

I hereby give notice of the following Ordinary meeting:

Meeting	Raupo Drainage Committee
Date	Thursday 16 May 2019
Time	10.00 am
Venue	Ruawai Tokatoka War Memorial Hall, Ruawai

Open Agenda

Membership

Chair: Ian Beattie
Members: Councillor Anna Curnow
David Hart
Greg Gent
Brian Madsen
Ross McKinley
Mayor Jason Smith
Ken Whitehead

Jason Marris
General Manager Governance, Strategy and Democracy

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Ordinary meeting of the Raupo Drainage Committee

Thursday 16 May 2019 in Ruawai

1 Opening

1.1 Karakia

1.2 Present

1.3 Apologies

1.4 Confirmation of agenda

The Committee to confirm the Agenda.

1.5 Conflict of interest declaration

Committee members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a committee member and any private or other external interest they might have. It is also considered best practice for those members to the Executive Team attending the meeting to also signal any conflicts that they may have with an item before Council.

2 Presentations and Petitions

3 Minutes

3.1 Confirmation of Raupo Drainage Committee minutes 21 February 2019

General Manager Governance, Strategy and Democracy

1603.23

Recommended

That the unconfirmed minutes of the Raupo Drainage Committee meeting held 21 February 2019 be confirmed as a true and correct record.

Meeting	Raupo Drainage Committee
Date	Thursday 21 February 2019
Venue	Raupo Drainage Board Offices – Wharf Road, Ruawai
Time	Meeting commenced at 10.10am Meeting concluded at 11.37am
Status	Unconfirmed

Minutes

Membership

Chair: Ian Beattie

Members: Greg Gent, David Hart, Brian Madsen, Ross McKinley, Ken Whitehead,
Councillor Anna Curnow, Mayor Jason Smith

Staff and Associates:

Land Drainage Co-ordinator, Governance Advisor (Minute-taker)

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Unconfirmed

**Minutes of the Ordinary meeting of the Raupo Drainage Committee
Thursday 21 February 2019 in Ruawai**

1 Opening
1.1 Present

Chair: Ian Beattie

 Members: Councillor Anna Curnow, Brian Madsen (left at 11.30am), Ross McKinley,
 Mayor Jason Smith and Ken Whitehead

In Attendance

Name	Designation	Item(s)
Wayne Crump	Drainage Co-ordinator	All
Tanya Wilson	Governance Advisor	All
Lisa Hong	Governance Advisor	All (minute-taker)

1.2 Apologies
Moved Beattie/Smith
That the apologies of Greg Gent and David Hart be received.
Carried
1.3 Confirmation of Agenda

The Committee confirmed the Agenda.

1.4 Conflict of Interest Declaration

Nil.

1.5 Deputations and Presentations
Clive Smith

Clive Smith spoke in the public forum regarding G Canal and Smiths Canal.

2 Confirmation of Minutes

2.1 Raupo Drainage Committee Minutes 15 November 2018

General Manager Governance, Strategy and Democracy 1603.23

Moved Curnow/Smith

That the unconfirmed minutes of the Raupo Drainage Committee meeting held on 15 November 2018 be confirmed as a true and correct record.

Carried

3 General

3.1 Raupo Drainage Committee Operations Update - November 2018 to January 2019

Land Drainage Coordinator 4303.24

Moved Beattie/McKinley

That the Raupo Drainage Committee notes the 'Raupo Drainage Committee Operations Update - November 2018 to January 2019' report.

Carried

3.2 Financial report for the period ended 31 December 2018

[The Committee requested staff investigate the administrative budget and power cost.]

Financial Services Manager 4303.24

Moved Curnow/Madsen

That the Raupo Drainage Committee receives the Raupo Drainage District financial report for the period ended 31 December 2018.

Carried

3.3 General Business

Land Drainage Coordinator gave a verbal update on the work programme.

[Secretarial Note: The Committee noted that the budget allocated to Murphy Bowers Stopbank will not be required for 2018/2019 and requested staff to proceed with the previously committed work programme, and requested staff to report updates on the Murphy Bowers Stopbank.

The Committee noted that all queries regarding the Ruawai Stopbank Walkway Cycletrack will be forwarded to the Ruawai Promotions and Development Group.]

