

I hereby give notice of the following Ordinary meeting:

Meeting	Kaipara District Council
Date	Thursday 28 February 2019
Time	9.30am
Venue	Northern Wairoa War Memorial 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

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**Ordinary meeting of Kaipara District Council
28 February 2019 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

2.1 Eugene Morgan-Coakle

Climate change and stop banks

2.2 Joanna Roberts

Mangawhai Artists Inc.

3 Minutes

3.1 Confirmation of Open Council minutes 20 December 2018

General Manager Governance, Strategy and Democracy 1601.23

Recommended

That the unconfirmed Open minutes of the Kaipara District Council meeting held 20 December 2018 be confirmed as a true and correct record.

Kaipara District Council

Minutes

Meeting	Kaipara District Council
Date	Thursday 20 December 2018
Time	Meeting commenced at 9.30am Meeting concluded at 2.02pm
Venue	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville
Status	Unconfirmed

Membership

Chair: Mayor Jason Smith

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

Jason Marris
General Manager Governance, Strategy and Democracy

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**Minutes of the Ordinary meeting of Kaipara District Council
20 December 2018 in Dargaville**

1 Opening
1.1 Karakia

Councillor Joyce-Paki opened the meeting with a karakia.

1.2 Present

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

In Attendance

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Jason Marris	General Manager Governance, Strategy and Democracy	All
Fran Mikulicic	General Manager Regulatory, Planning and Policy	All
Sue Davidson	General Manager IT, Risk and Finance	All
Kathie Fletcher	Policy Manager	1—4.7
Paula Hansen	Policy Planner	1—4.7
Darlene Lang	Community Relationships Manager	4.1—4.2
Francis Toko	Iwi Relations Manager	4.2
Diane Miller	Project Manager	4.3—4.4
Bernard Petersen	Acting Rooding Manager	4.1—Close
Shakhin Sharma	Rooding Projects Engineer	4.1—Close
Lisa Hong	Governance Advisor	All (Minute-taker)

Adjournments

Reason	Start	Finish
Morning tea	11.02am	11.20am
Afternoon tea	12.50pm	12.56pm

1.3 Apologies

Moved Curnow/Larsen

That the apology of Councillor Geange be received.

Carried

1.4 Confirmation of Agenda

Moved **Smith/Joyce-Paki**

That the Kaipara District Council confirms the agenda.

Carried

1.5 Conflict of Interest Declaration

Name	Interest
Councillor Joyce-Paki	Item 4.1 'Kauri Coast Community Pool Licence to Occupy Funding Agreement' – Councillor Joyce-Paki declared an interest in this item as her immediate family member is an employee of the Kauri Coast Community Pool Trust. Item 4.2 'Relationship Agreement: Northland Mayoral Forum and Te Kahu o Taonui' – Councillor Joyce-Paki declared that she has iwi interests.

2 Deputations, Presentations and Petitions

2.1 Department of Conservation (Stephen Soole)

Collaboration between Kaipara District Council and Department of Conservation

Stephen Soole withdrew his request to speak at this meeting.

2.2 Eugene Morgan-Coakle

Climate Change

Eugene Morgan-Coakle spoke in the public forum, and tabled a Declaration of Climate Emergencyⁱ.

2.3 Smokefree Coordinator, Northland District Health Board (Bridget Rowse)

Smokefree Kaipara Policy

Bridget Rowse spoke in the public forum and tabled:

- 1 Presentation by Bridget Rowse (Northland District Health Board) and Rebecca Gilbert (Cancer Society of New Zealand)ⁱⁱ
- 2 Mapping New Zealand Councils' Smokefree outdoor policies and spaces (Mid Central District Health Board, 2018)ⁱⁱⁱ
- 3 Information sheet on impact of cigarette litter (Truth Initiative, 2018)^{iv}
- 4 Smokefree Social Housing Toolkit (Canterbury District Health Board, 2016)^v

3 Minutes

3.1 Confirmation of Open Council minutes 29 November 2018

General Manager Governance, Strategy and Democracy 1601.23

Moved del la Varis-Woodcock/Curnow

That the unconfirmed Open minutes of the Kaipara District Council meeting held 29 November 2018 be confirmed as a true and correct record.

Carried

3.2 Open Committee minutes confirmed in October and November 2018

General Manager Governance, Strategy and Democracy 16/Various

Moved del la Varis-Woodcock/Larsen

That Kaipara District Council receives the confirmed Open minutes of the following Committee meetings:

- *Funding Committee for Rural Travel Fund meeting held 31 October 2017;*
- *Funding Committee for Rural Travel Fund meeting held 30 April 2018;*
- *Raupo Drainage Committee meeting held 16 August 2018; and*
- *Taharoa Domain Governance Committee meeting held 16 August 2018; and*
- *Mangawhai Community Park Governance Committee meeting held 20 August 2018.*

Carried

4 Decision

4.1 Kauri Coast Community Pool Licence to Occupy and Funding Agreement

Community Relationships Manager 4701.03

Moved Smith/Joyce-Paki

That Kaipara District Council:

- 1 *Receives the Community Relationships Manager's report 'Kauri Coast Community Pool Licence to Occupy and Funding Agreement' dated 04 December 2018 and its Attachment 1 and Attachment 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 *Delegates the Chief Executive to finalise the Funding Agreement of \$321,000 per annum (consisting of \$257,000 for operating costs, \$42,000 for repairs, maintenance and renewals; \$22,000 for water rates), with Sport Northland for three years commencing in the 2018/2019 financial year; and*

- 4 *Delegates the Chief Executive to finalise the Licence to Occupy with Sport Northland; and*
- 5 *Notes that the approvals, provided in Recommendations 3 and 4 above, are subject to formal transfer of ownership of the Kauri Coast Community Pool facilities from the Kauri Coast Community Trust to Sport Northland.*

Carried

4.2 Relationship Agreement: Northland Mayoral Forum and Te Kahu o Taonui

Chief Executive **2114.03.10**

Moved **Smith/Joyce-Paki**

That Kaipara District Council:

- 1 *Receives the Chief Executive's report 'Relationship Agreement: Northland Mayoral Forum and Te Kahu o Taonui' dated 07 December 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 *Endorses the draft Agreement document, Attachment 1 to the aforementioned report, between the Mayoral Forum and Te Kahu o Taonui; and*
- 4 *Delegates to the Mayor the authority to sign the Agreement and attend the signing ceremony in February 2019.*

Carried

Meeting adjourned for morning tea at 11.02am.

Meeting reconvened at 11.20am.

4.3 Forecast One 2018/2019

General Manager Risk, IT and Finance **2303.25**

Moved **Smith/Wethey**

That the Kaipara District Council:

- 1 *Receives the report from the General Manager, Risk IT and Finance, 'Forecast One 2018/2019' dated 14 December 2018 and its Attachments 1-5; 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 provisions 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 forecast as set out in the forecast documents attached to the aforementioned report, and determines that no further action is required at this point in time; and*
- 4 *Notes that the revised forecast shows increased operating revenues of \$1.1 million but also increased costs of \$1.3 million; and*
- 5 *Notes that forecast debt is currently projected in the order of \$49.6 million which is greater than the 30 June Long Term Plan 2018/2028 Year 1 of \$46.3 million; and*
- 6 *Notes that the capital expenditure forecast has been increased by \$5.5 million; and*
- 7 *Notes that a second forecast is planned for the second half of the financial year.*

Carried

4.4 Draft Annual Plan 2019/20

General Manager Risk, IT and Finance

General Manager Governance Strategy and Democracy 2303.23.01

Moved Smith/Wethey

That Kaipara District Council:

- 1 *Receives the GM IT, Risk and Finance's and GM Governance, Strategy and Democracy's report 'Draft Annual Plan 2019/2020' dated 14 December 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 Long Term Plan 2018/2028 incorporated an average rates increase (after consideration for growth of 1% and exclusive of water supply rates) of 5.26% for the Annual Plan 2019/2020 year; and*
- 4 *Agrees that the Chief Executive prepares the draft Annual Plan 2019/2020 with an estimated average rates increase of 5.26% (after consideration for growth of 1% and exclusive of water supply rates), after reducing the Chief Executive's legal fees budget by \$169,000 to meet the shortfall and manage resource consent demand; and*
- 5 *Agrees that the estimated total rates increase of 5.26% (after consideration for growth of 1% and exclusive of water supply rates) for the draft Annual Plan 2019/2020 is not material and that formal consultation on the rates increase is not required; and*
- 6 *Agrees that a comprehensive communication and engagement plan be delivered to inform and educate the community on the draft Annual Plan 2019/2020.*

Carried

Councillor Larsen requested that his vote against be recorded.

4.5 Fees and Charges 2019/2020: Annual Review

Pursuant to Standing Orders 9.9, this item was withdrawn by the Chief Executive.

4.6 Smokefree Kaipara Policy – Panel recommendations

Policy Planner **4702.04.04**

Moved (1) Curnow/Joyce-Paki

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Smokefree Kaipara Policy – Panel recommendations' dated 29 November 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 *Notes and upholds the Smokefree Kaipara Policy Panel's recommendations; and*
- 4 *Adopts the Smokefree Kaipara Policy, circulated as Attachment 2 to the afore-mentioned report; and*
- 5 *Delegates the Chief Executive and the Mayor to approve minor editorial changes that do not affect the intent of the Smokefree Kaipara Policy.*

Amendment (2) moved Larsen/Jones

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Smokefree Kaipara Policy – Panel recommendations' dated 29 November 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 *Notes and upholds the Smokefree Kaipara Policy Panel's recommendations with the amendment as included in resolution 4 below; and*
- 4 *Adopts the Smokefree Kaipara Policy, circulated as Attachment 2 to the afore-mentioned report, with the amendment to include Smokefree beaches; and*
- 5 *Delegates the Chief Executive and the Mayor to approve minor editorial changes that do not affect the intent of the Smokefree Kaipara Policy.*

A division was called, and voting was as follows:

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

The motion was declared **LOST**.

Substantive motion (1) was then put:

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Smokefree Kaipara Policy – Panel recommendations' dated 29 November 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 *Notes and upholds the Smokefree Kaipara Policy Panel's recommendations; and*
- 4 *Adopts the Smokefree Kaipara Policy, circulated as Attachment 2 to the afore-mentioned report; and*
- 5 *Delegates the Chief Executive and the Mayor to approve minor editorial changes that do not affect the intent of the Smokefree Kaipara Policy.*

Carried

Councillor Larsen requested that his vote against be recorded.

Meeting adjourned for afternoon tea at 12.50pm.

Meeting reconvened at 12.56pm.

4.7 Class 4 Gambling Venues Policy – Adoption

Policy Manager 3201.05

Moved Smith/Curnow

That the Kaipara District Council:

- 1 *Receives the Policy Manager's report "Class 4 Gambling Venues Policy – Adoption" dated 05 December 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 Draft Class 4 Gambling Venues Policy, presented as Attachment 2 of the afore-mentioned report; and*
- 4 *Delegates the Chief Executive and the Mayor to approve minor editorial changes that do not affect the intent of the Class 4 Gambling Venues Policy.*

Carried

4.8 Temporary Road Closure 17 February 2019, Arcadia Road, Paparoa - Approval

Corridor Access Co-ordinator 3208.00

Moved Smith/Curnow

That Kaipara District Council:

- 1 *Receives the Corridor Access Co-ordinator's report 'Temporary Road Closure 17 February 2019, Arcadia Road, Paparoa - Approval' dated 13 December 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 Hibiscus Motorsport Club Inc's (HCMC) application for the temporary road closure of Arcadia Road, Paparoa from Sunday 17 February 2019 from 09:00am to 06:00pm for the purpose of holding the Northern Rally Sprint Series (NRSS) Rally Sprint, Round 2 and, as a condition of approval, HCMC is to carry out a letter drop to all residents/businesses located within the extent of the road closures at least two weeks prior to the event.*

Carried

4.9 Request for authorisation to award Construction of New Pump Station (PS2) and WW Rising Main (CON913.02 - Construction)

Planning and Design Engineer 4107.913.02/2

Moved Smith/Wethey

That Kaipara District Council

- 1 *Receives the Planning and Design Engineer's report 'Request for authorisation to award Construction of New Pump Station (PS2) and WW Rising Main (CON913.02 - Construction)' dated 12 December 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 award of Con 913.02 to United Civil Ltd for the sum of \$1,633,266.84 excl. GST.*

Carried

5 Information

5.1 Northland Transportation Alliance Quarterly Update

Acting Northland Transportation Alliance Manager

Acting Roothing Manager 41 QR/NTAQR

Moved **Joyce-Paki/Curnow**

That Kaipara District Council receives the Northland Transportation Alliance Manager's and KDC Acting Roothing Manager's report 'Northland Transportation Alliance Quarterly Update' dated 04 December 2018 and the information contained therein.

Carried

5.2 Kaipara District School Zones Safety Improvements

Acting Roothing Manager 4102.48

Moved **Smith/Joyce-Paki**

That the Kaipara District Council receives the Acting Roothing Manager's report 'Kaipara District School Zones Safety Improvements' dated 04 December 2018 and the information therein.

Carried

5.3 Chief Executive's Report for the month of November 2018

[Secretarial Note: Part Two: November 2018 Financial Report^{vi} was tabled at the meeting.]

Chief Executive 2002.02.18/December

Moved **Wethey/Joyce-Paki**

That Kaipara District Council receives the Chief Executive's Report for the month of November 2018, the tabled Part Two: November 2018 Financial Report, and the information contained therein.

Carried

5.4 Resolutions Register and Action Tracker

Governance Advisor 1202.05

Moved Joyce-Paki/del la Varis-Woodcock

That Kaipara District Council receives the Resolutions Register and Action Tracker dated 11 December 2018 and the information contained therein.

Carried

6 Public Excluded Council minute items 20 December 2018

The meeting went into Public Excluded session at 1.57pm.

Moved Curnow/Smith

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

- *Confirmation of Public Excluded Council minutes 29 November 2018; and*
- *Council nomination to Pou Tu Te Rangī Joint Management Committee*

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>Confirmation of Public Excluded Council minutes 29 November 2018</i>	<i>S7(2)(i) enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (Including commercial and industrial negotiations)</i>	<i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>
<i>Council nomination to Pou Tu Te Rangī Joint Management Committee</i>	<i>S7(2)(a) protect the privacy of natural persons, including that of deceased natural persons</i>	<i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>

Carried

7 Open Council minutes 20 December 2018

Meeting returned to Open session at 2.01pm.

Closure

Meeting closed at 2.02pm.

Confirmed

Chair

Kaipara District Council

Dargaville

ⁱ Declaration of Climate Emergency (Eugene Morgan-Coakle)

ⁱⁱ Presentation by Bridget Rowse (Northland District Health Board) and Rebecca Gilbert (Cancer Society of New Zealand)

ⁱⁱⁱ Mapping New Zealand Councils' Smokefree outdoor policies and spaces (Mid Central District Health Board, 2018)

^{iv} Information sheet on impact of cigarette litter (Truth Initiative, 2018)

^v Smokefree Social Housing Toolkit (Canterbury District Health Board, 2016)

^{vi} Part Two: November 2018 Financial Report

3.2 Open Committee minutes confirmed in December 2018 and January 2019

General Manager Governance, Strategy and Democracy

16/Various

Recommended

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

- *Audit, Risk and Finance Committee meeting held 12 September 2018;*
- *Combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee meeting held 23 October 2018; and*
- *Mangawhai Community Park Governance Committee meeting held 19 November 2018.*

Meeting	Audit, Risk and Finance Committee
Date	Wednesday 12 September 2018
Time	The meeting commenced at 10.09am The meeting concluded at 2.06pm
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, General Manager Risk, IT and Finance, Property and Commercial Advisor,
Acting General Manager Infrastructure, Roading Manager, Project Manager and Governance Advisor
(Minute-taker)

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**Minutes of the Ordinary meeting of the Audit, Risk and Finance Committee
Wednesday 12 September 2018 in Mangawhai**

1 Opening
1.1 Present

Stana Pezic (Chair), Mayor Jason Smith, Deputy Mayor Peter Wethey and Councillors Julie Geange (via audio link) and Jonathan Larsen

In Attendance

Name	Designation	Item(s)
Anna Curnow	Councillor	All
Curt Martin	Acting Chief Executive	All
Sue Davidson	General Manager Risk, IT and Finance	All
Donnick Mugutso	Acting General Manager Infrastructure	All
Diane Miller	Project Manager	All
Henri van Zyl	Roading Manager	3.9, 4.1
John Burt	Commercial and Property Advisor	3.1
Matthew Wilson	Insurance Broker, AON	3.1
Peter Gulliver	Council's appointed auditor, Deloitte	All
Vera Chien	Auditor, Deloitte	All
Lisa Hong	Governance Advisor	All (Minute-taker)

Adjournments

Reason	Start Time	Finish Time
Lunch	12.06pm	12.21pm

1.2 Apologies

Moved Wethey/Smith

That the apologies of Councillors del la Varis-Woodcock and Wade be received.

Carried

1.3 Confirmation of Agenda

Moved Wethey/Smith

The Committee confirmed the agenda with the addition of item 4.4 'Staff action sheet' in the Public Excluded session.

Carried

1.4 Conflict of Interest Declaration

Nil.

2 Confirmation of Minutes

2.1 Open Audit, Risk and Finance Committee minutes 13 June 2017

General Manager Governance, Strategy and Democracy 1610.06

Moved Wethey/Smith

That the Open minutes of the Audit, Risk and Finance Committee meeting held 13 June 2018 be confirmed as a true and correct record.

Carried

3 Items

3.1 Insurance Arrangements

Property and Commercial Advisor 5105.10

Moved Smith/Larsen

That the Audit, Risk and Finance Committee:

- 1 *Receives the Property and Commercial Advisor's report 'Insurance Arrangements' dated 29 August 2018 and its Attachment 1; 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 *Considers all matters raised in the afore-mentioned report and notes that work is underway in preparation for the renewal of Council's insurance arrangements for 2018/2019.*

Carried

3.2 Proposed Work Programme 2018-2019

General Manager IT, Risk and Finance 2304.15

Moved Wethey/Smith

That the Audit, Risk and Finance Committee:

- 1 *Receives the General Manager Risk, IT and Finance's report 'Proposed Work Programme 2018-2019' dated 27 August 2018 and its Attachment 1; 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 proposed Audit, Risk and Finance Committee's Work Programme 2018-2019 as set out in the afore-mentioned report's circulated Attachment 1.*

Carried

3.3 Treasury Management

General Manager IT, Risk and Finance 2304.15

Moved Smith/Wethey

That the Audit, Risk and Finance Committee:

- 1 *Receives the General Manager Risk, IT and Finance's report 'Treasury Management' dated 05 September 2018 and Attachment, and the information contained therein; and*
- 2 *Recommends to Council to recognise that Council is outside its treasury ratios (debt interest proportions fixed/floating is outside current Treasury Policy and maturity of debt is outside current Treasury Policy).*

Carried

3.4 Quarterly Finance Report

General Manager IT, Risk and Finance 2304.15

Moved Smith/Wethey

That the Audit, Risk and Finance Committee receives the General Manager Risk, IT and Finance's report 'Quarterly Finance Report' dated 27 August 2018 and the information contained therein.

Carried

3.5 Legal Compliance update

General Manager IT, Risk and Finance 2304.15

Moved Larsen/Smith

That the Audit, Risk and Finance Committee receives the General Manager Risk, IT and Finance's report 'Legal Compliance update' dated 27 August 2018 and the information contained therein.

Carried

Cr Geange left the meeting at 12.04 pm (via audio link).

Meeting adjourned for lunch at 12.06pm.

Meeting recommenced at 12.21pm.

Cr Geange returned to the meeting at 12.30 pm (via audio link).

Cr Geange left the meeting at 12.41 pm (via audio link) due to technical failure.

Cr Geange returned to the meeting at 12.55 pm (via audio link).

3.7 Audit Management Report

General Manager IT, Risk and Finance 2304.15

[Secretarial Note: At the direction of the Chair, this item was taken out of order before item 3.6 'Annual Report 2017/2018'. The meeting agreed that a part of the discussion for this item should be held in the Public Excluded session without staff present. This part of the discussion was held when the meeting went into Public Excluded session at 1.27pm, before item 4.1 'Public Excluded Audit, Risk and Finance Committee minutes 13 June 2018'.]

Moved Smith/Wethey

That the Audit, Risk and Finance Committee receives the General Manager Risk, IT and Finance's report 'Audit Management Report' dated 05 September 2018 and Attachment, and the information contained therein.

Carried

3.6 Annual Report 2017/2018

General Manager IT, Risk and Finance 2304.15

Moved Smith/Wethey

That the Audit, Risk and Finance Committee:

- 1 Receives the General Manager Risk, IT and Finance's report 'Annual Report 2017/2018' dated 04 September 2018 and Attachment 1; 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 provisions of s79 of the Act determines that it does not require further information, further assessment of options or further analysis of the costs and benefits of different options prior to making a decision on this matter; and*

- 3 *Recommends to Council that it adopts, at its meeting on 27 September 2018, the Annual Report 2017/2018, subject to final Audit Opinion for the year ending 30 June 2018 and subject to final checking by audit of disclosures, and subject to amendments as per the Committee's feedback; and*
- 4 *Notes that the Summary Annual Report 2017/2018 is being completed and will be released to the public in due course; and*
- 5 *Delegates the Chief Executive and Mayor to approve minor typographical changes and the Committee's feedback amendments that do not alter the intent of the information in the Annual Report 2017/2018.*

Carried

3.8 Health and Safety Update September 2018

Health and Safety Advisor 2209.0

Moved Geange/Smith

That the Audit, Risk and Finance Committee:

- 1 *Receives the General Manager Infrastructure's report 'Health and Safety Update September 2018' dated 30 August 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 s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Notes the update on health and safety performance; and*
- 4 *Notes the update on the development of Council's health and safety systems.*

Carried

3.9 Northland Transportation Alliance (NTA) End of Year Report (to 30 June 2018)

Roading Manager 41

Moved Wethey/Smith

That the Audit, Risk and Finance Committee receives the Roding Manager's report 'Northland Transportation Alliance (NTA) End of Year Provisional Report (to 30 June 2018)' dated 03 September 2018 and the information contained therein.

Carried

4 Public Excluded Committee Items 12 September 2018

The meeting went into Public Excluded session at 1.27pm.

Moved Wethey/Smith

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

- *Public Excluded discussion on item 3.7 'Audit Management Report';*
- *Public Excluded Audit, Risk and Finance Committee minutes 13 June 2018;*
- *Contract Monitoring and Reporting: Infrastructure, Planning and Regulatory;*
- *Risk Register;*
- *Staff action sheet; and*

That Deloitte auditors Peter Gulliver and Vera Chien remain for the Public Excluded session.

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

General subject of each matter to be considered:	Reason for passing this resolution	Ground(s) under Section 48 (1) for the passing this resolution:
<i>Public Excluded Audit, Risk and Finance Committee minutes 13 June 2018</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>
<i>Contract Monitoring and Reporting: Infrastructure, Planning and Regulatory</i>	<i>Section 7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations).</i>	<i>Section 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>

<p><i>Risk Register</i></p>	<p><i>Section 7(2)(g) maintain legal professional privilege.</i></p> <p><i>Section 7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations).</i></p>	<p><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></p>
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Carried

5 Open Committee Meeting 12 September 2018

The meeting returned to Open session at 2.03pm.

Closure

Meeting closed at 2.06pm.

Confirmed 12 December 2018

Chair Stana Pezic

Kaipara District Council

Dargaville

Meeting	Combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee
Date	Tuesday 23 October 2018
Time	Meeting commenced at 1.11pm Meeting concluded at 2.07pm
Venue	Northern Wairoa War Memorial Hall – 37 Hokianaga Road, Dargaville
Status	Confirmed

Minutes

Membership

Chair: Rex Nathan

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

Staff and Associates:

Parks and Recreation Manager, Governance Advisor (Minute-taker)

Jason Marris
General Manager Governance, Strategy and Democracy

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**Extraordinary meeting of combined
Pou Tu Te Rangī Joint Management Committee and Harding Park Committee
Tuesday 23 October 2018 in Dargaville**

1 Opening

Pursuant to Clause 22(2), Schedule 7 of the Local Government Act 2002, the Mayor called an Extraordinary meeting of combined Pou Tu Te Rangī Joint Management Committee and Harding Park Committee.

1.1 Karakia

Iwi Relations Manager opened the meeting with a karakia.

1.2 Present

Rex Nathan (Chair), Willie Wright, Councillor Victoria del la Varis-Woodcock and Councillor Karen Joyce-Paki

[Secretarial Note: The Committee noted the resignation of Trish Harding. Robert Harding, who had been nominated by Mayor Smith but not yet formally appointed by the Minister of Conservation, attended the meeting but did not cast any votes.]

Attendance

Name	Designation	Item(s)
Hamish Watson	Parks and Recreation Manager	All
Mark Schreurs	Policy Analyst	All
Francis Toko	Iwi Relations Manager	All
Lisa Hong	Governance Advisor	All (Minute-taker)

1.3 Apologies

Nil.

1.4 Confirmation of Agenda

The Committee confirmed the Agenda.

1.5 Conflict of Interest Declaration

Nil.

2 Deputations and Presentations

Nil.

3 Confirmation of Minutes

3.1 Minutes of the combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee meeting held 05 September 2018

General Manager Governance, Strategy and Democracy 1607.13

Moved del la Varis-Woodcock/Wright

That the minutes of the combined Pou Tu Te Rangi Joint Management Committee and Harding Park Committee meeting held 05 September 2018 be confirmed as a true and correct record.

Carried

4 Decision

4.1 Dog Control in Pou Tu Te Rangi Harding Park – Recommendation to Council

Parks and Recreation Manager 4702.06

[Secretarial Note: Policy Analyst tabled page 32 of the current Kaipara District Policy on Dogs and Dog Management Bylaw¹. The Committee requested that staff circulate the draft policy to the Committee, and that feedback be sought from Te Uri o Hau during the consultation process.]

Moved Wright/Joyce-Paki

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

- 1 Receives the Parks and Recreation Manager's report 'Dog Control in Pou Tu Te Rangi Harding Park' dated 02 October 2018, and the tabled page 32 of the current Kaipara District Policy on Dogs and Dog Management Bylaw; 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 that dogs be excluded from the Pou Tu Te Rangi Historic Reserve/Pā site (being Lot 1 DP 79437), with leash control for the remainder of Pou Tu Te Rangi Harding Park, through an amendment to the Kaipara District Policy on Dogs and Dog Management Bylaw.*

Carried

5 Information

5.1 Pou Tu Te Rangi Harding Park Provincial Growth Fund Application

Community Relationships Manager 4702.06

Moved Wright/del la Varis-Woodcock

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

- 1 Receives and notes the Community Relationships Manager's report 'Pou Tu Te Rangi Harding Park Provincial Growth Fund Application' dated 08 October 2018 and the information contained therein; and*
- 2 Directs the staff to prepare a draft Provincial Growth Fund application to be adopted by the Committee at its 05 December 2018 meeting.*

Carried

Closure

Meeting closed at 2.07pm.

Confirmed 05 December 2018

Chair Ric Parore

Kaipara District Council

Dargaville

ⁱ Page 32 of the current Kaipara District Policy on Dogs and Dog Management Bylaw

Meeting	Mangawhai Community Park Governance Committee
Date	Monday 19 November 2018
Time	Meeting commenced at 10.00am Meeting concluded at 12.09pm
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 Wintle, Deputy Mayor Peter Wethey

Staff and Associates:

Parks and Recreation Manager, Governance Advisor (Minute-taker)

Jason Marris
General Manager Governance, Strategy and Democracy

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Minutes of the Mangawhai Community Park Governance Committee meeting

Monday 19 November 2018, Mangawhai

1 Opening

1.1 Present

Councillor Anna Curnow (Chair), Maurice Langdon and Jim Wintle

In Attendance

Name	Designation	Item(s)
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Hamish Watson	Parks Officer	All
Lisa Hong	Governance Advisor	All (Minute-taker)

1.2 Apologies

Moved Curnow/Wintle

That the apology of Councillor Peter Wethey be received.

Carried

1.3 Confirmation of Agenda

The Committee to confirm the Agenda.

1.4 Conflict of Interest Declaration

Name	Interest
Jim Wintle	Trustee of the Pioneer Village Trust
Councillor Anna Curnow	Honorary member of the Mangawhai Activity Zone Committee

1.5 Deputations and Presentations

Nil.

2 Confirmation of Minutes

2.1 Mangawhai Community Park Governance Committee minutes 20 August 2018

General Manager Governance, Strategy and Democracy 1611.05

Moved Langdon/Wintle

That the minutes of the meeting of Mangawhai Community Park Governance Committee held on 20 August 2018 be confirmed as a true and correct record.

Carried

3 Information

3.1 Mangawhai Community Park Master Plan Operations Update: August 2018 to October 2018

Parks and Recreation Manager 4702.13.06

[Secretarial Note: The Committee requested staff to add an introductory paragraph to the draft Mangawhai Community Park Project Briefing form to clearly communicate that the form would apply to all projects including permanent or temporary structures or earthworks.]

Moved Curnow/Langon

That the Mangawhai Community Park Governance Committee:

- 1 Receives the Parks and Recreation Manager's report 'Mangawhai Community Park Master Plan Operations Update: August 2018 to October 2018' dated 12 November 2018; and*
- 2 Notes the receipt of proposed agreement for a café in the Mangawhai Activity Zone Charitable Trust's Licence to Occupy area, and directs Council staff to seek legal advice on whether the proposed agreement complies with the conditions in the Licence to Occupy agreement.*

Carried

Closure

Meeting closed at 12.09pm

Confirmed 21 January 2019

Chair Councillor Anna Curnow

Kaipara District Council

Dargaville

4 Notice of Motion

4.1 Councillor del la Varis-Woodcock

Notice of Motion

Kaipara District Council Ordinary Meeting

Date: 28 February 2019

That the Kaipara District Council;

a) establishes an annual award for Kaipara citizens (and/or organisations), who have contributed to the environmental good of the Kaipara District.

b) agrees that this award is judged on environmental leadership and actions including the protection, enhancement, and kaitiakitanga of natural resources and ecosystems; sustainability in enterprise, and environmental education and awareness raising.

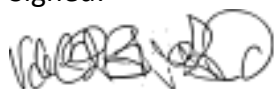
c) agrees that the Citizens Awards Committee be responsible for determining the award recipient(s).

d) requests that the Chief Executive drafts a Kaipara Environmental Award policy for the approval of Council.

Reason for the Notice of Motion

It is important that Kaipara citizens and organisations are inspired and incentivised to take environmental action and that such action is recognised by Council.

Signed:



Councillor Victoria del la Varis-Woodcock

Date: 5 February 2019

Background to the Notice of Motion: Kaipara Environmental Award

Purpose

The Kaipara Environmental Award celebrates leadership and initiatives striving to protect and preserve Kaipara's precious natural environment, including our ecosystems, threatened species (both plants and animals), natural habitats, land, soil, water, mineral and energy resources.

Possible categories:

- Retired Individual
- Individual
- Marae/ Papakainga/ Flaxroots
- Iwi/Hapu
- Formal voluntary associations eg. Rotary/ Lions
- Schools
- Grassroots Organisations e.g. Otamatea HarbourCare; Pest Free Peninsulas
- Juniors
- Sustainability in business
- Supreme Award

Possible Initiatives recognised:

- Weed and pest eradication and control
- Native seedlings raised/nurseries established
- Native re-vegetation and tree planting
- Environmental education and awareness raising
- Native forest remnant protection through fencing and covenants
- Riparian planting
- Wetland protection and enhancement
- Long-term (greater than 40 years) plantation forestry
- Research and studies that meet the award purpose
- Coastal biodiversity protected/enhanced
- Climate Change mitigation activities
- Waste reduction and conservation of resources eg. Water, energy, minerals
- Native Flora & Fauna protected

Initiatives not recognised:

- Pine tree plantations
- Activities outside the Kaipara District

Interest Points:

- Kaipara District Council formerly distributed a biodiversity fund.

5 Decision

File number: 2301.07 **Approved for agenda**
Report to: Council
Meeting date: **28 February 2019**
Subject: **Fees and Charges 2019/2020: Annual Review**
Date of report: 11 February 2019
From: Fran Mikulicic, General Manager Planning and Regulatory
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

The purpose of this report is to advise Council of the annual review of the Fees and Charges to ensure they align with the Annual Plan (AP) budget and financing policy. This prediction is based on an analysis of actual, forecast and budgeted fee income and costs after taking into account savings and efficiencies within the departments. It is recommended that Council approves the draft schedule of Fees and Charges 2019/2020 circulated with Council's Agenda for Thursday 28 February 2019 (with the report 'Fees and Charges 2019/2020: Annual Review' as **Attachment 1**) to be included in the budgeting and planning process so that the community may comment and make submissions.

Recommendation

That Kaipara District Council:

- 1 *Receives the General Manager Planning and Regulatory's report 'Fees and Charges 2019/2020: Annual Review' dated 11 February 2019 and its Attachment 1; 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 proposed draft Fees and Charges 2019/2020 as outlined in the schedule included in the Agenda for this Council meeting held 28 February 2019 (circulated with the above-mentioned report 'Fees and Charges 2019/2020: Annual Review' as Attachment 1), for consultation to allow community comments to be received prior to formal adoption.*

1 Reason for the report

The purpose of this report is to advise Council of the outcome of the review of the Fees and Charges and to recommend an annual adjustment and some specific changes necessary to ensure the fees are appropriate, fair and cover expenses.

2 Issues

Most fees were last increased at the beginning of the current financial year 2018/2019. Each year fees should be assessed and adjusted with implementation dates of any changes in fees ideally being 01 July. This would allow the fees to be advertised at the beginning of that calendar year as part of the annual planning process and the consequences measured before budgets are set.

For the coming 2019/2020 financial year, senior management wants to ensure the analysis is carried out in time to include the results in the annual planning process. Therefore, this report brings the results of the Fees and Charges analysis to the attention of Council as early as possible for its consideration. Council's funding policy is based on a user-pays approach for most of the regulatory activities although sale of alcohol fees and parking infringements are currently set by legislation.

This review has raised some funding gaps in the fees which need to be resolved. It is acknowledged that any significant increase in fees has the risk of antagonising the community. It is further noted that many of the current Fees and Charges Kaipara District Council (KDC) has are lower than the other councils in the region. It is appropriate to review the fees annually to reduce the need to make significant changes every other year or to make the ratepayer fund more than the appropriate portion of these activities. It is prudent to have small annual increases to cover inflationary pressures and to ensure the charges cover Council's reasonable costs.

3 Suggested changes to Fees and Charges

3.1 Background

On average most Fees and Charges are suggested to increase by approximately 3% as noted at a previous Council briefing. Below is a summary of the more significant changes. See attached schedule.

Sale of Alcohol and Parking Infringements are set by statute and therefore no change is proposed.

3.2 Health Licence Fees

With the recent introduction of the Food Act, Council made significant changes to the Fees and Charges last year. However, it has been identified some extra fees need to be included to capture the additional functions the new EHO is undertaking. A new fee for water sampling has been set along with a new fee for additional thermometers. Food Control Plan and National Programme document pack charges are also included. A premises visit by our EHO for potential buyers has also been set at \$150.

3.3 Resource Management

With changes to the RMA coming into effect, a new fee for a Forestry Permitted Activity has been set, along with National Environmental Standards requiring site searches for potential soil contaminants.

Application fees have been increased by approximately 3%. While the Council is experiencing difficulty in recruiting, in-house planners are processing approximately 30-35% of consents resulting in increased costs being absorbed by Council.

3.4 District Plan

A new fee for notification processing has been added to the District Plan charges. The average for a District Plan review is around \$60-\$70k. It is proposed we have three stages of charging for a District Plan change of \$15,000 per stage i.e. Request to Initiate, Before Commencement of Notification Process, Before Commencement of Hearing. This aligns with Whangarei District Council who currently charge \$14,500 at these stages. This gives a more realistic indication of the costs to complete a plan change and will ensure applicants do not get a surprise at the end of the process.

3.5 Dog, Stock, Noise and Parking

There are no proposed changes to dog registration fees this year as Armourguard is managing the contract within budget after a small increase in fees last year.

3.6 Roothing

There are no proposed changes to Roothing charges.

3.7 Community Housing Charges

Previously, the Commissioners agreed to only increase Community Housing charges by Consumer Price Index (CPI). It is recommended for Mangawhai we increase by \$3 per week, and Dargaville and Ruawai by \$2 per week. This will assist to provide additional funds for increased maintenance.

3.8 Northern Wairoa War Memorial Hall Hire (Dargaville Town Hall)

There has been a new charge for hiring the Auditorium and Kitchen.

3.9 Dargaville Library Charges and General Fees

A new fee has been introduced for Library bags, \$3.00 and a DVD six month or annual subscription of \$25 and \$50 respectively.

3.10 Cemeteries

A new contractor has been engaged as of March 2018 this has resulted in an additional fee for short notice burials (under 2 working days) of \$400.00. The fee for ash burials on public holidays has increased from \$175 to \$480 with oversized caskets increasing by 9% and extra concrete work increased by 14%.

3.11 Camp ground – Taharoa Domain

A fee for hiring the Lake Waikare Education Centre at Taharoa Domain has been set. Rates vary for Private/Profit-making groups, Community Group Rates and Social Services/Voluntary rates.

4 Factors to consider

Community views

The views of the community are to be obtained through the formal public submissions process once these draft Fees and Charges are approved for consultation.

Policy implications

There are no obvious policy implications however the adoption of the Annual Plan has a consequence on the Fees and Charges required to recover sufficient revenue to operate the use-pays sections of the Council business.

Financial implications

Sufficient revenue must be obtained through the Fees and Charges to recover a certain percentage of the costs to operate that part of the business as proposed in the revenue and funding policies and budgets being set by the new Long Term Plan, changes to legislations; additional requirements on Council by central government; increasing customer demands for service; changes in technology; as well as general inflation, all put pressure on the organisations provision of service. Additional efficiencies

and process improvements manage to meet some of these added costs, expectations and requirements, however, as is highlighted above, there are some areas of the business that need Fees and Charges to increase so they can obtain the amount of cost recovery anticipated in the Annual Plan.

Legal/delegation implications

There are no obvious legal or delegation implications apart from the Resource Management Fees and Charges needing to be consulted on and formal submissions being able to be made with any submission of fees needing to follow a hearing process if requested.

5 Options

There are three options provided below to assist Council's decision-making on 28 February 2019. Even if Council does not want to increase the Fees and Charges, there is still the need to adopt the current fees for the 2019/2020 financial year as the current charges cease in 2019.

Option A: Status quo. Do not increase the Fees and Charges, instead keep the charging schedule from 2018/2019 and retitle these for the 2019/2020 financial year.

Option B: Approve the consultation on the increased Fees and Charges proposed in the schedule for Fees and Charges 2019/2020 which is circulated with the Council Agenda for 28 February 2019.

Option C: Make changes to the amounts/percentage increases to some or all of the Fees and Charges in the circulated schedule for Fees and Charges 2019/2020 and approve the changes for consultation.

6 Assessment of options

If Option A was to be taken then there is a risk that some customers may continue to get a surprise when, for instance, final resource consent invoices are sent out.

Option B allows for small incremental adjustments to be made annually so there are minimal large jumps in costs for users of our services.

Option C could result in either of the outcomes noted in Option A or Option B to occur depending on the severity of change that was suggested. However, Council may have additional valuable information which has not already been provided in the drafting of these Fees and Charges which requires further changes to be made.

7 Assessment of significance

Whilst not significant in terms of Councils' Significant and Engagement Policy, the fees and charges for the 2019/20 financial year will be consulted on with the public as required.

8 Recommended option

The recommended option is **Option B** unless Council provides additional valuable information at the meeting requiring changes to the schedule, in which case Option C would be more appropriate.

9 Next step

If the Fees and Charges schedule is approved for consultation then the documents will be provided to the public to make formal submissions.

10 Attachment

- Attachment 1 - The draft Schedule for Fees and Charges 2019/2020.



Kaipara District Council

Fees and Charges 2019/2020

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Kaipara te Orangakui

**KAIPARA
DISTRICT**

Two Oceans Two Harbours



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Note: All fees include GST unless otherwise specified (Sale of Alcohol fees and charges are GST exclusive).



Health Licences

For premises registered under the Health Act 1956

Description	Annual Inspection Fee \$
H airdressers/beauty salons/funeral directors	360.00
C ampgrounds	520.00

Other related fees

Description	Annual Fee \$
Itinerant Traders <i>Not a resident in the district prior to the application date; not owning or having entered into a binding lease in writing in the district for at least six months; carries on or engages in any business in the district involving the sale or hire or exposure for sale or hire of goods</i>	150.00
Offensive Trade Licence <i>Refer to Food Act 1956</i>	200.00
Mobile/Stall/ Stall , non-food <i>Stall exempt under Food Act 2014</i>	150.00
Market Stall <i>Registered in another district (endorsed licence)</i>	150.00
Certificate of Inspection <i>Community kitchens</i>	200.00
Re-inspection <i>\$200 plus any other additional fees charged to Council</i>	
Market/ Events Organisers Licence <i>Pro-rata reduction in fee may apply for small market or one-off event</i>	300.00
Water sampling <i>Drinking, septic, pools</i>	150.00
Premises site visit for potential buyers	150.00

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- Deleted:** - less than 50 persons
- Deleted:** High risk food only premises and larger camp grounds over 50 persons/campground with a shop ...

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Fees under the Food Act 2014

Food Control Plan (FCP)

Description	Fee \$
FCP - New application for registration of template food control plan	250.00
FCP - Registration renewal	250.00
FCP - Verification	690.00
Failure to attend scheduled verification (cancellation within 24 hours)	150.00
Unscheduled verification/ Enforcement	350.00
Verification Corrective Action follow-up	<u>200.00</u>

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National Programmes (NP 1, 2 and 3)

Description	Fee \$
NP New application for registration of National Programme	250.00
NP Registration renewal - two yearly	250.00
NP1 Verification - one-off	350.00
NP2 Verification - three yearly	550.00
NP3 Verification - two yearly	550.00
Failure to attend schedule verification (cancellation within 24 hours)	150.00
Unscheduled verification/ Enforcement Action	350.00
Verification Corrective Action follow-up	<u>200.00</u>
Additional Charges	
Thermometer	<u>30.00</u>
Additional National Program/Food Control Plan document pack	<u>35.00</u>

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Small or start-up businesses trading three days or fewer, or seasonally for fewer than three months of the year, receive a 25% discount on the FCP fee



Sale of Alcohol (excludes GST)

The following fees are set under the Sale and Supply of Alcohol Act 2012 and exclude GST.

Applicants for a Premises Licence will be required to use a three-step process to determine their premises' cost/risk rating which then determines their fee category and then their fee amounts for both the three-yearly licence application fee and the annual licence fee.

Premises Licences (On, Off, Club Licences).

1 Framework for determining cost/risk rating - Table 1

Type of Licensed Premises	Weighting	Latest alcohol sales time	Weighting	Number of enforcements in the last 18 months	Weighting
Liquor Store, Supermarket, Grocery Off-licence	15	On-licences and Clubs before 2.01am; Off-licences before 10.01pm	0	0	0
Night Clubs, Taverns, Adult premises, "Class 1" Restaurants	15	On-licences and Clubs 2:01am-3:01am; Off-licences 10:01pm and later	3	1	10
Off-licence in a Tavern	10	On-licences and Clubs - all other closing times	5	2 or more	20
Hotels, Function Centres, "Class 1" Clubs, "Class 2" Restaurants, Universities, and Polytechnics	10				
Remote sales, "Class 2" Clubs, "Class 3" Restaurants, Other	5				
Theatres/cinemas, Wine cellar doors, BYO Restaurants, "Class 3" Clubs	0-5				



Definitions:

- Class 1 restaurants – restaurants with a significant separate bar area which, in the opinion of the relevant territorial authority (TA), operate that bar at least one night a week in the nature of a tavern, such as serving alcohol without meals to tables situated in the bar area.
- Class 2 restaurants – restaurants that have a separate bar (which may include a small bar area) but which, in the opinion of the relevant TA, do not operate that area in the nature of tavern at any time.
- Class 3 restaurants – restaurants that only serve alcohol to the table and do not have a separate bar area.
- Class 1 clubs – clubs which, in the opinion of the TA, are large clubs (with 1,000 or more members of drinking age) and which, in the opinion of the relevant TA, operate in the nature of a tavern (for example a large working men's club, combined clubs, or large 'cossie' clubs).
- Class 2 clubs – clubs which do not fit class 1 or class 3 definitions (for example larger sports clubs, medium-sized Returned Services Association (RSA), many provincial social clubs).
- Class 3 clubs - clubs which, in the opinion of the TA, are small clubs (with up to 250 members of drinking age) and which operate a bar for 40 hours or less per week (for example small sports clubs like bowling clubs, golf clubs, bridge clubs, and small RSAs).
- Enforcement – has the same meaning as a “Holding” under section 288 of the Act, or a previous offence for which a holding may have been issued if the offence had occurred before 18 December 2013.

