

**Minutes of the Ordinary Meeting of
Kaipara District Council**

Date: Wednesday, 11 December 2024
Time: 10.00 am – 1.11 pm
Location: Kaipara District Council
Mangawhai Conference Room
1c Molesworth Drive
Mangawhai

Members Present: Mayor Craig Jepson
Deputy Mayor Jonathan Larsen
Councillor Mike Howard
Councillor Gordon Lambeth
Councillor Ron Manderson
Councillor Ash Nayyar
Councillor Pera Paniora (joined 10.01 am, online, by video)
Councillor Mark Vincent
Councillor Rachael Williams
Apologies: Councillor Eryn Wilson-Collins

1. Opening

1.1 Apologies

Moved: Mayor Jepson
Seconded: Cr Williams

That the Kaipara District Council:

- a) Accepts the apology of Cr Eryn Wilson-Collins.

Carried

1.2 Confirmation of agenda

Moved: Mayor Jepson
Seconded: Cr Howard

That the Kaipara District Council:

- a) Confirms the agenda for the Meeting held 11 December 2024.

Carried

1.3 Conflict of interest declaration

Elected Member	Agenda Item
Deputy Mayor Larsen	Item 6.5 - Road naming applications for approval – December 2024

2. Public Forum

[Secretarial note: Cr Paniora joined the Meeting at 10.01 am, online, by video link.]

2.1 Presentation: The recent destruction of Kahikatea trees at the end of Kapawiti Rd, Mangawhai

Martina Tschirky presented this item.

[Secretarial note: the presenter tabled images at Minute Attachment A.]

3. Petitions

3.1 Petition – Completion of public walkway (Weka Street and Ulrich Drive, Mangawhai)

Nicola Jelcich and Michael Jelcich presented this item.

Moved: Mayor Jepson

Seconded: Cr Williams

That the Kaipara District Council:

- a) Notes the Statement of Petition and supporting signatures (**Attachment A**).
- b) Notes that staff will prepare a report to address the petition matter for the Council Meeting on the 26 February 2025.

Carried

4. Minutes

4.1 Confirmation of Open minutes 27 November 2024

[Secretarial note: an error was identified in the resolution title in the 27 November 2024 Minutes for item 4.9, 'Application for road legislation through stopping, exchange and vesting – Ball and Gillon Roads.' The correct word is 'legalisation,' not 'legislation.' This error was also in the agenda report title. The correction has been noted in the 27 November 2024 Council Meeting Minutes.]

Moved: Cr Williams

Seconded: Cr Howard

That the Kaipara District Council:

- a) Confirms the Open Council Minutes from 27 November 2024 as a true and accurate record.

Carried

5. Notice of motion

5.1 Mayor Craig Jepson - Mangawhai and the mangroves 2024

Moved: Mayor Jepson

Seconded: Deputy Mayor Larsen

That the Kaipara District Council:

- a) Approves making available on all council media channels the documentary Mangawhai and the Mangroves.

Carried

Cr Nayyar voted against the motion

6. Decision

6.1 Private Plan Change PPC84 (Mangawhai Hills) - Final decision

Moved: Cr Howard

Seconded: Cr Vincent

That the Kaipara District Council:

- a) Notes the Environment Court's decision (at **Attachment A**) NZEnvC317 2024 on Private Plan Change 84 Mangawhai Hills.
- b) Approves Private Plan Change 84 Mangawhai Hills, including the provisions outlined at **Attachment B**, the Structure Plan at **Attachment C** and the District Plan maps **Attachment D**, pursuant to Schedule 1, Clause 17, Resource Management Act 1991.
- c) Delegates authority to the Chief Executive to affix the seal of the Kaipara District Council to the private plan change.
- d) Delegates authority to the Chief Executive to publicly notify in accordance with Schedule 1, Clause 20, Resource Management Act 1991 that the 'operative date' will be 21 January 2025.

Carried

6.2 Government Local Water Done Well update and future options

[Secretarial note: Deputy Mayor Larsen left the Meeting at 11.02 am during questions.]

[Secretarial note: Deputy Mayor Larsen rejoined the Meeting at 11.04 am during questions.]

[Secretarial note: Cr Vincent left the Meeting at 11.04 am during questions.]

[Secretarial note: Cr Vincent rejoined the Meeting at 11.07 am during questions.]

