

## **Minutes of the Ordinary meeting of Kaipara District Council**

**Date:** 26 February 2020  
**Time:** 9:30 am – 3:01 pm  
**Location:** Mangawhai Club  
219 Molesworth Drive  
Mangawhai Heads

**Member Present** Mayor Jason Smith  
Deputy Mayor Anna Curnow  
Councillor Victoria del la Varis-Woodcock  
Councillor Karen Joyce-Paki  
Councillor Jonathan Larsen  
Councillor Mark Vincent  
Councillor Peter Wethey  
Councillor David Wills  
Councillor Eryn Wilson-Collins

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### **1. Opening**

#### **1.1 Karakia**

Cr Joyce-Paki opened the meeting with a karakia.

#### **1.2 Apologies**

Nil.

#### **1.3 Confirmation of agenda**

**Moved:** Mayor Smith

**Seconded:** Deputy Mayor Curnow

That the agenda for the 26 February 2020 meeting be confirmed.

**Carried**

## 1.4 Conflict of interest declaration

| Name      | Item   |
|-----------|--|
| Cr Wills  | 4.5 Kaihu raw water supply – Cr Wills declared conflict of interest and withdrew from the table. He did not participate in the discussion nor vote on this item. |
| Cr Wethey | 4.6 Rose Marsden Cottage Lease – Cr Wethey disclosed an interest due to his family's involvement in the Te Whai Trust.   |

## 2. Presentations and petitions

### 2.1 Presentation from Greg Gent on sales proceeds of Council property at 16 Ruawai Wharf Road, Ruawai

Greg Gent withdrew his request to speak at this meeting.

### 2.2 Petition from Mangawhai Activity Zone Trust (MAZ)

**Moved:** Cr Wethey

**Seconded:** Cr Larsen

That the Kaipara District Council:

- a) Receives the 'Petition from Mangawhai Activity Zone Charitable Trust (MAZ)' delivered to Council offices on 13 February 2020.
- b) Requests the Chief Executive investigate the issues raised in the petition and report back to Council.

**Carried**

### 2.3 Presentation from Albert Loots on Logan Street speed restrictions

Albert Loots spoke in the public forum.

### 2.4 Logan Street, Dargaville, speed restrictions petition

**Moved:** Cr Wilson-Collins

**Seconded:** Cr Joyce-Paki

That the Kaipara District Council:

- a) Receives the 'Logan Street, Dargaville, speed restrictions' petition dated 18 October 2019.

**Carried**

### 3. Minutes

#### 3.1 Confirmation of 11 December 2019 minutes

**Moved:** Mayor Smith

**Seconded:** Deputy Mayor Curnow

That the Kaipara District Council:

- a) Confirms that the minutes of the Council meeting held on 11 December 2019 is a true and correct record, with minor grammatical corrections.

**Carried**

### 4. Decision

#### 4.1 Response to the Logan Street, Dargaville, speed restrictions petition

**Moved:** Cr Wilson-Collins

**Seconded:** Cr Joyce-Paki

That the Kaipara District Council:

- a) Delegates the Chief Executive to take the Logan Street petition into consideration in the speed limits review of Dargaville Township in late 2020.
- b) Delegates to the Chief Executive to raise the Logan Street petitioners' concerns regarding the Heavy Vehicle Bypass route with the Northland Freight Group at its next meeting.

**Carried**

#### 4.2 Annual Plan 2020/2021

**Moved:** Mayor Smith

**Seconded:** Deputy Mayor Curnow

That the Kaipara District Council:

- a) Approves the proposed Annual Plan 2020/21 be prepared on the basis that the rates increase will be 5.49% after factoring in growth (Option One in the report).

**Carried**

**Crs Larsen and del la Varis-Woodcock requested their votes against to be recorded.**

The meeting adjourned for morning tea at 10:43 a.m.

The meeting to reconvened at 10:59 a.m.

#### 4.3 Procurement Strategy – Final for adoption

**Moved:** Deputy Mayor Curnow

**Seconded:** Cr Wills

That Kaipara District Council:

- a) Adopts Kaipara District Council Procurement Strategy 2019.
- b) Delegates to the Mayor and Chief Executive the authority to make minor editorial changes that do not alter the intent of the Kaipara District Council Procurement Strategy 2019.

