
Kaipara District Council

Minutes

Meeting	Kaipara District Council
Date	25 January 2018
Time	Commenced 09.07am Closed 2.49pm
Venue	Northern Wairoa War Memorial Hall (Dargaville Town Hall), 37 Hokianga Road, Dargaville
Status	Confirmed

Membership

Chair: Councillor Peter Wethey (Deputy Mayor)

Members: 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

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Minutes of the Ordinary meeting of Kaipara District Council
Thursday 25 January 2018, Dargaville
1 Opening
1.1 Karakia

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

1.2 Present

Deputy Mayor Peter Wethey (Chair), Councillors Anna Curnow, Victoria del la Varis-Woodcock, Julie Geange, Libby Jones, Jonathan Larsen and Andrew Wade.

The Chief Executive introduced James Bews-Hair, who was acting as Council's Governance and Procedural Advisor.

Name	Designation	Item(s)
Peter Tynan	Acting Chief Executive	All
Curt Martin	General Manager Infrastructure	All
Fran Mikulicic	General Manager Planning and Regulatory	All
Duncan McAulay	General Manager Strategy and Performance	All
Robert Nelson	Acting General Manager Finance	All
Paula Hansen	Policy Analyst	Presentation only
Ben Hope	External Communications Manager	All
Michaela Borich	Project Manager/Business Analyst	Item 7.3
James Bews-Hair	Governance and Procedural Advisor (in the absence on leave of Democratic Services Manager)	All
Yvonne Hancock	Document Production Officer	All (Minute-taker)

1.3 Apologies

Moved **Wethey/Curnow**

That the apology of Cr Joyce-Paki be received.

Carried

1.4 Confirmation of Agenda

The item "Acting Chief Executive appointment 04 September 2017" be included in the agenda (as per Standing Order 9.4).and be addressed under item 3.2.

It was decided that item 8.2 "Recycling Issues and Costs" would be moved from Public Excluded session and heard as Item 7.6 in in Open meeting.

1.5 Conflict of Interest Declaration

Nil.

1.6 Resolutions Register and Action Tracker

The meeting considered the resolution register and action tracker and provided feedback. This will be a formal agenda item for each meeting.

2 Deputations, Presentations and Petitions

2.1 Caitlin Metz, Rural Connectivity Group

On behalf of Rural Connectivity Group, Caitlin Metz spoke to a PowerPoint presentation that updated Council on Rural Broadband initiatives in the Kaipara district.

3 Confirmation of Minutes

3.1 Council Minutes 11 December 2017

Democratic Services Manager 1601.22

Moved Geange/Curnow

That the unconfirmed minutes of the meeting of Kaipara District Council held on 11 December 2017 be confirmed as a true and correct record.

Carried

3.2 Acting Chief Executive Appointment 04 September 2017

Acting Chief Executive 1203.01

Moved del la Varis-Woodcock/Curnow

That Kaipara District Council:

- 1 *Receives the Acting Chief Executive's report 'Acting Chief Executive appointment 04 September 2017' dated 23 January 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Formally approves the appointment of Peter Tynan as Acting Chief Executive of Kaipara District Council from 04 September 2017 and confirms the appropriate delegations associated with being the Chief Executive including authority to execute loan documents and any Section 118 certificates; and*
- 4 *Authorises the Deputy Mayor to take the steps necessary to confirm the effect of these recommendations.*

Carried

4 Performance Reporting

4.1 Chief Executive's Report November/December 2017

Acting Chief Executive 2002.02.18/January

An Ordinary meeting of Council to be held Friday 23 February 2018 at Dargaville to swear in newly elected Mayor of Kaipara.

Moved Curnow/Jones

That Kaipara District Council receives the Acting Chief Executive's Report for November/December 2017, circulated under separate cover from the Agenda.

Carried

5 Committee Minutes

5.1 Confirmed Kaipara District Council Committee Minutes

Administration Assistant 1601.22/25 January 2018

These minutes will in future come before Council as they are confirmed by the relevant Committee.

Moved Larsen/Curnow

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

- 1 *Taharoa Domain Governance Committee meeting held on 10 August 2017; and*
- 2 *Mangawhai Community Park Governance Committee meeting held on 21 August 2017; and*
- 3 *Raupo Drainage Committee meeting held on 07 September 2017; and*
- 4 *Audit, Risk and Finance Committee meeting held on 11 September 2017; and*
- 5 *Harding Park and Pou Tu Te Rangi Joint Management Committee meeting held on 20 September 2017; and*
- 6 *Reserve Contributions Committee meeting held on 25 September 2017; and*
- 7 *Mangawhai Endowment Lands Account Committee meeting held on 25 September 2017; and*
- 8 *Community Grants Committee meeting held on 06 November 2017.*

Carried

6 Information Papers

6.1 Crown Manager Report

Democratic Services Manager 1203.01

Moved Geange/Wade

That Kaipara District Council receives the Democratic Services Manager's report 'Crown Manager Report' dated 11 January 2018 and receives the attachment to the above-mentioned report 'Report of the Kaipara District Council Crown Manager' dated December 2017.