4 Public Excluded minute items 21 February 2019

The meeting went into Public Excluded session at 11.15am.

Moved Curnow/Beattie

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

- *rental property behind Raupo Drainage Board Office - verbal update*

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>Rental property behind Raupo Drainage Board Office - verbal update</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

5 Open minutes 21 February 2019

The meeting returned to open session at 11.25am.

Brian Madsen left the meeting at 11.30am.

Closure

The meeting closed at 11.37am.

Confirmed:

Chair:

Kaipara District Council

Dargaville

Unconfirmed

4 Decision

Raupo Drainage Board Election 2019

Meeting: Raupo Drainage Committee
Date of meeting: 16 May 2019
Reporting officer: Lisa Hong, Governance Advisor

Purpose/Ngā whāinga

To inform the Committee of the intended timeline for the 2019 Raupo Drainage Board election.

Executive summary/Whakarāpopototanga

The Raupo Drainage Board elections will be held before the triennial local body election in October 2019. After the Council elections in October, Council will appoint elected member(s) to sit on the Committee with the Board members.

Recommendation/Ngā tūhunga

That the Raupo Drainage Committee:

- a) Notes the draft timeline for the 2019 Raupo Drainage Board election as below:

Early July	Media campaign starts (council website, local newspaper)
Friday 05 July	Mail-out to all Raupo Drainage Targeted Rate ratepayers
Friday 12 July	Nominations open
Friday 09 August	Nominations close
Wednesday 14 August	Ballot papers mailed out
Saturday 07 September	Election day, voting to close at noon
Monday 09 September	Provisional result
Monday 16 September	Final results

Context/Horopaki

The Raupo Drainage Committee was established in the Local Government (Northland Region) Reorganisation Order 1989 (gazetted 13 June 1989):

- (1) *The area of the former Raupo Drainage District is hereby deemed to be a drainage area constituted under section 504 of the Local Government Act 1974 to be known as "The Raupo Drainage Area".*
- (2) *The Kaipara District Council shall establish and maintain a committee to be known as "The Raupo Drainage Committee" which shall comprise not less than four persons who are ratepayers in respect of the Raupo Drainage District.*
- (3) *The functions of the Raupo Drainage Committee shall be:*
 - (a) *To express the views of the ratepayers of the Raupo Drainage District to the Kaipara District Council; and*
 - (b) *To perform such functions and exercise such powers, in respect of the Raupo Drainage Area, as may from time to time be delegated to it by Kaipara District Council.*

The newly-formed Kaipara District Council decided that the Raupo Drainage Committee comprises five elected representatives from the Raupo drainage area and two ward councillors, and delegated to set the annual works budget and recommend drainage rating levels (07 December 1989).

Subsequent council decisions followed a similar vein, the latest being the adoption of the 'Raupo Drainage Committee – Triennial Election Rules' (09 February 2016) and the Raupo Drainage Committee Terms of Reference (adopted as part of the Local Governance Statement on 14 March 2017, last updated 17 April 2019).

The Triennial Election Rules outlines the current elections rules and process to be followed for the election of this committee (**Attachment A**). The Terms of Reference outlines the current delegations and powers of this committee (**Attachment B**).

Discussion/Ngā kōrerorero

The current policy (Attachment A) states that an election of 'not less than four' representatives from the Raupo Drainage area. Staff have reviewed the current policy and, allowing timing variations between 2016 and 2019, recommend the following tentative timeline for the 2019 elections:

Early July	Media campaign starts (council website, local newspaper)
Friday 05 July	Mail-out to Raupo Drainage Targeted Rate ratepayers
Friday 12 July	Nominations open
Friday 09 August	Nominations close
Wednesday 14 August	Ballot papers mailed out
Saturday 07 September	Election day, voting to close at noon
Monday 09 September	Provisional result
Monday 16 September	Final results

Financial implications

Election costs include postage and printing, advertising and staff time. If an election is run, this cost will be incorporated within council budgets.

Risks and mitigations

The purpose of an elected committee is democratic representation. The main risk is in not achieving this through a fair and free election process. Using a pre-determined process incorporating direct communication with the voters, mitigates this risk.

Additional Board members

In 2016, the commissioners received six nominations and decided to appoint all six nominees rather than hold a full election (23 August 2016). If a similar situation occurs, the issue will be resolved by the sitting council.

