

Kaipara District Council

Ordinary Meeting

Minutes

Meeting	Ordinary Meeting Of Kaipara District Council
Date	Tuesday 28 April 2015
Venue	Conference Room, Northern Wairoa War Memorial Hall, Hokianga Road, Dargaville
Time	Meeting commenced at 10am Meeting concluded at 10.59am
Status	Confirmed

Membership

Chair: Commissioner John Robertson

Members: Commissioner Richard Booth
Commissioner Peter Winder

Anna Curnow
Governance Support Officer
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**Minutes of the Ordinary Meeting Of Kaipara District Council
Tuesday 28 April 2015**

1 Opening**1.1 Present**

Commissioner J Robertson (Chair)

Commissioner R Booth

Commissioner P Winder

In Attendance

Name	Designation	Item(s)
Jill McPherson	Acting Chief Executive	All
Glennis Christie	General Manager Finance	All
Fran Mikilicic	General Manager Regulatory and District Planning	All
Peter Marshall	Human Resources Manager	All
John Burt	Acting General Manager Infrastructure	All
Venessa Anich	General Manager Community	Up to 6
Rick Groufsky	Financial Services Manager	6.1 to 7
Barbara Ware	Community Engagement Manager	Up to To 7
Anna Curnow	Governance Support Officer	All (Minute taker)
Christine Johnson	Administration Support	All

Adjournments

Nil

Absences

Nil

1.2 Apologies

Nil

1.3 Confirmation of Agenda

The Committee confirmed the Agenda.

1.4 Conflict of Interest Declaration

Nil

2 Deputations and Presentations

Nil

3 Confirmation of Minutes

3.1 Ordinary Council Meeting : 24 March 2015

Governance Support Officer 1601.18

A copy of the unconfirmed minutes was circulated.

Moved Robertson / Booth

That the Minutes of the Ordinary Meeting of Council 24 March 2015, as circulated, be confirmed as a true and correct record.

Carried

4 Policy

4.1 Development Contributions Request for Remission - Small Poppies Property Trust

Administration Manager 3837/RMtyp/RM140229

The Administration Manager's report 'Development Contributions Request for Remission - Small Poppies Property Trust' dated 30 March 2015 was circulated.

Discussion Points:

- That the impact on the wastewater system is considered to be more than minor as the likelihood is that children from outside the area will attend.
- That it is unusual for a mistake to be made with a Project Information Memorandum on the building consent side.
- Development Contributions are charged to cater for the growth impacts of the particular development. If this one does not pay then the impact costs could be spread across other developments.
- The applicants do understand that they have to pay some contribution and have offered to pay the roading contribution.
- Officers initially gave incorrect advice.

Moved Winder / Booth

That the Kaipara District Council:

- 1 *Receives the Administration Manager's report 'Development Contributions Request for Remission – Small Poppies Property Trust' dated 30 March 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Recognising the incorrect advice to the applicant in the Project Information Memorandum that no Development Contribution was applicable, agrees to remit the Development Contribution relating to RM140229 in full to the amount of \$6,865.51 including GST.*

Carried

4.2 Northland Regional Council's Draft Long Term Plan 2015-2025: Kaipara District Council Submission

Senior Policy Analyst **2117.01**

The Senior Policy Analyst's report 'Northland Regional Council's Draft Long Term Plan 2015-2025: Kaipara District Council Submission' dated 14 April 2015 was circulated.

Moved **Winder / Booth**

That the Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report titled 'Northland Regional Council's Draft Long Term Plan 2015-2025 Kaipara District Council Submission' dated 14 April 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Endorses the Kaipara District Council's Submission to the Northland Regional Council's Draft Regional Long Term Plan 2015-2025, as circulated with the above-mentioned report.*

Carried

4.3 Totalisator Agency Board (TAB) Venue Policy Review

Policy Planner **3201.04**

The Policy Planner's report 'Totalisator Agency Board (TAB) Venue Policy Review' dated 05 March 2015 was circulated.

Discussion Points:

- This review does not introduce any significant changes from the 2011 policy, rather some small tidy-ups relating to consistencies to other policies.

- There are no stand-alone TAB venues in the District however Council is legally required to have a policy.