2 Fees category (Table 2)

The total rating is the premises cost/risk rating from Table 1

Total Rating	Fee Category
0-2	Very low
3-5	Low
6-15	Medium
16-25	High
26 plus	Very High

3 Fee amounts (Table 3)

Using the premises cost/risk rating to determine the fee category, estimate the fee payable.

Fee category	Application fee (excludes GST)	Annual fee (excludes GST)
	Total amount payable by applicant	Total amount payable by licensee
Very low	\$320	\$150
Low	\$530	\$340
Medium	\$710	\$550
High	\$890	\$900
Very high	\$1,050	\$1,250

Special Licences (excluding GST)

The default fees for Special Licences are:

- \$55 for one or two events covered by the licence that are of a 'small size';
- \$180 for three to 12 events covered by the licence that are of a 'small size', or one to three events that are of a 'medium size'; and
- \$500 for all other Special Licences, including licences for events that are of a 'large size'.
- [\\$55 for Dispensation to allow Consumption of Alcohol in a Public Place](#)

Other fees (excluding GST)

Application type	Total amount payable	Amount of total fee transferred/paid to ARLA
Manager's Certificate application	\$275	\$25
Temporary authority	\$258	n/a
Temporary licence	\$258	n/a
Appeal to Alcohol Regulatory and Licensing Authority (ARLA)	\$450	n/a (paid directly to ARLA)
Extract of register (ARLA or District Licensing Committees (DLC))	\$50	\$50 if an extract is sought from the ARLA register
Permanent Club Charter (annual fee due on 30 June of each year and paid to ARLA)	\$920	\$920

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Application type	Total amount payable	Amount of total fee transferred/paid to ARLA
Resource Management Certificate (S.100(f) of the Sale and Supply of Alcohol Act 2012 for new and renewal of premises licences *	\$200*	n/a
Building certificate (s.100 (f) of the Sale and Supply of Alcohol Act 2012) for new and renewal of premises licences	\$200*	

*Further charges may be applied if a property file review and/or inspections are required.

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/Building certificate (s.100 (f) of the Sale and Supply of Alcohol Act 2012) for new and renewal of premises licences *Further charges may be applied if a property file review and/or inspections are required.

Building Control Fees

Certificate of Acceptance s97(d) and (e) fee is calculated in two parts:

- Part a) the fee payable under the current schedule had consent been sought; and
- Part b) \$200.00 or 50% of the fee (Part a) whichever is the greater.

Building Consents - Dwellings/Other Buildings

Category/Description	Fee \$
Project Information Memorandum (PIM). <i>PIM application fee if applied for separate to building consent</i>	265.00
Domestic fireplaces, removal, demolition building works, connection to reticulated wastewater system and private wastewater system installation (includes inspections, AlphaOne, District Plan review/PIM and GST)	440.00

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Building Works

Category/Description	Fee \$
Building Works e.g. garages, carports, decks swimming/spa pools etcetera valued up to \$5,000	980.00
Building Works e.g. garages, carports, decks swimming/spa pools etcetera valued up to \$5,001 - \$10,000	1,260.00
Building Works e.g. garages, alterations, swimming/spa pools etcetera valued \$10,001 - \$19,999	1,830.00
Simple Buildings, Dwelling Additions valued \$20,000 - \$50,000	2,500.00*
Simple Buildings, Dwelling Additions valued \$50,001 - \$100,000	3,130.00*
Dwellings and some Commercial Buildings etcetera - \$100,001 - \$250,000	3,810.00*

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Category/Description	Fee \$
Dwellings and Commercial Buildings etcetera - \$250,001 - \$500,000	4,935.00*
Dwellings, Commercial and Industrial Development - \$500,001 - \$900,000	6,770.00*
Other Building Work valued over - \$900,000	8,820.00*

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* must include BRANZ and DBH levies (this applies to all building work \$20,000 and over).

Building Consents - Industry Levies*

Category/Description	Fee \$
Building Research Authority of New Zealand Levy <i>Fee set in BRANZ Regulations</i>	\$1.00 per \$1,000 for building work valued at \$20,000 and over
Department of Building and Housing Levy <i>Fees set in MBIE Levy</i>	\$2.01 per \$1,000 for building work valued at \$20,000 and over

Building Consents - Notice to Fix, Producer Statement Inspections and other building fees

Description	Fee \$
Amendments <i>Per occasion</i> Note: one amendment may incorporate several changes	165.00
Building Consent Exemption <i>Applications made under section K(i) or (ii) of Schedule 1 of the Building Act 2004</i> <i>- "example" farm building in remote area of farm</i>	330.00
Compliance Schedule and Compliance Schedule Statement <i>Setting up Compliance Schedule with Specified Systems; and Issuing of the Compliance Schedule Statement</i>	330.00
Re-opening of old Building Consents 5+ years old <i>Administration fee</i>	98.00
<i>Inspection fee if required</i>	165.00
Certificate of Public Use (CPU) <i>Public buildings with no Code Compliance Certificate</i>	220.00
<i>Public buildings with no Code Compliance Certificate requiring one inspection</i>	385.00

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Description	Fee \$
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Note: Any outstanding fees such as development contributions would need to be settled prior to the issuing of a CPU.

Section 72 Certificate	Registering hazard on Title	285.00
Section 75 Certificate	Amalgamation of two Titles	285.00
Sections 33(1)(b)(ii) and 45(1)(c)	Certificate of Title	35.00
	Each additional attachment to the Title	5.00
Extension of time	Per occasion for each request for extension of time (Sections 52(b) and 93(2)(b))	100.00
Other certificates	Any other certificates, authorities, requirement or action requested of Council under provisions of the Building Act 2004	100.00
Notice to Fix	Includes one inspection to recheck	225.00
	plus disbursements including consultant	
	Further inspections will be charged at the standard rate per inspection	165.00
Decommissioning of a private wastewater system		250.00
Inspections	Standard inspection per occasion or re-inspection as required	165.00
	Building Warrant of Fitness Inspection	165.00
	Building Warrant of Fitness Renewal	120.00
	Fencing of Swimming Pool Inspection	165.00
Building enquiries and pre-application meetings with a Building Inspector	First 15 minutes free, thereafter \$ 165.00 per hour	
Professional services and specialist input costs if required will be passed on to applicants and invoiced plus 10%		

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Notes:

- 1 Payment of the full fee will be required on submission of the application. If further costs are incurred in the process, through use of external consultants, this will be invoiced separately. The balance of any fees due for additional inspections or other disbursements including Consultant's fees will need to be paid before the Code Compliance Certificate is issued.
- 2 May require additional inspections from those specified depending on the Building Consent.



- 3 Where no PIM application has been made in conjunction with a Building Consent application and the work relates to a new building, or increase the footprint of the building, a District Plan Assessment fee will need to be paid.
- 4 For second and subsequent dwellings on a site a **Development Contribution** is payable.
- 5 All commercial building applications are lodged using initial fixed fees which will have actual and reasonable costs charged in addition to the lodgement amount.

Resource Management

Resource consents

Note: All application fees as set out below are the charges fixed pursuant to s36(1) of the Resource Management Act 1991. Where these initial charges do not meet the actual and reasonable costs associated with processing the application, an additional charge may be made in accordance with s36(5) of the Act. Such additional charge may include but are not limited to any or all of the cost to Council of external advice (which will be charged at the Consultants' charge out rate plus 10%); staff time at hourly rate plus overheads; materials, hall hire and other sundry items.

Upon request, Council will provide an estimate of any additional charge likely to be imposed under s36(5).

In-house Council professional fees are as follows:

- General Manager/Manager \$195.00 per hour
- Principal Planner/Senior/Team Leader \$185.00 per hour
- Engineer \$185.00 per hour
- Planner/Analyst \$165.00 per hour
- Monitoring Inspector \$165.00 per hour
- Building Officer \$165.00 per hour
- Environmental Health Officer \$165.00 per hour
- Administrator \$98.00 per hour

External professional fees are set by the consultant (in conjunction with Kaipara District Council). These hourly rates will be passed on to the applicant as charged to Council plus 10% where specialist expertise is required in the assessment of applications.

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Description		Fee \$
Resource management enquiries and pre-application meetings with a Council professional		First 15 minutes free thereafter hourly rate per professional as indicated above
Additional fees will be charged over and above if required.		
1	Non-notified subdivisions	
	Boundary adjustment - (where no additional titles or development potential is created)	2100.00
	1 and 2 lots	3350.00*
	3 to 5 lots	4900.00*
	6 to 7 lots	6600.00*
	8 to 10 lots	7770.00*
	11 to 15 lots	10500.00*
	16 to 20 lots	13230.00*
	21+ lots	16000.00*
	*subdivision proposing an environmental benefit (Note: this fee is in addition to that required above per application)	1,000.00
2	Notification - two times the non-notified fee (i.e. non-notified fee is half the notified fee)	
3	District Land Registrar approval of amalgamation condition	180.00
4	Combined subdivision and land use consent = subdivision fee and 50% of land use fee	
5	Land use consents - non-notified	
	Deemed permitted boundary activity; Forestry Permitted Activity	475.00
	Fire safety breach only	900.00
	Fire safety breach and relocate building	1,000.00
	Minor works (single bulk and location breach with no engineering assessment required, or signs)	1250.00
	Minor works (2-3 bulk and location breaches with no engineering assessment required)	1900.00
	Permeable surfaces, earthworks, forestry activities (under NES-PF)	3150.00
	Land use consents - other non-notified	3350.00
6	Notified land use consents are two times the non-notified fee (i.e. the non-notified fee is half the notified fee)	

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Description		Fee \$
7	Rejection of incomplete applications (s88)	475.00
8	Hearing fees - all applications (excluding objection hearings)	
	(a) Independent Commissioner sitting with Councillor/Commissioner up to two hours (minimum charge)	1,755.00
	Cost per additional hour	590.00
	Plus Commissioner's fee	As charged to Council
	Or	
	(b) Independent Commissioner up to two hours (minimum charge)	1,650.00
	Cost per additional hour	520.00
	Plus Commissioner's fee	As charged to Council
	<i>Note: Where an Independent Commissioner is requested, any additional costs will be apportioned between the parties in accordance with s36(a)(aa) and (ab)</i>	
9	Consent extensions (s125)	1,365.00
10	Change or cancellation of conditions (s127)	1,365.00
11	Vary to cancel consent notice (s221[3])	1,365.00
12	Objection against consent conditions (s357A)	Nil
13	Certificate of compliance (s139) or existing use certificate	1,050.00
14	Earthworks management plans	As charged to Council plus \$245 administration charge
15	Rights of way (s348 of Local Government Act) lodgement fee (any further costs may be charged)	1,050.00 plus any charges to Council
16	Revocation of right of way	210.00 plus any charges to Council

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Resource consent post approval

Description	Fee \$
Certificates ** (e.g. consent notices, survey plan approvals, covenants, easements etcetera) *Note there will be a minimum charge of one hour per certificate + Balance to be paid before certificate released	165.00 per hour plus any charges to Council
Bond administration fee Note: <i>There will be a minimum charge of one hour.</i>	100.00 per hour plus any charges to Council
Vehicle Crossing Permit for Subdivision only – processing fee	125.00
Resource Consent post-approval inspections.	Council's professional fees per hour plus any charges to Council

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Designation and Heritage Orders

Note: *The charges shown relating to designations and heritage orders are administration charges only. Additional charges will be made for consultants and/or experts time as applicable.*

Description	Fee \$
Notice of a requirement for a Designation (non-notified)	3,000.00
Notice of a requirement for a Designation (notified)	6,000.00
Outline Plan	1,330.00
Notice of a Heritage Order	1,260.00
Alterations to Designation or Heritage Order	600.00
Removal of Designation	300.00
Removal of Building Line Restriction	300.00 plus any charges to Council

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Changes to District Plan

Description	Fee \$
Request to initiate Plan change	15,000.00
Before commencement of Notification processing	15,000.00
Before commencement of Hearing	15,000.00
<i>Note: Additional charges will be made for the actual and reasonable costs involved as applicable refer to hourly rate table.</i>	

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Monitoring, compliance and enforcement
(excluding engineering inspections)

Description	Fee \$
Where monitored by Consultant or Contractors	98.00 per hour plus any charges to Council
Where monitored by Council staff (not restricted to Resource Management Act monitoring) <i>At the time of granting Resource Consent an initial assessment of the number of inspections required will be made and payment will be due at the issuing of the Council's decision. If additional inspections are required above those initially assessed then these will be charged at the time of the inspection.</i>	165.00 per hour (inclusive of travelling costs) applicable for each inspection
Abatement Notice fee recovery costs	165.00

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Information requests

Description	Fee \$
New Land Information Memorandum (LIM)	315.00
Property Enquiries (Not LIM)	68.00

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Description	Fee \$
Photocopies of maps etcetera	Cost of photocopying or printing
Charges made on Council by other bodies	98.00 per hour plus any charges to Council
<u>NES Soil testing site search for potential contamination (file review only) residential – 2 hours approx.</u>	250.00
<u>NES Soil testing site search for potential contamination (file review only) commercial – 2 hours approx.</u>	420.00
Certificate pursuant to Overseas Investment Regulations Note: <i>There will be a minimum charge of one hour and the balance is to be paid before the certificate will be released.</i>	98.00 per hour plus any charges to Council
Certificate for Licensed Motor Vehicle Dealers Note: <i>There will be a minimum charge of one hour and the balance is to be paid before the certificate will be released.</i>	145.00 per hour plus any charges to Council
Any other certificates, authorities, requirement or action requested of Council under the Resource Management Act or other legislation Note: <i>There will be a minimum charge of one hour.</i>	Council's professional fee per hour plus any charges to Council
Assets enquiries prior to resource consent lodgement	98.00 per hour plus any charges to Council
Valuation for Reserves Contributions Note: <i>There will be a minimum charge of one hour.</i>	98.00 per hour plus any charges to Council

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Development Contributions

For development anywhere in the district a Development Contribution may be payable if the effect of the development is for the Council to incur capital expenditure to provide new or additional infrastructure assets or assets of increased capacity.

The Policy helps Council to fund the capital expenditure needed to provide infrastructure capacity for new growth. Some Development Contributions apply across the district while other contributions apply only to particular areas

Description	Fee \$
Application to postpone or remit payment of Development Contributions	2,780.00
<ul style="list-style-type: none"> Administration - (\$410.00) Processing/reporting - (\$665.00) Hearing (minimum one hour) - (\$1,680.00) 	Plus \$440.00 per subsequent hour of Hearing

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Dog, Stock and Noise

Dog control

Description	Annual Fee \$
Dog registration per non-working dog (if paid by 31 August 2018)	66.00
Dog registration per working dog as defined under the Dog Control Act 1996 (if paid by 31 August 2018)	44.00
Dog Registration per dog for 20 or more dogs registered to the same owner (if paid by 31 August 2018)	44.00
Dog Registration fee for any non-working dog/s registered after 31 August 2018	99.00
Dog Registration for working dogs registered after 31 August 2018	66.00
Replacement tags	2.00
Dog collars	
<ul style="list-style-type: none"> Small Medium 	8.00 10.00



Description	Annual Fee \$
Transfer from another country (pro-rata for balance of registration year)	Pro-rata
Re-homed or rescued dog registered after 31 August*	93.00
*Registration of re-homed or rescued dog registered after 31 August where new owner produces:	
<ul style="list-style-type: none"> • Proof of acquisition of dog from SPCA; or • Proof of acquisition of dog from Pound; or • Vet bill to prove treatment/examination of injured/found dog. 	

Surcharges and other fees as set by the Dog Control Act 1996

Description	Fee \$
Probationary owners (registration fee plus 50%)	93.00
Dangerous dogs (registration fee plus 50%)	93.00
Failure to comply with the Dog Control Act or Bylaw	300.00
Keeping an unregistered dog	300.00
Fraudulent sale or transfer of a dangerous dog	500.00
Failure to keep a dog under control	200.00
Allowing dangerous dogs at large unmuzzled	300.00
Microchipping dog	As charged to Council plus 10%

Impounding dogs and sustenance of dogs in the Pound (including transporting of animals from Dargaville to Whangarei Pound)

Description	Fee \$
Transport to Whangarei - per occasion	275.00
First impounding in the current financial year of a dog registered to a probationary dog owner	120.00



Description	Fee \$
Second impounding in the current financial year of a dog registered to a probationary dog owner	170.00
Third impounding in the current financial year of a dog registered to a probationary dog owner	220.00
Sustenance fees - per dog per day or part thereof in the pound	28.00

Other charges

Description	Fee \$
Permit to keep more than two dogs in a residential area. <i>As a once-only charge for the duration of the time more than two dogs reside on the property.</i>	75.00

Stock control

Description	Fee \$
Stock impounding <i>Transportation of stock (truck) actual cost plus fee per animal</i>	120.00
Stock sustenance <i>Daily sustenance for horses and cattle per animal</i>	48.00
<i>Daily sustenance for other animal per animal</i>	38.00

Stock droving

Description	Fee \$
Callout and Droving <i>Normal hours (0500-1700) per hour per person</i>	75.00
<i>Hours between 1700-2200 per hour per person</i>	85.00
<i>Hours between 2200-0500 per hour per person</i>	130.00



Description	Fee \$
<i>Weekends and public holidays per hour per person (e.g. if Friday is a public holiday then the public holiday charge starts from 1700 Thursday night and ends 0500 the first normal day e.g. Monday morning)</i>	130.00
<i>Plus mileage from boundaries of Dargaville and Mangawhai - based on AA approved per kilometre</i>	1.00

Noise Control

Description	Fee \$
Charge to cover seizure, impounding, transporting, storing and return of property under section 336 Resource Management Act 1991 - per response	224.00
Infringement notices for:	
• <u> </u> contravening s9 offences	300.00
• <u> </u> contravening an excessive noise direction	500.00
• <u> </u> contravening an abatement notice	750.00

Stationary Vehicle Charges

Parking fees

Description	Fee \$
P10 Up to 30 minutes	10.00
P10 More than 30 minutes but no more than 1 hour	15.00
P10 More than 1 hour but not more than 2 hours	20.00
P10 More than 2 hours but not more than 4 hours	30.00
P10 More than 4 hours but no more than 6 hours	40.00
P10 More than 6 hours	57.00
P60 Up to 30 minutes	10.00



Description		Fee \$
P60	More than 30 minutes but no more than 1 hour	15.00
P60	More than 1 hour but not more than 2 hours	20.00
P60	More than 2 hours but not more than 4 hours	30.00
P60	More than 4 hours but no more than 6 hours	40.00
P60	More than 6 hours	57.00

Unregistered and unlicensed motor vehicle

Description		Fee \$
C101	No current Warrant of Fitness – Private	200.00
C201	No current Warrant of Fitness – Commercial	600.00
P401	Unregistered motor vehicle	200.00
P402	Unlicensed motor vehicle	200.00
P403	Registration plates not affixed in prescribed manner	200.00
P404	Displayed other than authorised registration plate	Ind 200.00*
P405	Displayed other than authorised motor vehicle licence	Ind 200.00*
P406	Displayed item likely to be mistaken for plate or licence	Ind 200.00*
P407	Displayed item with intent to deceive	Ind 200.00*
P408	Obscured or indistinguishable registration plate	Ind 200.00*
P409	Obscured or indistinguishable licence label	Ind 200.00*
P410	Used vehicle label not affixed in prescribed manner	Ind 200.00*
P411	Current licence label not affixed in prescribed manner	Ind 200.00*

Note *Where this is a corporate-owned vehicle the charge is \$1,000 rather than the \$200.00



Illegal parking

Description	Fee \$
Parked on a clearway per occasion	60.00
Parked on broken yellow line	60.00
Inconsiderate parking	60.00
Double parked	60.00
Parked on a bus stop	40.00
Parked on a loading zone	40.00
Parked on a mobility stand	150.00
Parked within 500 millimetres of a fire hydrant	40.00
Parked obstructing a vehicle entrance	40.00
Incorrect kerb parking	40.00

Bylaw fees and charges

Description	Fee \$
Use of public land for events or for commercial vendor activities	minimum fee 550.00
<i>Note: In high demand areas Council may run a competitive bid process to determine appropriate fees.</i>	
Amusement Gallery (licence under Part 6 Kaipara District Council General Bylaws 2008)	760.00
Bus Stop and Taxi Stand	0.00
<u>Temporary Street Closure</u>	
• <u>Closures for hill climbs, car rallies and similar</u>	<u>non-refundable fee 600.00</u>
	<u>plus Bond 5,825.00</u>



Description	Fee \$
<ul style="list-style-type: none"> Closures for processions etcetera in urban areas non-refundable fee <p><i>(this fee may be reduced at Council's discretion to assist charity events)</i></p>	290.00
Class 4 Gambling Venue and Board Venue Application (under Part 7 Kaipara District Council Class 4 Gambling Venue Policy)	760.00
Onsite Wastewater Disposal System inspection	250.00

Amusement Device Regulations

Description	Fee \$
For one device, for the first seven days of proposed operation or part thereof	10.00
For each additional device operated by the same owner, for the first seven days or part thereof	2.00
For each device, \$1.00 for each further period of seven days or part thereof	1.00

Litter Infringements

Description	Fee \$
Depositing litter or having deposited litter of less than one litre in volume, and leaving it in or on a public place, or in or on private land without the consent of its occupier.	120.00
Depositing litter or having deposited litter of more than one litre and less than 20 litres* in volume, and leaving it in or on a public place, or in or on private land without the consent of its occupier.	200.00
Depositing litter or having deposited litter of more than 20 litres* and less than 120 litres** in volume and leaving it in or on a public place, or in or on private land without the consent of its occupier.	300.00
Depositing litter or having deposited litter of more than 120 litres** in volume and leaving it in or on a public place, or in or on private land without the consent of its occupier.	400.00



Description	Fee \$
Depositing animal remains or having deposited animal remains and leaving them in or on a public place, or in or on private land without the consent of its occupier.	400.00
<i>*20 litres is the approximate maximum capacity of two standard supermarket bags in normal conditions</i>	
<i>**120 litres is the approximate maximum capacity of a standard "wheelie bin" in normal conditions</i>	

Community Asset fees and charges

Roading

Description	Fee \$
Vehicle crossing permit, including processing and pre-approval inspection, pre-pour and final inspection (when not related to a subdivision)	485.00
Vehicle crossing additional inspection (when not related to a subdivision)	180.00
Application for a RAPID rural number (urban numbers no charge)	42.00
Application for No Spray Zone	
Urban	190.00
Rural	225.00
Stock underpass inspection	260.00
	plus mileage
<u>Roading Licence to Occupy annual monitoring fee</u>	<u>160.00</u>

Road stopping and road signage

Description	Fee \$
Administration costs	360.00
External charges	As charged to Council
Note: <i>These charges will apply where the intended road stopping is for private benefit.</i>	



Road corridor access request fees (Utilities Access Act 2010)

Description	Fee \$
Basic fee	
Standard processing fee	100.00
Inspection fees (based on length of exaction)	
Minimum fee	100.00
Up to 200 metres (fee per metre)	1.60
200 metres plus (fee per metre)	1.05
Additional non-compliance fees	
Late notice (per day)	345.00
Further delay (per day)	38.00
Extra processing (per notice)	100.00
Follow-up inspections (per inspection)	150.00

Notes:

- 1 Inspection fee. Will only be charged if inspections are made. Late Notice fee. Only applies where a 'Road Work Notice' is not obtained within the required time. It will not be charged if repair is a result of an emergency event.
- 2 Further delay fee. Only applies once the Principal or their Contractor has been notified of the need of a Road Work Notice and further delays occur in the obtaining of a notice.
- 3 Extra processing fee. Only applies where the information required to be supplied is either incomplete, not correct, or is not supplied within the required time.
- 4 Follow-up Inspection fee. Only applies where a further inspection is required to ensure faulty work is remedied.
- 5 Good work or faulty work is identified during inspections and is assessed using the requirements of the National Code of Practice for Utilities Access to the Transport Corridors.
- 6 No fees will be charged for works carried out by contractors working on Council Utilities Maintenance or Construction Contracts.



Overweight permit

Description	Fee \$
Overweight permit (annual permit for vehicles carrying weight in excess of 8.2 tonnes per axle)	130.00

Refuse collection and disposal

Description	Fee \$
Two refuse collection contracts are operational in the district, one east of Ruawai and one covering Ruawai Township and the area west of Ruawai. The contractors use a pre-printed bag system and the charges for these are as set by the contractor (in conjunction with Council).	
Illegally dumped litter fee	Removal of illegally dumped rubbish by the contractor where offender is identified as per litter infringement fines

Stormwater disposal

Description	Fee \$
Inspection fees	360.00
Connection fee	As per approved contractor's quote plus 15%
<i>Connections to public infrastructure are undertaken by Council contractors.</i>	
<i>The connection fee is costed for a standard residential connection. It includes a "y" junction and piping to the boundary.</i>	
<i>If a connection is not standard or the distance from the main to the boundary exceeds 2.0 metres, Council reserves the right to recover actual costs.</i>	

Wastewater disposal

Description	Fee \$
Inspection fees	360.00
Physical connection fee	As per approved contractor's quote plus 15%
<i>Connections to public infrastructure shall be undertaken by Council's contractors.</i>	



Rates postponement

Description	Fee \$
Statutory Land Charge	95.00 per hour**
Preparation and registration of a Statutory Land Charge	<i>**plus any charges to Council plus 10% of the amount postponed for the first year of postponement and thereafter at 6.99% of the amount postponed</i>
Preparation and registration of the release of a Statutory Land Charge	95.00 per plus charges to Council

Water supply

Description	Fee \$
Existing connection point	
Provide 20 millimetre meter and non-testable backflow preventer	275.00
Provide 25 millimetre meter and non-testable backflow preventer	520.00
New connection	
<i>Normal residential connection with testable backflow preventer</i>	
Provide 20 millimetre connection, testable backflow preventer and meter	1,650.00
Provide 25 millimetre connection, testable backflow preventer and meter	2,040.00
<i>Normal residential connection with non-testable backflow preventer</i>	
Provide 20 millimetre connection, non-testable backflow preventer and meter	1,400.00
Provide 25 millimetre connection, non-testable backflow preventer and meter	1,820.00

Notes

- Council's contractor will provide all necessary components to complete the connection from the main to the property boundary. If the distance from the main to the boundary exceeds 2.0 metres, Council reserves the right to recover actual costs.



- 2 Council's contractor will provide the meter and install onto an existing connection at the boundary
- 3 Council's contractor will only make the physical connection to the Council main and install the toby/anglemain valve. The applicant will carry out all other physical works.
- 4 This section applies where applicable to all connections:
 - 4(a) Where a larger meter is required a quote will be obtained from Council's contractor. This quoted cost plus 15% shall be paid to Council prior to work commencing.
 - 4(b) Where a connection is not straightforward (e.g. crossing a road or lifting cobblestones) a quote will be obtained from Council's contractor. The quoted cost plus 15% shall be paid to Council prior to work commencing.
 - 4(c) Where land is being subdivided, it is the subdivider's responsibility to provide a water connection to each lot and connect the development's water supply reticulation system to the public system. In all cases connection to the Council main shall be done by Council's contractor and payment shall be made directly by the subdivider to Council's contractor.

Other connection/disconnection

Description	Fee \$
Annual inspection fee for backflow preventer	85.00
Water reconnection fee or removal of water flow restrictor	290.00
Water disconnection fee	290.00

Water meter reading

Description	Fee \$
Water meter testing fee (<i>if requested by the consumer and not found faulty</i>)	150.00
Water meter check reading (<i>if found to be incorrect, fee to be refunded</i>)	80.00
Final water meter reading	45.00



Pensioner housing

Description	Fee \$
Fagan Place Mangawhai	per week 146.00 *
Kauri Court Dargaville	per week 130.00 *
Awakino Road Dargaville	per week 130.00 *
Bledisloe Street Ruawai	per week 130.00 *

*The fee will be increased by CPI plus minor rounding annually.

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Cemeteries

Description	Fee \$
a) Plot purchase	
For purchase of each 2.4 x 1.2 metre plot with exclusive right of burial in perpetuity (includes maintenance)	1,420.00
For any child up to eleven years (Mt Wesley cemetery only)	360.00
b) Interment fees	
Single depth burial of any person up to eleven years	360.00
Single depth burial of any person	950.00
Extra depth	1,015.00
Stillborn and newborn	175.00
<u>Additional fee for Short Notice burial (Under 2 Working Day Minimum)</u>	<u>400.00</u>
Additional fees for any interment taking place on Saturday or Sunday	625.00
Additional fees for any interment taking place on a Public Holiday	1,180.00



Description	Fee \$
c) Other fees	
Ash burial taking place on a Public Holiday	480.00
Interment of Ashes (digging fee)	185.00
Disinterment of any body in the cemetery	1,890.00
Out of District fee (at Council's discretion)	370.00
Ash Wall purchase of plaque (no interment)	300.00
Ash Plot (purchase and maintenance)	360.00
Oversize casket	190.00
Concrete Work (works to concrete berms, headstones, plaques, below ground concrete capping at the customer's request)	200.00

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Campgrounds

Fees at Council's campgrounds vary from camp to camp and are subject to change without notice. Further details may be obtained from Council's Customer Service Centres.

Lake Waikare Education Centre at Taharoa Domain

Description	Fee \$
Private/profit-making group rate	For 24 hours 300.00 per hour 60.00 Bond 300.00
Community Group rate	For 24 hours 150.00 per hour 30.00 Bond 150.00
Social Services/voluntary rate	For 24 hours 100.00 per hour 20.00 No bond

Commented [JH1]: New charges

Dargaville Town Hall (Northern Wairoa War Memorial Hall) hire

Description				Fee \$
Area	Private / profit-making rate	Community group rate	Social service / voluntary rate	
Auditorium	\$200 per day OR \$50 per hour	\$80 per day OR \$20 per hour	\$40 per day OR \$10 per hour	
Conference Room (does not include use of the kitchen)	\$100 per day OR \$25 per hour	\$60 per day OR \$15 per hour	\$30 per day OR \$10 per hour	
Conference Room and Kitchen (no cooking – for tea, coffee and light refreshments only)	\$120 per day OR \$30 per hour	\$70 per day OR \$18.00 per hour	\$35 per day OR \$10 per hour	
<u>Auditorium and Kitchen</u>	<u>\$250 per day OR</u> <u>\$40 per hour</u>	<u>\$110 per day OR</u> <u>\$28 per hour</u>	<u>\$55 per day OR</u> <u>\$15 per hour</u>	
Kitchen (alone)	\$100 per day OR \$25 per hour	\$60 per day OR \$15 per hour	\$30 per day OR \$10 per hour	
Whole Facility	\$380 per day OR \$80 per hour	\$180 per day OR \$50 per hour	\$80 per day OR \$20 per hour	

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All hires will include shared use of the foyer. ANZAC Theatre operates most days with multiple screenings throughout the day. The Citizens Advice Bureau and the Community Wellness for Older Adults also use part of the foyer, kitchen and toilet facilities for a few hours during work days.

Hirers will be invoiced directly for any damage and cleaning costs. A Bond Authorisation Form with a cheque or credit card information for \$400 (for whole facility) or \$200 (for partial use) will be required for most hirers.

These fees and charges can be varied at the discretion of Council for exceptional circumstances.

For more information, please contact Council's Administration Team at administrationrequests@kaipara.govt.nz



Hire Charge Guidelines

1 Definition of Private or Profit-Making

- Any private function, not open to the public.
- Any function or activity run for the profit of a business, private individual, family or Family Trust or firm.
- Any Government department.
- All Churches and political parties, union or employer organisations.

2 Definition of Community Group

- All non-profit-making groups; all income used for groups aims.
- Be open to all members of the target community without restriction of religious or political belief.
- All groups operating a service or activity beneficial to the community; providing a recreation, cultural or community service or activity.
- Schools from within local area / District boundaries.
- Have no other source of income other than members' fees, fundraising and grants.

3 Definition of Social Service and Voluntary

Those groups which primarily exist to provide social services to address particular needs in the community.

Those groups which primarily exist to provide a co-ordinating function for a number of common interest community groups, working in partnership with Council. Examples include: Youth Aide, Blue Light, OSCAR, Regional Sports Trusts, Blood Donor Collection, Mental Health, Shared Vision, Council's Health Forum and Youth Forum.

Activities and functions organised by partners in conjunction with Council's projects and / or programmes.

4 Council Reserve of Rights

Council reserves the right to amend Charges, Hire Guidelines and Conditions of Hire from time to time without notice.

The status of some groups or organisations can change depending on the project, programme or activity requiring facilities. Council reserves the right to decide which rate type is applicable on the merits of any such applications.

Example: A Church wanting to run a youth event for the benefit of local youth or community open to all, any fees charged are to cover costs or for the benefit of the community and not as profit, is different to the same Church wanting to hire facilities for their Church services or run house.



Dargaville Library

Description		Fee \$
Membership	Dargaville Public Library is free for Kaipara residents and ratepayers	
	<u>Replacement</u> card (adult member)	2.00
	<u>Replacement</u> card (junior member)	1.00
	Borrower outside Kaipara District (six months subscription)	15.00
	Borrower outside Kaipara District (12 months subscription)	30.00
	Visitor to Kaipara District (up to three months)	20.00
		(\$10.00 refundable)
<u>Library Bags</u>		<u>3.00</u>
Rental items	Best Sellers	3.00 for 1 week
	DVDs	3.00 for 1 week
	<u>Premium DVD Subscription – six months</u>	<u>25.00</u>
	<u>Premium DVD Subscription – one year</u>	<u>50.00</u>
	Rental Fiction	1.00 for 3 weeks
Overdue fees	Late return fee for DVDs and Best Sellers	1.00 per day
	Third and final overdue notice fee (<u>adult member</u>)	5.00
Printing and photocopying	A4 black and white	0.20 per page
	A3 black and white	0.40 per page
	A4 colour	2.00 per page
	A3 colour	4.00 per page

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Description		Fee \$
<u>Laminating</u>	<u>A4</u>	<u>2.00 per page</u>
	<u>A3</u>	<u>3.00 per page</u>
Facsimile	A4 sent nationally	1.00 <u>up to 5 pages</u>
	A4 sent internationally	3.00 <u>up to 5 pages</u>
Scanning to email		1.00 up to 10 pages 1.00 per 10 pages thereafter
Printing from internet computer	A4	0.20 per page
Interloans	From libraries with reciprocal agreement	\$5.00 for 4 weeks unless notified of another date
	From libraries without reciprocal agreement	\$20.00
Lost/damaged items	replacement cost or repair fee charged per item plus \$6.00 administration fee	

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General fees

Description		Fee \$
Photocopying: black and white	A4 per page	0.20
	A3 per page	0.40
Photocopying: colour	A4 per page	2.00
	A3 per page	4.00
General Bylaws	Per section	7.50
	Full bound copy	55.00
2013 Operative District Plan	Text and maps	490.00
Engineering Standards	Full bound copy	55.00



Description		Fee \$
Council information provided on CD	Per CD	40.00
Council information provided on a USB	Per USB	15.00
File Search, Customer Enquiries etcetera		95.00 per hour or part thereof plus the cost per page
Local Government Official Information and Meetings Act (LGOIMA) requests		First hour free then \$76.00 per hour plus photocopying as per above rates

File number: 3502.05 **Approved for agenda**
Report to: Council
Meeting date: **28 February 2019**
Subject: **Policy on Dogs and Dog Management Bylaw Review – Adoption of Statement of Proposal for public consultation**
Date of report: 08 February 2019
From: Mark Schreurs, Policy Analyst
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Council's Policy on Dogs and Dog Management Bylaw is due for review. This review has led to the preparation of a new Draft Policy on Dogs and Dog Management Bylaw (**Attachment 1**) and supporting Statement of Proposal (**Attachment 2**). The direction captured in these documents has been prepared following a review of dog-related complaints to Council, consultation with Mana Whenua and key stakeholders, input from elected members and suggestions from staff. This direction can now be put out to the community for written feedback.

The Dog Control Act 1996 requires Council to use the "special consultative procedure" under the Local Government Act 2002 when making or amending its Policy on Dogs and Dog Management Bylaw. In addition, it also requires Council to give notice to every person who, according to Council's register, is the owner of a dog. In accordance with these statutes the Draft Policy on Dogs and Dog Management Bylaw (**Attachment 1**) and supporting Statement of Proposal (**Attachment 2**) are now presented with the report for adoption for public consultation.

Public consultation is proposed to run from 05 March 2019 until 10 April 2019. This will allow the public to make submissions and will be followed by the opportunity for Hearings. The Council should consider if it would like submissions to be heard by the full Council or by a Hearings Panel.

Following Deliberations in May/June 2019, the final Policy and Bylaw can be adopted at the 27 June 2019 Council meeting.

Recommendation

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Policy on Dogs and Dog Management Bylaw Review – Adoption of Statement of Proposal for Public Consultation' dated 08 February 2019; 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 Policy on Dogs and Dog Management Bylaw, included as Attachment 1 to the aforementioned report, for public consultation; and*

- 4 *Adopts the Statement of Proposal, included as Attachment 2 to the aforementioned report, for public consultation; and*
- 5 *Establishes a Hearings Panel consisting of Councillor XXX, Councillor XXX and Councillor XXX and delegates them to hear any submissions received and recommend to Council amendments to the Draft Policy on Dogs and Dog Management Bylaw.*

Reason for the recommendation

Dog control is a topic close to the hearts of many in the Kaipara community. Adopting the Draft Policy on Dogs and Dog Management Bylaw and Statement of Proposal for public consultation will allow dog owners and the general public to have their say on the dog control rules which apply to their community. Public consultation, as is being proposed by this recommendation, is a statutory requirement under the Dog Control Act 1996.

Reason for the report

To introduce the Draft Policy on Dogs and Dog Management Bylaw and Statement of Proposal to Council and recommend their adoption for public consultation.

Background

Section 10 of the Dog Control Act 1996 requires Council to adopt a Policy on Dogs (“The Policy”), while section 20 requires Council to adopt a Dog Management Bylaw (“The Bylaw”) to give effect to the Policy. The Policy sets out the approach Council takes to managing dogs in the district. This includes setting areas where dogs must be kept on a leash and where dogs are not allowed, as well as rules around picking up dog droppings in public places, wandering dogs, etcetera. The Bylaw is the legal instrument which gives effect to the approach set out in the Policy (bylaws are legally enforceable, policies are not).

Under section 10(4) of the Dog Control Act 1996, when adopting or reviewing a Policy on Dogs and Dog Management Bylaw, Council is required to have regard to:

- The exercise and recreational needs of dogs and their owners;
- The need to minimise danger, distress and nuisance to the community generally;
- The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
- The importance of enabling, to the extent practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs.

In addition, the Policy is required (under section 10 of the Dog Control Act 1996) to contain information about controlled and restricted areas, state whether menacing dogs are required to be neutered and to specify the nature and application of the bylaw which gives effect to the Policy. It may also contain such other information as Council sees fit including but not restricted to fees, education, obedience, owner classification, disqualification and infringement notices.

Issues

Under section 159 of the Local Government Act 2002, the Bylaw is required to be reviewed every 10 years. As the current Bylaw was adopted in July 2009, Council is required to complete a review of this bylaw by July 2019.

Following this review, Council staff have prepared a Draft Policy on Dogs and Dog Management Bylaw (**Attachment 1**) with supporting Statement of Proposal (**Attachment 2**). The key changes being proposed through these documents are discussed as follows:

- a) ***Dogs to be kept on a leash when walked in urban streets and footpaths.*** This direction builds on the approach taken by the current Policy which already identifies key streets in urban centres as being on-leash areas. Expanding this approach to cover all streets and footpaths in urban areas, aims to avoid confusion over which areas are in or out. That is, it is easier for dog owners to distinguish between urban and rural environments than to know which individual streets, or parts thereof, are included or excluded.
- b) ***Dogs prohibited on the Mangawhai Sand Spit Beach.*** The interior of Mangawhai Sand Spit is Department of Conservation (DOC) land. DOC forbids dogs from accessing this area because it is one of the last breeding sites of the New Zealand fairy tern/tara iti. With a population of around 45 individuals that includes approximately 12 breeding pairs, the fairy tern is probably New Zealand's most endangered indigenous breeding bird. Council is proposing supporting efforts to save this species by prohibiting dogs on the beach surrounding this area.
- c) ***Dogs to be kept on a leash on the beach near Pouto Point.*** Much of the land adjoining the beach at Pouto Point is administered by DOC who has placed their own restrictions on dogs in order to protect the endangered New Zealand dotterel/tūturiwhatu. Requiring dogs to be kept on a leash on the beach adjoining the area where these birds are nesting supports the protection of this native species while still allowing dogs to be transported along or walked along the beach.
- d) ***The roads around Trounson Kauri Park to be made on-leash areas.*** This was a request from Te Roroa. In the interests of protecting Kiwi, it is proposed dogs be kept on a leash on Trounson Park Road between Aranga Station Road intersection and McLean Road intersection and on Mangatu Road from the McLean Road intersection to the Trounson Park Road intersection. Working dogs will be exempt from this requirement while being used for the purposes for which they are kept e.g. herding stock.
- e) ***Dogs to be kept on-leash on the Mangawhai Cliffs Track.*** This walking track is a place where dogs could potentially encounter other walkers with little room to pass each other. This experience may be intimidating to some walkers. Furthermore, the track passes through farmland where some dogs may worry stock. Keeping dogs on a leash is intended to mitigate these issues.
- f) ***Dogs to be kept on-leash around much of Pahi's foreshore.*** There have been sufficient complaints about dogs at Pahi to propose extending the existing on-leash areas to include all of the foreshore from Fisher Street to the beach area known as Dems Road (including the esplanade reserve at Dems Road). The area of beach north of Dems Road is proposed to remain an off-leash area and will be recommended for off-leash activities.
- g) ***Dogs to be prohibited within Mangawhai Camp Ground (Alamar Crescent).*** This follows numerous complaints about dogs in the camp ground.
- h) ***Dog access rules for Mangawhai Heads Reserve to be simplified.*** The current rules around when dogs can access Mangawhai Beach via the Mangawhai Heads Reserve are complex;

changing with the seasons and at different times of the day leading to confusion. To avoid confusion, it is proposed to make the whole of the Mangawhai Heads Reserve an on-leash area, regardless of the time of day or year.

- i) ***Dog access rules for Dargaville Central Business District (CBD) to be simplified.*** The current rules around when dogs can access the Dargaville CBD are complex, changing at different times of the day, and are causing confusion. To avoid confusion, it is proposed to make the whole of the Dargaville CBD an on-leash area, regardless of the time of day.
- j) ***Dogs to be prohibited from the Pou Tu Te Rangi pa.*** In accordance with a recommendation from the Pou Tu Te Rangi Joint Management Committee and Harding Park Committee at their Tuesday 23 October 2018 Extraordinary meeting, the draft Policy and Bylaw will include the direction that dogs be prohibited from the Pou Tu Te Rangi pa site and be required to be kept on a leash throughout the remainder of Harding Park and Old Mount Wesley Cemetery. If this approach is ultimately adopted an alternative walking route around the pa site will be built.
- k) ***Addition of provisions to protect dogs and address nuisances.*** Provisions will be added relating to diseased dogs, bitches in season, dogs in/on vehicles, shelter and housing of dogs, confinement of dogs and nuisance. This will ensure Council has sufficient powers to intervene where the improper care of dogs is causing a nuisance, disturbance or animal welfare issue.
- l) ***A permit will be required to breed dogs on residential sections.*** Tightening of the current rules on the number of dogs that may be kept at a residential address will close a loophole that currently allows people to breed dogs on a residential section without a permit. This loophole is currently resulting in problems for Council's enforcement officers.

