

<b>Meeting</b>	Kaipara District Council
<b>Date</b>	Thursday 27 June 2019
<b>Time</b>	Meeting started at 9.30am Meeting concluded at 2.11pm
<b>Venue</b>	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville
<b>Status</b>	Confirmed

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## Open Minutes

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**Membership**

Chair: Mayor Jason Smith  
Members: Deputy Mayor Peter Wethey  
Councillor Anna Curnow  
Councillor Victoria del la Varis-Woodcock  
Councillor Julie Geange  
Councillor Libby Jones  
Councillor Karen Joyce-Paki  
Councillor Jonathan Larsen  
Councillor Andrew Wade

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

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**Minutes of the Ordinary meeting of  
Kaipara District Council  
Thursday 27 June 2019 in Dargaville**

## 1 Opening

### 1.1 Karakia

Councillor Joyce-Paki opened the meeting with a karakia.

### 1.2 Present

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

#### In Attendance

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Jim Sephton	General Manager Infrastructure	All
Fran Mikulicic	General Manager Regulatory, Planning and Policy	All
Sue Davidson	General Manager Risk, IT and Finance	All
Darla Blake	General Manager Community Customer Service	All
Jason Marris	General Manager Governance, Strategy and Democracy	All
Paul Cresswell	Financial and Corporate Planning Manager	4.1—4.2
Christine Toms	Revenue Manager	4.1—4.2
Michaela Borich	Project Manager and Business Analyst	4.1
Jasmine Horton	Web Content Editor/Graphic Designer	4.1
Michael Juer	Project Manager and Business Analyst Digital Transformation	4.1
Paul Waanders	District Planner	4.1—5.1
Paula Hansen	Policy Analyst	4.1—4.4
Mark Schreurs	Policy Analyst	4.1—4.4
Tanya Wilson	Governance Advisor	4.3
Gail Fotheringham	Community and Recreation Advisor	4.3
John Burt	Property and Commercial Advisor	4.5—Close
Lisa Hong	Governance Advisor	All (Minute-taker)

### Adjournments

Reason	Start	Finish
Break	10.18am	10.20am
Morning tea	11.19am	11.29am
Lunch	12.11pm	12.45pm

### 1.3 Apologies

Nil.

### 1.4 Confirmation of agenda

Moved Smith/Curnow

*That the Kaipara District Council confirms the agenda for the meeting held 27 June 2019.*

Carried

### 1.5 Conflict of interest declaration

Name	Item
Councillor Joyce-Paki	Item 4.4 'Policy on Dogs and Dog Management Bylaw – Adoption' – Councillor Joyce-Paki disclosed that she is an employee of Department of Conservation. She advised that she did not participate in the formulation of the submission and will not take part in discussions around the endangered species in the Mangawhai Estuary.
Councillor Geange	Item 4.3 'Fees and Charges 2019/2020: Annual Review Adoption' – Councillor Geange disclosed that she is an employee of Federated Farmers of New Zealand. She advised that she will not take part in the discussion nor vote on this item.

## 2 Presentations and Petitions

### 2.1 Graeme Ramsey, Baylys Beach Community Centre Trust

Graeme Ramsey and Grant Suckling spoke in the public forum.

## 3 Minutes

### 3.1 Confirmation of Open Council minutes 30 May 2019

General Manager Governance, Strategy and Democracy

1601.23

Moved Jones/Curnow

*That the unconfirmed Open minutes of the Kaipara District Council meeting held 30 May 2019 be confirmed as a true and correct record.*

Carried

### 3.2 Open Committee minutes confirmed in May 2019

General Manager Governance, Strategy and Democracy

16/Various

Moved Curnow/Jones

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

- *Funding Committee for Rural Travel Fund meeting held 25 October 2018;*
- *Taharoa Domain Governance Committee meeting held 12 February 2019;*
- *Remuneration and Development Committee meeting held 13 February 2019; and*
- *Raupo Drainage Committee meeting held 21 February 2019.*

Carried

Meeting adjourned at 10.18am

Meeting reconvened at 10.20am

## 4 Decision

### 4.3 Fees and Charges 2019/2020: Annual Review Adoption

General Manager Regulatory, Planning and Policy

2301.07/2019-2020

[Secretarial Note: This item was taken out of order at the discretion of the Chair. Councillor Geange declared a conflict of interest for this item and did not participate in the discussion (via audio link) nor vote on this item.]

