

I hereby give notice of the following Ordinary meeting:

Meeting	Kaipara District Council
Date	Tuesday 26 June 2018
Time	9.30am
Venue	Northern Wairoa War Memorial Hall (Dargaville Town 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
1	Opening	1
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
2	Presentations and Petitions	1
3	Minutes	2
3.1	Confirmation of Open Council minutes 23 May 2018	2
3.2	Open Committee minutes confirmed in May - June 2018	22
4	Decision	48
4.1	Fees and Charges 2018/2019: Annual review - Adoption*	48
4.2	Long Term Plan 2018/2028 (final) – Adoption*	48
4.3	Setting of Rates, Due Dates and Penalties Regime 2018/2019*	48
4.4	Mangawhai Historic Wharf Trust - Request for Council representation	49
4.5	Taharoa Domain Governance Committee Terms of Reference – Amendment to include rotation of Chair	76
4.6	Policy Citizens Awards 2018 - Adoption	84
4.7	Customer Privacy Policy - Adoption	95
5	Information	102
5.1	Resolutions Register and Action Tracker	102
5.2	Chief Executive's Report May 2018	111
5.3	Kauri Coast Water Storage Investigation Update	130
6	Public Excluded agenda items 26 June 2018	139
6.1	Public Excluded Committee minutes confirmed in June 2018	
6.2	Crown Manager's report to action regarding outstanding rates	
6.3	Kaipara District Council Resource Management Commissioner Pool : Additional Hearing Commissioners Approval (RC Application RM170441 Tegel Foods Ltd)	
6.4	Contract 888 Road Maintenance and Renewals Contract - Award	
7	Open Council agenda 26 June 2018	141
	Closure	141

* These items will be circulated under separate cover: Supplementary Agenda Volumes 1, 2 and 3.

**Ordinary meeting of Kaipara District Council
26 June 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.

2 Deputations, Presentations and Petitions

3 Minutes

3.1 Confirmation of Council minutes 23 May 2018

General Manager Governance, Strategy and Democracy **1601.22**

Recommended

That the unconfirmed Open minutes of the Kaipara District Council meeting held 23 May 2018 be confirmed as a true and correct record.

Meeting	Kaipara District Council
Date	Wednesday 23 May 2018
Time	Meeting commenced at 9.30am Meeting concluded at 5.10pm
Venue	Northern Wairoa War Memorial Hall (Dargaville Town Hall), 37 Hokianga Road, Dargaville
Status	Unconfirmed

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	3
1.4	Confirmation of Agenda	4
1.5	Conflict of Interest Declaration	4
2	Deputations, Presentations and Petitions.....	4
2.1	Dargaville Menz Shed.....	4
3	Minutes.....	4
3.1	Confirmation of Council (Extraordinary) minutes 15 May 2018	4
3.2	Committee minutes confirmed in March—April 2018	4
4	Information	5
4.1	Resolutions Register and Action Tracker	5
4.2	Chief Executive’s Report April 2018	5
4.3	Quarterly Report: Third Quarter Ending 31 March 2018.....	5
5	Decision	6
5.1	Draft Long Term Plan 2018/2028: Deliberations and decision-making	6
5.1.1	Issues and Options: Mangawhai Community Plan	6
5.1.2	Issues and Options: District Plan	7
5.1.3	Issues and Options: Reserve Contributions	7
5.1.4	Issues and Options: Forestry Targeted Rate	9
5.1.5	Issues and Options: Sporting Facilities.....	10
5.1.6	Issues and Options: Mangawhai Harbour Restoration Targeted Rate	10
5.1.7	Issues and Options: Mangawhai Community Wastewater Scheme	11
5.1.8	Issues and Options: Transportation	11
5.1.9	Issues and Options: Flood Protection Te Hapai	12
5.1.10	Issues and Options: Other Issues Raised.....	12
5.1.11	Issues and Options: Tangowahine District Drainage Scheme	12
5.1.12	Issues and Options: A Thriving Kaipara (and Council Controlled Organisation)	13
5.1.13	Issues and Options: Rates Penalties and Incentives.....	14
5.1.14	Issues and Options: Source Documents - Changes.....	15
5.1.15	Issues and Options: Pensioner Housing.....	15
5.2	Draft Long Term Plan 2018/2028 Adoption	15
5.3	Temporary Road Closure 10 June 2018, Part Victoria Street, Dargaville – Approval.....	16
5.4	Temporary Road Closure 16 June 2018 Onslow Street, Dargaville - Approval	17
6	Public Excluded Council Minutes items 23 May 2018.....	18
7	Open Council Minutes 23 May 2018.....	19
	Closure	19

**Minutes of Kaipara District Council Ordinary meeting
23 May 2018 in Dargaville**

1 Opening
1.1 Karakia

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

1.2 Present

Mayor Jason Smith (Chair), Deputy Mayor Peter Wethey and Councillors Anna Curnow, Victoria del la Varis-Woodcock, Julie Geange (left at 4.35pm, after item 5.1.12), Libby Jones, Karen Joyce-Paki, Jonathan Larsen and Andrew Wade

Name	Designation	Item(s)
Peter Tynan	Acting Chief Executive	All
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Fran Mikulicic	General Manager Regulatory, Planning and Policy	All
Robert Nelson	Acting General Manager Finance, Risk and IT	All
Sue Davidson	General Manager Finance, Risk and IT	All
Darlene Lang	Community Relationships Manager	1—5.1
Kathie Fletcher	Policy Manager	1—5.1
Diane Miller	Project Manager	5.1
Jason Marris	General Manager Governance, Strategy and Democracy	All
James Bews-Hair	Governance and Procedural Advisor	All
Lisa Hong	Governance Advisor	All (Minute-taker)

Adjournments

Reason	Start Time	Finish Time
Tea break	11.11am	11.28am
Lunch break	1.28pm	2.01pm
Tea break	3.57pm	4.06pm

1.3 Apologies

Nil.

1.4 Confirmation of Agenda

Moved Smith/Joyce-Paki

Kaipara District Council confirmed the Agenda.

Carried

1.5 Conflict of Interest Declaration

Name	Conflict
Councillor Jones	Item 5.1.3 – Councillor Jones is a trustee of the Sport Northland Board of Trustees

2 Deputations, Presentations and Petitions

2.1 Dargaville Menz Shed

Brian Burnett spoke in the public forum and tabled the following documents:

- Map of the proposed new location for Dargaville Menz Shed;
- Summary of the presentation at this meeting to Kaipara District Council on 23 May 2018;
- Letter to Kaipara District Council requesting assistance dated 17 May 2018;
- Deed of Dargaville Menz Shed Trust; and
- Certificate of Incorporation of Dargaville Menz Shed Trust.

3 Minutes

3.1 Confirmation of Council (Extraordinary) minutes 15 May 2018

General Manager Governance, Strategy and Democracy 1601.22

Moved Wethey/Curnow

That the unconfirmed Open minutes of the Extraordinary meeting of Kaipara District Council held 15 May 2018 be confirmed as a true and correct record.

Carried

3.2 Committee minutes confirmed in March—April 2018

General Manager Governance, Strategy and Democracy 16/Various

Moved Joyce-Paki/Curnow

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

- 1 *Raupo Drainage Committee meeting held 16 November 2017;*
- 2 *Taharoa Domain Governance Committee meeting held 08 February 2018;*

- 3 *Raupo Drainage Committee meeting held 15 February 2018; and*
4 *Mangawhai Endowment Lands Account Committee meeting held 28 March 2018.*

Carried

4 Information

4.1 Resolutions Register and Action Tracker

Governance Advisor 1202.05

Moved Smith/Jones

That Kaipara District Council receives the Governance Advisor's Resolutions Register and Action Tracker dated 14 May 2018.

Carried

4.2 Chief Executive's Report April 2018

Acting Chief Executive 2002.02.18/April

Moved Curnow/Wethey

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

Carried

4.3 Quarterly Report: Third Quarter Ending 31 March 2018

Administration Manager 2002.02.18/May

Moved Wade/del la Varis-Woodcock

That Kaipara District Council receives the Administration Manager's Quarterly Report: Third Quarter Ending 31 March 2018.

Carried

Meeting adjourned at 11.11am.

Meeting recommenced at 11.28am.

5 Decision

[Secretarial Note: Items 5.1 'Draft Long Term Plan 2018/2028: Deliberations and decision-making' and 5.2 'Draft Long Term Plan 2018/2028 Adoption' were circulated under separate covers: Supplementary Agenda Volume 1 and Volume 2.]

5.1 Draft Long Term Plan 2018/2028: Deliberations and decision-making

General Manager Governance, Strategy and Democracy 2303.19.01

Moved Smith/Joyce-Paki

That Kaipara District Council:

- 1 *Receives the General Manager Governance, Strategy and Democracy's report "Draft Long Term Plan 2018/2028 Deliberations and decision-making" dated 10 May 2018, and its Attachments 1 to 15, dated 10 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 *Receives all Submissions, including Late Submissions, provided to inform the Draft Long Term Plan 2018/2028 and thanks all submitters for their time and effort; and*
- 4 *Requests the Chief Executive to respond to all those persons/organisations that provided feedback including the responses to feedback points as noted in Attachments 1 through 15 to the above-mentioned report.*

Carried

Attachments 1-15 to item 5.1 'Draft Long Term Plan 2018/2028: Deliberations and decision-making' are listed below as items 5.1.1—5.1.15.

5.1.1 Issues and Options: Mangawhai Community Plan

Moved Smith/Wethey

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the commencement of implementation of the Mangawhai Community Plan in 2018/2019; and*
- 3 *Approves funding the implementation of the Mangawhai Community Plan through debt; and*

- 4 *Agrees that the cost of the debt, interest and principal, is shared 20% district-wide general rate and 80% by Mangawhai ratepayers as a differential rate levied on all the land that is located within the Mangawhai Harbour Restoration area; and*
- 5 *Approves the removal of the statements regarding NZ Transport Agency funding from pages 24, 25, 26, 27, 28 and 30 of the Mangawhai Community Plan.*

Carried

Councillors Larsen and Geange wished their votes against to be recorded.

5.1.2 Issues and Options: District Plan

Moved Smith/Curnow

That Kaipara District Council:

- 1 *Notes the feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the allocation of \$2,500,000 in the first three financial years and \$4,820,000 for the remaining seven years of the Long Term Plan 2018/2028 to undertake a comprehensive review of the District Plan; and*
- 3 *Notes that the budget allocated for reviewing the District Plan will be spread over the term of that Plan.*

Carried

Councillors Larsen and Wade wished their votes against to be recorded.

Meeting adjourned at 1.28pm.

Meeting recommenced at 2.01pm.

5.1.3 Issues and Options: Reserve Contributions

(1) Moved Smith/Wade

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *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; and*
 - ↳ *Utilises the existing accumulated reserves funds based on a ratio of 80/20 consistent with the proposed new Policy; and*

- 3 *Requests that staff investigate the provision of alternate 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 respective capital works programmes.*

(2) Amendment moved Larsen/Wethey

[Secretarial Note: Councillor Larsen tabled a document of the amended resolution with track changes and a table of Harding Park works programme.]

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *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; and*
- 3 *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; and*
- 4 *Directs the Chief Executive to advertise the contestable funding round in July 2018 in accordance with the new Policy; and*
- 5 *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.*

A division was called for, voting was as follows:

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

The amendment motion was declared **CARRIED**.

The following substantive motion was then put to vote:

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *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; and*

- 3 *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; and*
- 4 *Directs the Chief Executive to advertise the contestable funding round in July 2018 in accordance with the new policy; and*
- 5 *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.*

Carried

5.1.4 Issues and Options: Forestry Targeted Rate

[Secretarial Note: Councillor Larsen tabled a document outlining his views on this item.]

Moved Smith/Curnow

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the extension of the Forestry Targeted Rate set to raise \$397,800 for the 2018/2019 financial year, adjusted annually for inflation for each year of the Long Term Plan 2018/2028.*

Carried

Moved Smith/Curnow

That this Kaipara District Council meeting continues, exceeding six hours (at 3.30pm), pursuant to clause 4.2 of the Kaipara District Council Standing Orders.

Carried

5.1.5 Issues and Options: Sporting Facilities

Moved del la Varis-Woodcock/Joyce-Paki

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves a one-off grant of \$70,000 to Sportsville for the 2018/2019 financial year; and*
- 3 *Identifies Sportsville and Mangawhai Activity Zone (MAZ) as projects to be funded by the Northland Regional Council Regional Sporting Facilities rate; and*
- 4 *Continues to assist other sports, recreation and community facilities across the district where appropriate.*

Carried

5.1.6 Issues and Options: Mangawhai Harbour Restoration Targeted Rate

Moved (1) Smith/Wethey

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the Mangawhai Harbour Restoration targeted rate be set at \$71.03 inclusive of GST for the Long Term Plan 2018/2028; and*
- 3 *Requests that staff include consultation in the Annual Plan 2019/2020 to increase the targeted rate to its original level believed to be around \$80.00 per property.*

Amendment moved (2) Larsen/Geange

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the Mangawhai Harbour Restoration targeted rate be set at \$80.00 inclusive of GST for the Long Term Plan 2018/2028.*

Carried

The following substantive motion was then put to vote:

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the Mangawhai Harbour Restoration targeted rate be set at \$80.00 inclusive of GST for the Long Term Plan 2018/2028.*

Carried

5.1.7 Issues and Options: Mangawhai Community Wastewater Scheme

Moved Wethey/Curnow

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *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; and*
- 3 *Agrees that the \$20.05 million shall be funded through debt, and*
- 4 *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; and*
- 5 *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.*

Carried

Meeting adjourned at 3.57pm.

Meeting recommenced at 4.06pm.

5.1.8 Issues and Options: Transportation

Moved Smith/Joyce-Paki

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Pursues funding through the Provincial Growth Fund for the Pouto Road and Kaiwaka-Mangawhai Road bridge projects , and*
- 3 *Includes Transport budgets totalling \$140 million in operating expenditure, and \$129 million in capital expenditure, as per the Consultation Document in the Long Term Plan 2018/2028; and*
- 4 *Transfers \$200,000 per annum for Years 1 to 3 of the Long Term Plan from the Low Cost Low Risk work category to the Walking and Cycling, and New Footpaths work categories to allow the implementation of Council's Walking and Cycling Strategy, and New Footpaths programmes from Year 1 of the Plan.*

Carried

5.1.9 Issues and Options: Flood Protection Te Hapai

Moved Curnow/Joyce-Paki

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the inclusion of a targeted rate for the Te Hapai Drainage District to raise \$8,500 (incl GST) per year in the Long Term Plan 2018/2028.*

Carried

5.1.10 Issues and Options: Other Issues Raised

Moved Smith/Curnow

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Requests that context be included in the draft Long Term Plan 2018/2028 on;*
 - a. *Climate change and how Council is responding*
 - b. *The inclusion of the Arts sector*
 - c. *Benchmarking Council against other 'like' councils, and efficiencies*
 - d. *Māori engagement and working with Māori*
 - e. *Waste minimisation, and community recycling initiatives; and*
- 3 *Approves the investigation of methods for the community to manage Ripiro Beach; and*
- 4 *Approves the investigation of no cost options/ideas with Heritage New Zealand.*

Carried

5.1.11 Issues and Options: Tangowahine District Drainage Scheme

Moved Geange/Curnow

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the continuation of the Tangowahine Drainage District to raise \$2,875 (inclusive of GST) in revenue for the 2018/2019 financial year and adjusted for inflation for the remainder of the Long Term Plan 2018/2028.*

Carried

5.1.12 Issues and Options: A Thriving Kaipara (and Council Controlled Organisation)

Moved (1) Smith/Curnow

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the investigation and support of internet and digital capabilities within the Kaipara region; and*
- 3 *Approves investigating options of how Council can further support the Tourism sector and Sustainable Economic Development more generally within the Kaipara region; and*
- 4 *Approves investigating the digital Community Hub for Dargaville; and*
- 5 *Approves the implementation of the Dargaville Placemaking Programme.*

Council Controlled Organisation

That Kaipara District Council:

- 6 *Recognises that more information is required to inform a decision on whether to introduce a Council Controlled Organisation (CCO) in Kaipara; and*
- 7 *Approves the continued investigation of a Council Controlled Organisation for Kaipara when a requirement or purpose for establishing one is identified; and*
- 8 *Notes that there are legislative steps to be completed, including further public consultation, to inform any future decision to create a Council Controlled Organisation.*

Amendment moved (2) Larsen/Geange

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the investigation and support of internet and digital capabilities within the Kaipara region; and*
- 3 *Approves investigating options of how Council can further support the Tourism sector and Sustainable Economic Development more generally within the Kaipara region; and*
- 4 *Approves investigating the digital Community Hub for Dargaville; and*
- 5 *Approves the implementation of the Dargaville Placemaking Programme.*

Procedural motion was moved (3) Geange/Joyce-Paki

That the motion under debate be now put.

Carried

The following amendment motion was then put to vote:

That Kaipara District Council:

- 1 *Notes the public feedback received on the 2018/28 Long Term Plan; and*
- 2 *Approves the investigation and support of internet and digital capabilities within the Kaipara region; and*
- 3 *Approves investigating options of how Council can further support the Tourism sector and Sustainable Economic Development more generally within the Kaipara region; and*
- 4 *Approves investigating the digital Community Hub for Dargaville; and*
- 5 *Approves the implementation of the Dargaville Placemaking Programme.*

Carried

The following substantive motion was then put to vote:

That Kaipara District Council:

- 1 *Notes the public feedback received on the Long Term Plan 2018/2028; and*
- 2 *Approves the investigation and support of internet and digital capabilities within the Kaipara region; and*
- 3 *Approves investigating options of how Council can further support the Tourism sector and Sustainable Economic Development more generally within the Kaipara region; and*
- 4 *Approves investigating the digital Community Hub for Dargaville; and*
- 5 *Approves the implementation of the Dargaville Placemaking Programme.*

Carried

Councillor Geange left the meeting at 4.35pm.

5.1.13 Issues and Options: Rates Penalties and Incentives

Moved Smith/Curnow

That Kaipara District Council:

- 1 *Notes the public feedback and that no changes be made to the draft Long Term Plan 2018/2028.*

Carried

5.1.14 Issues and Options: Source Documents - Changes

Moved Smith/Wethey

That Kaipara District Council:

- 1 Approves a change to the Early Payment of Rates Policy which is to include amending the date to 2017/2018; and
- 2 Approves a change to the Funding Impact Statement – Rating Tools Policy which is to include the Riverside Holiday Park in the wastewater scheme section; and
- 3 Approves a change to the Financial Strategy which is to include a section authorising the sale of assets.

Carried

5.1.15 Issues and Options: Pensioner Housing

Moved Smith/Wethey

That Kaipara District Council:

- 1 Notes the public feedback received on the Long Term Plan 2018/2028; and
- 2 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; and
- 3 Requests the Chief Executive reports the results of the investigation to Council.

Carried

5.2 Draft Long Term Plan 2018/2028 Adoption

General Manager Governance, Strategy and Democracy

2303.19.01

Moved Smith/Joyce-Paki

That Kaipara District Council:

- 1 Receives the General Manager Governance, Strategy and Democracy's report "Draft Long Term Plan 2018/2028 Adoption" dated 16 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 section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and
- 3 Notes that the following policies and strategies are included in the Draft Long Term Plan 2018/2028:
 - a. Financial Strategy;

- b. *Infrastructure Strategy (2018/2048);*
 - c. *Funding Impact Statement Rating Tools;*
 - d. *Significance and Engagement Policy;*
 - e. *Revenue and Finance Policy;*
 - f. *Rates Postponement and Remission Policy;*
 - g. *Early Payment of Current Year Rates Policy;*
 - h. *Early Payment of Rates for Subsequent Years Policy;*
 - i. *Maori Freehold Land Rates Postponement and Remission Policy; and*
- 4 *Adopts, in principle, the Draft Long Term Plan 2018/2028 (Attachment 1 to the above-mentioned report) for audit review, amended to include the decisions made at item 5.1 on this agenda (Council meeting 23 May 2018); and*
 - 5 *Delegates the Chief Executive and Mayor to approve editorial changes to the Draft Long Term Plan 2018/2028 and changes to reflect the decisions made at item 5.1, above; and*
 - 6 *Notes that the audited Draft Long Term Plan 2018/2028 will be reported to the 26 June 2018 Council meeting for formal adoption.*

Carried

Councillors Wade and Larsen wished their votes against to be recorded.

