

I hereby give notice of the following Ordinary meeting:

<b>Meeting</b>	Kaipara District Council
<b>Date</b>	Thursday 25 October 2018
<b>Time</b>	9.30am
<b>Venue</b>	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville

---

## **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**

## Contents

		Page
<b>1</b>	<b>Opening</b>	<b>1</b>
1.1	Karakia	1
1.2	Present	1
1.3	Apologies	1
1.4	Confirmation of Agenda	1
1.5	Conflict of Interest Declaration	1
1.6	Register of Members' Interests – October 2018 update	1
<b>2</b>	<b>Presentations and Petitions</b>	<b>15</b>
2.1	Volunteering Northland (Bart van der Meer)	15
<b>3</b>	<b>Minutes</b>	<b>17</b>
3.1	Confirmation of Open Council minutes 27 September 2018	17
3.2	Confirmation of Open Council minutes 09 October 2018	35
3.3	Open Committee minutes confirmed in September 2018	45
<b>4</b>	<b>Decision</b>	<b>69</b>
4.1	Temporary Road Closure 08 December 2018, Dargaville Christmas Parade - Approval	71
4.2	National Environmental Standards on Plantation Forestry Regulation 2017, District Plan Update	77
4.3	Climate Change Working Group, Formation and Terms of Reference	97
4.4	Northland Regional Council Kaihu River Working Group, Kaipara District Councillor Appointment	103
4.5	2019 Meeting Schedule	109
<b>5</b>	<b>Information</b>	<b>115</b>
5.1	Chief Executive's Report for the month of September 2018	117
5.2	Resolutions Register and Action Tracker	131
<b>6</b>	<b>Public Excluded agenda items 27 September 2018</b>	<b>141</b>
6.1	Public Excluded Committee minutes confirmed in September 2018	
<b>7</b>	<b>Open Council agenda 27 September 2018</b>	<b>143</b>
	<b>Closure</b>	<b>143</b>

**Ordinary meeting of Kaipara District Council  
25 October 2018 in Dargaville**

**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.

**1.6 Register of Members' Interests – October 2018 update**

Elected Members Code of Conduct states that elected members are 'required to make full and complete annual Declarations of Interest'.



## **Kaipara District Council**

## **Register of Members' Interests**

Updated 16 October 2018

## Contents

1	Mayor Dr. Jason Smith .....	1
2	Councillor Peter Wethey (Deputy Mayor) .....	2
3	Councillor Anna Curnow .....	3
4	Councillor Victoria del La Varis-Woodcock.....	4
5	Councillor Julie Geange.....	5
6	Councillor Libby Jones.....	6
7	Councillor Karen Joyce-Paki.....	7
8	Councillor Jonathan Larsen .....	8
9	Councillor Andrew Wade .....	9

## 1 Mayor Dr. Jason Smith

Mayor declared business interests	Mayor declared clubs and society roles	Declared interactions and transactions with Council
<ul style="list-style-type: none"><li>Greenhill Stud Limited, Director</li><li>Jason Smith Family Trust, Trustee</li></ul>	<ul style="list-style-type: none"><li>N/A</li></ul>	<ul style="list-style-type: none"><li>N/A</li></ul>

## 2 Councillor Peter Wethey (Deputy Mayor)

<b>Councillor or partner declared business interests</b>	<b>Councillor or partner declared clubs and society roles</b>	<b>Declared interactions and transactions with Council</b>
<ul style="list-style-type: none"><li>• Archangel Trust, Beneficiary</li></ul>	<ul style="list-style-type: none"><li>• Mangawhai Golf Club, Member</li><li>• Mangawhai Boating &amp; Fishing Club, Member</li><li>• Friend of Mangawhai Museum, Member</li></ul>	<ul style="list-style-type: none"><li>• Mangawhai Harbour Water Quality Panel, Volunteer Community Advisor</li><li>• Mangawhai Community Wastewater Scheme Panel, Volunteer Community Advisor</li></ul>

### 3 Councillor Anna Curnow

Councillor or partner declared business interests	Councillor or partner declared clubs and society roles	Declared interactions and transactions with Council
<ul style="list-style-type: none"> <li>• Sole Trader: Anna Curnow Consulting</li> <li>• Preston Farms Partnership Limited, my partner Garth Preston is a shareholder and director</li> <li>• Southern Sky Diaries Limited, my partner Garth Preston is a shareholder and director</li> <li>• Blue Mountain Dairies Limited, my partner Garth Preston is a shareholder and director</li> <li>• Ruawai Limited, my partner Garth Preston is a shareholder and director</li> <li>• RG Preston Family Trust, my partner Garth Preston is a Trustee</li> </ul>	<ul style="list-style-type: none"> <li>• Kaipara Community Health Trust, Chair</li> <li>• Dargaville Community Development Board, Board member</li> <li>• Ruawai Promotions Development Group, Committee member</li> <li>• Northland Chamber of Commerce, member</li> <li>• Ruawai Rugby Club, my partner Garth Preston is the President</li> <li>• Ruawai Tokatoka War Memorial Hall, my partner Garth Preston is a Committee member</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

#### 4 Councillor Victoria del La Varis-Woodcock

Councillor or partner declared business interests	Councillor or partner declared clubs and society roles	Declared interactions and transactions with Council
<ul style="list-style-type: none"> <li>• Love Kaipara Ltd, sole shareholder and director - Love Kaipara Ltd receives \$10,000 (GST exclusive) per annum from Council for the provision of waste minimisation education and promotion services for the years 2017/2019</li> <li>• Partner in the Del la Varis Woodcock Partnership</li> <li>• Robin Del La Varis Family Trust, Trustee</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>	<ul style="list-style-type: none"> <li>• Current Building Consent lodged with Council BC141424</li> <li>• As Love Kaipara Director, I interact with the Infrastructure Technical Officer about matters concerning waste recycling and minimisation, and promotion services provided by Love Kaipara Ltd under the Waste Minimisation Act 2008</li> </ul>

## 5 Councillor Julie Geange

<b>Councillor or partner declared business interests</b>	<b>Councillor or partner declared clubs and society roles</b>	<b>Declared interactions and transactions with Council</b>
Nil.	Nil.	Nil.

## 6 Councillor Libby Jones

Councillor or partner declared business interests	Councillor or partner declared clubs and society roles	Declared interactions and transactions with Council
<ul style="list-style-type: none"> <li>• Hames Jones Family Trust, Trustee</li> <li>• Manganui Farm Taipuha, Partner</li> </ul>	<ul style="list-style-type: none"> <li>• Paparoa Medical Society, Deputy Chair</li> <li>• Paparoa Sports and Recreation Association, Chair (and Pete Hames my husband, Committee member)</li> <li>• Paparoa Tennis, Committee member (and Pete Hames my husband, Treasurer)</li> <li>• Otamatea High School Board of Trustees, Deputy Chair</li> <li>• Friends of Kai Iwi Lakes, Committee member</li> <li>• Northland District Health Board, Director</li> <li>• Rural Support Trust, Trustee</li> <li>• Volunteering Northland, Trustee</li> <li>• Jigsaw North Family Services Whangarei, Manager part time</li> <li>• Paparoa Lions, Pete Hames my husband is Treasurer</li> <li>• Paparoa Progressive Inc, Pete Hames my husband is a Committee member</li> <li>• Paparoa Community Charitable Trust, Pete Hames my husband is a Trustee</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

## 7 Councillor Karen Joyce-Paki

Councillor or partner declared business interests	Councillor or partner declared clubs and society roles	Declared interactions and transactions with Council
<ul style="list-style-type: none"> <li>• Department of Conservation (DOC), Senior Community/Iwi Ranger</li> <li>• Te Roroa, Relationship Manager/Co-ordinator for Treaty Settlements</li> <li>• Te Roroa, Te Toa Whenua Working Group DOC Rep</li> <li>• Te Uri o Hau, Relationship Manager/Co-ordinator for Treaty Settlements</li> <li>• Kaitiaki Kiwi (Community Group, Funds Manager (DOC Funding)</li> <li>• Nga Kaitiaki o Te Wai (Te Uri o Hau) Funds Manager (DOC Funding)</li> <li>• Public Services Association (PSA) Union Delegate on behalf of DOC PSA Members</li> </ul>	<ul style="list-style-type: none"> <li>• Justice of the Peace</li> <li>• Kauri Coast Justices, Secretary</li> <li>• Dargaville Club, Member</li> <li>• Northern Wairoa RSA, Member</li> <li>• Kapehu Marae, whanau</li> <li>• Naumai Marae, whanau</li> <li>• Oturei Marae, whanau</li> <li>• Te Houhanga Marae, whanau</li> <li>• Ripia Marae, whanau</li> <li>• Marriage Celebrant</li> <li>• Warranted Issuing Officer, Search Warrants working with Police and Corrections</li> <li>• William Paki, Husband (Police Officer, Dargaville)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

## 8 Councillor Jonathan Larsen

<b>Councillor or partner declared business interests</b>	<b>Councillor or partner declared clubs and society roles</b>	<b>Declared interactions and transactions with Council</b>
<ul style="list-style-type: none"><li>• Mangawhai Heads Holdings Limited, Director/Shareholder</li><li>• Libertas Trustees Ltd, Director/Shareholder</li><li>• Allinge Trustee Ltd, Director/Shareholder</li></ul>	<ul style="list-style-type: none"><li>• Nil</li></ul>	<ul style="list-style-type: none"><li>• Resource Consents</li></ul>

## 9 Councillor Andrew Wade

Councillor or partner declared business interests	Councillor or partner declared clubs and society roles	Declared interactions and transactions with Council
<ul style="list-style-type: none"><li>• Director of Wade Concrete Products Ltd along with wife Jeanette</li><li>• A &amp; J Wade Business Trust, Trustee along with wife Jeanette</li></ul>	<ul style="list-style-type: none"><li>• Baylys Beach Surf Lifesaving Committee, Committee member</li></ul>	<ul style="list-style-type: none"><li>• Nil</li></ul>



## **2 Deputations, Presentations and Petitions**

### **2.1 Volunteering Northland (Bart van der Meer)**



### **3 Minutes**

#### **3.1 Confirmation of Open Council minutes 27 September 2018**

**General Manager Governance, Strategy and Democracy** 1601.23

##### **Recommended**

*That the unconfirmed Open minutes of the Kaipara District Council meeting held 27 September 2018 be confirmed as a true and correct record.*



---

## **Kaipara District Council**

---

# **Minutes**

---

<b>Meeting</b>	Kaipara District Council
<b>Date</b>	Thursday 27 September 2018
<b>Time</b>	Meeting commenced at 9.37am Meeting concluded at 4.15pm
<b>Venue</b>	Lighthouse Function Centre – 32 Mount Wesley Coast Road, Dargaville
<b>Status</b>	Unconfirmed

### **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**

## Contents

<b>1</b>	<b>Opening</b> .....	<b>3</b>
1.1	Karakia .....	3
1.2	Present .....	3
1.3	Apologies .....	4
1.4	Confirmation of Agenda .....	4
1.5	Conflict of Interest Declaration .....	4
<b>2</b>	<b>Deputations, Presentations and Petitions</b> .....	<b>4</b>
2.1	Te Roroa .....	4
<b>3</b>	<b>Minutes</b> .....	<b>4</b>
3.1	Confirmation of Open Extraordinary Council minutes 05 September 2018.....	4
3.2	Committee minutes confirmed in August 2018 .....	5
<b>4</b>	<b>Decision</b> .....	<b>5</b>
4.1	Annual Report 2017/2018 for adoption .....	5
4.2	Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 - 01 July 2017 to 30 June 2018 .....	6
4.3	Kaipara District Council Dog Control Annual Report 01 July 2017 to 30 June 2018.....	6
4.4	Contract 906 Mangawhai Community Wastewater Scheme Irrigation Extension Stage 4 2018/2019 - Award of Contract .....	7
4.5	Reserve Contributions Fund financial management.....	8
4.6	Reserve contributions contestable funding criteria, templates, processes and timeline .....	9
4.7	Sale of Section, Aranga Coast Road – Rescind 23 August 2018 decision .....	9
4.8	Class 4 Gambling Venue Policy Review and Adoption .....	10
4.9	Elected Member Allowances and Recovery of Expenses Policy Review .....	10
<b>5</b>	<b>Information</b> .....	<b>12</b>
5.1	Treasury Management non-compliance .....	12
5.2	Kaipara District New Footpath Improvements .....	12
5.3	Capital Works Programme 2018/2019.....	13
5.4	Northland Walking and Cycling Strategy 2018 .....	13
5.5	Chief Executive’s Report August 2018 .....	13
5.6	Resolutions Register and Action Tracker .....	13
<b>6</b>	<b>Public Excluded Council minute items 27 September 2018</b> .....	<b>14</b>
<b>7</b>	<b>Open Council minutes 27 September 2018</b> .....	<b>15</b>
	<b>Closure</b> .....	<b>15</b>

**Minutes of the Ordinary meeting of Kaipara District Council  
27 September 2018 in Dargaville**

**1 Opening**
**1.1 Karakia**

Iwi Relations Manager started the meeting with a karakia.

**1.2 Present**

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

**In Attendance**

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Sue Davidson	General Manager Risk, IT and Finance	All
Fran Mikulicic	General Manager Regulatory, Planning and Policy	All
Jenny Rooney	Funding Co-ordinator	1—4.6
Hamish Watson	Parks and Recreation Manager	1—4.6
Kathie Fletcher	Policy Manager	1—4.8
Francis Toko	Iwi Relations Manager	1—4.8
John Burt	Property and Commercial Advisor	4.1—4.7
Natalie Robinson	Policy Analyst	4.8
Jasmine Horton	Web Content Editor/Graphic Designer	4.5
Bryce Henderson	Council's auditor (Deloitte)	1—4.3
Vera Chian	Council's auditor (Deloitte)	1—4.3
Jason Marris	General Manager Governance, Strategy and Democracy	All (Minute-taker items 4.9—Close)
Lisa Hong	Governance Advisor	1—4.8 (Minute- taker items 1—4.8)

**Adjournments**

Reason	Start	Finish
Tea break	11.14am	11.33am
Lunch break	12.53pm	1.34pm
Tea break	3.13pm	3.25pm

### 1.3 Apologies

Moved Curnow/Joyce-Paki

*That the apology of Councillor Wade be received.*

Carried

### 1.4 Confirmation of Agenda

Moved Smith/Wethey

*That Kaipara District Council confirms the agenda.*

Carried

### 1.5 Conflict of Interest Declaration

Nil.

## 2 Deputations, Presentations and Petitions

### 2.1 Te Roroa

Alan Nesbit and Taoho Tane spoke in the public forum regarding culturally significant land in Aranga, to be discussed by Council as item 4.7 'Sale of Section, Aranga Coast Road – Rescind 23 August 2018 decision', and tabled an extended written version of their presentation<sup>i</sup>.

## 3 Minutes

### 3.1 Confirmation of Open Extraordinary Council minutes 05 September 2018

General Manager Governance, Strategy and Democracy 1601.23

Moved Wethey/Curnow

*That the unconfirmed Open minutes of the Extraordinary Kaipara District Council meeting held 05 September 2018 be confirmed as a true and correct record.*

Carried

### 3.2 Committee minutes confirmed in August 2018

General Manager Governance, Strategy and Democracy

16/Various

**Moved Geange/Joyce-Paki**

*That Kaipara District Council:*

- 1 *Receives the confirmed Open minutes of the following Kaipara District Council Committee meetings, for information:*
  - *Taharoa Domain Governance Committee meeting held 10 May 2018;*
  - *Raupo Drainage Committee meeting held 11 May 2018;*
  - *Mangawhai Community Park Governance Committee meeting held 21 May 2018;*

*and*
- 2 *Receives and confirms as a true and correct record the unconfirmed minutes of the Community Grants Committee meeting held 09 February 2018.*

**Carried**

## 4 Decision

### 4.1 Annual Report 2017/2018 for adoption

General Manager Risk, IT and Finance

2304.15

[Secretarial Note: Council's auditors Bryce Henderson and Vera Chian spoke to this item and tabled the 'Independent Auditor's Report to the readers of Kaipara District Council's Annual Report for the year ended 30 June 2018'<sup>ii</sup>.]

**Moved Smith/Wethey**

*That Kaipara District Council:*

- 1 *Receives the General Manager Risk, IT and Finance's report 'Annual Report 2017/2018 for adoption' dated 19 September 2018, Attachment 1 (circulated separately) and tabled document 'Independent Auditor's Report to the readers of Kaipara District Council's Annual Report for the year ended 30 June 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 provisions of s79 of the Act determines that it does not require further information, further assessment of options or further analysis of the costs and benefits of different options prior to making a decision on this matter; and*
- 3 *Notes that the Audit, Risk and Finance Committee has recommended adoption of the Annual Report 2017/2018; and*
- 4 *Adopts the Annual Report 2017/2018, circulated as Attachment 1 to the afore-mentioned report; and*

- 5 *Delegates the Chief Executive and the Mayor to approve amendments as per feedback provided and approve minor typographical changes that do not alter the intent of the information in the Annual Report 2017/2018; and*
- 6 *Notes that an audit report will be provided upon adoption of the Annual Report 2017/2018.*

**Carried**

#### **4.2 Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 - 01 July 2017 to 30 June 2018**

**Acting General Manager Planning and Regulatory 3706.02**

**Moved Smith/Curnow**

*That Kaipara District Council:*

- 1 *Receives the Acting General Manager Planning and Regulatory's report 'Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 – 01 July 2017 to 30 June 2018' dated 19 September 2018 and Attachment 1; 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 s.79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the 'Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2017 to 30 June 2018', circulated as Attachment 1 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; and*
- 4 *Delegates the Chief Executive and the Mayor 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 2017 to 30 June 2018'.*

**Carried**

#### **4.3 Kaipara District Council Dog Control Annual Report 01 July 2017 to 30 June 2018**

**General Manager Regulatory 3503.06/2018**

**Moved Smith/Joyce-Paki**

*That Kaipara District Council:*

- 1 *Receives the Regulatory Manager's report 'Kaipara District Council Dog Control Annual Report 01 July 2017 to 30 June 2018' dated 19 September 2018 and Attachment 1; and*

- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the 'Kaipara District Council Dog Control Annual Report for the 12 months ending 30 June 2018' (circulated as Attachment 1 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;*
- 4 *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 2018'.*

**Carried**

**Meeting adjourned for morning tea at 11.14am.**

**Meeting reconvened at 11.33am.**

#### **4.4 Contract 906 Mangawhai Community Wastewater Scheme Irrigation Extension Stage 4 2018/2019 - Award of Contract**

**Acting General Manager Infrastructure 4107.906**

**Moved Curnow/Joyce-Paki**

*That Kaipara District Council:*

- 1 *Receives the Acting General Manager Infrastructure's report 'Contract 906 Mangawhai Community Wastewater Scheme Irrigation Extension Stage 4 2018/2019 - Award of Contract' dated 11 September 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 *Approves the award of Contract 906 Mangawhai Community Wastewater Scheme Irrigation Extension Stage 4 2018/2019 to WaterForce for the contract price of \$367,399.20 + GST.*

**Carried**

#### 4.5 Reserve Contributions Fund financial management

**General Manager Risk, IT and Finance**                      **2304.17**

[Secretarial Note: Councillor Larsen tabled an alternate recommendation<sup>iii</sup>, which was moved and seconded below. Councillor Larsen also tabled a highlighted extract from the Reserve Management Act 1991<sup>iv</sup> and a highlighted extract from the Reserve Contributions (use of) Policy<sup>v</sup>.]