Carried

7 Decision Papers

7.1 Contract 878 'Beach Road/Baylys Coast Road Watermain Construction 2017/2018' authorisation to award CON878

General Manager Infrastructure 4107.878

Moved Wade/Geange

That Kaipara District Council:

- 1 *Receives the General Manager Infrastructure's report 'Contract 878 'Beach Road/Baylys Coast Road Watermain Construction 2017/2018' authorisation to award CON878' dated 10 January 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves an increase of the 2017/2018 Dargaville Water budget of \$270,000 to be debt funded with the repayment of the debt consulted on through the Long Term Plan; and*
- 4 *Approves the award of CON878 'Beach Road/Baylys Coast Road Watermain Construction, 2017/2018' to United Civil Construction Limited for the contract value of \$1,055,878.59 + GST.*

Carried

7.2 Fees and Charges 2018/2019: Annual Review

General Manager Planning and Regulatory 2301.07

Moved Geange/Curnow

That Kaipara District Council:

- 1 *Receives the General Manager Planning and Regulatory's report 'Fees and Charges 2018/2019: Annual Review' dated 08 January 2018, and the tabled information paper 'Fees and Charges 2018/2019: Additional information requested for Dog Registrations'; 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 *Amends the Dog Registration Fee to non-working dog to \$66.00 and Working Dog to \$44.00 plus a subsequent change to the Late Payment Fee; and*
- 4 *Adopts the proposed draft Fees and Charges 2018/2019 as outlined in the schedule included in the Agenda for this Council meeting held 25 January 2018, circulated with the above-mentioned report 'Fees and Charges 2018/2019: Annual Review' as Attachment 1, with the above resolution 3 amendment, for the purpose of incorporating these into the draft Long Term Plan 2018/2019 and allowing community comments to be received through the special consultative procedure.*

Carried

7.3 Long Term Plan 2018/2028 : Approval of source documents for the preparation of the LTP

General Manager Strategy and Finance 2302.22

Moved Geange/Jones

That Kaipara District Council:

- 1 *Receives the General Manager Strategy and Performance's report 'Long Term Plan 2018/2028 : Approval of source documents for the preparation of the LTP' dated 19 January 2018 plus tabled replacement tables for pages 13 and 14 of the Development Contributions Policy (pages 250 and 251 of the Council agenda); and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*

3 Adopts as source documents for the Long Term Plan 2018/2028 Consultation Document as required by s.93 of the Local Government Act 2002 as amended by the Local Government Amendment Act 2014, the following as attached to the above-mentioned report or tabled:

- Vision and Community Outcomes;
- Nine Activity Profiles (Community Activities, District Leadership, Flood Protection and Control Works, Planning and Regulatory Management, Roads and Footpaths, Solid Waste, Stormwater Drainage, Wastewater, Water Supply) excluding financial details;
- Financial Contributions Policy.

And defers adoption of the following documents, until clarification of content:

- Significant Forecasting Assumptions
- Eight Asset Management Plans for Roads and Footpaths, Wastewater, Water Supply, Solid Waste, Stormwater, Community Activity, Raupo Land Drainage and Northern Area Land Drainage;
- Development Contributions Policy; and

4 Subject to Auditors' written approval with authority delegated to the Council and Acting Chief Executive to make any changes in response to Auditors' feedback.

Carried

7.4 Reserve Contributions (use of) Policy: Adoption of reviewed Policy

Policy Planner 2304.17

Moved Larsen/Wade

That Kaipara District Council:

- 1 Receives the Policy Planner's report 'Reserve Contributions (use of) Policy: Adoption of reviewed Policy' dated 19 January 2018; and
- 2 Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and
- 3 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; and
- 4 Consults on the reviewed Policy as part of the draft Long Term Plan process; and
- 5 Prioritises the review of Reserves and Open Space Strategy (ROSS); and

Carried

7.5 Kaipara District Council Raw Water Supply Funding Options

General Manager Infrastructure 4817.0

Moved Geange/Curnow

That this item 'Kaipara District Council Raw Water Supply Funding Options' lie on the table until more comprehensive funding options come before Council at a meeting in early February 2018.

Carried

Item 8.2 of the Public Excluded agenda was deemed suitable to be discussed in the open meeting, as Item 7.6.