5.3 Temporary Road Closure 10 June 2018, Part Victoria Street, Dargaville – Approval

Corridor Access Co-ordinator 3208.00

Moved del la Varis-Woodcock/Joyce-Paki

That Kaipara District Council:

- 1 *Receives the Corridor Access Co-ordinator's report 'Temporary Road Closure 10 June 2018, Part Victoria Street, Dargaville - Approval' dated 07 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 *Approves the application for the temporary road closure of the part of Victoria Street, Dargaville (between Hokianga Road and Normanby Street (SH12), opposite where it intersects with Beach Road) on Sunday 10 June 2018 between the hours of 07:00am to 12:30pm and, as a condition of approval, the event organiser is to do a letter drop to all residents located within the closure.*

Carried

5.4 Temporary Road Closure 16 June 2018 Onslow Street, Dargaville - Approval

Corridor Access Co-ordinator 3208.00

Moved del la Varis-Woodcock/Joyce Paki*That Kaipara District Council:*

- 1 *Receives the Corridor Access Co-ordinator's report 'Temporary Road Closure 16 June 2018 Onslow Street, Dargaville - Approval' dated 08 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 *Approves the application for the temporary road closure of the part of Onslow Street, Dargaville between house numbers 15 and 19 on Saturday 16 June 2018 between the hours of 10:00am and 09:00pm for the annual 'Spirit of Matariki' event, and as a condition of approval, the event organiser is to do a letter drop to all residents located within the closure.*

Carried

6 Public Excluded Council Minutes items 23 May 2018

The meeting went into Public Excluded session at 5.07pm.

Moved Wethey/Curnow

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

- *Confirmation of Public Excluded Extraordinary Council minutes 15 May 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:

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 Extraordinary Council minutes 15 May 2018	<p>Section 7(2)(a) protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(b)(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(g) maintain legal professional privilege</p> <p>Section 7(2)(i) enable the local authority to carry out, without prejudice or disadvantage, negotiations</p>	<p>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.</p>

Carried



7 Open Council Minutes 23 May 2018

The meeting returned to Open session at 5.08pm.

Closure

Meeting closed at 5.10pm.

Confirmed

Chair

**Kaipara District Council
Dargaville**

Unconfirmed

3.2 Open Committee minutes confirmed in May - June 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:

- 1 *Audit, Risk and Finance Committee meeting held 14 February 2018; and*
- 2 *Mangawhai Community Park Governance Committee meeting held 19 February 2018; and*
- 3 *Combined meeting of the Pou Tu Te Rangi Joint Management Committee and Harding Park Committee held 07 March 2018.*

Meeting	Audit, Risk and Finance Committee
Date	Wednesday 14 February 2018
Time	The meeting commenced at 10.12am The meeting concluded at 12.23pm
Venue	Meeting Room – Mangawhai Club, Molesworth Drive, Mangawhai
Status	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, Acting General Manager Risk, IT and Finance, Treasury and Financial Services Manager, Regulatory Manager, Health and Safety Advisor, Administration Assistant (Minute-taker).

Linda Osborne
Administration Manager

Contents

1	Opening.....	3
1.1	Present.....	3
1.2	Apologies	3
1.3	Confirmation of Agenda	3
1.4	Conflict of Interest Declaration	3
2	Confirmation of Minutes.....	4
2.1	Audit, Risk and Finance Committee minutes 01 December 2017	4
3	Papers	4
3.1	Treasury Management.....	4
3.2	Treasury Management Policy	4
3.3	Audit Action Update	5
3.4	Bills in Parliament: Legislation Progress.....	5
3.5	Health and Safety Report.....	5
4	Public Excluded Committee Items 14 February 2018.....	6
5	Open Audit, Risk and Finance Committee minutes 14 February 2018.....	7
5.1	Risk Register.....	7
5.2	Contract Monitoring and Reporting: Infrastructure, Planning and Regulatory	7
6	Closure.....	8
6.1	General business	8

Confirmed

Minutes for Audit, Risk and Finance Committee
Wednesday 14 February 2018, Mangawhai
1 Opening
1.1 Present

Stana Pezic (Chair), Deputy Mayor Wethey and Councillors del la Varis-Woodcock and Wade.

In Attendance

Name	Designation	Item(s)
Peter Tynan	Acting Chief Executive	All
Robert Nelson	Acting General Manager Risk, IT and Finance	All
Rick Groufsky	Treasury and Financial Services Manager	All
Dean Nuralli	Regulatory Manager	All
Robert Maassen	Health and Safety Advisor	All
Lisa Hong	Administration Assistant	All

1.2 Apologies

Moved Wethey/del la Varis-Woodcock

That the Audit, Risk and Finance Committee receives the apologies of Councillor Geange and Councillor Larsen.

Carried

1.3 Confirmation of Agenda

The Committee confirmed the Agenda, with the addendum as below.

Moved Wade/del la Varis-Woodcock

That the Audit, Risk and Finance Committee confirms the Agenda for 14 February 2018, with a meeting item "General Business Discussion" being added after the Public Excluded session.

Carried

1.4 Conflict of Interest Declaration

Nil.

2 Confirmation of Minutes

2.1 Audit, Risk and Finance Committee minutes 01 December 2017

Democratic Services Manager 1610.06

Moved Wethey/del la Varis-Woodcock

That the minutes of the Audit, Risk and Finance Committee meeting held 01 December 2017 be confirmed as a true and correct record.

Carried

3 Papers

3.1 Treasury Management

Assistant Accountant 2304.15

Moved Wethey/del la Varis-Woodcock

That the Audit, Risk and Finance Committee receives the Assistant Accountant's report 'Treasury Management' dated 26 January 2018 and the information contained therein.

Carried

3.2 Treasury Management Policy

Treasury and Financial Services Manager 2304.15

Moved Wethey/Wade

That the Audit, Risk and Finance Committee:

- 1 *Receives the Financial Services Manager's report 'Treasury Management Policy' dated 31 January 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 to Council the adoption of the Treasury Management Policy, with the following amendments having been made before it is brought to Council:*
 - *p.44 5.2.3 – forestry assets – this section is no longer required, to be deleted;*
 - *p.45 5.2.4 – reference to 6.3 to be changed to 6.5;*
 - *p.59 8.1 – formatting error to be corrected; and*
 - *p.41 4.6 – 'Before entering into a guarantee, Council officers shall conduct due diligence and be satisfied of the ability of the organisation to secure the loan' be added as a new sentence.*

Carried

3.3 Audit Action Update

Treasury and Financial Services Manager 2304.15

Moved del la Varis-Woodcock/Wethey

That the Audit, Risk and Finance Committee receives the Financial Services Manager's 'Audit Action Update' dated 31 January 2018, and the information contained therein.

Carried

3.4 Bills in Parliament: Legislation Progress

General Manager Finance and Brookfields Lawyers 2126.05

Moved Wethey/Wade

That the Audit, Risk and Finance Committee

- 1 *Receives the General Manager Finance's report 'Bills in Parliament: Legislation Progress' dated 07 February 2018, and the information contained therein; and*
- 2 *Directs Council officers to report to the Committee with an interim review of the legislative compliance reporting process.*

Carried

3.5 Health and Safety Report

Health and Safety Advisor 2209.12

Moved Wade/Wethey

That the Audit, Risk and Finance Committee:

- 1 *Receives the Health and Safety Advisor's report dated 07 February 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 information presented in the above-mentioned report and its attachment; and*
- 4 *Directs Council officers to report to the Audit, Risk and Finance Committee with a review of contract management in regard to health and safety, including existing systems and options on improving oversight and monitoring of contractors and subcontractors.*

Carried

4 Public Excluded Committee Items 14 February 2018

Audit, Risk and Finance Committee went into Public Excluded session at 11.44am.

Moved del la Varis-Woodcock/Wethey

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

- *Risk Register*
- *Contract Monitoring and Reporting: Infrastructure, Community and Regulatory*

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 s48(1) for the passing this resolution:
<i>Risk Register</i>	<i>Section 7(2)(g) maintain legal professional privilege</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, Community 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>

Carried

5 Open Audit, Risk and Finance Committee minutes 14 February 2018

The Committee came back into Open session at 12.23pm.

Moved Wethey/del la Varis-Woodcock

That the public be re-admitted to the meeting and resolutions made whilst in Public Excluded be confirmed in Open meeting.

Carried

5.1 Risk Register

Acting Chief Executive 2304.15

Moved del la Varis-Woodcock/Wethey

That the Audit, Risk and Finance Committee receives the Chief Executive's report 'Risk Register' and its Attachments 1-4, dated 31 January 2018 and the information contained therein.

Carried

5.2 Contract Monitoring and Reporting: Infrastructure, Planning and Regulatory

COO and General Manager Infrastructure

General Manager Regulatory, Planning and Policy 4701.01

Moved Wade/Wethey

That the Audit, Risk and Finance Committee receives the General Manager Infrastructure's and General Manager Planning and Regulatory's report 'Contract Monitoring and Reporting: Infrastructure, Community and Regulatory' dated 30 January 2018; and notes the comments and information provided (Attachments 1-6 of above-mentioned report) in respect of the term contracts being reported on:

- CON705 Parks, Reserves and Public Toilets;
- CON682 Roding Network Maintenance;
- CON789 3-Waters Operations and Maintenance;
- CON706 Solid Waste;
- MCWWS Operating Deed; and
- CON824 Animal Management and Compliance Services.

Carried

6 Closure

6.1 General business

Councillors held a general discussion on Kaipara District Council rates versus those of adjoining authorities, and how to balance growth and rate affordability.

The meeting closed at 12.36pm.

Confirmed 13 June 2018

Chair Stana Pezic

Kaipara District Council

Dargaville

Confirmed

Mangawhai Community Park Governance Committee

meeting held

Date	Monday 19 February 2018
Time	Meeting opened at 10.00 am Meeting closed at 11.42 am
Venue	Meeting Room, Kaipara District Council offices – 6 Molesworth Drive, Mangawhai
Status	Confirmed

Minutes

Membership

Chair: Councillor Anna Curnow

Members: Messrs Maurice Langdon and Jim Wittle, Councillor Peter Wethey

Staff and Associates:

Key Relationships Manager Community, Community Planner, Parks Officer, Administration Assistant
(Minute-taker)Linda Osborne
Administration Manager

Contents

1	Opening.....	3
1.1	Present.....	3
1.2	Apologies	3
1.3	Confirmation of Agenda	3
1.4	Conflict of Interest Declaration	3
1.5	Deputations and Presentations.....	3
2	Confirmation of Minutes.....	3
2.1	Mangawhai Community Park Governance Committee minutes 27 November 2017	3
3	Operational	4
3.1	Mangawhai Community Park Master Plan Operations Update: November 2017 to January 2018	4
4	Closure.....	4

Confirmed

Minutes of the Mangawhai Community Park Governance Committee
Monday 19 February 2018, Mangawhai
1 Opening
1.1 Present

Councillor Anna Curnow (Chair), Deputy Mayor Wethey, Messrs Maurice Langdon and Jim Wintle

In Attendance

Name	Designation	Item(s)
Darlene Lang	Key Relationships Manager Community	All
Hamish Watson	Parks Officer	All
Lisa Hong	Administration Assistant	All (Minute-taker)

Adjournments

Nil.

1.2 Apologies

Nil.

1.3 Confirmation of Agenda

The Committee confirmed the Agenda.

1.4 Conflict of Interest Declaration

Nil.

Name	Conflict
Jim	Trustee of the Pioneer Village Trust

1.5 Deputations and Presentations

Nil.

2 Confirmation of Minutes
2.1 Mangawhai Community Park Governance Committee minutes 27 November 2017

Administration Manager 1611.04

Amendments: Minor spelling corrections.

Moved Curnow/Wethey

That the minutes of the Mangawhai Community Park Governance Committee meeting held on 27 November 2017, as amended, be confirmed as a true and correct record.

Carried

3 Operational

3.1 Mangawhai Community Park Master Plan Operations Update: November 2017 to January 2018

Key Relationships Manager Community 4702.13.06

Moved Curnow/Langdon

That the Mangawhai Community Park Governance Committee receives the Key Relationships Manager Community's report 'Mangawhai Community Park Master Plan Operations Update: November 2017 to January 2018' dated 13 February 2018, Attachments 1 to 4, and the tabled survey results and maps, and the information contained therein.

Carried

[Secretarial Note: Budget assigned to engineering investigation (\$15,000) was re-assigned to tracks. The Committee asked Council officers for reports on security, vision-planning for future of Mangawhai recreation and Pioneer Trust's Licence to Occupy.]

4 Closure

The meeting closed at 11.42am.

Confirmed 21 May 2018

Chair Cr Curnow

Kaipara District Council

Dargaville

Meeting	Harding Park and Pou Tu Te Rangi Joint Management Committee
Date	Wednesday 07 March 2018
Time	Meeting commenced at 2.01pm Meeting concluded at 4.12pm
Venue	Lighthouse Function Centre, Dargaville Museum
Status	Confirmed

Minutes

Membership

Chair: Rex Nathan

Members: Messrs Hal Harding, Matiu Wati and Willie Wright
Councillors Victoria del la Varis-Woodcock and Karen Joyce-Paki

Staff and Associates:

Acting Chief Executive, Chief Operating Officer and General Manager Infrastructure, Community Relationships Manager, Parks Officer, Administration Officer (Minute-taker)

Linda Osborne
Administration Manager

Contents

1	Opening.....	3
1.1	Karakia	3
1.2	Present.....	3
1.3	Apologies	3
1.4	Confirmation of Agenda	3
1.5	Conflict of Interest Declaration.....	3
1.6	Membership change and nomination.....	4
2	Deputations and Presentations	4
2.1	Provincial Growth Fund update.....	4
2.2	Landscape architect design	4
2.3	Branding posts concept	4
3	Confirmation of Minutes.....	5
3.1	Harding Park and Pou Tu Te Rangī Joint Management Committee minutes: 21 November 2017	5
4	Information	5
4.1	Appointment of Chair Rex Nathan by the Minister of Conservation	5
5	Operational	6
5.1	Operations Update: December 2017—February 2018.....	6
6	Closure.....	6

**Minutes of the Harding Park and Pou Tu Te Rangi Joint Management Committee
Wednesday 07 March 2018, Dargaville**

1 Opening
1.1 Karakia

Rex Nathan opened with meeting with a karakia.

1.2 Present

Messrs Rex Nathan (Chair) Hal Harding, Willie Wright, Matiu Wati (joined the meeting at 2.29pm, during item 2.1) and Councillors Victoria del la Varis-Woodcock and Karen Joyce-Paki

Attendance

Name	Designation	Item(s)
Peter Tynan	Acting Chief Executive	All
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Darlene Lang	Community Relationships Manager	All
Mike Collins	Parks Officer	All
Kathie Fletcher	Policy Manager	All
Lisa Hong	Administration Officer	All (Minute-taker)

Adjournments

Reason	Start time	Finish time
Committee members and staff viewed the planned site for the new branding posts.	3.02pm	3.10pm

1.3 Apologies

Nil.

1.4 Confirmation of Agenda

The Committee confirmed the Agenda with the addendum of presentation by Maree Saunders regarding branding posts concept (added in these minutes as item 2.3), as requested by the Committee at its meeting on 21 November 2017.

1.5 Conflict of Interest Declaration

Nil.

1.6 Membership change and nomination

[Secretarial Note: Hal Harding has expressed his wishes to step down from this Committee and for Trish Hardiing to be nominated as a replacement member. Acting Chief Executive gave a verbal update on this process.]

The Committee thanked Hal Harding for his work as a Committee member.

2 Deputations and Presentations

2.1 Provincial Growth Fund update

Acting Chief Executive, Kaipara District Council

[Secretarial Note: A summary of the Provincial Growth Fund's criteria and Expression of Interest sheet was tabled.]

The Acting Chief Executive gave a verbal update.

2.2 Landscape architect design

Mike Farrow, Littoralis Landscape Architecture

Mike Farrow spoke in the public forum.

2.3 Branding posts concept

Maree Saunders, Dargaville Museum Manager

[Secretarial Note: This item was added to the agenda with leave from the Chair. The presentation was tabled.]

Maree Saunders gave a presentation in the public forum.

Meeting adjourned at 3.02pm

Meeting recommenced at 3.10pm

3 Confirmation of Minutes

3.1 Harding Park and Pou Tu Te Rangi Joint Management Committee minutes: 21 November 2017

Democratic Services Manager 1607.11

Amendments

- **Item 1.7 Deputations and Presentations:** 'Paranui' be changed to 'Te Parawhau'; and
- **Item 4.1 Operations Update : October-November 2017 resolution 3:** The number of Committee meetings should be changed from 'two per year' to 'four per year'.

Moved del la Varis-Woodcock/Harding

That the minutes of the Harding Park and Pou Tu Te Rangi Joint Management Committee held 21 November 2017 be confirmed as a true and correct record, with following corrections:

- *Under item 1.7 Deputations and Presentations, 'Paranui' be changed to 'Te Parawhau'; and*
- *Under item 4.1 Operations Update : October-November 2017 resolution 3, the resolution should reflect the Committee's wish to hold four meetings per year.*

Carried

4 Information

4.1 Appointment of Chair Rex Nathan by the Minister of Conservation

Administration Assistant 2114.03.09

Moved Wright/Joyce-Paki

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

- 1 *Receives the Administration Assistant's report 'Appointment of Chair Rex Nathan by the Minister of Conservation' and its attachments dated 27 February 2018; and*
- 2 *Notes Rex Nathan as the Chair of the Harding Park and Pou Tu Te Rangi Joint Management Committee with a casting vote for the remaining term of the Kaipara District Council.*

Carried

5 Operational

5.1 Operations Update: December 2017—February 2018

Community Relationships Manager 4702.06

Moved Harding/Wright

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

- 1 *Receives the Community Relationships Manager's report 'Operations Update: December 2017—February 2018' dated 26 February 2018 and the information contained therein; 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 *Accepts the design and the position of the branding posts (on the condition that they are removable if required, and approved by Kaipara District Council's Parks Officer) shown in Maree Saunders' presentation tabled at this meeting dated 07 March 2018 (tabled for item 2.3 'Branding posts concept' at the Committee's meeting on 07 March 2018 and appended to these minutes as **Attachment 1**) with amendments as noted verbally in the presentation and in writing in the email from the Dargaville Museum to Visual Solutions dated 15 February 2018 (appended to these minutes as **Attachment 2**) and planned branding posts' position as indicated during the adjournment (a map of this location was produced by Council's Parks Officer, appended to these minutes as **Attachment 3**).*

Carried

6 Closure

Meeting closed at 4.12pm.

Confirmed 06 June 2018

Chair Rex Nathan

Kaipara District Council

Dargaville

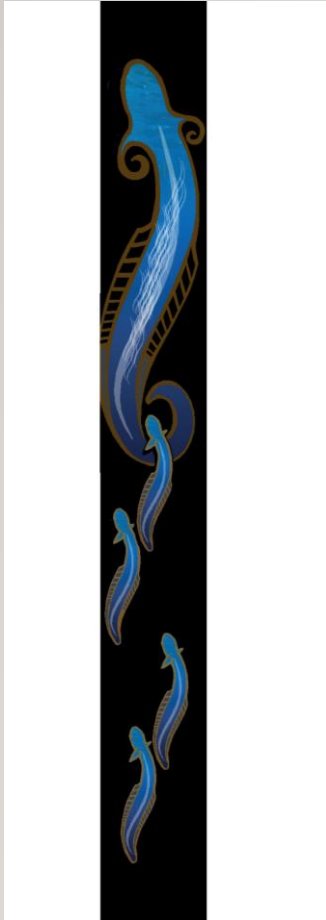
Attachments to minutes:

- 1 Maree Saunders' presentation at Taharoa Domain Governance Committee's meeting on 07 March 2018
- 2 Email from the Dargaville Museum to Visual Solutions dated 15 February 2018
- 3 Proposed position for three Dargaville Museum brand posts, as produced by Council's Parks Officer

DESIGN SELECTION HUI FOR MUSEUM BRANDING POU

DARGAVILLE MUSEUM
TE WHARE TAONGA O TUNATAHI

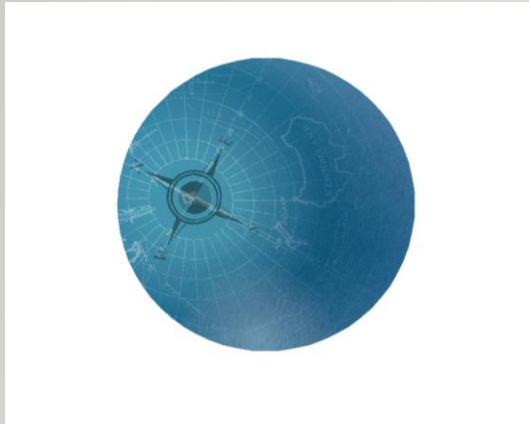
Tunatahi with elvers



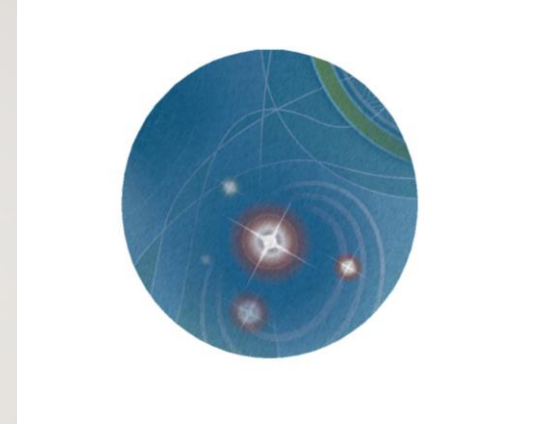
Maori Pou
Dargaville Museum
Te Whare Taonga O Tunatahi

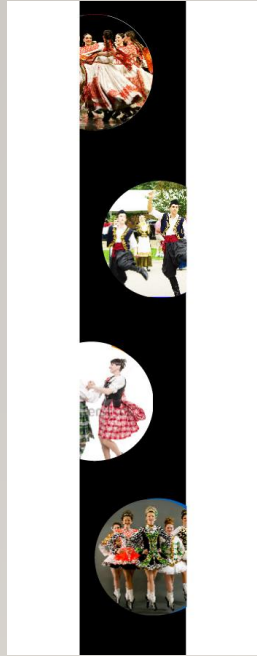


Koro pepe taonga symbol



Maritime Pou
Dargaville Museum
Te Whare Taonga O Tunatahi





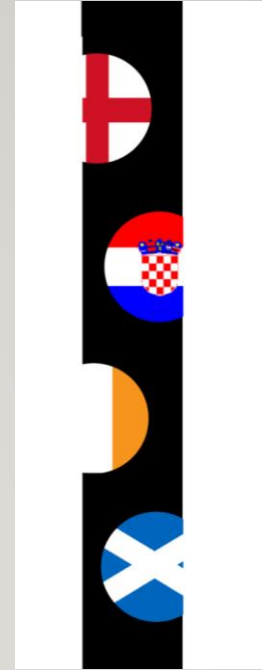
Pioneer Pou
Dargaville Museum
Te Whare Taonga O Tunatahi



1



2



Lisa Hong

From: darg.museum@xtra.co.nz
Sent: Monday, 26 March 2018 12:51 p.m.
To: Lisa Hong
Subject: FW: Info re naming of the posts

From: darg.museum@xtra.co.nz <darg.museum@xtra.co.nz>
Sent: Thursday, 15 February 2018 1:43 PM
To: 'Lynda Leigh - Visual Solutions' <lynda@visuolutions.co.nz>
Subject: RE: Info re naming of the posts

Hi Lynda and Gary,
Confirming the changes to the branding posts:

Maori post:

1. The edging of the Tunatahi and elvers to be a greeny-gold. I thinks it's a gold colour at present.
2. The design is to be repeated on the back of the post.
3. The eel is to curl around the post slightly rather than straight up the post as is depicted at present.

