

---

## **Kaipara District Council**

---

# **Open Minutes**

---

<b>Meeting</b>	Kaipara District Council
<b>Date</b>	Thursday 28 March 2019
<b>Time</b>	Meeting commenced at 9.32am Meeting concluded at 4.52pm
<b>Venue</b>	Pahi Hall – Pahi Road, Pahi
<b>Status</b>	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**

## Contents

<b>1</b>	<b>Opening</b> .....	<b>3</b>
1.1	Karakia .....	3
1.2	Present .....	3
1.3	Apologies .....	4
1.4	Confirmation of Agenda .....	4
1.5	Conflict of Interest Declaration .....	4
<b>2</b>	<b>Presentations and Petitions</b> .....	<b>4</b>
2.1	Uncontrolled dogs in Dargaville petition and unsealed roads in Dargaville petition .....	4
<b>3</b>	<b>Minutes</b> .....	<b>4</b>
3.1	Confirmation of Open Council minutes 28 February 2019 .....	4
3.2	Open Committee minutes confirmed in February 2019 .....	5
<b>4</b>	<b>Notice of Motion</b> .....	<b>5</b>
4.1	Notice of Motion 1, Councillor Jonathan Larsen .....	5
4.2	Notice of Motion 2, Councillor Jonathan Larsen .....	5
4.3	Notice of Motion 3, Councillor Jonathan Larsen .....	6
<b>5</b>	<b>Decision</b> .....	<b>6</b>
5.1	Mangawhai Activity Zone Charitable Trust – Variation of Licence to Occupy .....	6
5.2	Baylys Coast Road Watermain Renewals 2018.19 - Authorisation to Award Contract 910.02 7	
5.3	Temporary Road Closure Approval - Dargaville Veterinary Centre Run/Walk Series 14 April 2019 .....	7
<b>6</b>	<b>Information</b> .....	<b>7</b>
6.1	Crown Manager Six Monthly Report .....	7
6.2	Chief Executive's Report for the months of February 2019 .....	7
6.3	Resolutions Register .....	8
<b>7</b>	<b>Public Excluded Council agenda items 28 March 2019</b> .....	<b>9</b>
<b>8</b>	<b>Open Council agenda 28 March 2019</b> .....	<b>11</b>
	<b>Closure</b> .....	<b>11</b>

**Minutes of the Ordinary meeting of  
Kaipara District Council  
Thursday 28 March 2019 in Pahi**

## 1 Opening

### 1.1 Karakia

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

Council observed a moment of silence for the Christchurch mosque shooting victims and their families, and sang the hymn Te Aroha.

### 1.2 Present

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

#### In Attendance

Name	Designation	Item(s)
Louise Miller	Chief Executive	All
Jason Marris	General Manager Governance, Strategy and Democracy	All
Curt Martin	Chief Operating Officer and General Manager Infrastructure	All
Fran Mikulicic	General Manager Regulatory, Planning and Policy	All
Paul Cresswell	Financial and Corporate Planning Manager	All
Donnick Mugutso	Waters and Waste Manager	All
John Burt	Property and Commercial Advisor	7.6
Jackie Waymouth	Executive Assistant to Mayor and Chief Executive	1—7.2, 7.6
Tanya Wilson	Governance Advisor	1—7.2, 7.6
Lisa Hong	Governance Advisor	All (Minute-taker)

#### Adjournments

Reason	Start	Finish
Morning tea	11.07am	11.22am
Lunch	12.59pm	1.31pm
Afternoon tea	3.21pm	3.20pm
Afternoon tea	4.31pm	4.36pm

### 1.3 Apologies

Moved Curnow/Geange

*That the apology of Councillor Joyce-Paki be received.*

Carried

### 1.4 Confirmation of Agenda

Moved Smith/Wethey

*That the Kaipara District Council confirms the agenda for the meeting held 28 March 2019, noting that item 7.5 'Contract 923 Tomarata Bridge (Insley Street) Strengthening – Award' was withdrawn by the Chief Executive.*

Carried

### 1.5 Conflict of Interest Declaration

Nil.