**Moved**        **Larsen/Wethey**

*That Kaipara District Council:*

- 1     *Receives the General Manager Risk, IT and Finance's report 'Reserve Contributions Fund financial management' dated 13 September 2018 and the following tabled documents:*
  - *Alternate recommendation;*
  - *Highlighted extract from the Reserve Management Act 1991;*
  - *Highlighted extract from the Reserve Contributions (use of) Policy; 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     *As recommended by the Reserve Contributions Committee, for the years ending 30 June 2019, 2020 and 2021, allocates \$950,000 to Council's Priority Parks over the three years (2019 \$350,000, 2020 \$300,000 and 2021 \$300,000); and*
- 4     *As recommended by the Reserve Contributions Committee, following the provision of funding for the Priority Parks, splits the balances of the funds remaining in each catchment 80:20 with 80% being retained in the respective catchment and 20% being allocated to a Common pool; and*
- 5     *Directs the Chief Executive to bring a comprehensive list of Long Term Plan projects, proposed to be funded from Reserve Contributions, with costings back to the October 2018 Council meeting for consideration and approval; and*
- 6     *As recommended by the Reserve Contributions Committee, gives priority for funding to the Long Term Plan 2018/2028 projects in each catchment and if any catchment has insufficient funds in its account that consideration be given to draw funds from the Common pool to meet the shortfall, subject to the approval provided for in clause 5 above; and*
- 7     *As recommended by the Reserve Contributions Committee, after the aforementioned provisions are made for each catchment, provides for a contestable fund. In the event that a catchment has insufficient funds remaining in its account to allow such a contestable fund, consideration be given to allocating funds from the Common pool to allow one to be held.*

A division was called, and voting was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Absent</u></b>
Councillor Geange	Councillor Curnow	Councillor Wade
Councillor Larsen	Councillor del la Varis-Woodcock	
Councillor Wethey	Councillor Jones	
	Councillor Joyce-Paki	
	Mayor Smith	

The motion was declared **LOST**.

Meeting adjourned for lunch at 12.53pm

Meeting reconvened at 1.34pm

#### 4.6 Reserve contributions contestable funding criteria, templates, processes and timeline

Funding Co-ordinator                      4705.01

[Secretarial Note: Pursuant to Kaipara District Council Standing Orders 9.9, the Chief Executive withdrew this item based on the discussion and decision from the preceding item 4.5 'Reserve Contributions Fund financial management' until the matter covered in that item has been resolved.]

#### 4.7 Sale of Section, Aranga Coast Road – Rescind 23 August 2018 decision

Property and Commercial Advisor                      5105.12

[Secretarial Note: This item was re-considered due to further information becoming available subsequent to the original decision being made by Council on 23 August 2018.]

**Moved**                      **Smith/Joyce-Paki**

*That Kaipara District Council:*

- 1     *Receives the Property and Commercial Advisor's report 'Sale of Section, Aranga Coast Road – Rescind 23 August 2018 decision' dated 20 September 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     *Rescinds the following decisions made at the 23 August 2018 meeting of Kaipara District Council:*
  - '3     *In accordance with its Property Disposal and Acquisition Policy, determines that the section of land (3,035m<sup>2</sup>) at Aranga Coast Road described as Lot 1 DP 28751*

*is surplus (or under-performing) to Council requirements and can be sold; and*

- 4 *Offers the section to the successor of the former owner at its current valuation in accordance with the provisions of section 40(2)(C) of the Public Works Act; and*
- 5 *Offers the section for sale by public tender in the event that the former owner's successor declines to purchase it; and*
- 6 *Delegates to the Chief Executive responsibility for negotiating final terms for the Sale and Purchase Agreement which must include satisfactory access arrangements being made for the track across the land'.*

**Carried**

#### **4.8 Class 4 Gambling Venue Policy Review and Adoption**

**Policy Analyst** 3201.05

**Moved** Smith/Curnow

*That Kaipara District Council:*

- 1 *Receives the Policy Analyst's report 'Class 4 Gambling Venue Policy Review and Adoption' dated 11 September 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 *Adopts the Class 4 Gambling Policy Review Statement of Proposal and Draft Class 4 Gambling Venues Policy, circulated as Attachment 1 and Attachment 2 to the aforementioned report, for public consultation under section 83 of the Local Government Act 2002.*

**Carried**

#### **4.9 Elected Member Allowances and Recovery of Expenses Policy Review**

**General Manager Governance, Strategy and Democracy** 1801.0

**Moved (1)** Smith/Curnow

*That Kaipara District Council:*

- 1 *Receives the General Manager Governance, Strategy and Democracy's report 'Elected Member Allowances and Recovery of Expenses Policy Review' dated 06 September 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 *Adopts the reviewed Elected Member Allowances and Recovery of Expenses Policy located at Attachment 3 to the afore-mentioned report, effective from 01 July 2018; and*
- 4 *Delegates to the Mayor and Chief Executive the ability to approve minor typographical changes that do not alter the intent of the policy.*

### **Amendment (2) Moved Geange/Larsen**

*That Kaipara District Council councillors cannot claim for any expenses incurred in their duties as councillors mentioned in the remuneration authority determination.*

A division was called, and voting was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Absent</u></b>
Councillor Geange	Councillor Curnow	Councillor Wade
Councillor Larsen	Councillor del la Varis-Woodcock	
	Councillor Jones	
	Councillor Joyce-Paki	
	Councillor Wethey	
	Mayor Smith	

**The motion was declared LOST.**

### **The following substantive motion (1) was then put:**

*That Kaipara District Council:*

- 1 *Receives the General Manager Governance, Strategy and Democracy's report 'Elected Member Allowances and Recovery of Expenses Policy Review' dated 06 September 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 *Adopts the reviewed Elected Member Allowances and Recovery of Expenses Policy located at Attachment 3 to the afore-mentioned report, effective from 01 July 2018; and*
- 4 *Delegates to the Mayor and Chief Executive the ability to approve minor typographical changes that do not alter the intent of the policy.*

**Carried**

Meeting adjourned for afternoon tea at 3.13pm.

Meeting reconvened at 3.25pm.

Councillor Larsen left the meeting at 3.25pm.

**Moved Smith/Curnow**

*That this meeting continue, exceeding six hours (at 3.37pm), pursuant to Kaipara District Council Standing Orders 4.2.*

**Carried**

## **5 Information**

### **5.1 Treasury Management non-compliance**

**General Manager Risk, IT and Finance 2304.15**

**Moved Wethey/del la Varis-Woodcock**

*The Kaipara District Council:*

- 1 *Receives the General Manager Risk, IT and Finance's report 'Treasury Management non-compliance' dated 13 September 2018 and attachment, and the information contained therein; and*
- 2 *Recognises that Council is outside its treasury ratios as below:*
  - *Debt interest proportions fixed/floating is outside current Treasury Policy; and*
  - *Maturity of debt is outside current Treasury Policy.*

**Carried**

### **5.2 Kaipara District New Footpath Improvements**

**Roading Projects Engineer 4102.0**

**Moved del la Varis-Woodcock/Joyce-Paki**

*That Kaipara District Council receives the Roothing Projects Engineer's report 'Kaipara District New Footpath Improvements' dated 17 September August 2018 and the information contained therein.*

**Carried**

### 5.3 Capital Works Programme 2018/2019

Acting General Manager Infrastructure 4100.0

**Moved Smith/Wethey**

*That Kaipara District Council receives the Acting General Manager Infrastructure's report 'Capital Works Programme 2018/2019' dated 19 September 2018.*

**Carried**

### 5.4 Northland Walking and Cycling Strategy 2018

Northland Walking and Cycling Strategy 2018

**Moved del la Varis-Woodcock/Joyce-Paki**

*That Kaipara District Council:*

- 1 *Receives the Community Relationships Manager's report 'Northland Walking and Cycling Strategy 2018' dated 07 September 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 the Northland Walking and Cycling Strategy 2018, circulated as Attachment 1 to the afore-mentioned report.*

**Carried**

### 5.5 Chief Executive's Report August 2018

Acting Chief Executive 2002.02.18/August

**Moved Smith/Geange**

*That Kaipara District Council receives the Chief Executive's Report for the month of August 2018.*

**Carried**

### 5.6 Resolutions Register and Action Tracker

Governance Advisor 1202.05

**Moved Smith/Joyce-Paki**

*That Kaipara District Council receives the Resolutions Register and Action Tracker dated 18 September 2018 and the information contained therein.*

**Carried**

## 6 Public Excluded Council minute items 27 September 2018

Meeting went into public excluded session at 4.13pm.

Moved del la Varis-Woodcock/Joyce-Paki

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

- Confirmation of Public Excluded Extraordinary Council minutes 05 September 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:

<b>General subject of each matter to be considered:</b>	<b>Reason for passing this Resolution</b>	<b>Ground(s) under Section 48(1) for the passing this resolution:</b>
Confirmation of Public Excluded Extraordinary Council minutes 05 September 2018	Section 7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Carried

## **7 Open Council minutes 27 September 2018**

Meeting returned to Open session at 4.14pm.

### **Closure**

Meeting closed at 4.15 pm.

**Kaipara District Council**  
**Dargaville**

- 
- <sup>i</sup> Extended written version of Te Roroa's presentation on culturally significant land in Aranga (Taoho Tane and Alan Nesbit)
  - <sup>ii</sup> Independent Auditor's Report to the readers of Kaipara District Council's Annual Report for the year ended 30 June 2018 (Deloitte)
  - <sup>iii</sup> Alternate recommendation (Councillor Larsen)
  - <sup>iv</sup> Highlighted extract from the Reserve Management Act 1991 (Councillor Larsen)
  - <sup>v</sup> Highlighted extract from the Reserve Contributions (use of) Policy (Councillor Larsen)



### **3.2 Confirmation of Open Council minutes 09 October 2018**

**General Manager Governance, Strategy and Democracy**

**1601.23**

#### **Recommended**

*That the unconfirmed Open minutes of the Extraordinary Kaipara District Council meeting held 09 October 2018 be confirmed as a true and correct record.*



---

## **Kaipara District Council**

---

# **Minutes**

---

<b>Meeting (Extraordinary):</b>	Kaipara District Council
<b>Date</b>	Tuesday 09 October 2018
<b>Time</b>	Meeting commenced at 10.02am Meeting concluded at 11.44am
<b>Venue</b>	Kaiwaka Sports Complex – 2 Gibbons Road, Kaiwaka
<b>Status</b>	Unconfirmed

### **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**

**Contents**

<b>1</b>	<b>Opening.....</b>	<b>3</b>
1.1	Karakia .....	3
1.2	Present.....	3
1.3	Apologies .....	3
1.4	Confirmation of Agenda .....	3
1.5	Conflict of Interest Declaration .....	4
<b>2</b>	<b>Deputations, Presentations and Petitions.....</b>	<b>4</b>
<b>3</b>	<b>Decision .....</b>	<b>4</b>
3.1	Representation Review: Final Proposal.....	4
<b>Closure .....</b>		<b>7</b>

Unconfirmed

**Extraordinary meeting of Kaipara District Council  
Tuesday 09 October 2018 in Kaiwaka**

**1 Opening**

Pursuant to Clause 22(2), Schedule 7 of the Local Government Act 2002, the Mayor has called an Extraordinary meeting of Council.

**1.1 Karakia**

Councillor Joyce-Paki started the meeting with a karakia.

**1.2 Present**

Mayor Jason Smith, Deputy Mayor Peter Wethey, Councillors Anna Curnow, Victoria del la Varis Woodcock, Julie Geange (via audio link), Libby Jones, Karen Joyce-Paki and Jonathan Larsen

**In Attendance**

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Dale Ofsoske	Electoral Officer, Election Services Ltd	All
Ben Hope	External Public Affairs Officer	All
Jason Marris	General Manager Governance, Strategy and Democracy	All
Lisa Hong	Governance Advisor	All (Minute-taker)

**Adjournments**

Reason	Start	Finish
Representation Review discussions	10.06am	11.35am

**1.3 Apologies**

**Moved Curnow/Joyce-Paki**

*That the apology of Councillor Wade be received.*

**Carried**

**1.4 Confirmation of Agenda**

**Moved Smith/del la Varis-Woodcock**

*That Kaipara District Council confirms the agenda.*

**Carried**

### 1.5 Conflict of Interest Declaration

Nil.

## 2 Deputations, Presentations and Petitions

Nil.

The meeting adjourned at 10.06am.

The meeting reconvened 11.35am.

## 3 Decision

### 3.1 Representation Review: Final Proposal

[Secretarial Note: External Public Affairs Officer tabled a sheet of maps of all five options<sup>1</sup>. Pursuant to Clause 24(2), Schedule 7 of Local Government Act 2002, the Mayor has a casting vote for issues of statutory compliance and deadlines. Due to Section 19N(1) of the Local Electoral Act 2001, the Mayoral casting vote applies to the following motions and resolutions for this item.]

#### Moved (1) Smith/Curnow

*That Kaipara District Council:*

- 1 *Receives the Electoral Officer's Report "Representation Review: Final Proposal" dated 25 September 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 *Resolves, pursuant to section 19N of the Local Electoral Act 2001, to adopt, as its final proposal for the review of representation arrangements for the 2019 and 2022 triennial local body elections, the following option:*

***Option 1 – Adopt the Initial Proposal as the Final Proposal (see Attachment 1 of the aforementioned report)***

*Eight councillors, plus the mayor, four wards these being Dargaville Ward (two councillors), Kaiwaka-Mangawhai Ward (two councillors), Otamatea Ward (two councillors) and West Coast-Central Ward (two councillors), no community boards; and*

- 4 *Issues a public notification on 12 October 2018 that informs the public of the final proposal and the opportunity to make an appeal or objection in the period 12 October to 12 November 2018 should they wish to; and*
- 5 *Delegates to the Mayor and Chief Executive the authority to review and approve the wording of the reasons for the Council's decision, and its rejection of submissions received on the Council's initial proposal.*

#### **Amendment (2) moved Larsen/Wethey**

*That Kaipara District Council:*

- 1 *Receives the Electoral Officer's Report "Representation Review: Final Proposal" dated 25 September 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 *Resolves, pursuant to section 19N of the Local Electoral Act 2001, to adopt, as its final proposal for the review of representation arrangements for the 2019 and 2022 triennial local body elections, the following option:*

**Option 2A – Amend the Initial Proposal as the Final Proposal** (see Attachment 2 of the aforementioned report)

*Eight councillors, plus the mayor, two wards these being a new Wairoa Ward (Dargaville and West Coast-Central Wards from Initial Proposal) (four councillors) and a new Otamatea Ward (Kaiwaka-Mangawhai and Otamatea Wards from Initial Proposal) (four councillors), no community boards; and*

- 4 *Issues a public notification on 12 October 2018 that informs the public of the final proposal and the opportunity to make an appeal or objection in the period 12 October to 12 November 2018 should they wish to; and*
- 5 *Delegates to the Mayor and Chief Executive the authority to review and approve the wording of the reasons for the Council's decision, and its rejection of submissions received on the Council's initial proposal.*

A division was called, and voting was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Absent</u></b>
Councillor Geange	Councillor Curnow	Councillor Wade
Councillor Jones	Councillor del la Varis-Woodcock	
Councillor Larsen	Councillor Joyce-Paki	
Councillor Wethey	Mayor Smith	

**The motion was declared TIED.**

**Mayor Smith voted AGAINST, and the amendment motion was declared LOST.**

**Substantive motion (1) was then put:**

*That Kaipara District Council:*

- 1 *Receives the Electoral Officer's Report "Representation Review: Final Proposal" dated 25 September 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 *Resolves, pursuant to section 19N of the Local Electoral Act 2001, to adopt, as its final proposal for the review of representation arrangements for the 2019 and 2022 triennial local body elections, the following option:*

**Option 1 – Adopt the Initial Proposal as the Final Proposal** (see Attachment 1 of the aforementioned report)

*Eight councillors, plus the mayor, four wards these being Dargaville Ward (two councillors), Kaiwaka-Mangawhai Ward (two councillors), Otamatea Ward (two councillors) and West Coast-Central Ward (two councillors), no community boards; and*

- 4 *Issues a public notification on 12 October 2018 that informs the public of the final proposal and the opportunity to make an appeal or objection in the period 12 October to 12 November 2018 should they wish to; and*
- 5 *Delegates to the Mayor and Chief Executive the authority to review and approve the wording of the reasons for the Council's decision, and its rejection of submissions received on the Council's initial proposal.*

A division was called, and voting was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Absent</u></b>
Councillor Curnow	Councillor Geange	Councillor Wade
Councillor del la Varis-Woodcock	Councillor Jones	
Councillor Joyce-Paki	Councillor Larsen	
Mayor Smith	Councillor Wethey	

**The motion was declared TIED.**

**Mayor Smith voted FOR, and the substantive motion was declared CARRIED.**

**Closure**

Meeting closed at 11.44am.

Confirmed .....

Chair .....

**Kaipara District Council**  
**Dargaville**

---

<sup>1</sup> Sheet of maps of all five Representation Arrangement options.

unconfirmed



### 3.3 Open Committee minutes confirmed in September 2018

General Manager Governance, Strategy and Democracy

16/Various

#### Recommended

*That Kaipara District Council receives the confirmed Open minutes of the following Kaipara District Council Committee meetings, for information:*

- *Funding Committee (Creative Communities Scheme) meeting held 24 April 2018;*
- *Combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee meeting held 06 June 2018;*
- *Audit, Risk and Finance Committee meeting held 13 June 2018.*



<b>Meeting</b>	Funding Committee: Creative Communities Scheme
<b>Date</b>	Tuesday 24 April 2018
<b>Time</b>	Meeting commenced at 10.01am Meeting concluded at 11.34am
<b>Venue</b>	Northern Wairoa War Memorial Hall, 37 Hokianga Road, Dargaville [Venue was publicly notified as Council offices, 42 Hokianga Road, Dargaville. Council staff re-directed members of the public from this location.]
<b>Status</b>	Confirmed

---

## Minutes

---

### Members

Chair: Allan Mortensen

Members: Councillor Victoria del la Varis-Woodcock, Nicola Everett, Ollie Knox and John Pickworth

Staff and Associates:

Funding Co-ordinator, Committee Secretary (Minute-taker)



**Contents**

**1 Opening..... 3**

1.1 Karakia ..... 3

1.2 Present ..... 3

1.3 Apologies ..... 3

**2 Decision ..... 3**

2.1 Creative Communities Scheme Funding 2017/2018 Round Two : Summary of Applications.. 3

2.2 Membership change..... 4

**Closure ..... 5**

Confirmed

**Minutes of the Funding Committee (Creative Communities Scheme) meeting  
24 April 2018 in Dargaville**

**1 Opening****1.1 Karakia**

Councillor del la Varis-Woodcock opened the meeting with a karakia.