Maritime Post:

1. The rope is to be tightly wrapped around the post with no gap shown, just above the top of the anchor... about 200mmm from top of anchor to bottom of rope approx..
2. An circular image of a sailing ship and a waka, which I will supply, is to be inserted into post at about eye level , Gary to use his eye to make the final decision where this should sit on the post, to ensure this looks OK..
3. The three images to be repeated on the back of the post.
4. The Longitude and Latitude of the post is to also put on this post. Under the word Maritime.

Pioneer Post:

1. The dancing images have been approved
2. There will need to be Dalmatian (Kola dancers), Polish; Dutch; French; Greek; Chinese; Russian; Italian; Irish; English; Scottish; Maori Poi dancers. **12 circles in total** and these are to be spread around the post so to see all images you would have to walk around it. If these do not all fit come back to me and I will look at deleted the least important ones.

I do understand there will be extra charges on top of the original quote.

Thank you both very much for all the time you have put into getting these posts across the line!!!!

Kindest Regards

Maree.

Maree A. Saunders

Dargaville Museum Manager

Dargaville Museum-Te Whare Toanga O Tunatahi.

32 Mt. Wesley Coast Rd.,

Pou Tu Te Rangi Harding Park

PO Box 166

Dargaville

P:09 439 7555

C: 022 0905262

www.dargavillemuseum.co.nz

DARGAVILLE MUSEUM.
TE WHARE TAONGA O TUNATAHI
TELLING THE STORIES OF THE KAURI COAST.

SUMMER HOURS: NOVEMBER TO MARCH: 9AM TO 5PM

WINTER HOURS: APRIL TO OCTOBER : 9AM TO 4PM

CLOSED CHRISTMAS DAY.

From: Lynda Leigh - Visual Solutions [<mailto:lynda@visualsolutions.co.nz>]

Sent: Tuesday, 13 February 2018 2:10 PM

To: darg.museum@xtra.co.nz

Subject: Info re naming of the posts

Hi Maree. A thought. The names may be less visible at the top of the Posts. And the identifier Dargaville Museum branding will be strong enough to recognise at the top.



● Proposed position for 3 Dargaville Museum brand posts

4 Decision

The following items will be circulated under separate covers: Supplementary Agenda Volumes 1, 2 and 3.

4.1 Fees and Charges 2018/2019: Annual review - adoption

4.2 Long Term Plan 2018/2028 (final) - Adoption

4.3 Setting of Rates, Due Dates and Penalties Regime 2018/2019

File number: 2108 **Approved for agenda**
Report to: Council
Meeting date: **23 May 2018**
Subject: Mangawhai Historic Wharf Trust - Request for Council representation
Date of report: 29 May 2018
From: Darlene Lang, Community Relationships Manager
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

The newly formed Mangawhai Historic Wharf Trust (MHWT) has requested that a Kaipara District Council (KDC) Otamatea Elected Member be appointed to the Trust as a representative of Council.

Recommendation

That Kaipara District Council:

- 1 *Receives the Community Relationships Manager's report 'Mangawhai Historic Wharf Trust - Request for Council representation' dated 29 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 *Appoints Councillor [xxxx] (Otamatea Ward), as Council's representative to the Mangawhai Historic Wharf Trust.*
- OR
- Declines to appoint a Council representative to the Mangawhai Historic Wharf Trust.*

Reason for the report

The newly formed Mangawhai Historic Wharf Trust (MHWT) has the option for a Kaipara District Council (KDC) Otamatea Elected Member Representative to be appointed to the Trust.

Background

The Mangawhai Harbour Restoration Society (MHRS), who is leading the team to rebuild the historic wharf in the Mangawhai estuary, has set up a Trust for this purpose. The wharf will be owned and operated by this single purpose charitable trust, called the Mangawhai Historic Wharf Trust (MHWT), once the wharf is rebuilt. MHWT will operate as a subsidiary of the MHRS.

The Board of Trustees will hold the MHWT fund and pay or apply the capital and income of the Trust's fund, subject to the terms and conditions of the Deed for the following purpose:

'To promote, consent, fund, develop, construct, own and operate a re-established public wharf at Moir Street, Mangawhai, Northland, based on the design of the original historic wharf, for the benefit of the public and in particular the Mangawhai community'.

The MHWT will consist of six members, two from the MHRS Executive Committee, two from the Mangawhai community (appointed by the MHRS) and one each from KDC and the Northland Regional Council (NRC).

A letter received from the MHRS (**Attachment 1**) invited KDC to appoint an Elected Member from the Otamatea Ward as a Trustee on the MHWT.

NRC has also been invited to appoint an Elected Member to the MHWT. A report has not yet been presented to an NRC Council meeting for a decision.

Issues

Nil.

Factors to consider

Community views

The community has been discussing the reinstatement of the Mangawhai wharf for quite some time. It is viewed as a key community asset. However, it is not a Council asset and would be the property of MHWT.

Policy implications

Nil.

Financial implications

Funding is not being sought from Council, so there are no financial implications. They could potentially apply for funding from Mangawhai Endowment Land Account (MELA) in the future.

Legal/delegation implications

Nil.

Options

Option A: Council appoints an Otamatea Ward Elected Member to be a representative on the MHWT, at no cost to Council.

Option B: Council declines to appoint an Elected Member as a Council representative on the MHWT.

Assessment of options

Option A: The Mangawhai Wharf project could be a high profile community-led project and this could be a good way to show Council's support.

Option B: If the Otamatea Ward Elected Members were to decline having a representative on the MHWT, clause 6.3a in the Trust's Deed (**Attachment 2**) says "in event either or both of KDC and NRC fail for any reason to appoint their respective Trustees having had a reasonable opportunity to do so, MHRS may make such appointments provided that no such appointees shall be members of the MHRS."

Next step

Inform the MHWT of the decision.

Attachments

- Letter from Mangawhai Harbour Restoration Society
- Mangawhai Historic Wharf Trust Deed

29 March 2018

Kaipara District Council Representative for Otamatea Ward

Peter Wethey

Dear Peter

Further to the discussions held at the March meeting of the Mangawhai Harbour Restoration Society the MHRS is leading the team to rebuild the historic wharf in the Mangawhai estuary. The rebuilt wharf will be owned and operated by a single purpose charitable trust – The Mangawhai Historic Wharf Trust. The Trust will operate as a subsidiary of the MHRS.

A board of trustees is to be set up to:

“Hold the Mangawhai Historic Wharf Trust Fund to pay or apply in New Zealand the capital and income of the Trust Fund in such amounts, at such times, and subject to such terms and conditions as the Trustees in accordance with the terms of this deed shall decide exclusively for all or any of the following purposes:

To promote, consent, fund, develop, construct, own and operate a re-established public wharf at Moir Street, Mangawhai, Northland based on the design of the original historic wharf, for the benefit of the public and in particular the Mangawhai community”

The board of the trust is to consist of 6 members. Two from the MHRS Executive committee, two from the Mangawhai community, appointed by the MHRS and one each from the KDC and the NRC

Therefore we wish to invite a standing council member for the Otamatea ward to be a Trustee on the Mangawhai Historic Wharf Trust.

Please accept this as a formal invitation to the Board of Trustees of the Mangawhai Historic Wharf Trust.

A copy of the trust deed is attached.

Kind Regards

Doug Lloyd

Chairman

MHRS

**THE PERSONS WHOSE NAMES ARE SET OUT IN SCHEDULE 1
("Trustees")**

**MANGAWHAI HISTORIC WHARF TRUST
TRUST DEED**

**MANGAWHAI HISTORIC WHARF TRUST
TRUST DEED**

CONTENTS

Parties

Introduction

Clause No

1. Definitions and Interpretations.
2. Establishment of Trust and Application of Trust Fund.
3. Name of Trust.
4. Purposes of Trust.
5. Trustees.
6. Appointment of Trustees.
7. Cessation of Office of Trustee.
8. Removal of Trustee.
9. Trustees' Powers.
10. Administration of the Trust and Reporting.
11. Officers.
12. Finance.
13. Incorporation and Registration.
14. Liability and Indemnity of Trustees.
15. Interested Trustee.
16. Pecuniary Profit.
17. Restrictions on Benefits to And Influence by Interested Persons.
18. Office of the Trust.
19. Alterations of Terms of Deed.
20. Governing Law.
21. Winding Up.

**MANGAWHAI HISTORIC WHARF TRUST
TRUST DEED**

DEED dated the day of 2018

PARTIES

THE PERSONS WHOSE NAMES ARE SET OUT IN SCHEDULE 1 ("Trustees")

INTRODUCTION

- A. The Trustees have agreed to become the trustees of a charitable trust for the purposes of promoting, consenting, funding, developing, constructing, owning and operating a re-established wharf at Moir Street, Mangawhai based on the design of the original historic wharf.

- B. The Trustees hold the sum of \$100 and will, from or following the Operative Date, hold such sum together with all additions upon the trusts and with and subject to the powers and provisions expressed in this deed.

- C. This deed records the trusts upon which the Trust Fund is held.

OPERATIVE PROVISIONS

1. DEFINITIONS AND INTERPRETATIONS

1.1 In this deed unless the context otherwise requires:

"**Chairperson**" means the chairperson of the Trust appointed under clause 11.

"**Charitable** Purposes" means every purpose which under the law of New Zealand is charitable.

"**deed**" means this deed of trust and includes all additions and amendments made pursuant to and in compliance with the relevant provisions of this deed.

"general meeting" means a general meeting of the Trustees, whether an annual general meeting or a special general meeting.

"KDC" means Kaipara District Council and its successors.

"MHRS" means Mangawhai Harbour Restoration Society Incorporated and its successors or any future substitute organisation which holds a responsibility for the health and wellbeing of the Mangawhai Harbour.

"NRC" means Northern Regional Council and its successors.

"Operative Date" is the date of this deed.

"Secretary" means the secretary of the Trust appointed under clause 11.3.

"Trust" means the trusts established by this deed and following the Trustees incorporating as a board under Part 2 of the Charitable Trusts Act 1957 shall also mean the corporate body so created.

"Trustees" means the trustees for the time being of the Trust and **"Trustee"** means a trustee of the Trust. Following incorporation as a board under Part 2 of the Charitable Trusts Act 1957 references to "Trustees" in this deed mean the corporate body so created and references to "Trustee" mean an individual board member of such corporate body.

"Trust Fund" means:

- (a) the sum of \$100 referred to in paragraph B of the Introduction being the initial capital acquired by the Trustees; and
- (b) all other moneys or property (both tangible and intangible) paid or transferred to or acquired by the Trustees to be held by them upon the trusts established by this deed; and
- (c) all income received from the property held by the Trustees upon the trusts established by this deed unless inconsistent with the context; and

- (d) all moneys invested and property from time to time representing the items mentioned in (a), (b) and (c) of this definition.

"**working day**" means any day other than a Saturday, Sunday or public holiday in Auckland.

Interpretation

1.2 In this deed:

- (a) where the context permits, the singular includes the plural and vice versa;
- (b) references to one gender include the other genders;
- (c) references to sections, clauses and schedules are references to sections and clauses in, and to schedules to, this deed, unless stated otherwise. Each such schedule forms part of this deed;
- (d) headings are inserted for guidance only and shall not govern the interpretation of the sections and clauses that they introduce;
- (e) all references to legislation are (unless stated otherwise) references to New Zealand legislation and include all subordinate legislation, any re-enactment of, or amendment to, that legislation and all legislation passed in substitution for that legislation;
- (f) where the context permits, references to a "person" include an individual, firm, company, corporation or unincorporated body of persons, any public authority, territorial or regional council, any government, and any agency of any government or of any such authority;
- (g) defined words and expressions bear the defined meaning throughout this deed including the Introduction.

2. ESTABLISHMENT OF TRUST AND APPLICATION OF THE TRUST FUND

2.1 The Trustees acknowledge and declare that the Trustees shall, with effect from the Operative Date, stand possessed of the Trust Fund in perpetuity upon the trusts and subject to the powers and discretions contained or implied in this deed.

2.2 The Trustees may in any year:

(a) use or apply, or decide not to use or apply, all or any of the income of the Trust Fund for any of the purposes of the Trust;

(b) use or apply any capital of the Trust Fund for all or any of the purposes of the Trust without first using or applying the whole or any portion of the income of the Trust Fund for that year; and

(c) set aside reserves or accumulations for future use or application.

2.3 All actions of the Trustees under clause 2.2 shall at all times be subject to the provisions of this deed.

3. NAME OF TRUST

3.1 The name of the Trust shall be **MANGAWHAI HISTORIC WHARF TRUST** or such other name as the Trustees shall from time to time resolve to adopt for the Trust.

3.2 The trading name of the Trust shall be "**Mangawhai Wharf**"

3.3 The Trustees shall be entitled from time to time to adopt and utilise such additional or alternative names or brands for the Trust or part or parts of the Trust's activities.

4. PURPOSES OF THE TRUST

4.1 The Trustees shall hold the Trust Fund upon trust to pay or apply in New Zealand the capital and income of the Trust Fund in such amounts, at such times, and subject to such terms and conditions as the Trustees in accordance with the terms of this deed shall decide exclusively for all or any of the following purposes:

- (a) to promote, consent, fund, develop, construct, own and operate a re-established public wharf at Moir Street, Mangawhai, Northland based on the design of the original historic wharf, for the benefit of the public and in particular the Mangawhai community;
- (b) all things as are incidental or conducive to the attainment of the purposes described in clause 4.1(a)

being Charitable Purposes.

5. TRUSTEES

Number of Trustees

- 5.1 The Trustees of the Trust shall number not less than four and not more than six persons.
- 5.2 If there are at any time less than four Trustees the person or persons having the power to appoint Trustees shall act so as to increase the number of Trustees to at least four persons as soon as is reasonably practicable. The remaining Trustees shall be entitled to act until the number of Trustees is so increased and no act or decision of the Trust shall be called into question on such account.

Term of Appointment

- 5.3 Each Trustee shall be appointed for a term of two years and may be reappointed for two further terms of two years, a total of six years. Any appointment of a Trustee for more than three terms of two years shall be at the discretion of the respective appointing organisations set out clause 6.2 and any such further appointment shall be on a year by year basis. Such appointing organisations, for their respective appointees, shall be entitled, following consultation with the Trustees, to appoint any Trustee for a term which is less than the terms provided for in this clause 5.3.

Retirement and Reappointment

- 5.4 Each Trustee shall retire from office in the second year following the year of his/her appointment with effect from the date of the annual general meeting of the Trust in that year or other date as determined by the Trustees. Subject to clause 5.3 a retiring Trustee shall be eligible for reappointment.

6. APPOINTMENT OF TRUSTEES

Signatories

- 6.1 The persons named in this deed as Trustees shall be the initial Trustees of the Trust who shall remain in office until the second anniversary of the Operative Date unless they resolve to nominate an earlier date for Trustee appointments to commence in terms of clauses 6.2 and 6.3.

Power of Appointment of Trustees

- 6.2 From the second anniversary of the Operative Date or such earlier date nominated by the initial Trustees under clause 6.1 the power of appointment of Trustees shall be vested in the organisations set out below, as follows:

- (a) MHRS shall appoint two Trustees, who shall be members of MHRS;
- (b) KDC shall appoint one Trustee;
- (c) NRC shall appoint one Trustee;
- (d) MHRS shall appoint the balance of the Trustees from the community of Mangawhai, who shall not be members of MHRS.

Default Appointment of Trustees

- 6.3 (a) in the event either or both of KDC or NRC fails for any reason to appoint their respective Trustees having had a reasonable opportunity to do so MHRS may make such appointments provided that no such appointees shall be members of MHRS;

- (b) in the event MHRS fails to appoint Trustees under clause 6.3(a) or clause 6.2(a) or (d) the power of appointment of Trustees shall be exercisable by the Trustees currently in office.

6.4 The timing of Trustee appointments shall be determined by the Trustees in order to achieve efficient transitions and compliance with the provisions of clause 5.

7. CESSATION OF OFFICE OF TRUSTEE

7.1 A Trustee shall cease to hold office and shall be deemed to have retired if that Trustee:

- (a) resigns by giving notice in writing to the Secretary; or
- (b) fails to attend three consecutive meetings of the Trustees without leave of absence, unless it appears to the other Trustees at their first meeting after the last of such absences that there is a proper reason in each instance for such non-attendance; or
- (c) becomes of unsound mind or subject to an order under the Protection of Personal and Property Rights Act 1988 or whose property is managed by a trustee corporation under section 32 of that Act, or otherwise becomes unfit or unable to act as a Trustee; or
- (d) becomes insolvent or commits an act of bankruptcy or is an undischarged bankrupt; or
- (e) dies; or
- (f) is removed from office under clause 8; or
- (g) ceases, in the opinion of the person or persons having the power of appointment of Trustees, to hold the office, skills, qualifications or affiliation necessary to continue as a Trustee; or

- (h) has been convicted of a crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961) and has been sentenced for that crime within the last seven years; or
- (i) is convicted of an offence punishable by prison for a term of two years or more; or
- (j) has been convicted of an offence punishable by a term of imprisonment of less than two years and has been sentenced to imprisonment for that offence; or
- (k) is prohibited from being a director or promoter or being concerned or taking part in the management of a company under sections 382, 383 or 385 of the Companies Act 1993; or
- (l) is disqualified from being an officer of a charitable entity under section 31(4) of the Charities Act 2005.

7.2 A Trustee who has retired or has ceased to be a Trustee for any reason shall cease to be a Trustee immediately except for the purpose of carrying out the acts and deeds necessary for the proper vesting of the Trust Fund in the continuing and/or new Trustees, which acts and deeds shall be carried out at the expense of the Trust.

8. REMOVAL OF TRUSTEE

Power of Removal

8.1 A Trustee may at any time be removed as a Trustee by a resolution of all other Trustees if in the opinion of the other Trustees it is not in the best interests of the Trust for the Trustee concerned to remain in office.

9. TRUSTEES' POWERS

Promotion of Purposes and Powers

9.1 The Trustees shall promote the purposes of the Trust and shall act on the Trust's behalf and in particular and in addition to all other powers conferred by law the Trustees shall have the same powers as a natural person acting as beneficial owner of the Trust Fund

and such powers shall not be limited or restricted by any principle of construction or rule of law or statutory power or provision except as provided in this deed and otherwise to the extent that such is obligatory.

Exercise Powers Independently

- 9.2 None of the powers or authorities conferred on the Trustees by clauses 9.1 or otherwise shall be deemed subsidiary or ancillary to any other power or authority and the Trustees shall be entitled to exercise all or any of the said powers and authorities independently of any other or others of them. In the event of any ambiguity this provision shall be construed so as to widen and not restrict the powers of the Trustees provided however that at no time can any provision be construed so as to detract from the exclusively charitable objects and purposes of the Trust.

10. ADMINISTRATION OF THE TRUST AND REPORTING

Meetings

- 10.1 The Trustees shall meet to conduct business at such intervals as the Trustees may decide but not less frequently than six times in each year unless the Trustees resolve otherwise. The Trustees may invite to such meeting whatever other person or persons as the Trustees may decide will assist with their deliberations.

Voting

- 10.2 Except as expressly provided otherwise by this deed any matter requiring decision at a meeting of the Trustees shall be decided by a simple majority of the Trustees personally present and voting on the matter. In the event of an equality of votes the Chairperson shall have a second or casting vote.

