

Kaipara District Council

Minutes

Meeting	Kaipara District Council
Date	Wednesday 28 February 2018
Time	Meeting commenced at 9.03am Meeting concluded at 2.17pm
Venue	Ruawai-Tokatoka War Memorial Hall, Ruawai Wharf Road, Ruawai
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

Linda Osborne
Administration Manager

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**Minutes of Ordinary meeting, Kaipara District Council
28 February 2018, 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 and Councillors Anna Curnow, Victoria del la Varis-Woodcock, Julie Geange, Libby Jones, Karen Joyce-Paki, Jonathan Larsen and Andrew Wade

Name	Designation	Item(s)
Peter Tynan	Acting Chief Executive	All
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Fran Mikulicic	General Manager Regulatory, Planning and Policy	All
Robert Nelson	Acting General Manager Risk, IT and Finance	All
Michaela Borich	Project Manager and Business Analyst	5.1—5.4
Ben Hope	Public Affairs Officer	All
Darlene Lang	Key Relationships Manager Community	7.1, 7.2
Paula Hansen	Policy Analyst	All
John Burt	Property and Commercial Advisor	7.5, 8.2
James Bews-Hair	Governance and Procedural Advisor (in lieu of General Manager Governance, Strategy and Democracy)	All
Lisa Hong	Administration Assistant	All (Minute-taker)

Adjournments

Reason	Start time	Finish time
Tea break	10.48am	10.58am
Lunch break	1.12pm	1.33pm

1.3 Apologies

With leave from the Mayor, Councillor del la Varis-Woodcock left the meeting at 12.45pm.

With leave from the Mayor, Councillor Joyce-Paki left the meeting at 1.08pm.

With leave from the Mayor, Councillors Jones and Wade left the meeting at 1.12pm.

[Secretarial Note: Councillors del la Varis-Woodcock and Joyce-Paki were present for items 1, 3, 4, 5.1—5.4 and 7 of the meeting in their entirety, and present for the discussion but not voting of item 5.5. Councillors Jones and Wade were present for sections 1, 3, 4, 5 and 7 in their entirety.]

1.4 Confirmation of Agenda

The Committee confirmed the Agenda.

[Secretarial Note: Item 2.1, presentation 'Ultra Fast Broadband rollout in Kaipara district' was taken out of order at the Chair's discretion, commencing at 1.33pm, to facilitate the travel arrangements of the presenter.]

Moved Curnow/Wade

That items 7.1 and 7.2 to be taken out of order, between sections 4 and 5.

Carried

1.5 Conflict of Interest Declaration

Name	Conflict
Councillor Curnow	<p>Item 7.2 Dargaville Arts Association Licence to Occupy Variation for Municipal Buildings, Dargaville</p> <p>Councillor Curnow is a member of the Dargaville Community Development Board. This organisation is a potential tenant for the Dargaville Arts Association should the variation to allow subletting be approved by Council.</p>

1.6 Resolution Register and Action Tracker

Moved Curnow/del la Varis-Woodcock

That Kaipara District Council receives the Resolution Register dated 21 February 2018 as circulated.

Carried

2 Deputations, Presentations and Petitions

2.1 Ultra Fast Broadband rollout in Kaipara district

Gerard Linstrom, Stakeholder Community Manager, Chorus

On behalf of Chorus, Gerard Linstrom spoke in the public forum regarding the Ultra Fast Broadband (UFB) rollout in the Kaipara district and tabled the PowerPoint presentation.

3 Minutes

3.1 Confirmation of Council minutes 25 January 2018

Administration Manager 1601.22

Amendment

Item	Amendment
Item 1.2 Present	The reference to 'Governance Services Manager' to be changed to 'Democratic Services Manager'.

Moved Jones/Geange

That the unconfirmed minutes of the meeting of Kaipara District Council held 25 January 2018 be confirmed as a true and correct record, with following amendment:

- *Correction under section 1.2 Present: reference to 'Governance Services Manager' to be changed to 'Democratic Services Manager'.*

Carried

3.2 Committee minutes (Confirmed) January and February 2018

Administration Manager 1601

Moved Curnow/Geange

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

- 1 *Reserve Contributions Committee meeting held 03 November 2017; and*
- 2 *Community Grants Committee meeting held 14 November 2017; and*
- 3 *Mangawhai Community Park Governance Committee meeting held 27 November 2017; and*
- 4 *Audit, Risk and Finance Committee meeting held 01 December 2017; and*
- 5 *Taharoa Domain Governance Committee meeting held 11 December 2017.*

Carried

3.3 Northland Regional Council Regional Transport Committee minutes 06 December 2017

Moved Geange/del la Varis-Woodcock

That Kaipara District Council receives the unconfirmed minutes of the Northland Regional Council's Regional Transport Committee's meeting held 06 December 2017, for information.