**1.2 Present**

Allan Mortensen (Chair), Councillor Victoria del la Varis-Woodcock, Ollie Knox and John Pickworth

**In attendance**

Name	Designation	Item(s)
Jenny Rooney	Funding Co-ordinator	All
Lisa Hong	Administration Assistant	All (Minute-taker)

**1.3 Apologies**

**Moved del la Varis-Woodcock/Pickworth**

*That the apology of Nicola Everett be received.*

**Carried**

**2 Decision****2.1 Creative Communities Scheme Funding 2017/2018 Round Two : Summary of Applications**

**Funding Co-ordinator 2109.06.03**

Beth Stone and Filani Macassey spoke to the Committee in support of Beth Stone's Kaipara District Arts Fair application. No other applicants were present.

**Moved del la Varis-Woodcock/Knox**

*That the Funding Committee (Creative Communities Scheme):*

- 1 Receives the Community Funding Co-ordinators report 'Creative Communities Scheme Funding 2017/2018 Round Two: Summary of Applications' dated 04 April 2018; including the applications in Attachment 1; and*

- 2 *Believes it has complied with the Scheme's decision-making criteria of:*
- *Access and Participation: Create opportunities for local communities to engage with and participate in local arts activities;*
  - *Diversity: Support the diverse arts and cultural traditions of local communities, enriching and promoting their uniqueness and cultural diversity;*
  - *Young People: Enable and encourage young people (under 18 years) to engage with and actively participate in the arts; and*

- 3 *Awards grants to the following applications:*

<b>Organisation</b>	<b>Project</b>	<b>Amount</b>
Arty Farties Inc	Flax Weaving	\$480.00
Arty Farties Inc	Drawing with John Mitchell	\$511.50
Arty Farties Inc	Mosaic Female Torso	\$773.18
Dargaville Community Cinema	Northland Short Film Competition	\$1,114.00
Rachel Sutton	Kaipara based workshop with international contemporary mosaic artist	\$2,000.00
Lynn Middleton, Wendy Clifford, Nicola Everett	Print Week	\$1,058.00
Marijke Valkenburg	Sewerage wall sculptural beautification project	\$900.00
The Kauri Museum	The Kauri Museum Northland Photography Awards	\$1,740.00
<b>Total</b>		<b>\$9,375.18</b>

- 4 *Awards the following grant, conditional on compliance with Creative Community Scheme as reviewed by the Funding Co-ordinator:*

<b>Organisation</b>	<b>Project</b>	<b>Amount</b>
Beth Stone	Kaipara District Arts Fair	\$798.50
<b>Total</b>		<b>\$798.50</b>

- 5 *Notes that the remaining grant funds will be retained for the next round.*

**Carried**

## 2.2 Membership change

**Committee Secretary                      2109.06.03**

The motion for this item was lapsed due to lack of a mover and seconder.



**Closure**

Committee members welcomed Councillor del la Varis-Woodcock to the Committee.

Councillor del la Varis-Woodcock closed the meeting with a karakia.

The meeting closed at 11.34am.

**Confirmed** .....

**Chair** .....

**Kaipara District Council**  
**Dargaville**

Confirmed



<b>Meeting</b>	Combined Pou Tu Te Rangi Joint Management and Harding Park Committees
<b>Date</b>	Wednesday 06 June 2018
<b>Time</b>	Meeting commenced at 2.00pm Meeting concluded at 3.26pm
<b>Venue</b>	Resource Room, Northern Wairoa Maori, Maritime and Pioneer Museum, Harding Park, 32 Mount Wesley Coast Road, Dargaville
<b>Status</b>	Confirmed

---

## Minutes

---

### Membership

Chair: Rex Nathan

Members: Trish Harding, Matiu Wati and Willie Wright  
Councillors Victoria del La Varis-Woodcock and Karen Joyce-Paki

### Staff and Associates:

Chief Operating Officer and General Manager Infrastructure, Parks and Recreation Manager,  
Parks Officer, Governance Advisor (Minute-taker)

Jason Marris  
**General Manager Governance, Strategy and Democracy**

## Contents

<b>1</b>	<b>Opening.....</b>	<b>3</b>
1.1	Karakia .....	3
1.2	Present.....	3
1.3	Apologies .....	3
1.4	Confirmation of Agenda .....	3
1.4.1	<b>Extraordinary item: Appointment of Trish Harding as a Council representative on the Harding Park and Pou Tu Te Rangi Joint Management Committee .....</b>	<b>4</b>
1.5	Conflict of Interest Declaration .....	4
<b>2</b>	<b>Deputations and Presentations .....</b>	<b>5</b>
2.1	Joesephine Nathan .....	5
2.2	Lynda Leigh, Visual Solutions .....	5
2.3	Eugene Morgan-Cockle (Venessa Anich on the agenda), Dargaville Dalmatian Cultural Club Incorporated .....	5
2.4	Allen Mortensen and Reuben Cohen, Dargaville Community Development Board .....	5
2.5	Iris Toko Riki .....	5
<b>3</b>	<b>Confirmation of Minutes.....</b>	<b>6</b>
3.1	Harding Park and Pou Tu Te Rangi Joint Management Committee minutes: 07 March 2018.	6
<b>4</b>	<b>Operational .....</b>	<b>6</b>
4.1	Operations Update: March 2018 - May 2018.....	6
<b>Closure .....</b>	<b>6</b>	

**Minutes of the combined meeting of  
Pou Tu Te Rangi Joint Management Committee and Harding Park Committee  
Wednesday 06 June 2018, Dargaville**

**1 Opening**
**1.1 Karakia**

Rex Nathan opened the meeting with a karakia.

**1.2 Present**

[Secretarial Note: Hal Harding formally resigned from this Committee on 06 June 2018 via email (attachment 3 to agenda item 1.4.1 'Extraordinary item: Appointment of Trish Harding as a Council representative on the Harding Park and Pou Tu Te Rangi Joint Management Committee').]

Rex Nathan (Chair), Councillors Victoria del la Varis-Woodcock, Trish Harding, Councillor Karen Joyce-Paki, Matiu Wati and Willie Wright

**Attendance**

<b>Name</b>	<b>Designation</b>	<b>Item(s)</b>
Curt Martin	Acting Chief Executive	All
Hamish Watson	Parks and Recreation Manager	All
Mike Collins	Parks Officer	All
Darlene Lang	Community Relationships Manager	All
Lisa Hong	Governance Advisor	All (Minute-taker)

**1.3 Apologies**

**Moved del la Varis-Woodcock/Joyce-Paki**

That the apology of Willie Wright be received.

**Carried**

**1.4 Confirmation of Agenda**

**Moved Joyce-Paki/Wati**

*That the Harding Park and Pou Tu Te Rangi Joint Management Committee:*

- 1 *Pursuant to clause 9.12 of the Kaipara District Council Standing Orders, adds an Extraordinary item 'Appointment of Trish Harding as a Council representative on the*

*Harding Park and Pou Tu Te Rangī Joint Management Committee' to the 06 June 2018 agenda as item 1.4.1; and*

- 2 *Notes that the item 1.4.1 could not be delayed to the next meeting of the Committee in September 2018 as the item pertains to the membership of the Committee, which became effective at the date of the letter from the Minister of Conservation dated 05 June 2018 (Attachment 2 to the aforementioned report);*
- 3 *Notes that for item 2.3 'Venessa Anich', Eugene Morgan-Cockle will be speaking on behalf of the Dargaville Dalmatian Society Incorporated instead of Venessa Anich as stated in the agenda; and*
- 4 *Adds item 2.5 'Iris Toko Riki' as a public forum presentation.*

**Carried**

#### **1.4.1 Extraordinary item: Appointment of Trish Harding as a Council representative on the Harding Park and Pou Tu Te Rangī Joint Management Committee**

**Governance Advisor**                      **2114.03.09**

[Secretarial Note: The corresponding report was tabled at the meeting, with agreement of the Committee via resolution under item 1.4 'Confirmation of Agenda'.]

**Moved**        **Joyce-Paki/Wati**

*That the Harding Park and Pou Tu Te Rangī Joint Management Committee:*

- 1 *Receives the Governance Advisor's report 'Appointment of Trish Harding as a Council representative on the Harding Park and Pou Tu Te Rangī Joint Management Committee' and its attachments dated 06 June 2018; and*
- 2 *Notes the resignation of Hal Harding as a Council representative on the Harding Park and Pou Tu Te Rangī Joint Management Committee; and*
- 3 *Notes the Minister of Conservation's appointment of Trish Harding as a Council representative on the Harding Park and Pou Tu Te Rangī Joint Management Committee.*

**Carried**

#### **1.5 Conflict of Interest Declaration**

<b>Name</b>	<b>Conflict</b>
Councillor Joyce-Paki	Item 2.1 'Josephine Nathan' – Councillor Joyce-Paki is Josephine Nathan's supervisor

## **2 Deputations and Presentations**

### **2.1 Joesephine Nathan**

Joesephine Nathan tabled a concept outline and spoke in the public forum regarding a marae concept for the Pou Tu Te Rangi Harding Park.

### **2.2 Lynda Leigh, Visual Solutions**

[Secretarial Note: Council officers informed the Committee that an item requesting Purchase Order 7618 be rolled over into the 2018/2019 budget.]

Lynda Leigh tabled an update on works undertaken under Purchase Order 7618 and spoke in the public forum regarding the progress of signage work previously authorised by the Committee for the 2017/2018 year.

### **2.3 Eugene Morgan-Cockle (Venessa Anich on the agenda), Dargaville Dalmatian Cultural Club Incorporated**

Eugene Morgan-Cockle spoke in the public forum regarding the upcoming '160 Year Celebration of First Dalmatian Immigrant Arrival in New Zealand' on Saturday 10 November 2018 at Pou Tu Te Rangi Harding Park.

### **2.4 Allen Mortensen and Reuben Cohen, Dargaville Community Development Board**

[Secretarial Note: Committee members requested that an report looking at options for the CCTV tower be included in the agenda for the Committee meeting in September 2018. However, further correspondence was received by Council on 08 June 2018 stating that the Dargaville Community Development Board has chosen an alternate site for the CCTV tower. Council officer forwarded this letter to the Committee and advised that the report is no longer required.]

Allen Mortensen and Reuben Cohen tabled an information sheet about the proposed CCTV tower and spoke in the public forum regarding the placement of the CCTV tower at the Pou Tu Te Rangi Harding Park.

### **2.5 Iris Toko Riki**

[Secretarial Note: Committee members advised Iris Toko Riki to speak to the Te Uri o Hau Taumata Council regarding this matter.]

Iris Toko Riki spoke in the public forum regarding the negative cultural ramification of the walkways in Pou Tu Te Rangi Harding Park.

### 3 Confirmation of Minutes

#### 3.1 Harding Park and Pou Tu Te Rangi Joint Management Committee minutes: 07 March 2018

Administration Manager 1607.11

Moved Joyce-Paki/del la Varis-Woodcock

*That the minutes of the Harding Park and Pou Tu Te Rangi Joint Management Committee held 07 March 2018 be confirmed as a true and correct record.*

Carried

### 4 Operational

#### 4.1 Operations Update: March 2018 - May 2018

Parks and Recreation Manager 4702.06

Moved Joyce-Paki/Harding

*That the Harding Park Committee and Pou Tu Te Rangi Joint Management Committee:*

- 1 *Receives the Parks and Recreation Manager's report 'Operations Update: March 2018 – May 2018' dated 23 May 2018 and the information contained therein; and*
- 2 *Determines that it believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Accepts the Dargaville Dalmatian Cultural Club Inc's invitation to the '160 Year Celebration of First Dalmatian Immigrant Arrival in New Zealand', on Saturday 10 November 2018 at Harding Park and requests the Te Uri o Hau Taumata Council to send a representative to attend and give a speech as representative of the Harding Park and Pou Tu Te Rangi Joint Management Committee.*

Carried

### Closure

The meeting closed at 3.26 pm.

Confirmed .....

Chair .....

**Kaipara District Council**  
**Dargaville**

<b>Meeting</b>	Audit, Risk and Finance Committee
<b>Date</b>	Wednesday 13 June 2018
<b>Time</b>	The meeting commenced at 10.09am The meeting concluded at 12.46pm
<b>Venue</b>	Meeting Room – Mangawhai Club, Molesworth Drive, Mangawhai
<b>Status</b>	Confirmed

---

## Minutes

---

### Membership

Chair: Stana Pezic

Members: Councillor del La Varis-Woodcock  
Councillor Geange  
Councillor Larsen  
Councillor Wade  
Deputy Mayor Wethey

### Staff and Associates:

Acting Chief Executive, General Manager Risk, IT and Finance, Acting General Manager Infrastructure, IT Manager, Health and Safety Advisor, Governance Advisor (Minute-taker).

## Contents

<b>1</b>	<b>Opening</b> .....	<b>3</b>
1.1	Present.....	3
1.2	Apologies .....	3
1.3	Confirmation of Agenda .....	3
1.4	Conflict of Interest Declaration .....	4
<b>2</b>	<b>Confirmation of Minutes</b> .....	<b>4</b>
2.1	Audit, Risk and Finance Committee minutes 14 February 2017 .....	4
<b>3</b>	<b>Decision</b> .....	<b>4</b>
3.1	Customer Privacy Policy – recommend to Council to adopt.....	4
3.2	Fraud Policy amendments .....	5
3.3	Data and Information Compliance Policy – recommend to Council to adopt .....	5
3.4	Audit Action Update .....	6
<b>4</b>	<b>Information</b> .....	<b>6</b>
4.1	Treasury Management.....	6
4.2	Health and Safety Update June 2018 .....	7
<b>5</b>	<b>Public Excluded Committee minutes 13 June 2018</b> .....	<b>8</b>
<b>6</b>	<b>Open Committee minutes 13 June 2018</b> .....	<b>9</b>
	<b>Closure</b> .....	<b>9</b>

Confirmed

**Minutes of the Audit, Risk and Finance Committee meeting**
**Wednesday 13 June 2018 in Mangawhai**
**1 Opening**
**1.1 Present**

Stana Pezic (Chair), Mayor Jason Smith, Deputy Mayor Peter Wethey and Councillors Victoria del la Varis-Woodcock, Julie Geange and Andrew Wade

**In Attendance**

Name	Designation	Item(s)
Curt Martin	Acting Chief Executive	All
Sue Davies	General Manager Risk, IT and Finance	All
Fran Mikulicic	Acting General Manager Infrastructure	From item 3.2
Markus Schwarzer	Finance Manager	All
Ian Fernandes	IT Manager	All
Robert Maassen	Health and Safety Advisor	All
Peter Gulliver	Council's appointed auditor, Deloitte	All
Lisa Hong	Governance Advisor	All

**1.2 Apologies**

**Moved Geange/del la Varis-Woodcock**

*That the apology of Councillor Larsen be received.*

**Carried**

**1.3 Confirmation of Agenda**

The Committee confirmed the Agenda with the following amendment.

**Moved Geange/Wade**

*That the item 5.3 'General discussion on risks' be added to the agenda in the Public Excluded session of the Audit, Risk and Finance Committee meeting held 13 June 2018.*

**Carried**

## 1.4 Conflict of Interest Declaration

Nil.

## 2 Confirmation of Minutes

### 2.1 Audit, Risk and Finance Committee minutes 14 February 2017

Administration Manager 1610.06

**Moved** Wethey/del la Varis-Woodcock

*That the Open minutes of the Audit, Risk and Finance Committee meeting held 14 February 2018 be confirmed as a true and correct record.*

**Carried**

## 3 Decision

### 3.1 Customer Privacy Policy – recommend to Council to adopt

General Manager People and Capability 2206.0

**Moved** del la Varis-Woodcock/Smith

*That the Audit, Risk and Finance Committee:*

- 1 *Receives the General Manager People and Capability's report 'Customer Privacy Policy – recommend to Council to adopt' dated 30 May 2018 and its Attachment 1, Customer Privacy Policy May 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 *Recommends Kaipara District Council to adopt the Customer Privacy Policy (Attachment 1 to the afore-mentioned report) with the following amendments:*
  - *Section 2(e) – 'purposes above' changed to 'purposes below' (p14 of the agenda);*
  - *Section 3(j) – 'we notify you' changed to 'we will notify you' (p15 of the agenda);*
  - *Section 6 – to include the words '...stored in accordance with the Data and Information Compliance Policy.'; and*
- 4 *Directs the Chief Executive to include the history of recording of customers and how this data will be managed in the report to Council for adoption of the Customer Privacy Policy.*

**Carried**

### 3.2 Fraud Policy amendments

**General Manager People and Capability**      **2206.0**

**Moved**      **Smith/Wethey**

*That the Audit, Risk and Finance Committee:*

- 1      *Receives the General Manager People and Capability's report 'Fraud Policy amendments' dated 29 May 2018 and its Attachment 1 and Attachment 2 (current Policy and updated Policy) May 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      *Recommends Kaipara District Council to adopt the updated Fraud Policy (Attachment 2 to the afore-mentioned report) with the two year policy review date with the following amendments:*
  - *Clauses with bulletpoints to be changed to letters;*
  - *Responsibilities of the 'People and Capability Business Partner' to be changed to 'General Manager People and Capability';*
  - *Section 5 Policy – clause to be added that if the General Manager People and Capability is to be investigated, the matter will be escalated to the Chief Executive in accordance with the Section 8 'Investigations';*
  - *A clause to be added that stipulates that any breach of the Fraud Policy is to be reported to the Audit, Risk and Finance Committee as part of compliance reporting.*

**Carried**

### 3.3 Data and Information Compliance Policy – recommend to Council to adopt

**IT Manager**      **2111.16**

**Moved**      **Geange/Smith**

*That the Audit, Risk and Finance Committee:*

- 1      *Receives the IT Manager's report 'Data and Information Compliance Policy' dated 31 May 2018 and its Attachment 1; 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 *Recommends to Kaipara District Council to adopt the draft ICT Data and Information Compliance Policy (Attachment 1 to the afore-mentioned report) with the following amendments:*

- *Reference to the Customer Privacy Policy to be added (under sections 2.2, 2.4 and as appropriate);*
- *More detail on the background and need for the Data and Information Compliance Policy to be included in the report to Council;*
- *“IS Policies” to be clarified as a “standing operating procedure” when appropriate; and*
- *Bulletpoints to be changed to letters.*

**Carried**

### 3.4 Audit Action Update

**General Manager Risk, IT and Finance**                      **2111.16**

[Secretarial Note: Council’s Lead Auditor Peter Gulliver (Deloitte) spoke to this item. The Chair directed the Lead Auditor to review the new parks and reserves maintenance contractor.]