Resolution in Writing

- 10.3 A resolution in writing signed by all the Trustees shall be as valid and effectual as if it had been passed at a meeting of the Trustees. Any such resolution may be signed in counterpart and emailed responses by Trustees shall constitute a valid method of signing resolutions.

Convening Meetings

- 10.4 The Chairperson, Secretary or any two Trustees may at any time give notice convening a meeting of the Trustees. Such notice shall be given by post, facsimile or email to each Trustee at their last known address, facsimile number or email address at least 7 days before the date of the proposed meeting unless compliance with such period of notice is modified or waived by all Trustees. The notice shall state the time and place of the meeting and, in clear terms, the nature of the business to be transacted.

Quorum

- 10.5 The quorum for a meeting of the Trustees shall be two thirds of the Trustees then holding office or such other number adopted from time to time by a resolution of the Trustees then holding office.

Minutes

- 10.6 Minutes of the proceedings of all meetings of the Trustees shall be recorded in a book or other permanent record to be kept for that purpose by the Secretary and shall be signed by the Chairperson of the meeting at which the minutes are confirmed. Every such minute purporting to be so signed shall be prima facie evidence of the matters recorded.

Meetings by Teleconference

- 10.7 The contemporaneous linking together of a quorum of the Trustees and the Secretary by teleconference (which may include a voice/visual link by telephone, video via internet or other media) shall constitute a meeting of the Trustees and the provisions of this clause as to meetings of the Trustees shall apply to such meetings provided the following conditions are met:

- (a) each Trustee, except in the case of urgency, shall be entitled to at least two days notice of such a meeting by teleconference and to be linked by the applicable media for the purposes of the meeting;
- (b) each of the Trustees taking part in the meeting by teleconference must be able to hear each of the other Trustees taking part during the whole of the meeting;

- (c) at the commencement and conclusion of such meeting each Trustee must acknowledge his or her presence;
- (d) a Trustee may not withdraw from such a meeting unless that Trustee has previously obtained the express consent of the Chairperson of the meeting to do so; and
- (e) a Trustee linked by the applicable media for the purposes of the meeting shall be conclusively presumed to have formed part of the quorum of such meeting throughout the meeting unless that Trustee obtains the express consent of the Chairperson to withdraw from such a meeting.

Minute of Proceedings

- 10.8 A minute of the proceedings of a meeting by teleconference under clause 10.7 shall be sufficient evidence of such proceedings and of the observance of all necessary formalities if certified to be a correct minute by the Chairperson of the meeting.

Annual General Meeting of Trustees

- 10.9 The Trustees shall within four months or such longer period, being not longer than six months, of the end of each financial year of the Trust hold an annual general meeting of the Trust. The Secretary shall give not less than 14 days' notice of the annual general meeting to the Trustees. The business to be transacted at the annual general meeting shall be:
- (a) the receipt and approval of the financial statements of the Trust;
 - (b) the consideration and approval of a report on the Trust's activities for the previous financial year;
 - (c) consideration of the timing of appointment, including reappointment, of Trustees;
 - (d) the election of a Chairperson under clause 11.1;

- (e) the appointment of an auditor or reviewer of the Trust's financial statements;
and
- (f) special business of which notice in writing has been given to the Secretary at least 21 days prior to the date of the meeting.

The Secretary shall circulate a written agenda (including all special business) to the Trustees at least 7 days prior to the date of the meeting.

10.10 Following the annual general meeting of the Trustees copies of the financial statements and annual report/s shall be made available on the Trust's website (if established) together with notification of appointment and/or reappointment of Trustees.

Validity of Proceedings

10.11 All acts done by any meeting of Trustees or by any person acting as a Trustee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such Trustee or Trustees or that any Trustee was for any reason disqualified from holding office as a Trustee or that there was accidental failure to comply with any of clauses 10.1 to 10.10 shall be as valid as if such Trustee had been duly appointed and was qualified to hold office as a Trustee and the requirements of clauses 10.1 to 10.10, had been complied with.

Delegation of Powers

10.12 The Trustees may delegate to any committee of Trustees or employee or contractor to the Trust, such of the powers and functions of the Trustees as the Trustees may decide except the power to borrow or raise money or give security of whatever kind or to purchase property or to lend or advance money by whatever means and in respect of any such delegation:

- (a) any committee of Trustees or employee or contractor acting under delegated power shall act in accordance with the terms of this deed and, in the absence of proof to the contrary, shall also be presumed to be acting within the terms of the delegation;

- (b) the Trustees may revoke wholly or partly any delegation of the powers or functions of the Trustees at any time;
- (c) subject to any directions given by the Trustees, any committee of Trustees or employee or contractor to which any powers of the Trustees have been delegated shall conduct its affairs as that committee or employee may decide; and
- (d) the Trustees may provide restrictions within which or rules by which such delegated powers are to be exercised.

Power to Co-opt

10.13 The Trustees may co-opt any person or persons to the Trust in an advisory or any special purpose capacity, for such term and on such terms and conditions as determined by the Trustees. Any such appointment:

- (a) shall not establish the appointee as a Trustee in terms of this deed;
- (b) shall not confer on the appointee the right to vote or to be counted to establish a quorum;
- (c) shall entitle the Trustee to exclude the appointee from any meeting or part of a meeting of the Trustees by notice in writing; and
- (d) shall not impose any legal or equitable duty or obligation on the appointee as is imposed on a Trustee except for a duty to comply with this deed as applicable, act as a co-opted person in the interests of the Trust and to at all times observe a duty of confidentiality in respect of any matter before the Trustees and, as applicable, the affairs of the Trust generally.

11. OFFICERS

Chairperson

11.1 The Trustees shall elect one Trustee to act as Chairperson of the Trustees and the following provisions shall apply to such election:

- (a) the term of office of Chairperson shall commence upon an election by the Trustees;
- (b) the Chairperson shall hold office for a term of two years from the date of election or until such earlier date which coincides with the Chairperson retiring by rotation as a Trustee, which shall be the date of the annual general meeting of the Trust in that year or other date as determined by the Trustees;
- (c) the election of the Chairperson shall be considered at each annual general meeting of the Trustees in compliance with clause 11.1(b); and
- (d) the Chairperson shall be eligible for re-election as Chairperson for further terms in compliance with clause 11.1(b).

Temporary Chairperson

11.2 In the absence or unavailability for any reason of the Chairperson the Trustees present shall elect one of their number to chair any meeting of the Trustees or temporarily undertake the duties of Chairperson.

Secretary

11.3 The Trustees shall appoint a Secretary who may be a Trustee, a volunteer or an employee of the Trust or may be contracted to the Trust.

12. FINANCE

Bank Account

- 12.1 The Trustees shall keep an account or accounts at such bank or banks or other institutions in New Zealand as the Trustees may decide. Cheques, withdrawals and authorities shall be signed or endorsed, as the case may be, by such person or persons as the Trustees decide from time to time.

Accounts

- 12.2 The Trustees shall cause financial statements for each year to be kept and audited in accordance with prudent practice applicable to charitable entities and in any event in compliance with the requirements of the Charities Act 2005.

Financial Year

- 12.3 The financial year of the Trust shall end on 30 June in each year or as otherwise determined by the Trustees from time to time.

13. INCORPORATION AND REGISTRATION

Application

- 13.1 The Trustees shall apply to incorporate as a board under Part 2 of the Charitable Trusts Act 1957 under the name of the Trust.

Incorporation as a Board

- 13.2 Upon incorporation all the powers, discretions, obligations and duties conferred on the Trustees by this deed or by law shall be conferred upon the Trustees as a trust board.

Common Seal

- 13.3 Following incorporation the Trustees shall obtain a seal and provide for its safe custody. The seal shall be affixed by the authority of the Trustees previously given to

any document requiring execution by the Trustees. Each such affixing shall be attested by two Trustees and shall be sufficient evidence of authority to affix the seal.

- 13.4 No person dealing with the Trustees shall be bound or concerned to see or enquire as to the authority to affix the seal, or to enquire as to the authority under which any document was sealed or in whose presence it was sealed.

Charities Act Registration

- 13.5 The Trustees shall as soon as practicable after the execution of this deed apply for registration as a charitable entity under the Charities Act 2005.
- 13.6 As a registered charitable entity under the Charities Act 2005 the Trustees shall maintain such registration and comply with the applicable provisions of that Act on a continuous basis.

14. LIABILITY AND INDEMNITY OF TRUSTEES

No Liability of Trustees

- 14.1 No Trustee shall be liable for any loss to the Trust Fund unless attributable to that Trustee's own dishonesty, or to the wilful commission or omission by that Trustee of an act known by that Trustee to be a breach of trust. No Trustee shall be bound to take any proceedings against any other Trustee for any breach or alleged breach of trust committed by such Trustee.

Indemnity of Trustees

- 14.2 Each Trustee shall be entitled to a full and complete indemnity from the Trust Fund for any personal liability which that Trustee may incur in any way arising from or in connection with that Trustee acting or purporting to act as a Trustee of the Trust, unless such liability is attributable to that Trustee's own dishonesty, or to the wilful commission or omission by that Trustee of an act known by that Trustee to be a breach of trust.

15. INTERESTED TRUSTEE

Disclosure of Interest

- 15.1 Any Trustee who is or may be in any other capacity whatever interested or concerned directly or indirectly in any property or undertaking in which the Trust is or may be in any way concerned or involved shall disclose the nature and extent of that Trustee's interest to the other Trustees, so as to properly inform the decision making process and shall not vote on any such matter. Except with the leave of the remaining Trustees any such interested Trustee shall not take any part whatever in any deliberations of the Trustees concerning any matter in which that Trustee is or may be interested other than as a Trustee of the Trust.

Recording of Interest

- 15.2 A disclosure by an interested Trustee shall be recorded in the minutes of the meeting at which such disclosure is made. If any question shall arise at any meeting as to the materiality of a Trustee's interest or as to the entitlement of any Trustee to vote and such question is not resolved by that Trustee voluntarily agreeing to abstain from voting, such question shall be referred to the other Trustees and the other Trustees' ruling in relation to that Trustee shall be final and conclusive except in any case where the nature or extent of the interest of that Trustee has not been fully disclosed.

16. PECUNIARY PROFIT

No Private Pecuniary Profit

- 16.1 No private pecuniary profit may be made by any person from the Trust, except that:
- (a) any Trustee may receive full reimbursement for all expenses properly incurred by that Trustee in connection with the affairs of the Trust;
 - (b) the Trust may pay reasonable remuneration to any officer or servant of the Trust (whether a Trustee or not) in return for services actually rendered to the Trust;

- (c) any Trustee may be paid all usual professional, business or trade charges for services rendered, time expended and all acts done by that Trustee or by any firm or entity of which that Trustee is a member, employee or associate in connection with the affairs of the Trust;
- (d) any Trustee may retain any remuneration properly payable to that Trustee by any company or undertaking with which the Trust may be in any way concerned or involved for which that Trustee has acted in any capacity whatever, notwithstanding that that Trustee's connection with that company or undertaking is in any way attributable to that Trustee's connection with the Trust.

Trustees to Comply with Restrictions

- 16.2 The Trustees, in determining all reimbursements, remuneration and charges payable in terms of this clause, shall ensure that the restrictions imposed by the following clause are strictly observed.

17. RESTRICTIONS ON BENEFITS TO AND INFLUENCE BY INTERESTED PERSONS

Recipients Not to Influence Benefits

- 17.1 Notwithstanding anything contained or implied in this deed, any person who is:
- (a) a Trustee of the Trust; or
 - (b) a shareholder or director of any company carrying on any business of the Trust; or
 - (c) a settlor, trustee or board member of any trust or organisation which is a shareholder of any company carrying on any business of the Trust; or
 - (d) an associated person (as defined by the Income Tax Act 2007) of any such settlor, trustee, or board member,

shall not by virtue of that capacity in any way (whether directly or indirectly) determine, or materially influence in any way the determination of the nature or the amount of any

benefit or advantage or income or the circumstances in which it is or is to be received, gained, achieved, afforded or derived by that person.

Professional Account and Influence

17.2 A person who in the course of and as part of the carrying on of his or her business of a professional public practice shall not, by reason only of his or her rendering professional services to the Trust or to any company by which any business of the Trust is carried on, be in breach of the terms of this clause 17.

17.3 Nothing in this clause 17 shall prevent or restrict the Trustees from properly fulfilling or carrying out the purposes of the Trust.

18. OFFICE OF THE TRUST

18.1 The office of the Trust shall be at Mangawhai or such other place as the Trustees from time to time may decide.

19. ALTERATIONS OF TERMS OF DEED

19.1 The Trustees, being all the Trustees then holding office, may enter into a deed revoking, varying, or adding to any of the provisions of this deed, provided such revocation, variation, or addition does not:

- (a) detract from the purposes of the Trust;
- (b) jeopardise the Trust's ability to retain its status as a charitable entity under the Charities Act 2005.

20. GOVERNING LAW

20.1 The Trust shall be governed by and construed in accordance with the laws of New Zealand.

21. WINDING UP

Winding Up

- 21.1 The Trustees shall wind up the Trust at any time if the Trustees decide, by the unanimous resolution of the Trustees, that for any reason it is no longer practicable or desirable to carry out the purposes of the Trust.

Surplus Assets

- 21.2 On the winding up of the Trust all surplus assets, after payment of all costs, debts and liabilities shall be paid, applied or appropriated by the Trustees to a charitable entity within New Zealand for any Charitable Purposes which are the same or similar to the purposes of the Trust and in default of any such payment, application or appropriation as the High Court of New Zealand shall direct.

SCHEDULE 1**Trustees**

Name	Signature	Witness
		Signature:
		Occupation:
		Address:

Name	Signature	Witness
		Signature:
		Occupation:
		Address:

Name	Signature	Witness
		Signature:
		Occupation:
		Address:

Name	Signature	Witness
		Signature:
		Occupation:
		Address:

Name	Signature	Witness
		Signature:
		Occupation:
		Address:

Name	Signature	Witness
		Signature:
		Occupation:
		Address:

File number: 1203.01 **Approved for agenda**
Report to: Council
Meeting date: **Tuesday 26 June 2018**
Subject: **Taharoa Domain Governance Committee Terms of Reference –
Amendment to include rotation of Chair**
Date of report: 11 June 2018
From: Lisa Hong, Governance Advisor
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

The Taharoa Domain Governance Committee (the Committee) was first created in 2002 with a rotating Chair selected annually by the Committee. For some years, the custom was that the Chair rotated between Council and Iwi representatives. This custom was suspended in 2013 with the tenure of the Commissioners. Following the 2016 elections, the Mayor of the day appointed the Chair. The Committee has recommended that Council amend its Committee Terms of Reference so that the original practice can be re-instated.

Recommendation

That Kaipara District Council:

- 1 *Receives the Governance Advisor's report 'Taharoa Domain Governance Committee Terms of Reference - amendment to include rotation of Chair' dated 11 June 2018, and its Attachments 1 and 2; 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 new draft Taharoa Domain Governance Committee Terms of Reference (Attachment 2 to the aforementioned report), including the following clause:*
 - *'The Chair of the Committee will rotate amongst members on an annual basis with a new Chair being selected at the first meeting following 01 July each year'.*

Reason for the recommendation

The Committee has recommended that Council amend the Committee's Terms of Reference to re-institute the historical rotation of Chair amongst its members.

Reason for the report

For Council to consider the Committee's recommendation.

Background

Council established the Committee and adopted its first Terms of Reference at its 24 July 2002 meeting, by resolving:

'That Council establishes a committee of Council to be known as the Taharoa Domain Governance Committee for the purposes of managing the Taharoa Domain in accordance with Sections 114P and 114Q of the Local Government Act 1974.

That Council adopts the amended Terms of Reference for the Taharoa Domain Governance Committee and that:

- 1 Membership of the committee be comprised of two members nominated by Kaipara District Council and two nominated by representatives of the Treaty of Waitangi claimants (Wai 38), as allowed for under Section 114R of the Local Government Act; and*
- 2 The Chair of the committee will rotate amongst members on an annual basis with a new Chair being selected at the first meeting following 01 July each year.'*

It was noted that Council's decision to establish a co-governance committee drew on an action from the Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan (RMP), which was adopted in January 2002. One of the aims of the RMP was *'to establish an equal organisational partnership between tangata whenua and Council to govern the Domain'*.

For some years, the practice of rotating the Chair between Council and Iwi representatives occurred. This practice was suspended during the Commissioners' term. Commissioners Dale, Robertson and Winder chaired the Committee from December 2013 to the end of the Commissioners' term in 2016.

In November 2016, the current Chair, Councillor Andrew Wade, was appointed by Mayor Gent. Mayor Smith re-affirmed this decision in March 2018 along with all other committee appointments.

In 2017, Committee members made enquiries regarding the historical rotation of Chair. At its meeting on 10 May 2018, the Committee formally requested Council re-institute that practice by resolving:

'That the Taharoa Domain Governance Committee... [r]ecommends to the Mayor or Council to amend the Taharoa Domain Governance Committee Terms of Reference to include "The Chair of the Committee will rotate amongst members on an annual basis with a new Chair being selected at the first meeting following 01 July each year".'

The current operative version of the Committee's Terms of Reference is attached to this report as **Attachment 1**. The draft Terms of Reference that includes the above clause is attached to this report as **Attachment 2**.

Factors to consider

Changes to the Terms of Reference

At its meeting on 10 May 2018, the Committee also requested Council officers to further investigate and report to Council on why the rotation of Chair clause was removed from its Terms of Reference. Council officers reviewed available documentation and no cause could be found.

The last Terms of Reference previous to this Council-elected in 2016 (as adopted in March 2014), stated that *'The Chair of the Taharoa Domain Governance Committee will rotate amongst members on an annual basis with a new Chair being selected at the first meeting following 01 July each year'*. The Terms of Reference adopted by this Council in March 2017, and again in March 2018, do not contain equivalent clauses or any other clause relating to the appointment or rotation of Chair.

A 2014 update to the Local Government Act 2002 may have influenced Council's Committee Terms of Reference template for all committees of Council, therefore influencing the current Taharoa Domain Governance Committee Terms of Reference. The Local Government Act 2002 as amended in 2014 described the powers of Mayors for the first time. Part 41A(3) of the Act states that the Mayor has the powers *'to establish committees of the territorial authority'* and *'to appoint the chairperson of each committee established [as above]*.

It should also be noted that no clauses relating specifically to rotation of Chair is included in any other operative Committee Terms of Reference for Kaipara District Council at this time. One close exception may be the Community Grants Committee, which rotates its members annually to another Councillor from each Ward, including the Chair. The appointment of the members and the Chair (from the new pool of members) is made by the Mayor.

Community views

Te Roroa and Te Kuihi have views regarding the governance of the Committee. The Committee was established with co-governance as a founding principle to reflect this.

Policy implications

This report does not trigger Council's Significance and Engagement Policy.

Financial implications

Pursuant to the Local Government Act 2002 and the Remuneration Authority Act 1977, Elected Member remuneration is determined by the Remuneration Authority. If a person who is not an Elected Member is selected as Chair, mileage may be claimed.

Legal/delegation implications

The delegated authority of the Committee will be amended to include the ability to select its own Chair annually from the pool of Committee members.

Options

Option A: Council amends the Taharoa Domain Governance Committee Terms of Reference to include: *'The Chair of the Committee will rotate amongst members on an annual basis with a new Chair being selected at the first meeting following 01 July each year'*.

Option B: Council does not amend the Taharoa Domain Governance Committee Terms of Reference. This is the status quo.

Assessment of options

Option A: This is the option that the Committee recommends to Council.

Option B: The Committee's Terms of Reference will remain unchanged. This is more consistent with

other Committee Terms of Reference.

Recommended option

The recommended option is **Option A**.

Next step

The Committee Terms of Reference will be amended or not amended as Council decides, and the Committee members will be informed of this decision.

If Council amends the Terms of Reference, the Committee will select its own Chair amongst its members at its next meeting on 09 August 2018.

Attachments

- 1 Adopted Taharoa Domain Governance Committee Terms of Reference (pages 25-26 of Committee Terms of Reference)
- 2 Draft Taharoa Domain Governance Committee Terms of Reference

Taharoa Domain Governance Committee Terms of Reference

Reports to:	Full Council
Chair:	Councillor Andrew Wade
Membership:	Councillor Karen Joyce-Paki Ric Parore and Alan Nesbitt
Meeting frequency:	Four times a year
Quorum:	Three

Purpose

To govern Taharoa Domain in accordance with the Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan (RMP) and any legislative framework.

Responsibilities

- Implementing the RMP;
- Initiating a review of the Master Plan for the Domain when appropriate but at least every 10 years;
- Meeting all statutory requirements associated with the management and administration of the Domain;
- Submitting to the Annual Plan and Long Term Planning process;
- Monitoring the natural environment at Taharoa Domain and the Kai Iwi Lakes and reporting any issues or concerns to Council;
- Overseeing the management of the Kai Iwi Lakes camp grounds;
- Agreeing terms and conditions with external organisations for the use of the Domain.