## 2 Presentations and Petitions

### 2.1 Uncontrolled dogs in Dargaville petition and unsealed roads in Dargaville petition

[Secretarial Note: Written presentation from Graham Jones' (principal petitioner for the uncontrolled dogs in Dargaville petition) was tabled at his request.]

Governance Advisor 1203.01

Moved Curnow/Jones

*That Kaipara District Council:*

- a) *Receives the 'uncontrolled dogs in Dargaville petition' dated 28 February 2019.*
- b) *Receives the 'petition to start the process of completing the tarseal of Waihue, Nichols, Lawson and Middleton Roads, RD 2 Dargaville 0372' dated 27 February 2019.*
- c) *Requests the Chief Executive to investigate the issues contained in the petitions and report back to Council at the April 2019 meeting.*

Carried

## 3 Minutes

### 3.1 Confirmation of Open Council minutes 28 February 2019

General Manager Governance, Strategy and Democracy 1601.23

Moved Jones/del la Varis-Woodcock

*That the unconfirmed Open minutes of the Kaipara District Council meeting held 28 February 2019 be confirmed as a true and correct record.*

Carried

### 3.2 Open Committee minutes confirmed in February 2019

General Manager Governance, Strategy and Democracy

16/Various

Moved **Smith/Curnow**

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

- *Remuneration and Development Committee meeting held 06 April 2018;*
- *Raupo Drainage Committee meeting held 15 November 2018; and*
- *Taharoa Domain Governance Committee meeting held 15 November 2018.*

Carried

## 4 Notice of Motion

### 4.1 Notice of Motion 1, Councillor Jonathan Larsen

[Secretarial note: Councillor Larsen tabled a letter from the Mangawhai Activity Zone Chairman Colin Gallagher dated 14 March 2019<sup>ii</sup>.]

Moved **Larsen/Geange**

- a) That Council directs the Chief Executive to prepare a report on the feasibility of granting Mangawhai Activity Zone (MAZ) funds from the Reserve Contributions Fund, including options for making a grant; and*
- b) That the report take into account funding already committed to other projects, the Reserve Contributions (Use of) Policy, Reserve and Open Spaces Strategy, and any other documents and considerations deemed to be pertinent to the report; and*
- c) That the report be brought back to the 2 May 2019 or 30 May 2019 Council ordinary meeting (subject to available resourcing) for a decision.*

A division was called, and voting was as follows:

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

The motion was declared **CARRIED**.

### 4.2 Notice of Motion 2, Councillor Jonathan Larsen

Moved **Larsen/Geange**

- a) That Council directs the Chief Executive to prepare a report on the feasibility of funding the purchase and installation of the Kaiwaka Fitness Trail equipment funded from the Reserve Contributions Fund, including options and recommendations for funding; and*
- b) That the report take into account funding already committed to other projects, the Reserve Contributions (Use of) Policy, Reserve and Open Spaces Strategy, and any other documents and considerations deemed to be pertinent to the report; and*
- c) That the report be brought back to the 2 May 2019 or 30 May 2019 Council ordinary meeting (subject to available resourcing) for a decision*



## 5.2 Baylys Coast Road Watermain Renewals 2018.19 - Authorisation to Award Contract 910.02

General Manager Infrastructure 4107.910.02

Moved Smith/Wade

*That Kaipara District Council:*

- a) Approves the award of Contract 910.02 to Broadspectrum Limited for the contract price of \$654,056.07 excluding GST.

