
Kaipara District Council

Minutes

Meeting	Kaipara District Council
Date	Wednesday 28 March 2018
Time	Meeting commenced at 9.03am Meeting concluded at 2.54pm
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

Linda Osborne
Administration Manager

Contents

1	Opening	3
1.1	Karakia	3
1.2	Present	3
1.3	Apologies	3
1.4	Confirmation of Agenda	4
1.5	Conflict of Interest Declaration	4
1.6	Resolutions Register and Action Tracker	4
2	Deputations, Presentations and Petitions	4
2.1	Northland Transportation Alliance Quarterly Update (15 March 2018)	4
3	Minutes	5
3.1	Confirmation of Council minutes 23 February 2018	5
3.2	Confirmation of Council minutes 28 February 2018	5
4	Performance Reporting	5
4.1	Chief Executive's Report February 2018	5
5	Information	6
5.1	WiFi Strategy for Kaipara district – 'Where to with WiFi?'	6
6	Decision	6
6.1	Private Seal Extension Policy 2018: Adoption for Community Engagement.....	6
6.2	Baylys Beach Access, Beach Erosion Assessment Report update	7
6.3	Proposed Plan Change 4 (Fire Safety) Appeal to the Environment Court	7
6.4	Matakohe Bridges, Designation 66 – State Highway 12.....	8
6.5	Tinopai Hall Handover - Execution of Documents	8
6.6	Local Governance Statement: March 2018 update	9
6.7	Code of Conduct Elected Members: March 2018 update.....	10
7	Public Excluded Council minute items 28 March 2018	11
8	Open meeting Council Minutes 28 March 2018	12
8.1	Confirmation of Public Excluded Council minutes 28 February 2018.....	12
8.2	Taharoa Domain Public Toilets and Dump Station : Funding from Ministry of Business, Innovation and Employment	12
	Closure	12

**Minutes of the Ordinary meeting of Kaipara District Council
28 March 2018 in Dargaville**

1 Opening
1.1 Karakia

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

1.2 Present

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

In Attendance

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
Jo Lewin	Executive Assistant	All
Peter Thomson	Northland Transportation Alliance Manager	2.1
Henri van Zyl	Roading Manager	2.1
Paula Hansen	Policy Analyst	5.1
Natalie Robinson	Policy Analyst	6.3, 6.4
John Burt	Property and Commercial Advisor	6.5
James Bews-Hair	Governance and Procedural Advisor (in lieu of General Manager Governance, Strategy and Democracy)	All
Lisa Hong	Administration Officer	All (Minute-taker)

Adjournments

Reason	Start Time	Finish Time
Informal discussions	9.04am	10.22am
Lunch	12.13pm	12.39pm

1.3 Apologies

Moved Curnow/Jones

That the apology of Councillor Joyce-Paki be received.

Carried

The meeting adjourned 9.04am.

The meeting recommenced 10.22am.

1.4 Confirmation of Agenda

Moved Wethey/Curnow

That Kaipara District Council confirmed the 28 March 2018 Agenda.

Carried

1.5 Conflict of Interest Declaration

Name	Conflict
Deputy Mayor Wethey	Deputy Mayor Wethey Update the Elected Members' Interests Register to remove 'Malolo Lailai Lagoon Resort Club Inc, Chair' from the list of councillor or partner declared business interests
Councillor Larsen	Item 6.3 'Proposed Plan Change 4 (Fire Safety) Appeal to the Environment Court' – Councillor Larsen declared conflict of interest for this item as a submitter to District Plan Change 4

1.6 Resolutions Register and Action Tracker

Moved Curnow/del la Varis

That Kaipara District Council receives the Resolutions Register and Action Tracker dated 20 March 2018 as circulated.

Carried

2 Deputations, Presentations and Petitions

2.1 Northland Transportation Alliance Quarterly Update (15 March 2018)

Peter Thomson Northland Transportation Alliance Manager

Moved del la Varis/Curnow

That Kaipara District Council receives the Northland Transportation Alliance Manager Peter Thomson's presentation and Northland Transportation Alliance Quarterly Report dated 15 March 2018 and information contained therein.

Carried

3 Minutes

3.1 Confirmation of Council minutes 23 February 2018

Administration Manager 1601.22

Moved del la Varis-Woodcock/Wethey

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

Carried

3.2 Confirmation of Council minutes 28 February 2018

Administration Manager 1601.22

Item	Amendment
Item 1.3 Apologies	All Councillors were present for items 7.1 and 7.2, as these were taken out of order earlier in the meeting.