Carried

4 Performance Reporting

4.1 Chief Executive's Report January 2018

Chief Executive: 2002.02.18/February

Moved Wethey/Curnow

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

Carried

4.2 Quarterly Performance Measures: Second Quarter Ending 31 December 2017

Administration Manager 2002.02.18/February

Moved Geange/Jones

That Kaipara District Council receives the Administration Manager's revised tabled report 'Quarterly Performance Measures: Second Quarter Ending 31 December 2017', for information.

Carried

[Secretarial Note: At the direction of the Mayor, items 7.1 and 7.2 were moved to this part of the meeting to facilitate a member of the public present, who is a stakeholder to these items as a member of the Dargaville Arts Association.]

The meeting adjourned at 10.48am.

The meeting recommenced at 10.58am.

5 Long Term Plan

[Secretarial Note: The papers in this section were circulated under a separate cover.]

5.1 Significance and Engagement Policy – Draft

Policy Analyst 2304.09

Moved Geange/Curnow

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Significance and Engagement Policy - Draft' dated 13 February 2018; and*

- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the Significance and Engagement Policy, circulated as Attachment 2 to the above-mentioned report, with amendment:*
 - *Sentence 'Council will comply with sections 58c-58u of the Resource Management Act 1991 relating to Mana Whakahono a Rohe' be added to item 7.1 Engaging with the Maori (Supplementary Items Vol 1, p.18).*

Carried

5.2 Treasury Policy – Adoption

Financial Services Manager 2304.01

Moved Curnow/Wethey

That Kaipara District Council:

- 1 *Receives the Financial Services Manager's report 'Treasury Policy – Adoption' dated 15 February 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the Treasury Policy, circulated as Attachment 1 to the above-mentioned report.*

Carried

5.3 Mangawhai Community Plan Final: Adoption

Policy Analyst 3802.04

[Secretarial Note: 'Funding options for the first three years' were tabled at the meeting, to replace 'Options for funding' table on page 31 of the Mangawhai Community Plan (Supplementary Items Vol.1, p.94).]

Moved Wethey/Curnow

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Mangawhai Community Plan Final: Adoption' dated 12 February 2018; and*

- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the Mangawhai Community Plan (circulated as Attachment 1 to the above-mentioned report) as a source document for the Consultation Document for the Long Term Plan 2018/2028, with the following amendments:*
 - *Replace 'Options for funding' table (Supplementary Items Vol.1, p.94) with 'Funding options for the first three years' tabled at this meeting (28 February 2018), with narrative from the Consultation Document (Item 5.5, Attachment 1 of the agenda 28 February 2018), and with 'per unit of demand' added to headings for Development Contributions; and*
 - *'Sources of Information' to be reduced to list of document names only (Supplementary Items Vol.1, p.95); and*
 - *Minor formatting changes.*

Carried

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

Project Manager **2302.22**

[Secretarial Note: Amended version of the Reserve Contributions (use of) Policy was tabled at the meeting.]

Moved **del la Varis-Woodcock/Curnow**

That Kaipara District Council:

- 1 *Receives the Project Manager's report 'Long Term Plan 2018/2028 : Approval of source documents for the preparation of the LTP' dated 20 February 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves the Revenue and Financing Policy for public consultation under the Local Government Act 2002 s82; and*
- 4 *Approves the Reserve Contributions (use of) Policy as amended at this Council meeting (28 February 2018), with following amendments:*
 - *Addition of catchment maps as attachments;*
 - *Changes to the flow chart (with formatting changes to be added later); and*

- 5 Adopts as source documents for the Long Term Plan 2018/2028 Consultation Document as required by s93 of the Local Government Act 2002 as amended by the Local Government Amendment Act 2014, the following as circulated with the above-mentioned report or tabled at this meeting (28 February 2018):
- Significant Forecasting Assumptions;
 - Nine Activity Profiles financials;
 - 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;
 - Infrastructure Strategy;
 - Financial Strategy;
 - Revenue and Financing Policy and analysis;
 - Funding Impact Statement (Rating Tools);
 - Prospective Statements;
 - Group Funding Impact Statements; and
- 6 Subject to Auditors' written approval with authority delegated to the Mayor and Acting Chief Executive to make any changes in response to Auditors' feedback, alongside minor amendments identified in the editing and final audit process, and following amendments made at this meeting (28 February 2018):
- Asset Management Plan for the Provision of Roads and Footpaths – the 'Organisation structure' was removed (Supplementary Items Vol.3, p.19);
 - Financial Impact Statement – date changed from May 2018 to May 2019 (Supplementary Items Vol.5, p.195)
 - Revenue and Financing Policy – Forestry Targeted Rate was added to list of Targeted Rates (Supplementary Items Vol.5, p.165)
 - Financial Strategy, Rating structure – in the second sentence 'Rating valuation' to be changed to 'Rating revaluation' and third sentence amended to 'Within residential some areas, lower valued properties in particular, saw substantial rises in value, and as a consequence larger than average increase in liability for rates' (Supplementary Items Vol.1, p.127).