7.6 Recycling issues and costs

Waters and Waste Manager 4201.02

Moved Curnow/Jones

That Kaipara District Council:

- 1 *Receives the Waters and Waste Manager's report 'Recycling issues and costs' dated 15 January 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the temporary stockpiling of the plastics that currently have no market for recycling at an estimated cost of \$2,500 + GST per year pending establishment of new markets; and*
- 4 *Approves the additional costs to subsidise the transportation of the remaining plastic products that are currently able to be sent to market in Auckland for recycling without any resale value at an estimated cost of \$12,000 + GST per year; and*
- 5 *Instructs the Chief Executive to monitor the situation and, if no new markets have been established within a two-year period, to report back to Council with options.*

Carried

A 'No' vote was recorded by Councillor Larsen.

8 Public Excluded Council Minute Items 25 January 2018

Council went into Public Excluded session at 2.47 pm.

Moved Geange/Larsen

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

- *Confirmation of Public Excluded Council minutes 11 December 2017; and*

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

General subject of each matter to be considered:	Reason for passing this Resolution	Ground(s) under Section 48(1) for the passing this resolution:
Confirmation of Public Excluded minutes 11 December 2017	Section 7(2)(i) enables any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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.

Carried

Confirmed

9 Open Council Minutes 25 January 2018

Council went back into Open session at 2.48pm

Moved Geange/Curnow

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

Carried

9.1 Public Excluded Council Minutes 11 December 2017

Democratic Services Manager 1601.22

Moved Geange/Curnow

That the Public Excluded section of the unconfirmed minutes of the meeting of Kaipara District Council held on 11 December 2017 be confirmed as a true and correct record.

Carried


Closure

The meeting closed at 2.49pm.

Confirmed 28 February 2018

Chair Mayor Smith

**Kaipara District Council
Dargaville**

 KAIPARA DISTRICT <small>THE OCEAN THE HARBOUR</small>	Title of Policy	Reserve Contributions (use of) Policy		
	Sponsor	Commissioner Winder	Adopted by	Council
	Author	J McPherson	Date adopted	16 December 2014
	Type of Policy	xx	Last review date	16/12/2014
	File Reference	2304.17	Next review date	16/12/2017

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced	16/12/2014	J McPherson	
1.0	27/11/2017	P Hansen Policy Analyst	Amended through scheduled review
2.0	25/01/2018	P Hansen Policy Analyst	Amended Policy Adopted by Council for Consultation?

1. Background

1.1 Financial contributions

Financial contributions are a type of levy applied to offset the effects of growth. Council has a Financial Contributions Chapter in its District Plan. This outlines how much can be imposed on land developers when a resource (land use or subdivision) consent is approved. The District Plan relies on the provisions of the Resource Management Act to define how financial contributions can be spent. **Reserve contributions** are a subset of financial contributions.

Section 108(10)(a) of the Resource Management Act 1991 (the Act) allows Council to require financial contributions for reserves, where necessary, to achieve one or more of the following purposes:

- a) Creating open space (including recreation areas, visual buffers and amenity areas) through reserve contributions.
- b) Adding capacity to or otherwise enhancing existing open spaces (including recreation areas, visual buffers and amenity areas) through reserve contributions.
- c) Giving public access to coastal areas, reserves, bush areas or areas of special character through reserve contributions.

1.2 Reserves contributions

Council may require a financial contribution in cash or land towards the establishment and/or upgrading of reserves and public open space areas as a condition of land use consent or subdivision consent.

In the Kaipara District Plan section 22.6.6 details the purpose of reserve contributions:

“By requiring developments to pay their fair and reasonable share of the costs of purchasing land for reserves or upgrading existing reserves.

New developments generate an increase in demand for, and usage of, reserves, open space and public recreation facilities. All new developments will be required to contribute towards the costs of acquiring new, or upgrading existing reserves, open space or facilities, in accordance with Council’s Reserves and Open Space Strategy.

Financial contributions for reserves will only be used for the purchase and development of new reserves or for the improvement and development of existing ones. The maintenance of reserves and recreational facilities is funded through rates.”

In section 22.10.6 of the District Plan describes what purposes a reserve contribution will be put:

Any **reserve contribution** required as a condition of land use consent or subdivision consent may be in the form of:

- a) Land to be set aside and vested in Council for reserve or public open space purposes; or
- b) A cash contribution to Council for it to carry out works relating to developing or upgrading reserves or public open spaces in the district.

In addition under Section 108 of the Act, Council can require as a resource consent condition works on any reserve or public open space. Such works may include but are not limited to:

- a) Fencing;
- b) Landscaping including grassing and tree planting;
- c) Provision of play equipment and other recreational facilities (including tables/chairs); and
- d) Provision of footpaths and walking tracks.

When the contributions are taken as land vested in Council;

- a) There must be a demonstrable current or foreseen future shortage of open space in a particular area; and
- b) The land must be suitable for the intended purpose.

