

Meeting	Kaipara District Council
Date	Thursday 26 September 2019
Time	Meeting started at 9.30 am Meeting ended at 2.48 pm
Venue	Mangawhai Club – 219 Molesworth Drive, Mangawhai Heads
Status	Unconfirmed

Open Minutes

Membership

Chair:

Mayor Jason Smith

Members:

Deputy Mayor Peter Wethey

Councillor Anna Curnow

Councillor Victoria del la Varis-Woodcock

Councillor Julie Geange

Councillor Libby Jones

Councillor Karen Joyce-Paki

Councillor Jonathan Larsen

Councillor Andrew Wade

Jason Marris
General Manager Governance, Strategy and Democracy

Contents

1	Opening	3
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
2	Public input	4
2.1	Stop 5G in Mangawhai petition	4
3	Minutes	5
3.1	Confirmation of Open Council minutes 29 August 2019.....	5
3.2	Open Committee minutes confirmed in August 2019	5
4	Notice of Motion	6
4.1	Notice of motion 1, Councillor Jonathan Larsen	6
4.2	Notice of motion 2, Councillor Jonathan Larsen	6
5	Decision	6
5.1	2018/2019 Annual Report Adoption.....	6
5.2	Kaipara District Council Dog Control Annual Report 01 July 2018 to June 2019.....	7
5.3	Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 – 01 July 2018 to 30 June 2019.....	7
5.4	Mana Enhancing Agreement with Te Roroa.....	7
5.5	Development contributions for first response or community organisations	8
5.6	Parking Restriction at Dargaville Library.....	8
5.7	Decision-making over the election period 2019.....	8
5.8	Spatial Planning Progress and Public Consultation on Proposals	9
6	Information	9
6.4	Valedictory speeches from retiring elected members.....	9
6.1	Crown Manager Final Report.....	10
6.2	Chief Executive’s report for August 2019.....	10
6.3	Resolutions Register update.....	10
7	Public Excluded Council minute items 26 September 2019	11
8	Open Council minutes 26 September 2019	12
	Closure	12

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

1 Opening

1.1 Karakia

Councillor Joyce-Paki opened the meeting with a karakia.

1.2 Present

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

In Attendance

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Sue Davidson	General Manager Risk, IT and Finance	All
Fran Mikulicic	General Manger Regulatory, Planning and Policy	All
Jason Marris	General Manager Governance, Strategy and Democracy	All
Jim Sephton	General Manager Infrastructure	1—6.1
Violeta Kayryakova	Financial Services Manager	5.1
Michaela Borich	Project Manager and Business Analyst	5.1
Francis Toko	Iwi Relations Manager	1—5.4
Gillian Bruce	Communications and Engagement Manager	5.1—6.4
Trish Hayward	Communications Advisor	5.1—5.4
Gail Fotheringham	Community and Recreation Advisor	5.1—5.4
Lisa Salter	Library Manager	5.6
Kathie Fletcher	Policy Manager	1—6.4
Paul Waanders	District Planner	1—6.4
Paula Hansen	Senior Policy Planner	1—6.4
Peter Winder	Crown Manager	6.1
Bryce Henderson	Auditor (Deloitte)	1—5.1
Vera Chian	Auditor (Deloitte)	1—5.1
Gavin Flynn	AR & Associates	5.8
Joao Machado	AR & Associates	5.8
Lisa Hong	Governance Advisor	All (Minute-taker)

Adjournments

Reason	Start	Finish
Morning tea	10.58 am	11.11 am
Lunch	12.01 pm	12.30 pm
Afternoon tea	2.21 pm	2.27 pm

1.3 Apologies

Moved Curnow/Joyce-Paki

That the apology of Councillor Andrew Wade be received.

