kaipara District Council

Month Due	Customers Name	Premises	File No	Licence No			
January	Mark Alan Willy and Kay Frances Smith Millars Vineyard Limited	Blah Blah Blah Blah Bush Bridge Estate	ON0027	003/ON/13/2008			
			OF0044	003/OFF/1/2012			
February	NM Deveraux Wendy Elizabeth Klink B. F. Jaques & Sons Limited Hakaru and District Memorial RSA Incorporated UpperWairoa Memorial Park Assn Maungaturoto Memorial RSA Goblin Trading Limited	Te Whai Bay Wines The Cowshed Restaurant & Farmshop Jaques Superstore Hakaru and District Memorial RSA Incorporated Upper Wairoa Memorial Park Association Maungaturoto Memorial RSA Paparoa Store	OF0053	03/OFF/001/2014			
			ON0068	003/ON-E/1/2013			
			OF0028	003/OFF/2/2003			
			CL0018	003/CL/1/2005			
			CL0024	003/CL/1/2008			
			CL0026	003/CL/1/2012			
			OF0012	03/OFF/002/2015			
March	Northern Wairoa RSA Inc The Ruawai Bowling Club Incorporated The Southern (Te Kopuru) Rugby Football Club Paula Linnea van den Berg	Northern Wairoa RSA Inc Ruawai Bowling Club Inc Southern (Te Kopuru) Rugby Football Club Ruawai Steak/Pizza Bar	CL0014	003/CL/2/2007			
			CL0020	003/CL/3/2007			
			CL0022	003/CL/1/2007			
			ON0092	03/ON/001/2019			
April	D and J Limited Lal's Enterprises Limited Gibson Holdings (2009) Limited Bennetts Of Mangawhai Limited Independent Brands Limited WKR & M Draper Ltd Tara-iti Golf Club Hogs and Clasisics 2018	Spice Lounge Dargaville Four Square Empire Liquor Centre Wines and Spirits Bennetts of Mangawhai Independent Brands Kaiwaka Cheese Shop Members Only Cottages Highway Café	ON0059	003/ON/2/2013			
			OF0002	003/OFF/3/2009			
			OF0032	003/OFF/2/2010			
			OF0046	003/OFF/2/2009			
			OF0051	003/OFF/2/2011			
			OF0013	003/OFF/2/2005			
			ON0073	03/ON/003/2016			
			ON0090	03/ON/002/2019			
May	R and D Ventures Limited Bennetts of Mangawhai Nolas Wines and Spirits Limited Maungaturoto Off Licence Limited GJ and EJ Cameron Family Trust Paparoa Golf Club Incorporated	Aratapu Tavern Café Cadenet Nolas Wines and Spirits Limited Thirsty Liquor Lochiel Estate - Vineyard - Winery and B & Paparoa Golf Club	ON0039	003/ON/1/2010			
			ON0061	03/ON/004/2016			
			OF0010	003/OFF/4/2012			
			OF0042	003/OFF/4/2011			
			OF0041	003/OFF/3/2010			
			CL0029	03/CL004/2019			
June	RP Dickens Amiri Limited	Maungaturoto Historic Hotel Ruawai Four Square	ON0089	003/ON/004/2018			
			OF0070	03/OFF/007/2019			
July	KD Mander Holdings Limited Somal and Sons Limited Wikaira Tui Limited Wikaira Tui Limited The Arapohue Bowling Club Inc Dargaville Bowling Club Inc Dargaville Rugby and Sports Club Inc Kaiwaka Sports Association Inc Maungaturoto Recreational Society Incorporated Northern Wairoa Boating Club Incorporated Northern Wairoa Golf Club Inc	Molesworth Four Square Kaiwaka Liquor Centre Kaihu Tavern Kaihu Tavern Arapohue Bowling Club Dargaville Bowling Club Inc Dargaville Rugby and Sports Club incBowling Club Inc Kaiwaka Sports Association Incorporated Maungaturoto Country Club Northern Wairoa Boating Club Incorporated Northern Wairoa Golf Club Incorporated	OF0030A	03/OFF/005/2016			
			OF0047A	03/OFF/008/2016			
			ON0024	003/ON/7/2007			
			OF0005	003/OFF/8/2007			
			CL0001	003/CL/2/2006			
			CL0002	003/CL/3/2009			
			CL0004	blue e not updated			
			CL0007	003/CL/5/2009			
			CL0011	003/CL/7/2009			
			CL0012	003/CL/2/2013			
			CL0013	003/CL/2/2012			
			August	Tracy Marie Hill General Distributors Limited Kaihu Valley Rugby Football Club Incorporated The Ruawai Community Sports Club Incorporated Mangawhai Club Incorporated Frog and Kiwi Limited	Sharkys Bites and Bits Countdown Dargaville Kaihu Valley Rugby Football Club Ruawai Community Sports Club Mangawhai Club Frog and Kiwi Restaurbt	ON0009	003/ON/10/2009
						OF0054	03/OFF/002/2014
CL0006	003/CL/3/2013						
CL0021	003/CL/4/2009						
CL0027	003/CL/006/2016						
ON0054	003/ON/3/2013						
September	Adams Family Enterprises Limited Mangawhai Golf Club Incorporated Mangawhai Tavern Trading Ltd Mangawhai Tavern Trading Ltd 198 Molesworth Limited Krishna Sai Limited	Village Liquor Mangawhai Golf Club Inc. Mangawhai Tavern Mangawhai Tavern Oasis Bar and Eatery Bottle-O Dargaville	OF0059	03/OFF/009/2016			
			CL0009	003/CL/6/2009			
			ON0022	03/ON/010/2015			
			OF0024	03/OFF/011/2015			
			ON0087	003/ON/013/2017			
			OF0065	03/OFF/009/2018			
October	Absolutely Fab Toka Toka Limited Absolutely Fab Toka Toka Limited Snowmass (NZ) Limited Mamaranui Bowling Club Incorporated B and PT Jackson N Deveraux	Absolutely Fab Tokatoka Bar/Cafe Absolutely Fab Tokatoka Bar/Cafe Mangawhai Four Square Mamaranui Bowling Club Central Hotel Te Whai Bay Wines	ON0020	003/ON/4/2010			
			OF0018	003/OFF/6/2010			
			OF0021	003/OFF/7/2008			
			CL0008	003/CL/4/2006			
			ON0001	03/ON/005/2014			
			ON0072	03/ON/014/2015			

2018-2019 Currently Licensed Premises - Kaipara District Council

	Adams Family Enterprises Limited	Super Liquor Mangawhai	OF0060	03/OFF/10/2016
	K L Douglas	Giftbox Boutique	OF0057	03/OFF/011/2016
November	Karen Joann Steiner	Jo` s Home Cookery	ON0010	003/ON/13/2009
	Garry He and Lisa He	New Asian Restaurant	ON0043	003/ON/16/2009
	Rennico Limited	Sand Bar and Grill	ON0045	003/ON/6/2010
	JD Boys Venture Limited	The Dune	ON0077	03/ON/11/2016
	Go Fish Limited	The Village Fine Wines and Spirits	OF0068	03/OFF/011/2018
December	Wood Street Limited	Wood Street Free House	ON0025	03/ON/017/2015
	Raan Ahan Thai Aroi Dee Limited	Raan Ahaan Thai Aroi Dee Thai Restaurant	ON0070	003/ON-E/6/2013
	Radha Kripa Limited	Maungaturoto Four Square	OF0009	003/OFF/1/2013
	Daman Enterprises (2007) Limited	Shiraz Resturant	ON0026	003/ON/13/2007
	The Dargaville Club Incorporated	Dargaville Club	CL0003	03/CL/011/2016
	Three Furlongs Bar and Grill Ltd	Three Furlongs Bar and Grill	ON0019	03/ON/021/2016
	Three Furlongs Bar and Grill Ltd	Three Furlongs Bar and Grill	OF0017	03/OFF/021/2016
	DWD Investments Limited	Northern Wairoa Hotel	ON0021	03/ON/022/2016
	J Busca	Matakohe House	ON0079	03/ON/013/2016
	Paparoa Hotel Ltd (Pam Goode)	Paparoa Hotel	ON0078	03/ON/12/2016
	Paparoa Hotel Ltd (Pam Goode)	Paparoa Hotel	OF0062	03/OFF/013/2016

Mana Enhancing Agreement with Te Roroa

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Kathie Fletcher, Policy Manager

Purpose/Ngā whāinga

To adopt the final Mana Enhancing Agreement (MEA) with Te Roroa.

Executive summary/Whakarāpopototanga

To finalise the MEA (Attachment A).

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Approves the final Mana Enhancing Agreement between Te Roroa and Kaipara District Council.

Context/Horopaki

This MEA has taken a number of years to reach this point and is drafted in goodwill with the intention of supporting an authentic partnership with Te Roroa aided by some fiscal support from Council. Amendments to earlier draft versions have been regularly canvassed with Te Roroa, elected members and the Executive Team.

The MEA is about a true partnership which supports mutual benefits, rights and responsibilities under Te Tiriti O Waitangi, the Resource Management and Local Government Acts. Enhancing mana is reciprocated in many ways by both parties. This is clearly explained in the MEA, illustrating what the exchange of mana looks like.

Supporting Te Roroa kaitiakitanga and project priorities will require forward planning and budgetary considerations. Any commitments will be by way of mutual agreement with Council so there are no surprises. Indeed the aim for both parties is that outcomes from the MEA's work programme priorities will benefit the wellbeing of Te Roroa members as well as Kaipara's communities.

Discussion/Ngā kōrerorero

The purpose of the MEA is to:

- Outline how the mana of each partner is enhanced by a governance relationship based on tikanga and core values.
- Identify an annual work programme that supports the enhancement of mana through capacity building for kaitiakitanga and improved local government core operations.
- Provide clarity by setting parameters on those services included as part of annual MEA fee (\$40,000 per annum).
- Provide certainty on what the MEA pays for by including a schedule of fees and charges for those services and cultural expertise not included in annual MEA fee.

The platform from which the MEA has been championed includes:

- Good practice: Kaipara District Council values.
- Constitutional: Te Tiriti O Waitangi partnership values and obligations.
- Legislative statutory requirements: (ss 5, 6(e), 7(a), 8, RMA, ss 4,14 (1) (b), (c), (d) & (h), 77 (1) (c), 79, 80, 81,82 LGA, Te Ture Whakamana ngā Iwi o Taitokerau - Statutory Acknowledgments of Te Roroa in Northland, Te Roroa Claims Settlement Act 2008 which identifies Te Roroa interests, Te Roroa's Deed of Settlement which identifies where control of cultural assets is to remain with Te Roroa, and Kaipara District Plan's maps which illustrate Te Roroa cultural interest in the district and require consideration for planning and policy purposes.

Options

Option 1: Adopt the final Mana Enhancing Agreement and work collaboratively at operational and governance levels to ensure the parties' staff and governance representatives are able to effectively and competently implement the MEA.

Option 2: Do not adopt the final Mana Enhancing Agreement and enter discussions on how Te Roroa and Council propose to continue to work together as a partnership in accordance with Te Tiriti O Waitangi, legislative obligations and Mana Whenua values.

Option 1 is recommended by Council Officers.

Policy and planning implications

If Option 1 is the preferred option, it will be important for staff and elected members to understand how to give practical effect to the MEA. Consent, infrastructure and policy planning staff at an operational level in particular will need to know how to support the MEA identified work programme through Council's policy and planning instruments and Council's own work programmes. Budgetary allocations will need to be considered as part of the Long Term Plan and Annual Plan regimes. Te Roroa similarly will need support understanding Council's work programmes, financial, policy and planning cycles. This mutual awareness will help to align decision-making processes with strategic and well thought out outcomes for both parties.

If Option 2 is the preferred option, both parties will need to discuss what policy and planning platform is appropriate for future relationships between Te Roroa and Council. The lack of a shared framework could challenge the relationship going forward.

Financial implications

Option 1: An annual budget allocation of \$40,000 is provided to Te Roroa enabling both parties to support the identified values of the partnership, and collaborate on the delivery of the work programme. This allocation provides a financial platform to support skill and knowledge sharing and more project delivery efficiencies.

Option 2: This may lead to every business and engagement transaction with Te Roroa being charged and invoiced separately to individual staff or teams. Without a dedicated budget to enable effective participation in local government matters and a long term sustainable partnership, may also lead to lost collaborative opportunities to secure funding from central government for projects that are beneficial to Kaipara's communities.

Risks and mitigations

Efforts to reach agreement by Te Roroa Rāngatira, Council Officers and the elected members have taken significant liaison between all parties; the final version is the outcome of this collaborative approach. Adopting the MEA will enable an Agreement that successfully supports Mana Whenua values, the essence of Te Tiriti O Waitangi articles and principles, and Resource Management and Local Government Act obligations to Mana Whenua. To not

do so risks Council's reputation, the goodwill and partnership already expressed and shared between both parties.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website. However, in recognition of the significance of the engagement with Te Roroa, it is proposed that in consultation with Te Roroa, a public celebration may well be warranted.

Next steps/E whaiake nei

Next steps will include:

- A ceremonial signing event; and
- A workshop with Te Roroa, KDC staff and elected members to understand how the MEA is to be implemented.

Attachments/Ngā tapiritanga

	Title
A	Final MEA

Kathie Fletcher, 9 September 2019

Relationship Mana Enhancing Agreement

Parties to this Mana Enhancing Agreement (in this document referred to as an “MEA”):

- 1 Te Roroa Whatu Ora and Mana Whenua Trust (in this MEA referred to as “Te Roroa”)
- 2 Kaipara District Council (in this MEA referred to as “KDC”)

1.0 Introduction

This MEA places the enhancement of mana at the centre of the relationship between Te Roroa and KDC. The purpose of this agreement is: to enable Te Roroa and KDC to manage expectations; to support each other’s roles and responsibilities; and to facilitate collaboration between Te Roroa and KDC as we each work towards common goals and a sustainable partnership in the Kaipara District.

The mana of the KDC will be enhanced by:

- Honouring the partnership principles of Te Tiriti o Waitangi in official meetings and public events;
- Understanding the Te Roroa Claims Settlement Act 2008 which identifies Te Roroa interests;
- Working towards governance outcomes and decision-making processes to support Te Roroa leadership;
- Ensuring this MEA informs KDC’s business as usual for all sites and matters of importance to Te Roroa;
- Establishing working relationships with Te Roroa and their people which enable the exercise of kaitiakitanga and the application of Maturanga Maori to protect the natural environment;
- Resourcing projects and programmes of work that support Te Roroa intergenerational planning and sustainability;
- Recognising Te Roroa’s unique climate change risks, vulnerabilities and opportunities;
- Providing opportunities for regular information sharing that improves the capacity of Te Roroa to actively participate in local government;
- Ensuring Mana Whenua values and aspirations are integrated into KDC’s key planning documents.

2.0 Moemoea/Vision

The moemoea/vision of this MEA is to maintain and strengthen the relationships and partnerships between Te Roroa and KDC.



3.0 Background

Te Roroa and KDC have been working together on Mana Whenua and local government matters for many years with no formal agreement. The desire for both parties to formalise a partnership agreement has arisen from Te Roroa's everpresent kaitiakitanga in the District. It is mutually recognised that in order for Te Roroa to fulfil their role well there is a need for KDC to share financial and human resources in order to support identified significant projects and implement annual work programmes. This will enable Te Roroa participation in local government matters, in particular those matters that affect Te Roroa's social, cultural, environmental and economic well-being. Additionally KDC has an increased cultural awareness and understanding with regards to Te Tiriti O Waitangi kawatanga obligations under both the Local Government and Resource Management Acts. This partnership provides a platform for an ongoing authentic and meaningful relationship that supports mutual values, benefits and responsibilities. Each party will be required to forecast in their strategic plans, associated budgets and the monies needed to uphold and implement this agreement and the identified projects and annual work programme.

4.0 Kaupapa/Purpose of the MEA

To provide a set of agreed guidelines, principles and values for establishing and preserving the mana of the working relationship between Te Roroa and KDC.

This MEA does not affect or impact on any other agreement or contracts that either Party has with other parties.

5.0 Guiding Principle

The guiding principle mana-a-roopu¹ informs the foundation for a sustainable partnership supported by this MEA. It will guide how each partner perceives and experiences the integrity of the relationship between Te Roroa and KDC. It is imperative each partner holds true the principles of co-operation in accordance with the terms of this MEA. This will be evidenced by the manner in which we behave and carry out our agreed roles and responsibilities. Mana-a-roopu places obligations upon each partner to to behave in ways that are generous, uplifting and supportive. This requires the partners to take into consideration, for example, cultural protocols, timeframes for participation in business decisions, the requirement for free and prior informed consent before undertaking projects or activities affecting Te Roroa social, environmental and economic interests and assets, and providing relevant information to enable good communication and sound decisions. Both parties will need to consider this guiding principle when conducting business with one another. It will be important to clearly outline mutual expectations with regards to timeframes and deadlines for decisions or participation in administration, policy, planning, regulatory and project implementation processes and/or contracts. Best practice supports notice of any matter requiring each parties' engagement and participation as early as

¹ The principle of mana as it relates to mana-a-roopu and in the context of this agreement is ascribed by the way in which partners view another. It is distinct and different from the principle of spiritual mana; mana atua; mana whenua; mana tupuna. – Reconnecting Northland



possible. It is recognised the more this practice becomes “business as usual” the better and easier participation and engagement will occur. To do so creates a “favourable view” in the way partners co-operate and conduct their business with one another. Accordingly, the mana of the relationship is enhanced and the partnership is strengthened. To act in a contrary fashion can have negative implications resulting in the mana of the relationship being diminished.