Delegations

- Manage the financial affairs of the Taharoa Domain;
- Apply for funding from external sources for the enhancement of the Domain;
- Administer any Kaipara District Council bylaw or regulation associated with the Domain;
- Make recommendations to the Kaipara District Council for the development of policies, bylaws or other regulatory tools for the effective management of the Domain.

Membership

Two Kaipara District Councillors, one representative appointed by Te Roroa and one representative appointed by Te Kuihi.

Communications

- The Committee Chair is the authorised spokesman for the Committee in all matters where the Committee has a particular interest;
- Committee members, including the Chair, do not have delegated authority to speak to the media on behalf of Council on matters outside the Committee's interest;
- Council's Governance, Strategy and Democracy Team will manage and support formal communications between the Committee and Council, and for the Committee in the exercise of its business.

Conduct

The Committee 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 Kaipara District Council's Standing Orders and 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;
- External members will be reimbursed their travel to and from duly called meetings of the Committee in line with Council's Current Elected Members Expenses Policy.

Funding and budgets

Funding for the Committee will align with Council's Annual and Long Term Plans.

Taharoa Domain Governance Committee Terms of Reference

Reports to:	Full Council
Chair:	Councillor Andrew Wade <u>(to be rotated at the first meeting following 01 July each year)</u>
Membership:	Councillor Karen Joyce-Paki Ric Parore and Alan Nesbitt
Meeting frequency:	Four times a year
Quorum:	Three

Purpose

To govern Taharoa Domain in accordance with the Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan (RMP) and any legislative framework.

Responsibilities

- Implementing the RMP;
- Initiating a review of the Master Plan for the Domain when appropriate but at least every 10 years;
- Meeting all statutory requirements associated with the management and administration of the Domain;
- Submitting to the Annual Plan and Long Term Planning process;
- Monitoring the natural environment at Taharoa Domain and the Kai Iwi Lakes and reporting any issues or concerns to Council;
- Overseeing the management of the Kai Iwi Lakes camp grounds;
- Agreeing terms and conditions with external organisations for the use of the Domain.

Delegations

- Manage the financial affairs of the Taharoa Domain;
- Apply for funding from external sources for the enhancement of the Domain;
- Administer any Kaipara District Council bylaw or regulation associated with the Domain;
- Make recommendations to the Kaipara District Council for the development of policies, bylaws or other regulatory tools for the effective management of the Domain.

Membership

Two Kaipara District Councillors, one representative appointed by Te Roroa and one representative appointed by Te Kuihi.

Chair

The Chair of the Committee will rotate amongst members on an annual basis with a new Chair being selected at the first meeting following 01 July each year.

Communications

- The Committee Chair is the authorised spokesman for the Committee in all matters where the Committee has a particular interest;
- Committee members, including the Chair, do not have delegated authority to speak to the media on behalf of Council on matters outside the Committee's interest;
- Council's Governance, Strategy and Democracy Team will manage and support formal communications between the Committee and Council, and for the Committee in the exercise of its business.

Conduct

The Committee 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 Kaipara District Council's Standing Orders and 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;
- External members will be reimbursed their travel to and from duly called meetings of the Committee in line with Council's Current Elected Members Expenses Policy.

Funding and budgets

Funding for the Committee will align with Council's Annual and Long Term Plans.

File number: 2120.01.03

Approved for agenda

Report to: Council

Meeting date: 26 June 2018

Subject: Policy Citizens Awards 2018 - Adoption

Date of report: 08 June 2018

From: Natalie Robinson, Policy Analyst

Report purpose **Decision** **Information**

Assessment of significance **Significant** **Non-significant**

Summary

Kaipara District Council historically recognised citizens who have made a contribution to the district through Citizens Awards. During the tenure of the Commissioners, these awards were put on hold. In 2017, the process was reinstated. In February 2017, Council resolved that it:

'Notes the establishment of the Citizens Awards Committee, the Terms of Reference and the draft Policy.'

The Policy that was noted by Council in February 2017 is attached to this report as **Attachment 1**.

A new draft Policy was created following the February 2017 resolution, and was amended to provide criteria to aid in assessment and develop parameters for nomination. This draft Policy was not formally adopted by Council, and is attached to this report as **Attachment 2**.

Council officers have now amended the Policy further, in order to make it more future-facing, and in light of feedback received from the Committee in 2017. The new draft Citizens Awards Policy is attached to this report as **Attachment 3**, and is intended to be reviewed on a triennial basis.

Recommendation

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Policy Citizens Awards 2018 - Adoption' dated 08 June 2018 and its Attachments 1, 2 and 3; 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 draft Citizens Awards Policy (Attachment 3 to the afore-mentioned report).*

Reason for the recommendation

To adopt the amended draft Citizens Awards Policy (2018), and to progress the 2018 round of Citizens Awards nomination and recognition.

Reason for the report

This report seeks the formal adoption by Council of the amended Citizens Awards Policy. This will then commence the 2018 awards process, including seeking nominations, consideration of nominees by the Committee, and the recognition of successful recipients.

Background

Council recommenced the awarding of Citizens Awards in 2017. In February 2017, Council noted the draft Policy, as well as the establishment of the Citizens Awards Committee and their Terms of Reference.

That draft Policy was subsequently amended, and 2017 nominations were assessed against the new draft Policy by Council officers and the Committee. This culminated in the Citizens Awards Committee bestowing five awards to members of the Kaipara community in August 2017.

However, the new draft Policy was never formally adopted, and Council officers became aware of this in 2018. This provided the opportunity to amend the Policy in order to make it more future-facing, and include feedback from the Committee, who in August 2018 recommended that the Policy should allow nominations to be open at any time.

Factors to consider

Community views

The draft Policy provides guidance for members of the community on who can be nominated, as well as providing guidance on the service and spirit that the Awards are intended to recognise.

Financial implications

The budget has provision for formal recognition of successful recipients.

Options

Option A: Adopt the draft Citizens Awards Policy.

Option B: Provide amendments to the draft Citizens Awards Policy.

Assessment of options

Either Option will allow Council staff to begin the process for seeking nominations. Option A will provide clear guidance to those wishing to complete nomination forms as to what the Committee is intending to assess the nominations against.

Assessment of significance

This decision does not trigger Council's Significance and Engagement Policy.

Recommended option


The recommended option is **Option A**.

Next step

Council staff will advertise across the Kaipara district, seeking nominations and begin the process. The Citizens Awards Committee will meet on Tuesday 25 September 2018 to determine successful recipients from the pool of nominees.

Attachments

- 1 Draft Citizens Awards Policy that was noted by Council in February 2017
- 2 Draft Citizens Awards Policy that was developed for the Citizens Awards Committee – post February 2017
- 3 Draft Citizens Awards Policy 2018

 KAIPARA DISTRICT <small>Two Oceans Two Harbours</small>	Title of Policy	Citizens Awards Policy		
	Sponsor	Mayor	Authorised / adopted by	Council
	Author	Sean Mahoney, Democratic Services Manager	Date authorised / adopted	
	Type of Policy	Governance	Last review date	January 2017
	File Reference	1203.01	Next review date	January 2020

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced	31 January 2017	Sean Mahoney	
1.1	February 2017	Sean Mahoney	Amended per feedback

1 Background

The purpose of this Policy is to provide a clear statement on Council's commitment to recognising contributions and achievements of individuals and organisations to the District

2 Policy Statement

Nominations for Citizens awards may be made by any person or organisation.

Nominations will be assessed by the Citizens Awards Committee

The decisions of the Committee will be reported to Council.

The Mayor can at his/her discretion award an Honorary Citizens Award to a person who has contributed to the District or the Districts reputation. This will need to be recorded at the next Council meeting.

It is not necessary to have the consent of the person or organisation being nominated for any of the awards. If the nomination is successful, consent will be obtained from the proposed recipient before any announcements are made to the public.


If a person dies within 12 months prior to the closing date for nominations, that person is eligible for nomination for an award which can be awarded posthumously

The awards process will open and be advertised annually.

Council will at its discretion host a formal ceremony to acknowledge the recipients.

Council can acknowledge as many or as few recipients as it sees fit in each given application round.

Citizens awards are awarded in recognition of substantial service, usually of a voluntary nature or beyond normal employment, benefiting Kaipara and its people. The nominees will have generally carried out predominantly voluntary work but payment for services will not necessarily disqualify receiving an award.

 KAIPARA DISTRICT <small>Two Oceans Two Harbours</small>	Title of Policy	Citizens Awards Policy		
	Sponsor	Mayor	Authorised / adopted by	Council
	Author	Sean Mahoney Democratic Services Manager	Date authorised / adopted	13 February 2017
	Type of Policy	Governance	Last review date	XX June 2017
	File Reference	1203.01	Next review date	June 2020

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced	31 January 2017	Sean Mahoney	
1.0	February 2017	Sean Mahoney	Amended per feedback
1.1	May 2017	Natalie Robinson	Amended per feedback, inclusion of objective as assessment criteria

1 Background

Kaipara District Council awarded Citizens Awards annually from 2001 – 2012, based on recognition of the contributions and achievements of outstanding Kaipara citizens. The purpose of this Policy is to reinstate the annual Citizens Awards, and provide a clear statement on the Council’s commitment to recognising the contribution and achievements of individuals and organisations to the District.

This Policy will confirm the awards are to be an annual process undertaken by Council, and provide an assessment framework to assist the Committee when determining successful recipients from the pool of nominees.

2 Objective

Applications will be assessed against the Objective, being to recognise people who have, by personal leadership, inspiration, sacrifice or devotion to a cause made a significant contribution to the wellbeing of the Kaipara District and its citizens.

3 Definitions

Citizen is defined as being a resident of the Kaipara District. This does not need to be on a full-time basis.

4 Policy Statement

The Citizens Award process will open annually, and advertisements will call for nominations. These nominations may be made by any person or organisation, in the appropriate form. The form will be made available at the commencement of the annual ‘nomination period’.

Citizens Awards are awarded in recognition of substantial service, usually of a voluntary nature or beyond normal employment, benefiting Kaipara and its people. The nominees will have generally carried out predominantly voluntary work, but payment for services will not necessarily disqualify receiving an award.

It is not necessary to have the consent of the person or organisation being nominated for the awards. If the nomination is successful, consent will be obtained from the intended recipient before any announcement is made to the public.

A Citizens Award Committee, comprised of three Councillors (preferably one from each electoral Ward) will assess the nominations received. The assessment will be undertaken against the Objective of the Policy.

The decisions of the Committee will be reported to Council. The Council will then announce the recipients of the annual Citizens Awards. Council can acknowledge as many or as few recipients as it sees fit in each application round.

Council will, at its discretion, host a formal ceremony to acknowledge the recipients.

The Mayor can at his/her discretion award an Honorary Citizens Award to a person who has contributed to the District, or the reputation of the District. This will need to be recorded at the next Council meeting.

If a person dies within 12 months prior to the closing date for nominations, that person is eligible for nomination for a Citizens Award, which can be awarded posthumously.

Any nominations not successful in any one year may be re-nominated in the following or subsequent years. Nominations made in previous years are not automatically carried forward, and fresh nominations should be made.

Present Councillors do not qualify for an award. Former Councillors who continue to carry out exceptional work for the community once leaving Council can be considered.

Councillors and Council staff can nominate recipients.

If a person has previously received a Citizens Award, this does not necessarily preclude them from being awarded another Citizens Award.

If a recipient is subsequently found guilty of a criminal offence, at the Mayors discretion and on a case by case basis, that person's name may be removed from the Citizens' Awards Honours Board.

Nomination Form

Who are you nominating?

Nominations are strictly confidential, and only the recipients of the Awards will be notified and publicly recognised.

Name _____

Address _____

Phone Number _____

Email _____

Why are you nominating this person?

Answers should consider:

- How has this person contributed and shown commitment to the community?
- What community initiatives has this person been involved in?
- How long have they been contributing to the community?
- Has this person been involved in establishing and/or setting the direction of a group, organisation or cause in which they have been involved?

A detailed and thorough answer will assist us in determining a successful Citizens Award recipient. If you would like more space to answer, please feel free to attach supplementary paper.

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Letters of Support can be attached, and will be considered by Council.

Nominators Details

Name _____

Address _____

Phone Number _____

Email _____

Seconders Details (All applications must be seconded)

Name _____

Address _____

Phone Number _____

Email _____


Then generic stuff – i.e.. Date and the contact the council etc.?

DRAFT

Citizens Awards Timeline

18-24 June	Launch Kaipara Citizens Awards, to coincide with National Volunteer Week.
1 July	Applications open.
31 July	Applications close.
Early August	Community Facilitator and Policy Analyst will undertake an assessment of applicants, and arrange a Committee meeting.
September	Committee meets and decides on successful recipients.
End of October	Event to honour recipients and confer Citizens Awards.
November	Names added to Honour Board.

DRAFT

 <small>Kaipara Te Orangawai</small> KAIPARA DISTRICT <small>The Ocean's Two Harbours</small>	Title of Policy	Citizens Awards Policy		
	Sponsor	Mayor	Adopted by	Council
	Author	Democratic Services Manager	Date adopted	13 February 2017
	Type of Policy	Governance	Last review date	June 2018
	File Reference	2120.01.03	Next review date	May 2021

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced	31 January 2017	Sean Mahoney	
1.0	February 2017	Sean Mahoney	Amended per feedback
1.1	May 2017	Natalie Robinson	Amended per feedback, inclusion of objective as assessment criteria
1.2	June 2018	Natalie Robinson	

1 Introduction

Kaipara District Council bestows Citizens Awards to recognise the contributions and achievements of outstanding Kaipara district citizens. Council is committed to recognition of these citizens through an annual process, and this Policy provides an assessment framework to assist the Citizens Awards Committee when determining successful recipients from the pool of nominees.

2 Objective

The objective of these awards is to recognise people who have, by personal leadership, inspiration, sacrifice or devotion to a cause made a significant contribution to the well-being of the Kaipara district and its citizens.

3 Process and Assessment

The Citizens Awards process will open annually and advertisements will call for nominations. These nominations may be made by any person or organisation, on the appropriate form.

Citizens Awards nominations may also be made at any time, however will be held by staff for consideration by the Citizens Awards Committee on an annual basis.

Citizens Awards are bestowed in recognition of substantial service, usually of a voluntary nature or beyond normal employment, benefiting Kaipara and its people. The nominees will have generally carried out predominantly voluntary work, however payment for services will not necessarily disqualify receiving an award.

It is not necessary to have the consent of the person or organisation being nominated for the Awards. If the nomination is successful, consent will be obtained from the intended recipient before any announcement is made to the public.

A Citizens Awards Committee, comprised of three Councillors (one from each electoral Ward) will assess the nominations received. The assessment will be undertaken according to this Policy.

The decisions of the Committee will be reported to Council. Council will then announce the recipients of the annual Citizens Awards. Council can acknowledge as many or as few recipients as it sees fit in each application round.

Council will, at its discretion, host a formal ceremony to acknowledge the recipients.

The Mayor can at his/her discretion award an Honorary Citizens Award to a person who has contributed to the district or to the reputation of the district. This will need to be recorded at the next Council meeting.

If a person dies within 12 months prior to the closing date for nominations, that person is eligible for nomination for a Citizens Award, which can be awarded posthumously.

Any nominations not successful in any one year may be re-nominated in the following or subsequent years. Nominations made in previous years are not automatically carried forward, and fresh nominations should be made.

Present Elected Members do not qualify for an Award. Former Elected Members who continue to carry out exceptional work for the community once leaving Council can be considered.

Elected Members and Council staff can nominate recipients.

If a person has previously received a Citizens Award, this does not necessarily preclude them from being awarded another Citizens Award.

If a recipient is subsequently found guilty of a criminal offence, at the Mayor's discretion and on a case-by-case basis, that person's name may be removed from the Citizens' Awards Honours Board.

File number: 2206.0 **Approved for agenda**
Report to: Council
Meeting date: 26 June 2018
Subject: Customer Privacy Policy - Adoption
Date of report: 18 June 2018
From: Hannah Gillespie, General Manager People and Capability
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Council currently does not have a Customer Privacy Policy in place. This breaches the Privacy Act 1993. This paper introduces our new Customer Privacy Policy (**Attachment 1**).

Recommendation

That Kaipara District Council:

- 1 *Receives the General Manager People and Capability's report 'Customer Privacy Policy - Adoption' dated 18 June 2018 and its Attachment 1, Draft Customer Privacy Policy 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 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 that the Audit, Risk and Finance Committee's recommendation for Council to adopt the Customer Privacy Policy as amended at its 13 June 2018 meeting (Attachment 1 to the aforementioned report); and*
- 4 *Adopts the Customer Privacy Policy as appended as Attachment 1 to the aforementioned report.*

Reason for the recommendation

Any entity holding personal information about any individual needs to comply with the Privacy Act 1993. In doing so, Council has obligations to have a policy to inform our customer of our processes, reasons why we keep customer data, how we obtain, collect, keep, and use it. It is also required by the Privacy Act to have a privacy officer, which is outlined in this policy.

Reason for the report

This is to assist Council to make a decision to adopt the proposed Customer Privacy Policy, to meet the requirements to comply with the Privacy Act 1993 as it relates to guidelines around customer privacy.

Background

At Council we record customer information in various forms in our daily interactions. We need to ensure that customers are aware their information is being recorded, when this is happening and how we record

and store it. If Council customers have any queries in relation to any information recorded about them, under the Privacy Act 1993 they are able to do so. This is through a nominated privacy officer at Council.

A new CIC telephone system went live on 22 January 2018. Part of the functionality of the system is the recording of conversations. On 28 February 2018, queries were made with our provider as to whether or not callers were made aware that calls were being recorded. Council officers were advised by the provider that call recording is legally allowed, however Council officers remained unsure if the call recordings breached any other act, such as the Privacy Act 1993.

Further investigation into the Privacy Act 1993 identified any entity holding personal information about any individual needs to comply with the Act and hold a policy relating to guidelines on customer privacy. Council at this time does not hold such a policy.

On 01 March 2018, a request to our provider was issued to stop call recordings until a policy is in place, and appropriate notification for any recordings is made clear to customers (as required under the Privacy Act 1993).

Council asked the provider to ring-fence recorded calls from 22 January 2018 until 01 March 2018. A week after it was discovered that calls were still being recorded even though we had asked the provider for this to cease. The former Acting Chief Executive asked for this data to be deleted. This was a miscommunication with Datacom where the subsequent week of recordings was meant to be added to the ring-fenced data and not deleted.

As it stands today, the CIC system does not record calls for Kaipara District Council and the historical data has been deleted by our provider.

Issues

We currently do not have a policy in place that defines clearly for customers when their information is being recorded and collected and for what purposes.

Factors to consider

Community views

The community will want to know why we collect information, record telephone calls, and collect CCTV vision. They will at times also want to access information we have collected about them. The Customer Privacy Policy steps out a defined process on how to do this.

Policy implications

This is a new policy. There should be no implications, other than implanting a new policy.

Financial implications

There are financial and reputational consequences on privacy data breaches.

Legal/delegation implications

If Council decides to continue operating without a Customer Privacy Policy this would be in contravention of the Privacy Act 1993 and would have legal ramifications for Council.

Options

Option A: Continue operating with no Customer Privacy Policy; we cannot sustain this as we are in breach of the Privacy Act 1993.

Option B: Adopt the amended Customer Privacy Policy June 2018.

Recommended option


The recommended option is **Option B**.

Next step

Once adopted, make the Customer Privacy Policy available to customers on Council's website. Council officers will be informed of the new Policy and our obligations under the Privacy Act 1993.

Attachments

- Draft Customer Privacy Policy June 2018

 KAIPARA DISTRICT <small>The Ocean's Two Harbours</small>	Title of Policy	Customer Privacy		
	Sponsor	Chief Executive	Authorised by	ET
	Author	Hannah Gillespie, General Manager People and Capability	Date authorised	08/03/2018
	Type of Policy		Last review date	07/03/2018
	File reference	2206.3	Next review date	08/03/2021

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced	07/03/2018	H Gillespie	
1.0	30/05/2018	H Gillespie	Periodic review, minor editing
1.1	14/06/18	D Blake	Amended as per Audit Risk & Finance Committee recommendations

Your privacy is important to Kaipara District Council (referred to in this Privacy Policy as “we”, “our” or “us”). This Privacy Policy governs our collection, use and disclosure of your personal information (as defined in the Privacy Act 1993 (Privacy Act)) and has been prepared in accordance with our obligations and your rights set out in the Privacy Act. We may change this Privacy Policy from time to time.

1 What kind of personal information does Kaipara District Council collect?

The personal information we collect may include your name, date of birth, addresses, email address, telephone numbers, gender, information on your use of our services or facilities and any other information provided by you in connection with, or specifically related to your communications with us or, your use of our services or facilities.