Carried

1.4 Confirmation of agenda

Moved Smith/Wethey

That Kaipara District Council:

- a) *Confirms the agenda for the 26 September 2019 meeting.*
- b) *Agrees to move the public excluded item 7.3 'Spatial Planning Progress and Public Consultation on Proposals' to the open agenda (as item 5.8).*

Carried

1.5 Conflict of interest declaration

Name	Item
Councillor Jonathan Larsen	5.5 'Development contributions for first response or community organisations'

2 Public input

2.1 Stop 5G in Mangawhai petition

Lis Martinac 1203.01

Moved Wethey/Curnow

That Kaipara District Council:

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

Carried

3 Minutes

3.1 Confirmation of Open Council minutes 29 August 2019

General Manager Governance, Strategy and Democracy 1601.24

Moved del la Varis-Woodcock/Jones

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

Carried

3.2 Open Committee minutes confirmed in August 2019

General Manager Governance, Strategy and Democracy 16/Various

Moved (1) Smith/Curnow

That Kaipara District Council:

- a) *Notes the confirmed Open minutes of the following committee meetings:*
- *Extraordinary meeting of the Mangawhai Endowment Lands Account Committee held 18 August 2018*
 - *Remuneration and Development Committee meeting held 08 May 2019*
 - *Taharoa Domain Governance Committee meeting held 14 May 2019*
 - *Raupo Drainage Committee meeting held 16 May 2019.*

Carried

Moved (2) Curnow/Larsen

That Kaipara District Council:

- b) *Notes and confirms as a true and accurate record the unconfirmed minutes of the following committee meeting:*
- *Community Grants Committee meeting held 23 August 2018.*

Carried

Moved (3) Smith/Jones

That Kaipara District Council:

- c) *Notes and confirms as a true and accurate record the unconfirmed minutes of the following committee meeting:*
- *Extraordinary meeting of the Citizens Awards Committee held 02 October 2018.*

Carried

4 Notice of Motion

4.1 Notice of motion 1, Councillor Jonathan Larsen

18 September 2019 1701.03

Moved Larsen/Geange

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

Carried

4.2 Notice of motion 2, Councillor Jonathan Larsen

18 September 2019 1701.03

Moved Larsen/Geange

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

Carried

5 Decision

5.1 2018/2019 Annual Report Adoption

General Manger Risk, IT and Finance 2304.15/AR&F 2019-2020

Moved Smith/Wethey

That Kaipara District Council:

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

Carried

Meeting adjourned for morning tea at 10.58am

Meeting reconvened at 11.11am

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

Acting General Manager Planning and Regulatory 3503.06

Moved Joyce-Paki/Curnow

That Kaipara District Council:

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

Carried

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

Acting General Manager Planning and Regulatory 3503.06

Moved Joyce-Paki/Curnow

That Kaipara District Council:

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

Carried

5.4 Mana Enhancing Agreement with Te Roroa

Policy Manager 2114.03.03

Moved Joyce-Paki/Smith

That Kaipara District Council:

- a) *Approves the final Mana Enhancing Agreement between Te Roroa and Kaipara District Council.*
- b) *Delegates the Chief Executive and the Mayor to approve minor typographical changes that do not alter the intent of the information in the Mana Enhancing Agreement.*

Carried

Meeting adjourned for lunch at 12.01 pm

Meeting reconvened at 12.30 pm

5.5 Development contributions for first response or community organisations

General Manager Risk, IT and Finance 2304.13/DCP

[Secretarial Note: Councillor Larsen declared conflict of interest for this item. He withdrew from the table and did not participate in the discussion or vote on this item. The meeting noted that Fire Service be correctly referred to as Fire Emergency New Zealand (FENZ).]

Moved Wethey/Geange

That Kaipara District Council:

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

Carried

5.6 Parking Restriction at Dargaville Library

Library Manager
Senior Policy Planner 3212.0

Moved Joyce-Paki/Curnow

That Kaipara District Council:

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

Lost

5.7 Decision-making over the election period 2019

Governance Advisor 1203.01

Moved Smith/Wethey

That Kaipara District Council:

- a) *Notes that the final Council meeting will be held on 26 September 2019 and that the final committee meeting will be held on 02 October 2019 (Funding Committee for Creative Communities Scheme) and that all normal meetings will then cease.*
- b) *Delegates to the Mayor and Deputy Mayor, the power to make, on behalf of the Council, urgent decisions that may be needed between the final Council meeting and the day the term of the office of current members ends.*
- c) *Notes that if a significant matter requires consideration following the final Council meeting and up to the end of the term of current members, an extraordinary Council meeting will be called.*