6.0 Tikanga and Mana Enhancing Values

There are a set of values that are integral to the implementation of this MEA. These values intertwine the spiritual, emotional and physical building blocks of a mana enhancing relationship. Their application within this MEA requires an understanding of a Maori worldview and the actions and behaviours needed to promote and uphold both ancestral tikanga and kawa and contemporary practices, protocols and laws. These building blocks and their associated values are recognised as:

- 1) Mauri: The vitality of people, place and culture is maintained and protected through actions and behaviours that nurture interconnectedness to physical and spiritual places.
- 2) Tapu: Maintaining and protecting the integrity of all things through culturally informed effective management practices.
- 3) Noa: Enabling openness of discussion, debate and contestability.
- 4) Utu: Generous time and resources are provided to support all expressions of exchange.
- 5) Hau: Being able to both receive and reciprocate gestures of exchange.
- 6) Tohatoha: Distribution of resources is determined by need, participation and contribution.
- 7) Manaakitanga: To show respect or kindness. To uplift and enhance ones presence or the presence of something.
- 8) Kaitiakitanga: The guardianship of all things special, tangible and intangible; culture, knowledge, land, water, taonga and people.
- 9) Whanaungatanga: The process of actively building strong relationships. The strength of any community and its initiatives hinges on the strength of the whanaungatanga within that community.
- 10) Whakapapa: Whakapapa is the glue that connects all things. We understand our connections and act in ways that consolidate and strengthen them.
- 11) Tangata whenuatanga: The expression of whakapapa through our intergenerational interconnectedness to the land.

7.0 Objectives of this agreement

The objectives of this agreement are to:

- 1) Develop a constructive working relationship between the Parties.
- 2) Recognise the relationship of Te Roroa to our culture and traditions with ancestral forests, lands, waters, sites, wahi tapu, wahi whakahirahira and other toanga.
- 3) Recognise KDC and its legislative and moral obligations within the Kaipara District to Te Roroa.

- 4) Enable the Parties to establish an engagement process to ensure appropriate approvals for the collection, use and ongoing utilisation of cultural materials prior to any access and use, the preparation and provision of research plans and granting of consents and consent conditions.

8.0 Engagement Principles and Processes

The Parties acknowledge key guiding principles of good faith, mutual respect, honesty, transparency and reciprocity, and strengthening trust in achieving the objectives and purpose of this MEA.

It is recognised that each Party will build relationships at both governance and operational levels. This will ensure the opportunities and pathways to enhance each others mana is available to each Party's staff, senior management, elected members, Taumata and Board members

The recognition of either Party's contribution at any stage will be given subsequent discussion around the appropriate format, co-authorship and acknowledgment of the individuals directly involved.

Work carried out under this agreement and subsequent research with any materials collected as part of this work will be subject to consent as the research evolves.

Te Roroa and KDC will nominate at least one person to be primary contact person and to provide ad-hoc advice between meetings. For Te Roroa, this nomination will be made by Te Roroa Whatu Ora and Manawhenua Trust Board and will be in most cases the General Manager. For KDC, the primary contact person is the Chief Executive. That person may refer either Party to other members of their respective Organisation depending upon expertise and availability. The Parties will communicate with each other in a timely and open fashion through agreed communication processes.

9.0 Communication/Accountability

Reporting and communication schedules in relation to work carried out under this agreement are in Schedule 1.

Media communication associated with this agreement shall only occur by written press releases that have been pre-approved by both Parties with interviews only being given by the Parties mutually elected spokesperson who is confined to commenting within the parameters of the written press release. The content and tone of media communication shall be aligned with the purpose and objectives of this MEA.

10.0 Dispute Resolution

The overall goal is to resolve any disputes immediately at the time the issue arises, preferably face to face. The meeting times set out in Schedule 1 also provide strategic opportunities to address any ongoing relationship issues.

If a dispute cannot be resolved it must be referred to a senior level of governance or either Party may engage a mutually agreed mediator.

Right to Independent Action

The Parties recognise the right to any Party to exercise its independent voice through participation in processes, such as but not limited to those outlined by legislation such as the Resource Management Act 1991, independent of this MEA, and independent of or in collaboration with the other Parties as the case may be. However, Parties agree to work within the principles of this MEA and as allowed for in the Dispute Resolution process.

11.0 Liability

Nothing in this MEA shall be deemed or construed to constitute any party or partner, agent or representative of any other party or to create any trust, and no party shall have the authority to act for, or incur any obligation on behalf of any other Party.

12.0 Ownership

Unless otherwise agreed, each Party shall retain ownership of all information and documents prepared or provided by it with the exception of monitoring documents required by conditions of the relationship, which will remain the property of the Parties. Any Cultural or Intellectual Property (IP) provided by Te Roroa or KDC for the benefit of the Partnership and its objectives remains the property of Te Roroa or KDC unless expressly stated otherwise in writing by a duly authorised officer of Te Roroa or KDC.

The Parties understand that any IP arising out of the joint activities of the Parties in accordance with this MEA and agreed by the Parties to be joint IP shall be the joint property of the Parties with such arrangements to be recorded under contract or agreement separate to this MEA. This will be demonstrated in co-authorship and/or acknowledges of contributions in reports and project outputs agreed by the Parties.

13.0 Confidentiality

The Parties agree at all times to treat as strictly confidential, any matters arising out of this MEA that are commercially or culturally sensitive, including information supplied by one Party, including its advisors, to either or both of the other Parties in relation to the subject matter of this MEA, except to the extent that a Party can show that the information has entered the public domain other than as a result of a breach by that Party of this clause or as may be required by law. The Parties shall not disclose the confidential information of another Party except with the prior written consent of the Party to whom the confidential information belongs. This provision is to endure beyond the term of this MEA.

Reporting information relating to a breach of confidentiality will be provided to the other Party as soon as practicable.

14.0 Resourcing and Funding

Unless otherwise agreed, each Party shall provide its own resources for its participation in activities under this MEA.



The Parties will annually review the resourcing and funding undertaken on behalf of Council. Council will pay an annual amount to Te Roroa to enable work to be completed in a timely fashion without hourly charging. This annual amount will be \$40,000 excluding GST and equal portions will be paid each quarter for works outlined in the Works Programme (Schedule 3). The Works Programme to be agreed annually. Any other projects outside of this Works Programme will be negotiated separately.

Any KDC allocated resources over and above this commitment of staff time will require final endorsement through the Annual Plan process, management discretion and/or community assistance grants.

15.0 MEA Term

The term of this MEA is effective on date of signing. This MEA will be reviewed every three years as per Schedule 1.

The MEA may be amended at any time by written agreement of the Parties.

Either Party may terminate this MEA, however only after consultation with the other Party.

16.0 Effect of MEA

Whilst this MEA is a reflection of the intentions of the Parties, it is not intended that any provision of this MEA is to be legally binding or to create any legal liability or claim by any Party to this MEA against any other Party.

It is recognised that this agreement is not intended to be a legally binding document, however the document encourages and supports a long term relationship between Te Roroa and KDC.

17.0 Significant Projects

Recognising that Te Roroa has a defined geographical area of interest within the Kaipara District. See Map 1 – Te Roroa Rohe Significant projects that support this area of interest can be found in Schedule 3.



Te Roroa

Te Hei! Te roroa o te tangata, rite tonu ki te kahikatea!



Kaipara ki Orangawa
**KAI PARA
DISTRICT**
The Coast The Harbour



Map 1 Te Roroa Rohe

WORKING DRAFT



SIGNED FOR AND ON BEHALF OF:

Name:

Position:

Te Roroa Whatu Ora and Mana Whenua Trust

Name:

Position:

Te Roroa Whatu Ora and Mana Whenua Trust

Name:

Position:

Kaipara District Council

Name:

Position:

Kaipara District Council

DATE: _____

Schedule 1

TE ROROA ORGANIZATIONAL STRUCTURE





Te Roroa
Te Hei! Te roroa o te tangata, rite tonu ki te kahikatea!



GOVERNANCE STRUCTURE

TE ROROA WHATU ORA & MANAWHENUA TRUST BOARD

ALAN (SONNY) NESBIT

THOMAS HOHAIA

DAVID (BUSH) NAERA

JACCI WHIPPY

RANIERA NATHAN

VIRGINIA SMITH

JASON TANE

CHERYL RAHUI

STEPHEN BROWN

WILLIE PANIORA

LAUREEN (WIKI) BIRCH

CHAIR – TE HOUHANGA

DEPUTY CHAIR – TE WHAKAMAHARATANGA

BOARD MEMBER – TE WHAKAMAHARATANGA

BOARD MEMBER – TE HOUHANGA

BOARD MEMBER – WAIKARAKA

BOARD MEMBER – WAIKARAKA

BOARD MEMBER – WAIKARA

BOARD MEMBER – WAIKARA

BOARD MEMBER – MATATINA

BOARD MEMBER – PANANAWA

BOARD MEMBER – PANANAWA

TE ROROA CHARITABLE TRUST BOARD

THOMAS HOHAIA

CHERYL RAHUI

JACCI WHIPPY

LAUREEN BIRCH

MARGARET HAND

CHAIR – TE WHAKAMAHARATANGA

BOARD MEMBER – WAIKARA

BOARD MEMBER – TE HOUHANGA

BOARD MEMBER – PANANAWA

MEMBER – WAIKARAKA

TE ROROA COMMERCIAL DEVELOPMENT BOARD AND TE ROROA FARM DEVELOPMENT BOARD

ADAM PARORE

SHANE LLOYD

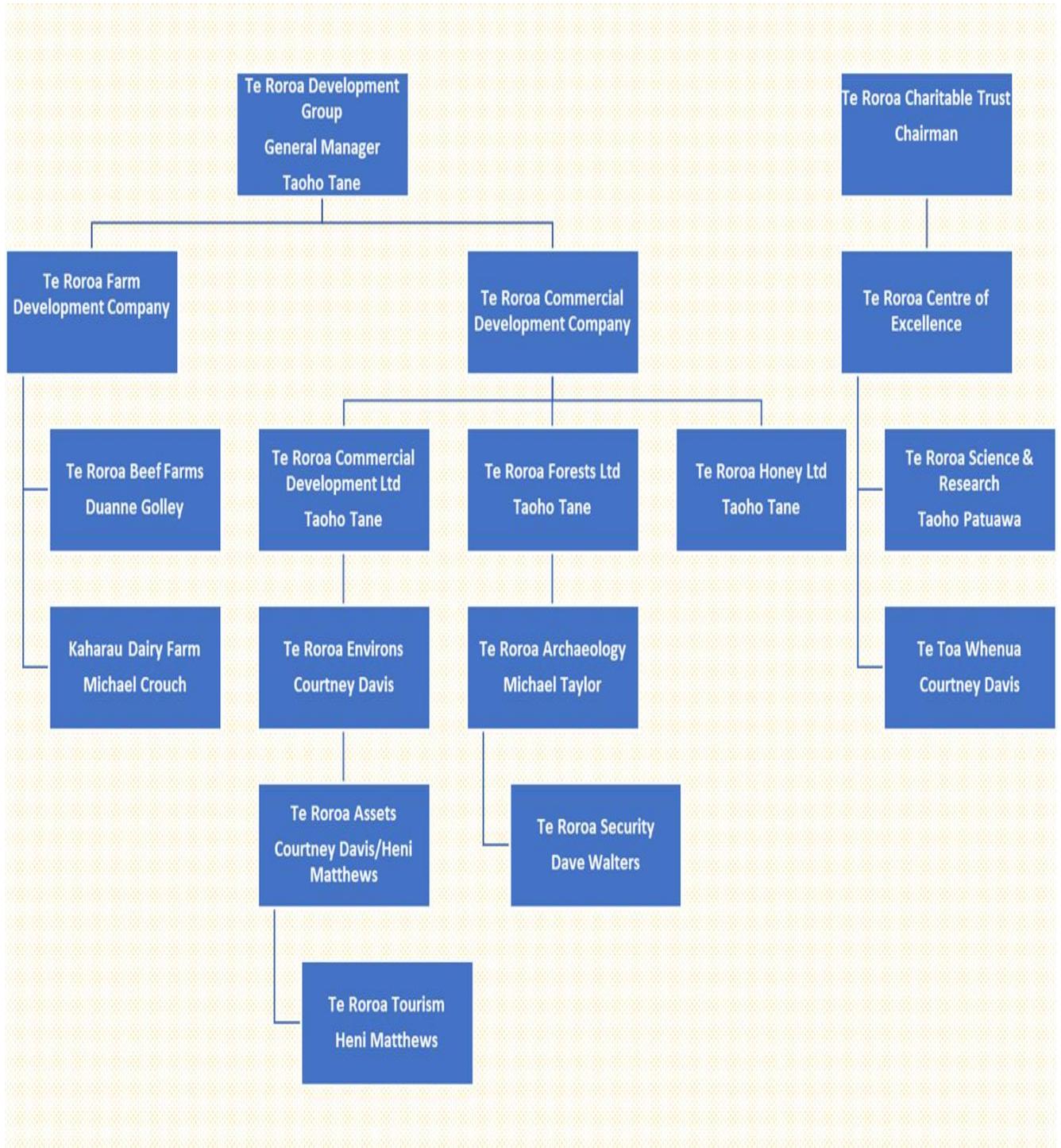
DAVID (BUSH) NAERA

DIRECTOR CHAIR – TE HOUHANGA

DIRECTOR – TE WHAKAMAHARATANGA

DIRECTOR – TE WHAKAMAHARATANGA

OPERATIONAL STRUCTURE





Kaipara District Council's 2019 Organisational Structure



KDC Organisational
Chart - August 2019

WORKING DRAFT



SCHEDULE 2

WHANAUNGATANGA / RELATIONSHIPS

What is Whanaungatanga	How we are going to strengthen Whanaungatanga	When
Mahi Tahi is a sustainable partnership and relationship supported by: <ul style="list-style-type: none"> • Regular and consistent communication • Te Tiriti O Waitangi training • Mana Whenua induction into the Whare • Providing evidence to external parties of the value of the partnership • Mana enhancing governance structures 	Annual meetings with KDC staff and elected members and Te Roroa Taumata, senior management and staff	June/July annually
	Attendance at Mana Whenua forums	TBC
	Conducting timely and succinct planned reviews of the MEA	Every three years
	Regular meetings to inform and give effect to agreed Te Roroa priorities within key planning documents for annual plan, long term plan, budget setting, district plan, projects	September/October annually or as applicable
	Works Programme reviewed annually	November/December annually
	Signage, letters of support etcetera provided e.g for project development	Ongoing as needed
	Policies and procedures provide for Te Roroa representation and decision-making processes	Ongoing
Integrity and transparency of knowledge information exchange processes are recognised and supported by: <ul style="list-style-type: none"> • cultural protocols and Mātauranga Māori • free, prior and informed consent • respecting timeframes needed for Iwi, Hapu and Marae engagement and participation in decision-making processes • best endeavours to recognise and meet legal timeframes when fulfilling obligations under both Local Government and Resource Management Acts matters 	Exchange of knowledge, information, research and scientific or technical data gives effect to cultural knowledge and priorities	Ongoing
	Parties will send each other a copy of the annual reports	



Te Roroa

Te Hei! Te roroa o te tangata, rite tonu ki te kahikatea!



What is Whanaungatanga	How we are going to strengthen Whanaungatanga	When
Strengthening of Whanautanga is supported by: <ul style="list-style-type: none"> • continual improvement of policies, procedures and practices • regular reporting and monitoring • meeting participation 	Legal and planning processes and governance structures give effect to enhancing mana	Ongoing
	Operational Meetings will address issues as they arise and implement improvements	Monthly
	Joint education and training opportunities	As needed

WORKING DRAFT

SCHEDULE 3

ENABLING SIGNIFICANT PROJECTS

What does enabling look like	How do we enable significant projects	When
<p>Te Roroa significant sites including airways, land and seascapes: are given due recognition in KDC's economic development, ecological restoration and protection, regulatory, planning and policy regimes</p>	District Plan recognises and protects these significant sites, airways, land and seascapes	Ongoing
	Agreed monies are allocated to resource strategic outcomes for the protection and maintenance of these significant sites, airways, land and seascapes	LTP and annual budget forecasting
	Kaitiakitanga is recognised and enabled as part of KDC's management regimes for these sites, airways, land and seascapes through e.g. employment at KDC reserves, education and knowledge transfer opportunities	LTP and annual budget forecasting
	Te Roroa identify for KDC annual work priorities for the significant places Te Roroa report on protection and maintenance outcomes	September/October annually
<ul style="list-style-type: none"> Parties will consider joint tourism promotion and economic project development opportunities including collaborating with and advocating to other agencies e.g. cycleway development. 	Collaborative support provided e.g. legal and funding applications	As needed
<p>Representation on the Taharoa Domain Co-Governance Committee and associated working groups: enables collaboration, Mana Whenua rights and aspirations to be understood and given effect to and an authentic partnership to be showcased</p> <p>Mana Whenua concerns regarding the management of the Taharoa Domain: are able to be discussed with elected members if necessary and solutions sought to ensure staff support better management</p>	Co-Governance Committee and associated working groups' structure and objectives to be evaluated and monitored to ensure Te Roroa cultural and ecological priorities for the Taharoa Domain are implemented	November/December annually
	Evidence-based decisions for the management of the Taharoa Domain are supported by Mana Whenua research protocols, Mātauranga Māori, and western science	Ongoing



Te Roroa

Te Hei! Te roroa o te tangata, rite tonu ki te kahikatea!