If there is a situation where the number of nominations is the same as or less than the vacancies (historically five), an election will not need to be held.

Significance and engagement/Hirahira me ngā whakapāpā

Staff will directly communicate with the Raupo Drainage Targeted Rate ratepayers through mail-out campaign, supported by information in the local newspaper and on the council website.

Next steps/E whaiake nei

Staff will facilitate the process for the 2019 Raupo Drainage Board elections. If an election is not required (a situation where the number of nominations is less than or the same as the number of vacancies), this will become clear after nominations close.

Attachments/Ngā tapiritanga

Number	Title
A	Raupo Drainage Committee – Triennial Election Rules
B	Raupo Drainage Committee Terms of Reference

Lisa Hong, 27 April 2019

Raupo Drainage Committee: Triennial Election Rules

Background

The Raupo Drainage Committee is a committee of Council established under the Local Government (Northland Region) Re-organisation Order 1989.

Included in that Order is that

The Kaipara District Council shall establish and maintain a committee to be known as “The Raupo Drainage Committee” which shall comprise not less than four persons who are ratepayers in respect of the Raupo Drainage District.

Election Rules and Processes

- 1 The Chief Executive of Kaipara District Council (Council) acts as the returning Officer for the Raupo Drainage Committee (RDC) Election.
- 2 The triennial Election is scheduled to take place the first Saturday in September in each year that the Local Government Elections take place. The next will be the Saturday 03 September 2016.
- 3 All ratepayers in the Raupo Drainage District are eligible to stand as candidates.
- 4 The Raupo Drainage District is defined as attached
- 5 Council will call for Nominations by:
 - a. Advertising on the Council website from up to eight weeks before the election date;
 - b. Advertising in local media in the same timeframe; and
 - c. A direct mail out to Raupo Ratepayers.
- 6 Candidates wishing to be nominated will need to complete a nomination form and have the form seconded by another Ratepayer.
- 7 Nominated candidates include a candidate statement of no more than 125 words which will be distributed with the ballot paper.
- 8 Nominations will close four weeks before the Election date.
- 9 If there are more nominations than vacancies then a ballot will be held.
- 10 If there are less nominations than vacancies, those nominated will be deemed elected and Council reserves the right to appoint further people to the Committee.
- 11 All ratepayers within the drainage district will be sent a ballot paper after nominations close.
- 12 Ballot papers can be posted back to the returning Officer or dropped off at the Council Offices.
- 13 On the day of the Election the Drainage Hall will be open to receive ballots. Voting will close at midday on Election Day.
- 14 The ballots will be counted at the drainage hall and verified.

- 15 Once the returning Officer is satisfied the results will be issued to each candidate. The result will be posted as a provisional result on the Council website.
- 16 Candidates wishing to raise concerns or issues about the result must do so in writing to the returning Officer within seven days of the result being declared.
- 17 The result will be declared formal after seven days.
- 18 The Election is held as a First Past the Post multi – member election.
- 19 Candidates are randomly allocated onto the ballot paper.
- 20 Voters place a tick next to any candidate they wish to vote for, so long as the number of ticks is no more than the number of candidates.
- 21 In the event of a tie lots will be drawn to establish a winner.
- 22 The successful candidates will take office after the result is declared formal and will remain in office for the full triennium. Terms of office expire on the next Election Day.
- 23 Where a successful candidate resigns from office during the triennium, or is unable to serve the full term then RDC can appoint additional committee members (if they wish) for the rest of the term. No by-elections take place for RDC.

2016 Election Timetable – Raupo Drainage Committee

- 01 July 2016 – Nominations open.
- 08 July 2016 – Mail out to all Ratepayers in the district.
- 05 August 2016 – Nominations Close.
- 09 August 2016 – Ballot papers mailed out.
- 03 September 2016 – Election Day. Voting closes at midday.
- 05 September 2016 – Provisional Result.
- 10 September 2016 – Final Result, successful candidates receive formal acknowledgement.

Raupo Drainage Committee Terms of Reference

Reports to:	Full Council
Chair:	Ian Beattie
Membership:	David Hart, Greg Gent, Brian Madsen, Ross McKinley and Ken Whitehead Mayor Jason Smith and Councillor Anna Curnow
Meeting frequency:	Four times a year
Quorum:	Four, one of which must be a Council representative

The Raupo Drainage Committee was established under the 1989 Reorganisation Order to provide Governance of the Drainage District. It is a co-governance Committee between Council and ratepayers.