These changes are based on an analysis of issues being experienced by the community as evident from past complaints, input from elected members and recommendations by Council staff. In addition, staff have also written to key stakeholders in the community and Mana Whenua seeking their thoughts on dog control in the district and how the current Policy and Bylaw should be amended.

That said, the Draft Policy and Bylaw is only a proposal on which public feedback is sought. The Dog Control Act 1996 requires Council to make its Policy on Dogs and Dog Management Bylaw available in draft form for the community to review and submit their views. Council is required to consider the community's views, and make amendments where necessary before adopting the final Policy and Bylaw.

Factors to consider

Community views

Dog control rules have been seen to be a contentious subject both within and beyond the Kaipara district. Clashes often occur between dog owners who seek liberal dog access rules, environmentalists who seek to restrict dogs from areas where they may encounter wildlife, and some non-dog owners who find dogs intimidating or disruptive. In addition, as a rural district, Kaipara has many working dogs who have different needs to dogs kept purely as pets. Council will need to balance all these views as it seeks to develop and adopt a final Policy and Bylaw.

Policy implications

Links to Council's General Bylaws and Reserve Management Plans were considered when undertaking the review of Council's Policy on Dogs and Dog Management Bylaw.

Financial implications

The cost of undertaking the required public consultation can be completed within Council's existing budgets.

Legal/delegation implications

Review of Council's Policy on Dogs and Dog Management Bylaw is a statutory requirement which must be undertaken at least every 10 years. If after 10 years the bylaw has not been reviewed, the bylaw will lapse two years later and can no longer be enforced.

Public consultation, as is being proposed by this recommendation, is a statutory requirement under the Dog Control Act 1996.

Options

- Option 1:** Adopt the Draft Policy on Dogs and Dog Management Bylaw and supporting Statement of Proposal for public consultation in accordance with the legislative requirements.
- Option 2:** Request further changes to the Draft Policy on Dogs and Dog Management Bylaw and supporting Statement of Proposal before they are adopted for public consultation.
- Option 3:** Status Quo. Continue the Kaipara District Policy on Dogs and Dog Management Bylaw without amendment (everything stays as it is).

Assessment of options

Option 1, adopting the Draft Policy on Dogs and Dog Management Bylaw and supporting Statement of Proposal for public consultation, is necessary to satisfy the requirements of legislation. The Draft Policy on Dogs and Dog Management Bylaw has been prepared following input from elected members, Council staff, Mana Whenua and the community. This document and its supporting Statement of Proposal can now be adopted for public consultation if the Council is satisfied with it.

Option 2, requesting further changes to the Draft Policy on Dogs and Dog Management Bylaw and supporting Statement of Proposal before they are adopted for public consultation, would be a good decision if Council identifies necessary changes. If the necessary changes/edits are minor, Council could pass a resolution at this meeting to adopt the draft documents for public consultation subject to these amendments. However, if extensive changes are required then the amended documents should be re-presented to a future Council meeting before being adopted for public consultation.

Option 3, continuing the Kaipara District Policy on Dogs and Dog Management Bylaw without amendment (status quo), would acknowledge the review which has been undertaken but conclude that no change is needed to the existing Policy on Dogs and Dog Management Bylaw. Consultation would still be required under section 83 and 86 of the Local Government Act 2002. It is believed that the current Policy and Bylaw approach is not appropriate to address the current issues being experienced within the Kaipara district.

Assessment of significance

Council's Significance and Engagement Policy is not applicable to this decision.

Recommended option

The recommended option is **Option 1**.

In addition, Council should also consider if it wants to appoint a Hearings Panel to hear any submissions received and make recommendations to the full Council as to what changes are necessary before a final version of the Policy and Bylaw are adopted.

Next step

Public consultation will run from 05 March 2019 until 10 April 2019. This will allow the public to make submissions and will be followed by the opportunity for Hearings. Following Deliberations in May/June 2019, the final Policy and Bylaw can be adopted at the 27 June 2019 Council meeting.

Attachments

- Draft Kaipara District Policy on Dogs and Dog Management Bylaw 2019
- Draft Statement of Proposal

Draft Kaipara District Policy on Dogs and Dog Management Bylaw



February 2019



This Policy is made pursuant to Section 10 of the
Dog Control Act 1996.

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Kaipara District Policy on Dogs

1 Background

The Dog Control Act 1996 (the Act) section 10 requires Council to adopt a policy on dogs. This Policy has been developed in accordance with the Act and, as per section 10(4) of the Act, gives regard to:

- a) the need to minimise danger, distress, and nuisance to the community generally;
- b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
- c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- d) the exercise and recreational needs of dogs and their owners.

The Council recognises that the majority of dog owners are responsible and that most interaction between dogs and the public is positive. This Policy aims to achieve a balance between the control of dogs and recognition of the health benefits of dog ownership. The Policy also aims to keep dogs as a positive part of Kaipara communities by maintaining opportunities for dog owners to take their dogs into public places, while adopting measures to minimise any inherent problems caused by dogs.

As well as protecting the safety of our community and recognising that dog owners are responsible for the exercise of their dogs, Council also recognises the need to protect other animals including wildlife, and significant habitats of indigenous fauna.

Council's Dog Management Bylaw 2019 gives effect to Council's Policy on Dogs 2019 and should be read in conjunction with this Policy.

2 Objectives

This Policy on Dogs aims to:

1. Prevent injury, distress and nuisance from dogs.
2. Identify dog access areas.
3. Provide for the neutering of menacing dogs.
4. Minimise potential danger or distress to protected wildlife.
5. Promote responsible dog ownership.

3 Interpretation

In this Policy, unless the context requires otherwise, the following words and phrases shall have the following meanings:

'The Act' unless otherwise stated means the Dog Control Act 1996.

'Authorised Officer' means any person authorised by the Council to act on its behalf.

'The Bylaw' means the Kaipara District Dog Management Bylaw.

'Confined' means enclosed securely in a building or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.

'Council' means the Kaipara District Council.

'Disability Assist Dog' shall have the same meaning as given to it in the Dog Control Act 1996.

'District' means the district of the Kaipara District Council.

'Leash' means a restraint capable of restraining the dog and held by a person or fixed to an object physically capable of restraining the dog.

'Menacing Dog' means any dog classified as menacing under sections 33A or 33C or 33ED of the Dog Control Act 1996.

'Neutered Dog' means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.

Nuisance has the same meaning as defined in section 29(k) of the Health Act 1956.

'Off-Leash and Under Control' means that a dog is kept under control by means of voice commands, hand signals, whistles or other effective means that results in immediate direct control of the dog.

'On-Leash' means that a dog is kept under control by means of a leash which is attached to the dog so that the dog cannot break loose, and which is tethered to an immovable object or held by a person physically capable of restraining and controlling the dog.

'Owner' in relation to any dog, shall have the same meaning as given to it in the Dog Control Act 1996.

'Playground' means an outdoor area developed or marked out as a playground that contains children's play equipment or objects.

'Premises' means any land, house, storehouse, shop, cellar, yard, building or part of the same, or enclosed space separately occupied; and all lands, buildings and places adjoining each other and occupied together shall be deemed to be the same premises.

'Public Place' shall have the same meaning as given to it in the Dog Control Act 1996.

'Reserve' shall have the same meaning as given to it in the Reserves Act 1977.

'Road' shall have the same meaning as in section 315 of the Local Government Act 1974.

'Rural' means any land zoned Rural, Maori Purposes: Maori Land or Maori Purposes: Treaty Settlement Land in the Operative Kaipara District Plan.

'Under Control' in relation to a dog, means that the owner or person appearing to be in charge of the dog is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles or other effective means that results in immediate direct control of the dog.

'Urban' means land zoned residential, commercial or industrial in the Operative Kaipara District Plan.

'Working Dog' shall have the same meaning as given to it in the Dog Control Act 1996.

For the avoidance of doubt: Nothing in this Policy absolves any dog owner from their responsibilities as defined by the Dog Control Act 1996 or other legislation.

Enforcement: The regulatory aspects of the Kaipara District Policy on Dogs are applied through the Kaipara District Dog Management Bylaw 2019 which should be read in conjunction with this Policy.

4 Policies

1. Council will provide for the dog access areas which are identified in Schedule 1 and Schedule 3 of this Policy.
2. Council will promote the responsible ownership of dogs, including care and control around people, protected wildlife, other animals, property and natural habitats.

What does it mean to be a responsible dog owner?

- Register and microchip your dog.
- Teach your dog basic obedience (keep your dog under control at all times).
- Ensure your dog has adequate exercise.
- Know the best locations where you are allowed to exercise your dog.
- Be particularly vigilant near children and closely supervise interaction.
- If your dog ignores commands: put your dog on-leash, shorten the leash, or avoid the area altogether (even if in an off-leash area).
- Respect other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.
- Ensure your dog cannot leave your property by itself.
- Know when your dog must be on a leash, and always carry a leash.
- Pick up after your dog and carry the means (e.g. a bag) to pick-up your dog's faeces and properly dispose of it.

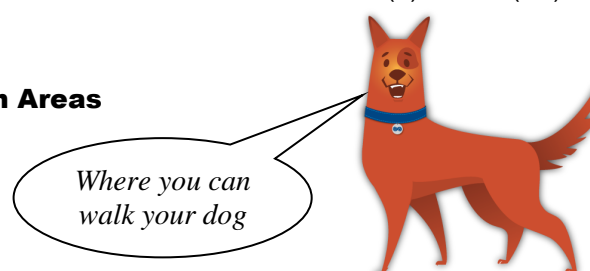
3. All dogs registered within the district and classified as menacing by Council or any other territorial authority must be neutered.
4. Council will regulate, dog access in public places, and specific owner obligations to minimise dog aggression and nuisance not already covered in legislation in accordance with a bylaw enacted under section 20 of the Act, and which is consistent with this Policy.
5. Dog registration fees will be reviewed annually. All fees relating to dogs will be set out in Council's Schedule of Fees and Charges. These include dog registration fees, surcharges as set by the Act, impounding fees and infringement fees.

6. The Council will, unless satisfied that the circumstances of the events are such that disqualification is not warranted, disqualify from owning any dog any owner who:
 - a. Commits three or more infringement offences within a continuous period of 24 months;
 - b. Is convicted of any offence (not being part of an infringement offence) against the Act;
 - c. Is convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, or section 26ZZP of the Conservation Act 1987 or section 56I of the National Parks Act 1980.
7. The Council will, unless it has disqualified that person from being an owner of a dog under section 25(1) of the Act, classify as probationary any owner who:
 - a. Is convicted of an offence (not being an infringement offence) against the Act or Part 1 or Part 2 of the Animal Welfare Act 1999 in respect of a dog, or any offence against section 26ZZP of the Conservation Act 1987 or section 56I of the National Parks Act 1980; or
 - b. Commits three infringement offences within 24 months.
8. Council will require every person it classifies as a probationary owner to undertake, at their own expense, a dog owner education programme or a dog obedience course (or both).
9. Infringement notices will be issued by Council's Authorised Officers where they have reasonable cause to believe that any person has committed an infringement offence under the Act. It is not necessary for an Authorised Officer to witness the offence.

5 Changes to this Policy

This Policy, including its Schedules, may be amended at any time, using the "special consultative procedure" under the Local Government Act 2002 in accordance with sections 10(8) and 10(8A) of the Dog Control Act 1996.

Schedule 1: Prohibited, On-leash and Off-leash Areas



Council imposes three types of dog access rules for public spaces within the district:

- a) Off-leash area – dogs may have access to this shared space off-leash and under control.
- b) On-leash area – dogs may have access to this shared space on-leash and under control.
- c) Prohibited area – no dog access.

Restricted and Prohibited access areas – The following rules are in place to ensure the safety of the public, to reduce the risk of any dog-related harm while also providing for the well-being and recreational needs of dogs and their owners.

Refer to Clause 3 of the Dog Management Bylaw for Disability Assist Dog and Working Dog access exemptions.

Note: By default, all public places within the district (including beaches and roads) are off-leash areas unless identified as an on-leash area or a dog prohibited area.

Area where rules apply	Map Reference	Dog access status
District-wide		
Within 10 metres of all public playgrounds except where there is an approved fence separating the dog from the playground.	District-wide	Prohibited
All public footpaths and roads in urban areas.	District-wide	On-leash
Mangawhai and surrounds		
Mangawhai cliffs track.	Map 1	On-leash
Mangawhai Sand Spit Beach down to Mean Low Water Springs.	Map 2, 3 & 4	Prohibited
Mangawhai Heads Reserve including the adjoining beach/foreshore down to Mean Low Water Springs.	Map 3, 2 & 4	On-leash
Mangawhai Harbour beaches and adjoining reserves from Heather Street to Mangawhai Heads Reserve down to Mean Low Water Springs.	Map 3, 2 & 4	On-leash
Mangawhai Camp Ground (Alamar Crescent).	Map 6, 2 & 4	Prohibited
The shopping complex on the corner of Wood Street and Fagan Place, Mangawhai.	Map 7, 2 & 4	Prohibited
Mangawhai Harbour beaches and reserves around Mangawhai Village from Molesworth Drive to Insley Street down to Mean Low Water Springs.	Map 8	On-leash
Whakapirau		
Whakapirau – the beach and esplanade above Mean Low Water Springs from the wharf to the south end of the Strand.	Map 10	On-leash
Pahi		
Pahi Reserve.	Map 11	On-leash

Area where rules apply	Map Reference	Dog access status
Pahi – the area of beach above Mean Low Water Springs in front of Bonham Street and including Fisher Street Reserve.	Map 11	On-leash
Pahi – the beach above Mean Low Water Springs from Fisher Street to the beach area known as Dems Road (including the esplanade reserve at Dems Road).	Map 11	On-leash
Paparoa		
Paparoa – the Village Green.	Map 16	On-leash
Tinopai		
Tinopai – the reserves and beach down to Mean Low Water Springs from the Tinopai Hall to the Komiti Road bridge over the Komiti Creek.	Map 13	On-leash
Dargaville and surrounds		
Dargaville waterfront from Totara Street to the Band Rotunda on Victoria Street.	Map 14	On-leash
Pou Tu Te Rangi Pa.	Map 12	Prohibited
Harding Park and Old Mt Wesley Cemetery.	Map 12	On-leash
Pouto		
Ripiro Beach near Pouto Point – from the Kaipara North Head Lighthouse to a point 400 metres south of the end of Pouto Road and extending down to mean low water springs.	Map 18	On-leash
Glinks Gully		
Ripiro Beach at Glinks Gully – the area extending from Marine Drive to Mean Low Water Springs.	Map 19 & 20	On-leash
Baylys		
Ripiro Beach at Baylys Beach – the area extending from the Baylys Beach urban area to Mean Low Water Springs.	Map 21 & 20	On-leash

Area where rules apply	Map Reference	Dog access status
Kai Iwi Lakes		
Kai Iwi Lakes (Taharoa Domain).	Map 22	Prohibited
Kaihu Area		
Trounson Park Road between Aranga Station Road intersection and McLean Road intersection.	Map 23 & 24	On-leash
Mangatu Road between McLean Road intersection and Trounson Park Road intersection.	Map 24 & 23	On-leash

In addition to the above, dog access to many areas of public conservation land in the Kaipara district is controlled by the Department of Conservation (DOC). It should be noted that dog access restrictions imposed by Council do not apply on public conservation land where DOC has imposed their own restrictions under section 26ZS of the Conservation Act 1987. Dog access restrictions on DOC land as at the date of adoption of this Policy are listed in Schedule 2. Please visit <https://www.doc.govt.nz/> and put in keyword “dog” for further information.

Recommended off-leash Areas – These areas have been identified as particularly suitable for dogs being off-leash and under control; however, this is by no means an exclusive list. These shared public areas will be promoted as off leash as they are able to provide for the well-being and recreational needs of dogs and their owners, as well as providing for other recreational needs.

Off-Leash and Under Control
Mangawhai – Mangawhai Community Park.
Mangawhai – Mangawhai Beach north of the Mangawhai Heads Reserve.
Kaiwaka – the reserve on the corner of Settlement Road and State Highway 1.
Pahi – the area of beach north of the area known as Dems Road.
Dargaville – Northern Wairoa Memorial Park (when the fields are not being used for sports).
Ripiro Beach – anywhere as far south as the southern end of Lake Wairere other than the on-leash areas adjoining Glinks Gully and Baylys Beach.
Te Kopuru – Te Kopuru Domain.

Schedule 2: Department of Conservation Controlled and Open Dog Areas

In addition to those dog access restrictions imposed by Council, DOC are also able to impose restrictions on the land they administer under [section 26ZS](#) of the Conservation Act 1987.

This Policy shall identify any land within the Kaipara District that is included in a controlled dog area or open dog area under [section 26ZS](#) of the Conservation Act 1987.

There are four different dog access rules applicable. These are:

- a) Controlled Dog Areas: No Access ('Controlled No Access')** – These areas are prohibited to dogs at all times.
- b) Controlled Dog Areas: Entry by Permit for Management and/or Recreational Hunting Subject to Conditions ('Controlled Permit'):**
- the number of hunting dogs is limited to three per hunter;
 - all farm dogs must at all times be under the supervision of their owner or other responsible person.
- c) Open Dog Areas: Lead Subject to Conditions ('Open Lead'):**
- all dogs shall be kept on a lead not exceeding three linear metres;
 - faeces to be removed.
- d) Open Dog Areas: Free Subject to Condition ('Open Free'):**
- at all times dogs must be under control by voice command.

The following table sets out the rules that apply under [section 26ZS](#) of the Conservation Act 1987 to different areas of the Conservation estate in the Kaipara district.

Area Name	Dog Access Rule	DOC Map Reference
Waipoua Forest	Controlled Permit	O06017
Taha Moana Sce. Res.	Controlled Permit	O06018
Katui Sce. Res.	Controlled Permit	O06019
Katui Cemetery Res.	Controlled No Access	O06020
Donnelleys Crossing Sce. Res.	Controlled Permit	O06021
Muriwai	Controlled Permit	O06024
Waipoua River	Controlled Permit	O06026
Marlborough Road Sce Res	Controlled Permit	O06035
Kaikohe Road Marginal Strip	Controlled Permit	O06049
Trounson Kauri Park Sce. Res.	Controlled No Access	O07001
Kaihu North Railway Line	Controlled Permit	O07002
Maunganui Bluff Sce. Res.	Controlled Permit	O07003
Aranga Beach	Controlled Permit	O07004
Ureti Camping Res.	Controlled Permit	O07005
Ureti Marginal Strip	Controlled Permit	O07006
Waihaupai Stream Marginal Strip	Controlled Permit	O07007
Shag Lake Marginal Strip	Controlled Permit	O07008
Donnelleys Crossing Marginal Strip	Controlled Permit	O07009
Marlborough Forest	Controlled Permit	P06012
Tutamoe Sce Res	Controlled Permit	P06013
Waiokumurau Esp Res	Controlled Permit	P06019
Marlborough Forest Addn	Controlled Permit	P06021
Waiokumurau Stream Marginal Strip No 1	Controlled Permit	P06029
Waiokumurau Stream Marginal Strip No 2	Controlled Permit	P06030

Area Name	Dog Access Rule	DOC Map Reference
Mangakahia River Marginal Strip No 4	Controlled Permit	P06031
Marlborough Cemetery'	Controlled No Access	P07001
Marlborough School'	Controlled Permit	P07002
Whatoro	Controlled Permit	P07003
Kaihu Forest	Controlled Permit	P07005
Pakotai Sce Res	Controlled Permit	P07006
Houto Quarry Res	Controlled Permit	P07008
Houto Forest	Controlled Permit	P07009
Paerata Govt Purp Wildlife Res	Controlled Permit	P07011
Kaihu Sce Res	Controlled Permit	P07013
Waimata Settlement Sce Res	Controlled Permit	P07014
Kairara	Controlled Permit	P07015
Taraire Sce Res	Controlled Permit	P07016
Avoca	Controlled Permit	P07017
Omamari Govt Purp Wildlife Mgmt Res	Controlled Permit	P07018
Mamaranui Farm Settlement Sce Res	Controlled Permit	P07019
Awakino Govt Purp Wildlife Mgmt Res	Controlled Permit	P07020
Tangowahine Sce Res	Controlled Permit	P07021
Pukehuia	Open Free	P07022
Rehutai	Controlled Permit	P07023
Curnow Road Gemstone'	Controlled Permit	P07024
Mititai Road'	Open Free	P07025
Curnow Road'	Open Free	P07026
Waiotama Res''''	Controlled Permit	P07029
Babylon Marginal Strip	Controlled Permit	P07031
Rehutai Marginal Strip	Controlled Permit	P07032
Kaihu River Marginal Strip No 1	Controlled Permit	P07033
Kaihu River Marginal Strip No 2	Controlled Permit	P07034
Kaihu River Marginal Strip No 3	Controlled Permit	P07035
Omamari Marginal Strip	Controlled Permit	P07036
Opouteke Stream Marginal Strip No 3	Controlled Permit	P07037
Awakino Stream Marginal Strip No 1	Controlled Permit	P07038
Tangowahine Stream Marginal Strip No 1	Controlled Permit	P07039
Tangowahine Stream Marginal Strip No 2	Controlled Permit	P07040
Kaihu River Marginal Strip No 4	Controlled Permit	P07041
Kaihu River Marginal Strip No 5	Controlled Permit	P07042
Kaihu River Marginal Strip No 6	Controlled Permit	P07043
Awakino River Marginal Strip No 2	Controlled Permit	P07044
Wairoa River Marginal Strip No 1	Controlled Permit	P07045
Wairoa River Marginal Strip No 2	Controlled Permit	P07046
Wairoa River Marginal Strip No 3	Controlled Permit	P07047
Manganui River Marginal Strip No 1	Controlled Permit	P07051
Manganui River Marginal Strip No 2	Controlled Permit	P07052
Wairoa River Marginal Strip No 4	Controlled Permit	P07053
Wairoa River Marginal Strip No 5	Controlled Permit	P07054

Area Name	Dog Access Rule	DOC Map Reference
Wainui Lake'	Controlled Permit	P08002
Tikinui	Controlled Permit	P08003
Schick Road'	Controlled Permit	P08004
Matanginui	Controlled Permit	P08005
Tomb Point	Controlled Permit	P08006
Tangitiki'	Controlled Permit	P08007
Montgomeries Memorial Bush Sce Res	Controlled No Access	P08008
Whakahara	Controlled Permit	P08009
Tokatoka'	Controlled Permit	P08010
Tokatoka Sce Res	Controlled Permit	P08011
Ruawai	Controlled Permit	P08014
Awaroa	Controlled Permit	P08015
Whakatu	Controlled Permit	P08016
Tatarariki	Controlled Permit	P08018
Black Lake	Controlled Permit	P08019
Mahuta Gap Marginal Strip	Controlled Permit	P08020
Wairoa River Marginal Strip No 6	Controlled Permit	P08021
Wairoa River Marginal Strip No 7	Controlled Permit	P08022
Wairoa River Marginal Strip No 8	Controlled Permit	P08023
Wairoa River Marginal Strip No 9	Controlled Permit	P08024
Wairoa River Marginal Strip No 10	Controlled Permit	P08025
Koremoa Marginal Strip	Controlled Permit	P08026
Tomb Point Marginal Strip	Controlled Permit	P08027
Tangitiki Bay Marginal Strip No 1	Controlled Permit	P08028
Tangitiki Bay Marginal Strip No 2	Controlled Permit	P08029
Wairoa River Marginal Strip No 11	Controlled Permit	P08030
Lucich Road Marginal Strip	Controlled Permit	P08031
Pouto North Marginal Strip	Controlled Permit	P08032
Pouto North'	Controlled Permit	P09001
Rototuna Lake	Controlled Permit	P09002
Punahaere Creek	Controlled Permit	P09003
Rotopouua Creek	Controlled Permit	P09004
Pouto	Controlled Permit	P09005
Punahaere GPWM Res	Controlled Permit	P09006
Tangihua Forest	Controlled Permit	Q07026
Manganui Riv Wildlife Mgmt Res	Controlled Permit	Q07030
Ruarangi	Open Free	Q07055
Tauraroa River Marginal Strip No 2	Controlled Permit	Q07062
Manganui River Marginal Strip No 3	Controlled Permit	Q07063
Manganui River Marginal Strip No 4	Controlled Permit	Q07064
Parahi Sce Res	Controlled No Access	Q08001
Omaru River	Controlled No Access	Q08002
Pukekohe Hill Sce Res	Controlled Permit	Q08003
Mareretu Forest	Controlled Permit	Q08004
Waipu Gorge Forest	Controlled Permit	Q08009

Area Name	Dog Access Rule	DOC Map Reference
Waipu Gorge Sce Res	Controlled Permit	Q08010
Dodd Road	Open Free	Q08011
Hukatere Hall Rec Res	Open Lead	Q08012
Hukatere Sce Res	Controlled Permit	Q08013
Matakohe River Sce Res	Controlled No Access	Q08015
Kauri Bushmans Memorial Sce Res	Controlled No Access	Q08016
Paparoa Creek Sce Res	Controlled Permit	Q08017
Pahi Dom	Open Lead	Q08018
Whakapirau	Controlled Permit	Q08019
Lower Pahi River Sce Res	Controlled Permit	Q08020
Te Opu Sce Res	Controlled Permit	Q08023
Whakapirau Sce Res	Controlled Permit	Q08024
Whakapirau Creek	Controlled Permit	Q08025
Arapaoa River Sce Res	Controlled Permit	Q08026
Te Kowhai Creek Sce Res	Controlled Permit	Q08027
Hokorako	Controlled Permit	Q08028
Maungaturoto	Open Lead	Q08029
Maungaturoto Sce Res	Controlled Permit	Q08030
Te - Uri - O - Hau Sce Res	Controlled Permit	Q08031
Cooks Stream Sce Res	Controlled No Access	Q08032
Pukekaroro Sce Res	Controlled No Access	Q08033
Kaiwaka Park Dom	Open Lead	Q08034
Takahoa Govt Purp Wildlife Mgmt Res	Controlled Permit	Q08037
Parahi	Controlled No Access	Q08038
Topuni Sce Res	Controlled No Access	Q08039
Collins Sce Res	Controlled No Access	Q08040
Upper Pahi River Sce Res	Controlled Permit	Q08041
Pahi Cemetery Reserve	Controlled No Access	Q08042
Kohatutahi	Controlled Permit	Q08043
Brynderwyn Hills Sce Res	Controlled Permit	Q08045
Topuni	Controlled No Access	Q08046
Te Awaoteaouhi	Open Free	Q08047
Smoky Hill Sce Res	Controlled Permit	Q08048
Upper Paparoa Creek Sce Res	Controlled Permit	Q08049
Hukatere School Site	Controlled Permit	Q08051
Manganui River Marginal Strip No 5	Controlled Permit	Q08052
Paparoa Creek Marginal Strip No 1	Controlled Permit	Q08054
Paparoa Creek Marginal Strip No 2	Controlled Permit	Q08055
Pahi Marginal Strip	Controlled Permit	Q08056
Te Kiakia Bay Marginal Strip	Controlled Permit	Q08057
Raepere Creek Marginal Strip	Controlled Permit	Q08058
Rocky Point Marginal Strip	Controlled Permit	Q08059
Hokoraka Creek Marginal Strip	Controlled Permit	Q08060
Otamatea River Marginal Strip No 1	Controlled Permit	Q08061
Otamatea River Marginal Strip No 2	Controlled Permit	Q08062

Area Name	Dog Access Rule	DOC Map Reference
Kaira Creek Marginal Strip	Controlled Permit	Q08063
Hakaru River Marginal Strip No 1	Controlled Permit	Q08064
Kaiwaka Marginal Strip	Controlled Permit	Q08065
Kaiwaka River Marginal Strip No 1	Controlled Permit	Q08066
Kaiwaka River Marginal Strip No 2	Controlled Permit	Q08067
Cook Creek Marginal Strip	Controlled Permit	Q08068
Hakaru River Marginal Strip No 2	Controlled Permit	Q08069
Maungaturoto Marginal Strip	Controlled Permit	Q08070
Wairau River Marginal Strip	Controlled Permit	Q08074
Kohatutahi Marginal Strip	Controlled Permit	Q08075
Mangawhai River Marginal Strip	Controlled Permit	Q08076
Maxwell Creek Marginal Strip	Controlled Permit	Q08077
Kanono	Controlled Permit	Q09001
Kahuparere	Controlled Permit	Q09003
Pukekura Historic Area	Controlled Permit	Q09004
Signal Station Road Esp Res	Controlled Permit	Q09005
Oruawharo River Marginal Strip	Controlled Permit	Q09006
Lake Humuhumu Marginal Strip	Controlled Permit	Q09007
Lake Rotootuauro Marginal Strip	Controlled Permit	Q09008
Tauhara Marginal Strip	Controlled Permit	Q09009
Tauhara Creek Marginal Strip	Controlled Permit	Q09010
Lake Kanono Marginal Strip	Controlled Permit	Q09011
Lake Kahuparere Marginal Strip	Controlled Permit	Q09012
Lake Waingata Marginal Strip	Controlled Permit	Q09013
Lake Rotokawau (Pouto) Marginal Strip	Controlled Permit	Q09014
Pouto Lakes Marginal Strip	Controlled Permit	Q09015
Pouto Marginal Strip	Controlled Permit	Q09016
Bream Tail Sce Res	Controlled Permit	R08001
Robert Hastie Memorial Sce Res	Controlled Permit	R08002
Molesworth	Open Free	R08003
Mangawhai Wildlife Ref	Controlled No Access	R08004
Mangawhai Harbour Marginal Strip No 1	Controlled Permit	R08005
Tara Creek Marginal Strip	Controlled Permit	R08007
Mangawhai Harbour Marginal Strip No 3	Controlled Permit	R08008
Mataraua Forest	Controlled Permit	O06016
Maitahi Wetland Scientific Reserve	Controlled Permit	P07055
Tangihua Access	Controlled Permit	Q07085
Kaihu Railway Line	Controlled Permit	P07004
Kaihu North Railway Line	Controlled Permit	O07002

Schedule 3: Maps

This section includes a series of maps showing where in the district the dog access rules set out in Schedule 1 and Schedule 2 apply.



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MAP 1 - MANGAWHAI CLIFFS TRACK

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash

Department of Conservation Dog Control Zones

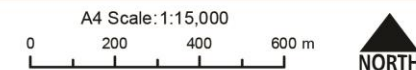
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PROPOSED KAIPARA DISTRICT POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019





MAP 2 - MANGAWHAI SAND SPIT

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash
- Prohibited

Department of Conservation Dog Control Zones

- Prohibited
- Prohibited except by permit

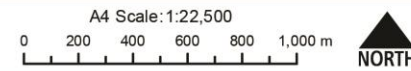


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**PROPOSED KAIPARA DISTRICT
 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**





MAP 3 - MANGAWHAI HEADS RESERVE

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash
- Prohibited

Department of Conservation Dog Control Zones

- Prohibited



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**PROPOSED KAIPARA DISTRICT
 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

A4 Scale: 1:5,000





MAP 4 - MANGAWHAI HARBOUR

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash
- Prohibited

Department of Conservation Dog Control Zones

- Prohibited

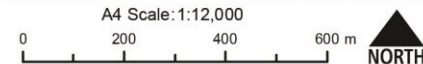


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**PROPOSED KAIPARA DISTRICT
 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**





**MAP 5 - MANGAWHAI
COMMUNITY PARK**

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash
- Prohibited

Department of Conservation Dog Control Zones

- Prohibited except by permit



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POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

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MAP 6 - MANGAWHAI CAMP GROUND

Proposed Dog Control Areas

- On-leash
- Prohibited

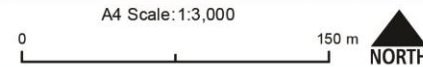


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**PROPOSED KAIPARA DISTRICT
 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**





MAP 7 – MANGAWHAI HEADS SHOPPING COMPLEX

Proposed Dog Control Areas

- On-leash
- Prohibited



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A4 Scale: 1:3,000





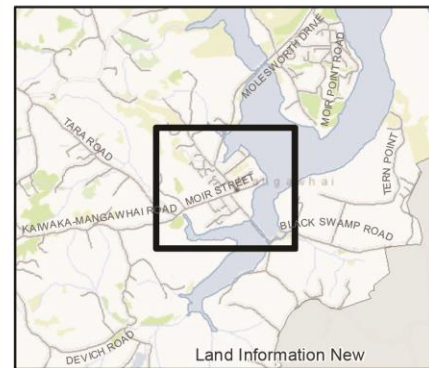
MAP 8 - MANGAWHAI VILLAGE

Proposed Dog Control Areas

 On-leash

Department of Conservation Dog Control Zones

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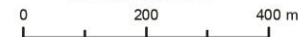
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**PROPOSED KAIPARA DISTRICT
 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

A4 Scale: 1:10,000





MAP 9 - KAIWAKA

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash

Department of Conservation Dog Control Zones

- Prohibited except by permit
- On-Leash

Land Information New

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**PROPOSED KAIPARA DISTRICT
POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**





MAP 10 - WHAKAPIRAU

Proposed Dog Control Areas

 On-leash

Department of Conservation Dog Control Zones

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 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

A4 Scale: 1:4,500





MAP 11 - PAHI

Proposed Dog Control Areas

Recommended Off-Leash Area

On-leash

Department of Conservation Dog Control Zones

Prohibited except by permit

On-Leash

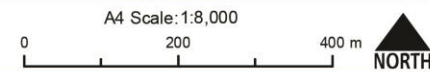


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 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

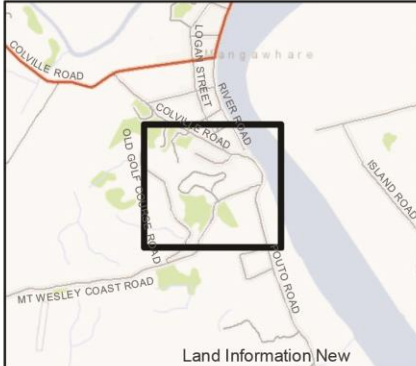




**MAP 12 - POU TU TE RANGI PA,
HARDING PARK AND OLD MT
WESLEY CEMETERY**

Proposed Dog Control Areas

- On-leash
- Prohibited



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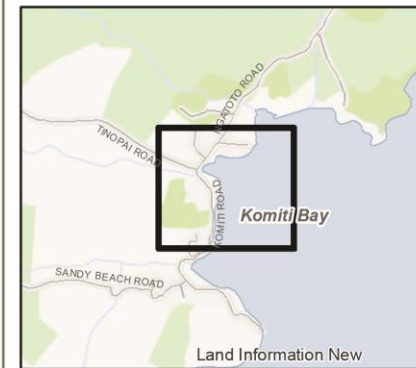




MAP 13 - TINOPAI

Proposed Dog Control Areas

 On-leash



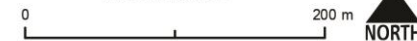
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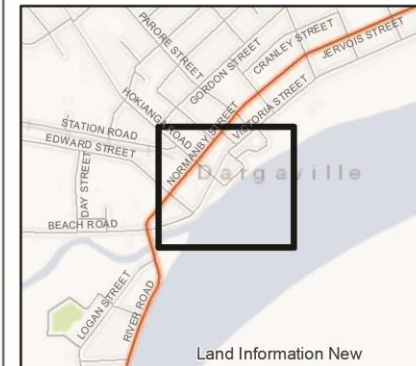




MAP 14 - DARGAVILLE WATERFRONT

Proposed Dog Control Areas

 On-leash



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A4 Scale: 1:3,000

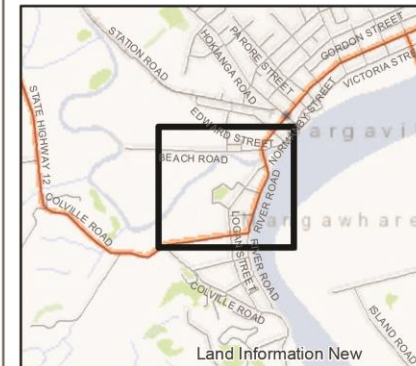




**MAP 15 - NORTHERN WAIROA
MEMORIAL PARK**

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash



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**PROPOSED KAIPARA DISTRICT
POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

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MAP 16 - PAPAROA

Proposed Dog Control Areas

 On-leash



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 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

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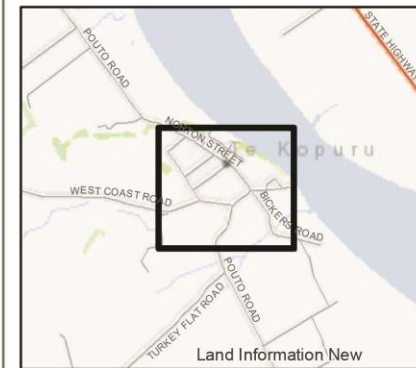




MAP 17 - TE KOPURU

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash



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 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**

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MAP 18 - RIPIRO BEACH - POUTO

Proposed Dog Control Areas

 On-leash

Department of Conservation Dog Control Zones

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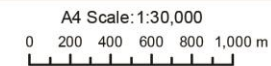


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MAP 19 - GLINKS GULLY

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash



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A4 Scale: 1:7,500





MAP 20 - RIPIRO BEACH

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash
- Prohibited

Department of Conservation Dog Control Zones

- Prohibited
- Prohibited except by permit



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MAP 21 – BAYLYS BEACH

Proposed Dog Control Areas

- Recommended Off-Leash Area
- On-leash



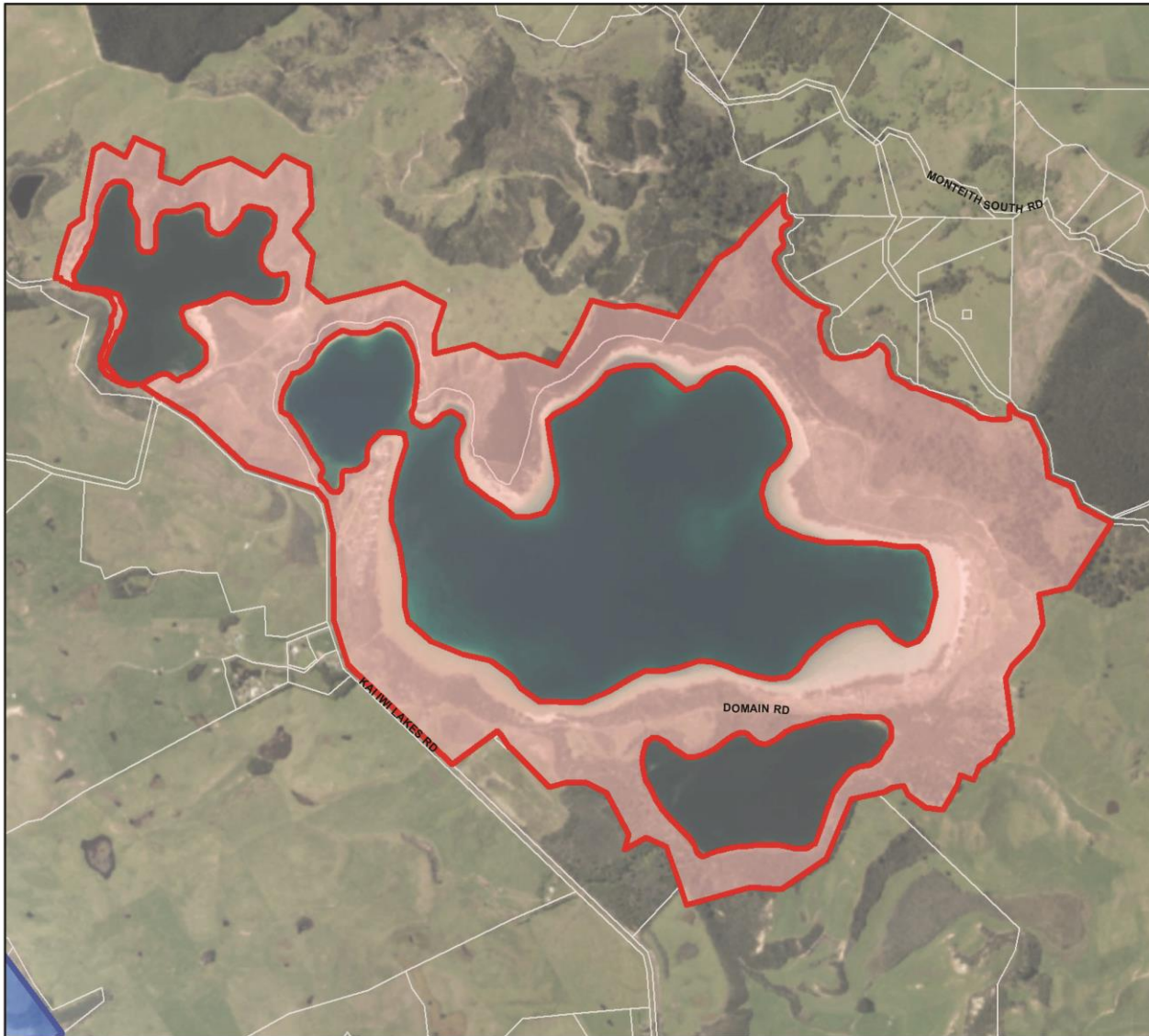
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 POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**





MAP 22 - KAI IWI LAKES (TAHAROA) AREA

Proposed Dog Control Areas

 Prohibited

Department of Conservation Dog Control Zones

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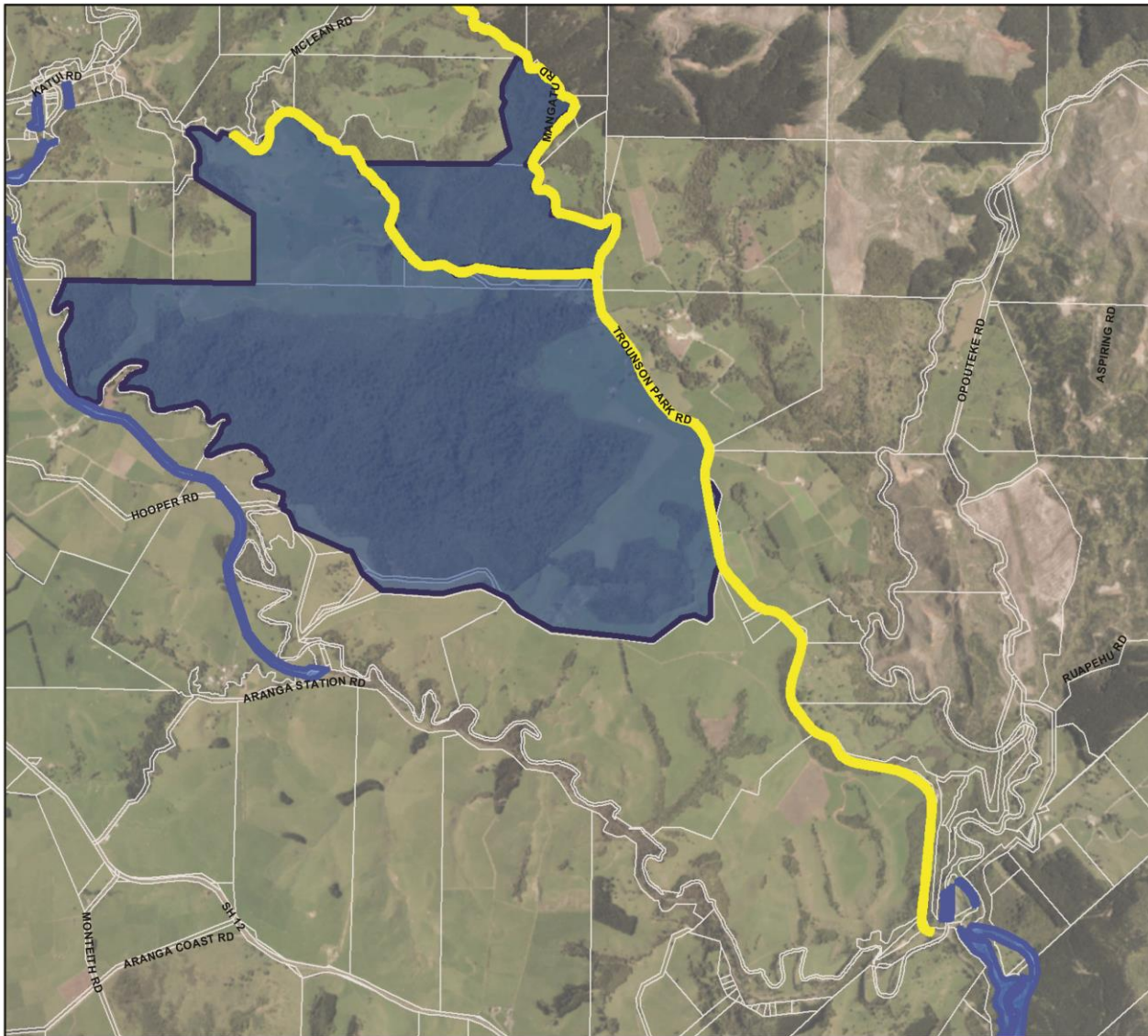
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MAP 23 - TROUNSON PARK ROAD

Proposed Dog Control Areas

 On-leash

Department of Conservation Dog Control Zones

 Prohibited

 Prohibited except by permit



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A4 Scale: 1:30,000
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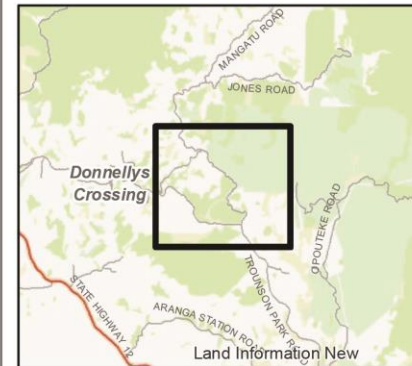
MAP 24 - MANGATU ROAD

Proposed Dog Control Areas

 On-leash

**Department of Conservation
Dog Control Zones**

 Prohibited

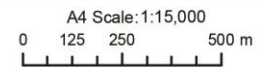


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**PROPOSED KAIPARA DISTRICT
POLICY ON DOGS AND DOG MANAGEMENT BYLAW 2019**



Kaipara District Dog Management Bylaw



This Bylaw is made pursuant to Section 20 of the Dog Control Act 1996 and to the Local Government Act 2002.