What does enabling look like	How do we enable significant projects	When
<p>Kauri Die Back Project and its objectives for ecological restoration and protection, are recognised within KDC's regulatory, planning and policy regimes where it is able to</p>	<p>Support from staff provided e.g. attendance of meetings, circulation of educational materials, drafting of policy, planning and regulatory protection mechanisms</p> <p>Staff participate in induction processes provided by Te Roroa</p> <p>Protocols promoted and implemented by staff through KDC communications</p>	<p>Ongoing</p>
<p>Weeds and pest control: KDC will support through its operations where relevant, any weeds and pest control programme in and surrounding the rohe of Te Roroa. KDC's support will take into consideration and recognise that the Northland Regional Council's role is the lead authority in Kaipara for weed and pest control.</p>	<p>Participation of Te Roroa Kaitiaki and KDC contractors in control actions and knowledge sharing including identification of weed and pest hotspots, monitoring and reporting</p>	<p>Annual Plan and Long Term Plan budget forecasting Annual September/October Works Programme task prioritising Bi-monthly monitoring Reported on annually</p>
<p>Civil Defence and other emergency responses e.g. whale strandings: Physical and human resources shared and responses coordinated collaboratively. Cultural safety protocols - whaktūpatōtanga implemented when appropriate</p>	<p>Sharing of facilities, resources e.g. buildings, marae, water tanks</p> <p>Providing staff or volunteer human resources to assist with safety measures including traffic and people control</p> <p>Building capacity and skills through education and training opportunities including guidance on tikanga and cultural protocols</p>	<p>As needed</p>
<p>Kaitiaki Kiwi Project: is given due recognition in ecological restoration and protection, regulatory, planning and policy regimes</p>	<p>Support from staff provided e.g. attendance of meetings, circulation of educational materials, funding applications, policy development</p>	<p>Ongoing</p>
<p>Māori land development: is given due recognition in KDC's economic priorities and planning and policy regimes</p>	<p>Māori housing, papakainga and land development supported by District Plan</p>	<p>Ongoing</p>
<p>District Plan, policy and bylaw review: processes provide relevant information, support timely participation and are designed to enhance collaborative decision-making</p>	<p>Regular communication, user-friendly interpretation of review documents, transparent and accountable record keeping of suggested amendments or changes in draft documents</p>	<p>As needed</p>



Te Roroa

Te Hei! Te roroa o te tangata, rite tonu ki te kahikatea!



Kaipara te Whangarei
KAIPARA
DISTRICT
The Huges The Harbour

What does enabling look like	How do we enable significant projects	When
Research: Collaborative opportunities exist for research prioritisation and project implementation, research protocols support Mātauranga Māori, capacity building, equitable benefit sharing	Staff support is funded by each party to provide for collaborative research including writing funding applications, developing relationships and partnerships with Kaitiaki, scientists, monitoring and evaluating field trials and drafting of reports	Ongoing

WORKING DRAFT



SCHEDULE 4

PROPOSED ANNUAL WORKS PROGRAMME (\$40,000 exc GST)

Employment of a part time co-ordinator role. Core functions and roles are to:

- Manage KDC work requests relevant to the Works Programme
- Administer resource consent applications and associated actions triggered by resource consent applications
- Facilitate inductions for KDC staff, elected members and sub-contractors
- Facilitate input into KDC reviews, plans, policies, budgets and projects identified in the Works Programme
- Review and update Works Programme and MEA
- Report on Works Programme outcomes.

Works that will generate fees for services that fall outside of Schedules 1, 2 and 3 and are not included in the MEA \$40,000 payment are:

- Archaeological team services e.g. assessments, reports, site visits
- Participation of Te Roroa's Science and Research Manager in meetings
- Provision of services relevant to Mātauranga Māori, science and research projects
- Mana Whenua expertise outside of MEA obligations, for example:
 - time and travel for Kaumatua, staff to attend working groups, workshops, forums
 - time and travel for support to develop plans, policies, bylaws, projects not specific to Te Roroa interests
 - resource consent applications not specific to Te Roroa interests

SCHEDULE 5

TE ROROA DEVELOPMENT GROUP PROFESSIONAL FEES SCHEDULE (NB these fees apply for services provided to any KDC Officer, contractor or team that fall outside the MEA agreement terms and work programme

Supply of Services	Responsibility and Involvement	Cost	Mileage
Administration Costs	Accounts Department	\$40.00 per hour	N/A
Consultation <ul style="list-style-type: none"> External Consultation with applicant External Consultation Specialists (Surveyors/Planners) Internal Consultation with Marae Taumata Internal Consultation with Kaumatua/Kuia 	TR Centre of Excellence Support TR Science and Research Manager TR Environs Manager	\$80.00 per hour	.70c km
	Marae Taumata Kaumatua/Kuia TR Environs Supervisor	\$45.00 per hour	
Environmental Assessment <ul style="list-style-type: none"> Desktop analysis of resource consent application/project Final report to resource consent applicant/holder Cultural Impact Assessment 	TR Centre of Excellence Support TR Science and Research Manager TR Environs Manager	\$80.00 per hour	.70c km



Te Roroa

Te Hei! Te roroa o te tangata, rite tonu ki te kahikatea!



<p>Archaeological Assessment</p> <ul style="list-style-type: none"> • Site visit • Collating and assessing information • Producing final report • Reviewing historical material for proposed project • Cultural Impact Assessment 	<p>TR Archaeologist TR Archaeologist Assistant</p>	<p>\$80.00 per hour \$55.00 per hour</p>	
<p>Site inspection</p> <ul style="list-style-type: none"> • Site visit undertaken • Health and safety policies for TR Environs Ltd or any other TR Business Units. 	<p>TR Centre of Excellence Support TR Science and Research Manager TR Environs Manager</p>	<p>\$80 per hour</p>	<p>.70c km</p>
	<p>Marae Taumata Kaumatua/Kuia TR Environs Supervisor</p>	<p>\$45 per hour</p>	
<p>Meeting Attendance</p> <ul style="list-style-type: none"> • Attending meetings with KDC staff. • Providing cultural information to KDC staff. • Attending regular monthly meetings with management team. 	<p>TR Operational Staff</p>	<p>Annual Fee as per Schedules 2 & 3</p>	

WORKING DRAFT

Development contributions for first response or community organisations

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Sue Davidson, GM Risk, IT and Finance

Purpose/Ngā whāinga

Council to consider the requests for remission of development contributions to organisations for first response or community organisations or if appropriate to advise them to seek a grant.

Executive summary/Whakarāpopototanga

The Fire Service has requested that Council remit the development contributions charged to them for their new development on Molesworth Drive, Mangawhai. They have had a special assessment to determine the development fees to be paid but believe they should not be charged.

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Notes the status quo with regard to development contributions charged to a first response or community organisation and that, in this instance, no remission been given and they be directed to apply for the applicable grant on their building and resource consent.
- b) Requests the Chief Executive to review the Development Contributions Policy for consistent approach for first service and community organisations.

Context/Horopaki

The Fire Service has written to Council for a remission on development contributions for their new building in Mangawhai (**Attachment A**). There will be other community organisations who build or extend in the future so it is timely to look at these remissions to ensure consistency should Council determine there is a case for remission.

Council has delegated the power to remit one-off charges to the Chief Executive. This application would cause a precedent for other organisations so Staff believed this should be dealt with by Council.

Discussion/Ngā kōrerorero

The Development Contributions Policy covers the calculation that needs to be made and charged when new commercial or residential development is to occur. This includes all organisations where there is new development or an extension of premises. In Mangawhai this involves a wastewater and a roading charge. Any remission needs to be considered seriously as if one party does receive a remission then capacity may still be used and the costs would be absorbed by other ratepayers. The Fire Service's new building warranted a special assessment under clause 3.7 of the Policy because of the special nature and scale of the development and it not being occupied most of the time. The building has three toilets and one shower.

The Fire Service has been advised of the fees totalling \$27,544.96 plus GST and now requests the total be remitted.

At Kaipara District Council, the GM Regulatory has provided \$15,000 per annum to go towards refund of building consent and resource consent fees. There is no fund for first response, charitable or community organisations.

Whangarei District Council's policy, which is our adjacent Council, is to complete a special assessment as although the building has a large footprint it is to be used intermittently and for the most of the time is to house vehicles. Whangarei District Council does not remit fees for development contributions in response to volunteer/first response organisations requests. Instead the application is directed to the Grants Committee as this is seen to be more transparent if a grant is given to refund all or part of a resource consent fee.

Options

Option 1: Council can keep the status quo and direct the fire service to apply to refunding part of the actual building fee and resource consent fee from the Regulatory fund.

Option 2: Council can remit a percentage or the full amount of the development contributions.

Policy and planning implications

The Development Contributions Policy states:

3.5 Council will consider applications for remission, reduction or postponement of development contributions. It does state that a remission will be applied where the applicant has funded the same infrastructure previously e.g. this would happen where part or all of the building has been demolished and a new building constructed, and is not applicable in this case.

Council can review and may determine whether to hold a hearing for the purposes of review and under Section 3.5.8 may at its discretion uphold, remit in whole or in part or postpone the original development contribution required and shall advise the applicant in writing of its decision within 10 working days of making that decision.

Council could direct staff to provide for a fund as part of the next Long Term Plan for these type of entities. This would provide transparency.

Financial implications

The Fire Service has been invoiced for \$27,544.96 plus GST. The Fire Service needs an answer as their building is ready to move into. Council needs to be aware that any remission reduces income.

Risks and mitigations

Other organisations that have had remissions have been the Mangawhai museum and the historic buildings adjacent to the museum itself. St Johns Ambulance Service as a first response organisation paid their fees of \$34,078.40. Their building also warranted a special assessment. The risk would be if this amount was fully remitted that Council may need to review St Johns' development contributions.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

The Fire Service will be advised of the result.

Attachments/Ngā tapiritanga

	Title
A	Letter applying for a remission

Sue Davidson, 11 September 2019



1 November, 2018

Kaipara District Council
Unit 6 The Hub
6 Molesworth Drive
Mangawhai
Attn: Sharon Martin

Dear Sharon

Re: Developments Contributions for the Proposed New Volunteer Fire Station
Molesworth Drive, Mangawhai

We have received the Commercial Development Contributions Assessment (0122011877) in relation to the above project and due to the nature of the proposed facility we would like to apply for a remission under section 3.5 of the Kaipara District Council Development Contributions Policy.

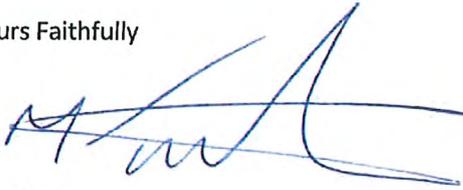
Section 3.1.2 of the Policy outlines that council 'may' require a Development Contribution towards the activity associated with a development, i.e., roading, wastewater treatment, water supply and storm-water. In this case the water supply is from on-site collection, while the storm-water overflows are discharged to the reserve at the rear, so neither of these services is connected to council utilities. The intermittent use of the facility will also produce very little additional waste-water load on the existing infrastructure.

More importantly Fire and Emergency New Zealand are committed to supporting the growing Mangawhai Community. The Volunteer Service has operated in Mangawhai since 1965, providing an important service to the local community and surrounding areas over the last 50 years. The expansion that the local area has undergone over the past few years has meant that the current Volunteer Station on Wood Street is no longer fit for purpose and is unable to fully meet the operational requirements to successfully protect the Mangawhai Community.

Given the limited load that the proposal will place on the existing infrastructure and the community service that the facility provides, we therefore request that under item 3.5.8 of the Development Contributions Policy, the \$27,544.96 contribution is waived. This approach is in line with that taken by most Local Authorities when considering the benefits that new fire stations bring to a community.

If you have any queries in relation to this request, please feel free to give me a call on 0274 326 423.
We look forward to your response.

Yours Faithfully



Mal Tipton

BAppMgmt (Proj.Mgmt (Dis) MNZIOB MNZPI

Property Manager and Team Leader

12 Mansfield Terrace

Whangarei 0112

Northland



Ph: 09 438 9647

Mob :0274 326 423

mal.tipton@fireandemergency.nz

Parking Restriction at Dargaville Library

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Lisa Salter, Library Manager; Paula Hansen, Senior Policy Planner

Purpose/Ngā whāinga

To resolve 120 minutes (2 hours) parking restrictions near the Dargaville Library.

Executive summary/Whakarāpopototanga

Vehicles are parking over a continuous 24-hour period behind the Dargaville Library and the nearby parking area set aside for library users. This is causing a nuisance to both patrons and a nearby business resulting in a number of complaints.

This report proposes restricting the parking in these spaces to 120 minutes (2 hours) at all times, to discourage continuous parking.

Local adjoining businesses and their customers were provided an opportunity to provide feedback on the proposed parking restrictions. Written feedback from one business was received, in addition to a number of verbal comments.

Recommendation/Ngā tūhunga

That Kaipara District Council:

- a) Approves the 120 minutes (2 hours) parking restriction to be in place, 24 hours a day in the areas located directly behind the Dargaville Public Library situated at 71 Normanby Street, Dargaville and five parking spaces for library uses located at Lot 3 DP 47415 (65 Normanby Street, Dargaville), these areas are shown as A and B on Attachment A to this report.

Context/Horopaki

When the Dargaville Library moved from 37 Hokianga Road to 71 Normanby Street in 2010, one of the considerations was ensuring there was sufficient parking available for customers. The area directly behind the library and five parking spaces were reserved for library use. These areas are shown as A and B in **Attachment A**. Signage indicates these areas as 'library parking'. However, these areas currently have no parking restrictions.

Vehicles are parking over a continuous period in areas shown as A and B in Attachment A, causing a nuisance to both library users and a nearby business. This is resulting in a number of complaints.

It has been suggested that the continuous parking is occurring because of the free library Wi-Fi. Switching off the Wi-Fi is not considered an appropriate solution, as the continuous parking is also happening during the day. It would appear that the parking spaces are being used as a place of abode rather than Wi-Fi access. Switching off the Wi-Fi is unlikely to solve parking issues occurring at night.

Potential safety concerns, particularly at night have been raised due to the area behind the library being out of direct sight from the road. This makes it a good place to hide.

Discussion/Ngā kōrerorero

Feedback received

Nearby businesses and their customers were provided with an opportunity to provide feedback. We received written feedback from one business, Dargaville Sewing Centre, (the Centre) and verbal feedback from an adjoining landowner.

The verbal feedback requested Council to monitor and enforce the restrictions. Council Officers believe monitoring and enforcement can be undertaken under the current contract with Armourguard and within existing budgets.

The Centre does not want restrictions on the parking area shown as B in Attachment A and noted library users do not appear to park there. They also have seen people from other stores parking there.

The Centre has requested through their feedback the possibility of obtaining a Licence to Occupy the area shown as C in Attachment A for parking purposes. This is because there is very little parking available in the area and the need for the Centre to make regular deliveries. A Licence to Occupy would provide the Centre exclusive rights to use set car spaces. Council Officers are looking into the legal process which will need to be followed.

The Centre has also suggested that there is potential to increase parking along Normanby Street. This could be done by changing a no stopping area into parking spaces and marking out individual parking spaces. Currently the parking area along Normanby Street does not show individual parking spaces. This could result in parking for three vehicles where currently only two vehicles may park.

Options

There are four main options to consider:

The Preferred Option is:

Option 1:

Put in the 120 minutes (2 hours) parking as proposed, to be in place 24 hours a day in both locations shown as A and B in Attachment A. This would address the issues being experienced, but it would not address the concerns of the feedback provided. Each business is responsible to provide their own parking, just as Council is responsible to provide parking for its business.

Other Options are:

Option 2:

Put in place 120 minutes (2 hours) parking restrictions directly behind the library only, shown as A in Attachment A. This would address some of the issues but not all of the concerns around continuous parking. It would address the concerns raised in the feedback. Area B remains status quo but this does not deal with the fact that people other than library users are making use of the parking spaces.

Option 3

Consider the wider context of the area with a review of parking on Normanby Street. This would require further work to ensure that any resulting proposed changes are undertaken correctly and in consultation. This could be undertaken as part of the NZ Transport Agency (NZTA) -led Township Improvement Plan when NZTA considers improvements for Hokianga Road and Normanby Street intersection. This could look at parking capacity and parking restrictions.

Parking has not been an issue raised in the Dargaville Placemaking project. Parking has been raised in the NZTA Township Improvement Plan for Dargaville project, but not within this immediate area.

Option 4

To not put in place any parking restrictions and maintain the status quo. This will not resolve any of the issues being experienced.

Policy and planning implications

Parking restrictions can be made, amended or revoked through a Council resolution under Clause 1503.1 of the Consolidated General Bylaw 2008.

'1503.1 The Council may by resolution pursuant to section 151(2) of the Local Government Act 2002 regulate, control or prohibit vehicular or other traffic on any roads, or portions of roads under its control in the district.'

Once a resolution has been made the parking restrictions can be added to the Consolidated General Bylaw 2008 Schedule. A public notice will need to outline the restrictions and when they will be operative.

Financial implications

The main costs are associated with signage, placing of the public notice and marking of the parking spaces. The monitoring and enforcement can be undertaken within existing contracts and existing budgets.

Risks and mitigations

Parking can be a contentious issue. Council Officers believe the preferred option and its recommendations are sound for current parking needs of the Dargaville Library and provide solutions to address feedback.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website. The proposed parking restrictions can be put in place through a Council resolution as per clause 1503.1 of the Consolidated General Bylaw 2008.

The parking areas have already been set aside for library users. However, the perceived potential flow-on effects on adjoining businesses as a result of introducing parking restrictions resulted in localised engagement being undertaken. As a result, feedback was received and has been covered in this report.