**Moved**        **Wethey/Smith**

*That the Audit, Risk and Finance Committee:*

- 1 *Receives the General Manager Risk, IT and Finance’s report ‘Audit Action Update’ and attachment dated 06 June 2018, and the information contained therein;*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the scope of audit for the year ended 30 June 2018.*

**Carried**

## 4 Information

### 4.1 Treasury Management

**Financial Services Manager**                      **2304.15**

**Moved**        **del la Varis-Woodcock/Smith**

*The Audit, Risk and Finance Committee receives the Financial Services Manager’s report ‘Treasury Management’ dated 31 May 2018 and the information contained therein.*

**Carried**

#### 4.2 Health and Safety Update June 2018

Chief Operating Officer and General Manager Infrastructure 2209.0

**Moved Geange/Wethey**

*That the Audit, Risk and Finance Committee:*

- 1 *Receives the General Manager Infrastructure's report 'Health and Safety Update June 2018' dated 06 June 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 s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Notes the update on health and safety performance; and*
- 4 *Notes the update on the development of Council's health and safety systems.*

**Carried**

Confirmed

## 5 Public Excluded Committee minutes 13 June 2018

The Committee went into Public Excluded session at 12.10pm.

**Moved Geange/Smith**

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

- *Public Excluded Audit, Risk and Finance Committee minutes 14 February 2018;*
- *Contract Monitoring and Reporting: Infrastructure, Planning and Regulatory;*
- *General discussion on risks; and*

*That Council's Lead Auditor Peter Gulliver (Deloitte) to remain for the Public Excluded session.*

*The general subject matter of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

<b>General subject of each matter to be considered:</b>	<b>Reason for passing this resolution</b>	<b>Ground(s) under Section 48 (1) for the passing this resolution:</b>
<i>Public Excluded Audit, Risk and Finance Committee minutes 14 February 2018</i>	<i>Section 7(2)(g) maintain legal professional privilege Section 7(2)(i) enable any authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations).</i>	<i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>
<i>Contract Monitoring and Reporting: Infrastructure, Planning and Regulatory</i>	<i>Section 7(2)(i) enable any authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations).</i>	<i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>
<i>General discussion on risks</i>	<i>Section 7(2)(i) enable any authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations).</i>	<i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>

**Carried**

**6 Open Committee minutes 13 June 2018**

The Committee returned to Open session at 12.45pm.

**Closure**

The meeting closed at 12.46pm.

Confirmed 12 September 2018  
Chair Stana Pezic

Kaipara District Council  
Dargaville

Confirmed



## 4 Decision



**File number:** 3208.00 **Approved for agenda**   
**Report to:** Council  
**Meeting date:** **25 October 2018**  
**Subject:** **Temporary Road Closure 08 December 2018, Dargaville Christmas Parade - Approval**  
**Date of report:** 21 September 2018  
**From:** Wendy Campbell, Corridor Access Co-ordinator  
**Report purpose**  **Decision**  **Information**  
**Assessment of significance**  **Significant**  **Non-significant**

### Summary

The Dargaville Lions Club (the Club) has applied for a Temporary Road Closure for the purpose of the Club holding its 2018 Dargaville Christmas Parade. This will be held on Saturday 08 December 2018 between the hours of 09:00am and 2:00pm.

### Recommendation

*That Kaipara District Council:*

- 1 *Receives the Corridor Access Co-ordinator's report 'Temporary Road Closure 08 December 2018, Dargaville Christmas Parade - Approval' dated 21 September 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 *Approves the Dargaville Lions Club's application for the temporary road closure of Victoria Street from Totara Street and including Totara Street to the west side of the Central Hotel Carpark; All of Parenga Street, Totara Street, Kapia Street; All of Hokianga Road south of Victoria Street; and Edward Street from Victoria Street to the north of the Central Hotel Carpark on Saturday 08 December 2018 between the hours of 09:00am to 2:00pm and, as a condition of approval, the event organiser is to do a letter drop to all residents/businesses located within the extent of the road closures at least two weeks prior to the event.*

### Reason for recommendation

Council can allow for a safe event for the community, event participants and road users during the event. The closure will have a minimum impact on traffic and pedestrians.

### Reason for the report

In terms of the Transport (Vehicular Traffic Road Closure) Regulation 1965, Council is required to advertise any road closures at least 42 days in advance of an event. The decision to close the road is to be approved by Council under the Local Government Act 1974, s319. This report provides some background to enable a decision to be made on the approval for the application of a temporary road closure for purposes of a community event.

## **Background**

The Dargaville Christmas Parade 2018 will be held by the Club on Saturday 08 December 2018 and will be approximately the sixteenth year that the Club is running the same route successfully. This event is widely supported every year with a financial and social gain for the local community and businesses.

To carry out the parade in a safe manner the procession will assemble in the Totara Street carpark and proceed onto Victoria Street continuing along Victoria Street until the Central Hotel Carpark, the procession will then proceed through the carpark onto Edward Street and back onto Victoria Street where they will continue back to Totara Street and end in the Totara Street carpark and disperse from there. Attachment 1 of this report is a map of the relevant area.

## **Issues**

The proposed Traffic Management Plan requires the road to be closed for five hours on a Saturday between the hours of 09:00am to 2:00pm. This is unlikely to cause any major nuisance to the local businesses located within the closure as pedestrians will still have access during the closure period. No objections have been received during the notification period and a search of the CSR system shows no history of issues relating to the previous parades held.

It would be seen as best practice for the event organiser to also do a letter drop to all businesses located within the closure prior to the event, and this would be a condition of approval.

## **Factors to consider**

### ***Community views***

The Club has been smoothly running this event for many years. The event attracts many participants as well as spectators adding a financial and social gain for local businesses and the community.

The Dargaville Christmas Parade was advertised in the Lifestyler Newspaper on 28 August 2018 and closed for objections on 10 September 2018 without any objections received from the public.

### ***Policy implications***

None.

### ***Financial implications***

None. The applicant will bear all costs of temporarily closing the road.

### ***Legal/delegation implications***

Local Government Act 1974, s319 – General powers of Council in respect of roads.

Section 319(1)(h) includes “to stop or close any road or part thereof in the manner and upon the conditions set out in s342 and Schedule 10”.

## **Options**

**Option A:** Approve the application for temporary road closure.

**Option B:** Decline the application for temporary road closure.

### **Assessment of options**

Option A: Approve the application for temporary road closure. By choosing Option A, Council can allow for a safe event for the community, event participants and road users during the event. The closures will have a minimum impact on traffic and pedestrians.

Option B: Decline the application for temporary road closure. The Dargaville Lions Club Christmas Parade 2018 may not take place if Council declines the application. Declining this application would be a step in the opposite direction for creating opportunity to promote tourism in the Kaipara and be seen as a loss in financial, cultural and social opportunity for the local businesses and community. As the local authority, Council has an obligation to provide a safe environment for the event for all involved.

### **Recommended option**

The recommended option is **Option A**.

### **Assessment of significance**

Not significant.

### **Next step**

Advise the applicant of Council's decision. If approved, give public notice of the decision to close part of the road under Clause 11A of Schedule 10 of the Local Government Act 1974.

### **Attachments**

- Map of Proposed Route







**File number:** 3821.05 **Approved for agenda**   
**Report to:** Council  
**Meeting date:** 25 October 2018  
**Subject:** National Environmental Standards on Plantation Forestry Regulation  
 2017, District Plan Update  
**Date of report:** 05 October 2018  
**From:** Paul Waanders, District Planner

**Report purpose**  **Decision**  **Information**  
**Assessment of significance**  **Significant**  **Non-significant**

### Summary

The National Environmental Standards for Production Forestry Regulations (NES PF Reg) became operative on 01 May 2018 and the District Plan cannot be inconsistent with these Standards, hence the need to amend the District Plan where appropriate

### Recommendation

*That the Kaipara District Council:*

- 1 *Receives the District Planner's report on amendments to the Kaipara District Plan in accordance with the National Environmental Standards for Production Forestry Regulations dated 05 October 2018 and its Attachments 1 to 5; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the amendments to the Operative District Plan in accordance with the requirements of the National Environmental Standards for Production Forestry Regulations 2017 as detailed in Attachments 1-5 of the afore-mentioned report, in accordance with sec 44A(4), (5) and (6) of the Resource Management Act (RMA) without going through the Schedule 1 public notification process of the RMA.*

### Reason for the recommendation

This report deals with the duplication and or conflict of the District Plan with the NES PF Regulations and makes recommendations to amend the Operative District Plan to address these duplications or resolve the conflict.

### Reason for the report

The District Plan cannot be in conflict with the National Environment Standards (NES) and where the rules in the District Plan duplicate or conflict with NES, the local authority must amend their District Plan to remove such duplication or conflict 'as soon as practicable' after the NES comes into force. Staff have

assessed the Kaipara District Plan for conflict with the NES and found two District Plan rules that are in conflict with the NES PF Reg. First in relation to the setback of dwellings from plantation forestry where a setback of 30m is required in terms of the District Plan, whilst the NES requires a 40m setback. It was also discovered there are seven instances where the District Plan Rules are more stringent than is provided for in the NES and seven instances where there is duplication between the District Plan and the NES.

## Background

The National Environmental Standard for Plantation Forestry (NES PF Reg) came into effect on 01 May 2018. <https://www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry>. The NES PF Reg seeks to:

- Maintain or improve the environmental outcomes associated with plantation forestry activities; and
- Increase the efficiency and certainty of managing plantation forestry activities.

The NES sets out standards for the following plantation forestry activities.

- Afforestation
- Pruning and thinning to waste
- Earthworks
- River crossings
- Forestry quarrying
- Harvesting
- Mechanical land preparation
- Replanting
- Ancillary activities (slash traps, indigenous vegetation clearance, non-indigenous vegetation clearance)
- General Provisions (discharges, disturbance and diversions, noise and vibration, dust, indigenous bird nesting and fuel storage and refuelling).

The NES PF Regulations prescribe which forestry activities are controlled by which local authority as well as its activity status with assessment criteria - resource consents via regulation.

Where plan rules duplicate or conflict with a provision in the NES, s44A of the RMA states that local authorities must amend their plan or proposed plan to remove the duplication or conflict “as soon as practicable” after the date the NES comes into force. Local authorities are able to make these changes without using the RMA Schedule 1 (public notification and submission) process. Some rules in district plans are able to be more stringent than the NES, where the rules are for the protection of matters covered by s6 of the RMA. This includes rules that protect the coastal environment, outstanding landscapes, water quality or indigenous biodiversity.

Staff have assessed the District Plan for conflict with the NES and found two District Plan rules that are in conflict with the NES PF Reg. First in relation to the setback of dwellings from plantation forestry where a setback of 30m is required in terms of the District Plan whilst the NES requires a 40m setback (this Kaipara conflict has also been highlighted in Plan Alignment Guidance document of the Ministry for Primary Industry–May 2018). The second conflict deals with Noise and Vibration where the District Plan

is more stringent than is allowed by the NES PF Reg. This standard differs mainly because the District Plan uses older metrics and methodology.

There were seven instances where there is duplication between the District Plan and the NES mainly dealing with Excavation and Fill in all zones, and also Indigenous Vegetation Clearance in all zones.

There are seven instances where the District Plan Rules are more stringent than is provided for in the NES mainly dealing with landscapes. However, in terms of Clause 6 of the NES PF Regulations a rule in a plan may be more stringent than the regulations in matters of national importance and in unique and sensitive environments.

It also appears that the District plan has not kept pace with noting additional National Policy documents as these became available.

None of the District Plan Policies will be affected by the NES PF Regulations.

Forestry owners are required to meet certain requirements under the NES to be considered as permitted activities (in terms of notifying regional and district councils of upcoming afforestation, harvesting and farm quarrying activities). Staff have worked with the Northland Regional Council (NRC) and the other local authorities to develop a process where forestry owners can notify the regional and local authorities all at once through a portal on the NRC website.

## **Issues**

The NES PF regulations have to be observed by the local authorities. Where there are duplications or conflict between the regulations and the rules in the district plan the regulations take priority but dual control can create uncertainty and duplication, hence the need to bring the District Plan in line with the Regulations.

## **Factors to consider**

### ***Community views***

The NES on PF Regulations has been through a public consultation process and has been considerably changed through the process. The regulations are the outcome of this public process and now the District Plan has to observe these regulations without having to go through the same public consultation process again.

### ***Policy implications***

Council's Significance and Engagement Policy has been considered in relation to this item.

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

### ***Financial implications***

There is no financial implication with this amendment. It has to be noted that the regulations allow councils to charge for the monitoring of activities including those of permitted activities

### **Legal/delegation implications**

In terms of s44A(7) of the RMA 1991, every local authority and consent authority must observe the NES. In terms of s44A(1),(2) and (3) of the RMA any duplication or conflict in a plan with the national environmental standard requires an amendment of the plan. The way to introduce such a plan change is provided for in s44A(4),(5) and (6) of the RMA by changing the plan without going through the Schedule 1 public notification process.

### **Options**

Although the legislation is clear, that amendments in the event of duplication or conflict between the National Environmental Standards and the District Plan Rules have to be undertaken, there are various ways to achieve this.

**Option A:** Do nothing and make the necessary amendments when the District Plan is reviewed with the understanding that the NES PF Regulations are being implemented and monitored as required.

#### **Option B:**

- That an advisory note be added to the introduction of the District Plan (Attachment 1) to direct users that the NES provisions apply and take precedence for plantation forestry activities (unless the rule is for the protection of a Section 6 Matter);
- Inform plan users that certain rules prevail over the NES and that notes be added to District Plan Chapters 18 (Landscapes) and 12,13,15A and 15B (Rural, Residential, Maori land and treaty settlement land Zones) (Attachments 2,3,4 and 5); and
- Amend the setback rule 12.10.10 in the Rural Zone to eliminate the conflict with the NES PF regulations.

**Option C:** Undertake the changes as a full plan change at this stage with the final wording as is contemplated in the NES PF Regulations.

### **Assessment of options**

Option A: do nothing now would be a contravention of the requirements of the RMA s44A.

Option B will address the duplications with advice notes and will also amend the contradicting rule.

Option C will require a full plan change version.

### **Assessment of significance**

The proposal is not significant and is in accordance with the Regulations which have already gone through a public process.

### **Recommended option**

The recommended option is **Option B** which will address the duplication by advice notes advising users which provisions take preference, and secondly, will amend the conflicting rule in accordance with the provisions of the Act.

**Next step**

The changes will come into effect once the Council has approved these.

**Attachments**

- Attachment 1: [Changes to Provision 1.2.4 of the District Plan](#)
- Attachment 2: [Changes to Landscape Chapter 18](#)
- Attachment 3: [Changes to the Rural Chapter 12](#)
- Attachment 4: [Changes to the Residential Chapter 13](#)
- Attachment 5: [Changes to the Maori Purposes and Treaty Settlement Land Chapters 12A and 12B](#)



## Attachment 1

### Changes to Provision 1.2.4 of the District Plan

#### 1.2.4 National Policy Statement(s) and National Standards

The New Zealand Coastal Policy Statement is required to be prepared under the Resource Management Act. In addition, the Resource Management Act provides for the preparation of other National Policy Statements. At the time of preparation of this District Plan,

The New Zealand Coastal Policy Statement (2010),

The National Policy Statement for Electricity Transmission (2008),

The National Policy Statement for Freshwater Management (2011) and

The National Policy Statement for Renewable Energy Generation (2011) were the only operative national Policy statements (with a number of other Policy statements having been made operative since the District Plan became operative in 2013 including

The National Policy Statement on Urban Development Capacity and others that have been proposed and subject to hearing processes including Policy statements for Urban Design and Indigenous Biodiversity.

There is a requirement under the Resource Management Act 1991 that District Plans must give effect to National Policy Statements and must not be in conflict with a National Environmental Standard.

There are a number of national Standards with regard to the use, development and protection of natural and physical resources (e.g. The National Environmental Standards for Sources of Human Drinking Water Regulations 2007), which have been considered and referenced throughout this District Plan. The District Plan has been amended in accordance with The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2012) and The National Environmental Standard for Telecommunications Facilities (2016) National Environmental Standard for Plantation Forestry (2017)



## Attachment 2

### 18 Landscapes and Natural Features

#### 18.3 How to Use This Chapter of the District Plan

This Chapter contains specific Issues, Objectives and Policies to recognise landscape values and protect outstanding landscapes.

While this Chapter does contain Methods, it does not contain 'Rules'. The Outcomes sought by this Chapter (how the objectives and policies are implemented) are to be achieved through land use and subdivision rules including assessment criteria for resource consent and performance standards in the Chapters in Part B.

As long as a proposed activity meets the performance standards of the relevant Zone Chapter, landowners do not need to consider this Chapter. However, if a proposed development, new land use or subdivision requires resource consent under the relevant Part B Chapter of the District Plan, you may need to give consideration to this Chapter, particularly on how your proposal contributes to achieving the objectives and policies of this Chapter.

Before you use this Chapter of the Plan, please check:

- √ Whether you have an Outstanding Natural Landscape on your property – as this will set different performance standards for your property (identified in Part B of the Plan);
- √ That the proposed activity meets the performance standards for the relevant zone (if it does you do not need to refer to this Chapter);
- √ If you do require a resource consent, review the assessment criteria to confirm if they include consideration of impacts on landscape/natural feature values (if they don't and your activity is a 'restricted discretionary activity, you don't need to refer to this Chapter);

Otherwise you do need to consider this Chapter and how your proposal meets the relevant objectives and policies.

Issues, Objectives and Policies within each Chapter of the Plan are presented in no particular order of importance.

It is also important to remember that you may want to use this Chapter if you are proposing to seek one of the following types of subdivision as it will assist you in determining whether areas on your land have landscape value for an 'environmental benefit':

- 'Preservation of natural or cultural heritage';
- 'Environmental benefit'; or
- 'Integrated development'

[The provisions in this Chapter prevail over the Resource Management \(National Environmental Standards for Plantation Forestry\) Regulations 2017 in relation to plantation forestry activities and transfers into the rules over landscapes as it appears in all the District Plan Zones.](#)

Deleted: c



## Attachment 3

### 12 Rural Chapter

#### 12.2 How to Use This Chapter of the District Plan

This Chapter does not specify what land uses can or cannot be done in this Zone. Instead it sets 'standards' to make sure that the effects of activities are within an acceptable level for the Rural Zone (and where appropriate for the Overlay environments).