Moved Curnow/Wethey

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:

- Under Item 1.3 Apologies, it was incorrectly noted that Councillors del la Varis-Woodcock, Joyce-Paki, Jones and Wade were not present for item 7.1 'Licence to Occupy review' and item 7.2 'Dargaville Arts Association Licence to Occupy Variation for Municipal Building, Dargaville', therefore the secretarial note will be amended to rectify this error.*

Carried

4 Performance Reporting

4.1 Chief Executive's Report February 2018

Acting Chief Executive 2002.02.18/February

[Secretarial Note: A summary sheet of Provincial Growth Fund projects was tabled and circulated.]

Moved Wethey/Jones

That Kaipara District Council receives the Chief Executive's Report for the month of February 2018 and the tabled Provincial Growth Fund summary sheet and the information contained therein.

Carried

The meeting adjourned for lunch at 12.13pm

The meeting recommenced at 12.39pm.

5 Information

5.1 WiFi Strategy for Kaipara district – ‘Where to with WiFi?’

Policy Planner 2111.18

Moved del la Varis-Woodcock/Wade

That Kaipara District Council:

- 1 *Receives the Policy Planners’ report ‘WiFi Strategy for Kaipara district – “Where to with WiFi?”’ dated 15 March 2018, the PowerPoint presentation circulated with the report and the information contained therein; and*
- 2 *Notes that Councillors Curnow and Jones agreed to become WiFi Strategy Champions.*

Carried

6 Decision

6.1 Private Seal Extension Policy 2018: Adoption for Community Engagement

Roading Manager 4101.01

Moved Wethey/Curnow

That Kaipara District Council:

- 1 *Receives the Roding Manager’s report ‘Private Seal Extension Policy 2018: Adoption for Community Engagement’ dated 14 March 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 draft ‘Kaipara District Private Seal Extension Policy 2018’, circulated as Attachment 1 to the above-mentioned report, and seeks community feedback on the draft Policy with the following amendments:*
 - *to link to Rating Policy and re-worded for clarity to laypeople, in plain English;*
 - *add interest and maximum term of less than 10 years, and obligations of those that do not agree; and*
- 4 *Delegates the Chief Executive and Councillors Wethey and Geange to approve the final wording.*

Carried

6.2 Baylys Beach Access, Beach Erosion Assessment Report update

Roading Operations Engineer 4102

Moved Wade/Larsen

That Kaipara District Council:

- 1 *Receives the Roding Operations Engineer's report 'Baylys Beach Access, Beach Erosion Assessment Report update' dated 13 March 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 *Requests that this issue be reported back to the Council meeting on 26 April 2018 with further information including legal opinion regarding liability and information on the status of the land.*

Carried

6.3 Proposed Plan Change 4 (Fire Safety) Appeal to the Environment Court

Policy Analyst 3807.09.04.11

[Secretarial Note: Councillor Larsen declared conflict for this item, left the table and did not participate in the discussion nor vote for this item.]

Moved Curnow/Jones

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Proposed Plan Change 4 (Fire Safety) – Appeal to the Environment Court' dated 13 March 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 *Delegates decision-making on the appeal for Proposed Plan Change 4 to the Kaipara District Plan to the General Manager Regulatory, Planning and Policy.*

Carried

6.4 Matakohe Bridges, Designation 66 – State Highway 12

Policy Analyst 3805.04

Moved Smith/Wethey

That Kaipara District Council:

- 1 *Receives the Policy Analyst's report 'Matakohe Bridges, Designation 66 – State Highway 12' dated 12 March 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 *Delegates authority to amend the operative Kaipara District Plan (Text and Planning Maps) to include Designation 66 – State Highway 12 to the Planning Manager and Policy Manager.*

Carried

6.5 Tinopai Hall Handover - Execution of Documents

Property and Commercial Advisor 4603.14

Moved Curnow/Jones

That Kaipara District Council:

- 1 *Receives the Property and Commercial Advisor's report 'Tinopai Hall Handover - Execution of Documents' dated 15 March 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 *Rescinds its resolution of 28 June 2016 that delegates to the Chief Executive responsibility for the execution of the Deed of Lease, Deed for Sale and Purchase of the building and the GST Loan Agreement; and*
- 4 *Nominates the Mayor and Councillor Geange to execute the Deed of Lease and Deed for Sale and Purchase of the hall building.*

Carried

6.6 Local Governance Statement: March 2018 update

Administration Officer 1203.01

Moved Geange/Jones

That Kaipara District Council:

- 1 Receives the Administration Assistant's report 'Local Governance Statement: March 2018 update' dated 19 March 2018; and
- 2 Notes that the report contains two errors of fact, specifically:
 - Stana Pezic was appointed as Chair of the Audit, Risk and Finance Committee by Mayor Gent not the Crown Manager; and
 - Councillor del la Varis-Woodcock was appointed as an alternate member of the Regional Transport Committee rather than a member; and
- 3 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
- 4 Adopts the amended Local Governance Statement dated 19 March 2018 (circulated as Attachment 1 to the above-mentioned report); and
- 5 Notes the following Mayoral appointments to Committees:

Committee	Appointment/s
Citizens Award Committee	Mayor Smith (Chair) For 2018 round: Councillor Geange for West Coast/Central Ward Councillor Joyce-Paki for Dargaville Ward Councillor Jones for Otamatea Ward [Replacing 2017 appointments: Councillors Curnow, Wade and Wethey]
Community Grants Committee	Commencing April 2018: Councillor Curnow (Chair) from West Coast/Central Ward Councillor Wade for Dargaville Ward Councillor Larsen for Otamatea Ward [Replacing 2017 appointments: Councillors Geange, Jones and Joyce-Paki]
Funding Committee	Councillor del la Varis-Woodcock to replace Councillor Larsen
Raupo Drainage Committee	Mayor Smith and Councillor Curnow to replace Councillor Larsen
Kaipara Harbour Treaty Settlement Working Party	Mayor Smith

and Kaipara Harbour Joint
Political Committee

- 6 Notes the Minister of Conservation's appointment of Rex Nathan as the Chair of the Harding Park and Pou Tu Te Rangi Joint Management Committee and the Mayor's nomination of Trish Harding as a Council representative on this Committee; and
- 7 Notes that the Mayor has delegated authority to act on his behalf on the Northland Civil Defence Emergency Management Group to Councillor Curnow and appointed Councillor Wade to act as an alternate representative on that Group; and
- 8 Delegates the Chief Executive to make minor corrections to the text.

Carried

6.7 Code of Conduct Elected Members: March 2018 update

Acting Chief Executive 1203.01

Moved Smith/del la Varis-Woodcock

That Kaipara District Council:

- 1 Receives the Acting Chief Executive's report 'Code of Conduct Elected Members: March 2018 update' dated 20 March 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 amended Code of Conduct Elected Members dated 19 March 2018 (circulated as Attachment 1 to the above-mentioned report), with following amendments:
 - With deletion of clause 14.1 bullet point 'an invitation for the member to consider resigning from Council'; and
- 4 Instructs the General Manager Governance, Strategy and Democracy to update all published versions of the Code and all references to it made in other Council documents.

A division was called for, voting was as follows:

For

Councillor Curnow

Councillor del la Varis-Woodcock

Councillor Jones

Councillor Wethey

Mayor Smith

Against

Councillor Geange

Councillor Larsen

Abstained

Councillor Wade

The motion was declared **lost**, as amendments to the Code of Conduct must be supported by 75% or more of the members present.

7 Public Excluded Council minute items 28 March 2018

The meeting went into Public Excluded session at 2.48pm.

Moved Wethey/del la Varis-Woodcock

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

- *Confirmation of Public Excluded Council minutes 28 February 2018; and*
- *Taharoa Domain Public Toilets and Dump Station: Funding from Ministry of Business, Innovation and Employment*

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 28 January 2018</i>	<i>Section 7(2)(i) enables 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>
<i>Taharoa Domain Public Toilets and Dump Station: Funding from Ministry of Business, Innovation and Employment</i>	<i>Section 7(2)(j) prevent the disclosure or use of official information for improper gain or improper advantage</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

8 Open meeting Council Minutes 28 March 2018

The meeting went back into Open session at 2.53pm.

Moved Curnow/Jones

That the public be re-admitted to the meeting and resolutions made whilst in Public Excluded be confirmed in Open meeting, excluding item 8.2 which was to be made public after the MBIE press release.

Carried

8.1 Confirmation of Public Excluded Council minutes 28 February 2018

Administration Manager 1601.22

Moved Curnow/Geange

That the Public Excluded Minutes of the Council meeting held 28 February 2018 be confirmed as a true and correct record.

Carried

8.2 Taharoa Domain Public Toilets and Dump Station : Funding from Ministry of Business, Innovation and Employment

[Note: resolution to be made public after the MBIE press release.]

Closure

The meeting concluded at 2.54pm.

**Kaipara District Council
Dargaville**