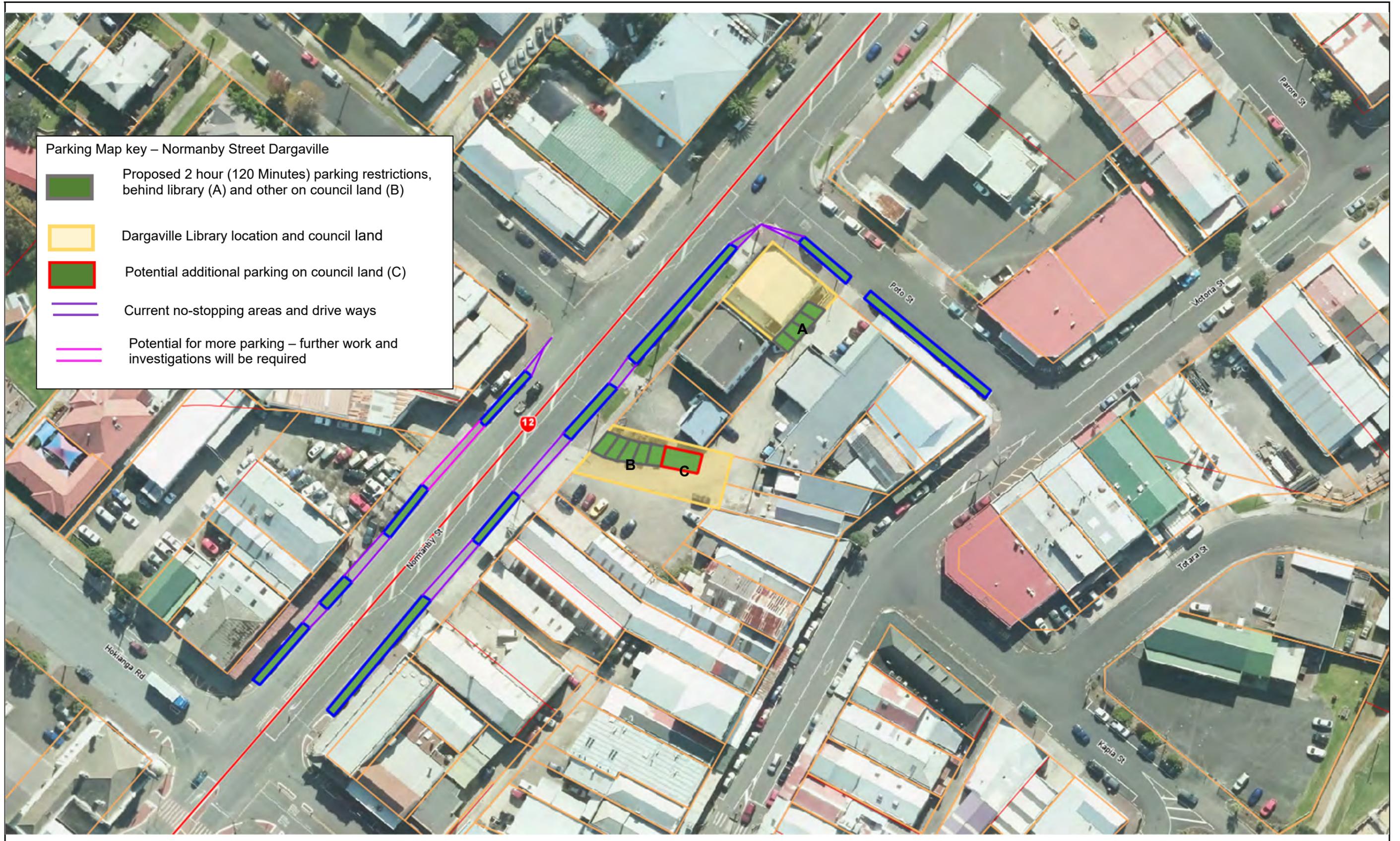
Next steps/E whaiake nei

To add the new parking restrictions to Schedule B of the Consolidated General Bylaw and to place a public notice stating when this come into force.

Attachments/Ngā tapiritanga

	Title
A	Map showing parking within the vicinity of the Dargaville Library

Lisa Salter and Paula Hansen, 05 September 2019



Parking Map key – Normanby Street Dargaville

- Proposed 2 hour (120 Minutes) parking restrictions, behind library (A) and other on council land (B)
- Dargaville Library location and council land
- Potential additional parking on council land (C)
- Current no-stopping areas and drive ways
- Potential for more parking – further work and investigations will be required

Decision-making over the election period 2019

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Lisa Hong, Governance Advisor

Purpose/Ngā whāinga

To establish a process for decision-making and to clarify the process for a civil defence emergency, during the period after the last Council meeting for the term and the swearing in of the in-coming Council.

Executive summary/Whakarāpopototanga

Delegations are required to make any urgent decision during the period from the last meeting of this Council until the official results declaration and the period between the new Council coming into office and the inaugural Council meeting.

It is recommended that the Mayor and Deputy Mayor are provided the delegation to make any urgent decision from the final Council meeting to the declaration of election results, and the Chief Executive be provided delegation to make any urgent decision from the declaration of results until the inaugural meeting of the Council. If the matter is significant, an extraordinary Council meeting will be called.

It is also recommended that the Council resolve to continue the District Licencing Committee to enable liquor licensing decisions to be made over the election period.

For a Civil Defence emergency, the Mayor can declare a state of emergency during the period from the last meeting of this Council until the official results declaration as normal. During the period between the new Council coming into office and the inaugural Council meeting, the Minister can declare the emergency, or Council can hold an extraordinary meeting to declare.

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Notes that the final Council meeting will be held on 26 September 2019 and that the final committee meeting will be held on 02 October 2019 (Funding Committee for Creative Communities Scheme) and that all normal meetings will then cease.
- b) Delegates to the Mayor and Deputy Mayor, the power to make, on behalf of the Council, urgent decisions that may be needed between the final Council meeting and the day the term of the office of current members ends.
- c) Notes that if a significant matter requires consideration following the final Council meeting and up to the end of the term of current members, an extraordinary Council meeting will be called.
- d) Delegates the Chief Executive the full powers of the Council, except for those responsibilities, duties and powers specifically excluded in clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002 or in any other Act, from the day after the Electoral Officer declares the results of the election until the convening of the first meeting of the new Council, scheduled for 25 October 2019.
- e) Notes that if any urgent decision-making process is employed during this period, it will be reported to the first Council or relevant committee meeting.

- f) Agrees that the District Licensing Committee not be discharged at the end of the 2016-2019 Triennium, pursuant to Schedule 7, clause 30(7) of the Local Government Act 2002.
- g) Notes that the Mayor can declare a state of emergency during the period from the last meeting of this Council until the official results declaration.
- h) Notes that if a state of emergency occurs during the period between the new Council coming into office and the inaugural Council meeting, the Minister can declare the emergency, or an extraordinary meeting will be held to declare it.

Context/Horopaki

Elections will be held on 12 October 2019 with current elected members going out of office on the day after the Electoral Officer declares the results (anticipated to be around 22 October 2019). Committees also cease to exist from the day after the declaration date, except the Civil Defence Emergency Management Group Committee.

Incoming elected members cannot act until they have made their statutory declarations at the inaugural meeting, scheduled for 25 October 2019. The incoming Mayor will then establish a new committee structure, which is likely to be soon after the inaugural meeting.

Discussion/Ngā kōrerorero

Periods under consideration

There are two periods of time where decision-making is affected by the election:

- 1 the period from the last meeting of Council until the official declaration of the election results, and
- 2 the period from the declaration of results until the incoming Council is sworn in at the inaugural meeting on 25 October 2019.

Decision-making prior to the official declaration

For the period of time from the final Council meeting on 26 September 2019 to the official declaration of results, it is recommended that political decision-making occurs in two forms:

- 1 For any significant matters that needs addressing, a full Council meeting will be called.
- 2 For any urgent matter that requires a decision, the Mayor and Deputy Mayor be delegated to decide the matter.

Staff are managing work programmes so that there are no major decisions scheduled to be reported during the election period. Any decision likely to be required will be of a process nature such as road closures leading up to the Christmas period or Submissions from Council to the National Policy Statements, as discussed at the September 2019 Council briefing.

If a decision is required, the following will occur:

- 1 Chief Executive will approve the drafting of a report with recommendations to be presented to those delegated to make the decision.
- 2 The decision-maker will approve the recommendations, or make any changes.
- 3 The report and decision will be presented for information to the incoming Council.

Decision-making after the official declaration

For the time between when the new elected members come into office and when they can act as members of the local authority, it is recommended that the Council delegates its powers, including financial delegations (excepting those it is excluded from delegating under the Local Government Act 2002 or any other Act), to the Chief Executive.

For clarity, the responsibilities, powers and duties that the Council is unable to delegate (Clause 32)(1)(a)—(h) of Schedule 7 LGA) are:

- (a) the power to make a rate; or
- (b) the power to make a bylaw; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan; or
- (d) the power to adopt a Long Term Plan, Annual Plan, or Annual Report; or
- (e) the power to appoint a Chief Executive; or
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the Long Term Plan or developed for the purpose of the Local Governance Statement; or
- (g) (repealed)
- (h) the power to adopt a remuneration and employment policy.

This is a procedural decision to enable efficient decision-making to occur if there is a need during this period. Existing staff delegations will remain in place.

Any decisions made under this delegation will also be reported to the Council in the new term.

District Licensing Committee (DLC)

Council has appointed members to the DLC for a five year period. The appointments expire in June 2020. The Local Government Act 2002 (LGA) states that all committees are discharged when the in-coming Council takes office, unless Council resolves otherwise. To ensure continuity of decision-making over the election period regarding liquor licensing, it is recommended that Council decide not to discharge the DLC.

Statutory Committees

Council has two committees that were set up by statute; Pou Tu Te Rangi Joint Management Committee and the Raupo Drainage Committee. These committees continue to exist but the Mayor or Council will need to determine council representation on them in the new term.

Civil Defence Group Continuance

The Civil Defence Emergency Management Act 2002 (CDEM Act) requires every council to establish a CDEM Group for the purposes of civil defence emergency management.

A change has been made to the CDEM Act since the previous local body triennial elections. For a civil defence emergency, the Mayor or an Elected Member delegated that ability (Councillor Curnow is the appointed member on the CDEMG Committee), can declare a state of emergency during the period from the last meeting of this Council until the official results declaration, as normal.

If an emergency occurs during the period between the new Council coming into office and the inaugural Council meeting, the Minister can declare the emergency, or Council can hold an extraordinary meeting to swear members in and then the Mayor may make the declaration.

Options

Decision-making during the election period

There are two options:

- 1 Delegate to the Mayor and Deputy Mayor the decision-making power of the Council over the period from 26 September (after the final Council meeting of the term) to 22 October (official notice of the election results) noting that only procedural matters are likely to be raised. This is the preferred option as it provides political decision-making over that period.
- 2 Council could choose to delegate the decision-making power of Council to the Chief Executive over the entire period from 26 September (after the final Council meeting of the term) to 25 October (just prior to the inaugural ceremony).

District Licensing Committee

There are two options:

- 1 Approve that the committee continue to provide decision-making in liquor licensing through the election period by not discharging the committee. This is the recommended option.
- 2 Discharge the committee and not have any ability to make liquor licensing decisions over this period. This would not be appropriate and would not fulfil Council's legislative requirements.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Staff will bring matters that require decision-making to the appropriate persons during the election period, and will formally report and decisions made under delegation to the incoming Council.

Lisa Hong, 06 September 2019

6 Information

Crown Manager Final Report

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Jason Marris, General Manager Governance, Strategy and Democracy

Purpose/Ngā whāinga

To provide the Crown Manager's final report which covers the period March to October 2019.

Executive summary/Whakarāpopototanga

This report provides the Crown Manager's final report to Council. It informs the community about the progress of legal matters and directions made, to ensure they are aware of matters being progressed. Publishing the Crown Manager's full report in the Council agenda is the mechanism that enables this transparency. It is also the final report from the Crown Manager, whose term ends at the Local Government triennial elections in October 2019.

Recommendation/Ngā tūtohunga

That Kaipara District Council:

- a) Notes the Kaipara District Council Crown Manager's final report covering the period from March to October 2019.

Context/Horopaki

In June 2017, a Crown Manager was appointed by the Associate Minister of Local Government to assist Council on any outstanding and future legal actions relating to the development of the Mangawhai Wastewater Scheme, and the setting or collection of rates during and prior to the Kaipara Commissioners' term on Council's behalf.

The Crown Manager is required to report to Council and inform the Kaipara community at least six monthly of the progress of legal matters within his management responsibilities. This must include any directions he has made, to assure Council and the community that their interests are being looked after.

The term of the Crown Manager commenced on 20 June 2017 and ends on 12 October 2019, the date of the Local Government triennial elections. This is the Crown Manager's final report, provided with a covering letter at **Attachment A**.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Staff will continue to action any outstanding matters as the term of the Crown Manager ends in October 2019.

Attachments/Ngā tapiritanga

Number	Title
A	Report of the Kaipara District Council Crown Manager – March to October 2019

Jason Marris, 6 September 2019



9 September 2019

Louise Miller
Chief Executive
Kaipara District Council
DARGAVILLE
By email

Dear Louise,

Crown Manager – Kaipara District Council – Final Report

I am writing to convey to you, the Council and the community of the Kaipara District, my final report as Crown Manager – Kaipara District Council. This report relates to the period from 16 March 2019.

The report is designed to meet the requirements of the Terms of Reference for my appointment. As required by the Terms of Reference, a final report will be presented to the Minister of Local Government as soon as practicable after the completion of my term of appointment.

I have arranged to be able to attend the Council's final meeting of this term to present this report.

The completion of my term as Crown Manager will bring to an end a very close association with the District, first as a Commissioner and then as Crown Manager. While it is disappointing that some historic rates legal action will remain at the end of this term, it is very pleasing that the Council is now well equipped to deal with rating issues and to resolve the remaining cases.

Whilst my formal role as Crown Manager ends, I remain deeply committed to the Kaipara District and its people. I would be very happy to provide Council with information or advice in relation to the remaining cases if that would be helpful.

It has been an honour to serve the people of the Kaipara District and I wish you, the Council staff and both the current and the in-coming Councillors all the very best as you work in the best interests of the people and communities of the district.

Yours sincerely,

Peter Winder
Crown Manager
Kaipara District Council

Report of the Kaipara District Council Crown Manager

Covering March 2019 to September 2019

Purpose

The purpose of this report is to provide the Kaipara District Council and the people of the Kaipara District with a final report on the progress with the legal matters for which the Crown Manager is responsible. Given that the term of the Crown Manager expires on 12 October 2019, this report has been timed to allow the Council to consider it at its last meeting before the local election. This report covers the period from 16 March 2019.

Background

The Crown Manager was appointed by the Associate Minister of Local Government Hon Jacqui Dean for a term commencing 20 June 2017 and expiring on the day of the 2019 Local Government elections. The Gazette Notice of 15 June 2017 sets out the Terms of Reference under which the Crown Manager was appointed.

As specified by the Terms of Reference, the role of the Crown Manager is to “*address any outstanding or future legal actions relating to the development of the Mangawhai Community Wastewater Scheme (“Scheme”), and the setting and collection of rates during and prior to the Kaipara District Council Commission’s term (“Kaipara Commission’s term”).*”

The Crown Manager has the authority to direct the Council to address legal actions, including directing the Council to initiate new or discontinue legal actions within his management responsibilities.

Amongst other things, the Terms of Reference require the Crown Manager to:

“report, as appropriate, to the Minister of Local Government at least six monthly on the progress in fulfilling his or her Terms of Reference.”

and

“report to the Council and inform, as appropriate, the Kaipara community at least six monthly of the progress of legal matters within his or her management responsibilities. This must include any directions he or she has made, to assure the Council and community that their interests are being looked after.”

At the time of appointment, a number of legal actions that fall within the responsibilities of the Crown Manager were underway. They include:

- A second judicial review of rates decisions of both Kaipara District Council and the Northland Regional Council covering the 2011/12 to 2015/16 rating years initiated by Mr and Mrs Rogan and the MRRA (CIV-2015-488-95)
- An appeal by Mr and Mrs Rogan of a District Court decision requiring them to pay outstanding rates (CIV 2015-488-182)
- Action in the District Court by Kaipara District Council against a number of other ratepayers seeking payment of outstanding rates where the action has been stayed pending the determination of the case against Mr and Mrs Rogan
- District Court Judgments against a number of Kaipara District ratepayers that order the payment of outstanding rates where the amount ordered by the Court has not yet been paid

and the order has not yet been enforced

- Actions in relation to costs associated with a number of the prime legal actions.

Progress

Over the last period, some progress has been made on the outstanding legal actions. Unfortunately, some remain and will remain after the term of the Crown Manager ends. At the same time, the Council has made progress in recovering outstanding rates for the period for which the Crown Manager has responsibility.

Appeal of the Court of Appeal Decision in relation to the recovery of rates

In 2014, Kaipara District Council (KDC) initiated action in the District Court seeking the recovery of outstanding rates from a number of ratepayers. In response to the District Court action, a number of ratepayers paid outstanding rates and penalties in full. Some ratepayers responded to the threat of legal action by entering into agreements to pay the outstanding rates and, as a consequence, the legal action was withdrawn. Some actions proceeded to Court and were not defended. These actions resulted in sealed awards against the ratepayers requiring the payment of outstanding rates and penalties. Interest is payable on the outstanding amount from the date of the award against the ratepayer.

The Rogans chose to defend the rates recovery action against them. Five actions against other ratepayers were stayed awaiting the determination of the action to recover rates from the Rogans. The Rogans argued that the rates were invalid. The Rogans lost their argument in the District Court.

The Rogans then appealed the District Court decision to the High Court. The appeal was heard by Duffy J and again the Rogans lost. Although, in this instance, because of the related decision by Duffy J in relation to NRC rates, the decision does not include NRC rates in the amounts that the Rogans would be required to pay. The Rogans then sought leave to appeal the High Court decision. Leave to appeal this decision was opposed by NRC and KDC, but Duffy J granted leave to appeal on 23 February 2018. This appeal was heard by the Court of Appeal on 11 September 2018.

The Court of Appeal released its decision on 6 November 2018. The Court of Appeal dismissed the appeal by the Rogans and awarded costs to the respondents (KDC and NRC).

The Rogans' lawyers subsequently applied to the Court of Appeal for a recall of the decision. In a decision of 4 December 2018, the Court of Appeal declined the application for recall and awarded costs to the respondents (NRC and KDC). Further approaches by the Rogans themselves directly to the Court of Appeal seeking a recall were dismissed by the Court of Appeal.