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Explanatory note: The Dog Management Bylaw 2019 supplements rather than duplicates other dog owner obligations, including but not limited to, the Dog Control Act 1996, Animal Welfare Act 1999 and related codes of welfare, Reserves Act 1977, Conservation Act 1987, Wildlife Act 1953, Resource Management Act 1991 and the Operative Kaipara District Council District Plan.

Council's Policy on Dogs 2019 should be read in conjunction with this Bylaw.

1 Former Bylaw Repealed

- 1.1. At the date this Bylaw comes into force, the Kaipara District Council Dog Management Bylaw 2009 shall be repealed.
- 1.2. All approvals, permits and other acts of authority that originated under the Kaipara District Council Dog Management Bylaw 2009 and all applications shall, for the purposes of this Bylaw, continue as if they had originated under this Bylaw.

- 1.3. The revocation of the Kaipara District Council Dog Management Bylaw 2009 shall not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw, and such proceedings may continue to be dealt with and completed.
- 1.4. The Kaipara District Dog Management Bylaw 2019 comes into force on 31 July 2019.

2 Interpretation

In this Bylaw, unless the context requires otherwise, the following words and phrases shall have the following meanings:

'The Act' unless otherwise stated means the Dog Control Act 1996.

'Authorised Officer' means any person authorised by the Council to act on its behalf.

'The Bylaw' means the Kaipara District Dog Management Bylaw.

'Confined' means enclosed securely in a building or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.

'Council' means the Kaipara District Council.

'Disability Assist Dog' shall have the same meaning as given to it by the Act.

'District' means the district of the Kaipara District Council.

'Leash' means a restraint capable of restraining the dog and held by a person/fixed to an object physically capable of restraining the dog.

'Menacing Dog' means any dog classified as menacing under sections 33A or 33C or 33ED of the Dog Control Act 1996.

'Moped' shall have the same meaning as given to it by the Land Transport Act 1998.

'Motorcycle' shall have the same meaning as given to it by the Land Transport Act 1998.

'Motor Vehicle' shall have the same meaning as given to it by the Land Transport Act 1998.

'Neutered Dog' means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.

Nuisance has the same meaning as defined in section 29(k) of the Health Act 1956.

'Off-Leash and Under Control' means that a dog is kept under control by means of voice commands, hand signals, whistles or other effective means that results in immediate direct control of the dog.

'On-Leash' means that a dog is kept under control by means of a leash which is attached to the dog so that the dog cannot break loose, and which is tethered to an immovable object or held by a person physically capable of restraining and controlling the dog.

'Owner' in relation to any dog, shall have the same meaning as given to it by the Act.

'Premises' means any land, house, storehouse, shop, cellar, yard, building or part of the same, or enclosed space separately occupied; and all lands, buildings and places adjoining each other and occupied together shall be deemed to be the same premises.

'Public Place' shall have the same meaning as given to it by the Act.

'Quad bike' means a vehicle that travels on low-pressure tires, with a seat that is straddled by the operator, along with handlebars for steering control.

'Road' shall have the same meaning as in section 315 of the Local Government Act 1974.

'Rural' means any land zoned Rural, Maori Purposes: Maori Land or Maori Purposes: Treaty Settlement Land in the Operative Kaipara District Plan.

'Under Control' in relation to a dog, means that the owner or person appearing to be in charge of the dog is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles or other effective means that results in immediate direct control of the dog.

'Urban' means land zoned residential, commercial or industrial in the Operative Kaipara District Plan.

'Working Dog' shall have the same meaning as given to it by the Act.

3 Exemptions

3.1 Disability Assist Dogs are exempt from prohibitions on Dog Access Areas under Clause 4.

3.2 Working Dogs are exempt from restrictions and prohibitions on Dog Access Areas (Clause 4) and Confinement of Dogs (Clause 7), if they are being used for the purpose for which they are kept.

4 Dog Access Areas *Dog Control Act 1996 s 20(1)(a-d)*

4.1 Every person in charge of a dog must ensure that the dog does not enter or remain in any place identified as a Prohibited Area in Schedule 1 and Schedule 3 of Council's Policy on Dogs.

4.2 Every person in charge of a dog must ensure that the dog is kept on a leash and under control in any place identified as an On-leash Area in Schedule 1 and Schedule 3 of Council's Policy on Dogs.

4.3 A person in charge of a dog may exercise the dog off-leash and under control in any area identified as an Off-leash Area in Schedule 1 and Schedule 3 of Council's Policy on Dogs.

5 Changes to Dog Management Bylaw *Dog Control Act 1996 s 10(7),(8),&(8A)*

5.1 This Bylaw may be amended at any time using the "special consultative procedure" under the Local Government Act 2002 and must be amended to be consistent with any amendment to the Council's Policy on Dogs.

6 Shelter and Housing

Dog Control Act 1996 s 20(1)(e)

6.1 Dogs must have access to dry and shaded shelter. This:

- a) applies when a dog is on land or premises owned or occupied by the dog's owner or the person in charge of the dog; but
- b) does not apply when a dog is temporarily tethered or confined.

6.2 When keeping a dog in accordance with sub-clause 6.1, the owner of, and every person in charge of, the dog must:

- a) ensure that the dog has access at all times to an area (a lying area) that:
 - i. is large enough to allow the dog to stand up, turn around, and lie down in a natural position;
 - ii. is fully shaded;
 - iii. is dry;
 - iv. is ventilated; and
 - v. provides the dog with protection from extremes of heat and cold;
- b) ensure that the dog has access at all times to water;
- c) ensure that the dog has access at all times to an area in which to urinate and defecate away from its lying area; and
- d) ensure that faeces or urine do not accumulate in any area in which the dog is kept.

7 Confinement of Dogs

Dog Control Act 1996 s 20(1)(g)

7.1 The person in charge of a dog shall, from half an hour after sunset until half an hour before sunrise, keep the dog tied up or otherwise confined, unless the dog is on a leash or under continuous control.

8 Removal of Faeces

Dog Control Act 1996 s 20(1)(h)

8.1 The person in charge of a dog that defecates in a public place or on private land or premises where the occupier does not consent, must immediately remove the faeces and hygienically dispose of it e.g. by placing it in an appropriate waste container.

8.2 This clause does not apply to working dogs if they are being used for the purpose for which they are kept and are not within an urban area, beach or Council administered reserve.

8.3 It is not a requirement that an Authorised Officer sight the offence being committed when issuing an infringement under Clause 8 of this bylaw. If there is sufficient evidence based on a member of the public witnessing the event, Council may infringe the owner of that dog under the Act.

Explanatory Note: Clause 8 does not apply to land or premises occupied by the owner of the dog and which is not a public place.

9 Bitches in Season

Dog Control Act 1996 s20(1)(i)

- 9.1 No bitch in season is permitted in any public place, other than when being transported to a registered veterinary clinic for treatment.
- 9.2 Every person in charge of a bitch in season must ensure that the bitch is confined but adequately exercised on private land or premises.

10 Impounding

Dog Control Act 1996 s20(1)(j)

- 10.1 An Authorised Officer may impound any dog:
- a) that is unattended in a public place and which is causing a nuisance, disturbance or distress.
 - b) straying in a public place or onto private property, whether or not it is causing a nuisance, disturbance or distress.
 - c) that is not under the immediate control of its owner.
- 10.2 Full compliance with the Act, Council's Policy on Dogs and Council's Dog Management Bylaw is required before any dog may be released from impoundment. For avoidance of doubt, this includes the neutering of menacing dogs as required by Council's Policy on Dogs.

11 Neutering

Dog Control Act 1996 s 20(1)(k)&(l)

- 11.1 Any dog owned by an owner classified as Probationary under the Act must be neutered.
- 11.2 Where any dog has been impounded on more than two occasions, Council will require the neutering of that dog prior to the dog's release from the pound.

12 Dogs In or On Vehicles

Dog Control Act 1996 s 20(1)(l)

- 12.1 A person who leaves a dog in a stationary vehicle must ensure that the dog does not display signs of shade-seeking behaviour, as well as one or more of the following signs consistent with heat stress:
- a) excessive panting;
 - b) excessive drooling;
 - c) hyperventilation.

Shade-seeking means that the dog is compulsively seeking out and placing, or attempting to place, itself in the shadiest, coolest part of the vehicle that it can access.

- 12.2 The owner of, and every person in charge of, a dog transported on the open deck or open trailer of a moving motor vehicle (other than a moped, a motorcycle, or a quad bike) on a public road must:

- a) ensure that the dog is secured in a way that prevents it from falling off or hanging off the open deck or open trailer (for example, by using a tether or a cage); and
- b) if the dog is secured by a tether, ensure that the tether is short enough to prevent the dog's legs from reaching over the sides of the open deck of the vehicle or open trailer, but long enough to allow the dog to stand or lie down in a natural position.

12.3 Clause 12.2 does not apply when farm dogs are unsecured on the open deck or open trailer of a moving motor vehicle on a public road while involved in driving or managing livestock (for example, when moving livestock from one paddock to another that is down the road).

13 Diseased Dogs

Dog Control Act 1996 s 20(1)(l)

13.1 No dog infected with a contagious disease may be permitted in any public place.

13.2 Every person in charge of a dog must ensure that any dog infected with a contagious disease is confined on their land or premises in such a manner that it cannot leave the land or premises, other than when being transported to a registered veterinary clinic for treatment.

14 Nuisance

Dog Control Act 1996 s 20(1)(f, l)

14.1 No person shall cause any dog to become unmanageable or aggressive.

14.2 A person must not keep a dog on any land or premises if the dog causes any nuisance or disturbance, is injurious to health, or prevents lawful access to land or premises.

14.3 A person in charge of a dog must ensure that when the dog is accommodated and/or confined on a property the dog is prevented from entering into or onto any adjoining land.

14.4 If any dog causes any nuisance or disturbance or is injurious to health, an Authorised Officer may, by notice in writing, require within a specified time the owner of the dog to:

- a) reduce the number of dogs kept on the owner's premises;
- b) construct, reconstruct, alter or otherwise improve the kennels or other accommodation used to house, contain or restrain the dog;
- c) require the dog to be tied up or otherwise confined during specified periods;
- d) take action to minimise or resolve the nuisance.

15 Number of Dogs

Dog Control Act 1996 s 20(1)(f)

15.1 No more than two dogs may be kept at an urban property, unless a permit to do so has been applied for on the prescribed form and upon payment of the prescribed fee and granted by the Council. Council may specify conditions when granting a permit allowing more than two dogs on an urban property. Approval of such permit will be at Council's discretion.

15.2 The Council may by resolution fix a fee for a permit issued in respect to sub-clause 15.1. Such fee shall be additional to any Registration Fees.

15.3 Where a dog owner is in breach of sub-clause 15.1 or a permit or condition of a permit issued in respect to sub-clause 15.1, Council may impound any additional dogs on the property. This may be extended to include a bitch in whelp where this is deemed necessary for the well-being of the puppies.

Explanatory note: Conditions of a permit issued in respect to sub-clause 15.1 may include but are not limited to:

- A limit on the period of time for which the permit is valid;
- The right to revoke or review the permit at any time; and
- Requirements to meet all of the dogs' physical needs.

16 Offences and Penalties

16.1 Every person who fails to comply with the requirements of this Bylaw commits an offence and is liable to a penalty under the Act and the Local Government Act 2002.

**Kaipara District Council
Statement of Proposal**

**Draft Policy on Dogs and Dog
Management Bylaw 2019**

Contents

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1 Introduction

[Section 10](#) of the [Dog Control Act 1996](#) (the Act) requires Council to adopt a Policy on Dogs (The Policy), while [section 20](#) requires Council to adopt a Dog Management Bylaw (The Bylaw) to give effect to the Policy. The Policy on Dogs sets out the approach Council takes to managing dogs in the district while the Dog Management Bylaw is the legal instrument which gives effect to the approach set out in the Policy (bylaws are legally enforceable, policies are not). For this reason, it is useful to develop and consult on both the Policy and Bylaw concurrently.

Under the [Local Government Act 2002](#), (LGA) the Bylaw is required to be reviewed every 10 years ([section 159](#)). As the current Bylaw was adopted in July 2009, Council is required to complete a review of this bylaw by July 2019.

When reviewing the Policy on Dogs and Dog Management Bylaw, [the Act \(Section 10\(4\)\)](#), requires Council to have regard to:

- The need to minimise danger, distress and nuisance to the community generally;
- The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
- The importance of enabling, to the extent practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
- The exercise and recreational needs of dogs and their owners.

In addition, the Policy is required (under section 10 of the Act) to contain information about controlled and restricted dog access areas, state whether menacing dogs are required to be neutered and to specify the nature and application of Bylaw which gives effect to the Policy.

Council has undertaken a review of this Policy and Bylaw and has prepared a new draft version which is proposed to be adopted by Council for implementation (see the Draft Policy and Bylaw attached to this Statement of Proposal).

Before adopting the Draft Policy and Bylaw, Council is required to use the “special consultative procedure” under the Local Government Act 2002 to seek feedback from the community. This process provides for the public to be given the opportunity to review a Draft Policy and Bylaw and to make submissions, including the opportunity for hearings. This is your opportunity to tell Council which aspects of the Draft Policy and Bylaw you like and would like to see retained when a final version is adopted, and which aspects you would like changed. In particular, Council is interested to know if the community would like changes to the areas where the rules apply e.g. if dogs should be allowed off-leash in more areas.

To that end, this Statement of Proposal presents Council’s Draft Policy on Dogs and Dog Management Bylaw which are both being made available in draft for the community to review and submit their views on.

2 Contents

This Statement of Proposal has been divided into 10 sections:

- Section 1 introduces this matter.
- Section 2 defines the issues relating to dogs in Kaipara district.
- Section 3 discusses the key directions of Council's Policy on Dogs.
- Section 4 defines the objectives of the Policy on Dogs.
- Section 5 outlines requirements of the Policy on Dogs.
- Section 6 outlines the requirements for the Dog Management Bylaw.
- Section 7 has the proposed amendments.
- Section 8 gives a range of options.
- Section 9 confirms that the Policy and Bylaw are not inconsistent with the Bill of Rights.
- Section 10 informs on the process.

3 Reason for the proposal

Kaipara District Council must consult with its communities on the proposed new Policy on Dogs and Dog Management Bylaw. These documents direct how dogs will be managed in the district, including where dogs can be taken for walks with or without being on a leash, requirements to pick up after dogs and provisions for dealing with wandering dogs.

One of the key changes being proposed is to require all dogs to be walked on a leash when on urban streets and footpaths. This is an extension of the current dog control provisions which are focused on busy pedestrian areas. Council would like to hear your views on this and the other rules being proposed.

The Council considers dogs to be a fundamental part of the Kaipara community, both as working dogs and as companion animals. The community's views on how dogs are managed are therefore of great importance to the Council as it seeks to establish rules which will work for all.

4 Dog Management Issues in the Kaipara

The Kaipara District Council's Draft Policy on Dogs and Dog Management Bylaw are based on an assessment of sections 10 and 20 of the Act and current issues. These issues are as follows:

- Owner responsibility - The Act places an emphasis on the responsibilities of dog owners and their role in achieving a safer environment for the public, dogs and their owners. While the majority of dog owners are responsible, clear rules are needed to address the actions of irresponsible owners in the District.
- Dogs fouling - most complaints Council receives about dogs relate to dogs fouling (defecating) in public places. Dog excrement is disgusting and can harbour disease and flies. Responsible dog owners ensure any excrement from their dog is properly disposed of. Regrettably, the multitude of complaints Council receives suggest not all dog owners are responsible in this respect.
- Wandering dogs - Wandering dogs are not only a public nuisance and threat to public safety; they are also a threat to wildlife (e.g. kiwis and shore nesting birds) and domestic animals. There have been several reports of wandering dogs killing pet cats and getting into rubbish bags, particularly in Te Kopuru and Dargaville.

- Stock attacks - Stock attacks by wandering dogs can pose a significant threat to farming operations and to animal welfare where animals are left maimed.
- Aggressive behaviour - This includes rushing and biting. This is generally an urban problem. There have also been complaints about non-aggressive but nonetheless intimidating behaviour such as dogs rushing at people and jumping up at them. While this behaviour is in fact a friendly and excited greeting, many people, especially children and the elderly, can find it intimidating and frightening.
- Conflicts over use of space - Council has obligations to protect wildlife and amenities, and to minimise danger, nuisance and distress caused by dogs. These must be balanced against the rights of dog owners and the need for dogs to exercise. Areas where dogs may cause distress or nuisance to the wider public need to be identified and restrictions placed on the use of these areas. However, these restrictions must be fair and must still allow for the exercise and recreational needs of dogs and their owners.
- Barking – Barking is predominantly an urban issue. Dogs barking excessively can be a nuisance, especially at night when people are trying to sleep.
- Dog welfare – In addition to the need to protect people from dogs, there is also a need to protect dogs from human cruelty. While the majority of dog owners show their pets the care and kindness they deserve, effective rules are needed to allow intervention where dogs are being mistreated.
- Unregistered dogs - There continues to be a problem with the number of unregistered dogs in the Kaipara.

5 Key Directions

5.1 Continued emphasis on owner responsibility

Where possible, rules applying to dogs have been designed to reflect common sense and the practices already used by most dog owners. This responsibility places trust in the owners of dogs and recognises that most dog owners already exercise best practice even when not required to by any rules set by Council. Council will also place a focus on education, helping dog owners understand how to care for their dogs and prevent conflicts with other members of the public. This also extends to educating non-dog owners to better understand dog behaviour.

5.2 Defining areas where dogs are allowed to run off a leash but under the control of their owner, required to be kept on a leash or prohibited.

Council will continue to manage user conflicts, public safety and environmental concerns by identifying areas dogs can have access to and under what conditions e.g. on-leash. How and where will form part of this consultation.

5.3 Address issues with dogs fouling

Most dog-related complaints received by Council relate to dogs fouling (defecating). Council will continue to issue fines to dog owners who allow their dog to foul in public places and do not clean up after the dog.

5.4 Wandering dogs

Council will seek to reunite wandering dogs with their owners, including providing for the dog's care until it can be collected by its owner.

5.5 Providing for the appropriate care and housing of dogs

Council will put enforceable provisions in place through the Bylaw to ensure that dogs are properly housed and cared for. This both protects dogs from being subjected to harsh or unhygienic living conditions and protects occupiers of neighbouring properties from nuisances such as odour and flies.

5.6 Regular Monitoring of the effectiveness of the Policy and Bylaw

Council will continue to monitor the effectiveness of its Policy on Dogs and Dog Management Bylaw. This information will be used to ensure that the Policy and Bylaw are achieving the desired outcomes and enable adjustments to be made when necessary.

6 Objectives of the Policy

The Kaipara District Policy on Dogs aims to:

- 1 Prevent injury, distress and nuisance from dogs.
- 2 Identify dog access areas.
- 3 Provide for the neutering of menacing dogs.
- 4 Minimise potential danger or distress to protected wildlife.
- 5 Promote responsible dog ownership.

7 Requirements of the Policy on Dogs

In accordance with [section 10\(3\)](#) of the Act the Policy must:

- Specify the nature and application of the Dog Management Bylaw;
- Identify dog prohibited areas;
- Identify areas for which dogs are required to be on a leash;
- Identify areas which are dog off leash areas;
- Identify any areas designated as dog exercise areas (note: these are not provided for in the Policy or Bylaw, instead Council will promote some off-leash areas as being recommended for off-leash activities);
- State whether menacing dogs are required to be neutered.
- Include details in relation to Council's Policy on:
 - I. Fees;
 - II. Owner education programmes;
 - III. The classification of dog owners;
 - IV. The disqualification of dog owners;
 - V. The issuing of infringement notices.

In adopting the Policy, Council must have regard to:

- The need to minimise danger, distress and nuisance to the community generally;
- The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;

- The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- The exercise and recreational needs of dogs and their owners.

8 Requirements of the Dog Management Bylaw

[Section 10\(6\)\(a\)](#) of the Dog Control Act 1996 (the Act) requires Council to give effect to the direction set in its Policy on Dogs through its Dog Management Bylaw. This is because Bylaws are legally enforceable (the same as regular laws) while policies just set out transparently the direction which Council will take.

[Section 20](#) of the Act allows Council to make bylaws covering any aspects of dog control as the Council considers necessary or desirable to control dogs. This includes, but is not limited to:

- Prescribing which parts of the district and which public places dogs may have access to, including where they are required to be kept on a leash;
- prescribing minimum standards for the accommodation and care of dogs;
- limiting the number of dogs that may be kept on any land or premises;
- requiring people to remove their dog's faeces from public places;
- Allowing for wandering dogs to be impounded.

[Section 10AA\(2\)](#) Act, requires that the determinations required by [section 155](#) must be made in the context of the matters listed in [section 10\(4\)](#) of the Act.

9 Proposed amendments to the Kaipara District Policy on Dogs and Dog Management Bylaw

The Draft Kaipara District Policy on Dogs and Dog Management Bylaw is substantially different to the current 2009 version. Many changes have been made to reduce duplication (the 2009 Bylaw repeats much of what is covered in the Policy) and to remove duplication of references to powers conferred on Council by legislation. These changes have made the Proposed Policy and Bylaw much more succinct.

In preparing the Draft Policy and Bylaw, consistency with the recently adopted Far North District Council Dog Management Policy 2018 and Dog Management Bylaw 2018 has been considered where possible, although not at the expense of seeking local solutions to local issues.

Other key amendments proposed include:

- ***Dogs to be kept on a leash when walked in urban streets and footpaths.*** Walking dogs on urban streets poses a danger to dogs due to the presence of traffic. In addition, walking a dog along a footpath creates the likelihood that the dog may encounter other pedestrians with little space to pass each other. In such situations, even well-behaved dogs can be perceived as intimidating by some; particularly children and the elderly. To address this, the Draft Policy proposes requiring dogs to be on a leash when walked on urban streets and footpaths. Many dog owners have already adopted this practice as it gives them greater control over their dog and occurs to them as common sense in such situations. This approach is not being applied to all roads in the district (e.g. rural roads) as some roads outside urban areas have low volumes of traffic and few other pedestrians. Council is confident in the judgment of dog owners to assess the need for a leash in such areas.

This direction builds on the approach taken by the current Policy which already identifies high foot traffic streets in urban centres as being on-leash areas. Expanding this approach to cover all streets and footpaths in urban areas is hoped to avoid confusion over which areas are in or out. That is, it is easier for dog owners to distinguish between urban and rural environments than to know which individual streets, or parts thereof, are included or excluded.

- ***A permit will be required to breed dogs on urban sections.*** Tightening of the current rules on the number of dogs that may be kept at an urban property will close a loophole that currently allows people to breed dogs on urban sections providing they pass on the puppies before they are three months old. If this change is adopted, no one may keep more than two dogs of any age on an urban property without a permit from Council. This allows Council the opportunity to ensure that the person applying for a permit has the facilities necessary to cater for the extra dogs without impacting negatively on their neighbours.
- ***Dogs prohibited on the Mangawhai Sand Spit Beach.*** The interior of Mangawhai Sand Spit is Department of Conservation (DOC) land. DOC prohibits dogs from this area because it is one of the last breeding sites of the New Zealand fairy tern/tara iti. With a population of around 45 individuals that includes approximately 12 breeding pairs, the fairy tern is probably New Zealand's most endangered indigenous breeding bird. As Council, not DOC, has jurisdiction over the beach surrounding this area, Council is supporting efforts to save this species by prohibiting dogs on this beach between the high and low water spring marks.
- ***Dogs to be kept on a leash on the beach near Pouto Point.*** Much of the land adjoining the beach at Pouto Point is administered by the Department of Conservation who has placed their own restrictions on dogs in order to protect the endangered New Zealand dotterel/tūturiwhatu. Requiring dogs to be kept on a leash on the beach adjoining the area where these birds are nesting supports the protection of this native species while still allowing dogs to be transported along or walked along the beach. The proposed on leash area is from the Kaipara North Head Lighthouse to a point 400 metres south of the end of Pouto Road and extending down to mean low water springs.
- ***The roads around Trounson Kauri Park to be made on-leash areas.*** In the interests of protecting kiwi, dogs will be required to be kept on a leash on Trounson Park Road between Aranga Station Road intersection and McLean Road intersection and on Mangatu Road from the McLean Road intersection to the Trounson Park Road intersection. Working dogs will be exempt from this requirement while being used for the purposes for which they are kept e.g. herding stock.
- ***Dogs to be kept on-leash on the Mangawhai Cliffs Track.*** This walking track is a place where dogs could potentially encounter other walkers with little room to pass each other. This experience may be intimidating to some walkers. Furthermore, the track passes through farmland where some dogs may worry stock. Keeping dogs on a leash is expected to mitigate these issues.
- ***Dogs to be kept on-leash around much of Pahi's foreshore.*** There have been a high number of ongoing complaints about dogs at Pahi for Council to propose extending the existing on-leash areas to include all of the foreshore as far as the beach area known as Dems Road (including the esplanade reserve at Dems Road). The area of beach north of Dems Road will remain an off-leash area and will be recommended for off-leash activities.

- **Dogs to be prohibited within Mangawhai Camp Ground (Alamar Crescent).** This follows numerous complaints about dogs in the camp ground.
- **Dog access rules for Mangawhai Heads Reserve to be simplified.** The current rules around when dogs can access Mangawhai Beach via the Mangawhai Heads Reserve are complex, changing with the seasons and at different times of the day, and are causing confusion. To avoid confusion, it is proposed to make the whole of the Mangawhai Heads Reserve an on-leash area, regardless of the time of day or year.
- **Dog access rules for Dargaville Central Business District (CBD) to be simplified.** The current rules around when dogs can access the Dargaville CBD are complex, changing at different times of the day, and are causing confusion. To avoid confusion, it is proposed to make the whole of the Dargaville CBD an on-leash area, regardless of the time of day.
- **Extension of the on-leash area around Mangawhai Village.** Mangawhai Harbour beaches and reserves around Mangawhai Village from Molesworth Drive to Insley Street down to Mean Low Water Springs are proposed to be made on-leash areas. This is hoped to build consistency and clarity.
- **Dogs to be prohibited from the Pou Tu Te Rangī pa.** The Pou Tu Te Rangī Joint Management Committee and Harding Park Committee have recommended that dogs be prohibited from the Pou Tu Te Rangī pa site and be required to be kept on a leash throughout the remainder of Harding Park and Old Mount Wesley Cemetery. This is based on cultural concerns over dogs fouling (defecating) on the Pa site. If this approach is adopted an alternative walking route around the Pa site will be built.
- **Additions of provisions to protect dogs and address nuisances.** Provisions will be added relating to diseased dogs, bitches in season, dogs in/on vehicles, shelter and housing of dogs, confinement of dogs and nuisance. This will ensure Council has sufficient powers to intervene where the improper care of dogs is causing a nuisance, disturbance or animal welfare issue.

10 Options

Council essentially has two options to consider:

- **Status Quo:** Continue the Kaipara District Policy on Dogs and Dog Management Bylaw without amendment (everything stays as it is). This acknowledges the review which has been undertaken but concludes that no change is needed to the existing Policy on Dogs and Dog Management Bylaw. Consultation will still be required under section 83 and 86 of the Local Government Act 2002.

It is believed that the current Policy and Bylaw approach is not the most appropriate form of Bylaw to address the current issues being experienced within the Kaipara district. This means that changes should be made in order to improve the structure of the Bylaw. It is already considered under the Dog Control Act that a Bylaw is the most appropriate way to address the perceived problems.

The current approach taken for urban areas is to place restrictions on dogs (e.g. leash control) only in areas of high pedestrian traffic e.g. main shopping streets and busy beaches. No restrictions

are placed on the remainder of urban areas, including the majority of urban streets and footpaths. While the majority of dog owners choose to keep their dogs on a leash when in such areas, few rules are in place to address conflicts that arise from less conscientious owners.

The status quo would not fully address the issues mentioned above in section 4.

- ii) **Preferred Option:** Comprehensively review the Kaipara District Policy on Dogs and Dog Management Bylaw: This option requires Council to conduct a full review of its Policy on Dogs and Dog Management Bylaw. This option is favoured as it has been almost 10 years since the last review. While the overall direction provided for in the Policy is considered to be working satisfactorily, the areas to which dog prohibited, dog on-leash and dog-off leash rules apply need to be reconsidered in light of complaints made to Council over the last 10 years. Also there has been considerable public feedback regarding confusion around where and when people may exercise their dogs either on or off leash. The language used in the current Policy and Bylaw are quite negative. This is unfair to dog owners, the majority of whom are responsible; therefore, a more impartial wording is required.

The reviewed Policy offers a change in approach to urban areas where all footpaths, streets and roads will be on leash areas unless specified otherwise. This recognises that these areas have the potential for pedestrians to encounter dogs with little space to pass each other (e.g. on a footpath) and having the dog controlled on a leash may help pedestrians feel safer. Public feedback on off-leash and on-leash areas will be sought through the consultation process.

These changes are proposed to address the issues mentioned above in section 4.

11 Bill of Rights

The [New Zealand Bill of Rights Act 1990](#) has been considered in the preparation of this proposed Policy and Bylaw. It is considered that the Draft Kaipara District Policy on Dogs and Dog Management Bylaw will not adversely impact on any of the civil or political rights it contains.

12 Consultation

Council is required to consult with its communities, particularly the dog owning community, to ensure that the direction captured in the Policy and subsequently given effect to by the Bylaw is that which addresses the issues being experienced by the community. This recognises that Council is making the Bylaw on behalf of its residents and ratepayers and needs to capture the community's aspirations.

Consultation needs to be undertaken as set out under sections 83, 86, 155 and 156 of the LGA. Section 155 of the LGA requires Council to determine that the Bylaw is appropriate and does not give rise to any implications under the New Zealand Bill of Rights Act 1990. Section 156 of the LGA requires Council to consult with its communities on the preparation of the Bylaw, including use of the special consultative procedure. [Section 83](#) of the LGA sets out the process that is to be followed. [Section 86](#) of the LGA sets out the information requirements when undertaking the special consultative procedure in relation to making or reviewing a Bylaw. In addition, section 10(2) of the Dog Control Act 1996 requires Council to give notice to every person who, according to Council's register, is the owner of a dog.

In particular, Council is seeking feedback on what areas dogs should be allowed to access off-leash, where dogs should be kept on a leash and where dogs should be prohibited. Feedback from the community is vital if Council is to find the correct balance between controlling dogs and providing for the needs of dogs and their owners.

13 Process

In accordance with the requirements of the LGA, Council is releasing the proposed Policy and Bylaw to the public for the special consultative procedure. This involves making these documents available for the community to view, make submission on and have their submissions heard by Council before a final decision is made. The decision on the adoption of the Proposed Kaipara District Policy on Dogs and Dog Management Bylaw and their final format will therefore follow consideration of any submissions received, including the hearing of those submitters who wish to be heard.

The following is a draft outline of the process and timeframes going forward on the Proposed Kaipara District Policy on Dogs and Dog Management Bylaw:

Task	Process	Indicative timeframes
Council resolves to release the Kaipara district Draft Policy on Dogs and Draft Dog Management Bylaw for public consultation.	Present Statement of Proposal/options to Council meeting for a decision. Release the Draft Kaipara District Policy on Dogs and Draft Dog Management Bylaw for public consultation.	28 February 2019
Consultation on Policy and Bylaw	Statement of Proposal, Draft Policy and Draft Bylaw Open for consultation. People may make written feedback to Council regarding which aspects should be retained and which should be amended before a final version is adopted.	05 March 2019 – 10 April 2019
Submissions close		10 April 2019
Hearings	Hearing of submissions by Councillors	May 2019
Policy on Dogs and Dog Management Bylaw adopted by Council		27 June 2019
Reviewed Policy and Bylaw becomes operative		July/August 2019

File number: 3208.0 **Approved for agenda**
Report to: Council
Meeting date: 28 February 2019
Subject: Temporary Road Closure 23 and 24 March 2019 Dargaville, BDO Tour of Northland - Approval
Date of report: 29 January 2019
From: Wendy Campbell, Corridor Access Co-ordinator
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Dynamo Cycling and Sports Club Inc. has made an application to have the following roads temporarily closed for the purpose of the BDO Tour of Northland Cycle Challenge:

- **Victoria Street (between Edward Street and Normanby Street) Dargaville - Saturday 23 March 2019 – 09.30am to 01.00pm**
- **Edward Street (between Victoria Street and Normanby Street) Dargaville - Sunday 24 March 2019 – 07.00am to 9.00am**

The first closure will take place on Victoria Street between Edward Street and Normanby Street, the end of race day 3 (finish line). The second road closure on Edward Street between Victoria Street and Normanby Street, is for the beginning of race day 4 (start line). Kaipara District Council has received no objections to this proposal which was publicly advertised in the Kaipara Lifestyler on 15 January 2019.

Recommendation

That Kaipara District Council:

- 1 *Receives the Corridor Access Co-ordinator's report 'Temporary Road Closure 23 and 24 March 2019 Dargaville, BDO Tour of Northland - Approval' dated 29 January 2019; 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 Dynamo Cycling and Sports Club Inc.'s application for the temporary road closure of Victoria Street (between Edward Street and Normanby Street) Dargaville - Saturday 23 March 2019 – 09.30am to 01.00pm; and Edward Street (between Victoria Street and Normanby Street) Dargaville - Sunday 24 March 2019 – 07.00am to 9.00am and, as a condition of approval, Dynamo Cycling and Sports Club Inc. is to carry out a letter drop to all residents/businesses located within the extent of the road closures at least two weeks prior to the event.*

Reason for recommendation

Council can allow for a safe event for the community, event participants and road users during the event. Traffic Management calls for a detour to be in place while the event is happening. The closure will have a minimum impact on traffic and pedestrians.

Reason for the report

In terms of the Transport (Vehicular Traffic Road Closure) Regulation 1965, the Council is required to advertise any road closures at least 42 days in advance of the event. The BDO Tour of Northland Cycle Challenge has submitted an application for a temporary road closure. The report provides some background to enable a decision to be made on the continuation of this event.

Background

The BDO Tour of Northland is a Northland-wide event which has been held in parts of the Kaipara for the past eight years. It is a very popular cycle event which takes place across all three districts in Northland. There is no history found of any issues raised by past events and the finish and start of stages of the cycle tour held on Victoria and Edward Streets, Dargaville is an event enjoyed by many locals.

Issues

The proposed Traffic Management Plan requires the road to be closed for 3.5 hours on a Saturday between the hours of 09:30am to 01:00pm, as well as for 2.0 hours on a Sunday between the hours of 07:00am to 09:00am. This may cause some minor nuisance to the businesses/residents located within the closure however, no objections have been received during the notification period.

It would be seen as best practice for the event organiser to also do a letter drop to all residents located within the closure and this would be a condition of approval.

Factors to consider***Community views***

Dynamo Cycling and Sports Club Inc. has been holding the BDO Tour of Northland Cycle Challenge in the Kaipara district for approximately eight years. It is a very popular event bringing visitors to the area with financial and social gain for local businesses and the community. The event is held across all three districts in Northland and is well supported by cyclists, New Zealand-wide.

Policy implications

None.

Financial implications

None.

Legal/delegation implications

Local Government Act 1974, s319 – General powers of Council in respect of roads.

Section 319(1)(h) includes “to stop or close any road or part thereof in the manner and upon the conditions set out in s342 and Schedule 10”.

Options

Option A (Recommended): Approve the application to allow the event to proceed.

Option B: Decline the application.

Assessment of options

Option A: Approve the application for temporary road closure. By choosing Option A Council can allow a safe event for the community, event participants and road users during the event. The closure will have a minimum impact on traffic and pedestrians

Option B: Decline the application for temporary road closure: If Council declined the application the event organisers are committed to continuing the said legs of the event without the temporary road closures in place. Dynamo Cycling and Sports Club Inc. along with Council's Roothing Team would prefer to enforce the temporary road closure due to improved safety for the community, event participants and road users.

In the event of an incident due to lack of safety during this event, Council could put the community, participants and road users at an unnecessary risk. As the local authority, Council has an obligation to provide a safe environment for the event for all involved.

Recommended option

The recommended option is **Option A**.

Assessment of significance

Not significant.

Next step

Advise the applicant of Council's decision. If approved, give public notice of the decision to close part of the roads under Clause 11A of Schedule 10 of the Local Government Act 1974.

Attachments

- None

File number: 4102.17 **Approved for agenda**
Report to: Council
Meeting date: 28 February 2019
Subject: **Road Stopping and Inundation of an Unformed Legal Road:
 Roberts West Road, Dargaville**
Date of report: 11 February 2019
From: Bernard Petersen, Roding Operations Engineer/Acting Roding Manager
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Northland Fish and Game Council is seeking the support and the approval of the Kaipara District Council to formally close approximately 1,538.6 metres of unformed legal road being an extension of Roberts West Road, Dargaville (see **Attachment 1**), to build a series of dam structures that will allow the inundation of the valley floor (see **Attachment 2**).

‘The main focus of the plan is to create a series of wetlands and shallow ponds in the valley and out on the main Manganui River Flats. To achieve any wetland creation and enhancement in the valley will require building a series of low level bunds. The dams would be built up to a maximum height of 2.0 metres with water control structures and flood spillways incorporated in the design and associated works.

The ponds and wetlands that will form behind the dams will over time infill with sediment runoff from adjoining land use, which results in habitat changes for bird and fish species.

The construction of open water ponding areas will also help to retain and prevent sediments and agricultural nutrients from entering the Manganui River which eventually ends up in the Kaipara Harbour. The end goal of the restoration project is to create habitat for fish and wildlife, provide for recreational hunting opportunities and to help improve water quality to meet the objectives and ambitions of the Kaipara Harbour Integrated Management Group (KHIMG).

The neighbours support the proposed developments and have freely signed a form acknowledging their support (see attached forms from neighbours John De Boer and Richard and Helen Alspach).’ (See **Attachment 3**)

The unformed road is situated on the 47 hectares of valley floor being vested as a Local Body Reserve for Wildlife Management and administered by the Northland Fish and Game Council under a Deed of Agreement with the Associate Minister of Conservation.’ (See **Attachment 4**)

Recommendation

That Kaipara District Council:

- 1 *Receives the Acting Roding Manager’s report ‘Road Stopping and Inundation of an Unformed Legal Road: Roberts West Road, Dargaville’ dated 11 February 2019; and*

- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 1974 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 *Agrees to the stopping of a portion of the section of Roberts West Road in Dargaville (approximately 1,538.6 metres of unformed road) as shown in Attachment 1 of the aforementioned report, under s342 of the Local Government Act 1974.*

Reason for the recommendation

To provide Council with all the facts and options to make an informed decision on the road stopping and inundation of the unformed legal road being an extension of Roberts West Road, Dargaville.

Reason for the report

The consideration of the application to stop an area of unformed road in Dargaville which is not currently maintained by Council, and does not offer water access.

Background

The proposed area of road reserve to be stopped is an approximately 1,538.6 metres of unformed road. The unformed road is situated on the 47 hectares of valley floor being vested as a Local Body Reserve for Wildlife Management and administered by the Northland Fish and Game Council under a Deed of Agreement with the Associate Minister of Conservation.

This report is to consider stopping the unformed road being an extension of Roberts West Road, Dargaville, to build a series of dam structures that will allow the inundation of the valley floor.

The different legislation offers local and central governments a mechanism to stop areas of road that may be formed but are no longer in use.

There are two methods available to Council when stopping roads. These are:

- Section 116 of the Public Works Act 1981
- Section 342 of the Local Government Act 1974 (LGA).

Both have merit and having two methods offers flexibility for different scenarios when considering stopping a road.

Issues

By stopping and inundating the unformed legal road, the public will not have access to the 1,538.6 metres of unformed legal road being an extension of Roberts West Road, Dargaville.

Factors to consider

The community will be affected by the stopping and inundation of the unformed road. Roberts West Road provides vehicle access to a car parking area from where the public can gain foot access onto crown land through a network of internal tracks and for authorised vehicle access for work related activities.

Policy implications

The stopping is to be in accordance with Section 342 of the Local Government Act 1974.

Financial implications

If the portion of road reserve was to be stopped a condition of the stopping would require the applicant to meet all the costs associated with the stopping.

There would thus be no cost to Council.

Legal/delegation implications

The road should be stopped using section 342 of the LGA 1974, as there are matters of public access to consider.

Land Information New Zealand (LINZ) published in August 2012 the Standard for stopping or resumption of road (LINZS15002). This standard states that LINZ prefers that, in the first instance, local authorities apply the procedures in section 342 of the LGA 1974, given the requirements for public notification.

Independent legal advice was sought through Brookfields Lawyers (see **attachment 5**) for clarification on options prior to proceeding with this agenda item.

Options

Option 1: Give permission for the road to be stopped under section 342 of the LGA 1974 to construct a series of dam structures allowing the inundation of the valley floor. Conditions outlined below must be met.

Option 2: Deny the application for the unformed road to be stopped and inundated.

Assessment of options

Option 1: The unformed road, being an extension of Roberts West Road, is to be stopped and a series of dam structures built that will allow the inundation of the valley floor. It is a restoration project that will create habitat for fish and wildlife, provide for recreational hunting opportunities and help improve water quality.

The conditions for the stopping will be for the road to be stopped only through the main part of the wildlife management reserve, leaving a section of road for legal access to Lot 1 DP 62996. Northland Fish and Game Council must also consult with Te Roroa and Te Uri o Hau to seek agreement on the proposed inundation of the unformed legal road, being an extension of Roberts West Road.

Option 2: If the road stopping is declined and not allowed to proceed with the proposal Kaipara district will be denied a restoration project that will create habitat for fish and wildlife, provide for recreational hunting opportunities and help improve water quality to meet the objectives and ambitions of the Kaipara Harbour Integrated Management Group.