2 Collecting your information

We may collect personal information about you as set out below:

- a) We may collect personal information about you when you or someone acting on your behalf provides information to us directly. For example when you:
 - i) apply for employment with us;
 - ii) correspond with us, whether in person, by letter, telephone, text, email, instant messages or other means of electronic communication;
 - iii) complete and submit forms we provide for applications for consents, licences, approvals, permits, funding or other authorisations or for the use of any of our services or facilities, including signing up for and using our online services and apps, such as our online payment services;
 - iv) prepare and submit a written submission, request or other feedback in relation to applications for consents, licences, approvals, permits, funding or other authorisations, or in relation to any form of draft or proposed plan, policy, bylaw or other document;
 - v) use any of our services or facilities;
 - vi) subscribe to any of our newsletter or update services;
 - vii) follow or post comments in response to our social media or other facilities such as Facebook, Twitter, LinkedIn, YouTube, etcetera;
 - viii) request information. We may keep a record of any information that you acquire from us; and

- ix) have a telephone conversation with us. We may monitor and record telephone calls made to or by us for quality control or staff training purposes. If a call you make to us, or that we may make to you, is to be monitored and recorded, you will be informed of this at the time of the call.
- b) We may collect personal information about you from other organisations, entities or persons, such as:
- i) Our related organisations; and
 - ii) Our suppliers which include organisations such as:
 - Land Information New Zealand;
 - Quotable Value;
 - Solicitors/conveyancers; and
 - New Zealand Police, credit reporting agencies and other organisations, entities and persons where you have expressly authorised them to provide us with information.
- c) When you visit one of our websites, we may use technology solutions such as “cookies” to provide you with better access to tailored information and services on the websites and to better serve you when you return to them.
- d) Our internet service providers may also make a record of your visit and log information for statistical purposes. This information is only analysed on a bulk basis for broad demographic content. Individual use is not analysed. We do not attempt to identify users or their browsing activities unless they choose to give us personal information while using our website.
- e) “Closed Circuit Television” (CCTV) is used in our two front receptions in Mangawhai and Dargaville, and Dargaville Library.
- Signage advising of CCTV equipment will give notice of areas covered by such equipment. CCTV footage will only be viewed by authorised people in accordance with the purposes noted below or for the purposes of regularly checking the system is operational. No attempt is made to identify individuals from CCTV footage except in relation to a reported or suspected incident requiring investigation.

3 Using your information

The personal information that we collect from you or someone acting on your behalf may be used for any of the following purposes:

- a) To provide you with services or facilities, including those you have requested.
- b) To positively confirm your identity. This is to avoid inappropriate release or use of your information.
- c) To respond to correspondence or to provide you with information that you have requested.
- d) To process your application for any consent, licence, approval, permit or other authorisation for which you have applied.

- e) To process your application to use or to register for any of our services or facilities, including our online services.
- f) To process payments received by, or made by Council.
- g) To respond to your requests, enquiries or feedback, or for customer care related activities.
- h) To comply with relevant laws and regulations.
- i) To carry out activities connected with the running of our business or operations such as personnel training, or testing and maintenance of computer and other systems.
- j) For any specific purpose which we will notify you of at the time your personal information is collected.
- k) For general administrative and business purposes.

4 Sharing your information

We may disclose personal information about you to:

- a) Any person engaged by Council to provide products or services to you on our behalf, where your personal information is necessary for the provision of those products or services.
- b) A third party if we are required to do so under any laws or regulations, or in the course of legal proceedings or other investigations. This may include sharing CCTV footage with the New Zealand Police or other public sector agencies where criminal activity is reported or suspected. The New Zealand Police may also access live feeds from certain CCTV cameras from time to time, for law enforcement, investigation and emergency response purposes.
- c) Any person you authorise us to disclose your personal information to.
- d) Any person, if that information is held in a public register e.g. information held on property files or the rating information database.

5 What if you do not provide us with the personal information requested?

If you do not provide us with all of the personal information about you that we request from you, we may not be able to adequately respond to your correspondence, process any applications you have submitted, provide the services or facilities you have requested, process payments or otherwise deal with any requests or enquiries you have submitted. In some circumstances, failure to provide information when requested may be unlawful, and/or result in legal consequences. These circumstances and the potential consequences will be explained to you when your personal information is collected.

6 Security and accuracy

We take reasonable steps to ensure personal information is:

- a) Protected against loss, damage, misuse and unauthorised access. We restrict access to personal information to those individuals who need access to this information in order to assist us in performing our duties and obligations.
- b) Accurate, up to date, complete, relevant, and not misleading.

Data will be stored in accordance with the Data and Information Compliance Policy.

7 How long we hold personal information

We may retain all personal information that we collect (on both our active systems and our archive systems), for as long as administratively necessary, in accordance with Council's information retention and disposal schedule.

The Public Records Act 2005 requires us to retain "protected records" indefinitely. In some circumstances, your personal information may be included within a protected record, including submissions you make in relation to bylaws, Annual Plans, and district or regional planning instruments.

Our Dargaville Library customer data is held in accordance with the Confidentiality of Library Records Policy.

8 Accessing and correcting your personal information

You may request confirmation of whether or not we hold any personal information about you and you may request access to your personal information that we hold by contacting our Privacy Officer on privacy@kaipara.govt.nz or otherwise contacting us, at the addresses provided below.

Once we have verified your identity we will provide you with such confirmation and access unless one of the grounds for refusal to do so under the Privacy Act applies. You may request that the personal information we hold about you be corrected by emailing us at privacy@kaipara.govt.nz. If we agree that your personal information is to be corrected we will provide you with an amended record of your personal information if requested.

Your rights of access to and correction of any personal information we hold about you are subject to the procedures set out in the Privacy Act.

9 Who you can contact for further information

If you have any queries about this Privacy Policy or personal data Kaipara District Council has collected, please contact:

Kaipara District Council Privacy Officer

Email address: privacy@kaipara.govt.nz

Postal Address: Private Bag 1001, Dargaville 0340

5 Information

5.1 Resolutions Register and Action Tracker

Governance Advisor 1202.05

Recommended

That Kaipara District Council receives the Governance Advisor's Resolutions Register and Action Tracker dated 14 June 2018.

Kaipara District Council
Resolutions Register at 14 June 2018

Meeting Date	Agenda Item Number	Item Name	Agenda Resolution Number	Details	Assigned	Status	Comments	Due
13/02/2017	6.4	Establishment of Older Persons Committee	28	Will look at other ways of engaging with older members of the community.	GM GSD	In Progress	To be considered in third quarter of 2018	Sept 2018
26/06/2017	7.6	Kauri Coast Community Pool – Licence to Occupy and maintenance grant	34	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
			35	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	Licenc to Occupy has been drawn up, discussed the Trust and is now with the Trust for signing.	July 2018
			37	Re-assesses its involvement in the Kauri Coast Community Pool after the 2017/2018 swimming season.	GM GSD (DL)	In Progress	The swimming season is now over and a report is being put together for Council.	July 2018
11/07/2017	1.7.2	Notice of Motion 2	4 & 5	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 PPR	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.	Sept 2018
			6	3) That the Chief Executive work with a committee to be recommended by the Mayor in developing the policy and procedure	GM PPR	In Progress	As above	Sept 2018
			7	4) That any related current delegations be amended to reflect policy	GM PPR	In Progress	As above	Sept 2018
			8	5) That the policy be presented to Council for approval at 09 October 2017 meeting.	GM PPR	In Progress	As above	Sept 2018
14/08/2017	6.7	Community Grants Policy Review and Recommendations	35	Creates a clear set of community activities they would like to support in the Long Term Plan 2018/2028	GM GSD	In Progress	To be considered as part of the finalising of LTP	June 2018

			36	Change the Committee's Terms of Reference to allow for delegation of decision-making on future Grants	GM GSD	Completed		
			39	Instructs the Chief Executive to create a separate budget for resource and building consent grants and adjust Forecast One accordingly.	GM GSD	Completed		
26/09/2017	6.6	Stopbank reinstatement - land known as Section 73 75 part 44 Block XV of the Tokatoka Survey District	21	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	Quotes have been received and reported back to the Raupo Drainage Committee. The Committee has requested follow-up actions.	July 2018
			22	Notes that the works are to be funded by Raupo Drainage Targeted Rate.	COO (SP)	In Progress	As above	July 2018
	6.8	Sale of Council Land : Section 1, SO 61790 , NA67C/989 (Mangawhai)	28	Declares that its property at Tomarata Road, Mangawhai described as Section 1, SO 61790 Certificate of Title NA67C/989 is surplus to its requirements	GM R,F&IT (JB)	Completed		
			29	Offers the land to all adjoining landowners at valuation for the purposes of s345(1)(a)(i) of the Local Government Act 1974	GM R,F&IT (JB)	Completed		
			30	Should the adjoining owners decline the offer to purchase the property, offer the land for sale generally to any other person(s)	GM R,F&IT (JB)	Completed		
			31	Delegates to the Chief Executive authority to negotiate terms and conditions and accept the best offer, provided that it is equal or greater than valuation.	GM R,F&IT (JB)	In Progress	Under contract- Pending retrospective consent from Minister of Conservation	August 2018
14/11/2017	6.13	Northpower – Assignment of Lease	44	Approves the assignment of the grazing licence from Northpower to Highview Investments Limited	GM R,F&IT (JB)	Completed		
			45	Delegates to the Chief Executive responsibility for execution of the Deed or Assignment on Council's behalf.	GM R,F&IT (JB)	In Progress	Deed currently with Northpower and Highview for execution	August 2018
11/12/2017	6.2	Forecast One 2017/2018	8	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,F&IT (RG)	Completed		
			9	Notes the revised forecast shows decreased operating revenues of \$0.4 million, reduced operating costs of \$0.5 million, increased capital funding of \$7.1 million and revision of the capital expenditure projects list	GM R,F&IT (RG)	Completed		
			10	Approves the revised capital expenditure schedules listed in Attachment 4 of the above mentioned report	GM R,F&IT (RG)	Completed		
			11	Approves the use of \$3.1 million of prior year surpluses and general reserves to reduce the district wide portion of the Mangawhai Community Wastewater Scheme debt	GM R,F&IT (RG)	Completed		
			12	Notes that the \$5.3 million of forestry asset sales will reduce the district wide portion of the Mangawhai Community Wastewater Scheme debt	GM R,F&IT (RG)	Completed		
			13	Instructs the Chief Executive to provide Council with a full briefing in February 2018 on all options on the use of proceeds from this specific asset sale	GM R,F&IT	Completed	Refer line 51 below	Sept 2018

	6.5	Mangawhai Museum Partial Surrender of Lease	20	Approves the Partial Surrender of the Lease by the Mangawhai Museum	GM R,F&IT (JB)	Completed		
			21	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	Sept 2018
			22	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	Sept 2018
25/01/2018	7.4	Reserve Contributions (use of) Policy: Adoption of reviewed Policy	31	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		
			32	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
			33	Prioritises the review of Reserves and Open Space Strategy (ROSS)	GM RPP	In Progress	To commence once LTP finalised	Dec 2018
	7.6	Recycling issues and costs	37	Approves the temporary stockpiling of the plastics that currently have no market for recycling at an estimated cost of \$2,500 + GST per year pending establishment of new markets	COO	Completed		
			38	Approves the additional costs to subsidise the transportation of the remaining plastic products that are currently able to be sent to market in Auckland for recycling without any resale value at an estimated cost of \$12,000 + GST per year	COO	Completed		
			39	Instructs the Chief Executive to monitor the situation and, if no new markets have been established within a two year period, to report back to Council with options	COO	In Progress		March 2020
28/02/2018	7.1	Licence to Occupy Review	24	Delegates to the Community Grants Committee the authority to review and recommend amendments to the Community Assistance Policy to provide clear policy guidance for Licences to Occupy, including amendments to the standard Licence to Occupy template	GM R,F&IT (FD&DL)	In Progress	LTO review is in progress	Aug 2018
			26	Directs the Chief Executive to review the Rates Remission Policy to ensure there is consistency with the Community Assistance Policy	GM R,F&IT (CT)	In Progress	To be considered as part of the finalising of LTP	June 2018
	7.5	Road Stopping and Sale - Murray Road, Tangowahine	40	Approves the stopping of a 12.5ha parcel of unformed Murray Road in Tangowahine.(as identified in Attachment 1 to the above mentioned report) under s116 of the Public Works Act	GM R,F&IT (JB)	In Progress	Valuation has been received for land and now working on the value of the trees	Sept 2018
			41	Delegates to the Chief Executive responsibility for reaching agreement with the purchaser on the terms and conditions of the Sale and Purchase Agreement	GM R,F&IT (JB)	In Progress	As above	Sept 2018
			42	Notes that the purchaser will meet all costs associated with the transaction	GM R,F&IT (JB)	Completed		

28/03/2018	6.1	Private Seal Extension Policy 2018: Adoption for Community Engagement	5	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	Finalising additions to the draft policy. Seeking public feedback in May	July 2018
			6	Delegates the Chief Executive and Councillors Wetey and Geange to approve the final wording	COO (HvZ)	In Progress	As above	July 2018
	6.2	Baylys Beach Access, Beach Erosion Assessment Report update	9	Requests that this issue be reported back to the Council meeting on 26 April 2018 with further information including legal opinion regarding liability and information on the status of the land	COO (BP)	In Progress	This item has been deferred to June 2018 Council agenda.	July 2018
26/04/2018	4.1	Notice of Motion 1 : Elected Members Allowance and Recovery of Expenses Policy 2017/18	2	That Notice of Motion 1 : Elected Members Allowance and Recovery of Expenses Policy 2017/18 from Councillor Geange lie on the table pending the receipt from Council staff of a report assessing all impacts on Council of implementing the Motion as put, including any retrospective liabilities that might be incurred.	GM GSD	In Progress	A report will be presented to the July 2018 Council meeting.	July 2018
	5.2	Forecast Two 2017/2018	14	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		
			15	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		
			16	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		
			17	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		
			18	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		
			19	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	Sept 2018

23/05/2018	5.1	Draft Long Term Plan 2018/2028: Deliberations and decision making	6	Receives all Submissions, including Late Submissions, provided to inform the Draft Long Term Plan 2018/2028 and thanks all submitters for their time and effort	GM GSD	Completed		
			7	Requests the Chief Executive to respond to all those persons/organisations that provided feedback including the responses to feedback points as noted in Attachments 1 through 15 to the above mentioned report	GM GSD	In Progress	with letters due to be sent in July 2018 to all those who offered feedback to the Consultation Document.	July 2018
	5.1.1	Issues and Options: Mangawhai Community Plan	9	Approves the commencement of implementation of the Mangawhai Community Plan in 2018/2019		In Progress	Awaiting approval of LTP	June 2018
			10	Approves funding the implementation of the Mangawhai Community Plan through debt		In Progress	Awaiting approval of LTP	
			11	Agrees that the cost of the debt, interest and principal, is shared 20% district wide general rate and 80% by Mangawhai ratepayers as a differential rate levied on all the land that is located within the Mangawhai Harbour Restoration area		In Progress	Awaiting approval of LTP	
			12	Agrees that the cost of the debt, interest and principal, is shared 20% district wide general rate and 80% by Mangawhai ratepayers as a differential rate levied on all the land that is located within the Mangawhai Harbour Restoration area		In Progress	Awaiting approval of LTP	
	5.1.2	Issues and Options: District Plan	14	Approves the allocation of \$2,500,000 in the first three financial years and \$4,820,000 for the remaining seven years of the Long Term Plan 2018/2028 to undertake a comprehensive review of the District Plan		In Progress	Awaiting approval of LTP	
			15	Notes that the budget allocated for reviewing the District Plan will be spread over the term of that Plan		In Progress	Awaiting approval of LTP	
	5.1.3	Issues and Options: Reserve Contributions	17	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		In Progress	Awaiting approval of LTP	
			18	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		In Progress	Awaiting approval of LTP	
			19	Directs the Chief Executive to advertise the contestable funding round in July 2018 in accordance with the new policy	GM GSD (DL)	In Progress	Contestable fund, with supporting information will be advertised in July 2018.	July 2018

		20	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		In Progress	Awaiting approval of LTP	
5.1.4	Issues and Options: Forestry Targeted Rate	22	Approves the extension of the Forestry Targeted Rate set to raise \$397,800 for the 2018/2019 financial year, adjusted annually for inflation for each year of the Long Term Plan 2018/2028		In Progress	Awaiting approval of LTP	
5.1.5	Issues and Options: Sporting Facilities	24	Approves a one-off grant of \$70,000 to Sportsville for the 2018/2019 financial year		In Progress	Awaiting approval of LTP	
		25	Identifies Sportsville and Mangawhai Activity Zone (MAZ) as projects to be funded by the Northland Regional Council Regional Sporting Facilities rate		In Progress	Awaiting approval of LTP	
		26	Continues to assist other sports, recreation and community facilities across the district where appropriate		In Progress	Awaiting approval of LTP	
5.1.6	Issues and Options: Mangawhai Harbour Restoration Targeted Rate	28	Approves the Mangawhai Harbour Restoration targeted rate be set at \$80.00 inclusive of GST for the Long Term Plan 2018/2028		In Progress	Awaiting approval of LTP	
5.1.7	Issues and Options: Mangawhai Community Wastewater Scheme	30	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		In Progress	Awaiting approval of LTP	
		31	Agrees that the \$20.05 million shall be funded through debt		In Progress	Awaiting approval of LTP	
		32	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		In Progress	Awaiting approval of LTP	
		33	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		In Progress	Awaiting approval of LTP	
5.1.8	Issues and Options: Transportation	35	Pursues funding through the Provincial Growth Fund for the Pouto Road and Kaiwaka Mangawhai Road bridge projects		In Progress	Awaiting approval of LTP	
		36	Includes Transport budgets totalling \$140 million in operating expenditure, and \$129 million in capital expenditure, as per the Consultation Document in the Long Term Plan 2018/2028		In Progress	Awaiting approval of LTP	
		37	Transfers \$200,000 per annum for Years 1 to 3 of the Long Term Plan from the Low Cost Low Risk work category to the Walking and Cycling, and New Footpaths work categories to allow the implementation of Council's Walking and Cycling Strategy, and New Footpaths programmes from Year 1 of the Plan		In Progress	Awaiting approval of LTP	

5.1.9	Issues and Options: Flood Protection Te Hapai	39	Approves the inclusion of a targeted rate for the Te Hapai Drainage District to raise \$8,500 (incl GST) per year in the Long Term Plan 2018/2028		In Progress	Awaiting approval of LTP	
5.1.10	Issues and Options: Other Issues Raised	41	2 Requests that context be included in the draft Long Term Plan 2018/2028 on; a. Climate change and how Council is responding b. The inclusion of the Arts sector c. Benchmarking Council against other 'like' councils, and efficiencies d. Māori engagement and working with Māori e. Waste minimisation, and community recycling initiatives		In Progress	Awaiting approval of LTP	
		42	Approves the investigation of methods for the community to manage Ripiro Beach		In Progress	Awaiting approval of LTP	
		43	Approves the investigation of no cost options/ideas with Heritage New Zealand		In Progress	Awaiting approval of LTP	
5.1.11	Issues and Options: Tangowahine District Drainage Scheme	45	Approves the continuation of the Tangowahine Drainage District to raise \$2,875 (inclusive of GST) in revenue for the 2018/2019 financial year and adjusted for inflation for the remainder of the Long Term Plan 2018/2028		In Progress	Awaiting approval of LTP	
5.1.12	Issues and Options: A Thriving Kaipara (and Council Controlled Organisation)	47	Approves the investigation and support of internet and digital capabilities within the Kaipara region		In Progress	Awaiting approval of LTP	
		48	Approves investigating options of how Council can further support the Tourism sector and Sustainable Economic Development more generally within the Kaipara region		In Progress	Awaiting approval of LTP	
		49	Approves investigating the digital Community Hub for Dargaville		In Progress	Awaiting approval of LTP	
		50	Approves the implementation of the Dargaville Placemaking Programme		In Progress	Awaiting approval of LTP	
5.1.14	Issues and Options: Source Documents - Changes	52	Approves a change to the Early Payment of Rates Policy which is to include amending the date to 2017/2018		Completed		
		53	Approves a change to the Funding Impact Statement – Rating Tools Policy which is to include the Riverside Holiday Park in the wastewater scheme section		Completed		
		54	Approves a change to the Financial Strategy which is to include a section authorising the sale of assets		Completed		
5.1.15	Issues and Options: Pensioner Housing	56	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 RIF (JB)	In Progress		Dec 2018
		57	Requests the Chief Executive reports the results of the investigation to Council	GM RIF (JB)	In Progress		Dec 2018

5.2	Draft Long Term Plan 2018/2028 Adoption	60	Notes that the following policies and strategies are included in the Draft Long Term Plan 2018/2028: a. Financial Strategy; b. Infrastructure Strategy (2018/2048); c. Funding Impact Statement Rating Tools; d. Significance and Engagement Policy; e. Revenue and Finance Policy; f. Rates Postponement and Remission Policy; g. Early Payment of Current Year Rates Policy; h. Early Payment of Rates for Subsequent Years Policy; i. Maori Freehold Land Rates Postponement and Remission Policy	GM GSD	In Progress	Awaiting approval of LTP	June 2018
		61	Adopts, in principle, the Draft Long Term Plan 2018/2028 (Attachment 1 to the above mentioned report) for audit review, amended to include the decisions made at item 5.1 on this agenda (Council meeting 23 May 2018)	GM GSD	In Progress	Awaiting approval of LTP	
		62	Delegates the Chief Executive and Mayor to approve editorial changes to the Draft Long Term Plan 2018/2028 and changes to reflect the decisions made at item 5.1, above	GM GSD	Completed		
		63	Notes that the audited Draft Long Term Plan 2018/2028 will be reported to the 26 June 2018 Council meeting for formal adoption	GM GSD	In Progress	Awaiting approval of LTP	
5.3	Temporary Road Closure 10 June 2018, Part Victoria Street, Dargaville – Approval	66	Approves the application for the temporary road closure of the part of Victoria Street, Dargaville (between Hokianga Road and Normanby Street (SH12), opposite where it intersects with Beach Road) on Sunday 10 June 2018 between the hours of 07:00am to 12:30pm and, as a condition of approval, the event organiser is to do a letter drop to all residents located within the closure	GMI	Completed		
5.4	Temporary Road Closure 16 June 2018 Onslow Street, Dargaville - Approval	69	Approves the application for the temporary road closure of the part of Onslow Street, Dargaville between house numbers 15 and 19 on Saturday 16 June 2018 between the hours of 10:00am and 09:00pm for the annual 'Spirit of Matariki' event, and as a condition of approval, the event organiser is to do a letter drop to all residents located within the closure	GMI	Completed		

5.2 Chief Executive's Report May 2018

Acting Chief Executive 2002.02.18/May

Recommended

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

Chief Executive's Report

For the month of May 2018

Part One

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

Part Two

Financial Report to 31 May 2018

Part One

a) Chief Executive Overview – May

Long Term Plan

The Long Term Plan 2018/2028 has been audited and is now ready for consideration by Council for adoption. This is a significant milestone and staff are to be congratulated for their efforts. This Plan will allow Council's vision and priorities to be implemented through a variety of projects and programmes of works throughout the coming year.