Purpose

Drainage, stopbanks and flood protection governance in the Raupo Drainage District.

Responsibilities

- Advise Council on the work programme for land drainage maintenance;
- Create a contact point for land drainage issues;
- Feedback between ratepayers combine with above;
- Input into the Asset Management Plan.

Delegations

- To review and make recommendations on a proposed annual work programme and budget;
- To recommend any policy development with regard to Raupo land drainage.

Membership review

- Ratepayer representatives are elected prior to each triennial local body election;
- If a vacancy occurs in the ratepayer representatives then the Committee can co-op an eligible ratepayer for the rest of the term.

Communications

- The Committee Chair is the authorised spokesman for the Committee in all matters where the Committee has a particular interest'
- Committee members, including the Chair, do not have delegated authority to speak to the media on behalf of Council on matters outside the Committee's interest;
- Council's Governance, Strategy and Democracy Team will manage and support formal communications between the Committee and Council and for the Committee in the exercise of its business;
- Any member of the Committee may request a particular item be added to the Agenda through Council's General Manager Governance, Strategy and Democracy.

Conduct

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members Interest) Act 1968 and Kaipara District Council's Standing Orders and Code of Conduct.

Remuneration

- Elected members will be reimbursed in accordance with the determination set by the Remuneration Authority under s255(5) and clause 18 of Schedule 15 of the Local Government Act 2002 and Council's Current Elected Members Expenses Policy.
- External members will be reimbursed their travel to and from duly called meetings of the Committee on the same basis as the Elected Members Expenses Policy.

Funding and budgets

Funding for the Committee will align with Council's Annual and Long Term Plans.

5 Information

Raupo Drainage Committee Operations Update – February 2019 to April 2019

Meeting: Raupo Drainage Committee
Date of meeting: 16 May 2019
Reporting officer: Wayne Crump, Land Drainage Coordinator

Purpose/Ngā hāinga

To present the operational report for the Raupo Drainage District for the February 2019 to April 2019 period so the Committee can be well-informed.

Recommendation/Ngā tūhunga

That the Raupo Drainage Committee notes the 'Raupo Drainage Committee Operations Update – February 2019 to April 2019' report.

Executive summary/Whakarāpopotanga

A summary of activities, operations and maintenance work carried out over the months of February to April 2019 is reported below. This follows a work programme that is discussed with the Committee at the meeting.

Discussion/Ngā kōrerorero

The following is a summary of activities, operations and maintenance work carried out over the months of February to April 2019:

Stopbanks

A further section (156m) of stopbank widening and raising has been completed between Simpson Road and Wilson Landing Road. This now leaves a further (105m) to complete this section of stopbank. Ruawai Transport supplied approximately 3,200t of limestone strippings at approximately \$22,000. A further 112t of crushed limestone was required on the running track area - digger hire to strip back the area, spread and compact the strippings, reinstate the stopbank and running track was approximately \$12,000.

Sections of stopbank on G Canal near the old dump site (Mapau Road) and Floodgate No.11 (Reid property entrance) have been built up to prevent over topping during spring tides.

A heavier forestry type gate has been installed at Floodgate No.39 (Westlake Road entrance). This gate was cost shared with the Ruawai Cycleway Group. Closure of the stop access to vehicles from Westlake Road to Simpson Road has been advertised and completed. The existing stopbank gates have been closed and spalls placed behind the gates to prevent access.

Floodgates

Repairs have been made to the sluice gate on Drain No.3 at the Hodgson/Access Roads intersection due to vehicle damage, and repairs have been completed to the door lifting assembly of Floodgate No.6 (Tramline).

Machine cleaning

Machine cleaning has been completed on part of the top section, of drain No.39 from the Burton property (Robertson to Access Roads) to the Fenny property. Cleaning and the deposit of cleanings was completed on the landowners property. Further cleaning will require traffic management to clean from the road in areas not accessible, and to cart the cleanings away. Culverts have been hand-cleaned and cleanings will be taken away at this time. Levels were taken between the various culverts to ensure the correct fall and any further improvements would require the lowering of some culverts.