As long as the standards are met, landowners have flexibility on what activities they undertake on their property. However, if someone proposes development or activities that do not meet the standards, they will need to apply to do the work (lodge a Resource Consent). Council has an opportunity to approve or decline the Consent and to set some conditions on how the activity is done. This Chapter also seeks to make sure that subdivision has adequate servicing, including roading to avoid, remedy or mitigate effects on the rural environment.

Before you use this Chapter of the District Plan, check:

- √ That the property for development / subdivision is located in this Zone (Map Series 1).
- √ If the property has an environmental overlay on it (Map Series 1).
- √ If the property has a special site, area, feature or management unit on it (Map Series 2) (if it does, you need to look at the relevant Chapter for that site, area, feature or unit first).

Figure 12-1 sets out the steps you need to take if you propose to undertake an activity or development on a property in the Rural Zone. Figure 12-2 sets out the steps you need to take if you propose to carry out a subdivision (more detail is provided on the subdivision options in the Rules – and Figure 12-3).

How much information Council will need in considering your Consent application depends on the Activity Status of your Consent. Firstly, you will need to consider the matters that the District Plan has identified for the Performance Standards, in Section 12.10. In considering a Resource Consent Application Council will exercise its control (Controlled Activities), discretion (Discretionary Activities) or will limit its discretion to relevant Objectives and Policies (Restricted Discretionary Activities) in order to consider how the activity contributes to or is not contrary to the Objectives and Policies of the Plan. If the proposal is a Discretionary or Non-Complying Activity, you will need to consider whether the proposal meets the Objectives and Policies of this Chapter and of the Plan, particularly of Part A, and the relevant Part 2 matters of the Resource Management Act 1991. See Section 1.3.5 of the District Plan for a summary of the 'status of Consents'.

If you need to prepare a Resource Consent Application for your proposed development or subdivision: Council has prepared a guide that sets out the process and information they want to assist them in processing your application. This guide can be obtained from Council's offices or their website:

[www.kaipara.govt.nz](http://www.kaipara.govt.nz)

[The rules in the Resource Management \(National Standards for Plantation Forestry\) Regulations 2017 prevail over the provisions in this chapter as it relates to plantation forestry in 12.10.1a Excavation and Fill; 12.10.2a Indigenous Vegetation Clearance;](#)

Reference should also be made to other relevant Chapters of the Plan, particularly their objectives and policies, including:

Chapter 2: District Wide Resource Management Issues;

Chapter 3: Land Use and Development Strategy;

Chapter 4: Overlays;

Chapter 5: Tangata Whenua Strategy;

Chapter 6: Ecological Areas;

Chapter 7: Natural Hazards; and

Chapter 10: Network Utilities.

Issues, Objectives and Policies within this Chapter of the Plan are presented in no particular order of importance.

#### 12.10.1a Excavation and Fill

**(7) Except that the following are Permitted Activities throughout the Rural Zone, including Overlays, unless the site is within the Transmission Corridor No Build Area (where Standard 12.10.1(6) applies):**

- a) Excavation and fill associated with forestry operations, ~~which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017~~
- b) Network utilities, except where a site or feature is identified in Part C of the Plan;
- c) Underground storage tanks except where a site or feature is identified in Part C of the Plan; and
- d) Normal Rural Practices

**Deleted:** if the company has Forest

**Deleted:** Stewardship Council certification or another third party certified environmental

**Deleted:** management system;

#### 12.10.2a) Indigenous Vegetation Clearance (Rural)

**(5) Except that the following are Permitted Activities throughout the Rural Zone, including the Overlays, and are excluded from the Standards of 12.10.2a(1), 12.10.2a(2), 12.10.2a(3) and 12.10.2a(4):**

- a) The removal is in accordance with an existing use right; or (Note: this would include activities such as vegetation clearance associated with the maintenance of existing drainage channels.)
- b) The total clearance within a site is no more than 500m<sup>2</sup> where the clearance is for the express purpose of providing a house site and / or access to a house site, or is to provide access to existing farming activities ~~whilst forestry activities are controlled by the National Environmental Standard for Plantation Forestry Regulations 2017~~; or
- c) The clearance is for the maintenance of any open or clear space within an area defined by 20m of an existing dwelling or building; or
- d) The removal is of trees that are a danger to human life or existing structures (including network utilities); or
- e) The removal is for the formation and maintenance of walking tracks less than 1.5 metres in width; or
- f) The clearance is for maintenance of existing fence lines or for a new fence where the purpose of the new fence is to exclude stock and/or pests from an area which is to be protected for ecological or soil conservation purposes, provided that the clearance does not exceed a width of 3.5m either side of the

**Deleted:** or forestry

fence line; using manual methods that do not require the removal of any indigenous tree over 300mm girth; or

- g) It is part of the operation and maintenance of network utilities, or is necessary to protect electrical lines required to meeting the Electricity (Hazards from Trees) Regulations 2003;
- h) The clearance is for the creation and maintenance of firebreaks; or
- i) The vegetation or tree comprises the understorey directly beneath exotic or native plantation forest and the activity is carried out as part of forestry operations which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017; or
- j) It is in accordance with the terms of a Queen Elizabeth II National Trust or other covenant, or forest sink covenant under the Forests Act 1949, or the trees have been planted specifically, for forestry or cropping purposes, or the removal is limited to naturally dead or wind thrown trees, or with forestry operations the latter which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017 or
- k) The vegetation clearance is on land which has been previously cleared and where the indigenous vegetation to be cleared is less than 10 years old.

**Deleted:** if the company has Forest Stewardship Council certification or another third party certified environmental management system

**12.10.2b Indigenous Vegetation Clearance in an Outstanding Natural Landscape (Rural)**

The provisions in this chapter prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 in relation to plantation forestry activities

Subject to the exceptions provided in (1) below, clearance or removal of indigenous vegetation within an Outstanding Natural Landscape is a Permitted Activity if:.....

**12.10.10 Separation Distance from Plantation Forestry**

Any building or plantation **forestry** activity is permitted if a 40m separation is maintained between any **building** and the plantation forestry on a separate **site** and under separate ownership.

**Deleted:** 30m

Note 1: This Rule is intended to protect boundary effects while maintaining reasonable opportunity for a wide scope of activities within the Rural Zone. As such, if there is an existing lawfully established activity within the Rural Zone then the separation distances noted above would be required to avoid future land use conflicts

**Assessment Criteria**

Where an activity is not permitted by this Rule and in terms of the National Environment Standard for Plantation Forestry Regulation, Council's discretion is restricted over the following matters when considering and determining an application for resource consent:

**Deleted:** has restricted its

- (1) If afforestation is a restricted discretionary activity under regulation 16(1) or (2)(a) for failing to comply with regulation 11 or 12, discretion is restricted to—
- (a) the level of wilding tree risk:

**Deleted:** i) Whether and the extent to which consultation has been undertaken with adjoining landowners¶  
 (including written approvals);¶  
 ii) Whether and the extent to which a Management Plan is in place for the plantation forestry that¶  
 addresses maintenance of trees in proximity to buildings;¶  
 iii) Whether and the extent to which the building location / forestry plantation will cause shading and¶  
 reduced amenity effects;¶  
 iv) The functional requirements of the building and activity;¶  
 v) Health and safety of the community; and¶  
 vi) Any measure to avoid reverse sensitivity issues, including covenants on the title.

- [\(b\) the mitigation proposed to restrict wilding conifer spread, including the species to be planted;](#)
- [\(c\) the effects on the values of the significant natural area or outstanding natural feature or landscape;](#)
- [\(d\) the information and monitoring requirements.](#)
- [\(2\) If afforestation is a restricted discretionary activity under regulation 16\(1\) for failing to comply with regulation 14\(1\) or \(2\), discretion is restricted to—](#)
  - [\(a\) the effects on adjacent landowners, dwellings, land zoned in a district plan as a papakāinga, and urban areas;](#)
  - [\(b\) the effects of shading, including icing on a paved public road;](#)
  - [\(c\) the effects on the values of the significant natural area;](#)
  - [\(d\) the information and monitoring requirements.](#)

#### 12.10.14 General Noise

Any activity is permitted if noise from the **site** does not exceed the following limits, as measured either at or within any other site zoned Residential, or within the '**notional boundary**' of a **dwelling** in the Rural or Maori Purpose zoned site :

- a) 7:00am – 7:00pm : 50 **dB**LAeq; and
- b) 7:00pm – 10:00pm: 45dB LAeq; and
- c) 10:00pm – 7:00am: 40dB LAeq and 70 dB LAFmax.

**Note 1:** Provided that the abovementioned **noise limits** may be exceeded for activities periodically required by **farming** and **forestry** practice, such as crop protection and harvesting that may need to be carried out for these activities. [When assessing the noise level permitted within plantation forestry Council will apply the provisions of Clause 98 and 99 of the Resource Management National Environmental Standard for Plantation Forestry Regulations 2017](#)

**Note 2:** Sound levels shall be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

[Where an activity is not permitted by this Rule in terms of the National Environment Standard for Plantation Forestry Regulation, Council's discretion is restricted over the following matters when considering and determining an application for resource consent:](#)

- [\(a\) the timing, duration, and location of noise or vibration-generating activities;](#)
- [\(b\) the effects on noise-sensitive activities;](#)
- [\(c\) measures to avoid, remedy, or mitigate the adverse noise and vibration effects;](#)
- [\(d\) the information and monitoring requirements.](#)

#### Discretionary activity

Where an activity is not permitted [or restricted discretionary activity](#) by this Rule, Council will have regard to the following matters when considering an application for Resource Consent:

- i) Maximum level of noise likely to be generated;

- ii) The noise environment of the locality in which the activity is proposed;
- iii) Effect on adjoining or adjacent residential dwellings;
- iv) Length of time for which the specified noise standard will be exceeded;
- v) Likely adverse effects beyond the site;
- vi) Effects on character and amenity beyond the site;
- vii) Alternative methods to avoid noise generation;
- viii) Mitigation measures to reduce noise generation; and
- ix) Prevailing wind direction.



## Attachment 4

### 13 Residential Chapter

#### 13.10.2a Indigenous Vegetation Clearance (Residential)

(4) Except that the following are Permitted Activities throughout the Residential Zone, including Overlays and are excluded from the Standards of 13.10.2a(1), 13.10.2a(2) and 13.10.2a(3):

- a) The removal is in accordance with an existing use right (Note this would include activities such as vegetation clearance associated with the maintenance of existing drainage channels); or
- b) The total clearance within a site is no more than 200m<sup>2</sup> where the clearance is for the express purpose of providing a house site and / or access to a house site, or is to provide access to existing farming activities whilst forestry activities are controlled by the National Environmental Standard for Plantation Forestry Regulations 2017; or
- c) The removal is of trees that are a danger to human life or existing structures (including network utilities); or
- d) The removal is for the formation and maintenance of walking tracks less than 1.5 metres wide; or
- e) The clearance is for maintenance of existing fence lines or for a new fence where the purpose of the new fence is to exclude stock and/or pests from an area which is to be protected for ecological or soil conservation purposes, provided that the clearance does not exceed a width of 3.5m either side of the fence line; wide using manual methods that do not require the removal of any indigenous tree over 300mm girth; or
- f) It is part of the operation and maintenance of network utilities, or is necessary to protect electrical lines required to meet the Electricity (Hazards from Trees) Regulations 2003;
- g) The removal is for the construction of a fire break by a fire authority; or
- h) It is necessary for the purposes of fencing and excluding livestock from an area which is to be protected permanently for ecological and / or soil conservation purposes; or
- i) The vegetation or tree comprises the understory directly beneath exotic or native plantation forest and the activity is carried out as part of forestry operations which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017; or
- j) It is in accordance with the terms of a Queen Elizabeth II National Trust or other covenant or forest sink covenant under the Forests Act 1949, or the trees have been planted specifically, for forestry or cropping purposes, or the removal is limited to naturally dead or wind thrown trees, or with forestry operations the latter which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017 ; or
- k) The vegetation clearance is on land which has been previously cleared and where the indigenous vegetation to be cleared is less than 10 years old.

Deleted: ¶

Deleted: or forestry

Deleted: ,

Deleted: if the company has Forest Stewardship Council certification or another third party certified environmental management system

#### 13.10.2b Indigenous Vegetation Clearance in and Outstanding Landscape (Residential)

**The provisions in this Chapter prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 in relation to plantation forestry activities.**

Subject to the exceptions provided in (1) below, clearance or removal of indigenous vegetation within a site in an Outstanding Natural Landscape is a Permitted Activity if.....

Deleted: c

Deleted: ¶

## Attachment 5

### Chapter 15A Maori Purpose Land and 15B Maori Purpose Treaty Settlement Land

Both chapters have similar provisions and both chapters need to be amended as indicated

#### 15A.10.1a 15B.10.1a Excavation and Fill (Maori Land and Treaty Settlement Land)

(6) Except that the following are Permitted Activities throughout the Maori Land Zone, including Overlays:

- a) Excavation and fill associated with forestry operations, ~~which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017~~
- b) Network utilities, except where a site or feature is identified in Part C of the Plan;
- c) Underground storage tanks except where a site or feature is identified in Part C of the Plan.
- d) Normal Rural Practices.

Deleted: if the company has Forest

Deleted: Stewardship Council certification or another third party certified environmental

Deleted: management system

#### 15A.10.2a and 15B.10.2a Indigenous Vegetation Clearance (Maori Land and Treaty Settlement land )

i)The vegetation or tree comprises the understory directly beneath exotic or native plantation forest and the activity is carried out as part of forestry operations ~~which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017~~ ; or

Deleted: ;

j) It is in accordance with the terms of a Queen Elizabeth II National Trust or other covenant, or forest sink covenant under the Forests Act 1949, or the trees have been planted specifically, for forestry or cropping purposes, or the removal is limited to naturally dead or wind thrown trees, or with forestry operations ~~the latter which is controlled by the National Environmental Standard for Plantation Forestry Regulations 2017,~~

Deleted: , if the company has Forest Stewardship Council certification or another third party certified environmental management system;

#### 15A.10.2b and 15B.10.2b Indigenous Vegetation Clearance in an Outstanding Landscape (Maori Land and Treaty settlement land )

~~The provisions in this chapter prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 in relation to plantation forestry activities,~~

Deleted: ¶

(1) Subject to the exceptions provided in (1) below, clearance or removal of indigenous vegetation within an Outstanding Natural Landscape is a Permitted Activity if:.....

#### 15A.10.13 and 15B.10.13 General Noise Maori land and Treaty Settlement Land

Any activity is permitted if noise from the site does not exceed the following limits, as measured either at or within any other site zoned Residential, or within the 'notional boundary' of a dwelling in the Rural or Maori Purpose zoned site :

- a) 7:00am – 7:00pm : 50 dBLAeq; and
- b) 7:00pm – 10:00pm: 45dB LAeq; and
- c) 10:00pm – 7:00am: 40dB LAeq and 70 dB LAFmax.

Note 1: Provided that the abovementioned noise limits may be exceeded for activities periodically required by farming and forestry practice, such as crop protection and harvesting that may need to be carried out for these activities. When assessing the noise level permitted within plantation forestry Council will apply the provisions of Clause 98 and 99 of the Resource Management National Environmental Standard for Plantation Forestry Regulations 2017.

Note 2: Sound levels shall be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

Where an activity is not permitted by this Rule in terms of the National Environment Standard for Plantation Forestry Regulation, Council's discretion is restricted over the following matters when considering and determining an application for resource consent:

- (a) the timing, duration, and location of noise or vibration-generating activities;
- (b) the effects on noise-sensitive activities;
- (c) measures to avoid, remedy, or mitigate the adverse noise and vibration effects;
- (d) the information and monitoring requirements.

#### Discretionary activity

Where an activity is not permitted or restricted discretionary activity by this Rule, Council will have regard to the following matters when considering an application for Resource Consent:

- i) Maximum level of noise likely to be generated;
- ii) The noise environment of the locality in which the activity is proposed;
- iii) Effect on adjoining or adjacent residential dwellings;
- iv) Length of time for which the specified noise standard will be exceeded;
- v) Likely adverse effects beyond the site;
- vi) Effects on character and amenity beyond the site;
- vii) Alternative methods to avoid noise generation;
- viii) Mitigation measures to reduce noise generation; and
- ix) Prevailing wind direction.

**File number:** 3835.03 **Approved for agenda**   
**Report to:** Council  
**Meeting date:** **25 October 2018**  
**Subject:** **Climate Change Working Group, Formation and Terms of Reference**  
**Date of report:** 03 October 2018  
**From:** Natalie Robinson / Policy Analyst  
**Report purpose**  **Decision**  **Information**  
**Assessment of significance**  **Significant**  **Non-significant**

### Summary

The Kaipara District Council Long Term Plan 2018/2028 signalled that climate change would become a focus for Council, stating that Council will have a '*weather eye on the sky, and be planning for adaptation across Kaipara District*'. As a result of this, and increasing international, national and regional direction, Council staff have begun work on a climate change project which is intended to operate in phases over a number of years.

The focus of this work will be on the two strategic directions of adaptation and mitigation, and will ensure that Council (staff and Elected Members) is informed and organised with regards to the changing climate, its impacts and effects on the District, and the work that Council can undertake to reduce exposure and vulnerability. To progress this work, Council staff have formed an internal project structure, to outline and develop strategies, policies and plans, and to facilitate conversations with communities regarding climate change adaptation and mitigation.

This report seeks the approval of the formation of a Climate Change Working Group, and the appointment of three Elected Members to the Working Group. The Working Group's Terms of Reference outline their purpose and responsibility (Attachment 1). This Working Group is expected to provide the input of Elected Members into Council staff's anticipated programme of work, and to allow political oversight into the development of action plans, policies and strategies.

### Recommendation

*That Kaipara District Council:*

- 1 *Receives the Policy Analyst's report 'Climate Change Working Group, Formation and Terms of Reference' dated 03 October 2018 and its Attachment 1 (Terms of Reference); 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 *Appoints \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ to the Climate Change Working Group; and*
- 4 *Directs the Chief Executive to update the Local Governance Statement to include the Terms of Reference, circulated as Attachment 1 to the aforementioned report, for the Climate Change Working Group.*

### **Reason for the recommendation**

The proposed Working Group has less formality than a Council committee, and Council is asked to note its contents, and the potential work that will be undertaken by the Working Group. The recommendation to direct the Chief Executive to update the Local Governance Statement (LGS) with the Working Group's Terms of Reference will formalise the Working Group's establishment, and ensure the LGS is up-to-date.