**Carried**

#### 4.4 Kaipara water restrictions

**Moved:** Cr Wilson-Collins

**Seconded:** Cr Joyce-Paki

That the Kaipara District Council:

- a) Approves the urgent implementation of district wide Water Restrictions in accordance with Clauses 1609.1 and 1609.5 of Kaipara District Council's General Bylaws 2008.
- b) Delegates authority to the Chief Executive and the Mayor to impose water restrictions in future on any reticulated water supply in Kaipara District in accordance with Clauses 1609.2 and 1609.5 of Kaipara District Council's General Bylaws 2008.

**Carried**

#### 4.5 Kaihu raw water supply

[Secretarial Note: Cr Wills declared conflict of interest and withdrew from the table. He did not participate in the discussion nor vote on this item.]

**Moved:** Cr del la Varis-Woodcock

**Seconded:** Cr Joyce-Paki

That the Kaipara District Council:

- a) Approves that financial assistance by way of loan be given to identified affected dwelling owners in the Kaihu area to allow them to install water tanks on their property.

- b) Notes that statutory land charge will not be required where the land is Maori land.

**Carried**

#### **4.6 Rose Marsden Cottage Lease**

[Secretarial Note: Cr Wethey disclosed an interest due to his family's involvement in the Te Whai Trust.]

**Moved:** Cr Larsen

**Seconded:** Deputy Mayor Curnow

That the Kaipara District Council:

- a) Approves a surrender of the Lease of the Rose Marsden Cottage by Plunket NZ
- b) Approves a Licence to Occupy the Rose Marsden Cottage for Te Whai Community Trust.
- c) Delegates to the Chief Executive responsibility for negotiating the terms and conditions of the Deed of Surrender and Licence to occupy agreement.

**Carried**

#### **4.7 Environmental Awards Policy**

**Moved:** Cr del la Varis-Woodcock

**Seconded:** Deputy Mayor Curnow

That the Kaipara District Council:

- a) Adopts the Environmental Awards Policy at Attachment A of this report.
- b) Delegates to the Mayor and Chief Executive the authority to make minor editorial amendments that do not change the intent of the policy.

**Carried**

#### **4.8 Council Submission on the Draft National Policy Statement for Indigenous Biodiversity**

**Moved:** Cr del la Varis-Woodcock

**Seconded:** Cr Wilson-Collins

That the Kaipara District Council:

- a) Approves the Council Submission to the Ministry for the Environment, on the Draft National Policy Statement for Indigenous Biodiversity.
- b) Delegates the Mayor and Chief Executive the authority to approve editorial changes if required.

**Lost**

**A division was called, and voting was as follows:**

| <b><u>For</u></b>        | <b><u>Against</u></b> |
|--------------------------|-----------------------|
| Cr del la Varis-Woodcock | Deputy Mayor Curnow   |
|                          | Cr Joyce-Paki         |
|                          | Cr Larsen             |
|                          | Cr Vincent            |
|                          | Cr Wethey             |
|                          | Cr Wills              |
|                          | Cr Wilson-Collins     |
|                          | Mayor Smith           |

**The motion was declared lost.**

**The meeting adjourned for lunch at 12:45 p.m.**

**The meeting reconvened at 1:16 p.m.**

#### **4.9 Elected Member Code of Conduct**

**Moved:** Mayor Smith

**Seconded:** Cr Joyce-Paki

That the Kaipara District Council:

- a) Adopts the proposed Code of Conduct located at Attachment C of this report.
- b) Delegates the Mayor and Chief Executive the authority to make minor grammatical amendments that do not alter the intent of the code of conduct.

**Carried**

[Secretarial Note: Council voted unanimously to adopt the new Code of Conduct, passing the 75% threshold.]