Recommended option

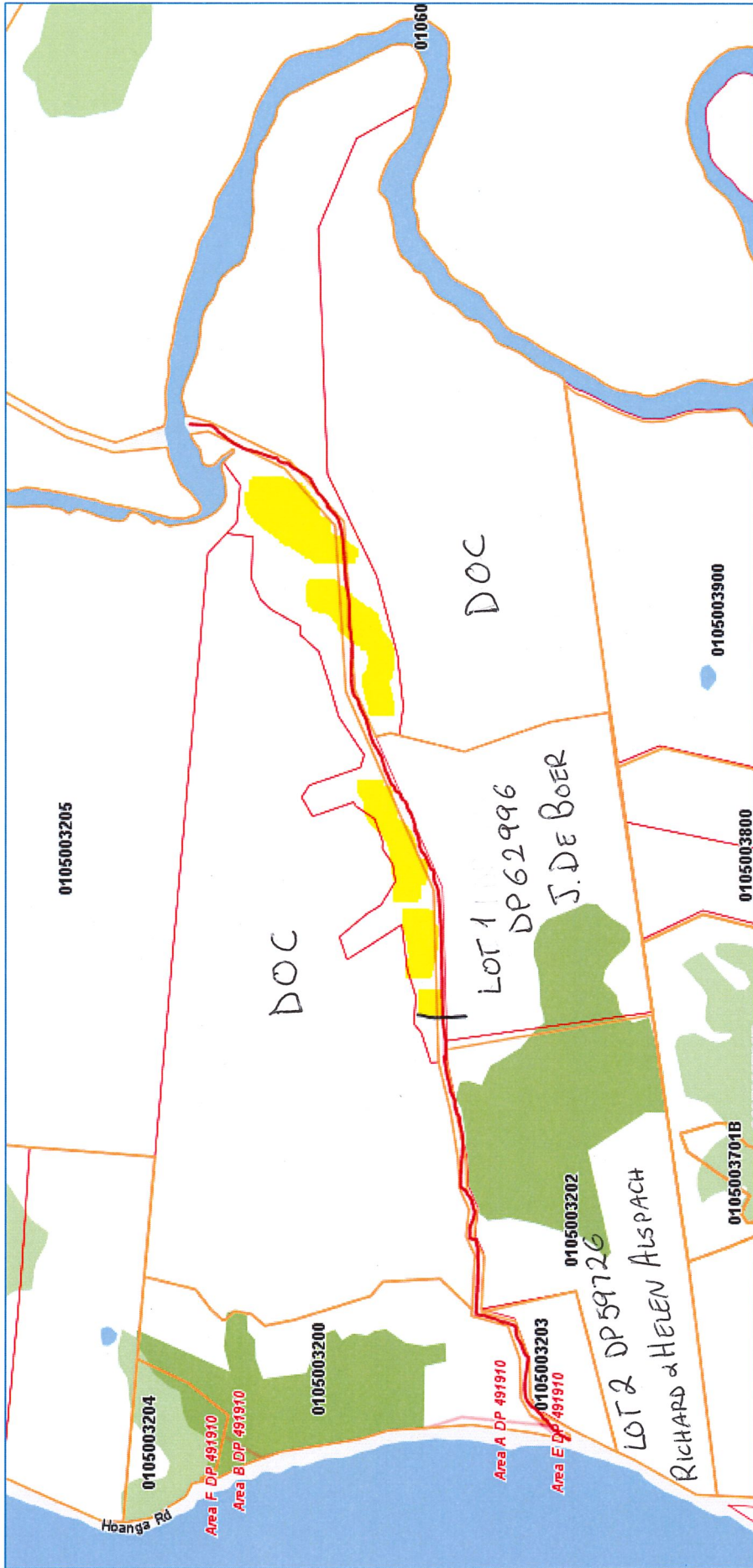
The recommended option is **Option 1**.

Next step

Advise the applicant of the outcome, and proceed with the process depending on the decision.

Attachments

- Attachment 1 - Plan of proposed road stopping showing a series of dam structures
- Attachment 2 - Northland Fish and Game Council's application
- Attachment 3 - Signed letters from neighbours
- Attachment 4 - Signed Deed of Agreement between Her Majesty the Queen and the Northland Fish and Game Council
- Attachment 5 – Legal advice from Brookfields Lawyers and correspondence between DoC, NF&G and KDC



Highlighted in yellow a series of dam structures that will allow the inundation of the valley floor. Marked in red is unformed paper road which extends from Roberts West Road. The black short line, marks the point from where the road closure is proposed.



3rd October 2018

Kaipara District Council
Private Bag 1001
Dargaville 0340

Attention Chief Executive Officer

Re: Inundation of an Unformed Legal Road

Background

In December 2015, the Crown and Northland Fish and Game jointly purchased 347 hectares of land which has high conservation and ecological values from Mr David and Mrs Gloria Underwood of 426 Hoanga Road, Dargaville.

The majority of the property (300 hectares) is gazetted under the Reserves Act as Scenic Reserve and managed by the Department of Conservation, with the remaining 47 hectares (river flats) being vested as a Local Body Reserve for Wildlife Management and administered by the Northland Fish and Game Council under a Deed of Agreement with the Associate Minister of Conservation.

This reserve will, in the future, become very important for the people of the Kaipara area to enjoy its environs as well as providing an area of high conservation value.

On the 5th May 2016, under the direction of the Commissioners, the Kaipara District Council approved the formation of a carriageway on an unformed section of legal road being Roberts West Road. This carriageway has now been formed.

The official opening of the Reserve was on the 19th February 2017 which included dignitaries such as the Associate Minister of Conservation, Nicky Wagner, KDC Councillors, senior staff from the NRC, as well as the Councillors of Fish and Game New Zealand and the wider public, celebrate the purchase of this property.

For development and habitat enhancement projects within this reserve, Roberts West Road provides vehicle access to a car parking area from where the public can gain foot access onto crown land through a network of internal tracks and for authorised vehicle access for work related activities.

Statutory managers of freshwater sports fish, game birds and their habitats

Northland Region

Unit A5, 7-11 Nell Pl, Raumanga, Whangarei PO Box 25003 New Zealand. Telephone (09) 438 4135
Email northland@fishandgame.org.nz www.fishandgame.org.nz

Application

The internal tracks within the reserve are all built on solid ground and above any major flood event; however the unformed legal road is situated on the valley floor. The original survey for the Roberts West Road was most likely undertaken during the 1800's and the surveyors are likely to have used the most direct line which resulted in the road survey lines being drawn on a map which would be over the valley floor.

The valley was most likely, at the time, covered in native forest, primarily Kahikatea and associated flora that thrived in wet and damp conditions.

The native forest has been cleared for timber production and farmland development. A drain was dug down the entire length of the valley to drain the wetlands for farming and grazing by cattle. The result is that over time the valley, including the paper road has very limited conservation values.

After purchasing the property, Northland Fish and Game Council developed and adopted an approved management plan which outlines the desired outcomes for this Local Body Reserve now called the Underwood Wetland.

The main focus of the plan is to create a series of wetlands and shallow ponds in the valley and out on the main Manganui River Flats.

To achieve any wetland creation and enhancement in the valley will require building a series of low level bunds. The dams would be built up to a maximum height of 2.0 metres with water control structures and flood spillways incorporated in the design and associated works.

The ponds and wetlands that will form behind the dams will over time infill with sediment runoff from adjoining land use, which results in habitat changes for bird and fish species.

To maintain and manage the habitats, some seasonal drainage through a control structure will allow for active management such as the removal of pest plants through the use of mechanical means or an appropriate agrichemical.

The construction of open water ponding areas will also help to retain and prevent sediments and agricultural nutrients from entering the Manganui River which eventually ends up in the Kaipara Harbour. The end goal of the restoration project is create habitat for fish and wildlife, provide for recreational hunting opportunities and to help improve water quality to meet the objectives and ambitions of the Kaipara Harbour Integrated Management Group.

To construct the wetlands and the dams to an engineering standard and future proof them against any weather related disasters is essential to be able to use the natural topography of the land which would include using land and soils that form parts of Roberts West Road.

Northland Fish and Game Council seeks the support and the approval of the Kaipara District Council to either formally close the unformed Roberts West Road from a point marked on the attached aerial map out to the Manganui River or provide approval for Fish and Game to build a series of dam structures that will allow the inundation of the valley floor.

The attached map highlights the locations that would ideally have a series of dam walls constructed behind which there will be wetlands and open water ponds.

Roberts West Road is unlikely to ever be constructed by the Kaipara District Council on the surveyed line because the ground is completely unsuitable for roading and the expense would be prohibitive with the engineering and ground work required to construct a road.

Fish and Game has personally met with the adjoining owners, John De Boer and Richard and Helen Alspach and have provided verbal descriptions of what Fish and Game envisages for this property. Both neighbours have been provided assurances that any earthworks and inundation will not affect their properties or any boundary fencing. Proposed dam Sites 1, 2 & 3 and associated wetlands would primarily be adjacent to land and property currently owned by Mr De Boer.

The proposed site for the upper most constructed wetland built marked as Site 1 on the enclosed aerial maps would be set so that no standing water would cover the unformed road. The control structure that maintains the water levels will be engineered so that the water level will be able to be reduced by the removal of dam boards should the necessity ever arise.

This would allow any future owners of Lot 1 DP 62996 the ability to build a roadway to gain access to the property.

The neighbours support the proposed developments and have freely signed a form acknowledging their support. (See attached forms from neighbours John De Boer and Richard and Helen Alspach)

The proposed locations for the dam and weir locations lower in the valley are predominately within the Local Body Reserve boundary however some inundation of the unformed road is likely to occur due to the surrounding topography as highlighted in blue on the attached aerial maps.

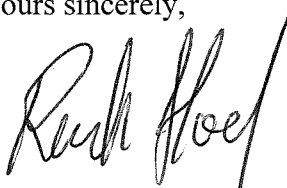
The Northland Fish and Game Council appeals to the Kaipara District Council either for:

- Its support and approval of this application that will allow for the inundation of Roberts West Road under an enduring agreement,
- Or allow for the closure of Roberts West Road to be included into the Local Body Reserve wildlife management from the point marked in orange highlighter on the attached aerial maps.

The result will be a permanent and wonderful conservation outcome and provide a wonderful community asset.

Should you require any further information please don't hesitate to contact this office.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Rudi Hoetjes". The signature is written in a cursive style with a long, sweeping underline that extends downwards and to the right.

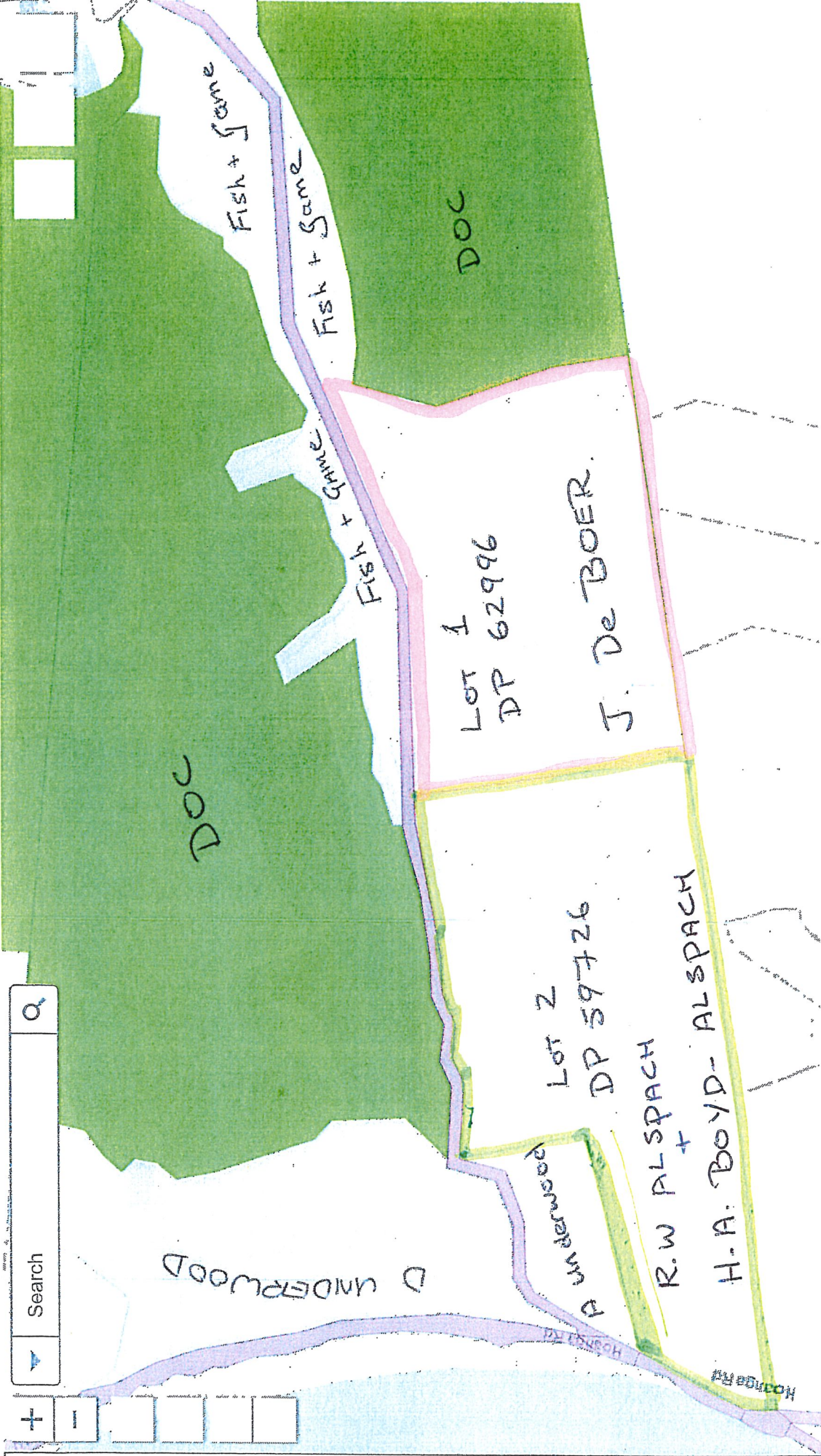
Rudi Hoetjes
Regional Manager
Northland Fish and Game Council

Attached:

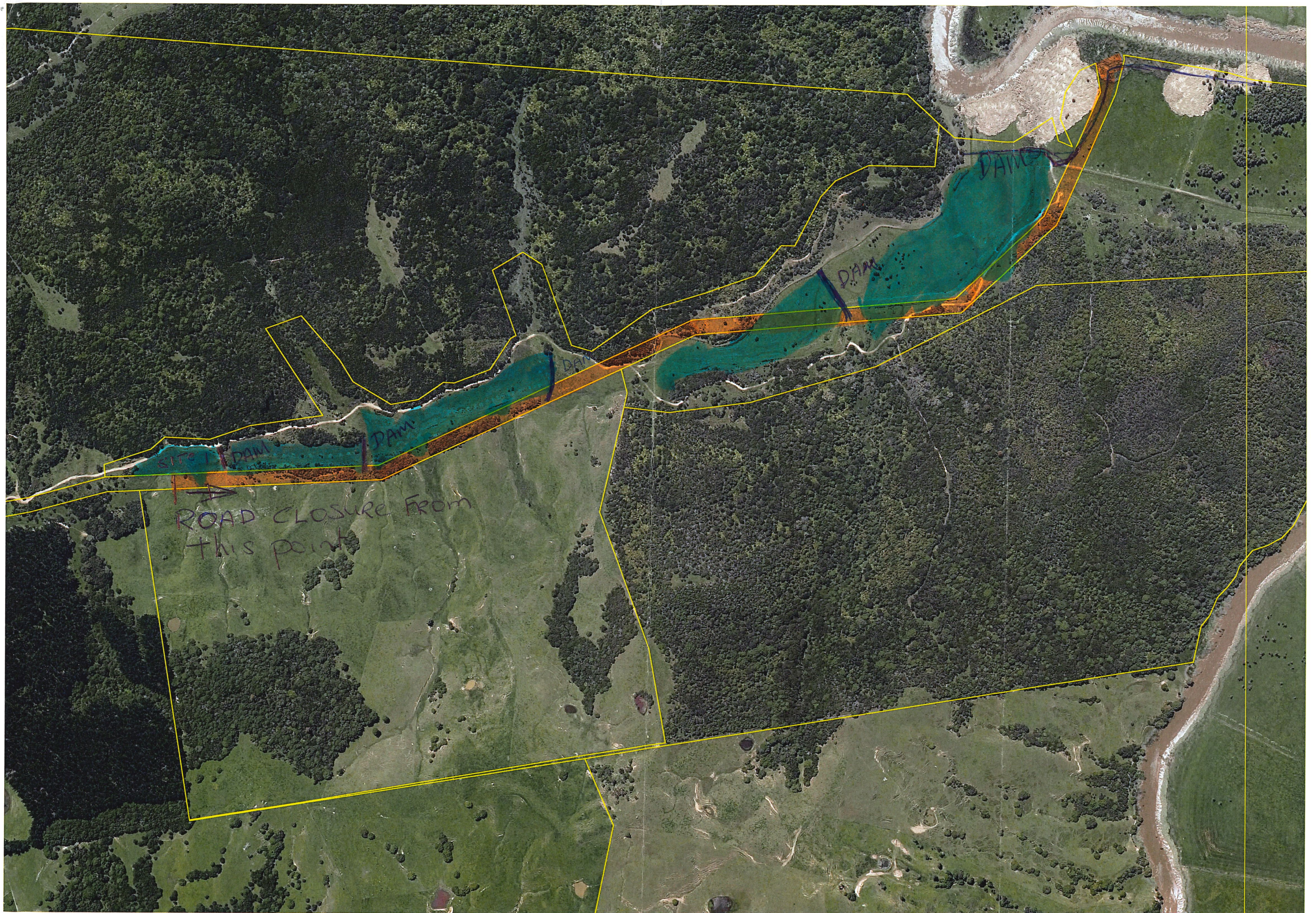
Map of proposed dam locations on Roberts West Road

Supporting Forms and property maps from adjoining neighbours

PUBLIC ACCESS AREAS



All Rights Reserved



Date 2-7-2018

Kaipara District Council

Re Unformed Legal Road, Roberts Road West

I am the legal owner and neighbouring property of Lot 1 DP 62996 to an unformed legal paper road known as Roberts Road West.

The paper road forms the boundary between my parcel of land and the land vested to the Northland Fish and Game Council as a Local Purpose Reserve Wildlife Management.

The Northland Fish and Game Council intend to construct a series of wetlands and shallow ponds on the valley floor for the benefit of fish and wildlife and also improve water quality entering the Manganui River.

Northland Fish and Game Council is seeking my support to allow the inundation of sections of the unformed legal paper road which may include raising water levels very close to the boundary between the road and my property.

The staff of the Kaipara District Council has advised Fish and Game that as an adjoining neighbour and as an affected party I am being requested to indicate whether I would support or object to an unformed paper road, known as Roberts Road West being inundated as this runs parallel to my property boundary.

Fish and Game assures me that boundary fencing will not be affected by the inundation as the levels will be established using a laser level.

(Cross out one) I Support / ~~Do not support~~ The inundation of the unformed paper road

Yours sincerely,

John De Boer

Dated

Owner Lot 1 DP62996

Phone 021 783 482

Address

P.O. Box 125
Dargaville.

Kapara District Council

Re Unformed Local Road, Roberts Road West

We are the legal owners of Lot 2 DP 59726 and neighbouring property to an unformed legal paper road known as Roberts Road West.

The paper road forms the boundary between our parcel of land and the land vested to the Northland Fish and Game Council as a Local Purpose Reserve Wildlife Management.

The Northland Fish and Game Council intend to construct a series of wetlands and shallow ponds on the valley floor for the benefit of fish and wildlife and also to improve water quality entering the Mangawai River.

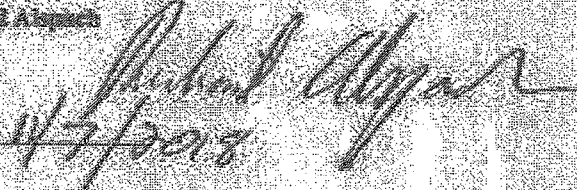
Northland Fish and Game Council is seeking our support to allow the installation of sections of the unformed legal paper road which may include raising water levels very close to the boundary between the road and my property.

The staff of the Kapara District Council has advised Fish and Game that as adjoining neighbours and possibly an affected party we are being requested to indicate whether we would support or object to an unformed paper road, known as Roberts Road West being installed as this runs parallel to my property boundary.

Fish and Game assures me that boundary fencing will not be affected by the installation as the water heights will be established using a laser level.

(Cross out one) We Support / Do not support, the installation of the unformed paper road.

Richard Alipach


Date 11/7/2018

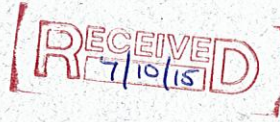
Helen Boyd - Alipach

Date 11/7/2018
Owners Lot 2 DP 59726 11/7/2018

Address

2185 Pukekura Road
RD 4
Dargaville 3374

Phone 09 436 5133



Nature
Heritage
Fund

05 October 2015

R Hoetjes
Regional Manager
Northland Fish & Game Council
Unit A5
7-11 Nell Place
Whangarei

PO Box 10-420
Wellington
New Zealand
Telephone (04) 471 0726
Fax (04) 471 3018

Dear Rudi,

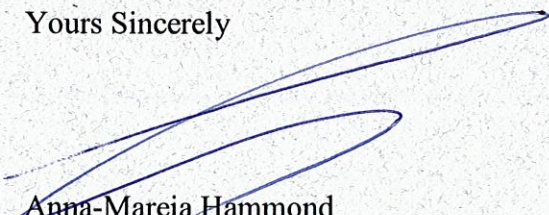
14/01 Underwood, Hoanga Road Shrubland Forest, Dargaville (Private)

Please find attached the Council's copy of the signed Deed of Agreement for your records.

The next step is for us to get the sale and purchase agreement out to the Underwoods. I am waiting on the Department's legal team to make the final sign off of this before I can have this sent out.

Please call me if you have any questions.

Yours Sincerely



Anna-Mareia Hammond
Funds Advisor – Kaitohu Putea
Community Engagement Unit
Department of Conservation - *Te Papa Atawhai*
Tel: 04 819 8750
Email: ahammond@doc.govt.nz

DEED OF AGREEMENT BETWEEN HER MAJESTY THE QUEEN AND THE NORTHLAND FISH AND GAME COUNCIL

THIS DEED made this 1st day of October 2015

Between

HER MAJESTY THE QUEEN acting by and through the Minister of Conservation ("the Minister")

And

THE NORTHLAND FISH AND GAME COUNCIL ("the Council").

WHEREAS

- (a) the Nature Heritage Fund ("the Fund") consists of monies appropriated by Parliament to "Vote: Conservation" to facilitate and support activities directed at the protection and restoration of natural areas of New Zealand through helping to permanently protect representative unique and threatened indigenous natural ecosystems by direct purchase or, while leaving the land in private ownership, through covenants, leases, accords, or management agreements; and
- (b) the Minister has agreed to contribute towards a joint purchase with the Council.

THIS DEED WITNESSES:

1. The Minister and the Council agree that the subject land described in the Schedule hereto ("the Land"), and shown as areas 'A', 'B' and 'C' on the plan attached to the Schedule, contains representative areas of indigenous forest and other values which require permanent protection.
2. The Minister agrees to enter into a Sale and Purchase Agreement to jointly purchase the Land with the Council pursuant to the provisions of section 12 of the Reserves Act 1977 ("the Act"); and, subject to survey, to classify approximately 302 hectares as a Scenic Reserve for the purposes of section 19(1)(a) of the Act, and to classify approximately 40 hectares as a Local Purpose (Wildlife Management) Reserve, ("the Local Purpose Reserve") and simultaneously vest the Local Purpose Reserve in the Council under the provisions of section 26 of the Act.
3. The Council agrees to pay for and construct one access track on part of the paper road providing public access to the reserves to the standards required of the Kaipara District Council; and the ongoing maintenance of this road will be the joint responsibility of the Council and the Minister.



4. The Council agrees to arrange and pay for the survey and boundary adjustment of approximately 4.5 ha, shown as Area 'X' on the plan attached to the Schedule, in favour of the incumbent landowner prior to the purchase of the balance of the land in the title, marked 'A', 'B' and 'C' on the plan.
5. The Council shall, as soon as is practicable, arrange for legal survey of the proposed area of approximately 40 hectares in order to delineate the exact area which is to be classified and vested in the Council.
6. The Minister shall, as soon as is practicable after the signing of the Sale and Purchase Agreement, undertake the required transfer of the Land to the Crown and the gazettal actions required by clause 2 of this Agreement.
7. The Council agrees to rehabilitate and maintain the Local Purpose Reserve through the removal of noxious weeds and manmade drains, and by undertaking other development works in keeping with the classification of the Land. The cost of the management and development of the Local Purpose Reserve will be the sole responsibility of the Council.
8. The Minister agrees to contribute a sum of \$600,000.00 (exclusive of GST) towards the purchase price of the Land.
9. The Council agrees to contribute a sum of \$55,000.00 (exclusive of GST) towards the purchase price of the Land (the "Contribution").
10. The Council shall pay the Contribution to an account of the Minister's election once the terms of the purchase have been agreed and documented in the Sale and Purchase Agreement prior to settlement, but:
 - i) If, for any reason, the purchase of the Land does not go ahead, the Minister will not require the Contribution from the Council (and shall refund the Contribution to the Council if already paid).
11. The Minister agrees to contribute (exclusive of GST) up to \$146,970.00 towards the cost of replacing and repairing the boundary fencing, \$170.00 towards legal fees, \$15,000.00 towards weed management of the Land, and \$1,700.00 towards a valuation.
12. The Council acknowledges that the Minister reserves the right to make any initial announcement regarding the acquisition of the Land. However, the Council will be consulted prior to any such announcement.
13. Whilst there is no statutory requirement for the vested party (the Council) to prepare a management plan for the Local Purpose Reserve, the Minister reserves the right to require a management plan if and when the Minister sees fit. However, any plan so required will be to a standard agreed between the Minister and the Council and there shall be no requirement to follow the procedures of section 41 of the Act.
14. Subject to the conditions contained in this Deed the Minister agrees to pay the



deposit for the property to the vendor's solicitor upon signing of the Sale and Purchase Agreement, and to pay the balance upon settlement.

IN WITNESS WHEREOF THIS DEED was executed on the day and year aforementioned.

M. J. Wagner

**SIGNED by the HONOURABLE NICKY WAGNER
ASSOCIATE MINISTER OF CONSERVATION
pursuant to an Instrument of Delegation dated
November 2014 from the Minister of
Conservation**

In the presence of:

James Wiggall
Signature of Witness

JAMES WIGZELL
Name of Witness

159 MORTIMER TERRACE, WELLINGTON
Address of Witness

PUBLIC SERVANT
Occupation of Witness

**THE COMMON SEAL of the NORTHLAND FISH AND GAME COUNCIL
was hereto affixed**

In the presence of:

R. Hoef
Signature of Witness

Rudolph Jan HOETSES
Name of Witness

Unit A5 7-11 Nell Place Whangarei
Address of Witness

Regional Manager
Occupation of Witness



14 November 2018

By Email: aarrieta@kaipara.govt.nz

Kaipara District Council
Private Bag 1001
DARGAVILLE 0340

ATTENTION: Aran Arrieta

INUNDATION OF AN UNFORMED LEGAL ROAD: FISH & GAME NZ

We refer to your instructions of 14 November 2018 concerning the preservation of 4-wheel drive access over reserve land under the control and management of Fish & Game NZ (**FGNZ**).

Background / your questions

1. This matter relates to access and roading issues first discussed in our letter of advice dated 22 August 2018. In that letter we addressed various issues related to the possibility of allowing the construction by FGNZ of a series of ponds on unformed legal road. Since we gave that advice Council have determined that the preferred course of action would be to stop a portion of the unformed road, in return for which access will be permitted over an existing formed track on the reserve land under the control and management of FGNZ. This would preserve public access to the reserve land on either side of the unformed road and allow access for suitable vehicles such as those with 4-wheel drive.
2. You have asked whether such an arrangement could be by agreement between the Council and FGNZ, or whether a more formal arrangement such as a lease or easement would be required?

Discussion

3. When considering any arrangement between the parties we must bear in mind that the land is held as reserve under the Reserves Act 1977, and that the status of FGNZ is not that of owner, but of an organisation appointed to manage and control under section 29 of that Act. We are also conscious of the need to preserve access to Lot 1 DP62996 owned by Mr De Boer, which was discussed in paragraphs 9 to 12 of our earlier advice.
4. We are of the view that the correct way to proceed would be pursuant to a right of way easement in favour of the Council including the public at large and in favour of Lot 1

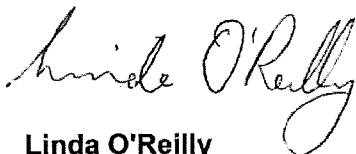
1301765 / 701116

DP62996. The right of way for use by the public can be restricted so as to be for use by pedestrians, bicycles and mobility devices.

5. There are several reasons why we think this is preferable to an agreement that does not create a formal interest in the land. The first is that we think that there could well be difficulties with the road stopping process to be undertaken under section 342 and Schedule 10 of the Local Government Act 1974 (**LGA74**) unless provision is made for legal access to that lot. As we advised previously, to stop the unformed road without doing so would create a landlocked property. Even if Mr De Boer has no problem with this, it is likely to create difficulties with any future owner.
6. We also note that an agreement of the type suggested would not be registered on the title to the subject land and may not create a caveatable interest. This is likely to create an enforcement issue if there is any disagreement between the parties as to the use of the access track in the future. It is reasonably foreseeable that the public use of the track could lead to issues in the future for FGZ.
7. Finally, we note that there is no provision in the Reserves Act authorising an administering body¹ to enter into an agreement of the type proposed, while there is provision in section 48(1) of that Act for it to grant a right of way easement. Such an easement would be registered on the title to the FGZ land along with such provisions as to maintenance and use as the parties may agree, making future enforcement of those agreed terms relatively simple.

We would be happy to discuss any of the issues raised at your convenience.

Yours faithfully
BROOKFIELDS



Linda O'Reilly
Partner

Direct dial: +64 9 979 2167
email: oreilly@brookfields.co.nz

¹ FGZ is an administering body by virtue of the definition in s.2(1) and by its appointment under s.29 of the Reserves Act.

Aran Arrieta

From: Rudi Hoetjes <rhoetjes@fishandgame.org.nz>
Sent: Monday, 3 December 2018 3:38 p.m.
To: Bernard Petersen; Aran Arrieta
Cc: Barry Ashbridge
Subject: FW: Inundation of an Unformed Legal Road - Underwood Wetland - Wildlife Management Reserve, Dargaville

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Bernard and Aran,

I have been in discussion and have sought advice from Barry Ashbridge who is a Department of Conservation Statutory land manager. Barry's experience and knowledge was pivotal in helping to make the acquisition and purchase of the property from the Underwood family for the crown.

I asked Barry how best to proceed with this matter and forwarded him a copy of the legal opinion you kindly forwarded to me as provided by Brookfield's.

Barry has clarified a number of points in Brookfield's opinion and has suggested a way forward for all parties.

It would appear from Barry that there is no need for ROW easement as has been suggested by Brookfield's. In my letter I proposed that the road be stopped at a point that still allowed the owner of Lot 1 DP 62966 to gain access into their property via the unformed road. Fish and Game or DOC would not be responsible or required to provide an easement or legal access through the reserve. It would be up to the owner of Lot 1 to bear the costs of any road construction on the legal road line. This is no different than the requirement Fish and Game had when it built a carriageway to the reserve on the legal line of Roberts West Road from Hoanga Road.

If access for the KDC is a requirement for any maintenance or regulatory requirements in the future by the KDC, they would still have that ability for access because the land is in public ownership. Vehicular access may not always be possible due to seasonal conditions of the track however pedestrian access would be possible as is the current situation via the unformed road.

The stopping of the road from the point highlighted in the aerial maps down to the Manganui River will in fact provide a much safer and easier route for the public and the KDC to view this reserve.

I invite you to consider Mr Ashbridge's comments and at his invitation Barry has indicated he is only too willing to be contacted for any clarification required.

I request that you do so and that we can work towards a suitable agreement.

Yours sincerely,

Rudi Hoetjes
Regional Manager
Northland Fish & Game Council
Unit A5
7-11 Nell Place
Whangarei

Postal address
PO Box 25003
Whangarei 0148

094384135
021856228
rhoetjes@fishandgame.org.nz

From: Barry Ashbridge [mailto:barryashbridge@doc.govt.nz]
Sent: Wednesday, 28 November 2018 5:12 p.m.
To: Rudi Hoetjes
Cc: Sue Reed-Thomas
Subject: FW: Inundation of an Unformed Legal Road - Underwood Wetland - Wildlife Management Reserve, Dargaville

Hi Rudi

Further to below and subsequent discussions; I agree that the best option would be to for the road to be stopped only through the main part of the wildlife management reserve, leaving a section of road for legal access to Lot 1 DP 62966.

This seems to be what you originally proposed in your letter of 3 October to KDC, so I'm not sure what the issue was with access to Lot 1, and it would greatly simplify matters to negate the need for an easement.

As well as resolving land ownership issues associated with the proposed wetland development, a major benefit in stopping and reserving the road would be the authority it would provide for Fish & Game to manage public activities; including the ability to address health & safety issues.

Regards, Barry

Barry Ashbridge
DDI (07) 8581051 or 027 566958 (VPN 6051)

From: Barry Ashbridge
Sent: Friday, 23 November 2018 5:15 p.m.
To: Rudi Hoetjes <rhoetjes@fishandgame.org.nz>
Cc: Sue Reed-Thomas <SReedThomas@doc.govt.nz>
Subject: Inundation of an Unformed Legal Road - Underwood Wetland - Wildlife Management Reserve, Dargaville

Hi Rudi

I note that Brookfields has advised in item 3 of the attached letter that Fish & Game does not have ownership of the reserve, but rather a limited authority by virtue of an appointment to control and manage under section 29 of the Reserves Act 1977.

It is important to recognise that the wildlife management reserve, described as Sections 2 and 3 SO 493719, was vested in the Northland Fish and Game Council by NZ Gazette 2016-In987; and that the Council is therefore deemed to be the owner of the land – see attached copy of Gazette notice & land plans.

The vesting was pursuant to section 26 of the Reserves Act, whereby the Minister may vest reserves in any local authority. Fish and Game Councils were declared to be local authorities for the purposes of the Reserves Act by NZ Gazette 2001 page 3949.

Having reviewed the situation I can advise that if the road is to be stopped, it would be appropriate for an easement to be granted in favour of the land described as Lot 1 DP 62966, in order to preserve legal access.

Once the road is stopped it may be added to the wildlife management reserve under the provisions of section 117(7) of the Public Works Act 1981; and a ROW easement then granted under the Land Transfer Act 2017. Under the proposed easement Lot 1 would be referred to as the 'benefited land' and your Section 2 as the 'burdened land'.

I believe an easement would only be required for the purposes of access to Lot 1 DP 62966. As the reserve itself is open to public access, I cannot see any requirement for an easement in favour of KDC or members of the general public, as suggested by Brookfields – item 4.

Section 48 of the Reserves Act provides the authority for Fish & Game to grant the proposed easement, with MOC consent (under a delegation to the local DOC Operations Manager).

DOC agreement would also be required to the road stopping, as it affects the adjoining areas of scenic reserve described as Part Waima and Section 1 SO 493719. However, if the road is to be added to the wildlife management reserve I don't see any problems with this.

Happy for you to share it with KDC; and ask them to contact me for any clarification required.

Regards

Barry Ashbridge
Senior Advisor (Statutory Land Management)
Department of Conservation - *Te Papa Atawhai*
Level 4, 73 Rostrevor Street, Hamilton - Private Bag 3072, Hamilton 3240
DDI (07) 8581051 or 027 566958 (VPN 6051)

From: Rudi Hoetjes <rhoetjes@fishandgame.org.nz>
Sent: Thursday, 22 November 2018 12:01 p.m.
To: Barry Ashbridge <barryashbridge@doc.govt.nz>
Subject: FW: Inundation of an Unformed Legal Road

Hi Barry

Can you please consider the attached letter and the email correspondence.

If you get a chance can you provide an email response back to me as to how you think I need to proceed to get the best outcome. I am in Auckland for this afternoon and tomorrow morning.

Thanks
Rudi

From: Aran Arrieta [<mailto:aarrieta@kaipara.govt.nz>]
Sent: Thursday, 22 November 2018 9:37 a.m.
To: Rudi Hoetjes
Cc: Bernard Petersen
Subject: RE: Inundation of an Unformed Legal Road

Good morning Rudi,

Please see attached the letter from the Council lawyers and I have highlighted below the comment that The Property Group send me.

Normally, an agreement would be created for a right of way easement, lease or land purchase to ensure access to the public is maintained. If no ROW easement or lease or purchase is proposed, how is Council going to legally protect this access?

Also, today Bernard and Curt (GM Infrastructure) discuss your proposal and Curt also supports that the way forward will be to create the ROW easement.

Please let me know if I should proceed with the proposal. If so, I will write an agenda item to Council for their approval.

Thank you

Regards



Aran Arrieta | Rooding Operational Support
Kaipara District Council, Private Bag 1001, Dargaville 0340
Freephone: 0800 727 059 | 09 439 3123

From: Rudi Hoetjes [<mailto:rhoetjes@fishandgame.org.nz>]
Sent: Wednesday, 21 November 2018 4:24 p.m.
To: Aran Arrieta <aarrieta@kaipara.govt.nz>
Cc: Bernard Petersen <bpetersen@kaipara.govt.nz>
Subject: RE: Inundation of an Unformed Legal Road

Aran

It is possible for you to provide me with a copy of the advice from the Council lawyers and by Property Group, and the need to provide a right of way easement.

If I have this at least I can try to understand the reasoning behind their view.

Thank you
Regards
Rudi Hoetjes

From: Aran Arrieta [<mailto:aarrieta@kaipara.govt.nz>]
Sent: Monday, 19 November 2018 9:37 a.m.
To: Rudi Hoetjes
Cc: Bernard Petersen
Subject: RE: Inundation of an Unformed Legal Road

Good morning Rudi,

Thank you for that.

We requested advise from Council lawyers regarding the access to the 4wd truck as Council would like that access to remain open for the public. Their correct view to proceed with the proposal is to create a **right of way easement** in favour of the Council including the public at large.

Council has been advised by the lawyers and by Property Group, as a condition for the road stopping, FGNZ need to provide a right of way easement. For that, you will need to get in contact with DoC as the land is held as reserve under the Reserves Act 1977.

If the ROW easement is created, then the road stopping can be done through the Public Works Act instead of the Local Government Act.

Please let me know if you would like to discuss this any further.

Thank you

Regards



Aran Arrieta | Roading Operational Support
Kaipara District Council, Private Bag 1001, Dargaville 0340
Freephone: 0800 727 059 | 09 439 3123

From: Rudi Hoetjes [<mailto:rhoetjes@fishandgame.org.nz>]
Sent: Monday, 12 November 2018 11:27 a.m.
To: Aran Arrieta <aarrieta@kaipara.govt.nz>
Subject: RE: Inundation of an Unformed Legal Road

Hi Aran

I attach for your information the legal documents and vesting of the parcel of land to the Northland Fish and Game Council.

The land is crown land and is vested to Fish and Game as Local Purpose Reserve (Wildlife Management)

If there is anything else you require please advise.

Regards

Rudi Hoetjes
Regional Manager
Northland Fish & Game Council
Unit A5
7-11 Nell Place
Whangarei

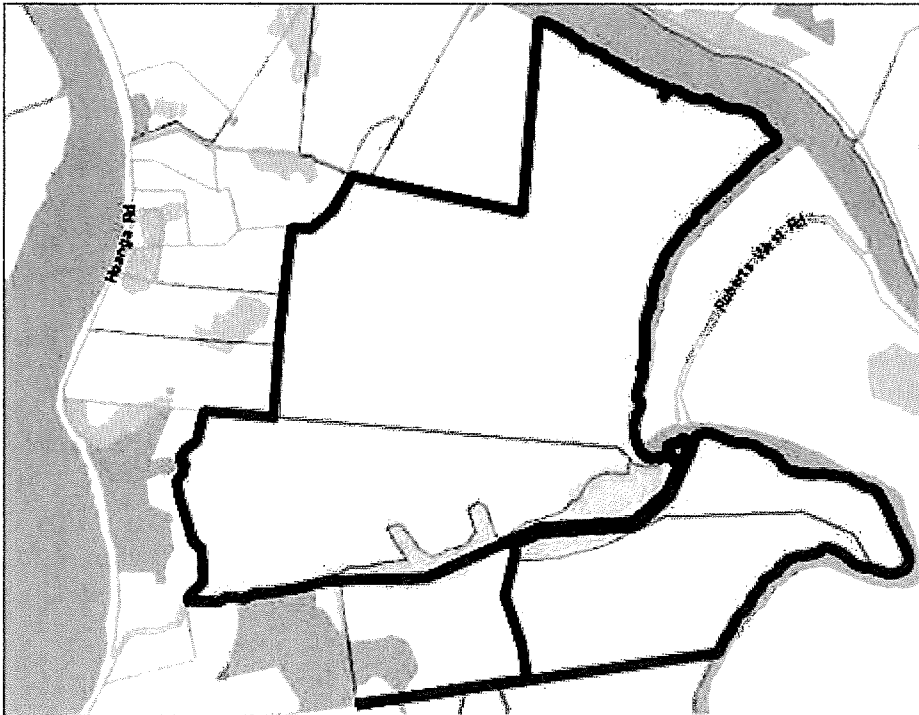
Postal address
PO Box 25003
Whangarei 0148

094384135
021856228
rhoetjes@fishandgame.org.nz

From: Aran Arrieta [<mailto:aarrieta@kaipara.govt.nz>]
Sent: Monday, 12 November 2018 10:36 a.m.
To: Rudi Hoetjes
Subject: Inundation of an Unformed Legal Road

Good morning Rudi,

Can you please confirm if the areas that I have highlighted in yellow are owned by Fish & Game? In our system, as you can see in the map, they are all under DOC. Have you got any documents that can confirm the ownership of those areas?



location address	Hoerige Road, Turiwiri, Turiwiri
legal description 1	LOT 2 DP 491910 (ALSO KNOWN AS SECS 1-4 SO 493719) PT WAIMA BLKS
certificate of title	713703
occupier name	Conservation Department
occupier address	150 Corville Road RD 7 Dargaville
Links	NCS Property, NCS Rates Info, NCS Rates Account, Submit Feedback, Existing Consents
LINZ Address	-
▼ NCS VALUATION 1 OF 1	
Valuation	Land Use Zone

Thank you

regards



Aran Arrieta | Rooding Operational Support
 Kaipara District Council, Private Bag 1001, Dargaville 0340
 Freephone: 0800 727 059 | 09 439 3123



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File number: 4702.36 **Approved for agenda**
Report to: Council
Meeting date: **28 February 2019**
Subject: **Tourism Infrastructure Fund Projects – Council Share**
Date of report: 15 February 2019
From: Hamish Watson, Parks and Recreation Manager
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Council made an application to the Ministry of Business, Innovation and Employment (MBIE) in May 2018 to the Tourism Infrastructure Fund (TIF) for three projects. Council was successful in all three applications. Staff now seek approval from Council for funding of these projects.

Recommendation

That Kaipara District Council:

- 1 *Receives the Parks and Recreation Manager's report 'Tourism Infrastructure Fund Projects – Council Share' dated 15 February 2019; 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 reallocation of Parks and Recreation budgets as set out in Attachment A of this report and to debt fund the Roothing component for Council's share of the Tourism Infrastructure Fund (TIF) to the value of \$138,275.*

Reason for the recommendation

As there was no guarantee of securing funding from MBIE for the projects applied for, no formal provision was made in the 2018/2019 budgets for these TIF projects and more precisely Council's share. As a result, staff are now seeking approval from elected members to reallocate Long Term Plan (LTP) budgets for Parks and Recreation and debt fund the Roothing project for Council's share of these.

Background

The TIF provides up to \$25 million annually to develop tourism related infrastructure that supports regions facing pressure from tourism growth. Council made application to the fund for three projects; Matakohe Toilet refurbishment, Maungaturoto Toilet upgrades and Baylys Beach Toilet improvements and Boardwalk. Council was successful in its applications.

Options

Option A: Decline the funding – Council may decide to return funding to MBIE and decline to carry out the projects. Council could eventually complete these projects at a later date in the future when funds become available but at a significantly higher cost to the ratepayer due to the subsidy on offer through TIF available now. If this were the preferred option, it could be likely that Kaipara would be unsuccessful in any further applications to central government contestable funds in future.