Moved Wethey/Jones

*That Kaipara District Council:*

- a) *Adopts the proposed Fees and Charges for 2019/2020 as outlined in the draft schedule, appended to the report as **Attachment A** and circulated in the agenda, with the following amendment:*
  - *Introduction of a dog registration fee of \$33 per working dog for the fourth and subsequent working dogs registered to the same owner*
  - *And that the late fee for fourth and subsequent working dogs registered to the same owner to be set at \$44*
  - *And that these costs to be offset by increase in registration of non-working dogs by \$2.00 per registration.*
- b) *Delegates the Mayor and Chief Executive the authority to make minor editorial changes to the Fees and Charges for 2019/2020.*

Carried

#### 4.1 Annual Plan 2019/2020

General Manager Risk, Information Technology and Finance  
General Manager Governance, Strategy and Democracy 2302.23.06

Moved Smith/Curnow

*That Kaipara District Council:*

- a) *Adopts the Annual Plan 2019/2020 (circulated as Attachment A to the 'Annual Plan 2019/2020' report).*
- b) *Delegates the Mayor and Chief Executive the authority to make minor editorial changes to the Annual Plan 2019/2020.*

**Carried**

**Councillor Larsen requested that his vote against be recorded.**

**Meeting adjourned at 11.19am**

**Meeting reconvened at 11.29am**

#### 4.2 Setting of Rates, Due Dates and Penalties Regime 2019/2020

General Manager Risk, Information Technology and Finance 2306.18

Moved Smith/Wethey

*That Kaipara District Council:*

- a) *Receives the report from the General Manager IT, Risk and Finance, "Setting of Rates, Due Dates and Penalties Regime 2019/2020", meeting date 27 June 2019.*
- b) *Notes that it is required to make the resolution publicly available on the Council's internet site.*
- c) *Notes that the Setting of Rates Due Dates and Penalties Regime 2019/2020 report has been reviewed by Council's lawyers.*
- d) *Sets the rates, due dates for payment and penalties regime for the 2019/2020 financial year, as set out below:*

##### **Rates resolution for the 2019/2020 financial year**

*The following rates are set for the period commencing on the first day of July 2019 and ending on the last day of June 2020. All rates and amounts are GST inclusive unless otherwise stated.*

##### **A. General rate**

*Under Section 13 of the Local Government (Rating) Act 2002 (the Act), a General Rate set for all rateable land within the district based on the land value of the land and at different rates in the dollar for different categories of land as set out in the table below.*

Area	Differential category*	Rate in the Dollar (including GST)
Rest of district	Residential and small sized lifestyle properties	0.002648
	Other	0.004104
Mangawhai Harbour Restoration Area	Residential and small sized lifestyle properties	0.002669
	Other	0.004137

\* The definitions of these differential categories can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

### **B. Uniform Annual General Charge**

Under Section 15 of the Act, a uniform annual general charge on all rateable land within the district of \$728.00 (including GST) per Rating Unit.

### **C. Targeted rates for Wastewater – networks**

Under Section 16 of the Act, targeted rates for Wastewater in each of the networks referred to in the table below, for operating and maintaining Wastewater treatment plants and pump stations and reticulation repairs and minor upgrades, including renewals and extensions of the respective systems.

The rates are set on a differential basis based on the use to which the land is put and the provision or availability to the land of the Wastewater service provided by, or on behalf of, Council.

Each targeted rate is calculated as:

1. Properties not connected to the Wastewater network as at 30 June 2019, but capable of being connected (being situated within 30 metres of a public sewerage drain to which it is capable of being effectively connected, either directly, or through a private drain) "serviceable":
  - a. A fixed amount per Separately Used or Inhabited Part of a Rating Unit (SUIP) for all units used primarily as a residence; and
  - b. A fixed amount per Rating Unit for all other units.
2. Properties that are connected to the Wastewater network as at 30 June 2019 "connected":
  - a. A fixed amount per SUIP for all units used primarily as a residence; and
  - b. For all other units:
    - i. A fixed amount per Rating Unit; and
    - ii. A charge per pan (urinal or water closet) for each pan after the second.