Kaihu and Maungaturoto Raw Water Users

Staff continue to work with the affected property owners, three of which have found a permanent solution. There are 11 properties at various stages of resolution.

Tourism Infrastructure Fund (TIF)

Three further applications have been submitted to the TIF:

- Baylys Beach boardwalk connecting carpark, toilets and beach;
- Matakohe toilets and footpath; and
- Maungaturoto toilets and carpark.









Round 2 applications closed on 14 May 2018 and an outcome is expected within 2-3 months of the closing date.

Provisional Growth Fund

We continue to seek additional funding for the region in line with the criteria issued for the fund. The next announcements by the government are expected in mid-July and mid-October.

Tegel Limited Resource Consent Application

The hearing will be a joint hearing with the Northland Regional Council. A panel of Hearing Commissioners is required to be appointed by both councils. The hearing is scheduled to commence on 08 August 2018 and may run for up to three weeks.

All of Council - Key Performance Indicators (all \$ in 000's)								
	Indicators	What is being tracked	MTD Target	Actual	YTD Target	YTD Actual		Comment
1	Debt Level	Net Bank debt tracked on a year to date basis	N/A	N/A	June 2018 \$57,712	May 2018 \$38,312		Debt levels will track up over the next few months
2	Resident survey satisfaction	Overall performance as measured by Key Research Group	N/A	March 2018 Actual 64%	Increasing trend	March 2018 64%		Next survey results will be available in July 2018
3	Surplus or deficit	Surplus/(Deficit) before loan payments and depreciation	N/A	N/A	May 2018 \$7,797	May 2018 \$9,653		As reported in the May 2018 financial report
4	Employee engagement	Overall perception	N/A	N/A	69%	Pulse Survey Feb 2018 63%		Next survey due in August
5	Legislative compliance	LGOIMA and LIMs responded to in statutory deadlines	N/A	67 received	N/A	632 received, 100%		All LIMs and current LGOIMAs responded to within deadlines
6	Building accreditation maintained and compliance with RMA	Blended result from resource and building consent along with BCA audits	May 2018 100%	May 2018 94%	May 2018 100%	May 2018 94%		BCA Audits were 100% again this month, Building consents 98% and Resource consents 85%
7	Activity profile performance metrics achieved	Tracking of performance measure to quarterly and annual targets	N/A	N/A	80%	75%		Fourth quarter to be reported as Annual Report
8	Capital works spend on track	Capital works spend within 5% + - of budget	N/A	N/A	\$16,984	\$15,725		Result is 7% behind targeted projections for the year to date.

Please note: Roading capital works spend reported in Section 3 below.

b) Activities Report

1 Community Activities for April/May

- The Community Team are working with the Dargaville and Community Libraries to renew contracts for services with them. The contracts are due to expire at the end of June. There has also been some assistance provided to the Paparoa Medical Society and the Paparoa Community Library with their new lease agreement they have with each other.
- The Community Team have been working with the Regulatory Team and individual community members in Kaihu regarding the issue of rural water and how Council can support them with a solution. Ongoing meetings and follow up discussions to continue.
- Council's Funding Advisor met with a Pouto resident and some of the Pou Tu Te Rangi Harding Park committee regarding a Whare Tonga concept at the Park.
- The Funding Advisor is currently working with the Kaiwaka Sports Association on their licence to occupy and contract for service. The contract for service is to mow the Council land (approx. 2.6 hectares) at the Complex.
- We are also working on the contract for service with Sport Northland. The contract for service is to organise and promote positive physical activity options for Kaipara residents and developing and implementing Northland-specific programmes and events.
- Met with Mangawhai Waka Ama regarding housing a storage facility on Alamar Crescent in Mangawhai.
- Attended the Kaiwaka Can monthly meeting to review the Kaiwaka Township Improvement Plan.
- A community planting day was held in Te Kopuru Domain on Sunday 27 May. Residents have developed a concept plan for this area and this was a start of that development. A sausage sizzle and hot drink was provided for those who participated. This provided an opportunity for discussion, idea sharing and relationship building by all involved.
- The Community Team hosted a regional meeting with both Whangarei and Far North District Council's Community Teams. This was a great opportunity to network and share ideas.
- Met with the Mangawhai Artists to discuss their development agreement to build an art centre at Mangawhai Community Park.
- Working with Dargaville Arts Association regarding ideas to enable them to hire office space at the Art Centre.
- Involved in the Kaihu Valley Rail Trail project team.

- Facilitated a joint site visit to Gumdigger Track (Molesworth Drive) with the Mangawhai Tracks Trustees; Mangawhai Central Project Manager (Viranda), and Planning and Parks representatives to provide background information, current and planned site development.
- Met with Localising Food Project to discuss the potential to offer community screenings of films showcasing community-led local food growing initiatives.
- Participated in the Regional Walking and Cycling Strategy working group; the draft strategy was presented to the Regional Transport Committee.
- The Community Team continue to meet with the community across the district to work with them to bridge the gap between the community and Council and to support them with community led projects. Communities the team has worked with this month are:
 - Maungaturoto Residents Association meeting;
 - Mangawhai Harbour Water Quality Advisory Group;
 - Sportsville Board and Bridge Club;
 - Dargaville Community Development Board;
 - Civil Defence Welfare Managers meeting; and
 - Tai Tokerau Economic Action Plan meeting.

2 Parks and Reserves

At Po Tu Te Rangi/Harding Park, we are clearing the weeds around the previously planted natives and pest plant removal is continuing.

Tree removal has started at the Mangawhai Community Park so the walking tracks from The Club through to MAZ can be installed. The site for the Fire Station has been cleared to enable building work to commence. Remedial works have begun to fix identified issues following the independent audit on the MAZ playgrounds.

The public toilets/campervan dump station project at Lake Waikare (Taharoa Domain) is progressing with designs, consents and plans currently being finalised. Pest plant removal is continuing, planting is ongoing and the construction of new walking tracks for this financial year has been completed

The Parks and Reserves Team also assisted the Community Team with a planting day at the Te Kopuru Domain on the 27th May.

With the wetter weather arriving the maintenance contractor's mower operators are starting to find they cannot get on all areas to mow. Quarterly deep cleans of the toilet facilities have been completed and bedding gardens have been replanted.

NRC has identified two Council reserves which have Kauri Dieback. We are working with NRC and further testing is underway to see if it has spread. Council will be following NRC protocols to manage these sites.

3 Roads and Footpaths

It was with much sadness that we farewelled Garry McGraw after he passed away unexpectedly. Garry's friendship and expertise will be sorely missed not only within Council and the NTA, but across the roading industry in both New Zealand and Australia as he was on boards in both countries and was so well respected.

A separate Council agenda item has been completed for the award of the new Road Maintenance and Renewals contract (Con 888). A workshop has been scheduled to provide Council a better understanding of the changes made between the new and old contracts and how the key performance indicators (KPI's) and performance scores are evaluated. A negotiations meeting was held with the preferred tenderer to discuss the remaining tags and to formally address them.

Financials

Expenditure to the end of May:

Programme	KDC FC2 2017-2018	Total Expenditure to date	% spent F2	Remaining Actuals vs F2
Local road maintenance	\$6,365,447	\$5,460,421	86%	\$905,026
Capital	\$14,136,258	\$11,752,786	83%	\$2,383,472
Network Asset Management	\$1,238,688	\$1,133,512	92%	\$105,176
Grand Total subsidised	\$21,740,393	\$18,346,719	84%	\$3,393,674
Unsubsidised Opex	\$1,317,986	\$1,165,447	88%	\$152,539
Unsubsidised Capex	\$1,021,510	\$732,182	71%	\$289,328

All projects are fully committed and the programme is forecast to be completed by year end.

Operational and Maintenance

With a shortage of aggregate supply, due to the increased program of heavy metaling and a current demand from Forestry ahead of winter, our Contractors are currently re-allocating plant and updating their programming on a daily basis to ensure they still deliver on the financial year's projects. An example was the works that had started on Waihue Road (Dargaville) during May, which had to be stopped prior to completion with the team moved onto Monteith Road (Aranga). It is planned to move back onto Waihue Road late June when it is expected aggregate will be available.

The remaining annual lump sum activities including painting of bridges, painting of sight rails and cleaning of edge markers are being finished off with good progress shown in May. Some of these activities are progressively completed throughout the year, although not always claimed on a monthly basis to allow for bulk uploading into RAMM. The cleaning of all cesspits was completed in May ahead of the winter months.

Capital

The heavy metal programme has been setback by aggregate supply from local quarries in the network. The quarries are struggling with the supply demand.

Variable Speed Limit signs (VSL) around the schools are a first for Kaipara. To date three schools have been identified to have the signs installed. These signs are multifunctional in that they: post 40km/hr speeds during peak school times; the posted speed is shown to speeding vehicles; and they carry out traffic counts and speed counts. This specific type of VSL sign is one of the first in NZ in that it communicates through telecommunication towers.

Work is well underway for the 2018/2019 programme with many designs and RFTs completed and tendered or ready for tendering in anticipation of the the budget confirmation.

Road Safety

The road toll for the Kaipara network remains at nil while the toll for the Kaipara State Highways stands at two.

4 Solid Waste

Council's Refuse contractors have actively pursuing recycling options for plastic that is currently stockpiled. A possible option that would see some of the stockpiled plastic sent to market has been identified, however, there would be no payment for this and Council would be required to pay transportation to Auckland. This option would at least prevent the plastic from going to landfill.

Noise issues at the Dargaville Transfer Station have been monitored by Council Staff and have been found to be within District Plan limits; however there still have been restrictions put on when the Northland Waste truck can load out the Huka-bins, as this activity seems to be the main offender.

May has seen a small surge in early dumping at collection points causing problems with animals tearing rubbish apart. This has been actively monitored and multiple letters have been sent out by regulatory to people that have been identified. A second identification will result in an infringement notice.

5 Four Waters

Due to very high rainfalls during the month production of water at the Dargaville Water Treatment Plant has been reduced to cope with the high turbidity levels that come with high rainfall. Overall, the plants have been coping well, however, there is an issue at the Maungaturoto Wastewater Treatment Plant's membrane plant with the integrity of the filters, and the issue is currently under investigation.

There has been ongoing upgrade work at the Maungaturoto Water Treatment Plant site to meet the dangerous goods compliance.

Inflow to the Mangawhai Wastewater Treatment Plant for the month of April 2018 totalled 16,889m³, down approximately 28% on the same month the previous year (April 2017 was a relatively wet month). The plant is continuing to operate within resource consent limits.

Physical construction of both the Dargaville/Baylys watermain renewal and the Dargaville wastewater renewals commenced in March and are progressing well.

The identified stopbank remedial works are being progressed, and the Hore Hore floodgate work is now complete.

6 Planning and Regulatory – May 2018

Planning - May	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Resource Consent Applications	26	43	85%	17.35	88%
224 Applications	20	11	100%	1	100%
Service Requests	152	159	91%		97%

- 14 additional lots, 9 in the Otamatea area and 5 elsewhere.
- We continue to focus on professional development and improvements to customer service, including providing a consistent service to internal and external customers. Heavy reliance on consultants for resource consent processing work is continuing and this places a heavy burden on the resource consents team leader and manager, requiring increased micro-management and input into consent processing decisions. Staff stress levels remain elevated and staff continue to be required to work additional hours to satisfy their workload requirement. This remains a risk area for staff turnover. A number of resource consent hearings are scheduled to take place over the coming months.

Building - May	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Building Consent Applications	73	59	98%	13.74	97%
CCC Applications			100%	1	96%
Service Requests	133	146	89%		95%
<ul style="list-style-type: none"> One building consent was issued at 21 days and one at 22 days due to processing resources being stretched. The combined value of building consent projects totalled \$7,539,183. 					
Regulatory - May	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Alcohol Applications	18	29		11.4	
Food Control Audits and Inspections	26	13	46%		77%
Service Requests	158	466	98%		97%
<ul style="list-style-type: none"> Currently Food Control Audits and Inspections are being carried out by a part-time staff member. Recruitment continues for a fulltime EHO. There were two dog attacks reported which are still under investigation. Monitoring reported 84 investigations carried out in May – eight enforcement actions were taken and 76 investigations resolved informally. 					
BCA Accreditation - May	Due	Completed		YTD % Completed	
		YTD	April		
BCA Audits	4	31	4	100%	
Competency Assessments	1	0		91%	
BCA Training	0	0		N/A	
<ul style="list-style-type: none"> BCA Training requires defining in order to improve the accuracy of reporting on these statistics. One competency assessment is outstanding scheduled for June. 					

Policy

- Climate change internal information sharing and gathering;
- Dog by-law review and internal consultation;
- PGF Water storage proposal development;
- Plan Change 4.

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 May, all 67 LIM applications were processed on time, taking an average of seven working days.

8 Councillor queries

For the period 01 to 31 May there were 15 Councillor queries received. Of these, 12 have been answered with further follow up required on the remainder.

9 LGOIMA Overview – 01 May to 31 May

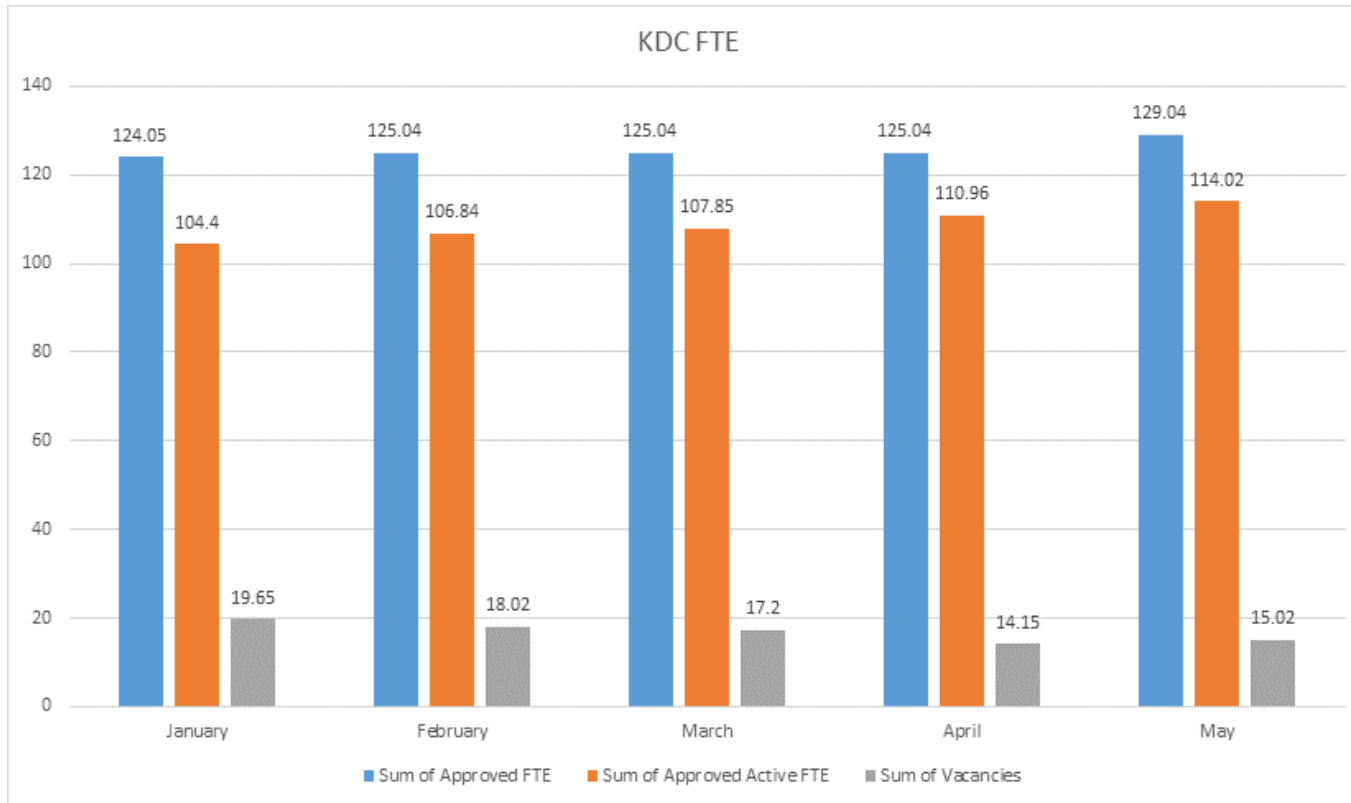
Below is a list of requests received for information under the Local Government Official Information and Meeting Act 1987 (LGOIMA). Information requested as a LGOIMA must be answered in 20 working days from the day of receipt. All requests were processed within statutory timeframes.

Name	Subject
Hilary C	McCready Winder invoices
Sunday Star	Sexual harassment complaints
Ahmed Youssef	RM 100118
Peter Rothwell	Information relating to 62 Kiwi Lane
Jessica Shaw	Documentation relating to Mangawhai Estuary Walkway

Name	Subject
Joan Corry	Name of dog complaint
Andy Gentry	Signs on Molesworth Drive, Mangawhai

10 People and Capability

People and Capability update:



11 Health and Safety

Workplace Health and Safety Management Report (May 2018)

Lag Indicators (Reactive)

KDC Staff OHS Events Table

Incident type	Events for month
Near Miss	3
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

KDC Contractors OHS Events Table

Incident type	Events for month
Near Miss	9
Property Damage	5
Occupational Illness	0
First Aid Case	1
Medical Treatment Injury	0
Lost time Injury	0
Notifiable Event	0
Environmental Incident	0

KDC Public OHS Events Table

Incident type	Events for month
Near Miss	0
Property Damage	0
Occupational Illness	0
First Aid Case	0
Medical Treatment Injury	0
Lost time Injury	0
Notifiable Event	0
Environmental Incidents	0

Lead Indicators (Proactive)

KDC Hazards Raised

Hazard Type	Number
Lighting	1
Safety	1
Temperature	1

KDC Staff OHS Training Table

Training Type	Number Trained
Staff H&S Induction Trainings	9
Health & Safety Representative (Initial)	1

KDC Contractor Audit Table

Audit Type	Number conducted
Roading - Mobile works	8
Roading – Traffic Management	6*
Waters (Maungaturoto WWTP desludge)	0
Waters Fixed Facilities	0
Parks & Reserves	2
Solid Waste Fixed Facilities	2
Regulatory	0
Planning	0

*2 TMP Site Condition Ratings led to NTC's being issued for serious non-conformances.