Moved Robertson / Winder

That the Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Totalisator Agency Board (TAB) Venue Policy Review' dated 05 March 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the Statement of Proposal and Draft Totalisator Agency Board (TAB) Venues Policy, as circulated with the above-mentioned report, for public consultation under section 83 of the Local Government Act 2002.*

Carried

4.4 Class 4 Gambling Venues Policy Review

Policy Planner 3202.01.04

The Policy Planner's report 'Class 4 Gambling Venues Policy Review' dated 05 March 2015 was circulated.

Discussion Points:

- There are no significant changes recommended in this review. This Policy relates to all venues with gaming machines.
- The review includes a one month submission period.

Moved Winder / Booth

That Kaipara District Council:

- 1 *Receives the Policy Planner's report Class 4 Gambling Venues Policy Review dated 05 March 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 section 79 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 Venues Policy Review Statement of Proposal and Draft Class 4 Gambling Venues Policy, as attached to the above-mentioned report, for public consultation under section 83 of the Local Government Act 2002.*

Carried

4.5 Property Sale and Acquisition Policy: Adoption

General Manager Operations 5101.0

The General Manager Operations' report 'Property Sale and Acquisition Policy: Adoption' dated 07 April 2015 was circulated.

Discussion Points:

- That the Audit and Risk Committee will review all property sales, purchases and transfer transactions at least annually.

Moved Booth / Winder

That the Kaipara District Council:

- 1 *Receives the General Manager Operations' report titled 'Property Sale and Acquisition Policy: Adoption' dated 07 April 2014; 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the draft Property Sale and Acquisition Policy which was appended to the above-mentioned report.*

Carried

4.6 Heritage New Zealand Pouhere Taonga Draft Policies : Kaipara District Council Submission

Policy Planner 3839.0

The Policy Planner's report 'Heritage New Zealand Pouhere Taonga Draft Policies : Kaipara District Council Submission' dated 15 April 2015 was circulated.

Discussion Points:

- Main themes in the submission are about relationships between owners of sites and Heritage, consultation with iwi, hapu groups and collaborative relationships with local authorities

Moved Winder / Booth

That the Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Heritage New Zealand Pouhere Taonga Draft Policies : Kaipara District Council Submission' dated 31 March 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and

- 3 *Endorses the Kaipara District Council submission dated 14 April 2015, as attached to the above-mentioned report, on the Draft Heritage New Zealand Policies; that has been submitted to Heritage New Zealand Pouhere Taonga.*

Carried

**4.7 Private Plan Change No 1: Li Liangren Family Trust, Part Lot 1 DP 403278, Tinopai :
Appointment of Commissioner to hear and make decisions on submissions**

Senior Policy Analyst 3807.09.01

The Senior Policy Analyst's report 'Private Plan Change No 1: Li Liangren Family Trust, Part Lot 1 DP 403278, Tinopai : Appointment of Commissioner to hear and make decisions on submissions' dated 01 April 2015 was circulated.

Discussion Points:

- Some concern was expressed over the amount of time between the closing of submissions and appointing the Commissioners for the Hearing.

Moved Robertson / Booth

That the Kaipara District Council:

- 1 *Receives the Senior Policy Analyst's report titled 'Private Plan Change No 1: Li Liangren Family Trust, Part Lot 1 DP 403278, Tinopai : Appointment of Commissioner to hear and make decisions on submissions' dated 01 April 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Appoints two Commissioners from Council's Hearing Commissioner Pool for Resource Management Act matters and delegates to them the functions, powers and duties to hear and make decisions on submissions received to Private Plan Change No 1; and*
- 4 *Appoints Les Simmons as Chair to be assisted by Alan Watson; and*
- 5 *If Alan Watson should for any reason not be available, delegates to the Acting Chief Executive that power to select a second Commissioner to assist Mr Les Simmons to be drawn from Council's Hearing Commissioner Pool for Resource Management Act matters.*

Carried

5 Operational

5.1 Combined Meeting of the Harding Park Standing Committee and Pou Tu o Te Rangi Joint Management Committee: 16 December 2014

Governance Support Officer 1607.09

A copy of the confirmed minutes were circulated.