At the time of writing the last report, the appeal period in relation to the substantive decision by the Court of Appeal had ended and it appeared that this matter was at an end. However, on 29 August the Rogans lodged an action in the Supreme Court seeking leave to appeal the Court of Appeal decision and also seeking leave for an extension of time to bring an appeal. The basis of their appeal is that in making their decision, the Court of Appeal breached natural justice by determining an issue for which leave to appeal had not been granted and in relation to which no legal arguments were received. The Rogans have until 30 September 2019 to file submissions. The Council will then have 15 working days to respond. Any subsequent hearing will be after the term of the Crown Manager.

Consultation with the Council

During the period under report, the Crown Manager communicated with the KDC Chief Executive (who has delegation to represent the KDC on all matters relating to the Crown Manager's remit) and took part in a conference call with the Chief Executive and KDC's legal representatives. No broader consultation with the Council was required and none was undertaken. The approach taken in relation to outstanding legal action has been consistent with views that the Council has consistently expressed to the Crown Manager.

Direction to the Council

Over the reporting period, the Crown Manager has made no formal directions to the Council but 'direction' (guidance) has been provided in through emails and discussion in a conference call.

Actions and Progress by the Council

Over the reporting period, the Council has made progress with the collection of outstanding rates and securing Charging Orders to safeguard the future payment of outstanding rates. Both the Rogans and the Boonhams have made payments towards the total amount that they have outstanding. Both have made payments equivalent to outstanding rates only. Neither has paid penalties, interest, or, in the case of the Rogans, any of the Court costs that have been awarded against them. Charging Orders have been registered against the Rogans' property for all costs awarded to Council. The Rogans have paid 2019-20 rates in full.

There are two remaining cases that were stayed awaiting the determination of the Rogans' defence of the rates recovery action. There is a further case management conference in relation to these two cases on 23 September. Given the decision by the Rogans to seek to appeal the Court of Appeal decision on this matter, it is likely that both of these remaining cases will be stayed awaiting the resolution of the appeal application.

There are 5 ratepayers that are subject of sealed judgements requiring the payment of outstanding rates for the period for which the Crown Manager is responsible. Two of these ratepayers are on payment plans and repayments are actively monitored to ensure the debt is paid. The other three have received two letters threatening enforcement of the sealed judgement unless payment is forthcoming and offering to discuss a payment plan. These three ratepayers will receive one further lawyer's letter and if payment is not forthcoming, the next step will be to apply to the Court to enforce the judgements by way of rating sales. That action will likely fall after to term of the Crown Manager. Once a rating sale process is initiated, the ratepayer has a further 6 months to avoid a rating sale by paying the outstanding amounts. A rating sale under these circumstances is an infrequent but normal part of local authority activity.

Council staff are working progressively through the outstanding rates accounts for the period for which the Crown Manager has responsibility for rates related legal action. Substantial progress has been made in collecting outstanding rates from properties that have mortgages. Sixteen properties with private mortgages still have unpaid rates. These will need to be followed up with action to initiate a charging order. Of the properties that were approaching time-barred status, the Council has secured the necessary Charging Orders to protect the Council's interests. Staff are set up to progress these to secure payment, if necessary, through rating sales. Council staff have completed work on 60 property files which are now with Council's lawyers to secure Charging Orders. A further 10 property files are ready to be actioned.

Approach and Activities Undertaken

During the period from 16 March 2019, the activities undertaken by the Crown Manager have included:

- Participation in a conference call and the exchange of emails and legal advice with the Chief Executive and relevant staff of the Kaipara District Council, representatives of the Northland Regional Council, and the joint legal team supporting both councils.
- Reviewing and considering Court decisions or minutes as they have been received.
- Working with the Council's Chief Executive to progress the legal actions that were underway at the time, including discussion of legal strategy and approach and reviewing and providing feedback on legal submissions in relation to the legal actions.

End of Term

The term of the Crown Manager ends on 12 October 2019. At that time there will still be some ratepayer initiated legal action relating to rates from the period before and during the Kaipara Commission. That legal action is well understood by Council staff and the Council's legal representatives are well equipped to continue to represent the Council effectively. It is possible that the remaining action will be resolved quickly, particularly if the Supreme Court does not grant leave to appeal.

There are a significant number of Council initiated cases seeking Charging Orders for outstanding rates for the period for which the Crown Manager has responsibility. The process for bringing these actions to court is now well established and is resourced by Council. This activity will need to be an ongoing and normal part of debtor management within the Council to ensure that outstanding rates are paid, and future arrears do not create problems for the Council.

Given the progress that the Council and its staff have made over the last year, I am confident that the role of Crown Manager is no longer required. I have every confidence that the Council will be able to sensibly resolve the remaining rates related legal issues arising from the period before and during the Kaipara Commission. I wish the Council and the people of the Kaipara District well for the future.

6.2 Chief Executive's report for August 2019

Chief Executive **2002.02.18/September**

Recommended

That Kaipara District Council notes the Chief Executive's Report for August 2019.



Chief Executive's Report

For the month of August 2019

Part One

- a) **Chief Executive's** update
- b) Activities report
- c) Contract acceptances
- d) Looking ahead

Part Two

Financial Report

Due to the preparation of the Annual Report there will be no financial report this month.

Part One

a) Chief Executive Update – August

We received very sad news of a fatality on Te Kowhai Road, Ruawai in August. Our hearts go out to whanau and friends.

Elections

Election 2019 candidate workshops ran into early August. The turnout in Maungaturoto, Mangawhai and Kaiwaka was light, however better presented in Dargaville and Ruawai which reflects the number of nominations received. We look forward to working with Councillors Jonathan Larsen and Peter Wethey from the Mangawhai/Kaiwaka ward again in the next term.

Provincial Growth Funds

We signed a third PGF agreement at the August Council meeting. Our Infrastructure Team can now progress procurement for investigation and design of the designated roads. The second roading agreement is currently being reviewed by NZTA. RFPs are being developed for a Kaipara Kai feasibility study and the Wharves project for feasibility and business cases. Both are tracking well.

Climate Change

Work is ongoing to develop an action plan around climate change adaptation.

Mitigation issues are being researched to assess how Council can improve business efficiency and reduce GHG emissions, and we're collaborating with NRC to understand the impacts of sea level rise to support future district plan provisions.

Roading

High rainfall over August has diverted our roading programme attention to realigning streams, while having to put in place strategic holding treatments on some roads. The heavy metalling programme is on track despite the weather. Especially relevant in these conditions is road safety which we continue to focus on with design work underway to minimise the risk of incidents adjacent to seven schools in the area, and support of initiatives like Get Ride Ready, Drive Smarta and driver mentoring programmes.

Community

Our Community Grants Committee awarded \$100,000 to 23 well-deserving community groups across the district to help them achieve their goals, and the MELA Committee awarded more than \$118,000 towards Mangawhai community groups, where this fund is localised.

Our congratulations to these great people who received Kaipara's 2019 'Citizens Award' in recognition of their contribution to our communities - Gordon Finlayson, Sally Parkinson, Richard Drake, Albert (Albie) Paton and John Phillis.

Service delivery

Our Customer Service Team reached a new high of 80% of calls answered in 31 seconds, down from 1 minute 45 seconds in February. They're continuously gearing up to be better with how they engage, and the quality of interactions. We proudly resolved 86% of enquires over August at the first point of contact.

b) Activities Report

1 Provincial Growth Fund

Kaipara KickStart Programme

The council resolved to sign the first roading funding agreement with MBIE on the 29 August. This has been signed by Kaipara District Council and is currently with MBIE for signing. The team is now working to satisfy the conditions precedent and special terms of this agreement. A media release was also sent out on 29 August to all Northland media. The second funding agreement is being reviewed by NZTA.

Curt Martin was appointed Roothing Project Manager and is working towards finalising the roading schedule and completing the conditions precedent.

Amika Kruger commenced in August as the Programme Communications Lead, and has completed a draft communications plan and is actively working to develop the collateral and stakeholder channels for the programme. Based on feedback received, the engagement of Council with Kaipara KickStart programme will be reviewed, both as to content and engagement channels.

The programme schedule is completed and has been baselined. This fixes the expected dates for delivery across the programme. Any changes to these baseline dates will now require formal programme steering group approval. The team anticipate presenting the baselined schedule at the monthly Programme Steering Group meeting on 17 September.

Finance processes are being confirmed. With multiple funding sources, systems, processes and reporting requirements the team are working with the finance team to minimise the amount of effort whilst meeting contractual obligations.

Key

	Within plan
	Outside of plan, being managed by the team
	Outside of plan, requires escalation

Programme Status	Previous Indicator	Current Indicator	Brief Comment
Overall	G	G	Improvement due to Roothing Package Funding Agreement 1 being signed, roading schedule confirmed and delivery timeline now confirmed. Focus now on programme resourcing, stakeholder engagement and communications.
Scope	G	G	Work continuing to define 50Max bridges specific scope.
Schedule – Pgm Overall	A	G	Roothing and Wharves schedules now baselined.
Financial	G	G	Continuing to work on EOM financial reporting. Financial processes to manage Roothing Package Funding Agreement 1 are in discussion. Working with KDC financial systems and NZTA TIO system, whilst meeting MBIE reporting requirements will require some manual processes.

Programme Status	Previous Indicator	Current Indicator	Brief Comment
Stakeholder Engagement and Communications	A	A	Work continues to develop communication and stakeholder engagement plans. Urgency across Kai and Wharves to develop engagement activities ahead of required deliverables.
Resourcing	A	A	Indicator has not changed to Green as anticipated due to project management pressures. Resource planning being reviewed and options to resolve being developed.
Health & Safety Performance	G	G	No H&S issues identified/reported.
Issues	G	G	Being managed within the team.
Risks	G	G	Alignment with Corporate risk register approach confirmed

Milestone Register:

MS#	Milestone	Expected Due Date		R/A/G	Comments
MS01	Agreement Signed – Kai	5/06/2019	6/06/2019		Completed
MS02	Agreement Signed – Wharves	14/06/2019	21/06/2019		Completed
MS03	Roading: Unsealed Network Centre of Excellence Scope Agreed	26/07/2019	26/07/2019		Completed
MS04	Kai:Topo-Climate Study Commencement	27/09/2019			
MS05	Roading Package Funding Agreement 1 Signed	2/09/2019 10/09/2019			Awaiting return of Countersigned agreement from PDU
MS06	Roading Package Funding Agreement 2 Signed	15/09/2019			Agreement 2 has been revised post final revisions for Agreement 1, currently being reviewed by NZTA.

2 Roads and footpaths

August Highlights

The heavy metalling programme remains on track despite continued wet weather through August, with a large section of Mountain Road in Maungaturoto now completed.

The Tomarata Road Bridge Strengthening contract was awarded to Feysinet NZ Ltd with physical work due to start in September, following the development of safety plans and a Traffic Management Plan.

The new Northland Regional Council-managed bus service, which commenced in July and travels the coastal route between Kaiwaka and Whangarei, has continued to have positive passenger numbers. This is excellent numbers for a new route and we hope to see numbers increase as residents become more aware of the service.

The PGF Contract for Roding Phase 1 has been signed and the team are moving forward into procuring the investigation and design components.

Finances as at 30 July 2019

Programme	Annual Plan budget	NZTA approved budget 2019/2020	Total Expenditure To date	% spent vs NZTA June	% spent vs NZTA YTD	Remaining Actuals vs NZTA
Maintenance	6,283,189	6,279,000	466,995	7.4	7.4	5,812,005
Capital	16,723,268	10,516,294	770,078	7.3	7.3	9,746,216
Network Asset Management	1,360,000	1,360,000	197,841	14.5	14.5	1,162,159
Grand Total	24,366,457	18,155,294	1,434,914	7.9	7.9	16,720,380

August figures are not available this early in the month.

Note: the difference between NZTA and Annual Plan Capital relates primarily to PGF funding.

Road Safety

There was a fatality on Te Kowhai Road (Ruawai) in August. This brings the total fatalities on the Kaipara District Council network this financial year to two.

Some of the road safety initiatives underway include:

- **Get Ride Ready** is a Northland motorcycle rider event planned for Saturday 7 September in Whangarei. Safety experts will be attending and demonstrating the safety inflation vest. There will be a competition with a safety vest as the prize.
- **Drive Smarta**, a new speed education project to address the behavioural issues of high speed/high risk drivers. Attendance is small so far in these early stages of the pilot. Seven individuals were as well as the Police. This programme is very dependent upon encouragement for referrals at this stage with its success depending on stronger consequences for non-attendance or rewards for participation. These avenues will be further explored in the next few months.
- **Driver mentoring programmes** using volunteers
 - Dargaville has three active mentors who delivered 47 mentor hours with 47 students during the month. Six licences were obtained. Training is being undertaken in September for new mentors.
 - Maungaturoto had staffing issues resulting in delays. However, these have now been addressed there active mentors completed 40 mentoring hour with eight students for the month.

Contract planning is underway for:

- Drive Soba programmes for recidivist drink drivers are planned for September and March.
- Child restraint education clinics.
- Young Driver Learner Licence programmes.

Operational and Maintenance

Rain data information supplied by Northland Regional Council (NRC) shows that rain was experienced somewhere in the region every day for the first three and a half weeks of the month. The highest monthly volume of rainfall recorded during August was concentrated around the Donnellys Crossing area north of Dargaville. Therefore, at times, grading activities had to be limited in favour of potholing and metalling as strategic holding treatments.

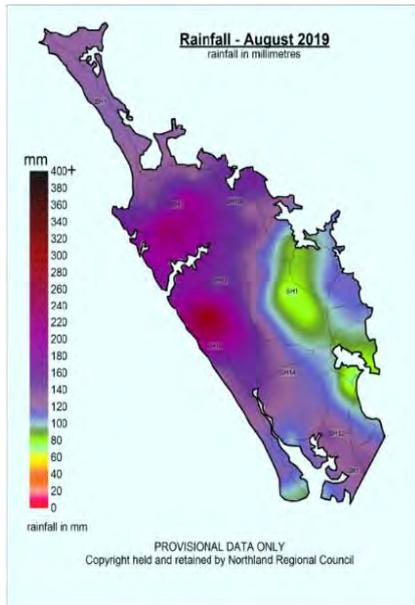


Figure 2 Regional rainfall (mm)

With high rainfall occurring inland, feeding out to the coast and coinciding with south easterly swells, our contractors have been extra busy realigning the streams and pushing sand back out of our beach entrances, to allow for vehicle access.

With all the rainfall about, a highlight for the team has been receiving seven instances of unsolicited positive feedback through formal channels including one for grading works completed in the Trounson Park (Donnelly's Crossing) area.

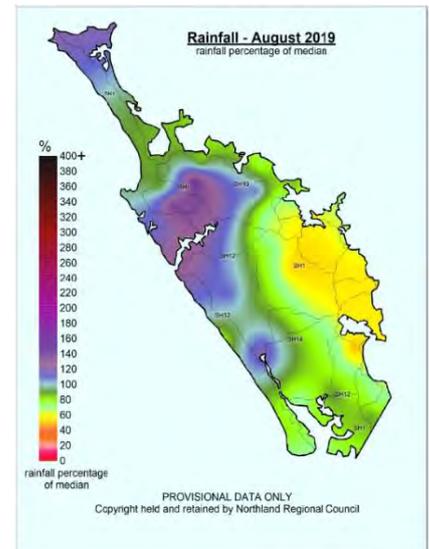


Figure 1 Rainfall as % of median

Capital

The programme for this year includes the following

Programme	Comment	July Status	Construction start / end
Bridge Strengthening			
Contract 923: Tomarata Bridge	0% complete. Site setup first week of September.	Construction	Q3
Waihue Bridges	Investigation underway to strengthen three bridges	Investigation and design	Q3
Drainage			
Contract 899: Tara Road Culvert replacement	97% complete - wintering over. The concrete shoulders, stabilising of the pavement and sealing to be completed this coming construction season, starting in October.	Wintering over	Q3
Contract 888: Seabreeze Road	Drainage problem being reinvestigated and discussed with drainage team. Footpath reinstatement completed.	Construction	tbc
Safety Improvements			
School Zones Safety Improvements (Te Kopuru, Maungaturoto, Dargaville Primary – Intermediate - High, Selwyn Park and Kaihu Valley)	Investigation and design underway to improve road safety adjacent to seven schools. Additional work to remedy sites constructed last FY still ongoing.	Investigation and design	Q2
High Risk Curves	Baylys Coast Road. Investigation and design underway to improve road safety along rural road.	Investigation and design	Q3

Programme	Comment	July Status	Construction start / end
Pavement Rehabilitation and Associated Improvements			
Ararua, Te Kowhai, Matakohe and Trounson Park Roads	Investigation and design are in progress for this year's programme. Physical works are programmed to commence late October.	Investigation and design	Q2
Footpaths			
Wesley Coast Road to cemetery	25% complete. Construction of a new footpath from the start of Mt. Wesley Coast Road to the cemetery, integrated with the route through the cemetery.	Construction	Q1
Mangawhai Community Plan			
Moir Street Shared Path	50% complete. Construction of a shared use foot/cycle path along Moir Street is underway.	Construction	Q2
Moir/Insley/Molesworth intersections	Concept design in progress. First stage early consultation held. Consultation to go to wider community.	Investigation and design	Q3

3 Parks and Reserves

August highlights

Lots of planning work taking place whilst the rain was with us.

Good progress has been made with regards the Urban Design Landscape Framework for Mangawhai Community Park.

Robust discussion with Paparua Progressive Inc. at the park in Paparua to discuss future projects.

A site visit with the Department of Conservation (DoC), Piroa-Brynderwyn Weed Action Group, Mangawhai Riparian Group and staff was held at Mangawhai Heads to formulate a plan going forward with the headland adjacent to the surf club, concentrating on how best to attack, pampas, wild ginger and other weeds due to the potential seeding onto the DoC managed spit.