#### 4.10 Review of Standing Orders

**Moved:** Mayor Smith

**Seconded:** Deputy Mayor Curnow

That Kaipara District Council:

- a) Agrees to retain the power to grant a member leave of absence following an application from that member (Standing Orders 13.3).
- b) Agrees to include the right for members to attend meetings via audio visual link, subject to approval from the Chairperson and other conditions within the Standing Orders (Standing Orders 13.7—13.16).
- c) Agrees that the Mayor will have a casting vote in cases of equality of votes, for matters of statutory compliance and deadlines only (Standing Orders 19.3).
- d) Agrees to default to Option A for moving and speaking (Standing Orders 22).
- e) Agrees to three clear working days for agenda distribution to members (Standing Orders 9.10) and three working days for public availability of agendas (Standing Orders 9.8).
- f) Agrees to the following time limits on speakers (Standing Orders 21.2):
  - Movers of motions when speaking to the motion – not more than 5 minutes
  - Movers of motions when exercising their right of reply – not more than 5 minutes
  - Other members – not more than 5 minutes.
- g) Agrees to delete Standing Orders 23.6 regarding Chairperson's power to include an amendment when moving to adopt a recommendation from a committee, to avoid confusion.
- h) Agrees to amend Standing Orders definitions (Standing Orders 2) and Appendix 11 to hold open Briefings and closed Workshops.
- i) Adopts the final Kaipara District Council Standing Orders incorporating the decisions above.
- j) Delegates to the Chief Executive to update Council policies to reflect the new Standing Orders.
- k) Delegates the Mayor and Chief Executive the authority to make minor grammatical changes only that do not alter the intent of the Standing Orders.

**Carried**

**A division was called, and voting was as follows:**

| <b><u>For</u></b>   | <b><u>Against</u></b>    |
|---------------------|--------------------------|
| Deputy Mayor Curnow | Cr del la Varis-Woodcock |
| Cr Joyce-Paki       |                          |
| Cr Larsen           |                          |
| Cr Vincent          |                          |
| Cr Wethey           |                          |
| Cr Wills            |                          |
| Cr Wilson-Collins   |                          |
| Mayor Smith         |                          |

**The motion was declared carried.**

[Secretarial note: The 75% threshold was passed.]

## **5. Information**

### **5.4 Quarterly Performance Measures Report for second quarter ending 31 December 2019**

[Secretarial Note: This item was taken out of order at the discretion of the Chair.]

**Moved:** Cr Wills

**Seconded:** Cr Wethey

That the Kaipara District Council:

- a) Notes the Quarterly Performance Measures Report for second quarter ending 31 December 2019.

**Carried**

### **5.5 Exceptions Report for December 2019 and January 2020**

[Secretarial Note: This item was taken out of order at the discretion of the Chair.]

**Moved:** Cr Wethey

**Seconded:** Cr Wilson-Collins

That the Kaipara District Council:

- a) Notes the Exceptions Report for December 2019 and January 2020.

**Carried**

**The meeting adjourned for afternoon tea at 2:29 p.m.**

**The meeting reconvened at 2:42 p.m.**



### **5.1 Clause 20A correction of the District Plan maps for digitisation**

**Moved:** Cr del la Varis-Woodcock

**Seconded:** Deputy Mayor Curnow

That Kaipara District Council:

- a) Notes the decisions made under delegation to correct various maps of the Operative District Plan with reference to the underlying land-use zonings.

**Carried**

### **5.2 Report on the 2019 election for Kaipara District Council**

**Moved:** Mayor Smith

**Seconded:** Cr Vincent

That the Kaipara District Council:

- a) Notes the report provided by Council's Electoral Officer on the operation of the 2019 local government elections for Kaipara District Council.

**Carried**

### **5.3 Decisions made under delegation during the 2019/20 summer recess period**

**Moved:** Cr Vincent

**Seconded:** Cr Wilson-Collins

That Kaipara District Council:

- a) Notes the 'Decisions made under delegation during the 2019/20 summer recess' report.

**Carried**

### **5.6 Resolutions Register update February 2020**

**Moved:** Cr Joyce-Paki

**Seconded:** Deputy Mayor Curnow

That the Kaipara District Council:

- a) Notes the Resolutions Register at 19 February 2020.

**Carried**

## 6. Closure

### 6.1 Karakia

Cr Joyce-Paki closed the meeting with a karakia.

**The meeting closed at 3:01 p.m.**

Confirmed 29 April 2020  
Chair Mayor Jason Smith  
Kaipara District Council