Moved Winder / Booth

That the Minutes of the Combined Meeting of the Harding Park Standing Committee and Pou Tu o Te Rangi Joint Management Committee held on 16 December 2014 as circulated, be received.

Carried

5.2 Local Government New Zealand AGM 2015: Kaipara District Council Delegate

Governance Support Officer 2113.02

The Governance Support Officer's report 'Local Government New Zealand AGM 2015: Kaipara District Council Delegate' dated 20 April 2015 was circulated.

Moved Booth / Robertson

That the Kaipara District Council:

- 1 *Receives the Governance Support Officer's report titled 'Local Government New Zealand (LGNZ) AGM 2015: Kaipara District Council Delegate' dated 20 April 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Nominates Commissioner Winder as its presiding delegate at the Local Government New Zealand AGM to be held Sunday 19 July 2015.*

Carried

5.3 Council Representation on NZ Chambers of Commerce Northland Board

Governance Support Officer 2105.39

The Governance Support Officer's report 'Council Representation on NZ Chambers of Commerce Northland Board' dated 15 April 2015 was circulated.

Moved Robertson / Winder

That the Kaipara District Council:

- 1 *Receives the Governance Support Officer's report titled "Council Representation on NZ Chambers of Commerce Northland Board" dated 15 April 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Appoints Commissioner Richard Booth as the Kaipara District Council representative on the NZ Chambers of Commerce Northland Board for the 12 months from 11 March 2015.*

Carried

6 Performance Reporting

6.1 Chair's Report

Chair of the Commissioners: 1909.01

A copy of the Chair's Report being the Quarterly Report to the Minister was circulated.

Moved Robertson / Winder

That the Chair's Report being the Quarterly Report to the Minister be received.

Carried

6.2 Chief Executive's Report April 2015

Chief Executive: 2002.02.14

A copy of the Chief Executive's Report dated April 2015 was circulated.

Discussion Points

- Long Term Plan 2015/2025 – oral feedback session now complete. Deliberations meeting on Monday 25 May 2015.
- Business Improvement Programme rolled out at last All Staff meeting.
- MCWWS Advisory Panel has completed a meeting with the Golf Club. General support for use of the Golf Club for disposal.
- Of those with outstanding rate arrears that Council has filed Court documents on, 41 property owners have lodged a Statement of Defence (of whom 11 have paid).
- Another 20 have not paid but have not put in a Statement of Defence
- Still no Parks monthly report. New Parks Manager is to start shortly so these should restart following that.
- Consent numbers are still high in the east of the District. Growth has been consistently high for nearly two years.
- Have increased proactive enforcement in planning area.

- Need to do an exercise to evaluate the projected margins on forestry. However alternative uses for these blocks of land are limited. No extensive review has been done. In the past replanting has been automatic. It would be appropriate to do the review before replanting.

Moved Robertson / Winder

That the Chief Executive's Report dated April 2015 be received.

Carried

CONFIRMED

7 Public Excluded Council Items: Minutes 28 April 2015**Time:** 10.50am**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 24 March 2015*
- *Sale of Council Land : Allotment 277 State Highway 1, Kaiwaka - Purchase Offer*

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:

<i>General Subject of Each Matter to be considered:</i>	<i>Reason for Passing this Resolution</i>	<i>Ground(s) under Section 48 (1) for the passing this resolution:</i>
<i>Ordinary Meeting of Council Public Excluded Minutes 24 March 2015</i>	<i>Section 7(2)(i)enable any local authority holding the information to carryon, 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>Sale of Council Land : Allotment 277 State Highway 1, Kaiwaka - Purchase Offer</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>

Carried

8 Open Council Meeting: Minutes 28 April 2015

The meeting came out of Public Excluded at 10.58am

Moved Robertson / Booth

That the public be re-admitted to the meeting and resolutions with respect to 7.1 made whilst in Public Excluded, be confirmed in the Open Meeting.

Carried

8.1 Ordinary Council Meeting Public Excluded Items : 24 March 2015

Governance Support Officer 1601.19

Moved Robertson / Booth

That the Public Excluded Minutes of the Ordinary Meeting of Council 24 March 2015 as circulated, be confirmed as a true and correct record.

Carried

Closure

The meeting closed at 10.59am

Confirmed 26 May 2015

Chair John Robertson