- d) *Delegates the Chief Executive the full powers of the Council, except for those responsibilities, duties and powers specifically excluded in clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002 or in any other Act, from the day after the Electoral Officer declares the results of the election until the convening of the first meeting of the new Council, scheduled for 25 October 2019.*
- e) *Notes that if any urgent decision-making process is employed during this period, it will be reported to the first Council or relevant committee meeting.*
- f) *Agrees that the District Licensing Committee not be discharged at the end of the 2016-2019 Triennium, pursuant to Schedule 7, clause 30(7) of the Local Government Act 2002.*
- g) *Notes that the Mayor can declare a state of emergency during the period from the last meeting of this Council until the official results declaration.*
- h) *Notes that if a state of emergency occurs during the period between the new Council coming into office and the inaugural Council meeting, the Minister can declare the emergency, or an extraordinary meeting will be held to declare it.*

Carried

5.8 Spatial Planning Progress and Public Consultation on Proposals

[Secretarial Note: This item was moved into open meeting during the confirmation of the agenda. The report and the attachments was made publicly available and published on the Council's website with these minutes].

Six pages (pages 1—6) of attachment D 'Draft Options Assessment Dargaville, Maungaturoto and Kaiwaka Spatial Plan' were missed in the agenda and were tabledⁱⁱ.

Gavin Flynn and Joao Machado from AR & Associates gave a presentationⁱⁱⁱ.]

District Planner 3808.04

Moved Smith/Curnow

That Kaipara District Council:

- a) *Notes the progress report on the Spatial Plan Project (Dargaville, Maungaturoto and Kaiwaka); and*
- b) *Delegates the Chief Executive to release the draft report for public consultation during the 2019 local body triennial election phase and the time while the new Council is embedded.*

Carried

6 Information

6.4 Valedictory speeches from retiring elected members

Governance Advisor 1202.05

[Secretarial Note: This item was taken out of order at the discretion of the Chair.]

Councillors Geange and Jones gave their valedictory speeches.

Meeting adjourned for afternoon tea at 2.21 pm

Meeting reconvened at 2.27 pm

Councillor Geange left the meeting at 2.27 pm

6.1 Crown Manager Final Report

General Manager Governance, Strategy and Democracy 1203.01

Moved Smith/Curnow

That Kaipara District Council:

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

Carried

6.2 Chief Executive's report for August 2019

Chief Executive 2002.02.18/September

Moved del la Varis-Woodcock/Jones

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

Carried

6.3 Resolutions Register update

Governance Advisor 1202.05

Moved Curnow/Wethey

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

Carried

7 Public Excluded Council minute items 26 September 2019

The meeting moved into Public Excluded session at 2.43pm.

Moved Curnow/Joyce-Paki

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

- Confirmation of Public Excluded Council minutes 29 August 2019
- Public Excluded committee minutes confirmed in August 2019

The general subject matter of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under s48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered:	Reason for passing this Resolution	Ground(s) under Section 48(1) for the passing this resolution:
Confirmation of Public Excluded Council minutes 29 August 2019	S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
Public Excluded committee minutes confirmed in August 2019	S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons S7(2)(f) maintain the effective conduct of public affairs through (ii) the protection of such members, officers, employees, and person from improper pressure or harassment S7(2)(i) to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Carried

8 Open Council minutes 26 September 2019

The meeting returned to Open session at 2.45pm.

Closure

Councillor Joyce-Paki closed the meeting with a karakia.

Meeting closed at 2.48pm

Confirmed

Chair Mayor Jason Smith

Chief Executive Louise Miller

Kaipara District Council
Dargaville

ⁱ 'Spatial Planning Progress and Public Consultation on Proposals' report and attachments

ⁱⁱ Missing pages (pages 1—6) of attachment D 'Draft Options Assessment Dargaville, Maungaturoto and Kaiwaka Spatial Plan'

ⁱⁱⁱ 'Spatial Planning Progress and Public Consultation on Proposals' presentation