
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	Confirmed

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	<p>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.</p> <p>Item 4.2 'Relationship Agreement: Northland Mayoral Forum and Te Kahu o Taonui' – Councillor Joyce-Paki declared that she has iwi interests.</p>

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 Emergency.

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

Confirmed

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 28 February 2019

Chair Mayor Jason Smith

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