Carried

5.5 Long Term Plan 2018/2028 : Approval of Consultation Document – A Bright Future

Project Manager 2302.22

[Secretarial Note: New version of the Consultation Document, Feedback Form and new text for the Reserve Contributions section were tabled at the meeting. 'Funding options for the first three years', as tabled for item 5.3, will also replace the 'Mangawhai Community Plan Options' section of the Consultation Document. Councillors del la Varis-Woodcock and Joyce-Paki were

present for most of the discussion of this item, however left the meeting before the motion was put to vote.]

Moved Wade/del la Varis-Woodcock

That Kaipara District Council:

- 1 *Receives the Project Manager's report 'Long Term Plan 2018/2028 : Approval of Consultation Document – A Bright Future' dated 20 February 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Adopts the Consultation Document 2018/2028 (as tabled at this meeting 28 February 2018) for public engagement, subject to any minor amendments identified in the editing and final audit process, and following amendments (page numbers refer to the tabled document):*
 - *P.17 – Forestry target funding to be amended with addition of 'exotic forestry landowners';*
 - *P.5 – Private seal extension removed from concurrent consultation list;*
 - *P.33 – '...including potentially increasing debt levels currently projected \$27.8 million' to be added;*
 - *P.21 – Netball photograph to be added;*
 - *P.24 – correction: \$100,000 CAPEX (not operating expenses);*
 - *P.26 – 'It is estimated a comprehensive review would cost up to \$4.3 million over five years' to be removed;*
 - *P.26 – 'Do you think there is a need for re-zoning land for future growth? Where do you think these areas may be?' to be added;*
 - *P.26 – The review section (with bullet points) to be moved to the 'What do you think?' section;*
 - *Heading 'Impact on LTP budgets' be added to all relevant sections for consistency;*
 - *P.38 – 'District Leadership' heading to be amended to 'District Leadership, Finance and Internal Services';*
 - *P.9 – 'Te Iwi o Te Roroa' be included under the ethnicity infographic;*
 - *P.16 – 'Funding options for the first three years', as tabled for item 5.3, to replace the 'Mangawhai Community Plan Options' table, with the addition of 'units of demand' to headings for Development Contributions;*
 - *P.4 – Councillor name and title corrections;*
 - *P.20 – Reserve Contribution section to be replaced by the new version tabled at the meeting.*

Carried

Councillor del la Varis-Woodcock left the meeting at 12.45pm.

Councillor Joyce-Paki left the meeting at 1.08pm.

Councillors Jones and Wade left the meeting at 1.12pm.

The meeting adjourned at 1.12pm.

The meeting recommenced at 1.33pm.

[Secretarial Note: Item 2.1, presentation 'Ultra Fast Broadband (UFB) rollout in Kaipara district' was taken out of order at the Chair's discretion to facilitate the travel arrangements of the presenter, commencing at 1.33pm.]

6 Information Papers

6.1 General Bylaw Review

Regulatory Manager and Policy Planner 3204.02

Moved Larsen/Geange

That Kaipara District Council receives the Regulatory Manager's and Policy Planner's report 'General Bylaws Review' dated 16 February 2018.

Carried

7 Decision Papers

[Secretarial Note: At the Mayor's discretion, items 7.1 and 7.2 were taken out of order, between sections 4 and 5, to facilitate a member of the public present, who is a stakeholder to these items as a member of the Dargaville Arts Association.]

7.1 Licence to Occupy Review

Policy Analyst 5101

Moved Wade/Joyce-Paki

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Licence to Occupy Review' dated 12 February 2018 and its attachments; 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 to the Community Grants Committee the authority to review and recommend amendments to the Community Assistance Policy to provide clear policy guidance for Licences to Occupy, including amendments to the standard Licence to Occupy template; and*
- 4 *Notes the Community Grants Committee's recommendation that Council declines the current request by the Dargaville Arts Association for a variation to their Licence to Occupy, as per the report 'Dargaville Arts Association Licence to Occupy Variation for Municipal Building, Dargaville' that was included in Kaipara District Council's Ordinary meeting agenda on 14 November 2017; and*
- 5 *Directs the Chief Executive to review the Rates Remission Policy to ensure there is consistency with the Community Assistance Policy.*

Carried

7.2 Dargaville Arts Association Licence to Occupy Variation for Municipal Building, Dargaville

Key Relationships Manager Community 5105.09

[Secretarial Note: Councillor Curnow declared conflict of interest for this item and did not participate in the discussion nor vote for this item.]