Machine clean is still to be done in the Fenny property drain No.35 from State Highway 12 to No.1. Damaged culverts are to be replaced at this time to provide spray access. Machine cleaning is required at drain No.102 (Domain Road) into No.45 Wilson Landing Road. Machine cleaning is required at drain No.107 State Highway 12 to Te Kowhai Road.

Drain spraying

The second round of drain spraying began in the middle of March spraying areas of concern in sections one and two of the district. The recent weather had assisted rapid weed growth while the bottom of the drains were still dry and cracked open. The main round began in mid-April (with the main canals being completed first) and is continuing.

Rental House

Discussion was held at the last meeting regarding the Raupo rental house, and the legal requirements for ceiling and underfloor insulation by 30 June 2019. Ceiling and underfloor insulation was installed in the house in February 2011 at a cost of \$1,943.91 (which attracted a Government subsidy). The installation of home heating will be required by 2021.

Financial implications

It is the Land Drainage Coordinator's responsibility to ensure all operations are conducted within budget.

Policy and planning implications

The financial budgets are set within the LTP and respective Annual Plan process.

Risk implications

There are no known risks at this time.

Significance and engagement/Hirahira me ngā whakapāpā

This matter does not trigger Council's Significance and Engagement Policy.

Wayne Crump, 03 May 2019

Raupo Drainage District

Financial report for the period ended 31 March 2019

Raupo Drainage District	Actual year ended 30.06.2018	Budget year ended 30.06.2019	Actual period ended 31.03.2019
Funds/Deficit from prior period	308,754	-	196,852
Rent received	8,960	8,016	6,810
Rates	348,421	394,968	295,930
Funds available	666,135	402,984	499,592
Administration Costs (note 3)	39,639	45,492	33,200
Professional Services (note 4)		55,112	-
Committee Costs	1,200	2,580	950
Maintenance Costs (note 1)	149,509	188,588	78,958
Total Operating Costs	190,348	291,772	113,108
Total Capital costs (note 2)	278,935	128,500	4,000
Total Costs	469,283	420,272	117,108
Funds Passing to Future Period	196,852	- 17,288	382,484

Note 1

Maintenance Analysis	Actual year ended 30.6.2018	Budget year ended 30.06.2019	Actual period ended 31.03.2019
Floodgates	25,374	24,996	2,963
Pumps	1,200	5,004	2,080
Machine Cleaning	20,592	20,000	6,406
Spraying	81,294	83,000	56,947
Stopbanks	11,514	40,000	983
Miscellaneous (incl garage)	2,717	9,996	3,971
Power	3,255	996	1,548
Insurance	415	1,500	290
Rates payments	1,994	2,100	2,549
Rate remissions	1,152	996	1,222
Total maintenance	149,509	188,588	78,958

Note 2

Capex Analysis	Actual year ended 30.6.2018	Budget year ended 30.06.2019	Actual period ended 31.03.2019
Floodgates	190,427	128,500	4,000
Pumps			
Stopbanks	64,677		-
Miscellaneous	23,832		
Total capital expenditure	278,935	128,500	4,000

Note 3

Administration costs Analysis	Actual year ended 30.6.2018	Budget year ended 30.06.2019	Actual period ended 31.03.2019
Financial costs		-	278
Office administration		1,596	-
Administration costs		5,820	4,365
Department costs		38,076	28,557
Total administration costs	-	45,492	33,200

Note 4

Professional Services costs Analysis	Actual year ended 30.6.2018	Budget year ended 30.06.2019	Actual period ended 31.03.2019
Management Services		50,000	-
Valuation Services		5,112	-
Total professional services costs	-	55,112	-

Explanation of Administration and Professional services costs

Note 3

	Budget year end 30.06.2019	Actual period ended 31.03.2019
Administration Costs:		
Financial costs include bank fees and charges, and bad debts write off costs.	-	278
Office administration includes advertising, printing and stationery and scanning costs	1,596	0
Administration costs are expenses incurred from Council's operations	5,820	4,365
Department costs - are the costs directly related to the management of Raupo Drainage District operations	38,076	28,557
Total administration costs	45,492	33,200