### **Reason for the report**

A Working Group is considered as a lesser forum than a formal Council Committee, and therefore not subject to the same reporting and notification requirements. However, it is considered appropriately transparent for Council to receive this report, and note the formation of the Climate Change Working Group, including by appointing Elected Members to that Working Group, and resolving to direct the Chief Executive to add the Working Group's Terms of Reference to the Local Governance Statement.

### **Background**

Council staff have begun work on a project structure which will see the research and development of plans, policies and strategies regarding climate change adaptation and mitigation, and ongoing targeted community engagement. As a formalisation of that project structure, it is considered appropriate to form a Working Group of Elected Members in order to provide advice and input into ongoing work, and to encourage community awareness and transparency regarding Council's work in this space.

The Working Group is intended to have a broad purpose and responsibilities in order to be able to offer advice on a range of issues within the wider scope of climate change, but with no delegated powers, in order to ensure decisions, including adoption of any plans, strategies or policies, is undertaken by full Council.

### **Issues**

A Working Group operates with less formality than a Committee, and it is considered that this is the more appropriate body in order to encourage collaboration between staff and Elected Members.

The subject of climate change, and Council's intended response to its effects and impacts in the District, is anticipated to be subject to increasing public interest, and therefore it is considered appropriate that the Working Group's Terms of Reference be received by Council, and added to the Local Governance Statement. This will allow Elected Members, staff and the public to have easy access to the information, and determine the scope of the Working Group's purpose and responsibilities.

### **Factors to consider**

#### ***Community views***

The community expects Council and its Committees to operate with a clear governance structure. It is suitable that this expectation should be extended to include the creation and operation of Working Groups.

#### ***Policy implications***

There are no policy implications to making this decision.

### **Financial implications**

There are no additional financial implications to making this decision.

### **Legal/delegation implications**

The Working Group must make recommendations back to full Council.

### **Options**

**Option A:** Council does not direct the Chief Executive to update the Local Governance Statement with the Climate Change Working Group's Terms of Reference.

**Option B:** Council notes the formation of the Climate Change Working Group, and directs the Chief Executive to include the Working Group's Terms of Reference to the Local Governance Statement.

### **Assessment of options**

Option A: This is the status quo. Council staff will be required to, in the first instance, bring any work undertaken, including requests for advice or political input, to full Council. It is considered that this would be onerous for both Elected Members and Council staff.

Option B: This will allow the work of the Council's internal Climate Change Working Group to progress with oversight and input from the Working Group. The formal adoption of any policies, strategies or plan will still require the approval of full Council.

### **Assessment of significance**

This decision does not trigger the Significance and Engagement Policy.

### **Recommended option**

The recommended option is **Option B**.

### **Next step**

If the recommended option is chosen:

- The Local Governance Statement will be amended and updated on the Council website to include the Terms of Reference for the Climate Change Working Group;
- The Climate Change Working Group will meet to discuss the proposed project proposal, and the climate change position statement, and will make recommendations to full Council at the following Council meeting that these documents should be adopted.

### **Attachments**

- **Attachment 1:** draft Climate Change Working Group Terms of Reference



## Climate Change Working Group Terms of Reference

<b>Reports to:</b>	Full Council
<b>Chair:</b>	???
<b>Members:</b>	[.....]
<b>Meeting Frequency:</b>	Quarterly, and as required
<b>Quorum:</b>	[..]

---

### Purpose

- To provide advice and feedback on Council staff's ongoing work on climate change adaptation and mitigation strategies, policies and actions.

### Responsibilities

- Provide regular input into Council's Climate Change Working Group's programme of work;
- Assess and provide advice on matters regarding climate change adaptation and mitigation;
- Assess and provide advice on engagement with the community regarding climate change;
- Any other recommendations to Council, as required.

### Delegations

The Working Group will make recommendations to Council for full adoption.

### Conduct

The Working Group shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members Interest) Act 1968 and the Kaipara District Council's Code of Conduct.

### Remuneration

Elected Members will be reimbursed in accordance with the determination set by the Remuneration Authority under s255(5) and Clause 18 of Schedule 15 of the Local Government Act 2002 and Council's current Elected Members Expenses Policy.

### Funding and budgets

Funding for the Working Group will align with Council's Revenue and Financing Policy.



**File number:** 1203.01 **Approved for agenda**   
**Report to:** Council  
**Meeting date:** **25 October 2018**  
**Subject:** Northland Regional Council Kaihu River Working Group, Kaipara District  
 Councillor Appointment  
**Date of report:** 17 October 2018  
**From:** Lisa Hong, Governance Advisor  
**Report purpose**  **Decision**  **Information**  
**Assessment of significance**  **Significant**  **Non-significant**

### Summary

Northland Regional Council (NRC) has requested that a Kaipara District Councillor be appointed to the Kaihu River Working Group.

### Recommendation

*That Kaipara District Council:*

- 1 *Receives the Governance Advisor's report 'Northland Regional Council Kaihu River Working Group, Kaipara District Councillor Appointment' dated 17 October 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 *Appoints Councillor \_\_\_\_\_ as the Kaipara District Council and Dargaville resident representative to the Kaihu River Working Group.*

### Reason for the recommendation

To appoint a Kaipara District Councillor to the Kaihu River Working Group.

### Reason for the report

Kaipara District Council received a letter from NRC dated 29 August 2018 requesting confirmation that a Kaipara District Councillor is appointed to the Kaihu River Working Group. The letter is Attachment 1 to this report.

### Background

Kaihu River Working Group assists the NRC with the management of flooding and erosion within the catchment of the Kaihu River. The Working Group's Terms of Reference states that the membership is to include '[o]ne Kaipara District Councillor (who also represents the residents of Dargaville)'.

**Factors to consider*****Community views***

The community expects Kaipara District Council to represent the District in external committees.

***Policy implications***

There are no policy implications regarding external committee appointments.

***Financial implications***

There are no financial implications of this appointment.

***Legal/delegation implications***

Council can appoint members to external committees.

**Assessment of significance**

The recommendation in this report is not categorised as significant under the Significance and Engagement Policy.

**Next step**

NRC will be informed of Council's decision.

**Attachment**

- [Letter from Northland Regional Council dated 29 August 2018](#)

Please Quote File: A1103362

29 August 2018

Dr Jason Smith  
Mayor  
Kaipara District Council  
Private Bag 1001  
Dargaville 0340



Dear Mayor

**REQUEST APPOINTMENT OF A KAIPARA DISTRICT COUNCILLOR TO KAIHU RIVER WORKING GROUP**

The Kaihu River Working Party was established in 2008 with the primary purpose of assisting the Northland Regional Council (NRC) with the management of flooding and erosion within the catchment of the Kaihu River.

The Working Group is appointed by the Northland Regional Council and comprises of the following:

- One member appointed by the Northland Regional Council
- One Kaipara District Councillor (who also represents the residents of Dargaville)
- One member nominated by Te Roroa, or in his/her absence, a nominee who shall have voting rights.
- One member nominated to represent Te Houhanga Marae
- Three representatives of the ratepayers of the river catchment, one from each area.

Could you confirm the Kaipara District Councillor appointed to this working group.

We have attached the Terms of Reference and Action Points from the last meeting.

If you have any questions, please contact the undersigned.

Respectfully yours



Joseph Camuso  
Rivers & Natural Hazards Manager

Attachments: Kaihu River Working Group Terms of Reference  
Record of Actions Kaihu River Working Group 9 July 2018



# KAIHU RIVER WORKING GROUP

## Terms of Reference

- Reporting to:** The Northland Regional Council
- Composition:** The Working Group is appointed by the Northland Regional Council and shall comprise:
- One member appointed by the Northland Regional Council
  - One Kaipara District Councillor (who also represents the residents of Dargaville)
  - One member nominated by Te Roroa, or in his/her absence, a nominee who shall have voting rights (*Sharon Murray*).
  - One member nominated to represent Te Houhanga Marae (*Des Subritzky*)
  - Three representatives of the ratepayers of the river catchment, one from each area:
    - Area 1 Class A rated land on the floodplain (*John Murray*)
    - Area 2 Class B rated land on the floodplain (*Bryce Wyatt*)
    - Area 3 Class F rated land being the catchment area beyond the floodplain (*Boyd Parker*)
- And that the Northland Regional Council may from time to time appoint to the Working Group because of their particular skills or knowledge.
- Length of Term:** Appointments will be made for a term of three years, in sequence with the local government elections, or until earlier disqualification, death or resignation. Should any of the latter three events arise, replacement appointees may be made by the Northland Regional Council.
- Meeting Frequency:** As required.
- Objective:** To advise and make recommendations to the Northland Regional Council, on all matters pertaining to the development and implementation of the Kaihu River Management Plan.
- Functions:** The Kaihu River Working Group is an advisory committee of the Northland Regional Council and has no delegated authority or specific powers. Its functions are to:

## RECORD OF ACTIONS

### KAIHU RIVER WORKING GROUP

Discussion held at Committee Room in the Dargaville Town Hall  
On Monday 9 July 2018, at 10.30am

#### Present:

Cr John Bain	Committee Chair
Des Subritzky	Te Houhanga Marae representative
Cr Penny Smart	NRC Kaipara Representative

#### Also in Attendance:

Joseph Camuso	NRC Rivers and Natural Hazards Manager
Imogen Field	NRC Land Management Advisor
Nola Sooner	NRC (Record Taker)
Bryce Wyatt	Landowner

#### APOLOGIES

Bruce Howse	NRC Group Manager, Environmental Services
Snow Tane	Te Roroa Representative
Sharon Murray	Te Roroa Representative

The above apologies were accepted.

#### IAN LUPTON

A Minute's silence was held in memory of Ian Lupton who had passed away since the last meeting. His valuable contribution as the Ratepayer Representative Area 2 (Floodplain – Rotu Bottleneck to Dargaville) was acknowledged. He will be sadly missed.

#### TERMS OF REFERENCE

##### Representatives

##### Moved (Subritzky / Bain

1. That John Murray is appointed ratepayer representative for Area 1 Class A rated land on the floodplain; and
2. That Bryce Wyatt is appointed ratepayer representative for Area 2 Class B rated land on the floodplain.

##### Carried

##### Agreed Action point

- Kaipara District Council – representative - Letter to be sent to the Mayor of Kaipara District Council requesting that a Councillor is appointed to the Kaihu River Working Group. **Action: Joseph Camuso**

**File number:** 1203.01 **Approved for agenda**   
**Report to:** Council  
**Meeting date:** **25 October 2018**  
**Subject:** **2019 Meeting Schedule - Adoption**  
**Date of report:** 15 October 2018  
**From:** Lisa Hong, Governance Advisor  
**Report purpose**  **Decision**  **Information**  
**Assessment of significance**  **Significant**  **Non-significant**

### Summary

It is normal practise for Council to adopt a meeting schedule to provide certainty to members, the public and staff regarding the Council meetings and when they occur.

### Recommendation

*That Kaipara District Council:*

- 1 *Receives the Governance Advisor's report '2019 Meeting Schedule – Adoption' dated 15 October 2018 and its Attachment 1; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the 2019 Meeting Schedule, attached to the afore-mentioned report as Attachment 1;*
- 4 *Delegates the General Manager Governance, Strategy and Democracy to re-schedule meeting dates and to determine times and venues in consultation with the Chair, and that these dates, times and venues be publicly notified in accordance with the Local Government Act 2002, Local Government Official Information and Meetings Act 1987 and Kaipara District Council Standing Orders.*

### Reason for the recommendation

Seeking Council approval of the 2019 meeting schedule and administrative delegation.

### Reason for the report

For Council to consider and adopt the 2019 meeting schedule and delegate administrative duties to staff.

### Background

Schedule 7 of the Local Government Act 2002 (LGA) permits Council to adopt the meeting schedule and determine the period that the meeting schedule covers.

## Issues

A principled approach has been used to create the draft 2019 meeting schedule (Attachment 1). The principles have been based, in part, around current practise. A description of the principles follow.

### *Council meetings*

**Council** meetings to be held on the last Thursday of each month, with the following exceptions:

- No meeting to be held in January
- April meeting delayed to Thursday 02 May (to better accommodate Easter Monday and ANZAC Day, which fall within the last full week of April 2019)
- Last meeting to be held on Thursday 10 October (before Local Authority Election polling day on 12 October 2018). Note that this meeting is scheduled in case there is any business to attend to following the September 2019 Council meeting. It will be cancelled if there is no business.

### *Quarterly Committee meetings*

- **Audit, Risk and Finance Committee** meetings to be held on the second Wednesday of March, June and September;
- **Remuneration and Development Committee** meetings to be held on the second Wednesday of February, May and August
- **Raupo Drainage Committee** meetings to be held on the third Thursday of February, May and August
- **Combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee** meetings to be held on the first Tuesday of March, June and September
- **Mangawhai Community Park Governance Committee** meetings to be held on the third Monday of January, April and July
- **Taharoa Domain Governance Committee** meetings to be held on the second Tuesday of February, May and August.

### *Funding/Grant/Award Committee meetings*

The recommended meeting dates in this category were informed by planned application/nomination dates. Some application/nomination dates are pre-determined by Council's own policies or stipulated by external policies (i.e. where fund is externally sourced, but Council-administered). Where staff could exercise discretion, application/nomination dates were chosen so that funding/grant/award decisions could be made well before the Local Authority Elections should additional meetings be required.

- **Funding Committee (Creative Communities Scheme)** meetings to be held on:
  - Wednesday 27 March 2019 (applications to open and close in February 2019)
  - Wednesday 02 October 2019 (applications to open and close in August 2019)
- **Funding Committee (Rural Travel Fund)** meetings to be held on:
  - Wednesday 08 May 2019 (applications to open and close in March 2019)
  - Wednesday 25 September 2019 (applications to open and close in August 2019)

- **Citizens Awards Committee** meeting to be held on Wednesday 26 June 2019 (nominations to open and close in May 2019, with ceremony to be held in July/August 2019)
- **Mangawhai Endowment Lands Account Committee** meeting to be held on Wednesday 07 August 2019 (applications to open and close in June 2019)
- **Community Grants Committee** meeting to be held on Wednesday 21 August 2019 (applications to open and close in June 2019)
- **Reserve Contributions Committee** meeting to be held on Wednesday 28 August 2019 (applications to open in June and close in July 2019).

#### ***Council Briefings/Workshops***

A Council Briefing is publicly advertised and held in open meeting so that members of the public can attend. These are held to ensure openness and transparency. A Council workshop is one that is held in public excluded and Council decided, in July 2017, that the reasons for confidentiality must align with those provided by Local Government Official Information and Meetings Act 1987 (LGOIMA). Most topics can be discussed via a Council briefing, so are therefore open and transparent.

Council briefings/workshops do not have to be adopted as part of the meeting schedule. However, in July 2017, Council decided that we publicly notify the details of workshops online and in local newspapers in conjunction with the notification of Council meetings.

It has also been difficult to schedule briefings/workshops in the latter half of this year as there is no agreed approach, and dates have been selected based on availability. This is not ideal for elected members, staff and the public and provides no certainty. Scheduling Council briefings/workshops along with other Council and Committee meetings using the same methodology would alleviate the issues.

It is proposed that Council Briefings/Workshops be held on the first Thursday of each month in 2019, with the following exceptions:

- No briefing to be held in January 2019
- February briefing to be held on Monday 04 February 2019 (due to elected member availability)
- May briefing delayed to the second week (to better accommodate Easter and ANZAC Day in April 2019).

#### ***Delegations regarding the Meeting Schedule***

Council and Committee meetings have specific public notification requirements. According to LGOIMA, meetings need to be notified not less than five days before the end of the preceding month, and meetings after the 21st of the month must be notified no less than five days before the meeting. Council uses the two local newspapers (Mangawhai Focus and Kaipara Lifestyler) and the Council website to publicly notify meetings. Where necessary, the Northern Advocate is used.

- *Delegation to re-schedule meeting*

There are occasions when meetings need to be re-scheduled for various reasons, such as member availability. It is proposed that a delegation be provided that would allow the respective Chairs and General Manager Governance, Strategy and Democracy (GM GSD) to re-schedule

meetings on the meeting schedule without calling an Extraordinary meeting, if and only if public notification requirements as above can be met. This delegation would allow meetings to be more easily moved without requiring a requisition to be signed by the Mayor or a decision report being brought to Council.

- *Delegation to determine venue and time*

In April 2018, Council authorised the GM GSD to determine the venue and time of the meetings. It is proposed that this delegation be continued. Meeting venues and times often need amending due to emerging circumstances. Again, the public notification requirement as above would still apply as much as practicable.

## **Factors to consider**

### ***Community views***

Adopting a schedule of meetings with a principled approach would give more certainty to members, the public and staff regarding the Council meetings and when they occur.

### ***Policy implications***

There are no policy implications.

### ***Financial implications***

There are no financial implications.

### ***Legal/delegation implications***

This report recommends that GM GSD be given the delegated authority to re-schedule meeting dates and to determine times and venues in consultation with the Chair.

## **Options**

**Option A:** Adopts the draft 2019 meeting schedule (Attachment 1).

**Option B:** Adopts the 2019 meeting schedule with amendments.

**Option B:** Does not adopt the 2019 meeting schedule.

## **Assessment of options**

Option A: This is best practice and will provide most certainty to elected members, staff and the public.

Option B: This will also give a degree of certainty. It is recommended that a principled approach be used.

Option C: If Council does not adopt a meeting schedule, the Chief Executive must give notice in writing to each elected member of the local authority of the time and place of any meeting (Clause 19(5), Schedule 7, Local Government Act 2002). This is not considered best practice and will provide less certainty.

**Assessment of significance**

The recommendation in this report is not categorised as significant under the Significance and Engagement Policy.

**Recommended option**

The recommended option is **Option A**.

**Next step**

Staff will proceed with calendar invitations, website and newspaper notifications and other meeting arrangements.

**Attachments**

- Draft 2019 Meeting Schedule.

