
Kaipara District Council

Minutes

Meeting	Kaipara District Council
Date	Monday 23 November 2015
Venue	Conference Room, Northern Wairoa War Memorial Hall (Dargaville Town Hall), Hokianga Road, Dargaville
Subject	Ordinary meeting of Council
Time	Meeting commenced at 10.02am Meeting concluded at 10.54am
Status	Confirmed

Membership

Chair: Commissioner John Robertson

Members: Commissioners Richard Booth and Peter Winder

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

Contents

1	Opening.....	3
1.1	Present.....	3
1.2	Apologies	3
1.3	Confirmation of Agenda	3
2	Deputations and presentations	3
3	Confirmation of Minutes.....	3
3.1	Ordinary Council Meeting: 27 October 2015	3
4	Policy.....	4
4.1	Chief Executive Delegation – Capital Contracts	4
4.2	Roading Procurement Strategy November 2015: Approval of Strategy	4
5	Operational	5
5.1	Taharoa Domain Governance Committee Extraordinary meeting: 12 October 2015.....	5
5.2	Mangawhai Community Park Governance Committee Meeting: 27 July 2015	5
5.3	Road Naming – Moana Views Subdivision, Mangawhai	5
5.4	Kaipara Moana Memorandum of Understanding	6
5.5	Sale of Surplus Property – 25-29 Wharfdale Crescent, Mangawhai	6
5.6	Petition Against Rubbish Accumulation: Papanui	7
6	Performance Reporting	7
6.1	Chief Executive’s Report November 2015.....	7
7	Public Excluded Council Minutes items: Monday 23 November 2015	8
8	Open Council meeting Minutes Monday 23 November 2015.....	10
8.1	Ordinary Council meeting Public Excluded Minutes: 27 October 2015 (agenda Item 7.1)	10
8.2	Contract 787 2015/2016 Road Rehabilitation and Minor Improvements – Package 3 Tender Report (agenda Item 7.2).....	10
8.3	Contract 788 Bridge Structural Components Replacement 2015/2016 - Tender Report (agenda Item 7.3).....	10
8.4	Contract 783 Estuary Drive and Moir Point Road Seal Extension 2015/2016 - Tender Report (agenda Item 7.4).....	10
9	Closure.....	10

Minutes Ordinary Meeting of Kaipara District Council

Monday 23 November 2015

1 Opening

1.1 Present

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

In Attendance

Name	Designation	Item(s)
Jill McPherson	Acting Chief Executive	All
Glennis Christie	General Manager Finance	All
Curt Martin	General Manager Infrastructure	All
Peter Marshall	Acting General Manager Corporate Services	All
Venessa Anich	General Manager Community	1-7.1
Fran Mikulicic	General Manager Regulatory and Planning	1-7.1
Helen Slater	Communications Manager	1-7.1
Sean Mahoney	Governance Services Manager	All
Christine Johnson	Administration Support	All (Minute taker)

1.2 Apologies

Nil

1.3 Confirmation of Agenda

The Committee confirmed the Agenda.

2 Deputations and presentations

Nil.

3 Confirmation of Minutes

3.1 Ordinary Council Meeting: 27 October 2015

Governance Services Manager 1601.20

Moved Robertson / Winder

That the unconfirmed Minutes of the Ordinary meeting of Kaipara District Council held 27 October 2015, as circulated, be confirmed as a true and correct record.

Carried

4 Policy

4.1 Chief Executive Delegation – Capital Contracts

General Manager Infrastructure 2304.15/delegations wp

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Chief Executive Delegation – Capital Contracts' dated 28 October 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the revised Chief Executive finance delegation and the following wording for inclusion in the Delegations Register:*

'Authority to commit Council to financial transactions (or projects consisting of multiple transactions) relating to capital expenditure up to \$250,000. This includes authority to vary or terminate such transactions. Authority is subject to expenditure being budgeted for in the Long Term Plan, Annual Plan or approved forecast financial statements, compliance with the procurement policy and any other applicable policies or procedures, and the reporting of all capital expenditure more than \$100,000 approved by the Chief Executive under delegated authority to the next meeting of the Audit and Risk Committee'

Carried

4.2 Roding Procurement Strategy November 2015: Approval of Strategy

Roding Manager 1203.03.01.01

Moved Booth / Winder

That Kaipara District Council:

- 1 *Receives the Roding Manager's report 'Roding Procurement Strategy November 2015: Approval of Strategy' dated 10 November 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the Kaipara District Council Roding Procurement Strategy November 2015.*

Carried

5 Operational

5.1 Taharoa Domain Governance Committee Extraordinary meeting: 12 October 2015

Governance Services Manager 1606.15

Moved Winder / Booth

That the Kaipara District Council receives the confirmed Minutes of the Taharoa Domain Governance Committee Extraordinary meeting held 12 October 2015, as circulated.

Carried

5.2 Mangawhai Community Park Governance Committee Meeting: 27 July 2015

Governance Services Manager 1611.02

Moved Winder / Booth

That the Kaipara District Council receives the confirmed Minutes of the Mangawhai Community Park Governance Committee meeting held 27 July 2015, as circulated.