2. Objectives of this Policy

The objectives of this Policy are:

- a) For Council or a committee of Council to define the priorities it has for the use of reserve contributions;
- b) To use these priorities to determine projects of greatest benefit to the community; and
- c) To allow community input and participation through a discretionary contestable process.

3. Definitions

Reserve contributions: a mechanism in the District Plan that allows for the collection of levies from developers, so that Council can develop or upgrade reserves and other public open spaces.

Open space: recreational areas, visual buffers and amenity areas (as described in the Act).

Local: the district has been divided up into four catchments described as Dargaville and Surrounds; Maungaturoto, Paparua, Tinopai and Surrounds; Kaiwaka and Surrounds; Mangawhai and Surrounds. The catchment areas are depicted in Appendix A.

4. Existing parks and reserves

For information on the existing parks and reserves refer to the Reserves and Open Space Strategy.

5. Eligibility criteria

5.1 Criteria for eligibility for use of reserves contributions

When assessing proposals for the use of reserve contributions, Council will have regard to the following criteria:

- a) Creating public open spaces (including recreation areas, visual buffers and amenity areas).
- b) Adding capacity to or otherwise enhancing existing public open spaces (including recreation areas, visual buffers and amenity areas). This can include:
 - bringing existing reserves up to a minimum standard for public use e.g. supplying public toilets in recreation reserves;
 - landscaping; and
 - providing equipment e.g. seats, barbecues, playgrounds.
- c) Giving public access to coastal areas, reserves, bush areas or areas of special character. This is typically through:
 - the development of walking tracks; and
 - the purchase of land that connects two public areas otherwise not accessible to the public.
- d) Within each catchment, consideration will be given to the amount of funds collected in the locality of a proposed project.
- e) Consideration will be given to projects that add amenity to the parks and reserves that are lacking in amenities.

All allocations will be judged against their fit with these criteria. The funds will not be used for normal asset management (maintenance, repairs and renewals).

6. Distribution of reserve contributions

Council will generally apply funds in the locality in which they are generated, and may apply up to 20% of the funds in other parts of the district.

7. Public contestable funding round

A public contestable funding round will be held on an annual basis for catchments where sufficient funds have accumulated to make the process worthwhile. Where there are sufficient funds Council will typically aim to distribute them within three years of collection.

During each round projects initiated by Council, and community groups within the catchment will be considered by the Reserve Contributions Committee. The Reserve Contributions Committee will then make recommendations to the full Council for approval.

All decisions on whether and how to distribute the funds will be at the sole discretion of Council and are final.

a) Contestable fund distribution

There is a need for a high level of transparency and accountability for the spending of reserves contributions. To enable this standard to be met, accountability arrangements will be documented in a formal Contract between the community organisation receiving support and Council. The Agreement will be appropriate to reflect the nature and level of support given.

Funding will be implemented through a Contract which will outline:

- The project for which the funding was provided for;
- The conditions attached to the funding;
- Accountability requirements, including the methods to report back on the use of the funds; and
- The steps Council will take if progress is not as planned.

b) Timing of applications

The timing of reserve contribution grants will be matched with the planning and budgeting cycles of the Council. In the first year of operation of this Policy Council will call for applications in February and release decisions by the end of May. In subsequent years, Council will call for applications in June, and release decisions by the end of October. Should there be sufficient reserve contributions collected during the year Council may consider opening up a second funding round.

Decisions on reserve contributions distribution will be recommended to Council by the Reserve Contributions Committee, who has been given delegated authority from Council to make recommendations on applications. Council will then make the final decision. All grants entered into during the year will be reported in the Annual Report for that year.

Application forms will be made available on Council's website and at Council offices when the funding round opens.

c) General assessment criteria

Council will consider the following when assessing applications received for reserve contributions. These are general criteria which community organisations applying for support need to demonstrate in their applications.

d) Consistency with the Reserve Contributions (use of) Policy

Any application will need to be consistent with the eligibility criteria of section 5 of the Reserve Contributions (use of) Policy.

e) Not-for-profit

With the exclusion of any Council application, Council assistance will only be provided to legally constituted not-for-profit entities, and there should be a volunteer component to any non-Council applications.

f) Financial reporting

All applications must be accompanied by an audited or reviewed Statement of Financial Position for the previous financial year and a budget projection for the next financial year.

g) Central government funding

Community organisations that can receive funding from central government will be considered for grants, however no central government agency may apply for funding.

h) Health and safety

Applicants must comply with all health and safety legislative requirements.

i) Accountability requirements

All recipients under this Policy are required to enter into an Agreement or Contract with Council that outlines the terms and conditions of the approved assistance. Funds will not be provided until both parties have signed the Agreement or Contract, which will outline, among other obligations:

- The purpose and conditions of the assistance; and
- Accountability requirements, as determined by the level of assistance required.