Option B: Fund the projects – Funds can be found for the Council share of these projects by:

- Reallocation of existing budgets for the Baylys project;
- Reallocation of existing budgets for the Maungaturoto project; and
- Debt Funding of the Roothing component. There is a funding shortfall for the Matakohe project, which requires either a partial reallocation of Year 1 or 2 LTP budgets, or be debt funded for \$138,275. There is a greater financial implication in reprioritising of roading projects rather than debt funding.

The Matakohe project has the largest shortfall due to the scope of this project including a track/cycleway from Anderson's bridge to the Kauri Museum. Due to the NZ Transport Agency (NZTA) road funding, Council share for this project was always going to require either a reprioritisation of existing projects or debt funding to complete.

Recommended option

The recommended option is **Option B**.

Factors to consider

Policy implications

While funding for this project of works could be undertaken within the Chief Executive Financial Delegations, given the nature and profile of these projects through MBIE funding and community involvement, staff are seeking feedback from elected members for prioritisation of projects.

Financial implications

Staff do not believe that any further funds can be drawn from financial reserve contributions. These catchment reserves are already committed through LTP projects and these will be depleted once these projects are finished.

The cost to debt fund a loan of \$138,275 equates to approximately \$4,850 per year.

Attachment A is the analysis of how staff are proposing the Council share of TIF projects are funded.

Risks and mitigations

The risk for not undertaking these projects would be one of reputation for Council. Both MBIE and the community are aware these projects have been successful in gaining a grant towards construction.

Assessment of significance

The new projects are required by the community. This decision is considered to have a low degree of significance under Council's Significance and Engagement Policy. The decision sought by Council does not involve;

- \$3,000,000 or more budgeted expenditure
- \$300,000 or more unbudgeted expenditure
- An increase in individual rates levies by 10%

Next step

Undertake changes to budgets as decided by elected members.

Attachments

- A Analysis of Projects for TIF – Council Share

Analysis of Projects for Tourism Infrastructure Funding - Council Share

Project	Projected cost as per TIF application	MBIE Funding Awarded	Council Contribution applied to TIF	2018/2019 LTP Year 1	2019/2020 LTP Year 2	2020/2021 LTP Year 3	Description	Funds Received from MBIE to date (Exc GST)	Committed	Description
				Funds to be re/allocated						
Baylys Beach Boardwalk	\$ 368,740	\$ 234,000	\$ 134,740	\$ 36,000			Project ID 10520 approved in Council carried over from previous financial year - Community Infrastructure		\$ 11,200	Feasibility Report and Design
				\$ 30,000			Project ID 11056 approved as LTP Yr 1 - Baylys Beach Boardwalk		\$ 3,000	Survey for boardwalk
				\$ 40,000			Project ID 10403 carried over from previous financial year, seeking reallocation for TIF - Tinopai Playground			
					\$ 30,000		To be funded from LTP Yr2 Community Infrastructure			
Matakohe Toilet	\$ 256,050	\$ 103,584	\$ 152,466	\$14,191			Parks and Recreation share for this project to be funded from existing LTP Yr 1 or Yr 2 budgets	\$ 10,300	\$ 35,000	Septic and Installation
Deficit				\$ 138,275			Roading share for this project to be funded from roading project reprioritisation.			
Maungaturoto Toilets	\$ 292,450	\$ 149,100	\$ 143,350	\$ 120,000			Project ID 10854 carried over from previous financial year, seeking reallocation for TIF - Jaycee Park Toilets	\$ 50,000		
					\$ 25,000		To be funded from LTP Yr2 Public Toilets Renewal			

File number: 2304.14 **Approved for agenda**
Report to: Council
Meeting date: **28 February 2019**
Subject: **Policy - Application of sales proceeds to debt - Adoption**
Date of report: 12 February 2019
From: Sue Davidson, General Manager Risk, IT and Finance
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

This is a policy which was last reviewed in December 2016 and is now scheduled for review. It provides guidance as to where sales proceeds should be allocated to. It is prudent to review documents on a regular basis. **Attachment 1** is a draft of the reviewed Policy with tracked changes. **Attachment 2** is the reviewed Policy without tracked changes showing.

Recommendation

That Kaipara District Council:

- 1 *Receives General Manager Risk, IT and Finance report "Policy - Application of Sales Proceeds to Debt - Adoption" dated 12 February 2018 and Attachments 1—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 Application of Sales Proceeds to Debt Policy circulated with the aforementioned report.*

Reason for the recommendation

This is a policy document which is reviewed three yearly to ensure sale proceeds are being utilised as Council agrees.

Reason for the report

This is a three yearly review of one of Council's policies.

Background

From time to time Council receives funds from the sale of assets or other one-off transactions in the course of business e.g. insurance receipts, gifts or bequests. The policy (**Attachment 1**) outlines a procedure for Council to follow when determining the application of funds received.

Issues

For clarity of understanding Council's external debt (what we owe external providers) as at the 30 June 2018 was \$46 million. Council's internal debt which is used in the rates calculations was \$59.2 million.

The difference is funds received in financial contributions and depreciation reserves.

Mangawhai Community Wastewater Scheme (MCWW) Debt	\$42.4 million
Targeted rates funded debt (excl MCWW)	\$12.4 million
General rates funded debt (excl MCWW)	\$4.4 million
Total Internal Debt	\$59.2 million

The MCWWS was funded in three tranches. Originally the debt was \$58m This has been reduced to \$42.4m as at 30 June 2018.

- General rates funded (district-wide) Balance at 30 June 2018 \$2.9m
- Targeted rates funded (Current community paying annual capital costs) Balance at 30 June 2018 \$12.3m
- Development Contributions (Future community) Balance at 30 June 2018 \$27.2m

Factors to consider

Community views

The community wants the debt of Council reduced, particularly the general debt of Council relating to the MCWWS.

Policy implications

Treasury Policy adopted as part of the Long Term Plan 2018/2028

Clause 4.5 states “*The funds from all asset sales, operating surpluses, grants and subsidies will be applied to the reduction of debt and /or a reduction in borrowing requirements once any direct debt obligations are repaid, unless Council specifically directs that the funds will be put to another use*”.

The redirection of funds would normally be done as part of an Annual Plan process.

This policy was re-affirmed by the new Council in December 2016.

The Application of Sales Proceeds to Debt Policy (**Attachment 1**) provides more detailed guidance. Small changes are proposed to this policy and have been tracked.

Financial implications

It is important to reduce debt as this reduces the financial risk of Council and flows onto reduced interest costs.

Legal/delegation implications

There are no legal implications. Council can change the policy, however it needs to align with the overall treasury policy.

Options

Option A: Adopt the Policy to give staff guidance as to the allocation to debt.

Option B: Suggest and adopt a change to the proposed Policy.

Assessment of options

This is a routine adoption of policy and no need for further assessment.

Assessment of significance


This is a general policy of Council and does not require consultation. Significance is minor.

Recommended option

The recommended option is Option A.

Attachments

- 1 Reviewed Application of Sale Proceeds to Debt Policy with tracked changes
- 2 Reviewed Application of Sale Proceeds to Debt Policy without tracked changes showing

 KAIPARA DISTRICT <small>KAIPARA KE Kōwhiri</small> <small>THE DISTRICT THE DISTRICT</small>	Title of Policy	Application of Sale Proceeds to Debt		
	Sponsor	General Manager Finance	Authorised/Adopted by	Executive Team /Council
	Written By	Glennis Christie <u>Sue Davidson</u> , GM Risk, IT and Finance	Date adopted	15/12/2015 <u>28/03/2019</u>
	Type of Policy	Finance	Review date	December-2017 <u>March 2022</u>
	File Reference	2304.14		

Document Control			
Version	Date	Author(s)	Comments
1st Commenced			
1.0		name	Periodic review, minor editing

1 Background

~~In accordance with the treasury management policy,~~ Council has commenced a programme of selling surplus property. The proceeds of these sales are to be applied to debt. ~~For 30 June 2016 Council is projecting debt of \$74.5 million¹ across a number of activity areas.~~

This policy gives guidance to the application of sale proceeds, and any other proceeds², that are to be applied to debt.

2 Objective

To ensure that the application of sales or other proceeds to debt is systematic, fair and transparent.

3 Definitions

1. Mangawhai Community Wastewater Scheme (MCWWS) debt - Debt funded in three tranches:
 - o General rates funded (district-wide);
 - o Targeted rates funded (current community);
 - o Development contributions (future community).
2. Targeted debt - Debt funded by targeted rates or development contributions, other than MCWWS debt.
3. General debt - Debt funded from general rates, other than MCWWS debt.
4. Surplus property - Property that is not needed for business or strategic objectives as defined in the treasury management policy.

~~Attachment 1 sets out the activity loans for each type of debt.~~

~~Attachment 2 sets out the list of properties currently approved for sale.~~

4 Policy

Proceeds will be applied:

First: to any debt that the proceeds are attached to.

¹ Long Term Plan 2015/2025 adopted June 2014.

² Other than routine planned debt repayment

Second: ~~to rate funded general debt in the area which the proceeds are realised; in the case of Mangawhai if there is no general rate funded debt then proceeds~~ If proceeds are from Mangawhai side of land sales then this should go against the general rate of the MCWW or should be applied to the future community tranche of the debt to reduce financial risk to the district.

Third: to general debt.

Fourth: to all other debt (on a pro-rata basis if material).


Any exceptions to the policy need to be explicitly authorised by Council.

5 Notes

The current process for the property sale programme will continue with each property for sale being authorised by Council. The sales report outlines the source and original purpose of the property.

It may be appropriate for the sales report to note where the proceeds are to be applied.

draft

 <small>Kaipara District</small> <small>Te Kaitiaki Take Kōwhiri</small>	Title of Policy	Application of Sale Proceeds to Debt		
	Sponsor	General Manager Finance	Authorised/Adopted by	Council
	Written By	Sue Davidson, GM Risk, IT and Finance	Date adopted	28/03/2019
	Type of Policy	Finance	Review date	March 2022
	File Reference	2304.14		

1 Background

Council has commenced a programme of selling surplus property. The proceeds of these sales are to be applied to debt

This policy gives guidance to the application of sale proceeds, and any other proceeds¹, that are to be applied to debt.

2 Objective

To ensure that the application of sales or other proceeds to debt is systematic, fair and transparent.

3 Definitions

1. Mangawhai Community Wastewater Scheme (MCWWS) debt - Debt funded in three tranches:
 - General rates funded (district-wide);
 - Targeted rates funded (current community);
 - Development contributions (future community).
2. Targeted debt - Debt funded by targeted rates or development contributions, other than MCWWS debt.
3. General debt - Debt funded from general rates, other than MCWWS debt.
4. Surplus property - Property that is not needed for business or strategic objectives as defined in the treasury management policy.

4 Policy

Proceeds will be applied:

First: to any debt that the proceeds are attached to.

Second: If proceeds are from Mangawhai land sales then this should go against the general rate of the MCWW or should be applied to the future community tranche of the debt to reduce financial risk to the district.

Third: to general debt.

Fourth: to all other debt (on a pro-rata basis if material).

Any exceptions to the policy need to be explicitly authorised by Council.

¹ Other than routine planned debt repayment

5 Notes

The current process for the property sale programme will continue with each property for sale being authorised by Council. The sales report outlines the source and original purpose of the property.

It may be appropriate for the sales report to note where the proceeds are to be applied.

6 Information

File number: 4901.0 **Approved for agenda**
Report to: Council
Meeting date: **28 February 2018**
Subject: **Forestry Sale Proceeds**
Date of report: 07 February 2018
From: Sue Davidson, General Manager Risk, IT and Finance
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Request from Council on 04 December 2017 to review the options on the use of the proceeds from this specific forestry asset sale. The original recommendation was for sale proceeds to reduce the district-wide portion of the Mangawhai Community Wastewater Scheme and there is no resolution to change this.

Recommendation

That Kaipara District Council:

- 1 *Receives the General Manager Risk, IT and Finance's report "Forestry Proceeds Sale" dated 07 February 2019; and*
- 2 *Notes that the proceeds from sale of forestry assets in 2017 will be allocated to general debt, specifically to the district-wide portion of the Mangawhai Community Wastewater Scheme debt; and*
- 3 *Notes that this application of funds complies with Council's previous decision at its 11 December 2017 meeting as part of Forecast One 2017/2018 approval, Application of Sale Proceeds to Debt Policy and Treasury Management Policy.*

Reason for the recommendation

Council requested staff report back on this matter.

Reason for the report

Council wanted further information on options for utilisation of Forestry land sales proceeds for the land sold in 2017, including the quantum and options for its use e.g. creating a fund or simply increasing a community fund, and including the financial impacts of the options.

Background

Council acquired the Hobson County Council forestry lands as a consequence of the 1989 local government amalgamation. Forestry Encouragement loans were provided by the

Government for approximately 30 years for the purchase of the forestry planting with the general rate contributing to these.

The operational costs of forestry have been borne by the district since 1989. The last seven years have been easy to get the records for and are detailed below.

Forestry income and expenditure

(\$000s)	2012	2013	2014	2015	2016	2017	2018	Total 7 years
Harvest Revenue	1,270	1,145		829				3,244
General rates			51		63	66	123	303
Costs	(1465)	(916)	(191)	(702)	(138)	(157)	(63)	(3,632)
Net costs	(195)	229	(140)	127	(75)	(91)	60	(85)

From the forestry profit and loss in these years it can be seen that there has been no great cost or profit to Council. The key legal entity that has met the costs and revenue of maintaining the forestry has been the Kaipara District Council since the 1989 amalgamations.

Costs included

- Harvesting costs
- Contracting costs
- Insurance
- Loan interest and principal for the tree planting
- Management fees, internal services
- Rates.

The key component of the sale in 2017 has been the “biological asset “which is the forestry itself”.

Land sold in 2017 was as follows:

Name of Forestry Block	Cost Price (\$000s)	Year of Purchase	2017 Sales Price (\$000s)	Forestry Valuation	Land Valuation (\$000s) 2014
Hills and Monteiths	82.5 12	1984 1975 planted 1979			470
Maropiu	37.4	1976 planted 1984			259
Whatoro	4	1971 planted 1976			285
Windust	70	1980 planted 1985			159
Total	\$205.9		\$4,715*	\$3,542*	\$1,173

*Breakdown is currently unavailable.

As part of the Council resolution approving sale of the land Council also instructed the Chief Executive to have a briefing on all options on the use of proceeds from this specific asset sale.

Council still has retained the following land from the previous Hobson County Council with the properties available for sale in the future.

Name	Hectares	Forestry Valuation (\$000s)	Land Valuation (\$000s) 2014
Catchment	110.9	677	242
Te Kopuru	11	38.5	158
Total	121.9	\$715.5	\$400

Taharoa does have forestry on part of its land but this is co-governed with iwi and has been excluded from this discussion.

Issues

When forestry land was sold in 2017, Council raised the question at its 04 December meeting as to whether these proceeds should go against general debt?

Factors to consider

Community views

The community wants the general rate debt on the Mangawhai Community Wastewater Scheme to cease being a burden on them. The debt has reduced from \$18m to \$2.9m. One risk is the community may wish to continue to see the general portion of the Mangawhai debt repaid as soon as possible.

Policy implications

December 2015 policy

In December 2015 the Commissioners reaffirmed their policy for 'The application of sale proceeds to debt'. The policy states that *in accordance with the Treasury Management Policy, Council has commenced a programme of selling surplus property. The proceeds of these sales are to be applied to debt.*

Part 4 of the policy states:

"Proceeds will be applied:

First to any debt that proceeds are attached to

Second to rate funded general rate in the area in which the proceeds are realised. In the case of Mangawhai, if there is no general rate funded debt then proceeds should be applied to the future community tranche of the debt to reduce financial risk to the district.

Third to general debt

Fourth to all other debt (on a pro rata basis)

Any exceptions to the policy need to be explicitly authorised by Council."

Treasury Policy adopted as part of the Long Term Plan 2018/2028

Clause 4.5 states “*The funds from all asset sales, operating surpluses, grants and subsidies will be applied to the reduction of debt and /or a reduction in borrowing requirements once any direct debt obligations are repaid, unless Council specifically directs that the funds will be put to another use*”.

The redirection of funds would normally be done as part of an Annual Plan process.

This policy was re-affirmed by the new Council in December 2016.

At the end of June 2018 internal debt was \$59.2 million with the Mangawhai general ratepayer debt at \$2.9 million.

Financial implications

If the funds are reallocated to a community fund for Dargaville and its surrounding area then the debt on the Mangawhai Community Wastewater Scheme would increase and there would be a loss of interest to the general ratepayer, which would mean the rates increase would be up by 0.15%.

Legal/delegation implications

There are no legal implications. Council can reallocate funds.

Options

Option 1: Repay general debt (specifically Mangawhai Wastewater allocated to the rest of the district).

Option 2: Start-up Fund for Dargaville area improvement projects.

Option 3: Expenditure on One-off Capital project for the Dargaville area.

Assessment of options

Option 1: Repay general debt (specifically Mangawhai Wastewater allocated to the rest of the district)

- This follows the current policy of Council and has been budgeted for. The Mangawhai Wastewater General Debt has been reduced by this amount of \$4,715,000. This balance was originally \$18.4m and has been reduced by payments from the Auditor-General, GST, other property sales, and the recent forestry sale proceeds. There is now only \$2.9m outstanding on this specific debt;
- This amount reduces debt of the district which has been Council’s key priority and reduces costs to ratepayers;
- There are no financial implications as this forestry sale has been allocated as per current policy.

Option 2: Start-up Fund for Dargaville area improvement projects

- A fund of \$1,173,000 would be established for the benefit of the Dargaville area. This would generate interest at 3.5% each year of \$41,000 which could go to an improvement in Dargaville;
- The assumption made is that only the land value proceeds can correctly be applied to a Dargaville fund as the forestry costs (loans and other expenditure net of revenue) were paid by the general rate;
- This \$41,000 would be an additional cost to the rates. (0.15% increase) for costs going forward to each Annual Plan;
- This would increase the rates by 0.15% each year going forward.

Option 3: Expenditure on One-off Capital project for the Dargaville area

- These funds of \$1,173,000 could be put to a large project which the community wants and where there are no reserves to fund the project from in the near future;
- This would increase the rates by 0.15% each year going forward.

Assessment of significance

The amount of \$1.1m for creation of a fund is under the \$3m threshold for significance and consultation and Council can make one-off changes to policy.

Recommended option

The recommended option is Option 1 however this does not have to be resolved formally as this was done in 2017.

Next step

The status quo requires the Policy "Application of Sales Proceeds to Debt" to be put up to Council as it is due for review.

File number: 5106.05 **Approved for agenda**
Report to: Council
Meeting date: 28 February 2018
Subject: Remedial Works 37 and 42 Hokianga Road, Dargaville - Weathertightness
Date of report: 01 February 2018
From: Fleur Denize – Facilities, Procurement and Contracts Coordinator
Report purpose Decision Information
Assessment of significance Significant Non-significant

Recommendation

That Kaipara District Council receives, for information, the Facilities, Procurement and Contracts Coordinator's report "Remedial Works 37 and 42 Hokianga Road, Dargaville - Weathertightness".

Reason for the recommendation

Information on Council buildings that will be of interest to Council.

Reason for the report

To update Council on work to be undertaken on weather tightness issues at 37 and 42 Hokianga Road, Dargaville and the timeframe. Council has previously been advised of these weathertightness issues.

Background

Architectural Design

37 Hokianga Road is comprised of three buildings encompassing a foyer, town hall and conference building. The building dates from c1922 however there are no weathertightness defects with this building. There are weathertightness defects to the foyer, town hall and conference buildings are confirmed as relating to the direct fixed cladding systems and flat pitch membrane roofs and internal gutters. The defects have resulted in deterioration to the timber framing and internal linings.

42 Hokianga Road is comprised of two parts that were built at separate times. The 1960's 3-storey building at the front has not been assessed for weathertightness defects, however the side entry and rear building have numerous weathertightness defects. These defects are confirmed as also relating to the direct fixed cladding systems and flat pitch membrane roofs and internal gutters. The defects have also resulted in deterioration to the timber framing and internal linings.

Scope of Works

- Full replacement of the direct fixed cladding with a cavity based cladding system;
- Address lack of cladding clearance to the tiled areas;
- Address structural defects to the subfloor framing of the hall;
- Where possible, replace the flat roof areas with new hipped or mono-pitched roofs;
- Replace the curved roofs of 37 Hokianga Road with mono-pitched offs;
- Replace the internal gutters with new with greater falls and where possible replace with new external gutters;

- Overall the design is to be cost effective yet durable. On this basis it is acknowledged that additional expenditure beyond a minimum solution may be required but this is to be carefully managed and considered to ensure that specification is appropriately balanced from a cost and performance perspective;
- The building is to be reinstated to meet the New Zealand Building Code requirements only. There are no additional measures required to reduce energy use, or increased sustainability, are to be made.

Construction

For 37 Hokianga Road, the cost is approximately \$450k plus GST and the construction time of approximately 18 weeks is possible. Actual costs and duration of the project will be confirmed as we work our way through the design and contractor procurement phases of the project. For 42 Hokianga Road, the cost estimate is approximately \$300k plus GST and the construction time of approximately 13 weeks.

Consultant's fees for the project will be an estimate of \$239,000 which includes Design, Procurement, Tender Process, Contract Administration and the Defects Liability Period.

Financial implications

The budget has 150k in 2018/2019 and 150k in 2019/2020 per annum for the remainder of the LTP. It is proposed to bring forward approximately another 270k so that 37 Hokianga Road can be completed in 2019. This will be funded from rate funded depreciation reserves so there will be no impact on profit and loss for the Council.

Summary

Remediation of the building at 37 Hokianga Road will be undertaken first with 42 Hokianga Road only going through the design stage until the future for all Civic Buildings has been agreed upon by Council. The repairs for 37 Hokianga Road will be undertaken in 2019. The repairs for 42 Hokianga Road will be undertaken once the Civic Properties Strategy has been discussed with Council.

File number: 1203.01 **Approved for agenda**
Report to: Council
Meeting date: 28 February 2019
Subject: 2019 committee rotations: Citizens Awards Committee and
Community Grants Committee
Date of report: 21 February 2019
From: Lisa Hong, Governance Advisor
Report purpose **Decision** **Information**
Assessment of significance **Significant** **Non-significant**

Summary

Council has two committees that require an annual rotation of its members: Citizens Awards Committee and Community Grants Committee. The Mayor has appointed new members to these committees for 2019.

Recommendation

That Kaipara District Council:

- 1 *Receives the Governance Advisor's report '2019 committee rotations: Citizens Awards Committee and Community Grants Committee' dated 21 February 2019; and*
- 2 *Notes the following appointments to the Citizens Awards Committee for 2019, with His Worship the Mayor Smith remaining as Chair:*
 - *Councillor del la Varis-Woodcock*
 - *Councillor Larsen; and*
 - *Councillor Wade*
- 3 *Notes the following appointments to the Community Grants Committee for 2019:*
 - *Councillor del la Varis-Woodcock*
 - *Councillor Wethey (Chair)*
 - *Councillor Joyce-Paki.*

Reason for the recommendation

Elected members and the public are informed of changes to Council's committees.

Reason for the report

With the start of the New Year, two of Council's committees were due for membership rotation. Mayor Smith has made the appointments to these committees.

Background

Citizens Awards Committee

The Citizens Awards Committee comprises the Mayor and three councillors who are rotated annually. The Citizens Awards Committee Terms of Reference states that *'At the start of each calendar year the Ward Councillors will be replaced by another Councillor from the same Ward, until all Councillors have been on the Committee.'*

Accordingly, Mayor Smith appointed Councillors del la Varis-Woodcock, Wade and Larsen for 2019.

	2017	2018	2019
West Coast/Central (3 councillors)	Councillor Curnow	Councillor Geange	Councillor del la Varis-Woodcock
Dargaville (2 councillors)	Councillor Wade	Councillor Joyce-Paki	Councillor Wade
Otamatea (3 councillors)	Councillor Wethey	Councillor Jones	Councillor Larsen

Community Grants Committee

The Community Grants Committee comprises three councillors who are rotated annually, with one being appointed as the Chair. The Community Grants Committee Terms of Reference states that the membership shall be ‘A Councillor from each Ward, rotated on an annual basis.’

Accordingly, Mayor Smith appointed Councillors del la Varis-Woodcock, Joyce-Paki and Wethey for 2019.

	2017	2018	2019
West Coast/Central (3 councillors)	Councillor Geange (Chair)	Councillor Curnow (Chair)	Councillor del la Varis-Woodcock
Dargaville (2 councillors)	Councillor Joyce-Paki	Councillor Wade	Councillor Joyce-Paki
Otamatea (3 councillors)	Councillor Jones	Councillor Larsen	Councillor Wethey (Chair)

Factors to consider

Community views

The community is interested in how Council funds and awards are granted. It is important that the processes behind these decisions are transparent and compliant.

Policy implications

The appointments as above are compliant with the Committee Terms of Reference, and are not considered “significant” as defined in the Significance and Engagement Policy.

Financial implications

There are no financial implications. Elected members will continue to be remunerated according to the Remuneration Authority Determinations and the Elected Members Allowances and Recovery of Expenses Policy.

Legal/delegation implications

The Mayor has the power to appoint members and chairs to Council’s committees, pursuant to section 41A of the Local Government Act 2002.

Next step

The Committee Terms of Reference will be amended to reflect the change in committee membership and published online.

A Citizens Awards Committee meeting has been scheduled for Wednesday 26 June 2019.

A Community Grants Committee meeting has been scheduled for Wednesday 21 August 2019.

6.4 Strategic Plan Quarterly Report October – December 2018

Administration Manager 2002.02.19

Recommended

That Kaipara District Council receives the Administration Manager's 'Strategic Plan Quarterly Report October – December 2018' and the information contained therein.



Strategic Plan Quarterly Report

October - December 2018









Key ● Favourable ● Unfavourable – within 10% of budget ● Unfavourable – over 10% of budget


1.0 STRATEGIC PRIORITY: GREAT PEOPLE


Objective / Project		Lead	Quarterly Progress	Status	Due Date
1.1	Grow our leadership capability	People and Capability	Leadership survey conducted. People and capability are currently developing a competency framework for KDC, aligning our 1:1, PDP and end of year process.	●	On-going
1.2	Build an engaged values-driven culture	People and Capability	September 18 pulse survey completed, 60.3% engagement. Have sourced a new provider for Culture Surveys (Culture AMP), due to be implemented in July 2018 with a full survey conducted shortly after.	●	On-going



2.0 STRATEGIC PRIORITY: SUPPORTING GROWTH

Objective / Project		Lead	Quarterly Progress	Status	Due Date
2.1	Design and implement District Plan review	Regulatory, Planning and Policy	Drafting review programme, administered through Microsoft office project, has been established and community engagement for 2019 is being planned. National Planning Standards need to be finalised by central government and will inform Chapters of the Draft DP.		December 2018 (Design)
2.2	Develop opportunities for Provincial Growth Fund and manage programme	Governance, Strategy and Democracy	An express application was submitted for Pou tu te Rangi/Harding Park. The Kai Iwi Lakes express application was declined as the application did not sufficiently meet the primary objective of the Fund and a possible application on Ruawai drainage is under discussion with Infrastructure. No notifications received from central government.		On-going
2.3	Review Reserves and Open Space Strategy	Infrastructure	Staff continue to work on the document with a view to workshop the Strategy with elected members in March 2019 for adoption shortly afterwards.		March 2019
2.4	Develop Climate Change Strategy	Regulatory, Planning and Policy	A Draft Project Plan and proposed Strategy has been written and presentations made at community meetings in Ruawai and Baylys Beach. Consideration needs to be made about a dedicated resource to finalise and implement project plan and strategy.		June 2019



3.0 STRATEGIC PRIORITY: EFFECTIVE DELIVERY

Objective / Project		Lead	Quarterly Progress	Status	Due Date
3.1	Plan to enable our customers and staff through Information Technology is put in place (Technology Road Map)	Risk, Information Technology and Finance	The IT Roadmap has been finalised. Council was briefed in December and it is being implemented and managed by monthly IT Steering Committee meetings.		October 2018
3.2	Rationalisation of surplus land to enable Council to make best of its resources (Fagan Place)	Risk, Information Technology and Finance	Initial briefing on status to be completed with Council in March. Discussion with Iwi is required for the Aranga property and costs for the Bike Trial at Browns Road need to be determined.		June 2019
3.3	Council Civic Building Strategy (Stage One)	Risk, Information Technology and Finance	Scope agreed and consultants appointed. A briefing will be held with Council on 4 February and a paper will be placed on the March Council meeting agenda.		December 2018
3.3.1	Council Civic Building Strategy (Stage Two)	Risk, Information Technology and Finance	A resolution on Fagan Place will be made once a decision on community housing is finalised.		30 June 2019
3.4	Prepare for and retain Building Consent Authorities (BCA) accreditation	Regulatory, Planning and Policy	Only 3 outstanding non-compliances remain to be cleared by IANZ audit office. These should be sorted well before the required IANZ timeframe.		October 2018

3.5	Adopt Risk Management Framework	Risk, Information Technology and Finance	Will be drafted and tested with management in January for discussion with the Audit, Risk and Finance Committee in February 2019.		December 2018
3.6	Implement Health and Safety Risk Management Improvement Programme	Infrastructure	Recruitment of a Health and Safety Advisor is currently underway.		December 2018
3.7	Region-wide shared services initiative	Governance, Strategy and Democracy	While there has been no region-wide meeting held during reporting period, indications are that all four Councils will join NRCs GIS system with Kaipara being the first to get access to their various layers of information.		On-going
3.8	Deliver at least 90% of the capital works programme	Infrastructure	Capital spend until the end of December is sitting at 12% of the total capital works for the year. Up to December, most of the work was in design stage. Construction is ramping up and procurement methods, such as early contractor involvement are being implemented.		June 2019
3.9	Extend Mangawhai Community Wastewater Scheme	Infrastructure	Contractor is looking to establish on-site after Christmas for the irrigation field extension. Negotiations with contractors need to be commenced for construction of the pump station in the Mangawhai Village. Wastewater treatment plant options are near finalisation.		June 2019
3.10	Implement Mangawhai Community Plan (Priority 1 projects)	Community Customer Services	Moir Point Road stormwater connections are completed, along with pavement stabilisation work. A business case is being developed for a shared pathway(s), based on OPUS Concept Plans and Council is waiting on a Cultural Impact Assessment and Archaeological Assessment report to be completed.		June 2019

3.11	Solid Waste delivery review	Infrastructure	Consultation is planned for April 2019. Prior to public consultation, key questions will be asked through the Peoples Panel to ascertain a direction for the service delivery review.		November 2019
3.12	3 Waters Review	Chief Executive	The Northland CE Forum is continuing to review these developments and the group is liaising with the DIA team working on the waters review. A presentation from the DIA project manager is expected at an upcoming CE meeting. Focus is on the regulation and supply arrangements of the 3 Waters.		Ongoing (central-government led)

4.0 STRATEGIC PRIORITY: ENGAGED COMMUNITIES

Objective / Project	Lead	Quarterly Progress	Status	Due Date
4.1 Investigate and develop plan for community hub in Dargaville, encompassing Library (linked to Civic Property Strategy)	Risk, Information Technology and Finance	The PGF application has been removed however MBIE has re-requested the application.		June 2019
4.2 Implement Iwi Relations programme	Governance, Strategy and Democracy	A review and update of the current Iwi Plan is being undertaken and the 'Whanaungatanga ki Taurangi'		June 2019

4.0 STRATEGIC PRIORITY: ENGAGED COMMUNITIES

Objective / Project		Lead	Quarterly Progress	Status	Due Date
			(Relationship Agreement) between Iwi Chairs and Northland Local Authorities was approved by Kaipara District Council.		
4.3	Review management of pensioner housing; initiate development of a Pensioner Strategy	Community Customer Services	It is intended, at a Council briefing on 4 February 2019, that Council will provide guidance on the approach to pensioner housing. This will inform the development of a Pensioner Housing Strategy going forward.		31 March 2019
4.4	Kaipara Moana Treaty Negotiations	Regulatory, Planning and Policy	The Crown will consider funding assistance for programme implementation, contingent on local authorities committing to making changes to RMA plans and rules as part of the solution. Drafting of the 'business case' will commence in the New Year. A draft work plan for Council staff and Kaipara Uri has been written which identifies various work streams.		On-going (central government led)
4.5	Complete Representation Review	Governance, Strategy and Democracy	The final proposal was adopted by Council on 9 October. The appeal period closed on 12 November and four appeals were received. The Local Government Commissioner will hold a hearing in March for Council and appellants to speak.		November 2018

6.5 Quarterly Performance Measures for Second Quarter Ending 31 December 2018

Administration Manager 2002.02.19

Recommended

That Kaipara District Council receives the Administration Manager's 'Quarterly Performance Measures for Second Quarter Ending 31 December 2018' and the information contained therein.



Quarterly Performance Measures

Second Quarter Ending 31 December 2018





Quarterly Performance Measures – for the second quarter ending 31 December 2018

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1 Introduction

This Quarterly Performance Report measures Council's performance on its activities as adopted in Council's Long Term Plan 2018/2028. The report is based on the measuring performance, planned improvements and changes as per year one of the Long Term Plan (LTP). It also includes highlights and risks associated with each of the activities.

The performance measures were extensively reviewed as part of the 2018 LTP process and will be applicable until the 2021 LTP is adopted. Some of the measures are based on levels of service while others are based on statutory obligations. The coloured circle in the annual target column indicates progress.

Within this Report there are 60 measures, 5 of these have no results available yet and will be available at the end of the financial year. As such, they will be reported in the 2018/2019 Annual Report. Of the 55 measures remaining, 46 (84%) were achieved. Green is either achieved or on target to be achieved by the end of the financial year. Amber is looking like it may not be achieved. Red is not achieved or highly unlikely to be achieved. There are 4 (7%) measures recording amber and 5 (9%) recording red. Arrows are showing when amber or red quarterly figures have moved upwards or downwards.




A summary of the 'not achieved' measures to date is as follows:

Resource consenting	1	Sewerage	1	Building	1	Roads and Footpaths	2
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The LTP 2018/2028 bases the measures on an annual target. The Quarterly Performance Report measures progress quarterly. October to December represents the second quarter and year to date is the average or total of both the first and second quarters.

Customer satisfaction results are obtained through Key Research's Customer Perceptions Survey, which is undertaken on four occasions throughout the year. The first survey for the 2018/2019 year was completed in early November therefore the year to date is the same as the current performance. A second set of results will be available during the next quarter.

The key to the traffic lights is as follows:

Key	 Favourable, or achieved	 Unfavourable – within 10% of budget, or may not be achieved	 Unfavourable – over 10% of budget, or not achieved
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2 Report by Activity

Community Activities

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

Community Assistance – The Community Team had a pop up presence at the Paparoa Gala Day in November and the Ruawai walkway opening in December was used to gather feedback and ideas for the community.

The Matakohē shared path working group met – KDC, NZTA, Opus and Te Uri o Hau and identified areas of environmental and cultural significance.

The Dargaville Placemaking work at the Victoria Street Reserve has been completed and a contract for service is in place with the Dargaville Community Development Board to deliver events in the Dargaville area.

The team has been working with the Pou Tu Te Rangi Harding Park Governance on a Provincial Growth Fund application for a feasibility report to look at the potential opportunities for the site. Formal documents for the ownership of the Kauri Coast Community Pool are being progressed.

Halls and Community Housing – Review not yet started.

Libraries – Paparoa Library has been closed since April 2018 while the building is redeveloped. It is expected to re-open in February.

Reserves and Open Space – Meetings have been held this quarter with the three premier park committees with the programme of works continuing for all three. Designers have been approached for the Mangawhai Activity Zone and Mangawhai Heads carpark programmes. Four applicants have been asked to provide prices for the design and construction phase of the all-tide coastal walkway in Mangawhai.



Highlights

Community Assistance - The Citizens Awards held at Sportsville in November were a highlight this quarter. There were eighteen applications and six people were successful. These people work tirelessly within our communities and being able to recognise this awesome.

A Pomegranate Approach Workshop was held at the Paparoa War Memorial Hall in October. Forty-five participants from the Council and community attended a full day workshop. This is a community led approach to community projects.

Reserves and Open Space – In general, stunning weather has seen a solid start to summer with public enjoying reserves and open spaces across the district.

Mangawhai Community Park sees Pioneer Village building refurbishments continuing, with the Tara School and Old Post Office now complete.

Pou tu te Rangī/Harding Park saw the Dalmatian 160 year celebrations held in November and a planting day is planned for April 2019.

Taharoa Domain has seen track work joining Taharoa and Waikare tracks completed and the delivery of restoration plants for the Domain. New signage around 'no freedom camping' in the Domain being erected.

Library – All libraries participated in the children's winter reading programme. Four New Zealand authors visited Dargaville library as part of the national Storylines tour.

Risks and Issues

Community Assistance – Having more applications than funds requires careful management of the communities' expectations. Council has been assisting applicants with their applications and also suggesting other funding options.





Reserves and Open Space – Due to a late start on awaiting Council's allocation of funding from the Reserve Contribution Fund for Long Term Plan projects, may mean that staff are unable to spend all the allocated budget this year.

Library – Space is an issue in Dargaville Public Library with not enough room to provide necessary services and programmes to the community.




Community Housing – Pensioner housing is aging and nearing end of life. Rents are not set high enough to fund renewal of the assets over the long term.



Community Activities

Parks and Reserves	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Percentage of residents who are very/fairly satisfied with their local parks and sport fields	92%	85% 	92%	Achieved
	Percentage of residents who are very/fairly satisfied with the district's public toilets	80%	>70% 	80%	Achieved
	Parks maintenance contract: a safe working environment is provided for those delivering the service, number of health and safety audits per month	Contractor:12 Council: 4	Contractor:4 Council:1 	Contractor: 25 Council:7	Achieved – The target of 4 for the contractor and 1 for the Council is a per month basis.
	Compliance with parks maintenance contract specifications – monthly audits	97%	90% 	95%	Current performance is a composite average derived from 13 audits undertaken from October to December 2018.



Community Housing	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured by:</i> Council annual budget	Zero net cost to ratepayers for our pensioner housing services.	Achieved	Zero cost 	Achieved	Tracking as per budget
<i>Measured by:</i> Quarterly reporting from management agencies	Community Housing annual occupancy rate.	99.5%	90% 	99.5%	Achieved
Libraries	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Percentage of library users who are very satisfied or satisfied with the district's library services	89%	85% 	89%	Achieved



Planning and Regulatory Management

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

Building Control – Building met with Policy officer and Council working group to discuss.

Earthquake Prone Buildings and strategy is being developed to identify the process and timeframes. The Policy is to be developed this year and rolled out in a series of informative workshops to the business community.

Resource Consents Management – Investigation relating to options for online resource consent processing are yet to gain traction as Council looks to develop its IT Strategy and prioritise projects accordingly. Increased staffing in the ICT area is expected to assist progress for the second half of the year.

Regulatory Services – The transition period from The Food Hygiene Regulations to the new Food Act is on target to be completed by the end of February 2019.

Highlights

Building Control – IANZ commended the BCA very highly indicating we are among the leading BCA's in the country in many aspects. Particularly with our training management system, which was said to be unique and nothing like it in the country.

Resource Consents Management –All planners have undertaken NZPI training on Maori values within planning. Further opportunities to expand knowledge and local understanding in this area are being explored. A number of productive meetings were held with consultant planners to refine and define the expectations and needs with respect to consent processing, as the reliance on consultants continues. The Consents Team has worked closely with the Policy Team to reach a mediated agreement with respect to Plan Change 4 – Fire Safety, and a range of follow up work has ensued to support implementation. A new duty planner position has been created (and filled), in an effort to improve the timeliness and level of customer service that we can provide the community.

Regulatory Services –The Food Team was audited by MPI and found to be on the right track however extra resources are required.







Risks and Issues

Building Control – Historical issues arise from time to time, where Council has made erroneous decisions and we have to navigate carefully through these.




Resource Consents Management – Resource consent applications continue to be steady with increased complexity and an increased number of consents proceeding to hearings. Pressure on internal staff was exacerbated by the loss of a senior planner and intermediate planner. This places a heavy reliance on consultant planners, and an inability to meet statutory timeframes.

Regulatory Services – The Food Safety Team was audited by MPI and found that one of the shortfalls was the number of EHO FTE's. This is supported by the resource calculator. The increased complexities and expectations under the new Food Act are starting to have an affect i.e. the verification spreadsheet (food audit inspection list) is growing every month. A temporary contract has been tendered to assist with the shortfall in the meantime for conducting verifications.






Planning and Regulatory Management					
Building Control	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Percentage of building control customers who rate request for service responses as very satisfied or satisfied	90%	75% 	90%	Achieved
	Percentage of building consents processed within 20 working days	85%	100% 	89% 	Not achieved. 20 consents issued over 20 days out of 130 for the quarter. Two processing contractors have been engaged as well as another contract engineer. A new Building Consent Officer has been engaged to fill vacancy.
<i>Measured by: Core application Overdue Service Request Report</i>	Percentage of illegal activity/unauthorised work complaints investigation initiated within 3 working days.	88%	90% 	90.65%	Achieved.






Regulatory Services	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Percentage of food premises inspected or audited at least once per year under the Food Hygiene Regulations or Food Act	88%	100% 	77% 	Achieved this quarter however there does remain a backlog from the previous quarters. A further food safety contractor has been engaged to ensure that the 100% target is maintained for the year.
	Percentage of alcohol premises inspected at least once per year	1.4%	100% 	30%	Year to date 22 out of 74 have been inspected. The timing of inspections is consistent with the anniversary date of the previous annual inspection.



Resource Consent Management	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Percentage of non-notified resource consents processed within 20 working days	80.3%	100% 	74.3% 	71 non-notified decisions issued this quarter, 57 were processed within statutory timeframes. Out of the 14 consents not processed within timeframes, 3 were processed in 21 working days. During this quarter, four consents were also notified and three hearings were held. One publicly notified subdivision was declined by an independent hearing commissioner.
	Percentage of all new granted resource consents are audited each year to ensure they comply with relevant conditions	16%	15% 	18%	The monitoring undertaken during the period of 1 October – 31 December is reported for the actual consents granted in the period 1 September – 30 November. Due to the way monitoring is conducted there is always a one-month lag time.



Resource Consent Management	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
					<p>There were 76 consents in total for the period 1 September – 30 November. 17 of the 76 consents required monitoring. Of the 17, 12 of these were completed.</p>
	Percentage of s224(c) certificates for new land titles processed within 10 working days	100%	97% 	100%	32 s224(c) certificates were issued this quarter, all within 10 working days, and an average processing time of 1 working day.
	Percentage of resource consent complaints regarding unconsented works and non-compliance with the District Plan and resource consent investigated initiated within 5 working days	100%	90% 	100%	Achieved. 14 complaints were investigated within 5 working days.
	Percentage of Land Information Memoranda (LIM) processed within 10 working days	100%	100% 	100%	148 LIM's were processed this quarter, with an average of 7 working days.



Flood Protection and Control Works

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

- Develop a central database and Geographic Information Systems (GIS) mapping for condition assessment information and generate a renewal programme; Information has started to be transferred to AssetFinda and waiting on GIS upgrade.
- Continue assessments of floodgates within target areas such as Raupo and Dargaville; ongoing. A contractor has assessed three floodgates for remedial works in conjunction with Council's Land Drainage Co-ordinator.
- Assess existing stopbanks, levels and conditions to help prepare for climate change and sea level rise - we have completed about 1km (out of 70km) surveying of stopbanks in Raupo and will continue to do so as planned.
- Assess existing drainage districts and identify possible reductions or amalgamations; This is ongoing, Te Hapai Drainage District reinstated this year.
- Assess the current drainage district boundaries and identify if these are still accurate, with adjustment as required; ongoing.

Highlights





- Lawrie floodgate built and onsite.
- Te Hapai floodgate currently being built.
- The floodgate built last quarter for Awakino East will now be installed at Horehore.

Risks and Issues

Proposed reinstatement of the Murphy/Bowers stopbank is ongoing and the Council and owner have not reached an agreement on when the work will begin. The owner is still evaluating the proposal made by Council to reinstate the stopbank and if a response is received late, the work may be postponed to next season because it is a summer period construction.