Wastewater Network*	Differential Category*	Charge per Rating Unit (including GST)	Charge per SUIP (including GST)	Charge per pan (after the second) (including GST)
Dargaville	Residence and connected	-	\$1,012.90	-
	Residence and serviceable	-	\$759.70	-
	Other and connected	\$1,012.90	-	\$506.45
	Other and serviceable	\$759.70	-	-
Glinks Gully	Residence and connected	-	\$1,253.90	-

	<i>Residence and serviceable</i>	-	\$940.40	-
	<i>Other and connected</i>	\$1,253.90	-	\$626.95
	<i>Other and serviceable</i>	\$940.40	-	-
<i>Kaiwaka</i>	<i>Residence and connected</i>	-	\$1,162.50	-
	<i>Residence and serviceable</i>	-	\$871.90	-
	<i>Other and connected</i>	\$1,162.50	-	\$581.25
	<i>Other and serviceable</i>	\$871.90	-	-
<i>Mangawhai</i>	<i>Residence and connected</i>	-	\$1,285.90	-
	<i>Residence and serviceable</i>	-	\$964.40	-
	<i>Other and connected</i>	\$1,285.90	-	\$642.95
	<i>Other and serviceable</i>	\$964.40	-	-
<i>Maungaturoto Township and Maungaturoto Station Village</i>	<i>Residence and connected</i>	-	\$1,401.90	-
	<i>Residence and serviceable</i>	-	\$1,051.40	-
	<i>Other and connected</i>	\$1,401.90	-	\$700.95
	<i>Other and serviceable</i>	\$1,051.40	-	-
<i>Te Kopuru</i>	<i>Residence and connected</i>	-	\$636.90	-
	<i>Residence and serviceable</i>	-	\$477.70	-
	<i>Other and connected</i>	\$636.90	-	\$318.45
	<i>Other and serviceable</i>	\$477.70	-	-

\* The definitions of each network, differential categories and a SUIP can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

#### **D. Targeted rates for Wastewater – capital contributions**

*Under Section 16 of the Act, targeted rates for all rateable land connected or capable of connection to the Mangawhai wastewater network as at 30 June 2013, based on where the land is situated, as defined on maps in the Appendix of the Annual Plan 2019/2020. The targeted rates for each of the four defined areas (A, D, E and F) are as follows:*



Targeted rate*	Fixed amount per Rating Unit (including GST)
Mangawhai Wastewater Capital Contribution A	\$676.00
Mangawhai Wastewater Capital Contribution D	\$569.95
Mangawhai Wastewater Capital Contribution E	\$606.31
Mangawhai Wastewater Capital Contribution F	\$643.26

\* The full definitions of the land subject to each targeted rate can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

#### **E. Targeted rates for Stormwater – networks**

Under Section 16 of the Act, targeted rates for Stormwater in each of the following networks, for the purpose of running and maintaining each Stormwater network. The rate is the amount per dollar of the land value for all land situated in the respective Stormwater network.

Stormwater Network*	Rate in the Dollar (Land Value) (including GST)
Baylys	0.001740
Dargaville	0.002756
Kaiwaka	0.000870
Mangawhai	0.000821
Te Kopuru	0.001420

\* The full definitions of the land subject to each targeted rate can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

#### **F. Targeted rate Land Drainage – Raupo**

Under Section 16 of the Act, a targeted rate for all rateable land within the Raupo Land Drainage scheme, at different rates in the dollar for different categories of land based on where the land is situated. The rate is an amount per dollar of the land value of the land.

This rate is to fund work undertaken to maintain and improve the current capacity of the land drainage network and stopbanks.

Differential Category*	Rate in the Dollar (Land Value) (including GST)
Raupo District A	0.002379
Raupo District B	0.000201
Raupo Township	0.002859

\* The full definitions of the land subject to each targeted rate can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

#### **G. Targeted rates for Land Drainage – other schemes**

Under Section 16 of the Act, targeted rates for Land Drainage in each of the following schemes, for the purpose of maintaining and improving the capacity of the land drainage network and stopbanks. The rate is an amount per dollar of the land value for all land situated in the respective Land Drainage scheme.