**Attachment 1: Draft 2019 Meeting Schedule**

Date	January	February	March	April	May	June	July	August	September	October
1	New Year's Day							Thursday 01 <b>Council Briefing</b>		
2	Day After New Year's Day				Thursday 02 <b>Council Meeting</b>					Wednesday 02 <b>Funding (CCS)</b>
3						Queen's Birthday			Tuesday 03 PTTR/HP	
4		Monday 04 <b>Council Briefing</b>		Thursday 04 <b>Council Briefing</b>		Tuesday 04 PTTR/HP	Thursday 04 <b>Council Briefing</b>			
5			Tuesday 05 PTTR/HP						Thursday 05 <b>Council Briefing</b>	
6		Waitangi Day				Thursday 06 <b>Council Briefing</b>				
7			Thursday 07 <b>Council Briefing</b>					Wednesday 07 MELA		
8					Wednesday 08 Rem & Funding					
9					Thursday 09 <b>Council Briefing</b>					
10										Thursday 10 <b>Council Meeting</b>
11									Wednesday 11 ARF	
12		Tuesday 12 TDGC				Wednesday 12 ARF				Local Authority Elections Polling Day
13		Wednesday 13 Rem	Wednesday 13 ARF					Tuesday 13 TDGC		
14					Tuesday 14 TDGC			Wednesday 14 Rem		
15				Monday 15 MCPGC			Monday 15 MCPGC	Thursday 15 RDC		
16					Thursday 16 RDC					
17										
18										
19				Good Friday						
20										
21	Monday 21 MCPGC	Thursday 21 RDC						Wednesday 21 CGC		
22				Easter Monday						
23										
24										
25				ANZAC Day			Thursday 25 <b>Council Meeting</b>		Wednesday 25 <b>Funding (RTF)</b>	
26						Wednesday 26 CAC			Thursday 26 <b>Council Meeting</b>	
27			Wednesday 27 <b>Funding (CCS)</b>			Thursday 27 <b>Council Meeting</b>				
28	Northland Anniversary	Thursday 28 <b>Council Meeting</b>	Thursday 28 <b>Council Meeting</b>					Wednesday 28 RCC		
29								Thursday 29 <b>Council Meeting</b>		
30					Thursday 30 <b>Council Meeting</b>					
31										

**Key**

**Black** = Council meetings and briefing (all Elected Members are invited to attend)

**Blue** = Audit, Risk and Finance Committee, Remuneration and Development Committee

**Red** = Citizens Award Committee, Community Grants Committee, Funding Committee, Mangawhai Endowment Lands Account Committee, Reserve Contributions Committee

**Green** = Combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee, Mangawhai Community Park Governance Committee, Taharoa Domain Governance Committee

**Yellow** = Raupo Drainage Committee

**Grey** = Weekends and public holidays

## 5 Information



## 5.5 Chief Executive's Report for the month of September 2018

Chief Executive 2002.02.18/September

### **Recommended**

*That Kaipara District Council receives the Chief Executive's Report for the month of September 2018.*





# **Chief Executive's Report**

## **For the month of September 2018**

### **Part One**

- a) Chief Executive's overview**
- b) Activities report**
- c) Contract acceptance**
- d) Looking Forward**

### **Part Two**

## **Financial Report for September 2018**

## Part One

### a) Chief Executive Overview – September

#### Tourism Infrastructure Fund

Council has been successful in securing money from the central government Tourism Infrastructure Fund (TIF). This fund is targeted for development of tourism-related infrastructure such as carparks, sewerage or transport projects. Three projects have received funding;

- New roof and boardwalk for the Baylys Beach Toilets
- Upgrade of toilets at Matakohē
- Upgrade of toilets and parking at Maungaturoto.

The total amount of subsidy available for these three projects is in excess of \$486,000. This is a great injection for our local communities.

#### Infrastructure

September sees the start of warmer weather and longer days. Along with this is the commencement of our construction season. Staff are busy with a number of projects including:

- Quail Way Stormwater upgrade
- Ruawai and Maungaturoto watermain renewal
- Pump station upgrades in Dargaville and Mangawhai Village
- Bickerstaffe Road landfill capping
- Smaller linkages on the coastal walkway as part of Mangawhai Community Plan
- Landscape planning and consultation for Pou Tu Te Rangī Harding Park.

#### New Beginnings

Thank you for the warm welcome received at the powhiri on 24 September. It was a new and touching experience for me. I appreciate the time from those that could make it and understand restraints for those that may have wanted to, but couldn't.

I am working my way around not just the district but the region. My first week has seen me being able to meet:

- Elected members from throughout Northland at the Northland Forward Together Strategic Planning workshop
- My counterparts from all the other three Northland Councils
- Office introductions across all three sites
- Council Meeting at the Dargaville Lighthouse
- Baylys Beach Community Meeting.

Together we can build trust and increase confidence inside and across our communities and I look forward to accepting the challenge of this.

## **b) Activities Report**

### **1 Roads and footpaths**

The Tara Road along Moir Street (From Mangawhai Domain to 100km sign to Darmah Lane) speed review consultation is in progress. The Private Seal Extension Policy has also been notified for public feedback. Both close 15 October.

#### *Operational and Maintenance*

We have reached the end of the new Road Maintenance and Renewals Contract three month embedding period. The development of the performance tools from GHD is continuing and this tool will be used to review the October claim.

Broadspectrum is continuing their current round of unsealed and sealed inspections and have shown 25% completion on their annual drainage inspection which is in line with expectation. During September audits on 17% (72km) of sealed and 8% (95km) of unsealed completed inspections were undertaken. Broadspectrum achieved their audited sealed inspections with our team reporting that excellent notes were provided, all routine faults were being identified including most non-routine issues with the correct action taken and priority given. Broadspectrum did however fail 20% of their audited unsealed inspections and this will be formally discussed at the next contract meeting. This shows that the auditing system is working and we can see the benefit of this going forward.

#### *Capital*

The Tangowahine Valley Road Bridges contract has been awarded to Fulton Hogan.

The Tara Road Culvert tender (Mangawhai) is under evaluation (the culverts have already been procured).

The Garbolino Road slip contract (Mangawhai) has been awarded to Steve Bowling with construction work starting mid-October.

The benefit cost ratio (BCR) for the Tomarata bridge assessment (Mangawhai) is complete. The BCR report has been presented to NZTA and discussions are ongoing. In conjunction with the bridge maintenance/upgrade, the construction of a pedestrian footbridge is proposed. A feasibility and value for money exercise is underway to justify the need for a footbridge.

Contract 839 Pukehuia Road (Tangiteroria) slip has been terminated and is under legal review to close the contract. The uncompleted work has been priced through a closed contest between pre-selected contractors with these costs under evaluation.

#### *Road Safety*

The road toll for the calendar year stands at two deaths on the State highway within the Kaipara District Council territorial area. This is three less than the same time last year.

The Drive Soba course for recidivist drink drivers has six offenders attending and will finish in October.

The Young Driver Learner Licence programme being run in early October has 23 registered participants. The Volunteer Mentor Driver programme had 32 students and 71 mentoring hours during September with three licences being obtained.

## 2 Parks and Reserves

### *Mangawhai Community Park: Resource Consent application update*

We have stopped work on the service lanes/tracks until a resource consent has been granted for tree removal and working near the wetlands, which is required to complete this work. We have engaged a consultant to lead this project and will look to prepare a master plan consent. We are currently having a survey undertaken of the whole park to identify areas of significance, potential development areas and walking/cycling tracks. We will then need to engage other specialists as required.

### *Taharoa Domain*

Track formation has been completed between Lake Taharoa and Lake Waikare. We are working with Te Roroa to look at a concession to place beehives at Taharoa Domain. The Policy and Parks Teams are reviewing the use of the old Water Ski Club building at Lake Waikare as requested by the Taharoa Domain Governance Committee.

### *Capital Works*

Work is progressing on the Mangawhai Coastal Walkway and linkages projects. Integral Group has been engaged to assist with the procurement and project plans. Council was successful in gaining additional funding through the Tourism Infrastructure Fund for all three projects put forward being Baylys Beach Boardwalk and toilet, Matakohe Toilets and Maungaturoto Toilets. Planning for these projects is due to commence in October.

### *Maintenance Contract 860*

Grass growth increased towards the end of the month, which means the mower operators will be busy keeping all the grounds within contract specifications.

Council and Te Roroa staff visited some of the potentially affected landowners to discuss the Provincial Growth Fund application for the Kaihu Valley Rail Trail. These meetings gathered a lot of different feedback that needs to be considered. Further visits are planned with those landowners that were previously unavailable.

Sportsville (Memorial Park, Dargaville) has concluded with a very successful opening held on Saturday 29 September.

## 3 Community Activities for September

The Community Team continue to meet with the communities across the district to work with them to bridge the gap between the communities and Council and to support them with community led projects. Communities and groups the team has worked with this month are:

- Dargaville Police - funding opportunities;
- Menz Shed - Licence to Occupy application;
- Te Puni Kōkiri - Kaihu Rural Water supply;
- Mangawhai Waka Ama - site;
- Kaiwaka Can monthly meeting;
- Hakaru Pony Club;
- Sportsville opening;

- Sport Northland;
- Far North District Council Community Hui (attended by the Kaipara District Council, Whangarei District Council and Far North District Councils Community Teams);
- Baylys Beach Climate Change community meeting;
- NZTA - Paparoa traffic calming;
- Eight applications were received for the Creative Communities Scheme Committee. Of these six applications were successful and one was withdrawn with a total of \$7,778.53 being allocated to the successful applicants;
- Dargaville Placemaking Project - mural for the band rotunda toilet will be completed by Christmas;
- Te Kopuru Domain - organising site clearing of hazards (exposed metal, wires etc.); and
- Cycling Forum was held in Dargaville to discuss Council's and Northland's Walking and Cycling Strategy and to hear from cyclists what was important to them.

## **4 Four Waters**

Inspections have been ramped up and we are finding more network issues in stormwater and water supply.

Inflow to the Mangawhai Wastewater Treatment Plant (MWWTP) for the month of September 2018 totalled 15,764m<sup>3</sup>, which is up approximately 4.51% when compared to September 2017 volumes. The plant is stable and continues to operate within resource consent limits.

Council staff continue to meet with the MWWTP operators monthly to discuss the plant's performance and operations to ensure any issues are discussed and resolved.

Planning of the 2018/2019 Four Waters capital works programme is well underway with two awarded contracts, and most projects in design.

The Quail Way stormwater improvements construction contract has commenced and is progressing well.

We continue to liaise with the NRC regarding our consents and compliance. Currently we are engaging a consultant to provide specialist advice for the Kaiwaka and Te Kopuru wastewater treatment plants to identify options to rectify the non-compliances.

## **5 Solid Waste**

The clean-up of the Tatarariki Spur Road (Te Kopuru) tomo is complete at a cost of over \$20,000. This site is being monitored for re-offending and nine infringement notices have been sent out based on evidence retrieved.

A recent trial of the viability of some plastics that we are currently stockpiling (HDPE No 2) has seen a positive result. The trial itself went well with the product being acceptable, however due to oversupply there will not be any payment made for this product, which ultimately means that the transportation cost to Auckland will need to be subsidised at approximately \$70 - \$100 per tonne. There is around 10 tonnes of this product currently stockpiled that will be transported to the Auckland market. The refuse contractor is continuing to look for market opportunities for the HDPE No 2 product.

## 6 Planning and Regulatory – September 2018

Planning	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Resource Consent Applications	34	38	75%	18.80	67%
224 Applications	12	3	100%	1	
Service Requests	115	95	96%		92%
<ul style="list-style-type: none"> <li>Three lots were created in September, all in Otamatea.</li> <li>Overdue consents this month were largely due to resourcing constraints.</li> </ul>					
Building	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Building Consent Applications	57	53	95%	12.63	93%
CCC Applications	39	61	100%	1	93%
Service Requests	140	89	97%		92%
<ul style="list-style-type: none"> <li>The total number of building consents received in September was 53. The combined value of these projects totalled \$6,578,964. There were 14 dwellings and relocates received for the month of which 10 were within Mangawhai. There were six commercial consent applications received.</li> </ul>					
Regulatory	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Alcohol Applications	17	14		16.30	
Food Control Audits and Inspections	34	35	34%		62%
Service Requests	201	231	96%		98%
<ul style="list-style-type: none"> <li>Staff illness has meant a drop in food audits and inspections being able to be completed this month.</li> <li>There was one dog attack last month with insufficient evidence to identify suspect dog/s.</li> <li>One Notice to Cease operations was served in Dargaville.</li> </ul>					
BCA Accreditation	Due	Completed		YTD % Completed	
		YTD	Sept 2018		
BCA Audits	4	35	4	100%	
Competency Assessments	2	16	1	60%	
<ul style="list-style-type: none"> <li>Audit Reviews remain on track.</li> <li>There are two competency assessments to be completed from previous months and these have been confirmed for completion in October.</li> <li>IANZ Audit scheduled for 30/31 October and 01/02 November 2018.</li> </ul>					
Policy					
<ul style="list-style-type: none"> <li>Two applications to Provincial Growth Fund being progressed;</li> <li>District Plan comprehensive review;</li> <li>Bylaws review;</li> <li>Mana Whenua engagement and participation in policy planning.</li> </ul>					

**Kaipara Moana Treaty negotiations update**

The November timeframe for settlement was ambitious and is unlikely to be achieved. A business case proposal has been suggested to Crown agencies as there is a huge task of remediation being suggested. What this might look like is being discussed with Kaipara Uri and councils. Our Policy Team will prepare some draft terms of reference for a Council-member working group so we can develop their competency with regards to settlement obligations and responsibilities.

**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 September, all 37 LIM applications received were processed on time, taking an average of eight working days.

**8 LGOIMA Overview – 01 to 30 September**

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 37 LGOIMA requests to the end of September

Name	Subject	Time Taken	Number of Requests Year to Date
Hilary C	Mayor's calendar and expenses	3 hours	3
Peter Rothwell	Kahurangi Lane – property information	30 minutes	6
Mina Henare	Documentation on RM 070277	45 minutes	4
Clive Boonham	Reason for late delivery of rates notices	45 minutes	11
Mina Henare	Building consent information for Tinopai Emergency Services	1 hour	5
Hilary C	Code of Conduct	3 hours	4

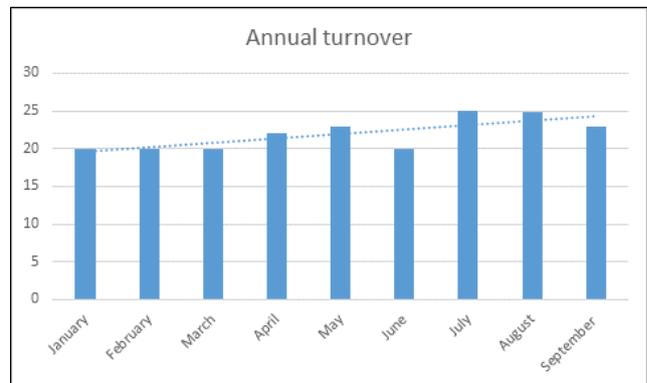
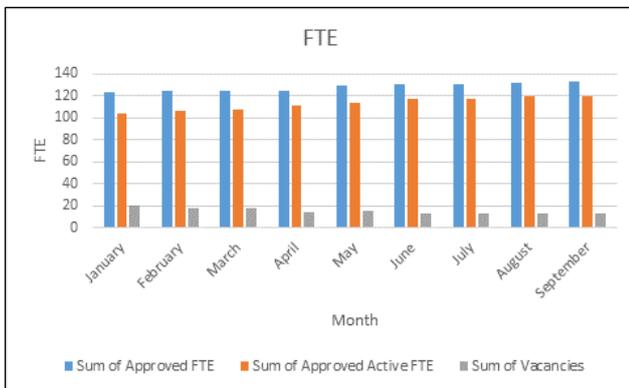
## 9 Customer Services

In September 2018 KDC Customer Services had 7 Customer Services staff and 2 new trainees, with an average of 2.25 FTE available to answer calls, due to department training. Call volumes were 11% less than the most recent non rates month, July, while call abandonment and longest wait times were the lowest since the inception of the CIC soft phone system in January 2018.



## 10 People and Capability

People and Capability update:



The above turnover figures include retirements (2), redundancy's (3), and (1) death.

## 11 Health and Safety

Workplace Health and Safety Management Report (September 2018)

### Lag Indicators (Reactive)

#### KDC Staff OH&S Events Table

Incident type	Events for month
Near miss	1
Property damage	0
Pain or discomfort	1
Occupational illness	0
First aid case	0
Medical treatment injury	0

Lost time injury	0
Notifiable event	0
Environmental incident	0

#### Near Miss

- Came upon three horses loose on the road

#### Pain and Discomfort

- Pain in wrist from keyboard use

#### KDC Contractors OH&S Events Table

Incident type	Events for month
Near miss	3
Property damage	1
Occupational illness	0
First aid case	2
Medical treatment injury	1
Lost time injury	0
Notifiable event	0
Environmental incident	0

**Near Misses**

- Using hand shovel to pothole, hit utility cable (telephone) that was supposed to be deeper;
- Rear tailgate came loose on road; and
- Mower slid off wet loading ramp.

**c) Contract acceptance**

**Contract:** 885 Garbolino Road Slip RP810 Remediation 2018/2019

**Awarded to:** Steve Bowling Ltd T/A GHK Piling

**Price:** \$220,430.50

**Budget:** \$260,000

**No. of Tenders:** Six

**Tender Method:** Lowest Price Conforming method

**Contract Manager:** Hawthorn Geddes

**Contract:** 900 Tangowahine Valley Road Bridges

**Awarded to:** Fulton Hogan

**Price:** \$650,350.04

**Budget:** \$720,194.09

**No. of Tenders:** 2

**Tender Method:** Price Quality

**Contract Manager:** GHD

**d) Looking Ahead****November**

01	Thursday	Council Briefing	TBC	TBC
02	Friday	Citizens Awards Ceremony	2.00pm	Sportsville, Dargaville
15	Thursday	Raupo Drainage Board Committee	10.00am	Ruawai
15	Thursday	Taharoa Domain Government Committee	2.00pm	Lake Waikere Centre
19	Monday	Mangawhai Community Park Committee	10.00am	Mangawhai Council Offices
29	Thursday	Ordinary Council Meeting	9.30am	Tinopai Community Hall

**Property damage**

- Passing truck flicked up a stone that cracked the windscreen.

**First Aid Case**

- Runner on refuse collection fell grazing his knee; and
- Refuse truck driver slipped on gravel reached down to break his fall and hand was punctured by a nail.

**Medical Treatment Injury**

- Sprained ankle stepping down from truck

There were no public OH&S events during September.

**December**

05	Wednesday	Pou Tu Te Rangi Harding Park Committee	2.00pm	Lighthouse Function Centre
06	Thursday	Council Briefing	TBC	TBC
12	Wednesday	Audit, Risk and Finance	10.00am	Mangawhai Club, Mangawhai
20	December	Ordinary Council Meeting	9.30am	TBA



# Part Two

## September 2018 Financial Report

### Funding impact Statement

KEY

- Favourable
- Unfavourable within 10% of Budget
- Unfavourable over 10% of Budget

### Whole of Council Overview

Key Indicators for September are set out in the tables below.