Flood Protection and Control Works

What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
The number of flood events not contained by the drainage schemes up to a 1:5 year flood.	0	0 	0	No flood events this period
Service requests for additional cleaning of drains i.e. missed by the monitoring and maintenance programmes.	1	<5 service request per year 	1	Achieved
Biannual inspection of our drainage network to ensure that it can contain a 1 in 5 year flood.	1	2 inspections per year 	1	The next planned inspection is set for April 2019.
Targeted maintenance of the stopbank system in the Raupo Drainage District to prevent tidal flows from inundating private property during high tide and/or when the river is in flood.	Achieved	Minimum yearly inspections and targeted maintenance completed 	Achieved	Inspections are ongoing



District Leadership, Finance and Internal Services

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

Policy and District Planning – Logistics planning for community consultation for the District Plan review will be more efficiently coordinated, with the capacity to utilise technical support, new project administration IT tools and across Council collaboration. This will allow Policy Analysts and District Planner to focus on research and drafting plan changes. The District Plan, Policy and Bylaw review programme for 2018 has been completed. This led to the adoption of the Class 4 Gambling Venues and the Kaipara Smokefree Policies, the Alcohol Control Bylaw and two plan changes, the Fire Rule (PC4) and the NES-PF change becoming operative.



Highlights


Policy and District Planning – Ongoing collaboration with FENZ and Mangawhai community members is bringing the fire risk assessment guidelines closer to completion. These guidelines are designed to help guide subdivision developments on fire risks and management of those risks. Council agreed to consult with the community on the Draft Taharoa Domain Bylaw, so consultation with campers and visitors to the Domain began in December.

Risks and Issues

Policy and District Planning – Lack of GIS capacity and data is proving to be a high risk for our work, this became apparent throughout the quarter when we were trying to update Hazardous Activities and Industries List data, provide maps for proposed bylaws and incorporate the Regional Policy Statement requirements. The Policy Team has identified this as one of our biggest risks, especially if we hope to have e-planning as a key tool available in 2019.



Governance and Democracy	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Long Term Plan, Annual Plan and Annual Reports will be adopted within timeframes set in the Local Government Act 2002.	Compliant	Compliant 	Compliant	The Annual Report was adopted on 27 September 2018
	Percentage of residents that are very/fairly satisfied with how rates are spent on services and facilities provided by Council.	64%	40% 	64%	Achieved. There was positive commentary around Council getting its finances in order beautification work in the community and elected members doing a good job.

Civil Defence Management	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Conduct Civil Defence training exercises.	None	1 per year 	None	Exercise scheduled for April 2019.



Solid Waste

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

Implement preferred option for leachate disposal at Hakaru Closed Landfill – The initial preliminary design of a leachate treatment facility was completed. However due to the unexpected high costs, Pattle Delamore Partners Limited (PDP) was asked to look at other options and report back with costs. Consent application was completed in November 2018 and PDP is now reviewing draft conditions before the consent is finalised.

Investigate delivery of a district-wide rate-funded recycling collection in consultation with the community – A consultation programme will be undertaken in March 2019 and options are currently being developed.

Determine community interest in additional/rural drop-off locations for recycling – This will be completed alongside the above consultation process.

Highlights






The Bickerstaffe Road Closed Landfill Rehab contract was let in December, with a start date set for January 2019.

Risks and Issues

Recycling still continues to be an issue due to lack of viable markets, with further plastics now requiring stockpiling. This is likely to continue for some time until New Zealand markets are established. There is potential for some stockpiled materials to be sent to landfill in March due to lack of markets and deterioration.

Pouto Point and Kaihu Wood Road have been identified as areas of issues with residents electing to use black bags instead of yellow or blue Council bags. 113 black bags were picked up at recent kerbside collection runs to Pouto between Christmas and the New Year, one large cluster at the end of Pouto Peninsular. It is not possible to leave these as it poses a health risk to the community.

Roadside litter is also a problem with an annual collection planned along some of the key roads identified.

Solid Waste				
What we measure	Current Performance	LTP Year 1 Annual Target	Year to date	Comment
Percentage of residents who are very satisfied or satisfied with waste management.	70%	75% 	70% 	Not achieved. The majority of issues seem to revolve around recycling and kerbside collections in particular rural areas. In March, Council will undergo public consultation with the intention of making improvements to this service.
Total amount of recycling (diverted from landfill) as a percentage of total waste collected (The year to date waste diverted for the 2017/18 year was 21.01%)	18.41%	1% more than previous year 	17.57% 	431 tonnes from 2,341 tonnes of waste was diverted from landfill. On target to achieve by year end.
Closed landfill activities meet legislative compliance. No resource consent abatement notices, infringement notices, enforcement orders or convictions.	0	0 	0	Achieved.



The Provision of Roads and Footpaths

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

The Northland Transportation Alliance (NTA) has been in the process of a formal restructure with the structure released in December and an implementation period occurring through January and February 2019. The Bridge Management Strategy remains a priority and will be advanced through the professional services contract, within the NTA. The Professional Services Contract draft went out for review in November 2018 and has a targeted implementation date of 01 July 2019.

Highlights

Annual sealed pavement works are well underway with reseals started in October 2018 and due for completion in March 2019. Pavement rehabilitation works are also well on track for completion.

Our newly appointed Senior Assets Engineer was warmly welcomed by the team in November 2018 and has been focused on meeting key deliverables.



Key Performance Measures on the new Road Maintenance and Renewals Contract has started to be applied since October 2018 providing learning opportunities for both the Contractor and Council Team.


Risks and Issues

The formal restructure within the NTA will mean that staff are relocated within the office environment to start working within core Northland teams. This may cause some disruption and distress on staff members as well as our customers and will need to be managed closely.

Further turnover of senior staff including the resignation and departure of our Roding Manager has had an impact on the remaining staff with increased workload and business continuity. Remaining team members have been filling the void along with some support from external consultants.






The Provision of Roads and Footpaths					
Road Safety	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured by:</i> coronial inquiry findings.	There are no fatalities and serious injury crashes on the local network that are directly contributable to road condition.	0	0 	0	Council is waiting on a Police report for a serious crash on a local road, to identify the cause of the accident, although it is suspected alcohol was involved.
<i>Measured by:</i> NZ Transport Agency (NZTA) Crash Analysis System (CAS) statistic versus the 2017/2018 number of 10.	The change from the previous financial year in the number of fatalities and serious injury crashes on the local road network.	3	<10 	4	Achieved





Condition of the sealed local network	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured by:</i> NZTA Performance Measure Reporting Tool.	The average quality of ride, measured by smooth travel exposure within the following range.	N/A	<90	N/A	Annual data collected. Information will not be available until February 2019.
<i>Measured by:</i> NZTA Performance Management Reporting Tool (PMRT)	The percentage of the sealed local road network that is resurfaced.	1%	>6.7% 	1%	Resealing started at the end of November. The programme is on



and/or NZTA Annual Achievement Report					track with 10% of the physical works delivered to date. This work can only be undertaken during the summer season, with the physical works taking place through to the end of March 2019. The spend to December follows previous years trends, is in line with neighboring councils and in line with forecast.
Maintenance of the unsealed local network	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured</i> using the NZTA One Road Network Classification (measurement data sourced from RAMM contractor)	The length of the unsealed local network that is graded for: Secondary collector road Access road Access (low volume) road	29.306km 231.167km 125.173km	140km min 1,200km min 750km min ●	83.83km 698.54km 488.90km	Grading is prioritised on condition. Early onset of dry conditions may adversely affect grading, as it is not practicable to grade when the road is too dry, and it is cost-prohibitive to undertake 'wet' grades i.e. to add water prior to grading.

Maintenance of the sealed local network	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured by</i> the actual spent to budget percentage for the surfacing renewal budget		13%	>95% - <103% 	13%	The programme is on track. This work can only be undertaken during the summer season, with the physical works taking place through to the end of March 2019. The spend to December follows previous years trends, is in line with neighboring councils and in line with forecast.
Execution of capital works programme	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured by:</i> Monthly and annual capital works programme reporting % spent to budget.	Maximum uptake, within the three-year planning programme, of the approved NZTA budget for Kaipara district, provided Council can also fund the local share.	17%	>95% 	34% 	This is year 1 of a 3-year cycle. The capital works programme has just begun with the start of the construction season. Physical work procurement is still underway following the completion of designs and investigation for a number of key projects. The spend to December follows previous years trends, is in line with neighboring councils and in line with forecast.



Response to service requests	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
<i>Measured by: core application reporting tool</i>	The percentage of customer service requests relating to roads and footpaths to which the Council responds within the specified timeframe of two working days.	85%	90% 	85% 	Not Achieved. 509 Total received this quarter 432 Responded to in time 1,124 Total received YTD 952 Responded to in time YTD
Condition of footpaths within the local road network	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Percentage of residents who are very/fairly satisfied with footpaths	60%	73% 	60% 	Not achieved. While general roading satisfaction has improved, footpath satisfaction has reduced. NZTA is now funding footpath maintenance and a programme of repairs is planned in February 2019.



Sewerage and the Treatment and Disposal of Sewage

What has changed? *Planned improvements and/or change for year 1 from the 2018 LTP*




- Develop a central database and geospatial framework for condition assessment information and generate renewal programme from the system - we have carried out a condition assessment of the Pump Station 1 catchment in Dargaville through CCTV;
- Continue the data cleansing project to improve our knowledge of our assets (including asset lives to aid renewal planning) – We hired 3 cadets to gather survey and condition information on our wastewater assets and feed into the central asset management system;
- Wastewater Modelling (Dargaville, Maungaturoto). Scoping exercise to determine needs and level of detail required for development of hydraulic model - the information collected by cadets will feed into the wastewater modelling data. The scoping has not started;
- Continue the MCWWS resource consent variation application – ongoing work from last quarter with the consultant also having started work on the upgrade of the wastewater plant, disposal options and the network study. We have engaged a consultant to carry out investigations, the work is already underway;
- Extend the MCWWS irrigation system – contract has been awarded to complete the next stage of the irrigation system;
- Upgrade the MCWWS existing reticulation and pump stations - The design of the planned upgrade at the village pump station has been completed and is in the awarding phase;
- Upgrade the MCWWS treatment plant - assessment of the current issues at the plant and the solutions has been scoped for the design by the consultant which is underway.

Highlights






Most capital works projects have been designed and are ready for tendering. Some projects with construction have been started.

Risks and Issues

Property owners have issues with the irrigation at the Brown Road Farm in Mangawhai.

Sewerage and the Treatment and Disposal of Sewage					
	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	The number of dry weather sewerage overflows from Council's sewerage systems, expressed per 1,000 sewerage connections to that sewerage system. The resource consent provides for severe weather events and power failure exceptions.	0	<1 	0	Achieved
	Where Council attends to sewage overflows resulting from a blockage or other fault in the territorial authority's sewerage system, the following median response times apply: Attendance time: from the time that the territorial authority receives notification to the time that service personnel reach the site. (Department of Internal Affairs (DIA) measure).	1 hour	<2 hours 	50.5 mins	Achieved
	Where Council attends to sewage overflows resulting from a blockage or other fault in the territorial authority's sewerage system, the following median response times apply: Resolution time: from the time that the territorial authority receives notification to the time that service personnel confirm resolution of the blockage or other fault.	1 hour 19 mins	<48 hours 	1 hour 29 mins	Achieved



	The total number of complaints received by Council about sewage odour. Expressed per 1,000 sewerage connections.	0.4	<10 	0.9	Achieved Based on a total of 2 complaints and 5,614 connections
	The total number of complaints received by Council about sewage system faults e.g. blockages, breaks Expressed per 1,000 sewerage connections (Department of Internal Affairs)	5.5	<27 	11	Achieved Based on a total of 31 faults and blockages and 5,614 connections
	The total number of complaints received by Council about Council's response to issues with its sewerage system. Expressed per 1,000 sewerage connections.(DIA measure)	0.2	<48 	0.2	Achieved Based on 1 complaint received and 5,614 connections
	The number of abatement notices, infringement notices, enforcement orders and convictions received by Council in relation to its resource consents for discharge from its sewerage systems.	0	0 	1 	Not achieved There was 1 abatement for Kaiwaka WWTP due to discharge non-compliance
	Major capital projects are completed within budget.	N/A	Achieved	N/A	To be reported at year end.



Stormwater Drainage

What has changed? *Planned Improvements and/or change for year 1 from the 2018 LTP*

- Develop a central database and Geographic Information Systems (GIS) mapping for condition assessment information and generate a renewal programme - CCTV projects are lined up for Catchment P, Dargaville and Kaiwaka. All previous CCTV work had been logged and condition assessments updated to Asset Finder. There are currently ongoing reactive CCTV works;
- Continue the data cleansing project to improve our knowledge of our assets, including asset life to help with renewal planning – The GIS and Asset Management systems are being refined steadily to allow effective renewals programme development, in the future. Asset cleansing and condition assessments will then allow for modelling and accurate lifespan estimates that can inform future LTP funding and capacity requirements. Cadets are using the new GPS equipment to fill out missing data on point assets in Dargaville, Catchment P, M and O;
- Develop a renewals programme based on performance and condition ratings of critical stormwater assets This will be prepared at the end of the end of the condition assessment every LTP cycle;
- Complete and adopt an updated Stormwater Catchment Management Plan (SWCMP) for Mangawhai - SWCMP has been completed.





Highlights

The Quail Way Stormwater Improvements construction has commenced, this will rectify the flooding issues there.

Risks and Issues

The stormwater system in Mangawhai needs more work to reduce any risks of flooding. We have signalled to Council that more funding is likely to be required in future LTP programmes. Climate change issues need more planning in the next LTP cycle.



Stormwater Drainage					
	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
System Adequacy	For each flooding event, using a 1:5 year for Urban (Average Recurrence Interval 20%) and 1:10 year for Rural (ARI 10%), the number of habitable floors affected. (Expressed per 1,000 properties connected to the district's stormwater system.)	0	<10 	0	No urgent flooding events this quarter
Response Time	The median response time in a flooding event, measured from the time that the territorial authority receives notification to the time that service personnel reach the site.	N/A	<2 hours for urgent events 	N/A	No urgent flooding events this quarter
Customer satisfaction	The number of complaints received by Council about the performance of its stormwater system, expressed per year. Expressed 1,000 properties connected to the territorial authorities stormwater system.	1.8	18 	3.6	Achieved Based on 4 complaints and 2,222 connections
Discharge compliance	Abatement notices, infringement notices, enforcement orders, convictions.	0	0 	0	Achieved



Water Supply

What has changed?

Planned Improvements and/or change for year 1 from the 2018 LTP

- Develop a central database and Geographic Information Systems (GIS) mapping for condition assessment information and generate a renewal programme - ongoing, no samples taken for assessment in the quarter. We continue to gather information on breaks which we collate and will map on GIS to see problem areas.
- Continue the data cleansing project to improve our knowledge of our assets, including asset life to help with renewal planning - we update our asset register each time we get new information through physical inspection after pipe breaks and repairs. Our contractor performs annual inspections of water assets like valves and hydrants under the preventative maintenance schedule.
- An ecological study of the Kaihu River to assess the possibility of varying the water take consent – currently reviewing draft documents. – nothing changed here.
- Water loss management by ensuring the contractor adheres to reactive timeframes for leak requests, and is proactive in leak detection and effective meter reading; - the operations and maintenance contractors have made improvements in water leak detection - nothing changed here.
- Review and update water safety plans for all five water supply schemes using the latest requirements from Northland District Health Board (NDHB) - this project has started with the Mangawhai water safety plan submitted and approved by the NDHB. This will form the basis of information for the next four water safety plans.
- Continue with condition assessments of water supply assets in alignment with wastewater and stormwater services, and feed into the renewals programme - focus is on completing condition assessments on Asbestos Cement water mains - nothing changed here.
- Develop hydraulic computer models for Dargaville, Maungaturoto and Ruawai reticulation networks, predicting pressures and flows to confirm network capacity and manage growth - we now have cadets to assist with data collection for the models.



Highlights






Minimal water has been needed to be delivered to Mangawhai and Glinks Gully over the Christmas period to cope with holiday influx.



Risks and Issues

Continuation of dry weather may lead to water restrictions.



Water Supply					
	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	The extent to which Council's drinking water supply complies with Part 4 of the NZDWS (bacteria compliance criteria)	Achieved	Dargaville Maungaturoto Ruawai, Glinks Gully and Mangawhai 	Achieved	All schemes comply with the bacteria compliance criteria
	The extent to which Council's drinking water supply complies with Part 5 of the NZDWS (protozoa compliance criteria)	Achieved	Dargaville Maungaturoto Ruawai, Glinks Gully and Mangawhai 	Achieved	All schemes comply with the protozoa compliance criteria
	The percentage of real water loss from Council's networked reticulation system (average for total network of all schemes). Real loss water is calculated by subtracting the meter readings and 'other components' from the total water supplied to the networked reticulation system.		<30%		The % of real loss water is prepared using the water information following the May water invoicing. The report will be ready by June 2019.

Water Supply					
	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	The median response time for attendance for urgent callouts: from the time that the local authority receives notification to the time that service personnel reach the site	1 hour 3 mins	<2 hours 	1 hour 2 mins	Achieved
	Median response time for resolution of urgent call-outs; from the time the local authority receives notification to the time that service personnel confirm resolution of the fault or interruption.	1 hour 6 mins	<48 hours 	1 hour 39 mins	Achieved
	The median response time for attendance for non-urgent callouts: from the time that Council receives notification to the time that service personnel reach the site.	1 hour 12 mins	<3 hours 	1 hour 5 mins	Achieved
	The median response time for resolution of non-urgent callouts: from the time that Council receives notification to the time that service personnel confirm resolution of the fault or interruption.	3 hours 2 mins	3 days 	2 hours 31 mins	Achieved
	The total number of complaints for the district received by Council about drinking water quality i.e. clarity, odour, taste, pressure or flow and continuity of supply. Expressed per 1,000 water connections.	0.8	<40 	3.6	Achieved Based on 3 complaints and 3,583 connections

Water Supply					
	What we measure	Current Performance	LTP Year 1 Annual Target	Year to Date	Comment
	Total number of complaints received by Council about Council's response to any of these issues. Expressed per 1,000 water connections	0	<40 	0	No complaints received
	Water take consents	100%	100% compliance with Northland Regional Council consents 	100%	Achieved
	The average consumption of drinking water per day per resident within Kaipara district. Average calculated by the billed metered consumption (m ³) × 1,000 numbered connections × 365 × 2.5 (occupancy rate)		Dargaville 275 Maungaturoto 340 Ruawai 130 Glinks Gully 52 Mangawhai 230		The consumption of drinking water is prepared using the water information following the May water invoicing. The report will be ready by June 2019.
	Major capital projects are completed within budget.	N/A	Achieved	N/A	To be reported at year end.

6.6 Chief Executive's Report for the months of December 2018/January 2019

Chief Executive **2002.02.18/February**

Recommended

That Kaipara District Council receives the Chief Executive's Report for the months of December 2018/January 2019 of and the information contained therein.

Chief Executive's Report

For the months of December 2018/January 2019

Part One

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

Part Two

Financial Report to January 2019

Part One

a) Chief Executive Update - December/January

December and January were exceptionally busy times, despite being holiday season as the team worked on putting together the Provisional Growth Fund (PGF) application for the Kaipara Kickstart programme. The hard work has been rewarded with the announcement at Otamatea Marae on 03 February, a summary of which is below.

Area	Kaipara Roads	Kaipara Kai	Kaipara Moana
<i>NB: An allocation of \$1.6m has been included for additional resource/support to assist KDC to deliver the investment programme (\$1.3m)</i>			
Funding -	\$22.3 million	\$1.1 million	\$5.0 million
	Projects - <ul style="list-style-type: none"> Pouto Road seal extension (\$5.05m) Sealing to Pouto Point (\$3.13m) Waipoua River Road Improvement (Safety & access) - Joint with Te Roroa (\$1.6m) Combo funding - <ul style="list-style-type: none"> Road re-metalling <ul style="list-style-type: none"> \$3.15m PGF \$4.91m NLTF 50 Max HPMV network upgrade (bridges and road network) <ul style="list-style-type: none"> \$0.23m PGF \$1.93m NLTF \$1.0m KDC (in kind) 	Projects - <ul style="list-style-type: none"> Develop a potential 50,000 hectares of fertile land into a sustainable horticultural area (\$0.98m) (balance funded in kind)	Projects - <ul style="list-style-type: none"> Wharves analysis and implementation (\$4.95m) (balance funded in kind)

Next Steps

- Once meetings (with MBIE, Provincial Development Unit) have occurred to define parameters, Council will be in a better position to discuss work streams, time frames, and specific project details. This will follow in mid – late Feb.
- At this stage we can also discuss and talk about Kaipara District Council's support of other Northland/Kaipara projects (water storage etc.)

March 2019 Onwards

- We will establish a dedicated PGF website page;
- Monthly/bi-monthly updates (depending on work plans);
- Full page newspaper advertorial content for key events;
- Posts on Facebook highlighting key developments; and
- Feature articles in the local papers.

I look forward to providing more detail on the PGF programme over the coming months.

We held our first Developers' Forum on Thursday 31 January 2019 with the intent of creating good faith dialogue with our developers in the district. Whilst I was unable to attend, Curt and Fran led the event which saw over 40 people attend to hear presentations from the team and ask questions. The feedback from the event was positive and those who attended appreciated Council being transparent around issues and plans to move forward. Actions points were captured during the event and the teams have been following up on specific issues raised.

During the same evening, the Mayor and I were at the signing of Whanaungatanga Kī Taurangi - The Relationship Agreement, which came through Council in December 2018. The agreement provides a framework for the collaborative relationship between the Northland Mayoral Forum and Iwi Chairs. The agreement does not replace the statutory powers and strategic plans of councils or agreements between councils and Iwi / Hapū and we have assured both Te Uri o Hau and Te Roroa of this.

On 14 December 2018 we held the annual staff awards. The winners and their awards were:

Individual of the Year	Jamie Nikora
Individual of the Year, 1 st Runner Up	Bernard Petersen
Values Award – Integrity	Jessica Hollis
Values Award – Trustworthy	Amy Glamuzina
Values Award – Make it Happen	Alistair Dunlop
Values Award – Respect	Francis Toko
Values Award – Team Work	George Lewis
Team of the Year	Aranga Rocks

The number of nominations for the awards was fantastic and so was the engagement in voting across the whole organization. The event was a wonderful way to close a year of change for Kaipara District Council, to reflect on what has passed and to the look to the new opportunities in the future, with a stable leadership and clear direction.

b) Activities Report

1 Roads and footpaths

With a huge PGF announcement for Kaipara contributing approximately \$19 million to the roading programme, it is now imperative we start discussions with the wider NTA on delivery. A huge thanks goes to Andy Brown our new Senior Asset Engineer who within days of starting with our team was tasked with pulling together all the support information for our expression of interest document. With a vision from Mayor Jason Smith and guidance from LGNZ and Bernard Petersen on the roading package, we have seen success at a level unprecedented for the Kaipara District. Now, to deliver.

Operational and Maintenance

The current seasons sealed pavement repairs are well underway and nearing completion, however we are behind on our resurfacing programme. We are still confident in the delivery of this work with completion now planned for April.

The December contract claim was processed with our Contractors receiving a Key Performance Measure (KPM) payment of \$6,675 from the \$10,000 available. The score is down on previous months and we are starting to see a common issue across all the NTA contracts with data quality in particular needing addressing. To address the KPM failures formally, we have arranged a detailed performance review meeting with our contractor Broadspectrum in Kaikohe later this month. We are currently working on the January 2019 claim.

The Contractor has remained on track with the inspections.

Finances as 31 December 2018

Programme	NZTA budget 2018/2019	Total Expenditure To date	% spent December	% spent YTD	Remaining Actuals vs NZTA
Local Road Maintenance	\$7,646,000	\$3,155,572	6.99	41.27	\$4,490,428
Capital	\$11,719,599	\$2,318,491	2.92	19.78	\$9,401,108
Network Asset Management	\$18,687	0	0	0	\$18,687
Grand Total	\$19,384,286	\$5,474,063	4.52	28.24	\$13,910,223

The January figures were not available at the time of writing this report.

After the usual wintering over period, the construction season for the capital works programme started in October with a short construction period in December. As in previous years, construction activity will pick up from mid-January.

The resurfacing programme has been reprogrammed with completion now planned for April.

The unspent Network Asset Management budget of \$18,678 is savings from the ONRC report that is not required to be returned to NZTA and will be transferred to the Local Road Maintenance budget.

Savings made on the P Category LED conversion are being utilised on V Category LED lighting installation with the procurement of a contractor in process now.

Capital

Contract 884 Gorge Road Slips: Separable portion 1 is complete. Separable portion 2 is waiting on a quote from the Contractor.

Contract 885 Garbolino Road Slip: 100% complete. Practical Completion issued.

Contract 889 P-Cat LED Streetlight Conversion: 100% complete. RAMM data issues holding up final payment.

Contract 899 Tara Road Culvert Replacement: 7.5% complete. Physical works expected to be completed end of March 2019.

Contract 900 Tangowahine Valley Road Bridges: 5 % complete. Physical works expected to be completed end of June 2019.

Contract 902 Paparoa Oakleigh Three Slips: In the tender evaluation process with physical works expected to start end of February.

Contract 905 Bridge Structures Components: 45% complete with physical works expected to be completed early April 2019.

Contract 914 Pukehuia Road slip remediation Stage 2: Prices evaluated and on hold pending Contract 839 termination discussions.

Contract 917 V-Cat LED Streetlight Conversion: Light procurement contract awarded to Techlight with a discount for Regional supply under the NTA. Installation contract still in procurement stage.

Contract 919 New Footpaths: Awarded to Asset Construction Ltd. Separable portion 1 physical works to start end of February and separable portion 2 deferred to 2019/2020 financial year.

Contract 920 School Zone Improvements: Tender in evaluation process.

Contract 923 Tomarata Bridge: Design under peer review and is programmed to be out for tender mid-February 2019.

Contract 924 Mangawhai Community Plan Stage 1:

- Insley Street and Moir Street shared paths - concept plan completed and business case in development. Detailed design expected end of February and then out to tender.
- Moir-Insley and Moir-Molesworth intersections – concept plans ready for public consultation.

The roading overall committed budget is on the following page.

Overall Committed Budget % for Roading (at 31 December 2018)

Activity	Budget Total	Total Actual	% Completed	% Committed
Bridges and Structures	2,250,000	271,985	12.09%	33%
Road Works - Unsealed	1,626,998	320,467	19.70%	100%
Road Works - Minor Improvements	4,988,920	700,362	14.04%	66%
Emergency Works and Preventative Main	446,156	248,408	55.68%	100%
Road Works - Drainage	800,002	386,794	48.35%	100%
Road Works - Sealed Resurfacing	3,059,959	294,207	9.61%	100%
Road Works - Sealed	1,354,000	72,280	5.34%	100%
Traffic Services	175,000	104,061	59.46%	100%
LED Conversion	724,609	88,888	12.27%	53%
Client Request Projects	35,000	29,915	85.47%	100%
				84%
CAPEX Total	15,460,644	2,487,455	16.13%	

The capital works programme is slightly behind schedule, with 84% of the programmed works committed. The physical works for most of the projects commenced late January, and we anticipate better performance against budget through to the end of the financial year.

There are two projects at detail design stage. Strategic procurement with robust performance management is in place to get these projects delivered this financial year.

Road Safety

The road toll from January to December 2018 stands at five with four fatalities on State Highways and one fatality on the Council network. This is the same annual road toll as 2017 and is four less than the 2016 toll.

The Kaipara Alcohol Accord "One Tear Too Many" Christmas campaign saw participating licensees handing out key rings to patrons during the Christmas period.

Five new safety signs were installed in the key risk sites with two in Pouto, two on Kaiwaka-Mangawhai Road and one at the Mangawhai end of Cove Road.

A child restraint education clinic was held in Dargaville 06 December 2018.

A Young Driver Learner Licence course was held 17–21 December with eight out of the nine participants passing. The goal was to achieve seven passes. Another course was held on 14-18 January.

In December the Volunteer Mentor Driver programme had five students in Dargaville and seven students in Maungaturoto with 45 mentoring hours in total. Three restricted licence passes were obtained in Dargaville. The issue with the Maungaturoto mentor vehicle reported in November has been investigated and resolved.

The six month's cross-region joint speed advertising programme is confirmed, however the Dargaville Cinema was not able to be included due to capacity issues.

A new restraints programme is in the planning stage based in Maungaturoto in connection with ECE centre Kaipara Kids.

2 Parks and Reserves

Contract 860: The summer period resulted in fewer than normal service requests around toilets and playgrounds. However, the heat and unexpected rain meant increased grass growth which saw an increase in service requests for berms and parks. Gardens throughout Kaipara have fallen behind in maintenance levels due to the unexpected rain and this has been addressed with the contractors

The good weather saw the Campground at Taharoa Domain at or near capacity over the season with expected numbers still high well into this year. More day visitors were also present over the holiday period which added pressure to staff and facilities. Both coped well.

Work at Pou Tu Te Rangi/Harding Park is continuing with four new picnic tables going in and vegetation clearance in the prime spots happening.

Mangawhai Coastal walkway design and construct project is currently out for RFP and is due to close 11 February. With this project being late to go out for Tender we may not spend the full allocation this financial year.

Mangawhai Heads and Mangawhai Community Park carparks are currently out for design.

Toilet projects are currently being scoped for pricing.

TIF contracts have been executed between Council and MBIE for the Matakohe Toilet upgrade, Anderson's Bridge to Kauri Museum Cycle/Bike Trail and the Maungaturoto Toilet upgrades. Staff are also working through timelines for the Baylys Beach Boardwalk and Toilet upgrades with MBIE prior to contract signing.

Overall committed budget %:

Project	Value	Committed Spend	% Progress
Mangawhai Coastal Walkway	\$494,000	\$26,785	5%
Mangawhai Walking Linkages	\$152,217	\$13,491	9%
Mangawhai Community Park	\$171,000	\$64,636	38%
Mangawhai Community Park MAZ carpark	\$100,000	\$39,000	39%
Mangawhai Heads Carpark	\$80,000	\$42,000	53%
Mangawhai Esplanade Development	\$60,000	\$5,712	10%
Mangawhai Domain (this project is being evaluated for validity)	\$200,000		0%
Public Toilets	\$295,000	\$30,810	10%
Playgrounds	\$96,000	\$25,833	27%
Park Improvements	\$50,000	\$32,359	65%
Baylys Beach Boardwalk	\$106,000	\$14,200	13%
Hard Surface Renewal	\$50,000	\$20,887	42%
Taharoa Domain	\$174,000	\$64,345	37%
Kai Iwi Lakes	\$210,000	\$22,667	11%

Project	Value	Committed Spend	% Progress
Pou Tu Te Rangi Harding Park	\$100,000	\$18,204	18%
Cycleway/walkway Implement strategy	\$99,000	\$71,850	73%
Community Infrastructure	\$30,000	\$18,463	62%
Dargaville Placemaking	\$25,000	\$25,000	100%
Total Spend	\$2,492,217	\$536,242	22%

3 Community Team Activities - December/January

- Finalising the Licence to Occupy and funding agreement documents with Sport Northland for the Kauri Coast Community Pool.
- Pou Tu Te Rangi Harding Park Provincial Growth Fund application has been submitted. This is to do a feasibility study to identify potential opportunities for the site.
- Kaihu Valley Rail Trail – NZTA have engaged OPUS to do a business case for Northland Cycleways. Kaihu Valley Rail Trail has been a part of this and we have been doing a lot of work with NZTA and OPUS. We have now engaged a consultant to start initial communication with adjoining landowners and stakeholders to ensure they know what is happening. This business case will form part of a regional PGF application.
- Dargaville Placemaking Project's - Band Rotunda toilets have been completed and the reserve finished in time for Christmas. Further murals and gardens are being scoped.
- Mangawhai Gala Day – community feedback on the market and Domain – shared with the committee for planning.
- Northern Bass – cross-council review group to gather feedback from the community on impact and possible improvements at a community and event level for next year – ahead of a meeting with organisers.
- Mangawhai Community Plan – Coastal Walkway Project.
 - Two quotes received for the first stage of the coastal walkway along the beach from Wintle Street to Sellars Reserve;
 - Site visit on the progress of the Thelma North to South track being upgraded by the Tracks Trust.
 - Thelma North/Jack Boyd Drive - placemaking project to engage locals in design of creative elements of a new path and additional features e.g. plantings, bollards.
- Plastic Free Mangawhai – identifying possible sites for new sign created by local artist.
- Matakoho Bridge Project –planning for community open day on 9 March. BBQ on the bridge will be from 10am until 2pm
- Mangawhai Domain Society – supporting committee member to establish collaborative process with sporting codes (cricket and football) to agree sports development plan for fields.
- Looking at options for relocating The Shed (Mangawhai) to a more central site.
- Roding – linking with team to plan stakeholder information sessions for Insley Street Bridge renewal (and path) and Mangawhai Village intersections.

- Meetings with the following:
 - Pahi Reserve Society regarding Contract for Service renewal
 - Baylys Beach Society regarding Contract for Service renewal
 - Paparoa Library committee members
 - Kauri Coast Promotional Society
 - Social Services Network Meeting - December
 - Hakaru Hall & Domain Society committee members
 - Hakaru Pony Club committee members
 - Dargaville Bowling Club over 60s committee members - Awakino Hall
 - Lance Bryers – Girl Guide Hall
 - Ruawai Promotions Society
 - Te Kopuru Domain Group
 - Dargaville Pump Group - Public Meeting attended as support
 - Wastewaters Team and Plunket to develop district plan on education of 'what to flush'.
 - Dargaville Community Development Board Events Manager

4 Four Waters

Due to the forecasted dry summer conservation of water messages were advertised during December 2018, however due to the continued warm weather and little rainfall during January 2019 Council has now enforced level two water restrictions, which means no sprinklers or irrigation systems can be used. These restrictions apply to the Dargaville/Baylys areas only; other areas remain at level one water restrictions which is to conserve water.

Broadspectrum's main focus over this period was on the Assetfinda field application. New tablets were purchased which have cellular capabilities with these devices allowing the Broadspectrum reticulation service technicians to capture pictures, reposition the location of assets more accurately, map new assets and old assets that were not previously mapped.

Inflow to the Mangawhai Wastewater Treatment Plant for the months of December 2018 and January 2019 totalled 44,966m³, which is up approximately 13.8% when compared to December 2017 and January 2018 volumes. The plant is stable and continues to operate within resource consent limits.

Trility submitted their tender to complete the sewer pump station upgrade at the Mangawhai Village which forms part of the 2018/2019 Capital Works Programme. Awarding of this construction contract will take place in February.

In Flood Protection, floodgates have been built and installed in Horehore, Sunnynook and Lawrie. A floodgate for Te Hapai has been built and is currently being installed. We continue to work through the proposed reinstatement of the Murphy/Bowers stopbank.

The 2018/2019 Four Waters capital works programme is well underway and summarised below as follows:

- Sewer pump station VA Mangawhai (CON909) went to tender for construction with a closed on 30 November 2018; the tender closed and is currently in the awarding phase.

- Sewer pump station 2 and rising main in Dargaville (CON913) is out to tender for construction with a closed on 05 December 2018 and was awarded to United Civil Construction.
- Dargaville High School watermain relocation (CON903.01) the construction contractor has been appointed and works have commenced.
- Baylys Coast to Logan Street watermain replacement (CON910.01) design has been awarded with potholing, geotechnical investigation and design having commenced;
- Maungaturoto raw watermain replacement (CON911.01) design has been appointed to Hawthorn Geddes;
- Montgomery Avenue and Ruawai watermain replacements (CON912) design is underway;
- Mangawhai Wastewater Treatment Plant Upgrade is at the scope and early design phase with WSP OPUS;
- Quail Way Stormwater improvements (CON879) is progressing with construction along Moir Point Road and Quail Way;
- The Mangawhai Community Wastewater Scheme Irrigation extension (CON906) commenced in December 2018 with headworks and GPS locations of sprinkler positions.

We continue to liaise with the NRC regarding our consents and compliance and we have appointed a consultant to investigate options to rectify the issues at Kaiwaka and Te Kopuru Wastewater Treatment Ponds.

5 Solid Waste

The Bickerstaffe Road Closed Landfill rehabilitation tender/contract has been awarded to Huband's Contractors from Paparoa who are due to start work in early February 2019.

Work is due to get underway on the Dargaville Closed Landfill project which will ensure that the closed landfill meets its consent requirements.

Another container has been added as storage for bottles (public use) at the Dargaville Transfer Station, which should see a reduction in the noise experienced by the neighbourhood. There is also the option of lining the container to help absorb the noise further if required. There is still an issue with the noise made by Northland Waste Trucks when they are onsite loading out the Huka bins. Restrictions have been put on when the trucks are allowed onsite in line with the District Plan rules.

Over the holiday period Dargaville litterbins had an extraordinary amount on usage that the Dargaville township has not seen before. This could in part be due to the upgrades to reserve areas making it more attractive for picnickers etc. which has resulted in a shift to seven days a week empties rather than five.

Overall Committed Budget % for Four Waters and Solid Waste

Activity	Budget Total	Committed Funds	% Progress
Water Supply	\$1,798,198	\$857,204	48%
Wastewater	*\$5,126,595	\$4,037,539	79%
Stormwater	\$1,367,935	\$1,266,035	93%
Flood Protection	\$547,500	\$80,073	15%
Solid Waste	\$1,235,549	\$388,256	31%
Overall Committed Funds - 4 Waters	\$9,498,511	\$6,629,107	70%

* Wastewater budget includes additional \$577,266 from future years for Contract 913 Pump Station 2 and Rising Main (approved by Council in December 2018).

6 Business Excellence

Mangawhai Community Plan

Transport; Capital works on both the shared pathway and intersection upgrades have faced delays. The shared pathway due to lack of walking and cycling data to build a business case with the NZTA for funding subsidies. Construction for the pathway is scheduled to begin in late April completing at the end of June. Intersection upgrades were impacted by an additional roundabout at Longview Street, which was approved as part of the Medical Centre Resource Consent application (not part of the MCP). Concept designs are due for consultation in March and Construction is planned to begin mid-June ending mid-September.

Waters; Quail Way works have progressed and are due for completion at the end of February. Eveline Street works are due to begin shortly after. Mangawhai Wastewater upgrades are progressing slowly as there are a lot of questions around how best to complete this project.

Parks and Recreation; Registration of Interest for the Feasibility Study and construction was submitted via Tenderlink for the main Coastal Walkways Project. Council received six responses and four were selected to go through to the Request for Price (RFP) stage. The final RFP has now been provided to the four successful applicants for submission by 11 February. The timeline for the construction of each phase of the walkway will be determined as an output of the feasibility study. Community consultation for the design of wayfinding signage has begun.

Business Excellence

Continuation of focus on the key themes from the KDC Business Excellence framework in 2019:

People - *Helping our staff to be more engaged, skilled and customer focused.*

- Embedding a culture of customer focus across Council.
- Endorsement of the Customer Charter/Promise (output of Values implementation).
- Ensuring all staff are skilled, trained and supported in delivering excellent customer service. ProMap.
- Developing greater insight into the 'customer experience' with Council to inform future service delivery and potential improvements.

Processes - *Ensuring we provide consistent, efficient and accessible processes.*

- Working cross functionally, ensuring customers receive a consistent response, regardless of how they choose to talk to us, or who they may talk to. (Customer Promise, Key Messaging, Internal Communications and SLAs).
- Demonstrating efficiencies in our processes in the use of time and money while maintaining a customer focus. (Outlook 365 and EDRMS).
- Ensure our services are easy to use and accessible. (Website and Intranet projects).
- Implementation of robust best practice project governance and procurement. (Project Management Community of Practice output).

Technology - *Developing accessible, innovative customer-driven preferences.*

- Ensure our technical solutions are customer focused and user friendly. (Working with IT to assist with coaching, training and change management).

Measures - Collecting, assessing, measuring information and providing results to guide future direction.

- Demonstrate accountability by implementing appropriate performance measures based on data (decision-making based on facts). (Customer Survey analysis and promotion of Commissioners recommendations for consistent reporting improving transparency internally and externally.

7 Planning and Regulatory

December 2018

Planning	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Resource Consent Applications	38	30	87%	15.1	74%
224 Applications	14	8	100%	1.0	
Service Requests	112	66	78%		89%
<ul style="list-style-type: none"> • 11 lots were created last month. Eight in the Mangawhai area and three in Otamatea. • Resource consents processing efficiency has increased this month (up to 84% for the month) with 13 out of 15 non-notified consents being processed within 20 working days, noting the short month with the compulsory shut-down period. This has slightly improved the YTD figure. Staffing challenges continue, particularly in the administration area with unexpected absence. 					
Building	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Building Consent Applications	52	45	88%	13.2	91%
CCC Applications	41	0	100%	1.0	98%
Service Requests	106	61	83%		91%
<p>The total number of building consents received for December was 45. The combined value of these projects totalled \$8,777,000. There were 17 new dwellings and relocates received for the month, of which 14 were within Mangawhai valued at \$6,379,117. There were three commercial consent applications received with a total value of \$539,200.</p>					
Regulatory	Received		% On Time	Average Working Days	YTD % On Time
	2017	2018			
Alcohol Applications	7	13		14.7	
Food Control Audits and Inspections	35	3	100%		81%
Service Requests	251	317	96%		98%
<p>Department tracking well. A number of complex illegal activities are still being actively pursued.</p>					
BCA Accreditation	Due	Completed		YTD % Completed	
		YTD	Dec 2018		
BCA Audits	0	18	0	90%	
Competency Assessments	4	10	2	77%	

There were no Audit Reviews scheduled for December 2018. Two Competency Assessments were completed out of the four that were scheduled, with one outstanding contractor and the BCM to be conducted in January 2019. IANZ has been reviewing a number of the GNC actions submitted by the BCA and have now cleared six GNC's out of a total of 15 issued. There are three outstanding key actions which are due to be submitted by end of January 2019, two months ahead of the allowable timeframe.

Policy

December included Policy adoptions for the Class 4 Gambling Venue Policy, the Kaipara Smokefree Policy and two plan changes, the Fire Rule (PC4) and the NES-PF change becoming operative. Ongoing collaboration with FENZ and members of the Mangawhai community brought the fire risk assessment guidelines closer to completion which are designed to help with the implementation of the new Fire Rule. Council agreed to consult with the community on the Draft Taharoa Domain Bylaw, so consultation with campers at and visitors to the Domain began in December requiring a big commitment towards Mana Whenua, stakeholder and public consultation, hearings and deliberations. Lack of GIS capacity is proving to be a high risk for Policy and was apparent throughout December when trying to update HAIL data.

January stats

Planning	Received		% On Time	Average Working Days	YTD % On Time
	2018	2019			
Resource Consent Applications	33	29	58%	16.0	73%
224 Applications	6	6	100%	1.0	
Service Requests	130	118	91%		89%
<ul style="list-style-type: none"> Four additional lots created last month, two in the Mangawhai area, one in Otamatea and one in the wider District. Resource consents processing efficiency has decreased this month (down to 58% for the month) with seven out of 12 non-notified consents being processed within 20 working days, noting the short month with the compulsory shut-down period. The YTD figure has decreased slightly by 1% as a result. Resourcing challenges continue across all areas of the team, and this is exacerbated over the holiday period due to periods of staff annual leave. 					
Building	Received		% On Time	Average Working Days	YTD % On Time
	2018	2019			
Building Consent Applications	41	59	94%	12.3	91%
CCC Applications	39	0	100%	1.0	99%
Service Requests	104	87	93%		91%
<p>The total number of building consents received for January was 59. The combined value of these projects totalled \$9,240,000. There were 13 new dwellings and relocates received for the month, of which 9 were within Mangawhai valued at \$3,827,758. There were three commercial consent applications received with a total value of \$320,000.</p>					
Regulatory	Received		% On Time	Average Working Days	YTD % On Time
	2018	2019			
Alcohol Applications	15	20		4.1	
Food Control Audits and Inspections	38	19	74%		77%

Service Requests	325	337	96%		97%
Completed Food Control Plan verifications are starting to fall behind due to resourcing issues based on the number of verifications needing to be completed. A temporary contractor will be recruited to assist in addressing the backlog. A number of complex illegal activities are still being actively pursued.					
BCA Accreditation	Due	Completed		YTD % Completed	
		YTD	Dec 2019		
BCA Audits	2	22	4	100%	
Competency Assessments	2	13	3	87%	
Two Audit Reviews were scheduled for January 2019 and three were completed which included completion of all backlog audits. Two Competency Assessments were due for the month and three were completed including one of the two outstanding reviews. The BCM still requires his competency review, however this is dependent on a qualified auditor being available to undertake a C2 complexity level assessment. IANZ has received all GNC actions and discussions around resolution with closure required on three GNC's only. Council has met its obligation early to have all actions submitted by end of March 2019.					