Land Drainage Scheme*	Rate in the Dollar (Land Value) (including GST)
Aoroa	0.001413
Arapohue No1	0.000596
Arapohue No2	0.000437
Aratapu Village	0.000573

Land Drainage Scheme*	Rate in the Dollar (Land Value) (including GST)
Awakino Point	0.000529
Awakino Valley	0.000541
Greenhill	0.000265
Hoanga	0.002046
Horehore	0.000633
Kaihu	0.000462
Kopuru Swamp	0.001324
Koremoa	0.000561
Mangatarā	0.000454
Manganui	0.000114
Mititai	0.000504
Notorious	0.000809
Oruariki	0.001211
Otiria	0.001276
Owairangi	0.000494
Tangowahine No1	0.000437
Tangowahine No2	0.000739
Tangowahine Valley	0.000139
Tatarariki 1	0.000442
Tatarariki 2	0.002131
Tatarariki 3	0.000848
Te Hapai	0.002063
Tikinui	0.000908
Whakahara	0.000386

\* The definitions of each land drainage scheme can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

#### H. Targeted rates for Water Supply

Under Sections 16 and 19 of the Act, targeted rates for Water Supply in each of the networks referred to in the table below, for operating and maintaining the Water Supply network. In particular, the costs associated in treating the water for domestic consumption.

The rates are set on a differential basis based on the provision or availability to the land of the water supply service provided by, or on behalf of, Council. Each targeted rate is calculated as:

Metered properties as at 30 June 2019:

1. A scale of charges based on the per cubic metre amount of water consumed.

Other properties (except in the Mangawhai water supply network, where there is no rate set for "other properties"):

2. A fixed amount per rating unit.

Networks	Metered properties*		Other properties*
	Volumetric charge (up to and including the first cubic metre) (including GST)	Volumetric charge (per cubic metre beyond the first cubic metre) (including GST)	Fixed amount per Rating Unit (including GST)
Dargaville	\$123.52	\$3.03	\$92.64
Glinks Gully	\$335.11	\$1.56	\$251.33
Mangawhai	\$123.52	\$2.59	N/A

Networks	Metered properties*		Other properties*
	Volumetric charge (up to and including the first cubic metre) (including GST)	Volumetric charge (per cubic metre beyond the first cubic metre) (including GST)	Fixed amount per Rating Unit (including GST)
Maungaturoto (Station Village)	\$291.43	\$4.36	\$218.57
Maungaturoto (Township)	\$268.72	\$3.85	\$201.54
Ruawai	\$180.44	\$3.68	\$135.33

\* The full definitions of each network can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2019/2020.

#### **I. Targeted rate for Mangawhai Harbour Restoration**

Under Section 16 of the Act, a targeted rate for all rateable land within the Mangawhai Harbour Restoration area of \$80.00 (including GST) per Rating Unit. A map of the Mangawhai Harbour Restoration area can be found in the Appendix of Council's Annual Plan 2019/2020.

#### **J. Targeted rate for Ruawai Tokatoka Hall**

Under Section 16 of the Act, a targeted rate for all rateable land within the Ruawai Tokatoka Hall targeted rate area of \$38.08 (including GST) per Rating Unit. A map of the Ruawai Tokatoka Hall targeted rate area can be found in the Appendix of Council's Annual Plan 2019/2020.

#### **K. Targeted rate for Forestry Roding**

Under Section 16 of the Act, a targeted rate for all rateable land within the Forestry Roding targeted rate area of 0.007345 (including GST) per dollar of the land value for all land situated in the area. A map of the Forestry Roding targeted rate area can be found in the Appendix of Council's Annual Plan 2019/2020.