KDC Fleet Audit Table

Fleet Type	Number conducted
KDC Fleet	20/26
Grey Fleet	0

KDC Facilities Inspection Table

Inspection Type	Number Conducted
Office Inspections	0

Other events and interventions for the month:

- T3 leaders meeting attended to discuss driver behaviour counselling;
- Hazardous substances inventories supplied by Waters contractor;
- Emergency warden training slide show prepared;
- Emergency procedures and CRP detail sent to CSC staff;
- Session with roading on the risk register;
- Asbestos Management Plan for Dargaville Office;
- Northland H&S Forum meeting attended;
- Flu jabs administered.

d) Looking Ahead

July

26	Thursday	Ordinary Council meeting	9.30am	TBC
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August

09	Thursday	Taharoa Domain Governance	2.00pm	Northern Wairoa War Memorial Hall
16	Thursday	Raupo Drainage Committee	10.00am	Raupo Drainage Board Office, Ruawai
20	Monday	Mangawhai Community Park	10.00am	Mangawhai Council Office
23	Thursday	Ordinary Council meeting	9.30am	TBC
23	Thursday	Community Grants Committee	TBC`	TBC

September

05	Wednesday	Harding Park/Pou Tu Te Rangi	2.00pm	Lighthouse Function Centre, Dargaville
12	Wednesday	Audit, Risk and Finance	10.00am	Mangawhai Club, Mangawhai
27	Thursday	Ordinary Council meeting	9.30am	TBC
27	Thursday	Funding Committee (CCS)	3.00pm	TBC

Part Two

May 2018 Financial Report

Whole of Council Overview

Key Indicators for May are set out in the tables below:

	Year to Date May 2018			Indicator	Full Year	
	Actual \$000's	Forecast Two \$000's	Variance \$000's		Budget \$000's	Forecast Two \$000's
Total Rates	30,843	30,792	50	●	33,421	33,554 ↑
Operating Subsidies and Grants	4,416	4,604	(188)	●	5,895	5,044 ↓
Activity Revenue and Other Income	6,273	6,631	(357)	●	5,100	7,027 ↑
Total Operating Income	41,532	42,027	(495)	●	44,416	45,625 ↓
Employee Benefits	9,041	9,158	117	●	9,458	9,974 ↑
Contractors	7,664	8,188	524	●	10,835	9,061 ↓
Professional Services	4,447	4,597	150	●	4,479	5,059 ↑
Repairs and Maintenance	2,943	3,223	280	●	3,088	3,544 ↑
Finance Costs	2,830	2,601	(229)	●	3,167	2,861 ↓
Other Operating Costs	4,634	4,368	(266)	●	4,940	4,583 ↑
Total Operating Costs	31,559	32,135	576	●	35,966	35,082 ↓
Operating Surplus / (Deficit) before Depreciation	9,973	9,892	81	●	8,449	10,543 ↑
Capital Subsidies	6,630	6,938	(308)	●	8,287	8,976 ↑
Contributions	3,380	3,251	128	●	1,188	3,353 ↑
Other Capital revenue	5,396	4,700	696	●	150	4,713 ↑
Total Capital Revenue	15,405	14,889	516	●	9,625	17,041 ↑
Capital Expenditure	15,725	16,984	1,259	●	20,128	20,773 ↑
Total Capital Expenditure	15,725	16,984	1,259	●	20,128	20,773 ↑
Subtotal Capital	(320)	(2,094)	1,775	●	(10,504)	(3,732) ↑
Surplus / (Deficit) before Loan Payments and Depreciation	9,653	7,797	1,856	●	(2,054)	6,812 ↑

KEY

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

Public Debt and Requirements			
	Jun.17	May.18	Jun.18
	\$000's	\$000's	\$000's
Debt			
Debt	62,127	45,000	58,295
Cash in bank (overnight deposits)	- 11,874	- 6,688	- 583
Net debt	<u>50,253</u>	<u>38,312</u>	<u>57,712</u>
Reserves (future obligations)			
General reserve funds committed	5,157		-
Targeted rates, council created and restricted reserves credit balances	14,884		13,360
Total	<u>20,041</u>		<u>13,360</u>
Debt Requirements			
Debt	62,127		58,295
Future obligations	20,041		13,360
Gross Debt Requirement	82,168		71,655
Less cash in bank	- 11,874		- 583
Net Debt Requirement	<u>70,294</u>		<u>71,072</u>

Statement of Operating and Capital Performance

Comments on major variances

Revenue

Operating Subsidies and Other income (Red):

Actual \$188,000 (4%) is lower Forecast Two. NZTA subsidy received is lower due to poor weather conditions experienced impacting the reseals road maintenance.

Activity Revenue and Other Income (Red):

Actual \$357,000 (7%) below Forecast Two. This was somewhat impacted negatively by the \$724,000 gain on sale of forestry assets not recognised yet in actual other income as at 31 May 2018.

The gain on sale of forestry assets will be recognised at the end of this financial year 2017/2018 (30.6.2018). However, this was partially compensated through growth across Fees, Charges and Other Income (plus \$369,000 +7%).

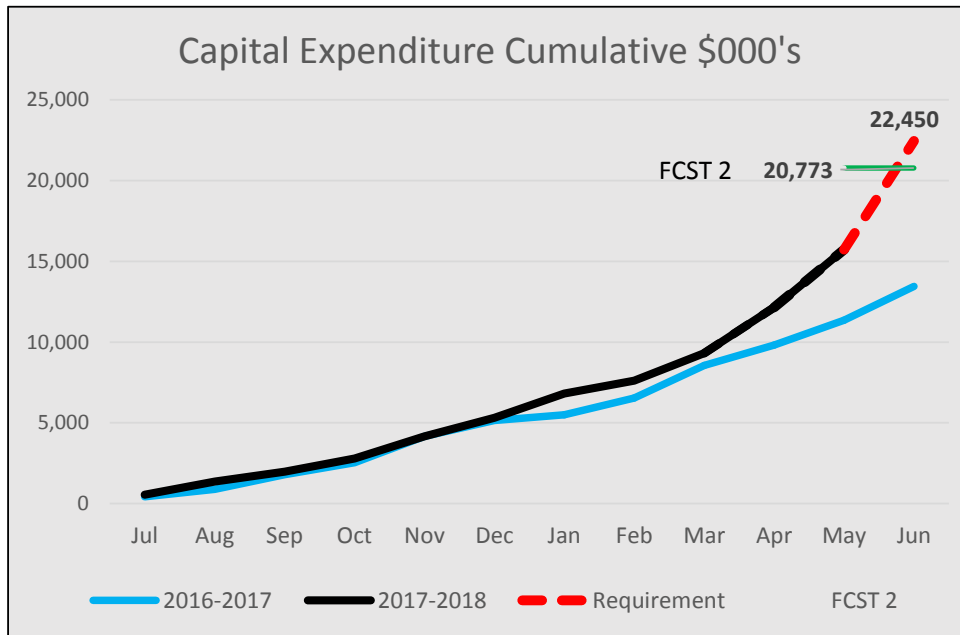
Expenditure

Finance Costs (Red):

Actual \$229,000 (8%) higher than Forecast Two due to taking on more short-term loans at higher interest rates.

Capital Subsidies (Red):

Actual \$308,000 (4%) below Forecast Two – this is closely linked to NZTA capital subsidies underspend in Roading (\$1.7 million below Forecast Two).



The above chart is for Whole of Council

Roading Capital Expenditure as at 31 May 2018:

Year to date actual: \$11.8 million (subsidised)

Forecast Two: \$14.1 million

Yet to spend: \$2.3 million.

Public Debt at 31 May 2018

Public debt position: \$45 million.

Net debt position (debt less cash) is \$38 million.

Note: the more favourable Net Debt Position of \$38 million is due to cash in bank of \$7.0 million. The cash balance will be significantly diminished due to increased (but expected) creditors payments 20th June and 20th July.

File number: 2132.07.05
Report to: Council
Meeting date: 26 June 2018
Subject: Kauri Coast Water Storage Investigation Update
Date of report: 07 June 2018
From: Mark Schreurs, Policy Analyst
Report purpose Decision Information
Assessment of significance Significant Non-significant

Approved for agenda

Summary

Council team members have been working with staff from Northland Regional Council (NRC), Far North District Council (FNDC) and the Crown to put an application to the Government's Provincial Growth Fund (PGF) for a study into water storage infrastructure in Northland. This includes investigation of four possible water management schemes, three in the mid-North and one on Kaipara's Kauri Coast (Dargaville area).

Given Dargaville's regular water shortages, the effect of droughts on the primary sector and industry and environmental pressures on surface and groundwater resources, developing water storage is seen by the community as a high priority for the Kauri Coast. A recent study into water storage in Northland has suggested that provision of a regular water supply in the Dargaville/Kauri Coast area could result in the expansion of horticulture and market gardening leading to land use conversion from dryland dairy and sheep and beef farming to orchards and arable land. This recent study suggested this could enable significant job creation in the Dargaville area and greatly boost annual GDP. Given the high unemployment and high deprivation in this community, this could be a game changer for the Dargaville area.

Internal team members from both central and local government will continue to work collaboratively to finalise this application. If funding is granted, the study will be put out to tender and a suitably qualified consultant engaged to undertake the study.

We will continue to keep Council informed as this project progresses.

Recommendation

That Kaipara District Council receives the Policy Analyst's report 'Kauri Coast Water Storage Investigation Update' dated 07 June 2018.

Reason for the recommendation

This is an information item to keep Council informed of how this matter is progressing.

Reason for the report

To update Council on how Kauri Coast Water Storage investigations are progressing.

Background

The western Kaipara district (Kauri Coast) regularly experiences floods and droughts. In the recent past, the Kauri Coast experienced droughts in 2010, 2012/2013 and 2014 and major floods in February, March and July 2007, April 2008, January 2011, March 2012, July 2014, August 2016 and August 2017.

Rising temperatures as a result of climate change are anticipated to increase the frequency of floods and droughts in Northland. This creates a situation of either having too much or not enough water. The solution proposed is to create water storage; storing peak flows for use during dry times.

Following a spate of droughts and water restrictions, concerned members of the community came together under the name Kauri Coast Water. They set about urging local government to take action on the water management issues facing the western Kaipara district. This group prompted a water storage workshop hosted by the NRC in May 2015 which was funded by the Ministry for Primary Industries (MPI). The meeting was well attended and there was a positive outlook on solutions. It was clear from the initial workshop that there was an interest in securing wider benefits to community well-being rather than just direct financial returns.

Following this workshop, NRC succeeded in secure funding from the Crown's Irrigation Acceleration Fund for first one, then a second study into water management in Northland. The 'Northland Strategic Irrigation Infrastructure Study' (Opus 2015) highlighted potential irrigable areas of interest within four definable districts; the Far North, the mid-North, Whangarei and its surrounds and Kaipara. Kaipara and the mid-North were prioritised and recommended to take forward to a more detailed level being the most likely to benefit from development of community scale irrigation supply infrastructure.

The 'Scoping of Irrigation Scheme Options in Northland' study (Opus 2017) followed on from the 2015 study. It identified the potential and value of a community water retention scheme in the Kaipara and mid-North (**Attachment 1**).

As NRC looked to further progress investigations into these water storage opportunities for Northland, they began working with Crown Irrigation Investments Limited (CIIL) to fund the next stage of the study. However, the criteria used by CIIL did not apply well to the proposed Kaipara scheme. This was largely because CIIL's criteria was focused on return on investment by the private sector and failed to consider wider community benefits and potential public sector investment. Consequently, NRC was forced to exclude the proposed Kaipara scheme from further investigations and sought to progress investigation of three potential schemes in the mid-North.

The Kaipara District Council (KDC) team saw the newly created Provincial Growth Fund (PGF) as an opportunity to progress investigation of a Kaipara water storage scheme. The PGF's criteria is focused on wider benefits to communities from infrastructure development rather than just economic returns. Council team members considered the proposal for a water storage scheme on the Kauri Coast was a perfect fit for the PGF's criteria.

Research to date indicates that a water storage and distribution scheme, such as the one envisaged, could have far-reaching benefits for the local community. The Opus 2017 report suggested employment in the Dargaville area could increase by 950 jobs while annual GDP could rise by \$85 million. While these estimates are highly speculative, the effect of an extra 950 jobs and an extra \$85 million per

annum in a community of around 7,000 people, where that community has high levels of deprivation and unemployment and almost 30% of the population identify as Maori, could be a game changer. In addition, there would be environmental benefits from putting less pressure on surface and groundwater resources during dry periods.

After the idea was initially submitting to the PGF, the Crown indicated they saw value in KDC's proposal and invited KDC to submit a more detailed Expression of Interest (EOI). Council's internal team then began preparing an EOI to the PGF seeking funding to explore the feasibility of a water management scheme.

However, this EOI was never formally submitted to the Crown for consideration. This was because; as this EOI was being finalised, the Government stated its intention to disband CIIL. As a result, NRC turned to the PGF to progress investigation of the three mid-North schemes it was still exploring. This once more created the opportunity to progress all four Northland water storage opportunities (mid-North and Kaipara) as part of a co-ordinated regional study. Consequently, NRC submitted one EOI to the PGF for the whole of Northland. KDC's EOI was also provided to Crown staff informally for their information.

Issues

Since receiving NRC's EOI, internal team members from the Crown (particularly MPI) have been meeting with staff from KDC, Far North District Council (FNDC) and NRC to discuss how to best prepare an application to the PGF and how to best align these projects with the Government's priorities.

Team members from across these organisations are now working collaboratively to prepare an application for funding from the PGF to complete these investigations into water storage.

If funding is successfully secured, a suitably qualified consultant will be engaged to undertake the study. This study will include opportunities for active participation and joint decision making (e.g. with Iwi and the wider community). It should be noted that no preferred design for the water management infrastructure has been identified as yet. The exact design and location of the scheme will depend on the outcomes of the proposed study and will be worked through in partnership with Mana Whenua and the community.

We will continue to keep Council informed as this project progresses.

Factors to consider

Community views

The Kauri Coast Water initiative began with the community lobbying local government to take action on matters of water management, or the lack thereof. In progressing this project, Council's project team is continuing to liaise with the members of the community who originally called for action.

Both Te Roroa and Te Uri o Hau were consulted when preparing Council's EOI. Council's project team will continue to keep Mana Whenua informed as this progresses and will continue to seek their guidance.

The Integrated Kaipara Harbour Management Group (IKHMG) has been made aware of this project through a presentation to their 12 April 2018 Hui. The IKHMG includes representatives from Mana Whenua, local government, Crown agencies, industry and the community.

Policy implications

There are no policy implications.

Financial implications

Details around finances are still being finalised and will depend on the scope of the study. NRC, FNDC and KDC will be expected to contribute to the cost of the proposed study. However it is yet to be decided how this will be apportioned across agencies. It is understood both cash and in kind support will be accepted by the Crown. If the application is successful, the majority of funding will be provided from the PGF.

Legal/delegation implications

There are no legal or delegation implications.

Assessment of significance

This matter does not trigger Council's Significance and Engagement Policy.

Next step

Council's project team will continue to work with team members from NRC, FNDC and the Crown to prepare an application to the PGF. If funding is secured, a suitably qualified consultant will be engaged to undertake the study.

Attachments

1. Scoping of Irrigation scheme options in Northland.

Kauri Coast Water – *Water Storage Project*



Presentation to Council 26 June 2018

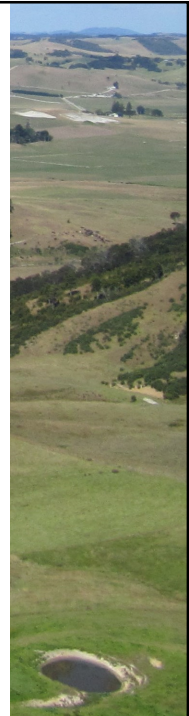


Kauri Coast Water – *the proposal*

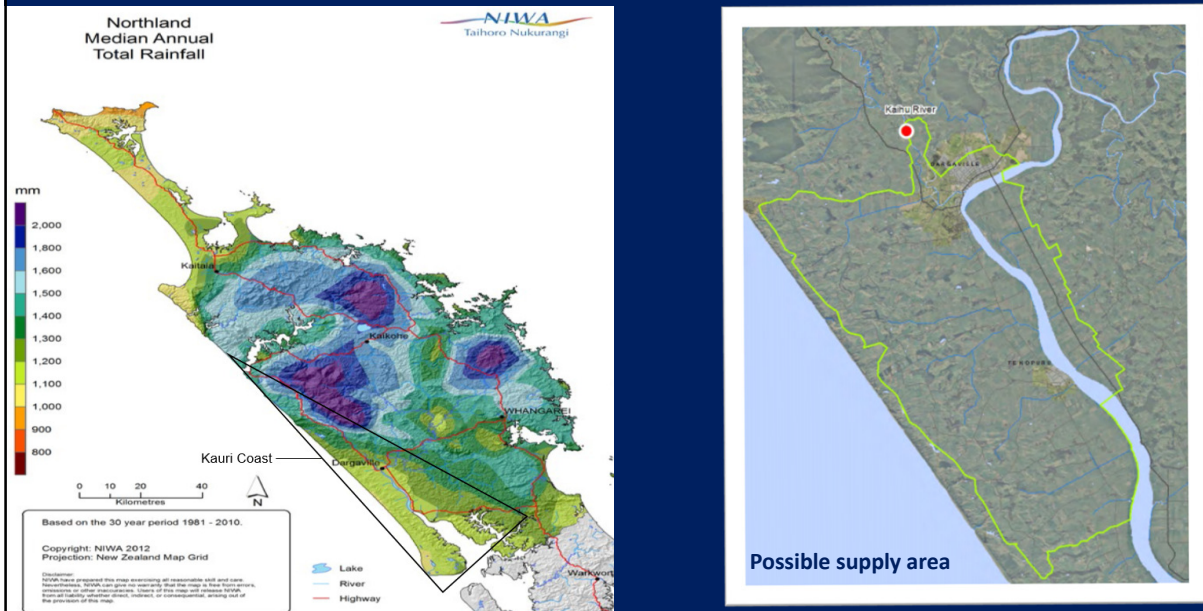
- Storage of peak flows so water can be used during dry periods.
- A reliable water supply for drinking water (municipal supply), industry and primary production.

WHY?

- Droughts and floods will get worse with climate change.
- Likely economic loss for the primary sector.
- Limits placed on community and industry needs.
- Water restrictions imposed.
- Environmental pressures on groundwater.



The Kauri Coast



Kauri Coast Water – *why we see value*

- Primary production able to diversify into higher value crops (e.g. horticulture, market gardening, avocados, kiwifruit etcetera).
- Expansion of industry where water is required for processing.
- Providing a reliable water supply could increase local employment by 950 jobs and generate \$85 million in GDP annually (Opus 2017).
- Social benefits of more employment and more prosperity. Health benefits of expanded municipal supply. Economic benefits of higher value crops.
- Opportunities for Maori enterprises and communities.
- **Game changer for local community.**



So what are we doing about it – *the journey so far*

- Kauri Coast Water began as a community group advocating for more investigation into a reliable water supply for the wider Dargaville Area.
- This prompted a water storage community workshop hosted by NRC in May 2015 and funded by MPI.
- Following this workshop, NRC went on to commission two studies investigating water management and storage in Northland.



So what are we doing about it – *the journey so far*

- The **Northland Strategic Irrigation Infrastructure Study** (Opus 2015) highlighted potential irrigable areas of interest within four definable districts; the Far North, the mid-North, Whangarei and its surrounds and Kaipara.
- Kaipara and the mid-North were prioritised being the most likely to benefit from development of community scale water supply infrastructure.
- The **Scoping of Irrigation Scheme Options in Northland** (Opus 2017) is the key piece of work underpinning this application. It identifies the potential and value of a community water retention scheme in the Kaipara and mid-North.



So what are we doing – *current application*

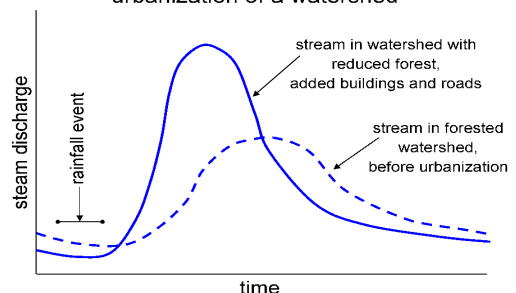
- We are putting an application to the Provincial Growth Fund for a study that will:
 - Identify which is the best option for storing peak flows and distributing the water.
 - Clearly identify benefits to Maori and broader community.
 - Identify environmental effects, including benefits.
 - Identify an appropriate governance/ownership/funding structure.
 - Include extensive Iwi and community engagement.



Implications for the Environment

- The final design must be to the benefit rather than the detriment of the environment.
- Provision of water from storage of peak flows will reduce dependence on groundwater.
- Water storage mimics natural wetland systems by holding back peak flows and releasing them slowly.
- Water storage ponds will provide habitat and could reduce sediment.
- Land use change from pasture to orchards.

Hydrograph of stream flooding before and after urbanization of a watershed





6 Public Excluded Council agenda items 26 June 2018

Recommended

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

- *Public Excluded Committee minutes confirmed in June 2018;*
- *Crown Manager’s report to action regarding outstanding rates;*
- *Kaipara District Council Resource Management Commissioner Pool : Additional Hearing Commissioners Approval (RC Application RM170441 Tegel Foods Ltd); and*
- *Contract 888 Road Maintenance and Renewals Contract – Award.*

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:
<i>Public Excluded Committee minutes confirmed in June 2018</i>	<i>Section 7(2)(g) maintain legal professional privilege Section 7(2)(i) enable the local authority to carry out, without prejudice or disadvantage, 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>Crown Manager’s report to action regarding outstanding rates</i>	<i>Section 7(2)(a) protect the privacy of natural persons, including that of deceased natural persons Section 7(2)(g) maintain legal professional privilege Section 7(2)(i) enable the local authority to carry out, without prejudice or disadvantage, 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>

General subject of each matter to be considered:	Reason for passing this Resolution	Ground(s) under Section 48(1) for the passing this resolution:
<i>Kaipara District Council Resource Management Commissioner Pool : Additional Hearing Commissioners Approval (RC Application RM170441 Tegel Foods Ltd)</i>	<i>Section 7(2)(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 where the withholding of the information is necessary to: Protect the privacy of natural persons, including deceased natural persons</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 888 Road Maintenance and Renewals Contract - Award</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 negotiation.)</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 26 June 2018

Closure

**Kaipara District Council
Dargaville**