	Year to Date September 2018			Indicator	Full Year Annual Plan \$000's
	Actual \$000's	Annual Plan \$000's	Variance \$000's		
Total Rates	8,907	8,757	150	●	35,029
Operating Subsidies and Grants	1,111	1,146	(35)	●	4,584
Activity Revenue and Other Income	1,501	1,317	184	●	5,544
<b>Total Operating Income</b>	<b>11,519</b>	<b>11,220</b>	<b>299</b>	●	<b>45,156</b>
Employee Benefits	2,531	2,705	174	●	10,819
Contractors	2,540	2,264	(276)	●	8,706
Professional Services	516	1,198	682	●	4,924
Repairs and Maintenance	749	745	(4)	●	3,348
Finance Costs	620	737	117	●	2,950
Other Operating Costs	1,760	1,277	(483)	●	5,317
<b>Total Operating Costs</b>	<b>8,716</b>	<b>8,926</b>	<b>210</b>	●	<b>36,063</b>
<b>Operating Surplus / (Deficit) before Depreciation</b>	<b>2,803</b>	<b>2,294</b>	<b>509</b>	●	<b>9,093</b>
Capital Subsidies	858	2,069	(1,211)	●	8,276
Contributions	1,142	623	518	●	2,494
Other Capital revenue	116	0	116	●	175
<b>Total Capital Revenue</b>	<b>2,116</b>	<b>2,692</b>	<b>(576)</b>	●	<b>10,945</b>
Capital Expenditure	1,555	2,687	1,132	●	23,529
<b>Total Capital Expenditure</b>	<b>1,555</b>	<b>2,687</b>	<b>1,132</b>	●	<b>23,529</b>
<b>Subtotal Capital</b>	<b>561</b>	<b>5</b>	<b>556</b>	●	<b>(12,584)</b>
<b>Surplus / (Deficit) before Loan Payments and Depreciation</b>	<b>3,364</b>	<b>2,299</b>	<b>1,065</b>	●	<b>(3,492)</b>

Public Debt and Requirements			
	Jun-18 \$000's	Sep-18 \$000's	Jun-18 \$000's
<b>Debt</b>			
Debt	46,000	51,000	58,295
Cash in bank (overnight deposits)	- 3,641	- 8,301	- 583
<b>Net debt</b>	<u>42,359</u>	<u>42,699</u>	<u>57,712</u>
<b>Reserves (future obligations)</b>			
Development Contribution Reserve	- 24,648	- 24,648	-
Other Reserves	16,946	16,946	13,360
<b>Total</b>	<u>- 7,702</u>	<u>- 7,702</u>	<u>13,360</u>
<b>Debt Requirements</b>			
Debt	46,000	51,000	58,295
Future obligations	16,946	16,946	13,360
Gross Debt Requirement	62,946	67,946	71,655
Less cash in bank	- 3,641	- 8,301	- 583
<b>Net Debt Requirement</b>	<u>59,305</u>	<u>59,645</u>	<u>71,072</u>

---

## Statement of Operating and Capital Performance

### Operating Revenue:

**Rates Revenue:** Land and water rates including penalties totalling \$28,000 were remitted in accordance with Council policy e.g. Uniform Annual General Charges (UAGC's) and Uniform Annual Charges (UAC's) for contiguous properties. Late payment penalties of \$125,000 were charged in August.

**Other Operating Revenues:** User fees and charges are ahead of budget mainly due to continued high levels of activity within regulatory.

**Operating Subsidies and Grants:** Operating subsidies in roading are tracking close to budget

**Operating Costs:** Overall costs are generally below budget for the month.

Contractor costs are ahead of budget for the month of September and year to date. This increase mainly relates to roading for extra costs for repairs and maintenance of structures and footpaths.

Professional services are below budget due to lower spending in most activities in the early part of the year.

Repairs and maintenance costs are tracking on budget

Finance costs remain below budget due to lower inter-period loan balances caused by lower activity in capital expenditure and loans not being taken up.

Other operating costs are ahead of budget due to \$121,000 of community grants paid early, higher computing costs, office administration costs, audit fees and property costs. Some of these are timing differences.

**Capital Revenue:** Capital subsidies are below budget due to less capital roading expenditure occurring.

Financial and development contributions are ahead of budget for the month of September and year to date.

### Public Debt

The public debt position at 30 September is \$5 million and the net debt position (debt less cash) is \$42.7 million.

## 5.6 Resolutions Register and Action Tracker

Governance Advisor                      1202.05

### **Recommended**

*That Kaipara District Council receives the Resolutions Register and Action Tracker dated 16 October and the information contained therein.*



<b>Kaipara District Council Resolutions Register at 16 October 2018</b>							
Meeting Date	Agenda Item Number	Item Name	Details	Assigned	Status	Comments	Due
13/02/2017	6.4	Establishment of Older Persons Committee	Will look at other ways of engaging with older members of the community.	GM GSD	In Progress	On hold until the People's Panel recruitment has been completed (Oct - Dec).	Feb 2019
26/06/2017	7.6	Kauri Coast Community Pool – Licence to Occupy and maintenance grant	Agrees to develop Terms of Reference for a joint Council/Trust Kauri Coast Community Pool Management Committee to investigate reducing operating costs, reviewing fee structure, seeking external funding for programmes, improving the range of programmes, improving dedicated times for the elderly and promoting the pool to achieve increased attendance	GM GSD (DL)	Completed	Terms of Reference have been agreed on and finalised with the Management Committee.	June 2018
			Delegates the Chief Executive to negotiate a Licence to Occupy with the Kauri Coast Community Pool Trust on the standard terms and conditions	GM GSD (DL)	In Progress	On hold pending current discussion between Council, the Pool Trust and Sport Northland.	Dec 2018
			Re-assesses its involvement in the Kauri Coast Community Pool after the 2017/2018 swimming season.	GM GSD (DL)	In Progress	On hold pending current discussion between Council, the Pool Trust and Sport Northland.	Dec 2018
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 in November.	Nov 2018
			3 ) That the Chief Executive work with a committee to be recommended by the Mayor in developing the policy and procedure	GM RPP	In Progress	As above	Nov 2018
			4 ) That any related current delegations be amended to reflect policy	GM RPP	In Progress	As above	Nov 2018
			5 ) That the policy be presented to Council for approval at 09 October 2017 meeting.	GM RPP	In Progress	As above	Nov 2018

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	COO (SP)	In Progress	The Raupo Committee met in August, where the engineering options were presented to the Committee. The Committee has asked that Council look into what options are available for a set price significantly lower than the 2 options presented. Options to be presented to the next RDC.	Nov 2018
			Notes that the works are to be funded by Raupo Drainage Targeted Rate.	COO (SP)	In Progress		Nov 2018
14/11/2017	6.13	Northpower – Assignment of Lease	Approves the assignment of the grazing licence from Northpower to Highview Investments Limited	GM R,F&IT (JB)	Completed		
			Delegates to the Chief Executive responsibility for execution of the Deed or Assignment on Council's behalf.	GM R,F&IT (JB)	In Progress	As it's a Deed this needs to be executed by two elected Members. Still Waiting for Northpower and Highview to execute the Deed and return same to Council for Execution.	Dec 2018
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		
			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	Location of the Arts Building has now been identified so this can be excluded from non-exclusive licence area.	Dec 2018
			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 Museum have advised they now want to new lease rather than a partial surrender. They have been advised the policy is now for LTO rather than lease. A draft LTO will be provided to the Museum so they can consider.	Dec 2018
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		
			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
			Prioritises the review of Reserves and Open Space Strategy (ROSS)	GM RPP	In Progress	Review underway. Pre consultation with key stakeholders. A briefing is scheduled in Nov with Council	May 2019
28/03/2018	6.1	Private Seal Extension Policy 2018: Adoption for Community Engagement	Adopts the draft 'Kaipara District Private Seal Extension Policy 2018', circulated as Attachment 1 to the above mentioned report, and seeks community feedback on the draft Policy with the following amendments: <input type="checkbox"/> to link to Rating Policy and re-worded for clarity to laypeople, in plain English; <input type="checkbox"/> add interest and maximum term of less than 10 years, and obligations of those that do not agree	COO (HvZ)	In Progress	Public notices seeking Community feedback advertised 18 September.	Dec 2018
			Delegates the Chief Executive and Councillors Wethey and Geange to approve the final wording	COO (HvZ)	In Progress	As above	Dec 2018
26/04/2018	5.2	Forecast Two 2017/2018	Approves the forecast as set out in the forecast sections in the above mentioned report and its attachments, and determines that no further action is required at this point in time	GM R,IT&F	Completed		

			Notes that the revised forecast shows increased operating revenues of \$1.6 million, reduced operating costs of \$0.4 million, increased capital funding of \$0.3 million and reduced capital expenditure of \$1.7 million from the estimates in Forecast One	GM R,IT&F	Completed		
			Approves the revised capital expenditure schedules, listed in Attachment 4 of the above mentioned report, and the carry forwards to the Long Term Plan 2018/2028	GM R,IT&F	Completed		
			Notes that forecast debt is currently projected in the order \$48.2 million which is a reduction of \$13.9 million compared with the planned \$3.8 million reduction in the Annual Plan. The increased reduction is due to release of available general reserves, property sales and development contribution payments for the Mangawhai Community Wastewater Scheme (MCWWS)	GM R,IT&F	Completed		
			Approves the out of limit position in terms of clause 6.3 of the Treasury Management Policy (this to be reviewed in six months)	GM R,IT&F	Completed		
			Notes that the Chief Executive is to provide Council with a full briefing on all options on the proceeds from the forestry asset sale	GM R,IT&F	In Progress	Agreed to prepare a Council paper in second quarter of 2018 regarding use of Forestry sale proceeds. Council to be briefed in Nov 2018	Dec 2018
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	
			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 GSD (IL)	In Progress	Approved as part of the LTP, but process is being worked through.	Nov 2018
			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 contestable fund process and timing is being reported to the September Council meeting.	Nov 2018
			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 RPP	In Progress	Awaiting ROSS review	
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		
		Agrees that the \$20.05 million shall be funded through debt	GM GSD	Completed	Approved as part of the LTP		

			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	
			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.	June 2019
	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)	Completed	Approved as part of the LTP	Dec 2018
			Requests the Chief Executive reports the results of the investigation to Council	GM R,IT&F (JB)	In Progress	Investigating scope and timeline	Dec 2018
26/07/2018	4.2	Road Vesting: Settlement Road, Hakaru, Kaiwaka	Agrees in principle to the vesting and purchase of a portion of private property, the area being 0.0300ha (300m <sup>2</sup> ) of land for road being Lot 5 Revised subdivision plan RM170473 highlighted in yellow on aerial map (see Attachment 1 to the above mentioned report) for road reserve (Settlement Road) in Hakaru, Kaiwaka, subject to the costs associated being no more than \$1,500 + GST for the land itself and \$1,500 + GST for additional costs	GM I	In Progress	Staff have informed the applicant and are awaiting the applicant to provide the invoice upon the 224 being issued.	Nov 2018
			Delegates the Acting Chief Executive to finalise the acquisition of the aforementioned land	GM I	In Progress	As above	Nov 2018
	4.4	Kauri Coast Community Pool Update, Contract for Service and Licence to Occupy	That this item lie on the table until a meeting with the Kauri Coast Community Pool Trust is held with Elected Members and Council officers.	GM GSD	In Progress	A meeting with the Trust and Elected Members was held on 22 August 2018. Council staff and the Trust are continuing to discuss with Sport Northland.	Dec 2018
	4.5	Notice of Motion Report Back and Review of the Elected Member Allowances and Recovery of Expenses Policy	Agrees that the Elected Member Allowances and Recovery of Expenses Policy is reviewed against the Kaipara District Council Remuneration Authority Determination for the 2018/2019 financial year	GM GSD	Completed	The new EM Allowances and Recovery of Expenses Policy was adopted by Council at the September meeting	Sept 2018
	4.8	Kaipara District Council Gambling Policies Review - Class 4 Gambling Venues Policy and Totalisator Agency Board (TAB) Venue Policy	Directs the Chief Executive to investigate and draft amendments to the Class 4 Gambling Venues Policy to be reported back to Council at the September 2018 Council meeting	GM RPP	Completed	A decision report on the draft policy for consultation will be included in the September Council agenda	Sept 2018
			Retains the existing TAB Venue Policy with no changes	GM RPP	Completed		
			Delegates to a Hearing Panel of Councillors Curnow and Wethey and Mayor Smith the authority and responsibility to: • oversee the drafting of the Class 4 Gambling Venues Policy amendments and the Statement of Proposal; • hear submissions on the draft Class 4 Gambling Venues Policy; and • make recommendations to Council on the draft Class 4 Gambling Venues Policy	GM RPP	Completed	Consultation to take place in October 2018	Nov 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	Nov 2018	

			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.	Nov 2018
23/08/2018	4.1	Smokefree and Vape-free Kaipara Policy - Confirmation of draft Policy for consultation	Agrees with the direction provided for in the draft Smokefree Kaipara Policy, circulated as Attachment Two to the aforementioned report, incorporating feedback provided	GM RPP	Completed		
			Approves the draft Smokefree Kaipara Policy in accordance with Council's Significance and Engagement Policy, incorporating feedback provided	GM RPP	In Progress		
			Forms a panel of three Elected Members, being Councillors Wethey, Joyce-Paki and Curnow to consider submissions and make recommendations to Council	GM RPP	Completed		
	4.2	Alcohol Control Bylaw and Statement of Proposal - Adoption of drafts for consultation	Determines that a bylaw is the most appropriate way of addressing the perceived problem(s) associated with alcohol consumption in a public place	GM RPP	Completed		
			Adopts the Statement of Proposal for the Kaipara District Public Places Alcohol Control Bylaw including draft bylaw for public consultation	GM RPP	Completed		
			Agrees that the proposed alcohol control areas below and their associated controls as shown in the Statement of Proposal (circulated as Attachment Three to the aforementioned report) are to be consulted on alongside the draft Alcohol Control Bylaw. These being to <b>[please see 23/08/18 minutes]</b>	GM RPP	In Progress	Hearings 16 October 2018	
			Forms a Hearing Panel made up of three Elected Members, being Councillors Curnow, del la Varis Woodcock and Joyce Paki, one of whom will be the chair of the panel, and delegates to the Hearing Panel the responsibility to hear submissions and to provide recommendations to Council	GM RPP	Completed		
	4.3	Budget Carryovers 2017/2018	Approves the carryover of the following budgets from the 2017/2018 financial year to the 2018/2019 financial year <b>[please see 23/08/18 minutes]</b>	GM R,IT&F (GMI)	In Progress	Finance Team will finalise accounts. Will be ready for next Audit Risk and Finance Committee meeting	Dec 18
	4.4	Cames Road, Mangawhai, Improvement report	Resolves to approve the recommended Option A, which is to undertake routine maintenance estimated at \$200,090 + GST, to be prioritised and funded from existing budgets	GMI	No Further Action	The work will be incorporated into the existing maintenance programme, and will be prioritized as part of that process. Business as usual.	Nov 2018
	4.5	Road stopping and amalgamation: 623 Golden Stairs Road, Paparaoa	Agrees in principle to the stopping of a portion of the section of Golden Stairs Road in Paparaoa, 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	GMI	In Progress	Awaiting GST declaration forms for both parties from Brookfields to include with sale and purchase agreement before raising invoice.	Nov 2018

			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)	GMI	In Progress	As above	Nov 2018
27/09/2018	4.1	Annual Report 2017/2018 for adoption	Adopts the Annual Report 2017/2018, circulated as Attachment 1 to the afore mentioned report	GM R,IT&F (GMI)	Completed		
			Delegates the Chief Executive and the Mayor to approve amendments as per feedback provided and approve minor typographical changes that do not alter the intent of the information in the Annual Report 2017/2018	GM R,IT&F (GMI)	Completed		
	4.2	Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 01 July 2017 to 30 June 2018	Adopts the 'Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2017 to 30 June 2018', circulated as Attachment 1 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	GM RPP	Completed		
			Delegates the Chief Executive and the Mayor 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 2017 to 30 June 2018'	GM RPP	Completed		
	4.3	Kaipara District Council Dog Control Annual Report 01 July 2017 to 30 June 2018	Adopts the 'Kaipara District Council Dog Control Annual Report for the 12 months ending 30 June 2018' (circulated as Attachment 1 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	GM RPP	Completed		
			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 2018'	GM RPP	Completed		
	4.4	Contract 906 Mangawhai Community Wastewater Scheme Irrigation Extension Stage 4 2018/2019 - Award of Contract	Approves the award of Contract 906 Mangawhai Community Wastewater Scheme Irrigation Extension Stage 4 2018/2019 to WaterForce for the contract price of \$367,399.20 + GST	GMI	Completed	Contract awarded 4 October 2018.	

4.7	Sale of Section, Aranga Coast Road – Rescind 23 August 2018 decision	Rescinds the following decisions made at the 23 August 2018 meeting of Kaipara District Council: '3 In accordance with its Property Disposal and Acquisition Policy, determines that the section of land (3,035m2) at Aranga Coast Road described as Lot 1 DP 28751 is surplus (or under performing) to Council requirements and can be sold; and 4 Offers the section to the successor of the former owner at its current valuation in accordance with the provisions of section 40(2)(C) of the Public Works Act; and 5 Offers the section for sale by public tender in the event that the former owner's successor declines to purchase it; and 6 Delegates to the Chief Executive responsibility for negotiating final terms for the Sale and Purchase Agreement which must include satisfactory access arrangements being made for the track across the land'	GM R,IT&F (GMI)	Completed	
4.8	Class 4 Gambling Venue Policy Review and Adoption	Adopts the Class 4 Gambling Policy Review Statement of Proposal and Draft Class 4 Gambling Venues Policy, circulated as Attachment 1 and Attachment 2 to the aforementioned report, for public consultation under section 83 of the Local Government Act 2002	GM RPP	Completed	
4.9	Elected Member Allowances and Recovery of Expenses Policy Review	Adopts the reviewed Elected Member Allowances and Recovery of Expenses Policy located at Attachment 3 to the afore mentioned report, effective from 01 July 2018	GM GSD	Completed	The new EM Allowances and Recovery of Expenses Policy was adopted by Council at the September meeting
		Delegates to the Mayor and Chief Executive the ability to approve minor typographical changes that do not alter the intent of the policy	GM GSD	Completed	The new EM Allowances and Recovery of Expenses Policy was adopted by Council at the September meeting. No editorial changes were required.



## 6 Public Excluded Council agenda items 25 October 2018

### Recommended

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

- *Public Excluded Committee minutes confirmed in September 2018; and*

*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:*

<b>General subject of each matter to be considered:</b>	<b>Reason for passing this Resolution</b>	<b>Ground(s) under Section 48(1) for the passing this resolution:</b>
<i>Public Excluded Committee minutes confirmed in September 2018</i>	<i>Section 7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	<i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist</i>



**7 Open Council agenda 25 October 2018**

**Closure**

**Kaipara District Council  
Dargaville**