Note 4

Professional Services		
<p>Management services - The budget of \$50,000 is for Hydraulic stormwater modelling and was included in the Raupo Drainage District's financial reports for the February 2019 meeting under the Administration costs. Going forward this is now separated out and shows as a separate entry under Professional services.</p> <p>At the November 2018 meeting the Committee resolved to use this money to fund the Murphy Bowers stopbank. There is also another \$50,000 that has been budgeted for the 2019/20 financial year for a catchment plan.</p>	50,000	-
Valuation services - are costs incurred for assets revaluation at end of financial year	5,112	-
Total professional services costs	55,112	-

Murphy Bower stopbank update

Meeting: Raupo Drainage Committee
Date of meeting: 16 May 2019
Reporting officer: Matthew Smith, Planning Engineer

Purpose/Ngā whāinga

To update the Raupo Drainage Committee on the Murphy Bower Stopbank issue.

Executive summary/Whakarāpopototanga

The Murphy Bower stopbank issue is ongoing. The Bower's legal team and technical advisers have had the opportunity to review all the documentation and have advised that they will provide Council with a response by 31 May 2019.

Recommendation/Ngā tūhonga

That the Raupo Drainage Committee:

- a) Approves the engagement of full legal representation to confirm the appropriate statutory process in the event an amicable agreement cannot be reached with the landowner regarding the Murphy Bower stopbank issue.

Context/Horopaki

A section of the Raupo stopbank was removed in the past by the landowner and the section of stopbank that was installed as part of an act of additional land reclamation is substandard.

The new landowner was informed of this issue and was given the report showing the issue and the project scope to rectify this which was created in 2005. The landowner rejected the report and the project and subsequently Council has undertaken a second report after meeting with Mr Bowers and his team.

The new report was completed and the findings presented to the Raupo Drainage Committee (the Committee) and the Kaipara District Council (KDC) and then lastly to the landowner just prior to Christmas 2018. The Bower's team has reviewed these findings and held a meeting in the week of 29 April 2019, and has advised that they will respond to Council by 31 May 2019.

Discussion/Ngā kōrerorero

The process to date has been drawn out, but it is important to allow the landowner sufficient time to assess Council's proposal with the preferred outcome of agreeing an amicable solution with the landowner. If the issue is not able to be resolved by agreement with the landowner, Council may have to utilise its statutory powers to implement the proposed remedial works. There would be a risk that this process may then be challenged through the Courts by the landowner.

There are some options that need to be considered for our best way forward contained in the preliminary legal advice sought by Council. There are a few options open to us to use though it would be easier and less costly for both parties to avoid Council having to exercise its statutory powers.

We have been hoping to have some form of communication prior to this point, so that we are able to view the direction of the Bower's legal position and then identify the best way forward and what option to use, though at this point it seems best to focus on confirming the most appropriate option of utilising the statutory powers available, and what this would mean for the district and the Bowers.

Council officers recommend that we wait to see the direction of their argument before moving forward with preparing our rebuttal, understanding that this issue has been dragging on for some time.

Options

Option 1: Reach an amicable agreement with the landowner (Bower).

Option 2: Fully engage legal representation to confirm the appropriate statutory process to follow in the event an amicable agreement cannot be reached with the landowner (see Option 1), regarding the Murphy Bower stopbank issue.

Policy and planning implications

None.

Financial implications

1. Costs to appoint full legal representation - \$ undefined at this stage but likely to be in the order of \$15,000 to identify and implement the statutory process. Any challenges by the landowner would then lead to additional legal costs.
2. Costs to implement the preferred remedial works - \$375,000.

Risks and mitigations

Appointing full legal representation will provide the best ability to respond to the legal argument from the Bowers, and to confirm and implement the preferred statutory process (if required).

Reputational harm to Council and the Committee.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Approve the engagement of full legal representation for this issue.

Wait for the response to come from the landowner by the end of May 2019.

Request a further meeting with the landowner and their advisers with the aim of reaching an amicable agreement prior to proceeding with the statutory process (if required).

Matthew Smith, 02 May 2019

6 Public Excluded agenda items 16 May 2019

Recommended

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

- Confirmation of Public Excluded Raupo Drainage Committee minutes
21 February 2019

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 Raupo Drainage Committee minutes 21 February 2019	Section 7(2)(i) to 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.

7 Open agenda Raupo Drainage Committee 16 May 2019

Closure

Kaipara District Council
Dargaville