Carried

5.3 Road Naming – Moana Views Subdivision, Mangawhai

Roading Manager 4102.09

Moved Robertson / Winder

That the Kaipara District Council:

- 1 *Receives the Roading Manager's report 'Road Naming – Moana Views Subdivision, Mangawhai' dated 04 November 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the name of the private road servicing the Moana Views subdivision as 'Moana Views'.*

Carried

5.4 Kaipara Moana Memorandum of Understanding

Governance Services Manager 2114.02

Moved Booth / Winder

That Kaipara District Council:

- 1 *Receives the Governance Services Manager's report 'Kaipara Moana Memorandum of Understanding (MOU)' dated 16 November 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Delegates to the Acting Chief Executive the power to approve any minor amendments to the final form of the MOU arising from considerations of the draft MOU by the other parties; and*
- 4 *Resolves that the draft MOU with Northland Regional Council, Whangarei District Council and Auckland Council be signed subject to recommendation 3 above.*

Carried

5.5 Sale of Surplus Property – 25-29 Wharfdale Crescent, Mangawhai

Property and Commercial Advisor 5105.12

Discussion points:

- Once property has been sold, proposal to Council on spending of the funds.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Property and Commercial Advisor's report 'Sale of Surplus Property - 25-29 Wharfdale Crescent, Mangawhai' dated 12 November 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *In accordance with its Property Disposal and Acquisition Policy, the land described is declared surplus to Council requirements and can be sold; and*
- 4 *Offers the sections for sale by public tender; and*
- 5 *Delegates to the Acting Chief Executive responsibility for accepting or declining any offer that is made for this property; and*

- 6 *Delegates to the Acting Chief Executive responsibility for negotiations of final terms and conditions of any Sale and Purchase Agreement; and*
- 7 *Notes that the net proceeds from the sale of any of the sections will be entered into the MELA reserve in accordance with the provisions of the 'Mangawai Empowerment Lands Act 1966' (sic); and*
- 8 *Withdraws from the MELA reserve the net proceeds from any section sale and uses this amount to reduce Council debt related to the Mangawhai Community Wastewater Scheme (MCWWS); and*
- 9 *Notes that Council has previously resolved to retain the capital value of the MELA reserve at approximately \$4-5 million and notes that the decision to use the net proceeds of any section sale to reduce MCWWS debt will leave the fund at the same level as before these transactions*

Carried

5.6 Petition Against Rubbish Accumulation: Paparoa

Governance Services Manager 4201.01

Moved Robertson / Winder

That Kaipara District Council:

- 1 *Receives the Governance Services Manager's report 'Petition Against Rubbish Accumulation: Paparoa' dated 12 November 2015; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Notes the content of Mr John Eddy's November 2015 petition against rubbish accumulation in Paparoa; and*
- 4 *Requests the Acting Chief Executive Officer is to report back on the Petition to Council.*

Carried

6 Performance Reporting

6.1 Chief Executive's Report November 2015

Chief Executive: 2002.02.14

Moved Booth / Robertson

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

Carried

7 Public Excluded Council Minutes items: Monday 23 November 2015

The meeting moved into Public Excluded at 10.46am

Moved Robertson / Booth

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

- Ordinary meeting of Council : Public Excluded Minutes 27 October 2015
- Contract 787 2015/2016 Road Rehabilitation and Minor Improvements – Package 3 Tender Report
- Contract 788 Bridge Structural Components Replacement 2015/2016, Tender Report
- Contract 783 Estuary Drive and Moir Point Road Seal Extension 2015/2016, Tender Report

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

General Subject of Each Matter to be considered:	Reason for Passing this Resolution	Ground(s) under Section 48 (1) for the passing this resolution:
Ordinary meeting of Council : Public Excluded Minutes 27 October 2015	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
Contract 787 2015/2016 Road Rehabilitation and Minor Improvements – Package 3 Tender Report	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
Contract 788 Bridge Structural Components Replacement 2015/2016, Tender Report	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

<i>Contract 783 Estuary Drive and Moir Point Road Seal Extension 2015/2016, Tender Report</i>	<i>Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i>	<i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>
---	---	---

Carried

Confirmed

8 Open Council meeting Minutes Monday 23 November 2015

The meeting moved back into Open session at 10.53am

Moved Robertson / Winder

That the public be re-admitted to the meeting and resolutions 7.1 made whilst in Public Excluded be confirmed in Open Meeting, resolutions 7.2, 7.3, 7.4 be confirmed in public once successful tenderers have been informed.

8.1 Ordinary Council meeting Public Excluded Minutes: 27 October 2015 (agenda Item 7.1)

Governance Services Manager 1601.20

Moved Winder / Robertson

That the Public Excluded Minutes of the Ordinary meeting of Council held 27 October 2015, as circulated, be confirmed as a true and correct record.

Carried

8.2 Contract 787 2015/2016 Road Rehabilitation and Minor Improvements – Package 3 Tender Report (agenda Item 7.2)

[Secretarial note: to be confirmed in public once successful tenderer have been informed.]

8.3 Contract 788 Bridge Structural Components Replacement 2015/2016 - Tender Report (agenda Item 7.3)

[Secretarial note: to be confirmed in public once successful tenderer have been informed.]

8.4 Contract 783 Estuary Drive and Moir Point Road Seal Extension 2015/2016 - Tender Report (agenda Item 7.4)

[Secretarial note: to be confirmed in public once successful tenderer have been informed.]

9 Closure

The meeting closed at 10.54am

Confirmed 15 December 2015

Chair J Robertson QSO (Chair)