Staff attended the Kauri Dieback Stakeholders meeting in Whangarei.

Park / Contract	Status	Commentary
Contract 860 Maintenance of Parks, Reserves, Cemeteries, Public Toilets, Buildings and Dargaville Gardens		Ongoing audits occurring. With a recent audit capturing some not so good practices these have been discussed with the contractor and follow-up with their staff requested. Outcomes were reported back through to Health and Safety Advisor. Wetter weather has made it difficult to mow some areas.
Taharoa Domain		Ongoing planting of eco-sourced native plants being Red Matipo, Manuka, Kanuka, Cabbage Tree, Flax and Caprosma has continued throughout the month. The new toilet unit at Lake Waikare has been completed along with

Park / Contract	Status	Commentary
		<p>the new dump station for campervans near the campground at Pine Beach.</p> <p>A two-day meeting with Northland Regional Council, Te Roroa, DoC and staff was held to review the study into the overall health of the Domain in relation to pests and plants, which is ongoing. Septic tanks have been emptied and the septic and UV system serviced. A quote is being sourced to build a second door in the camp office for Health & Safety purposes. An honesty box is being made along with upgrades to the main gate. Video surveillance is being set up at places of interest throughout the Domain. The Lakes 380 fresh water research team presented to the Governance Committee prior to taking core samples from the lake bed. Research findings will be presented back to the Governance Committee. Work into installing more powered sites is underway along with additional water outlets coinciding with powered sites. Overdue maintenance is ongoing.</p> <p>A staff walk around occurred with the goal being to gain an understanding of the Domain and campgrounds to assist with planning forward works.</p> <p>The quarterly Governance Committee meeting was also held in August.</p>
Pou Tu Te Rangi Harding Park		Stage 1 of the landscape planting plan and the clearing of weeds around the previously planted natives were completed. Staff have received multiple comments on the street how good the park is looking.
Mangawhai Community Park		Staff continue to work with Stellar on developing the urban landscape plan scope of works.

Capital Programme delivery

Staff are currently in planning, design and project award stages for this year's capital projects which are set out below.

Programme	Comment	July Status	Construction start/end
Taharoa Domain/Kai Iwi Lakes	Planning and design for projects to be completed this year is underway.		September 2019 to July 2020
Pou Tu Te Rangi Harding Park	Planting and vegetation clearance is complete. Staff are investigating traffic movement options.		September 2019 to July 2020
Mangawhai Community Park	Staff and the Governance Committee are working on a scope of works to get a Urban Landscape Design Plan.		
Mangawhai Coastal Walkway and Linkages	Draft feasibility study has been completed and presented to Mangawhai Community Plan Liaison Group.		October 2019 to July 2020

Programme	Comment	July Status	Construction start/end
Mangawhai Esplanade Development	Feasibility study and planning is being done.		October 2019 to July 2020
Toilet Amenities	Matakohe toilets have been completed. Planning, design and pricing is underway for the Maungaturoto toilet and Alamar Crescent (Mangawhai) toilet.		November 2019 to December 2019
Walking/Cycling Strategy Implementation	A planning session was held with Community, Roding and Parks Team with the Parks Teams implementing projects from this.		
Playgrounds	Planning and design is underway. The Parks Officer will be attending a training course.		
Baylys Beach Boardwalk	Amended design is complete with more community consultation to be undertaken before going to tender.		October 2019 to April 2020
Community Infrastructure Dargaville	This has not started as we are waiting for the weather to improve.		
Community Infrastructure District	Geotech and area surveys are being completed. Conversations are in progress with DoC to get land use.		
Park Improvements	This has not started as we are waiting for the weather to improve.		
Hard Surface Renewal	Work is continuing on the roadway at Memorial Park.		September 2019 to October 2019

4 Community Team Activities

Funding

The Community Grants Committee awarded the following grants:

Applicant	Purpose	Amount
Ararua Community Hall	Insurance	\$1,338.74
Baylys Beach Society Inc.	Seating	\$204.00
Dargaville Arts Association	Contribution towards production, exhibition event and material costs	\$8,000.00
Dargaville Community Cinema Charitable Trust	General operating costs	\$5,000.00
Dargaville Menz Shed	Rent	\$6,000.00
First Dargaville Scout Group	Insurance	\$2,800.00
Hakaru Hall and Domain Society Inc.	Roof repairs, spouting, painting and scaffolding	\$10,357.50
Kaihu Valley War Memorial Hall Inc.	Roof repairs and water tank	\$8,929.63
Kauri Coast Recreational Society Inc.	Insurance	\$3,000.00
Kumarani Productions Trust	Rent	\$3,965.16
Mangawhai Artists Inc.	Posters and catalogues	\$1,091.50

Applicant	Purpose	Amount
Mangawhai Heads Volunteer Lifeguard Service Inc. (partially funded by MELA)	Insurance	\$2,259.28
Maungaturoto Centennial Community Hall	Insurance	\$7,986.73
Northern Wairoa Agricultural & Pastoral Association Inc.	Contribution towards showground speaker system, horse ring speaker and walkie talkies	\$2,573.00
Northern Wairoa Association Football Club Inc.	Lighting, including installation	\$3,855.00
Northern Wairoa Genealogy Society Inc.	A3 flatbed scanner	\$2,731.25
Northern Wairoa Maori & Pioneer Museum Society Inc. (Dargaville Museum)	Contribution towards insurance	\$10,000.00
Northland Field Days Inc.	Contribution towards lifeguard units	\$3,849.79
Ruawai Promotions Development Group	Signage	\$1,493.83
Te Iwi o Te Roroa	Aquaponics and community garden materials	\$8,411.52
Tinopai Community Hall Society Inc.	Insurance	\$2,148.44
Volunteering Northland	Training sessions	\$2,500.00
Whitebait Connection	Contribution towards Kai Iwi Lakes Open Day 2020	\$1,500.00
Total		\$99,995.37

The MELA Committee awarded the following grants:

Group	Purpose	Amount
Mangawhai Activity Zone	Shade sails including installation, curved retaining walls and earthworks	\$36,065.00
Mangawhai Domain	Showers, plumbing and gas fitting	\$26,259.02
Mangawhai Heads Volunteer Lifeguard Service Inc	Architect, engineer, first aid supplies and rescue boat fuel, repairs and maintenance	\$12,822.25
Mangawhai Historic Village Trust	Computer hardware	\$1,470.43
Mangawhai Museum and Historical Society Inc	Story boards, graphic work, acrylic display cases, supply materials for Fairy Tern exhibit and re-design of birds on sand dunes box display	\$12,836.00
Mangawhai Public Library	20 deluxe folding tables	\$6,461.85
Mangawhai Tennis Club	Refurbishment of four Tiger Turf courts	\$2,840.00
Mangawhai Tracks Charitable Trust	Contribution towards timber and posts for boardwalk	\$20,000.00
Total		\$118,754.55

- The Citizens Awards for 2019 were awarded to Richard Drake, Gordon Finlayson, Sally Parkinson, Albert (Albie) Paton and John Phillis. A presentation was held at the Lighthouse Function Centre in Dargaville on Friday 16 August.
- A conservation expo is being arranged for the Kaihu area. This is an action from the Kaihu Community Conversation. The Department of Conservation, Love Kaipara and Northland Regional Council will be a part of the expo to provide information and create a space for registration for locals to get involved. This event has been pencilled in for Tuesday 15 October from 6.00pm. Council will host this event.
- The Amber Threads Working Group is currently working on Phase 2 plans for another historic walk in Dargaville.

- Presented at the Friendship Club. This was an informative discussion where Council processes were discussed and promoted.
- Council hosted the Social Services Network meeting.
- Met with Kauri Coast Promotional Society and discussed Council's current role with tourism and Council taking care of infrastructure.
- Currently investigating the feasibility of a stopbank walkway from the Northern Wairoa Bridge to Taha Awa Gardens.
- Working with the Kaipara Tamariki Collective to discuss the Winter Wonderland event being held on 22 September.
- Progressive Paparoa AGM and committee meeting.
- Met with Northern Bass Festival organisers to broker a link with the Mangawhai Domain as a possible community hub/parking/refreshment stop. To identify positive stories to increase community awareness of the festival.
- Maungaturoto toilet concept designs have been shared with a community working group for feedback.
- Mangawhai Community Plan – Met with Resilio to review the format and key findings of the Coastal Walkway Feasibility Study. Also had a community liaison group session to review the report, the Spatial Plan process and the Village transportation design materials, in preparation for workshops with stakeholders.

5 Four Waters and Solid Waste

Highlights for August

Operations

Operations and maintenance in August revolved largely around the recurring breaks of old water mains that are reaching the end of their life cycle. This has prompted an urgent renewal of 400 metres of water main on Parore Street in Dargaville.

Grinder pump call outs in Mangawhai are trending downwards when compared to previous years, showing that educating the public, along with upgrade work, has contributed towards an overall improvement in domestic grinder pump station performance. An education campaign of what to flush down the toilet is recommended for Dargaville. The recommendation is inspired by an existing initiative from the Mangawhai Wastewater Team and this message can be propagated throughout the media to capture the maximum attention and awareness.

Water storage

NRC has engaged Williamson Water and Land Advisory who will be working in partnership with Riley Consultants to undertake the pre-feasibility phase investigations. These are mandated to complete the pre-feasibility study by 31 March 2020.

Compliance

Water Services that includes solid waste has a total of 37 consents being:

- 14 water take and backwash;
- 7 wastewater discharge consents;
- 2 stormwater consents; and
- 14 solid waste consents.

All of the water take and backwash consents and five of the wastewater discharges are compliant with the consent conditions while both the Kaiwaka and Te Kopuru consents have transgressions in faecal coliforms and ammonia concentrations respectively. We have sought professional advice to investigate with the proposed solution being to provide more aeration for the Te Kopuru Wastewater Treatment Plant. A project to change the Kaiwaka wastewater ponds to a membrane filtration system has been awarded.

There are four non-compliances for Solid Waste with three of the four non-compliances being moderate non-compliances and the other non-complaint resource consent needs an application for a variation.

All five water supply schemes are compliant with the Drinking Water Standards (NZ) 2005 Revised 2018. The annual compliance report will be available in November 2019 from the Northland District Health Board, to cover the period 1 July 2018 to 30 June 2019.

Compliance	
Compliance	
Non-compliance	
Progressing to compliance	

Drinking Water Standards	July	August	September	October	November	December	January	February	March	April	May	June	Full Year
Dargaville													
Maungaturoto													
Ruawai													
Glinks Gully													
Mangawhai													

Resource Consents	Total Consents	Compliance	Non-Compliance
Water Take and Backwash	14	14	0
Wastewater Discharge	7	5	2
Stormwater	2	2	2
Solid Waste	14	10	4

Capital programme

We are finalising the procurement for the Professional Services for the two years 2019/2021 Four Waters and Parks and Open Spaces capital works programme with a number of carry over projects completed or underway. A selection of low risk work will be designed separately.

Overall 2019/2020 Budget Spend % for Four Waters and Solid Waste

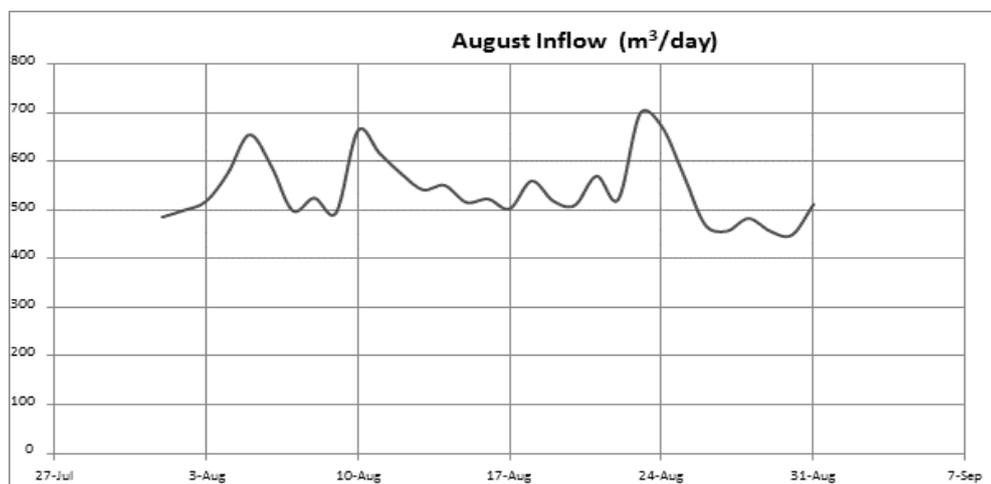
Activity	Budget TOTAL	Total Funds Spent (July 2019)	% Progress
Water Supply	1,793,000		
Total Funds Spent - Water Supply		167,000	9%
Wastewater	3,007,000		0

Activity	Budget TOTAL	Total Funds Spent (July 2019)	% Progress
Total Funds Spent - Waste Water		469,000	16%
Stormwater	700,000		0
Total Funds Spent - Stormwater		3,000	0%
Flood Protection	130,000		0
Total Funds Spent - Flood Protection		-	0%
Solid Waste	50,000		0
Total Funds Spent - Solid Waste		-	0%
Overall Funds Spent - 4 Waters	9,498,511	543,000	7%

Wastewater

Community	Status	Commentary
Mangawhai		<p>Inflow to the Mangawhai Wastewater Treatment Plant for the month of August 2019 totalled 16,756m³, which is up approximately 9% when compared to August 2018's inflow. (See Figure 1 below)</p> <p>Sewer pump station VA Mangawhai (Contract 909) has been commissioned and site reinstatement is currently underway,</p> <p>Mangawhai Wastewater Treatment Plant Upgrade. The upgrade to Mangawhai Wastewater Treatment Plant is progressing well. All the blower pipework from the blower room to the outside of the CASS tank has been installed. Modifications and improvements to the RAS header pipework including the installation of additional isolation valves and flow meters is complete. Work to the install the diffusers will begin in the first week of September. The aeration blowers have been installed and all cabling and wiring has been completed.</p>
Kaiwaka		Contract has been awarded for Kaiwaka Wastewater Treatment Plant Upgrade.
Maungaturoto		The contract for the Maungaturoto Wastewater Treatment Plant Membrane Replacement project has been awarded.
Dargaville		2018/2019 Pump station 1 and 2 and Rising Main – wetwell, valve chamber, overflow, rising main are installed. Final connection is underway.

Figure 1: Daily Flow Chart for August 2019



Water Supply

Community	Status	Commentary
Maungaturoto		2019/2020 Raw Watermain construction is underway.
Dargaville		2018/2019 Baylys Watermain construction final connection underway.

Stormwater and Land Drainage

The CCTV programme of the stormwater network is providing vital information on the state of the existing assets and to date approximately 85% or more of the Dargaville area has been assessed. This information will assist in our stormwater modelling and future renewal programmes. Open drains were mechanically cleared and cleaned in Mangawhai and on Station Road in Dargaville.

Flood protection programmed works are behind primarily due to the delays in being able to progress the Murphy Bower Stopbank. A meeting between all parties is pending.

Solid Waste

Work has commenced on developing a consultation document for inclusion with the annual plan consultation period next March. It is expected this will be presented to Council for approval in January 2020. The results of this consultation will impact on the kerbside collection contract and will also need to be factored into the upcoming Lpng Term Plan and Asset Management Plan updates.

The Hakaru leachate treatment trial continues to show positive results with the trial due to be finished mid-September. Results will be analysed leading to a design that is both cost effective and maintains consent limits.

August was a good month with only minor illegal dumping issues.

6 Planning and Regulatory

August statistics

Note: Tables containing shaded cells do not contain calculations, as these are not currently measured.

Planning	Received		% On Time	Average Working Days	YTD % On Time
	2018	2019			
Resource consent applications	51	16	65%	25.47	78%
224 applications	13	11	100%	1.30	
Service requests	168	112	89%		89%

20 additional lots were created this month, 1 in Mangawhai and 19 in the Otamatea area and four new conservation covenants were created within the Rodney Ecological District. Resource consent processing timeframes have decreased this month with the processing percentage for non-notified consents at 65% granted within statutory timeframes (11 out of 17). In addition, one notified consent was granted this month, and no hearings were held.

Building	Received		% On Time	Average Working Days	YTD % On Time
	2018	2019			
Building consent applications	65	66	97%	10.97	97%
CCC applications	63	61	98%	1	98%
Service requests	157	95	93%		90%
<p>The total number of building consents received for August were 66 (including amendments). The combined value of these projects totalled \$15,047,664 (including amendments). There were 22 new dwellings and relocates received for the month (excluding amendments) of which 16 were within Mangawhai, with a total value of \$10,903,400. There were two commercial consent applications received with a total value of \$2,735,000. Transition planning is underway in preparation for the Building Control Manager's departure from Council on Thursday 5 September.</p>					
Regulatory	Received		% On Time	Average Working Days	YTD % On Time
	2018	2019			
Alcohol applications	10	16		17.40	
Food control audits and inspections	9	7	100%		100%
Service requests	201	216	60%		61%
<p>Alcohol applications and processing remain consistent. Scheduled food premise verifications for August are slightly down on last year due to rescheduling of verifications and no requirements for non-food premise inspections for the month.</p>					
BCA Accreditation	Due	Completed		YTD % Completed	
		YTD	August 2019		
BCA audits	5	12	5	100%	
Competency assessments	1	5	2	100%	
<p>Audits and competency assessments on continue to remain on track. The Building Consent Authority held its annual strategic review meeting in accordance with Building Regulation 17(5), covering the Quality Management System over past 12 months as well as forecasting of BCA functions.</p>					

Policy

- District Plan review - spatial planning community and Mana Whenua engagement events for Mangawhai Dargaville, Kaiwaka, Maungaturoto, Paparoa and their surrounds occurred. Gaining a better understanding of community values and aspirations for these areas. Development constraints and opportunities are being analysed alongside these values to provide some suggested development options back to our communities.
- Climate Change Adaptation and Mitigation – work is ongoing to develop an action plan for Council. Mitigation issues are being researched to assess how Council can improve business efficiency and reduce GHG emissions through fleet vehicle, air travel and electricity use. Councils met at NRC to discuss the legal opinion provided by Simpson Grierson and the implications for sea level rise planning. As a result all Northland Councils agreed that NRC should provide mapping on impacts of a 1.5m to 1.9m sea level rise for all the districts to support future district plan provisions. Tai Tokerau Council Collaborative Working Group met with Councils' Māori Relations staff to discuss best ways of engaging on climate change with Māori communities. The Group is looking at how to include a Māori methodology into the Tai Tokerau Adaptation Plan and climate risk and vulnerability assessments for the region.