#### **L. Due dates**

Under Section 24 of the Act, the rates, except targeted rates for metered water supply, will be payable in four equal instalments with the following due dates:

Instalment 1	20 August 2019
Instalment 2	20 November 2019
Instalment 3	20 February 2020
Instalment 4	20 May 2020

Metered water rates will be billed twice during the year. The due date for each billing is the 20th of the month following the delivery of the invoice. The billing and due dates for each area are:

Billing month	Area	Payment due date
July 2019 January 2020	Dargaville (Hokianga Road and side streets) and Glinks Gully	20 August 2019 20 February 2020
August 2019 February 2020	Dargaville (Station and Beach Roads) and Mangawhare	20 September 2019 20 March 2020
September 2019 March 2020	Dargaville (Township East)	20 October 2019 20 April 2020
October 2019 April 2020	Dargaville (Awakino Road and Main Street) and Ruawai	20 November 2019 20 May 2020

Billing month	Area	Payment due date
November 2019 May 2020	Dargaville (Ranfurly, Plunket and Tirarau Streets); Maungaturoto Railway; Maungaturoto Township and Mangawhai	20 December 2019 20 June 2020
December 2019 June 2020	North Dargaville to Kaihu, Awakino Point and Bayllys	20 January 2020 20 July 2020

### M. Penalties

Under Sections 57 and 58 of the Act:

- i. A penalty of 10% of the rates (other than water-by-meter rates) assessed in the 2019/2020 financial year that are unpaid after the due date for each instalment will be added on the relevant penalty date for each instalment stated below, except where a ratepayer has entered into an arrangement by way of direct debit authority, or an automatic payment authority, and honours that arrangement. For each instalment the date the penalty will be added is as follows:
  - Instalment 1 21 August 2019
  - Instalment 2 21 November 2019
  - Instalment 3 21 February 2020
  - Instalment 4 21 May 2020; and
- ii. A penalty of 10% of the amount of all rates (including any penalties) other than water-by-meter rates from any previous financial years that are unpaid on 04 July 2019 will be added on 05 July 2019; and
- iii. A penalty of 10% of the amount of all rates to which a penalty has been added under b) and which remain unpaid will be added on 06 January 2020; and
- iv. A penalty of 10% of the amount outstanding for water by meter rates charged per invoice will be added on the relevant penalty date for each billing month and area stated below, except where a ratepayer has entered into an arrangement by way of direct debit authority, or an automatic payment authority, and honours that arrangement. For each billing month and area, the date the penalty will be added is as follows:

Billing month	Area	Penalty date
July 2019 January 2020	Dargaville (Hokianga Road and side streets) and Glinks Gully	21 August 2019 21 February 2020
August 2019 February 2020	Dargaville (Station and Beach Roads) and Mangawhare	21 September 2019 21 March 2020
September 2019 March 2020	Dargaville (Township East)	21 October 2019 21 April 2020
October 2019 April 2020	Dargaville (Awakino Road and Main Street) and Ruawai	21 November 2019 21 May 2020
November 2019 May 2020	Dargaville (Ranfurly, Plunket and Tirarau Streets); Maungaturoto Railway; Maungaturoto Township and Mangawhai	21 December 2019 21 June 2020
December 2019 June 2020	North Dargaville to Kaihu, Awakino Point and Bayllys	21 January 2020 21 July 2020

- e) Delegates authority to the Revenue Manager and the Revenue Operations Officer to apply penalties to unpaid rates according to the resolutions above

**Carried**

#### 4.4 Policy on Dogs and Dog Management Bylaw 2019 – Adoption

Policy Analyst 3502.05

[Secretarial Note: Councillor Joyce-Paki disclosed an interest at this item. She did not participate in the discussion regarding endangered species at the Mangawhai Estuary, but voted on the adoption of the Policy and Bylaw as whole.]

**Moved Smith/Curnow**

*That Kaipara District Council:*

- a) *Adopts the Policy on Dogs and Dog Management Bylaw 2019 as presented in Attachment C to the circulated "Policy on Dogs and Dog Management Bylaw 2019 – Adoption" report; and*
- b) *Directs the Chief Executive to undertake a review of the effectiveness of the Policy on Dogs and Dog Management Bylaw 2019, 12 months after its adoption and to report back to Council on the review findings.*