Moved Geange/Wade

That Kaipara District Council:

- 1 *Notes the Parks and Community Manager's report 'Dargaville Arts Association Licence to Occupy Variation for Municipal Building, Dargaville' dated 16 October 2017 and included in the agenda for Kaipara District Council's Ordinary meeting on 14 November 2017; 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 *Declines, consistent with the recommendation from the Community Grants Committee, the request by the Dargaville Arts Association for a variation to their Licence to Occupy, as per the report dated 16 October 2017.*

Carried

7.3 Kaipara District Council Raw Water Supply Funding Options

[Secretarial Note: At the Mayor's discretion, this item was taken out of order, commencing at 1.49pm.]

General Manager Regulatory, Planning and Policy 4817.0

Moved Larsen/Curnow

That Kaipara District Council:

- 1 *Receives the General Manger Regulatory, Planning and Policy's report 'Kaipara District Council Raw Water Supply Funding Options' dated 20 February 2018;*
- 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 *Determines that it will provide assistance to affected dwelling owners in line with Option A (owner fully pays) within the above-mentioned report or previous report (Council agenda 25 January 2018 Item 7.5) which was left to lie on the table.*

Carried

7.4 Rural Connectivity Group (RCG) - Council Support

Policy Planner 2111.18

Moved Geange/Wethey

That Kaipara District Council:

- 1 *Receives the Policy Planner's report 'Rural Connectivity Group (RCG) - Council Support' dated 16 February 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Confirms support to make Council land available where appropriate to use for the construction of infrastructure proposed through the Rural Broadband Initiative Phase 2 and Mobile Blackspot Fund project free of charge through a formal agreement; and*
- 4 *Waives all fees associated with any resource consent or building consent fees applied for under the Rural Broadband Initiative Phase 2 and Mobile Black Spot Fund initiatives; and*
- 5 *Provides appropriate support with engagement and uptake, and assists with community awareness of the project and, where appropriate, liaison with key stakeholders.*

Carried

7.5 Road Stopping and Sale - Murray Road, Tangowahine**Property and Commercial Advisor 5105.12**

[Secretarial Note: A map of the relevant area was tabled at the meeting.]

Moved Geange/Larsen*That Kaipara District Council:*

- 1 *Receives the Property and Commercial Advisor's report 'Road Stopping and Sale - Murray Road, Tangowahine' dated 14 February 2018 and the tabled map of the area; 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 stopping of a 12.5ha parcel of unformed Murray Road in Tangowahine, (as identified in Attachment 1 to the above-mentioned report) under s116 of the Public Works Act; and*
- 4 *Delegates to the Chief Executive responsibility for reaching agreement with the purchaser on the terms and conditions of the Sale and Purchase Agreement; and*
- 5 *Notes that the purchaser will meet all costs associated with the transaction.*

Carried

Confirmed

8 Public Excluded Council items 28 February 2018

Meeting went into Public Excluded session at 2.05pm.

Moved Wethey/Curnow

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

- *Confirmation of Public Excluded Council minutes 25 January 2018; and*
- *Lease of Office Unit: Unit 5, The Hub, 6 Molesworth Drive, Mangawhai, first right of refusal.*

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 Council minutes 25 January 2018	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.
Lease of office unit : Unit 5, The Hub, 6 Molesworth Drive, Mangawhai. First right of refusal.	S7(2)(i) enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (Including commercial and industrial negotiations	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.

Carried

9 Open meeting Council minutes 28 February 2018

The meeting came back into Open session at 2.09pm.

Moved Geange/Larsen

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

Carried

9.1 Confirmation of Public Excluded Council minutes 25 January 2018

Democratic Services Manager 1601.22

Moved Geange/Wethey

That the Public Excluded Minutes of the Council meeting held 25 January 2018 be confirmed as a true and correct record.

Carried

9.2 Lease of Office Unit: Unit 5, The Hub, 6 Molesworth Drive, Mangawhai, first right of refusal

Property and Commercial Advisor 5103.0/2131.05

Moved Larsen/Geange

That Kaipara District Council:

- 1 *Receives the Property and Commercial Advisors report 'Lease of Office Unit: Unit 5, The Hub Mangawhai, first right of refusal' dated 14 February 2018; and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of s79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Approves entering into a lease of Unit 5, The Hub, 6 Molesworth Drive, Mangawhai for a period of up to 44 months from 03 March 2018 and delegates to the Chief Executive responsibility for the negotiation of final lease terms.*

Carried

Closure

The meeting closed at 2.17 pm.

Confirmed 28 March 2018

Chair Mayor J Smith

**Kaipara District Council
Dargaville**

Confirmed