- Kaipara Exemplar Launch – the Prime Minister Jacinda Arden visited Te Tai Tokerau, supporting the work of the Integrated Kaipara Moana Harbour Group (IKHMG) on which Council's Policy Manager sits as a Committee member. The Prime Minister announced a \$12m package from its Freshwater Management budget to support community based efforts to protect the Kaipara Moana catchment.
- E-Plan – the Policy team is working with Isovist and the IT team to progress the new District Plan to become an online tool and to download the current District Plan online.

7 LIMs Overview

A Land Information Memorandum (LIM) is a property information report compiled by Council. This is typically obtained by a potential buyer when looking to purchase a property and must be issued within 10 working days of receipt. In August all 48 LIM applications received were processed on time, taking an average of six working days.

8 LGOIMA Overview – 01 August to 31 August 2019

Below is a list of requests received for information under the Local Government Official Information and Meeting Act 1987 (LGOIMA). Information requested as a LGOIMA must be answered within 20 working days from the day of receipt. All requests were processed within statutory timeframes.

Year to date we have received 147 LGOIMA requests to the end of August 2019.

Name	Subject	Time Taken	Number of Requests Year to Date 2019/2020	Number of days taken to respond
Brian Froggatt	Concrete strip outside Brian's gym	2 hours	1	24 extended 1 week
Dave Launder	Correspondence between Dave Hughes and Dave Launder	1 hours	2	20
Toni Kennerley - BRANZ	Construction and demolition waste	1 hours	1	12
Richard Watkins	Property information for 21 Rua Road, Mangawhai	6 hours	1	17
Simeon Brown - Parliament	Payments to NZ Drug Foundation	20 minutes	1	1
Rick Smith	Roading contract - request for proposal or tender	20 minutes	1	4
Mark Farnsworth	Legal advice regarding Plan Change 4	20 minutes	1	5

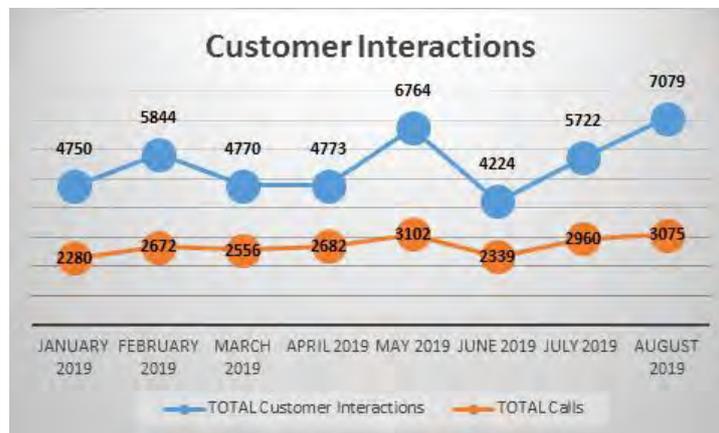
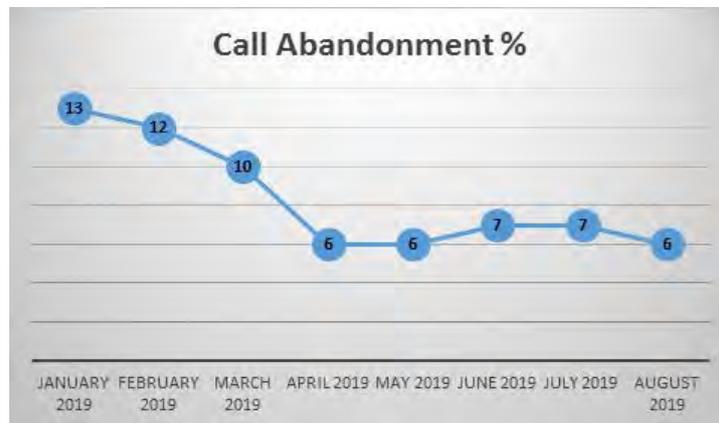
9 Customer Services and Library

In August 2019, Customer Services had seven full time, one casual and two new team members training, with an average of 3.0 FTE available to answer calls, due to staff sickness (including ACC), annual leave and training, both external and internal. New team members joined the team mid-July 2019 and are in the midst of being trained using the specific training programme developed for Customer Services staff, over a period of twelve weeks. Planned annual leave and external training in August is limited due to dog registration renewals and rates

instalment one invoices due for payment, which historically generates an increase in customer interactions.

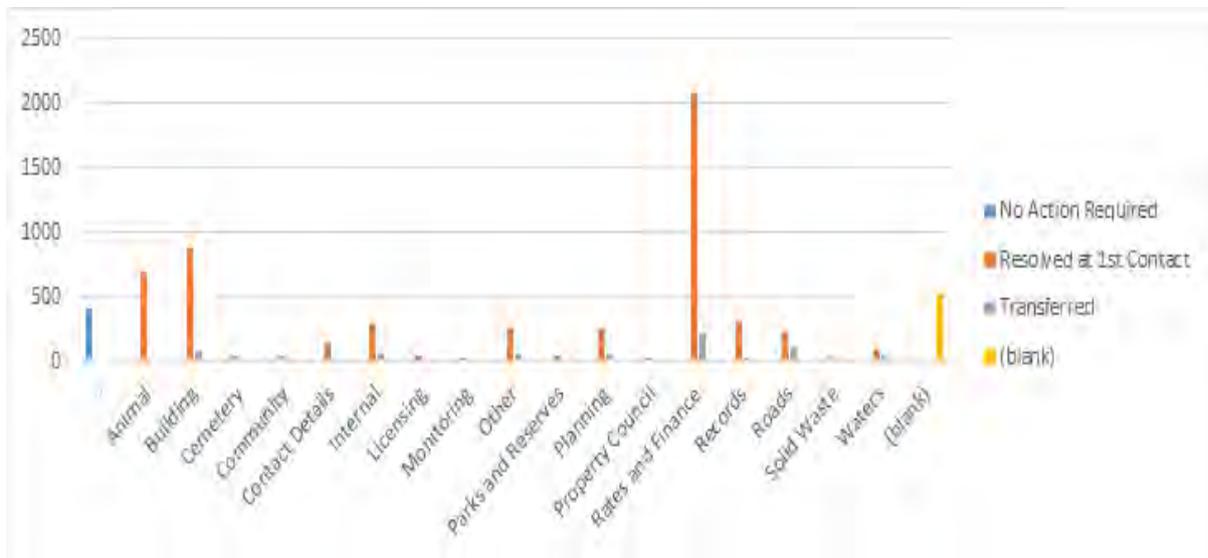
The total quantity of customer interactions were comparable with the same period in 2018 (August 2018), however the call interaction results have improved immensely. On average, 80% of calls were answered in 31 seconds while call abandonment was reduced to 6% and one caller experienced a wait time of 14 minutes 25 seconds on 14 August due to low staff coverage caused by staff sickness. An average of 86% of enquiries were resolved by Customer Services team members at the first point of contact.

With every customer interaction, we aim to provide a complete service, ensuring we are pre-empting any additional questions that may also need to be addressed for our customers. We understand that while customer-centricity assists with building trust and a solid reputation within the community, Quality Assurance plays an equally important role as it assists with building customer satisfaction. Quality Assurance expectations and guidelines have been developed and customer interactions are marked against these guidelines.





Customer Enquiry Type



Kaipara Libraries

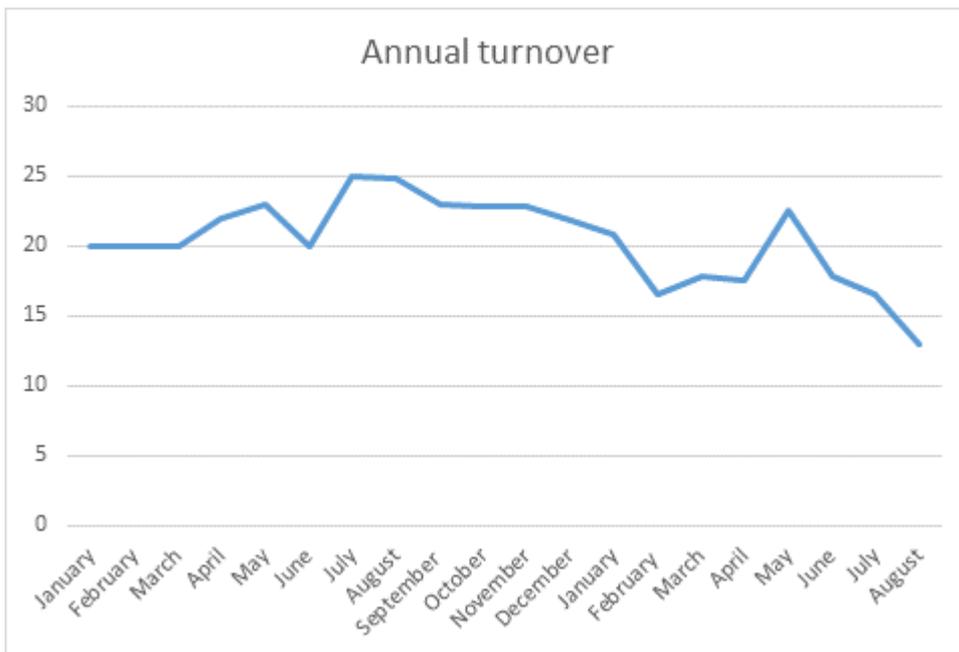
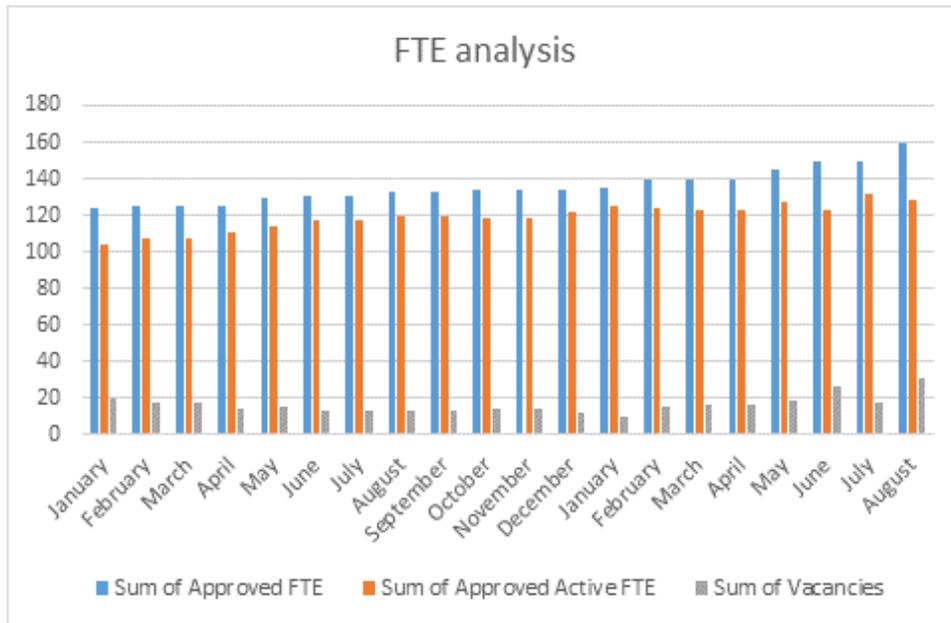
Community Libraries

- A quarterly community library managers meeting was attended in Kaiwaka.
- Our first community library volunteer training was held in Kaiwaka library assisting the libraries with training.
- Paparoa Library started a monthly adult evening book club with 19 people attending.

Dargaville Library

- New shelving has been installed in the non-fiction section replacing the last of the old rusty imperial shelving.
- The manager attended a shared services meeting with Far North and Whangarei Libraries.
- Dargaville library is creating a seed library which will be available from 1 September, the first day of spring.

10 People and Capability



11 Health and Safety

Workplace Health and Safety Management Report (August 2019)**KDC Staff OH&S events**

Incident type	Events for month
Near miss	0
Hazard	4
Occupational violence	0
Property damage	0
Occupational violence	0
First aid treatment	10
Pain or discomfort	3
Medical treatment injury	0
Lost time injury	0
Environmental incident	0

KDC Public OH&S Event

Incident type	Events for month
Incident	1
Near miss	0
Hazards	1
Property damage	0
Occupational illness	0
First aid treatment	0
Medical treatment injury	0
Lost time injury	0
Notifiable event	0

KDC Contractors OH&S Event

Incident type	Events for month
Near Miss	2
Incident	1
Property damage	5
Hazard reports	2
Occupational violence	2
Occupational Illness	0
First aid case	1
Medical treatment/lost time injury	2
Notifiable event	0
Environmental incident	0
Dangerous activity/unsafe act	0
Traffic management incidents	3

c) Contract acceptances

Contract 929.02: Kaiwaka Wastewater Treatment Plant Upgrade 2019/2020**Awarded to:** Filtec**Price:** \$278,019.77**No. of Tenders:** 3**Contract Manager:** Jamie MacDonald**Budget:** \$350,000**Tender Method:** Request for Quotation from specialists and lowest price.

d) Looking ahead

Wednesday 02 October	Funding Committee (CCS)	Dargaville Town Hall	2.00pm
Thursday 10 October	Council Meeting (if required)	TBC	9.30am

6.3 Resolutions Register update

Governance Advisor 1202.05

Recommended

That Kaipara District Council notes the Resolutions Register dated 16 September 2019.

Kaipara District Council
Resolutions Register at 16 September 2019

Ref	Meeting Date	Agenda Item Number	Item Name	Details	Assigned	Status	Comments	Due
1	11/07/2017	1.7.2	Notice of Motion 2	1) That the Chief Executive develop a policy for the appointment of independent commissioners; and 2) That the policy include: a) the process for Council appointment to, and removal from the list of commissioners; and b) standardising of commissioner remuneration; and c) the requirement for Council approval of appointments of commissioners for resource consent hearings, and a procedure for appointment including: i) an alphabetical acceptance and refusal process to remove bias; and ii) a public register recording the process followed in point a); and iii) a process allowing applicants to refer disputes over appointments decisions to Council for resolution; and iv) mechanisms to allow qualified elected members to sit on hearing panels if Council decides to do so.	GM RPP	In Progress	Terms of Reference for the Planning and Regulatory Working Group is under consideration by Councillors and included in the March 2018 Council agenda. The intention is that this Working Group review the policy. Working group met on 11 April 2018. Staff to create a policy based on guidance from this meeting. Policy Team is aiming to have a draft ready as soon as possible and no later than December. A draft is complete and has been reviewed by inhouse legal counsel. Additions suggested by Regulatory Working Group members Crs Larsen and Wethey have raised legal concerns in relation to real or perceived bias and good decision making processes. These matters need to be discussed either at a Regulatory Working Group or Council Briefing.	February 2020
2				3) That the Chief Executive work with a committee to be recommended by the Mayor in developing the policy and procedure	GM RPP	Completed	As above	Feb 2019
3				4) That any related current delegations be amended to reflect policy	GM RPP	In Progress	As above. Policy team has made recommendations for updates to Delegations register, when policy adopted the delegations contained within this Policy will also need to be registered.	February 2020
4				5) That the policy be presented to Council for approval at 09 October 2017 meeting.	GM RPP	In Progress	Draft policy presented to Regulatory Working Group on 11 February 2019 for discussion. Draft Policy presented to Council at Briefing meeting 4 April 2019. Policy was workshopped again at Regulatory Working Group meeting on 17 April 2019. Final Draft Policy being reviewed by the Working Group in July, to be presented to full Council in August or September 2019.	February 2020
5	26/09/2017	6.6	Stopbank reinstatement - land known as Section 73 75 part 44 Block XV of the Tokatoka Survey District	Delegates responsibility to the interim Chief Executive to complete any associated works for the stopbank reinstatement of Raupo Drainage District flood protection based on feedback from community consultation and expert advice	GM I	In Progress	See update below. Date changed to reflect prolonged land access issues.	June 2020
6				Notes that the works are to be funded by Raupo Drainage Targeted Rate.	GM I	In Progress		
7	11/12/2017	6.5	Mangawhai Museum Partial Surrender of Lease	Approves the Partial Surrender of the Lease by the Mangawhai Museum	GM R,F&IT (JB)	Completed		
8				Approves the grant to the Mangawhai Museum of a non-exclusive licence to use the surrendered area for the use permitted in its lease	GM R,F&IT (JB)	In Progress	Report on the Museum lease variation request went to Mangawhai Community Park Governance Committee meeting on 15 July. They deferred making a decision until further information on stormwater implications was available	March 2020
9				Delegates to the Acting Chief Executive responsibility for the finalisation of the Deed of Partial Surrender of Lease	GM R,F&IT (JB)	In Progress	The Deed of Partial Surrender can be finalised now with updated plans. However, the Museum has advised they now want a new lease rather than a partial surrender. Museum agreed to sign lease if Council can seal ground the carpark area they are surrendering. An options report went to the Mangawhai Community Park Governance Committee meeting on 15 July 2019.	March 2020