**Carried**

#### 4.5 Delegations Register update June 2019

Chief Executive 2304.15

**Moved Joyce-Paki/Jones**

*That Kaipara District Council:*

- a) *Approves the revisions to the Delegation Register as specified in the three referenced documents circulated as Attachments A, B and C to the 'Delegations Register Update June 2019' report*
- b) *Delegates the Mayor and Chief Executive the authority to make minor editorial changes to the revisions to the Delegations Register as agreed by the meeting.*

**Carried**

**Meeting adjourned for lunch at 12.11pm**

**Meeting reconvened at 12.45pm**

## 5 Information

### 5.1 Contract with AR & Associates for Spatial Planning for Key Urban Areas in the Kaipara District

District Planner 4107.926

**Moved Smith/Curnow**

*That Kaipara District Council:*

- a) *Notes the report 'Contract with AR & Associates for Spatial Planning for Key Urban Areas in the Kaipara District'.*

**Carried**

## 5.2 Chief Executive's report for May 2019

Chief Executive 2002.02.18/June

[Secretarial Note: Attachment 1 'Commentary on capital projects for the period ended 31 May 2019'<sup>i</sup> and Attachment 2 'Commentary on significant capital projects for the period ended 31 May 2019'<sup>ii</sup> were circulated separately'.]

Moved del la Varis-Woodcock/Joyce-Paki

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

Carried

## 5.3 Resolutions Register at June 2019

Governance Advisor 1202.05

Moved Geange/del la Varis-Woodcock

*That Kaipara District Council notes the Resolutions Register dated 19 June 2019.*

Carried

Confirmed

## 6 Public Excluded Council minute items 27 June 2019 (1)

The meeting went into Public Excluded session at 1.23pm

Moved del la Varis-Woodcock/Curnow

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

- *Confirmation of Public Excluded Council minutes 30 May 2019;*
- *Public Excluded Committee minutes confirmed in May 2019; and*
- *Telecommunications Sub-Licence.*

*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>Confirmation of Public Excluded Council minutes 30 May 2019</i>	<i>S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons S7(2)(b) to protect information where the making available of the information would disclose a trade secret; or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information S7(2)(i) to enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</i>	<i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>

<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 May 2019</i>	<p><i>S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons</i></p> <p><i>S7(2)(b) to protect information where the making available of the information would disclose a trade secret; or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</i></p> <p><i>S7(2)(i) to enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</i></p>	<p><i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i></p>
<i>Telecommunications Sub-Licence</i>	<p><i>S7(2)(i) to enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</i></p>	<p><i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i></p>

**Carried**



## 7 Open Council minutes 27 June 2019

The meeting returned to Open session at 2.05pm.

## 8 Public Excluded Council minute items 27 June 2019 (2)

The meeting returned to Public Excluded session at 2.06pm.

Moved Geange/Curnow

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

- *Telecommunications Sub-Licence.*

*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>Telecommunications Sub-Licence</i>	<i>S7(2)(i) to enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</i>	<i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>

Carried

## 9 Open Council minutes 27 June 2019

[Secretarial Note: Council resolved that the decision and the report for item 6.3 'Telecommunications Sub-Licence' be made publicly available, with any commercially sensitive information to be redacted. The decision is stated below, and the redacted report was published online<sup>iii</sup>.]

### 6.3 Telecommunications Sub-Licence

Property and Commercial Advisor 5105.09.01

Moved Smith/Geange

*That Kaipara District Council:*

- a) Approves a variation of the lease to allow for subletting, a rent review in 2019 and a sub-lease for a communication tower at 209 Molesworth Drive to Spark New Zealand.
- b) Delegates to the Chief Executive responsibility for negotiating the terms and conditions of the variation to the Mangawhai Bowl(s) Club Lease and the sub-lease to the Mangawhai Club.

A division was called, and voting was as follows:

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

The motion was declared LOST.

### Closure

The meeting closed at 2.11pm.

Confirmed 25 July 2019

Chair Mayor Jason Smith

Kaipara District Council

Dargaville

<sup>i</sup> Item 5.2 Attachment 1 'Commentary on capital projects for the period ended 31 May 2019'

<sup>ii</sup> Item 5.2 Attachment 2 'Commentary on significant capital projects for the period ended 31 May 2019'

<sup>iii</sup> Item 6.3 'Telecommunications Sub-Licence' report – redacted for commercial sensitivity