**Carried**

## 5.3 Temporary Road Closure Approval - Dargaville Veterinary Centre Run/Walk Series 14 April 2019

Corridor Access Coordinator 3208.0

Moved Larsen/Geange

*That Kaipara District Council:*

- a) Approves the application for the temporary road closure of part of Victoria Street, Dargaville between Hokianga Road and Normanby Street (State Highway 12), opposite where it intersects with Beach Road, on Sunday 14 April 2019 between 07:00am to 12:30pm. A condition of approval being the event organiser do a letter drop to all residents located within the closure.

**Carried**

## 6 Information

### 6.1 Crown Manager Six Monthly Report

General Manager Governance, Strategy and Democracy 1203.01

Moved Smith/Wethey

*That Kaipara District Council:*

- a) Receives the Kaipara District Council Crown Manager six monthly report covering the period from July 2018 to 16 March 2019.

**Carried**

### 6.2 Chief Executive's Report for the months of February 2019

Chief Executive 2002.02.18/March

Moved Smith/Geange

*That Kaipara District Council receives the Chief Executive's Report for the months of February 2019 and the information contained therein.*

**Carried**

**Meeting adjourned for lunch at 12.59pm.**

**Meeting reconvened at 1.31pm.**

### 6.3 Resolutions Register

Governance Advisor 1202.05

Moved Curnow/Jones

*That Kaipara District Council receives the Resolutions Register dated 18 March 2019 and the information contained therein.*

Carried

Confirmed



## 7 Public Excluded Council agenda items 28 March 2019

The meeting went into public excluded session 1.38pm.

Moved Smith/Curnow

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

- Confirmation of Public Excluded Council minutes 28 February 2019;
- Public Excluded Committee minutes confirmed in February 2019;
- Contract 798 - 3 Waters Operations and Maintenance Contract Extension;
- Mangawhai Community Wastewater Scheme Operations and Maintenance Contract - Amended and Reinstated Project Deed;
- Civic building opportunities (item to be taken out of order to facilitate the external presenters); and

That Phil Heatley of Northland Regional Council and architect Grant Harris remain for the item 7.6 'Civic building opportunities'.

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:

<b>General subject of each matter to be considered:</b>	<b>Reason for passing this Resolution</b>	<b>Ground(s) under Section 48(1) for the passing this resolution:</b>
Confirmation of Public Excluded Council minutes 28 February 2019	S7(2)(a) protect the privacy of natural persons, including that of deceased natural persons 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.
Public Excluded Committee minutes confirmed in February 2019	Section 7(2)(a) protect the privacy of natural persons, including that of deceased natural persons Section 7(2)(b)(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	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.
Contract 798 - 3 Waters Operations and Maintenance Contract Extension	S7(2)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	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.

<b>General subject of each matter to be considered:</b>	<b>Reason for passing this Resolution</b>	<b>Ground(s) under Section 48(1) for the passing this resolution:</b>
<i>Mangawhai Community Wastewater Scheme Operations and Maintenance Contract - Amended and Reinstated Project Deed</i>	<i>S7(2)(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities</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>Civic building opportunities</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>

**Carried**

Confirmed

## **8 Open Council agenda 28 March 2019**

The meeting returned to open session at 4.51pm.

### **Closure**

The meeting closed at 4.52pm.

**Confirmed**      **02 May 2019**  
**Chair**            **Mayor Jason Smith**

**Kaipara District Council**  
**Dargaville**

- 
- <sup>i</sup> Written presentation from Graham Jones (received by Council on 21 March 2019)
  - <sup>ii</sup> Letter from the Mangawhai Activity Zone Chairman Colin Gallagher dated 14 March 2019
  - <sup>iii</sup> Letter from residents near the Insley Street Bridge dated 26 March 2019
  - <sup>iv</sup> Letter from Tern Point Recreation & Conservation Society Incorporated
  - <sup>v</sup> Letter from Tara Iti Golf Club dated 27 March 2019
  - <sup>vi</sup> Letter from Riverside Holiday Park dated 26 March 2019
  - <sup>vii</sup> Letter from Mangawhai Beach School dated 21 March 2019