10	25/01/2018	7.4	Reserve Contributions (use of) Policy: Adoption of reviewed Policy	Approves the reviewed Reserve Contributions (use of) Policy as amended at the Reserve Contributions Committee's meeting on 18 January 2018 (as Attachment 2 of the above mentioned report) and at this Council meeting on 25 January 2018	GM RPP	Completed		
11				Consults on the reviewed Policy as part of the draft Long Term Plan process	GM RPP	Completed	Adopted at May 2018 Council meeting.	June 2018
12				Prioritises the review of Reserves and Open Space Strategy (ROSS)	GM RPP	In Progress	Feedback from Spatial Planning process being incorporated within the ROSS. Consultation on ROSS to be done as part of the LTP process with engagement with Council early 2020 [JAS 05/09/19] A briefing to Council was provided in Nov 2018.	June 2020
13	23/05/2018	5.1.3	Issues and Options: Reserve Contributions	Adopts the Reserve Contributions (use of) Policy as consulted on in the Consultation Document for the Long Term Plan 2018/2028 effective from 01 July 2018		Completed	Approved as part of the LTP.	
14				Continues to fund the existing \$100,000 p.a. budgets (\$150,000 for Mangawhai Park for 2018/2019 year only) for each of the three priority parks from reserve contributions as a priority over other reserve projects (and without being required to participate in the contestable funding round), until an alternative funding source is arranged, subject to each governance committee providing a business plan that conforms to the funding criteria of the policy	GM R, IT&F, GSD (IL)	Completed	Approved as part of the LTP. Council agreed contestable funding and catchment funding on 02 May 2019. Criteria to be agreed for contestable fund on 30 May 2019.	
15				Directs the Chief Executive to advertise the contestable funding round in July 2018 in accordance with the new policy	GM GSD (DL)	In Progress	The fund opened for applications on 1 July 2019 and closed on 13 September 2019. Applications will be assessed and brought to the in-coming council for decision.	December 2019
16				Directs the Chief Executive to investigate the provision of alternative funding sources for the region's priority parks and other reserves on completion of the reviews of the Reserves and Open Spaces Strategy (ROSS) and the Reserve Management Plans to ensure there will be sufficient funding for their capital works programmes	GM R,IT&F	In Progress	Awaiting ROSS review.	
17		5.1.7	Issues and Options: Mangawhai Community Wastewater Scheme	Approves the inclusion of \$20.05 million in the Long Term Plan 2018/2028 for the upgrade and extension of the Mangawhai Community Wastewater Scheme to accommodate new connections	GM GSD	Completed	Approved as part of the LTP.	
18				Agrees that the \$20.05 million shall be funded through debt	GM GSD	Completed	Approved as part of the LTP.	
19				Agrees that the growth portion of \$20.05 million debt servicing and financing be levied on future connections with the associated revenue raised from development contributions	GM GSD	Completed	Approved as part of the LTP.	
20				Notes that investigations of future disposal options to provide additional disposal capacity will be undertaken concurrently and a preferred option recommended to Council for approval	GM I	In Progress	Looking to amend existing consent to increase capacity for future disposal as an initial option (estimate existing farm has 8-10 years' capacity). RFP document drafted to procure a supplier to undertake assessment of and identify the preferred best practicable long term disposal option. Will then progress acquiring the necessary resource consents for the preferred long term disposal option.	February 2020
21		5.1.15	Issues and Options: Pensioner Housing	Approves the continued investigation of alternative options for the land it owns at Fagan Place in Mangawhai, including the possibility of working with external partners	GM R,IT&F (JB)	in progress	Pensioners to be communicated with before any discussion occurs on land. Communications plan under development .	Dec 2019

22				Requests the Chief Executive reports the results of the investigation to Council	GM R,IT&F (JB)	In Progress	The results of the above will be communicated to Council	Dec 2019
23	26/07/2018	4.11	Mangawhai golf course Reserve status exchange and Golf Club surrender of lease / variation of lease or grant of new licence	Approves the surrender of the Mangawhai Golf Club lease on Lot 33 DP 185449 and the driving range Licence to Occupy and agrees in principle to approve a new Licence to Occupy for the Mangawhai Golf Club in accordance with the Community Assistance Policy	GM R,IT&F	In Progress	In negotiation with Golf Club on terms and conditions in respect of Surrender and LTO. Brookfields changing license for input from Golf Club. Revised LTO sent May 2019. Meeting was held with the Golf Club in June to discuss the last remaining substantive issue which is related to the rent review clause. The Club to provide a proposed revision in near future.	December 2019
24				Directs the Chief Executive to publically notify Council's intention to grant the Mangawhai Golf Club a new Licence to Occupy as required in section 119 of the Reserves Act 1977, and to report back to Council on the results of this consultation so that Council can consider any submissions received in accordance with section 120 of the Reserves Act 1977	GM R,IT&F	In Progress	Notification was done in August, No objections received. Once the LTO and Surrender deed are finalised this will be reported to Council for final decision.	December 2019
25	23/08/2018	4.5	Road stopping and amalgamation: 623 Golden Stairs Road, Paparoa	Agrees in principle to the stopping of a portion of the section of Golden Stairs Road in Paparoa, as marked red on aerial map (see Attachment 2 to the afore mentioned report) under s116 of the Public Works Act subject to reaching prior agreement with the purchaser on the terms and conditions of the Sale and Purchase Agreement, subject to the sale price being no less than \$7,800 plus GST (if any), and that the purchaser meets all costs associated with the transaction	GM I	In Progress	Deposit payment of \$3450.00 incl GST was received on the 6.11.2018. Waiting for the Purchaser to arrange the Legalisation Survey Plan for the subject Land at their cost. Once the Survey Office Plan is approved by LINZ the Purchaser is to pay the balance (\$4,800.00 + GST). 623 Golden Stairs Road – The Owner was to provide an approved survey plant within 6 months of the agreement dated 20.09.2018 but following a recommendation from The Property Group (formerly Crown Properties) a 3 month extension was granted.	June 2019
26				Delegates authority to the Chief Executive to finalise the sale of the stopped portion of road of the section of Golden Stairs Road in Paparoa, as marked red on aerial map (see Attachment 2 to the afore mentioned report)	GM I	In Progress	The road stopping gazette notice has been approved. An invoice has been sent to The Property Group so they can arrange payment with the Owners.	June 2019
27	20/11/2018	4.7	Murphy Bower Stopbank Options Report	Resolves that the Murphy Bower stopbank located on SECT 73 75 PT 44 BLK XV TOKATOKA SD is remediated as per Option C of the aforementioned report – the remediation of the stopbank along the approximately 300m long section outlined under New Stop Bank and the upgrade of the existing section of the stopbank as highlighted by the area marked under Option 2 as per Fig 1 in Appendix A of the aforementioned report, without associated ground improvements i.e. construct the proposed stopbank to a standard no less than the existing stopbanks within the Raupo Drainage District at an estimated cost of \$375,000 + GST	GM I	In Progress	Meeting with landowner was requested but not accepted. Details sent to landowner's legal advisors. If no agreement can be reached with the landowner regarding approval to enter private property to undertake the works, then Council will need to proceed with statutory process to obtain authority to enter property to construct the public works. - No contact from the landowner as promised on 31 May. KDC engaged legal representation.	June 2020
28				Resolves to defer the following Raupo Drainage District capital works and operational projects to fund the proposed stopbank: a) \$128,000 to come from financial year capital works projects; b) \$50,000 from Management services (identified to start hydraulic modelling); c) \$42,000 from the stopbank maintenance budget	GM I	Completed		June 2019
29				Resolves to approve an additional Raupo Drainage District capital budget of \$45,000 to be loan funded	GM I	Completed		June 2019
30	28/02/2019	4.1	Notice of Motion dated 28 February 2019	a) Establishes an award for Kaipara citizens (and/or organisations), who have contributed to the environmental good of the Kaipara District.	GM RPP	In Progress	Policy team currently researching similar award polices from other Territorial Authorities	Oct 2019

31			b) Agrees that this award is judged on environmental leadership and actions including (but not restricted to) the protection, enhancement, and kaitiakitanga of natural resources and ecosystems; sustainability in enterprise, and environmental education and awareness raising.	GM RPP	In Progress	The policy team are reviewing other Council environmental award programmes and will draft up a suitable one for KDC.	Dec 2019
32			c) Agrees that a committee of suitably informed and qualified members will be established for determining the award recipient(s)	GM RPP & GM GSD	In Progress	Once the parameters of the award programme are determined a recommendation for committee structure will be proposed.	Dec 2019
33			d) Requests that the Chief Executive i. drafts an Award Policy with the frequency (to be determined), categories, and criteria for this Kaipara Environmental Award; ii. drafts a Terms of Reference for the establishment of the aforementioned Committee; iii. brings the draft Policy and Terms of Reference back to Council for approval, with a report that includes any possible costs to council for the establishment of the Award and the Committee.	GM RPP & GM GSD	In Progress	Once the policy is drafted a terms of reference will be prepared for consideration.	Dec 2019
34		5.4	Road Stopping and Inundation of an Unformed Legal Road: Roberts West Road, Dargaville	GM I	In Progress	Northland Fish & Game to consult with Te Roroa and Te Uri o Hau to seek agreement on the proposed inundation. Roberts West Road – Waiting for Fish & Game to approach Te Roroa and Te Uri o Hau as it is one of the condition in the contract agreement. Staff are awaiting response from Fish & Game to come back with agreement with Te Roroa and Te Uri o Hau.	Sep 2019
35	28/03/2019	4.3	Notice of Motion 3, Councillor Jonathan Larsen	GM I	In Progress	A Point of Entry is being developed following positive discussions with NZTA. This is expected to be submitted by November 2019 with a desire to progress straight to Pre-Implementation (Design) and Implementation (Construction) The walking and cycling Business Case will include the corridor from Mangawhai Heads through to the Village and south of the bridge. The BC will include the bridge. It is noted that the structural capacity of the bridge (even following remediation) will not support a 'clip on' structure. It is more likely that a separate structure will be required. Once it has been confirmed whether the project is a subsidised project or not (this will confirm Council's cost), we can consult with the community to confirm the priority of the shared path project and the Insley Street pedestrian bridge.	June 2020
36	02/05/2019	4.3	Taharoa Domain Bylaw 2019 – Adoption	GM RPP	Completed		
37			Delegates the Chief Executive to make the Taharoa Domain Bylaw 2019 operative when final signoff has been received by the Department of Conservation.	GM RPP	In Progress	DOC have been informed of the request. We are awaiting their response and formal sign off.	December 2019
38			Delegates the Chief Executive as an authorised Officer under the Taharoa Domain Bylaw 2019 and to exercise the powers of an Officer under Part 5 of the Reserves Act 1977.	GM RPP	Completed		

39				Delegates the Chief Executive to investigate appropriate and effective enforcement of the final Taharoa Domain Bylaw 2019, with appropriate delegations.	GM RPP	In Progress	Proposed workshop being established with Taharoa Committee, Harbourmaster, DOC, Mana Whenua and staff to establish an enforcement plan. Workshop to be held on 24 July 2019. Workshop held with Mana Whenua and Committee, follow up with Harbour master required. RMP evaluated and key actions identified	October 2019
40				Delegates to the Mayor and Chief Executive the authorisation to approve minor editorial changes as discussed at the meeting.	GM RPP	Completed		
41	30/05/2019	4.1	Notice of Motion, Deputy Mayor Peter Wethey	a) Contract an audit of the processes and procedures used by the Council's Regulatory team in their assessment of all resource consent applications that are received by Council. b) This audit to measure the efficiency by which these assessments are conducted so that Council can better gauge whether the current human resources allocated to this task match the work load generated by the volume of applications received. c) That a statistically relevant sample of applicants who have submitted consent applications to Council within the last 12 months, are surveyed as part of this audit and so determine Council's reputational standing for the handling of this activity. d) That the audit be carried out by a suitably qualified, independent, third party contractor. e) That the results of the audit be reported back no later than the Council meeting scheduled for 29 August 2019.	GM RPP	In Progress	Quality Audit - Paua Planning have been appointed to carry out the biannual review to assess the quality of decision making on RC applications. This review was initiated in April and is almost complete. It will provide comparison with the quality audit of 2017. Efficiency review - Barker and Associates have been appointed to undertake this review of the process and procedures and work will commence at the end of June. The output of this work is planned to come to the August Council meeting. A consultant has been engaged to work with the GM Community Customer Services (Darla Blake) and a small working group from the RPP team, to deliver on improvements from the Audit.	Dec 2019
42		5.4	Proposed Regional Plan Decisions	Resolves that no appeal is lodged against the decisions of the Northland Regional Council	GM RPP	Completed	Not appealing as Whangarei District Council who were the lead appellant has decided against appealing. KDC will join any other appeal of interest to Council.	August 2019
43				Delegates to the General Manager Regulatory, Planning and Policy the decision to join as a section 274 party to any appeal that may be lodged	GM RPP	Completed	Will Respond if appeals have been lodged in which Council has an interest.	August 2019
44	27/06/2019	4.4	Policy on Dogs and Dog Management Bylaw 2019 – Adoption	Adopts the Policy on Dogs and Dog Management Bylaw 2019 as presented in Attachment C to the circulated "Policy on Dogs and Dog Management Bylaw 2019 – Adoption" report	GM RPP	Completed		
45				Directs the Chief Executive to undertake a review of the effectiveness of the Policy on Dogs and Dog Management Bylaw 2019, 12 months after its adoption and to report back to Council on the review findings	GM RPP	In Progress		August 2020
46	25/07/2019	4.1	Temporary Telecommunications Tower	Approves the installation of a temporary telecommunications tower at 209 Molesworth Drive by Spark New Zealand on the land leased to Mangawhai Bowl(s) Club Lease and sub-leased to the Mangawhai Club from 01 August 2019 to 31 January 2020	GM R,IT & F	Completed	Approved by Council and relayed to Spark	
47				Delegates to the Chief Executive responsibility for negotiating the terms and conditions of the agreement for the installation a temporary telecommunications tower at this location	GM R,IT & F	Completed	Currently being Negotiated. Finalised by Sept 2019	
48	29/08/19	4.1	Independent Planning Functions Review	Requests the Chief Executive implement the recommendations provided by Barker & Associates and set out in Appendix 7 of the above report	CE	In Progress	Currently reaching out to recruitment agencies and contacts to fill roles where there are gaps in the RPP structure. Working with team on leadership skills to ensure a customer centric approach.	Updated 3Sep JW

49	29/08/19	4.2	Budget carry overs from 2018/2019	Approves the carrying over of financial budgets for the unfinished projects as set out in Attachment A to the "Budget carry-overs from 2018/2019" report, totalling \$2,619,822, and for the amounts to be added to the 2019/2020 Annual Plan project budgets to enable staff to complete the identified works	GM R,IT&F	Completed		
50	29/08/19			Approves the carrying over of operational project expenditure of \$324,387 for the District Plan and for the amounts to be added to the 2019/2020 Annual Plan project budgets to enable staff to complete the identified works	GM R,IT&F	Completed		
51	29/08/19	4.3	Reserve Contributions Allocation for the Reviewed Kaiwaka Township Improvement Plan	Requests the Chief Executive investigate and deliver the identified projects below, using the \$150,000 funding allocation from the Kaiwaka and Surrounds catchment included in the 2019/2020 Annual Plan: <input type="checkbox"/> Installation of the Kaiwaka Sports Fitness Trail <input type="checkbox"/> Development of the Rangiora Road Reserve and Boat Ramp.	GM GSD	Completed	Staff will communciate with the community groups to advance the projects approved.	June 2020
52	29/08/19	4.4	Elected Member Allowances and Recovery of Expenses Policy Update	Includes the childcare allowance in the Kaipara District Council's Elected Members Allowances and Recovery of Expenses Policy in accordance with the Local Government Members (2019/20) Determination 2019	GM GSD	Completed	The policy has been updated and the wording approved. It has been distirbuted to elected members.	September 2019
53	29/08/19			Delegates the Mayor and Chief Executive the authority to approve final wording in the Kaipara District Council's Elected Members Allowances and Recovery of Expenses Policy	GM GSD	Completed	The policy has been updated and the wording approved. It has been distirbuted to elected members.	September 2019
54	29/08/19	4.5	Raupo Drainage Committee election 2019	Appoints Ian Beattie, Greg Gent, David Hart, Grace Le Gros, Brian Madsen and Ross McKinley as the ratepayer representatives on the Raupo Drainage Committee for the 2019/2021 triennium	GM GSD	In Progress	Appointments will be published in a public notice. The applicants have been formally advised of their appointment.	September 2019

Valedictory speeches from retiring elected members

Meeting: Kaipara District Council
Date of meeting: 26 September 2019
Reporting officer: Lisa Hong, Governance Advisor

Purpose/Ngā whāinga

To provide an opportunity for elected members not standing in the election to give a valedictory speech, if they so choose.

Executive summary/Whakarāpopototanga

Councillors Geange, Jones and Wade are not standing in the 2019 local body triennial elections. This item provides the opportunity for valedictory speeches of up to five minutes for those retiring councillors.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Lisa Hong, 02 September 2019

7 **Public Excluded Council agenda items 26 September 2019**

Recommended

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

- *Confirmation of Public Excluded Council minutes 29 August 2019*
- *Public Excluded committee minutes confirmed in August 2019*
- *Spatial Planning Progress and Public Consultation on Proposals.*

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>Confirmation of Public Excluded Council minutes 29 August 2019</i>	<i>S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	<i>S48(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>Public Excluded committee minutes confirmed in August 2019</i>	<i>S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons S7(2)(f) maintain the effective conduct of public affairs through (ii) the protection of such members, officers, employees, and person from improper pressure or harassment S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	<i>S48(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>Spatial Planning Progress and Public Consultation on Proposals</i>	<i>S7(2)(j) to prevent the disclosure or use of official information for improper gain or improper advantage</i>	<i>S48(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>

8 **Open Council agenda 26 September 2019**

Closure

**Kaipara District Council
Dargaville**