Policy

Bylaws Review - Consultation underway on Taharoa Domain Bylaw and mapping completed for Dog Management Bylaw.

Three key documents have been prepared for consideration by the Regulatory Working Group (11th February) - the Consolidated General Bylaw, proposed Policy for the Appointment of Internal and Independent Commissioners and proposed Rates Remission Policy for Voluntarily Covenanted Land for Environmental Outcomes.

District Plan Review - Meeting held with ENGEO on Maungatūroto Geotechnical report to facilitate feedback required by Policy and Infrastructure Teams. Report is being finalised and will inform Urban Capacity chapter in the District Plan.

Stakeholder Engagement - Meeting held with Northpower to discuss electricity supply to Mangawhai and to outline the DP review.

Plan Change 4 - Risk assessment guidelines still being designed for the District Plan's fire risk management policies. The metrics used are being assessed by FENZ's technical expertise.

Dune Lakes - Galaxias Research Report written to outline progress on key research project and will be presented to Taharoa Domain Governance Committee.

8 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 December, all 39 LIM applications received were processed on time, taking an average of seven working days. In January, all 37 LIM applications received were processed on time, taking an average of four working days.

9 LGOIMA Overview – 01 December 2018 to 31 January 2019

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 within 20 working days from the day of receipt. All requests were processed within statutory timeframes.

Year to date we have received 79 LGOIMA requests to the end of January 2019.

Name	Subject	Time Taken	Number of Requests Year to Date
Clive Boonham	Crown Manager reports	1 hour	12
Clive Boonham	Payments to Graham Sibery	30 mins	13
Katie Scotcher	Bullying and harassment complaints	1 hour	1
Peter Rothwell	Number of subdivision applications	3 hours	7
Taxpayers Union	Payments to Industry and Lobby groups	1 hour	16
Taxpayers Union	Payments to associations	30 mins	17
Stuff NZ	Staff Christmas expenses	30 mins	1
Taxpayers Union	On hold music costs	1 hour	18
Taxpayers Union	Council fleet number and costs	1.5 hours	19
Taxpayers Union	Electricity costs	1 hour	20
Taxpayers Union	A4 printer/copier paper costs	30 mins	21 - 2018
Andrew Watkins	Building consent numbers and overdue	1.5 hours	1
Alan Preston	Proposals for solutions to enhance traffic flow through Mangawhai Village	30 minutes	1
Andrew Lawler	Swimming pools	15 minutes	1
Sarah Pritchett (WasteMINZ)	Access to kerbside recycling	10 minutes	1

10 Customer Services and Library

Customer Services

In January Customer Services had seven Customer Services staff and two new staff training, with an average of 2.55 FTE available to answer calls, due to departmental training and annual leave. Two new team members started on 07 January and they are currently undergoing training using the specific training programme developed for Customer Services staff. Planned annual leave is encouraged in early January due to quieter periods, as many customers are on holiday until mid-January.

In September 2018, new Customer Services Call Centre KPI's were set to assist with improving the experience of Council customers. Progressive KPI's were not only achieved but also maintained for five consecutive months.

KPI progressive target achieved by 31 December 2018 deadline:

- *Reduce average call abandonment percentage to 20% and under*

- Reduce average longest wait time to 40 minutes and under.

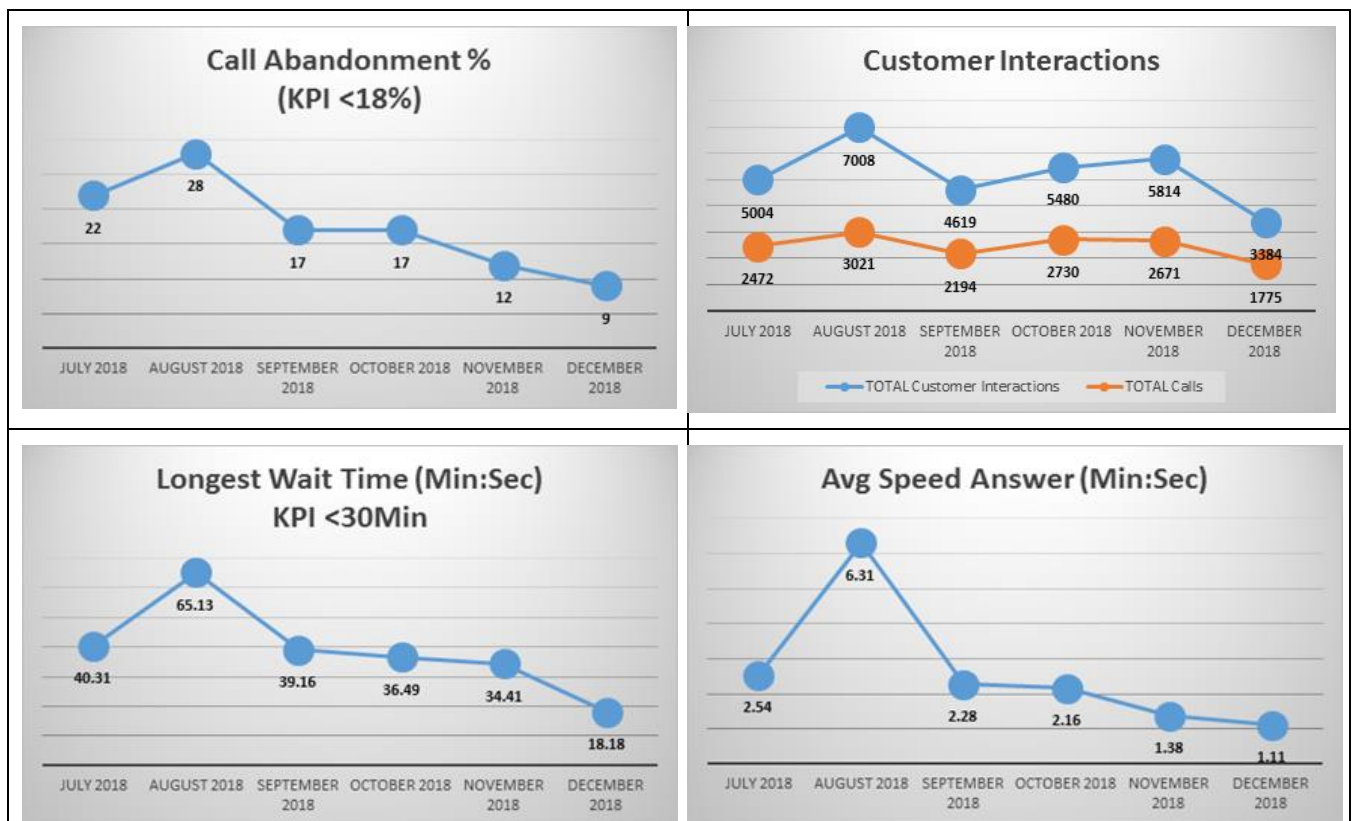
KPI progressive target by 31 March 2019 deadline:

- Reduce average call abandonment percentage to 15% and under;
 - This was achieved in November, December 2018 and January 2019
- Reduce average longest wait time to 30 minutes and under;
 - This was achieved in December 2018 and January 2019.

In keeping with our customer-centric focus, quality assurance standards defining correct processes and level of service have been developed and introduced. With every customer interaction we aim to provide a complete service, ensuring we are pre-empting any additional questions that may also need to be addressed for our customers. We understand that while customer-centricity assists with building trust and a solid reputation within the community, Quality Assurance plays an equally important role as it assists with building customer satisfaction.

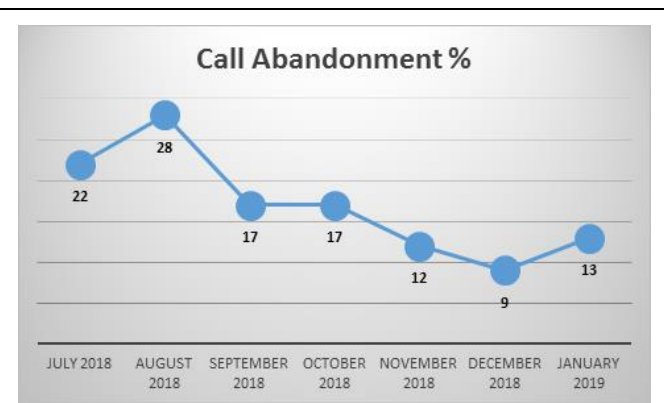
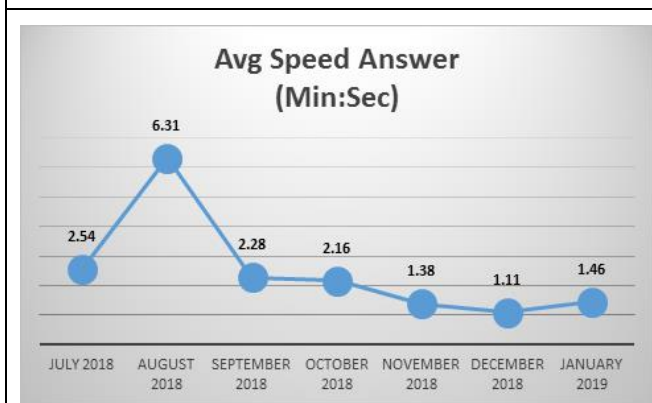
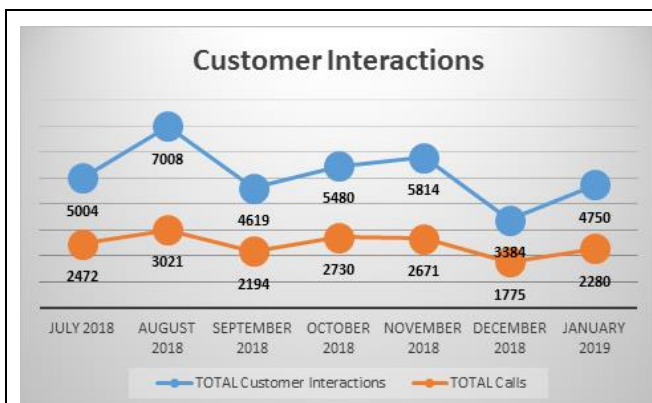
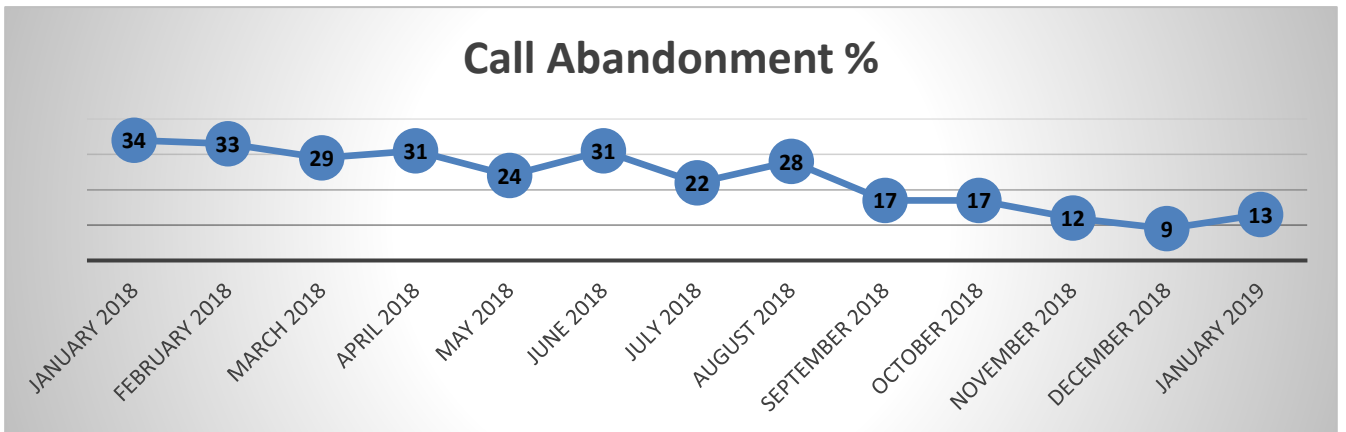
December (1 to 21) stats

Total Customer interactions	Emails	Reception	Total Calls	Average speed answer (min:secs)	Average call abandonment (%)	Calls FTE	Longest wait time (min:secs)	First contact resolution (%)
3,384	783	826	1,775	1.11	9	2.33	18.81	85



January stats

Total Customer interactions	Emails	Reception	Total Calls	Average speed answer (min:secs)	Average call abandonment (%)	Calls FTE	Longest wait time (min:secs)	First contact resolution (%)
4,750	1,092	1,378	2,280	1.46	13	2.55	19.18	81.26



Library

Kaipara library's summer reading programme was success with 64 residents across the district registering with one of the libraries. Thirty five percent of participants were adults, 31% 5 – 8 year olds with good participation from 9 and 10 year olds and teens. Generous donations from publishers meant that 36 of the entrants received a prize.

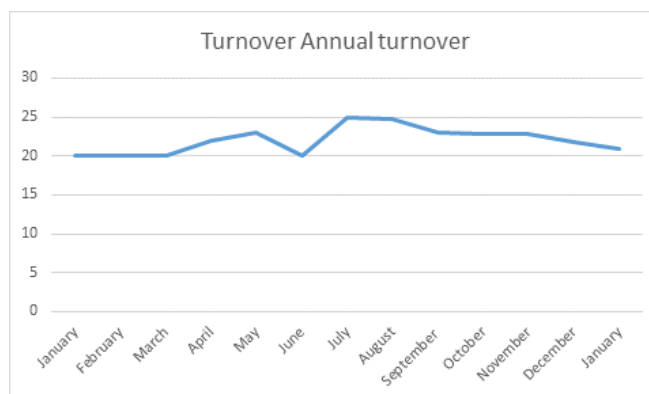
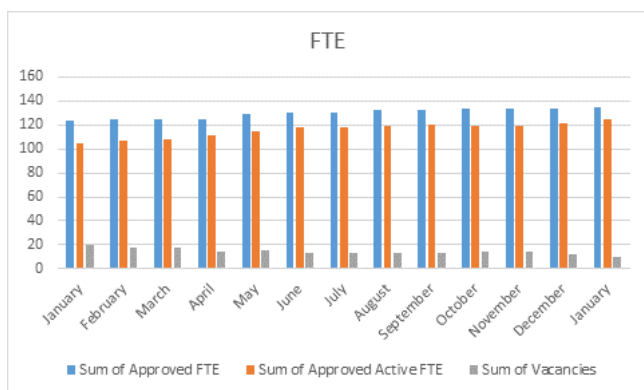
There was a full network outage for the first seven working days of the year with the library team coping well and we are now working on a contingency plan for future events of this nature

We have been told that it is likely Paparoa library's building will be ready for an internal fit-out in March.

We are currently promoting our off-site collections and encouraging residents to check the catalogue online as you can order a book from any library or collection and pick it up at the library of your choice.

11 People and Capability

People and Capability update:



c) Contract Acceptances

Contract 903.02: Dargaville High School Water Pipe Realignment 2018/2019

Awarded to: Broadspectrum Limited

Price: \$179,184

No. of Tenders: 2

Contract Manager: Kevin Morrison

Budget: \$637,500

Tender Method: Early Contractor Involvement

Contract 913.02: Construction of new Pumpstation (PS2) and Wastewater Rising Main 2018/2019

Awarded to: United Civil Construction Limited

Price: \$1,633,266.84

No. of Tenders: 2

Contract Manager: Andrew Campbell

Budget: \$1,925,000 (over 3 years)

Tender Method: Price Quality Method and Attributes

Contract 916: Supply of V Category LED Luminaires

Awarded to: Tech Light Limited

Price: \$224,410

No. of Tenders: 3

Contract Manager: Stantec NZ Ltd

Budget: \$724,609

Tender Method: Lowest Price Present Value

Contract 919: New Footpaths 2018/2019

Awarded to: Asset Construction Limited

Price: \$417,276.54

No. of Tenders: 1

Contract Manager: Stantec NZ Ltd

Budget: \$467,340.00

Tender Method: Lowest Price Conforming

d) Looking Ahead

March 2019

Tuesday 05 March	Pou Tu Te Rangi/Harding Park Committee	Lighthouse Function Centre Dargaville	2.00pm
Thursday 07 March	Council Briefing	Dargaville Town Hall	9.30am
Wednesday 13 March	Audit, Risk and Finance Committee	Gateway North Conference Room Kaiwaka	10.00am
Wednesday 27 March	Funding Committee (CCS)	Dargaville Town Hall	2.00pm
Thursday 28 March	Council meeting	Pahi Hall	9.30am
Thursday 04 April	Council Briefing	Mangawhai Club	9.30am

Part Two

January 2019 Financial Report

Statement of Operating and Capital Performance

	Year to Date January 2019				Full Year	
	Actual \$000's	Annual Plan \$000's	Variance \$000's	Indicator	Annual Plan \$000's	Forecast One \$000's
Total Rates	21,184	20,715	470	●	35,029	35,155
Operating Subsidies and Grants	2,874	2,674	200	●	4,584	4,861
Activity Revenue and Other Income	3,918	3,286	631	●	5,544	6,272
Total Operating Income	27,975	26,675	1,300	●	45,156	46,288
Employee Benefits	6,307	6,312	5	●	10,819	10,892
Contractors	5,231	5,180	(51)	●	8,706	9,040
Professional Services	2,753	2,837	84	●	4,924	5,496
Repairs and Maintenance	1,622	1,848	225	●	3,348	3,333
Finance Costs	1,504	1,721	216	●	2,950	2,771
Other Operating Costs	3,184	3,383	199	●	5,317	5,851
Total Operating Costs	20,602	21,280	679	●	36,063	37,384
Operating Surplus / (Deficit) before Depreciation	7,374	5,395	1,979	●	9,093	8,904
Capital Subsidies	1,859	4,828	(2,968)	●	8,276	9,407
Contributions	2,512	1,455	1,057	●	2,494	3,552
Other Capital revenue	117	0	117	●	175	291
Total Capital Revenue	4,488	6,282	(1,794)	●	10,945	13,250
Capital Expenditure	4,440	8,567	4,127	●	23,529	29,097
Total Capital Expenditure	4,440	8,567	4,127	●	23,529	29,097
Subtotal Capital	48	(2,285)	2,333	●	(12,584)	(15,847)
Surplus / (Deficit) before Loan Payments and Depreciation	7,422	3,110	4,312	●	(3,492)	(6,943)

Key: ● Within 5% of budget

● Over or under budget by 5 - 10%

● Over or under budget by more than 10%

Public Debt and Requirements			
	Jun-18 \$000's	Jan-19 \$000's	Jun-19 \$000's
Debt			
Debt	46,000	50,000	46,270
Cash in bank (overnight deposits)	- 3,641	- 9,581	- 500
Net debt	42,359	40,419	45,770
Reserves (future obligations)			
Development Contribution Reserve	- 24,648	- 24,648	- 26,829
Other Reserves	16,946	16,946	13,360
Total	- 7,702	- 7,702	- 13,469
Debt Requirements			
Debt	46,000	50,000	46,270
Future obligations	16,946	16,946	13,469
Gross Debt Requirement	62,946	66,946	59,739
Less cash in bank	- 3,641	- 9,581	- 500
Net Debt Requirement	59,305	57,365	59,239

*Note: Reserves balances are only recalculated at end of year.

Statement of Operating and Capital Performance

Comments on major variances

Operating Income

Rates Revenue Penalties are continuing to be ahead of budget for the year to date due to arrears penalties applied. Rates, both general and targeted, are tracking on budget for the month.

Operating Subsidies and Grants are above budget due to an \$204,000 increase in roading operating subsidies as operational costs up on budget.

Activity Revenue and other income is continuing to track above budget due to:

- \$393,000 increase in subdivisions income;
- \$235,000 increase in camp fees receipts at Kai Iwi Lakes Campground; and
- \$63,000 increase in Solid Waste levy.

Operating Costs: Overall costs are below budget for the month.

Employee Benefits are tracking on budget.

Contractors costs are slightly ahead of budget due to:

- \$216,000 increase in roading unsealed pavement maintenance spend; and
- \$149,000 overall contractors cost reduction across the activities.

Professional Services are below budget for the month and year to date January.

Regulatory is ahead of budget by \$476,000 due to the higher levels of activity. This will be offset in other areas, predominantly water services, who will have consultants in to get better asset management information later in the year. Budget is offset by District Plan costs of \$224,000 not committed as yet.

Repairs and Maintenance costs are below budget for the month and year to date January. This is due to the repairs and maintenance programme across the district planned after 31 January.

Finance costs remain below budget due to lower inter-period loan balances due to lower capital expenditure.

Other Operating costs are below budget for the month and year to date January.

Capital Revenue

Capital subsidies are below budget due to lower capital expenditure occurring.

Contributions - The financial and development contributions are continuing to be above budget for the month of January and year to date.

Other capital revenue - The increase is due to sale of land on Tomarata Road.

Public Debt

The public debt position at 31 January 2019 is \$50 million and the net debt position (debt less cash) is \$40.4 million. Cash was higher due to not spending on capital works.

Activities Net Cost for the period to 31 January 2019

Activity	Actual			Annual Plan	Indicator	Explanation of variances
	Actual Operating Income \$000s	Actual Operating Costs \$000s	Net Operating Surplus/ (Deficit) \$000s	Net Operating Surplus/ (Deficit) \$000s		
Community Activities	3,347	2,541	806	134		Increase in activity revenue – Kai Iwi Lakes Campground revenue increase during the holiday season. Lower expenditure – Grounds and drain maintenance works is scheduled for future months.
District Leadership	4,036	3,697	340	(953)		Finance costs remain below budget due to lower inter-period loan balances due to lower capital expenditure. Overall operating costs are lower than budget.
Regulatory Management	3,414	3,414	0	2		Income above budget due to increase in subdivisions consents income. Professional services costs increase due to the higher levels of activities.
Roads and Footpaths	8,648	6,570	2,078	2,165		Contactors cost increase due to work done on unsealed roads surfacing. Professional services costs increase due to network management and design works for operational projects.
Flood control	439	176	263	193		Costs for professional services are lower to date but will be utilised later in the year.
Wastewater	4,490	2,076	2,414	2,259		Costs for professional services costs are lower to date, but will be utilised later in year for consulting on impacts of growth.
Solid Waste	830	653	177	181		Tracking on budget.
Stormwater	944	431	513	491		Tracking on budget.
Water Supply	1,827	1044	783	923		Fonterra is to pay for some reticulation this year and capital expenditure has not yet begun.
Whole of Council	27,975	20,602	7,374	5,395		

Kaipara District Council - Capital Projects for the period ended 31 January 2019

Activity - Work in Progress	Year to Date January 2019			Full Year	
	Actual	Budget (Forecast One)	Variance	Budget (Forecast One)	Budget remaining
	\$	\$	\$	\$	\$
Community Activities	257,149	521,000	263,851	2,803,217	2,546,068
District Leadership, Finance and Internal Services	260,138	171,662	-88,476	1,335,000	1,074,862
Flood Protection and Control Works	6,487	103,500	97,013	547,500	541,013
Regulatory Management	0	0	0	0	0
Sewerage and the Treatment and Disposal of Sewage	-23,719	2,172,500	2,196,219	4,609,329	4,633,048
Solid Waste	42,764	272,670	229,906	1,235,549	1,192,785
Stormwater Drainage	821,396	493,935	-327,461	1,367,935	546,539
The Provision of Roads and Footpaths	2,999,752	5,293,900	2,294,148	15,400,649	12,400,897
Water Supply	75,897	670,500	594,603	1,798,198	1,722,301
Grand Total	4,439,865	9,699,667	5,259,802	29,097,377	24,657,512

Percentage of capital works programme completed is 15.3%.

Capital Works by Significant Projects for the period ended 31 January 2019

	Year to Date January 2019			Full Year	
	Actual \$	Budget (Forecast One) \$	Variance \$	Budget (Forecast One) \$	Budget remaining \$
Structures Component Replacements 2018/2019	456,863	768,525	311,662	2,250,000	1,793,137
Roads Resurfacing 2018/2019	422,658	1,188,494	765,836	2,186,960	1,764,302
Quail SW improvements	1,121,442	493,935	-627,507	1,197,935	76,493
Dargaville WW PS1/PS2 Rising main from Pump Station 2 to Pump Station 1		395,000	395,000	1,056,000	1,056,000
Mangawhai Upgrade WWTP	35,415	500,000	464,585	1,000,000	964,585
Drainage Renewals 2018/2019	393,174	457,331	64,157	740,000	346,826
LED conversion of streetlights	92,148	100,730	8,582	724,609	632,461
Hakaru Leachate Improvements	38,366	46,600	8,234	685,549	647,183
Dargaville Main under Dargaville High: Reroute/replace pipe	80,646	127,500	46,854	637,500	556,854
Mangawhai WW Extend Irrigation System	16,484	80,000	63,516	600,000	583,516
Mangawhai Wastewater Upgrade PS-VA	6,000	200,000	194,000	600,000	594,000
Mangawhai Tara Road Box Culvert RP7270	165,431	140,000	-25,431	560,001	394,570
MCP Moir/Molesworth Intersection (Intersection 2)	3,776		-3,776	550,000	546,224
MCP Insley/Moir Intersection (Intersection 1)	2,433		-2,433	550,000	547,567
Mangawhai Cove Rd RP0-1152 Rehab	5,595		-5,595	539,592	533,997
Digital transformation	119,367	81,662	-37,705	1,000,000	880,633
Total Significant Projects accounted for				14,878,146	

6.7 Resolutions Register and Action Tracker

Governance Advisor 1202.05

Recommended

That Kaipara District Council receives the Resolutions Register and Action Tracker dated 18 February 2019 and the information contained therein.

**Kaipara District Council
Resolutions Register at 18 February 2019**

Meeting Date	Agenda Item Number	Item Name	Details	Assigned	Status	Comments	Due
13/02/2017	6.4	Establishment of Older Persons Committee	Will look at other ways of engaging with older members of the community.	GM GSD	In Progress	On hold until the People's Panel recruitment has been completed (Oct - Dec). Approximately 300 people have signed up for the People's Panel which presents a good cross section of the community.	Feb 2019
26/06/2017	7.6	Kauri Coast Community Pool – Licence to Occupy and maintenance grant	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	A decision was made at the December Council meeting agreeing that Sport Northland take over the operation of the Kauri Coast Community Pool.	June 2018
			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)	Completed	As above	Dec 2018
			Re-assesses its involvement in the Kauri Coast Community Pool after the 2017/2018 swimming season.	GM GSD (DL)	Completed	As above	Dec 2018
11/07/2017	1.7.2	Notice of Motion 2	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 RPP	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. Policy Team is aiming to have a draft ready in December.	Feb 2019
			3) That the Chief Executive work with a committee to be recommended by the Mayor in developing the policy and procedure	GM RPP	In Progress	As above	Feb 2019
			4) That any related current delegations be amended to reflect policy	GM RPP	In Progress	As above	Feb 2019
			5) That the policy be presented to Council for approval at 09 October 2017 meeting.	GM RPP	In Progress	Draft policy to be presented to Regulatory Working Group on 11 February 2019 for discussion.	Mar 2019

26/09/2017	6.6	Stopbank reinstatement - land known as Section 73 75 part 44 Block XV of the Tokatoka Survey District	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	See update below (Line 61)	June 2019
			Notes that the works are to be funded by Raupo Drainage Targeted Rate.	COO (SP)	In Progress		June 2019
14/11/2017	6.13	Northpower – Assignment of Lease	Approves the assignment of the grazing licence from Northpower to Highview Investments Limited	GM R,F&IT (JB)	Completed		
			Delegates to the Chief Executive responsibility for execution of the Deed or Assignment on Council's behalf.	GM R,F&IT (JB)	In Progress	As it's a Deed this needs to be executed by two elected Members. Still Waiting for Northpower and Highview to execute the Deed and return same to Council for Execution.	Dec 2018
11/12/2017	6.5	Mangawhai Museum Partial Surrender of Lease	Approves the Partial Surrender of the Lease by the Mangawhai Museum	GM R,F&IT (JB)	Completed		
			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.	Dec 2018
			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 However Museum have advised they now want to new lease rather than a partial surrender. They have been advised the policy is now for LTO rather than lease. A draft LTO has been provided to the Museum so they can consider.	Dec 2018
25/01/2018	7.4	Reserve Contributions (use of) Policy: Adoption of reviewed Policy	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		
			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
			Prioritises the review of Reserves and Open Space Strategy (ROSS)	GM RPP	In Progress	Review underway. Pre consultation with key stakeholders. A briefing to Council was provided in Nov. A workshop is planned with Council on 7th March.	May 2019
26/04/2018	5.2	Forecast Two 2017/2018	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		
			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		
			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		

			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		
			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		
			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	Council Briefing held in November 2018, further information sought, and this item will come to the February 2019 Council Briefing	Feb 2019
23/05/2018	5.1.3	Issues and Options: Reserve Contributions	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		Completed	Approved as part of the LTP	
			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	GM R, IT&F, GSD (IL)	In Progress	Approved as part of the LTP, but process is being worked through. The Council Briefing on 6 December looked at LTP projects. Paper will be brought to February Council meeting .	TBC
			Directs the Chief Executive to advertise the contestable funding round in July 2018 in accordance with the new policy	GM GSD (DL)	In Progress	This was reported to the 6 December Council briefing and is awaitign a decision at a future Council meeting.	TBC
			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	GM R,IT&F	In Progress	Awaiting ROSS review	
			5.1.7	Issues and Options: Mangawhai Community Wastewater Scheme	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	GM GSD	Completed
			Agrees that the \$20.05 million shall be funded through debt	GM GSD	Completed	Approved as part of the LTP	
			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	GM GSD	Completed	Approved as part of the LTP	
			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	GM I	In Progress	Looking to amend existing consent to increase capacity for future disposal as an initial option (estimate existing farm has 8-10 years' capacity). Will then progress finalising the long term disposal options and seeking consent for the preferred option.	June 2019
	5.1.15	Issues and Options: Pensioner Housing	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 R,IT&F (JB)	Completed	Council needs to make decision on what is to happen to Pensioner Housing	Dec 2018
			Requests the Chief Executive reports the results of the investigation to Council	GM R,IT&F (JB)	In Progress	Investigating scope and timeline once Council makes decision on Pensioner Housing	Dec 2018

26/07/2018	4.4	Kauri Coast Community Pool Update, Contract for Service and Licence to Occupy	That this item lie on the table until a meeting with the Kauri Coast Community Pool Trust is held with Elected Members and Council officers.	GM GSD	Completed	A decision was made at the December Council meeting agreeing that Sport Northland take over the operation of the Kauri Coast Community Pool.	Dec 2018
	4.11	Mangawhai golf course Reserve status exchange and Golf Club surrender of lease / variation of lease or grant of new licence	Approves the surrender of the Mangawhai Golf Club lease on Lot 33 DP 185449 and the driving range Licence to Occupy and agrees in principle to approve a new Licence to Occupy for the Mangawhai Golf Club in accordance with the Community Assistance Policy	GM R,IT&F	In Progress	In negotiation with Golf Club on terms and conditions in respect of Surrender and LTO	Nov 2018
			Directs the Chief Executive to publically notify Council's intention to grant the Mangawhai Golf Club a new Licence to Occupy as required in section 119 of the Reserves Act 1977, and to report back to Council on the results of this consultation so that Council can consider any submissions received in accordance with section 120 of the Reserves Act 1977	GM R,IT&F	In Progress	Notification was done in August, No objections received. Once the LTO and Surrender deed are finalised this will be reported to Council for final decision.	Nov 2018
23/08/2018	4.1	Smokefree and Vape-free Kaipara Policy - Confirmation of draft Policy for consultation	Agrees with the direction provided for in the draft Smokefree Kaipara Policy, circulated as Attachment Two to the aforementioned report, incorporating feedback provided	GM RPP	Completed		
			Approves the draft Smokefree Kaipara Policy in accordance with Council's Significance and Engagement Policy, incorporating feedback provided	GM RPP	Completed	Deliberations meeting held 12 November 2018. A report is being prepared for the December 2018 Council meeting recommending adoption.	Dec 2018
			Forms a panel of three Elected Members, being Councillors Wethey, Joyce-Paki and Curnow to consider submissions and make recommendations to Council	GM RPP	Completed		
	4.5	Road stopping and amalgamation: 623 Golden Stairs Road, Paparoa	Agrees in principle to the stopping of a portion of the section of Golden Stairs Road in Paparoa, as marked red on aerial map (see Attachment 2 to the afore mentioned report) under s116 of the Public Works Act subject to reaching prior agreement with the purchaser on the terms and conditions of the Sale and Purchase Agreement, subject to the sale price being no less than \$7,800 plus GST (if any), and that the purchaser meets all costs associated with the transaction	GM I	In Progress	Deposit payment of \$3450.00 incl GST was received on the 6.11.2018. Next step is for the Purchaser to arrange the Legalisation Survey Plan for the subject Land at their cost. Once the Survey Office Plan is approved by LINZ the Purchaser is to pay the balance (\$4,800.00 + GST).	Feb 2019
			Delegates authority to the Chief Executive to finalise the sale of the stopped portion of road of the section of Golden Stairs Road in Paparoa, as marked red on aerial map (see Attachment 2 to the afore mentioned report)	GM I	In Progress	As above	Feb 2019
25/10/2018	4.2	National Environmental Standards on Plantation Forestry Regulation 2017, District Plan Update	Approves the amendments to the Operative District Plan in accordance with the requirements of the National Environmental Standards for Production Forestry Regulations 2017 as detailed in Attachments 1 5 of the afore mentioned report, in accordance with sec 44A(4), (5) and (6) of the Resource Management Act (RMA) without going through the Schedule 1 public notification process of the RMA.	GM RPP	Completed	Will be completed in December with notification planned to the community in early December and operative DP change on 18th December 2018.	Dec 2018
20/11/2018	4.1	Alcohol Control Bylaw 2018 and alcohol control areas - Adoption	Adopts the final Alcohol Control Bylaw (circulated as Attachment 2 to the afore mentioned report)	GM RPP	Completed		
			Agrees that, in light of information and evidence provided, the following alcohol control areas and associated controls are adopted (Attachment 3 to the afore mentioned report contains final maps showing the Alcohol Control Areas): [Please see minutes]	GM RPP	Completed	Will become operative on the 19th December	Dec 2018

		Agrees that an Alcohol Control Bylaw be put in place from 8.30pm to 7.00am the following day all year round for the Tinopai area as shown in Map 11 of Attachment 3	GM RPP	Completed	Will become operative on the 19th December	Dec 2018
		Delegates the authority to the Regulatory Manager, Licensing Team Leader and the Monitoring and Compliance Team Leader the authority to grant exemptions to an alcohol control area under clause 12 of the Alcohol Control Bylaw 2018	GM RPP	Completed	Will become operative on the 19th December. Delegations register being updated.	Dec 2018
4.2	Recommendation from Taharoa Domain Governance Committee for a Proposed Taharoa Domain Bylaw	Adopts for public consultation - the Statement of Proposal for the Taharoa Domain Bylaw and associated draft Bylaw as presented in the circulated Attachment 2 of the aforementioned report	GM RPP	Completed	Submission period opened on 4th December 2018 and runs until the 8th February 2019	
		Delegates to the Chief Executive and the Mayor to approve minor typographical changes and any changes that do not affect the intent of the draft Bylaw	GM RPP	Completed		
		Delegates to the Taharoa Domain Governance Committee including representatives from Te Roroa and Te Kūihi, the responsibility to hear submissions and make recommendations on the final Taharoa Domain Bylaw to Council with the Mayor acting as Chair	GM RPP	In Progress	Discussions underway to determine representatives from Te Roroa and Te Kūihi	May 2019
4.3	Plan Change 4 – Fire Safety, Environmental Court Decision	Directs Council officers to amend the Operative District Plan in accordance with the Environment Court's decision on Plan Change 4 to the Kaipara District Plan dated 24 October 2018, circulated as Attachment 1 to the afore mentioned report	GM RPP	Completed	Will be completed in December with notification planned to the community in early December and operative DP change on 18th December 2018.	Dec 2018
		Approves Plan Change 4 to the Kaipara District Plan in accordance with Clause 17 of the First Schedule of the Resource Management Act 1991	GM RPP	Completed		
		Resolves to delegate to the Chief Executive the authority to publicly notify in accordance with Clause 20 of the First Schedule of the Resource Management Act 1991 the 'operative date' at least five working days beforehand	GM RPP	Completed	Notification occurred on 3rd December 2019 in Mangawhai paper and 4th December 2018 Kaipara Lifestyler.	
4.4	Private Road Seal Extension Policy 2018 Adoption	Adopts the Private Road Seal Extension Policy 2018, as set out in Appendix 4 of Attachment 1 to the aforementioned report	GM I	In Progress	Adopted Policy has been added to Council's website. To be added to the Policy Register.	Jan 2019
4.5	Speed Review Tara Road, Kaiwaka-Mangawhai Road, and Moir Street, Mangawhai	Adopts Option B – reduce the speed limit in the full review area to 50km/hr, as set out in Attachment 1 (Tara Road, Kaiwaka Mangawhai Road and Moir Street: Speed Limit Review – 31 October 2018) to the aforementioned report	GM I	In Progress	Public notification of the new speed limit completed. Amendment of the bylaw in progress.	Jan 2019
		Adopts the amendments to the Kaipara District Speed Limit Bylaw 2005, as set out in Appendix 3 of Attachment 2 ('Tara Road, Kaiwaka Mangawhai Road and Moir Street: Submission Recommendations') to the aforementioned report	GM I	In Progress	Public notification of the new speed limit completed. Amendment of the bylaw in progress.	Jan 2019
4.6	Authorisation for delegated authority to Mayor and Chief Executive to impose and rescind water restrictions	Delegates authority to the Mayor and Chief Executive to impose and rescind water restrictions if required within the Kaipara district in accordance with Clauses 1609.1 and 1609.2 of the Kaipara District Council's General Bylaws 2008, Part 16, Water Supply	GM I	Completed		Nov 2018
		Instructs the Chief Executive to report to the next available Council meeting the details of any water restrictions imposed or rescinded	GM I	In Progress	If and when required.	May 2019

	4.7	Murphy Bower Stopbank Options Report	Resolves that the Murphy Bower stopbank located on SECT 73 75 PT 44 BLK XV TOKATOKA SD is remediated as per Option C of the aforementioned report – the remediation of the stopbank along the approximately 300m long section outlined under New Stop Bank and the upgrade of the existing section of the stopbank as highlighted by the area marked under Option 2 as per Fig 1 in Appendix A of the aforementioned report, without associated ground improvements i.e. construct the proposed stopbank to a standard no less than the existing stopbanks within the Raupo Drainage District at an estimated cost of \$375,000 + GST	GM I	In Progress	Meeting with landowner was requested but not accepted. Details sent to landowner's legal advisors. If no agreement can be reached with the landowner regarding approval to enter private property to undertake the works, then Council will need to proceed with statutory process to obtain authority to enter property to construct the public works.	June 2019
			Resolves to defer the following Raupo Drainage District capital works and operational projects to fund the proposed stopbank: a) \$128,000 to come from financial year capital works projects; b) \$50,000 from Management services (identified to start hydraulic modelling); c) \$42,000 from the stopbank maintenance budget	GM I	In Progress		June 2019
			Resolves to approve an additional Raupo Drainage District capital budget of \$45,000 to be loan funded	GM I	In Progress		June 2019
20/12/2018	4.1	Kauri Coast Community Pool Licence to Occupy Funding Agreement	Delegates the Chief Executive to finalise the Funding Agreement of \$321,000 per annum (consisting of \$257,000 for operating costs, \$42,000 for repairs, maintenance and renewals; \$22,000 for water rates), with Sport Northland for three years commencing in the 2018/2019 financial year	GM GSD	In Progress	Staff have finalised the agreements with Sport Northland. Sport Northland are working with the Trust to handover.	Feb 2019
			Delegates the Chief Executive to finalise the Licence to Occupy with Sport Northland	GM GSD	In Progress	As above	Feb 2019
	4.2	Relationship Agreement: Northland Mayoral Forum and Te Kahu o Taonui	Endorses the draft Agreement document, Attachment 1 to the aforementioned report, between the Mayoral Forum and Te Kahu o Taonui	GM GSD	Completed	Mayor and Chief Executive attended the signing ceremony on 31 January in Waitangi	
			Delegates to the Mayor the authority to sign the Agreement and attend the signing ceremony in February 2019	GM GSD	Completed	As above	
	4.3	Forecast One 2018/2019	Approves the forecast as set out in the forecast documents attached to the aforementioned report, and determines that no further action is required at this point in time	GM R,IT&F	No Update		
	4.4	Draft Annual Plan 2019/20	Agrees that the Chief Executive prepares the draft Annual Plan 2019/2020 with an estimated average rates increase of 5.26% (after consideration for growth of 1% and exclusive of water supply rates), after reducing the Chief Executive's legal fees budget by \$169,000 to meet the shortfall and manage resource consent demand	GM R,IT&F GM GSD	In Progress	Annual Plan will be compiled with this direction.	June 2019
			Agrees that the estimated total rates increase of 5.26% (after consideration for growth of 1% and exclusive of water supply rates) for the draft Annual Plan 2019/2020 is not material and that formal consultation on the rates increase is not required	GM R,IT&F GM GSD	In Progress	Annual Plan will be compiled with this direction.	June 2019
			Agrees that a comprehensive communication and engagement plan be delivered to inform and educate the community on the draft Annual Plan 2019/2020	GM R,IT&F GM GSD	In Progress	Engagement plan was reported to the 4 February Council briefing.	April/May 2019

4.6	Smokefree Kaipara Policy – Panel recommendations	Adopts the Smokefree Kaipara Policy, circulated as Attachment 2 to the afore-mentioned report	GM RPP	Completed		
		Delegates the Chief Executive and the Mayor to approve minor editorial changes that do not affect the intent of the Smokefree Kaipara Policy	GM RPP	Completed		
4.7	Class 4 Gambling Venues Policy – Adoption	Adopts the Draft Class 4 Gambling Venues Policy, presented as Attachment 2 of the afore-mentioned report	GM RPP	Completed		
		Delegates the Chief Executive and the Mayor to approve minor editorial changes that do not affect the intent of the Class 4 Gambling Venues Policy	GM RPP	Completed		
4.8	Temporary Road Closure 17 February 2019, Arcadia Road, Paparaoa - Approval	Approves the Hibiscus Motorsport Club Inc's (HCMC) application for the temporary road closure of Arcadia Road, Paparaoa from Sunday 17 February 2019 from 09:00am to 06:00pm for the purpose of holding the Northern Rally Sprint Series (NRSS) Rally Sprint, Round 2 and, as a condition of approval, HCMC is to carry out a letter drop to all residents/businesses located within the extent of the road closures at least two weeks prior to the event	GM I	In Progress	Bonds and Insurances have been received and approval package has been sent to applicant. Email reminder has been sent to Network inspectors to carry out pre-rally inspection the week of 11 Feb to 15 Feb. Event will take place on the 17 of Feb. Follow up inspection to take place the week of 18 Feb.	Feb 2019
4.9	Request for authorisation to award Construction of New Pump Station (PS2) and WW Rising Main (CON913.02 - Construction)	Approves the award of Con 913.02 to United Civil Ltd for the sum of \$1,633,266.84 excl. GST	GM I	Completed	Contract awarded.	Jan 2019

7 Public Excluded Council agenda items 28 February 2019

Recommended

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

- *Confirmation of Public Excluded Council minutes 20 December 2018; and*
- *Public Excluded Committee minutes confirmed in December 2018 and January 2019*

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

General subject of each matter to be considered:	Reason for passing this Resolution	Ground(s) under Section 48(1) for the passing this resolution:
<i>Confirmation of Public Excluded Council minutes 20 December 2018</i>	<i>S7(2)(a) protect the privacy of natural persons, including that of deceased natural persons</i>	<i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>
<i>Public Excluded Committee minutes confirmed in December 2018 and January 2019</i>	<i>S7(2)(i) enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (Including commercial and industrial negotiations)</i>	<i>S48(1) (a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</i>

8 Open Council agenda 28 February 2019

Closure

**Kaipara District Council
Dargaville**