Moved: Mayor Jepson

Seconded: Cr Howard

That the Kaipara District Council:

- a) Notes the information regarding the Local Government Water Services Preliminary Arrangements) Act 2024.
- b) Agree that the current preferred options and the options being modelled for consultation are shared services arrangements with single or multiple Councils, or a Northland multi-council Council Controlled Organisation (CCO).
- c) Supports regional collaboration with this initiative through the Mayoral Forum, with regular reporting to Council.
- d) Agrees that the Chief Executive continue investigations and identification of the two preferred options for consultation, to occur in conjunction with the 2025/26 Annual Plan, if time allows, or at a later date, before September 2025.
- e) Agrees the use of the Department of Internal Affairs to assist with completing a high-level analysis of the Northland Waters Council Controlled Organisation (CCO) option.
- f) Agrees on the use of consultants to provide a more detailed analysis suitable for consulting with the community, funded by the previously approved Better Off and Transition pool.
- g) Notes that significant engagement and collaboration will be necessary by all the participating Northland Councils (Whangarei District Council, Far North District Council and Kaipara District Council) for a Northland Waters Council Controlled Organisation (CCO) option to be fully explored.

Carried

6.3 Response to Regional Deals Invitation

[Secretarial note: Cr Nayyar left the Meeting at 11.25 am during questions.]

[Secretarial note: Cr Nayyar rejoined the Meeting at 11.26 am during statements.]

Moved: Mayor Jepson

Seconded: Cr Nayyar

That Kaipara District Council:

- a) Approves the preparation of a Regional Deal proposal for submission to central government.
- b) Agrees to collaborate with the other three Northland local authorities, Far North District Council, Whangārei District Council, and Northland Regional Council, as a single “region” for the purpose of the Regional Deal.
- c) Approves Northland Inc as the lead organisation responsible for coordinating the development of the Regional Deal proposal, with support from all four councils.
- d) Approves the Joint Regional Economic Development Committee as the governance entity responsible for the proposal
- e) Approves the amendment to the Joint Regional Economic Development Committee Terms of Reference as provided in Attachment D of this agenda item.
- f) Agrees that the Chair of the Northland Mayoral Forum be the spokesperson of the Regional Deal programme on behalf of the region.
- g) Notes that the Joint Regional Economic Development Committee may be required to meet outside of the normal council meeting cycle during the traditional Christmas recess period.
- h) Approves the Registration form being submitted by Northland Inc. on behalf of Northland Local Authorities (by 18 December 2024), following review by the Chief Executive.
- i) Notes that similar recommendations are being presented to Far North District Council, Whangārei District Council, and Northland Regional Council at their December 2024 meetings to ensure regional alignment and collaboration.

Carried

The Meeting adjourned at 11.33 am for a break.

The Meeting reconvened at 11.49 am.

6.4 Progressing the Multi-Agency Joint Emergency Coordination Centre

Moved: Mayor Jepson

Seconded: Cr Lambeth

That Kaipara District Council:

- a) Approves the Chief Executive entering into a Heads of Agreement (provided at Attachment A) with Northland Regional Council, Whangārei District Council and Far North District Council for a Multi-Agency Joint Emergency Coordination Centre, subject to satisfaction that:
 - i. Council has complied with all statutory, regulatory (and policy) obligations that relate to the Agreement; and
 - ii. The Agreement includes any conditions deemed to be reasonable and appropriate in his view, having taken legal or other professional advice, if required.
- b) Notes that the Kaipara District Council contribution of \$100,000 plus GST has been previously approved by Council and incorporated in budgets.
- c) Approves the \$100,000 + GST being transferred to the Northland Regional Council project budget as per the Agreement.

Carried

6.5 Road naming applications for approval – December 2024

[Secretarial Note: Deputy Mayor Larsen, having declared a conflict of interest in this item, removed himself from the table at 11.56 am.]

Moved: Mayor Jepson

Seconded: Cr Williams

That the Kaipara District Council:

- a) Approves the following road name for the application from Mangawhai Heads Holdings Ltd (Attachment A) – **Panorama Rise (private accessway)**.
- b) Approves the following road name for the application from Mangawhai Heads Holdings Ltd (Attachment A) – **Scenic Way (private accessway)**.
- c) Approves the following road name for the application from Helno Holdings Trust (Attachment B) – **Little Lane (private accessway)**.

Carried

[Secretarial Note: Deputy Mayor Larsen returned to the table at 12.03 pm.]

6.6 Application for Road Legalisation through Stopping, Exchange and Vesting – Pinaki Road

Moved: Mayor Jepson

Seconded: Cr Howard

That the Kaipara District Council:

- a) Approves the road realignment of a small section of Pinaki Road by way of legalisation, exchange and road stopping as described in the agreement pursuant to the PWA with Te Atarangi Trust which is attached to this report.
- b) Approves the vesting of the road severance of the part of Pinaki Road that is no longer required to Te Atarangi Trust.
- c) Delegates the Chief Executive responsibility for execution of the agreement pursuant to the PWA between Council and Te Atarangi Trust.
- d) Notes that the agreements once executed on behalf of Council will be forwarded to LINZ for final approval and process completion on behalf of the Minister of Lands.

Carried

7. Information

7.1 Mangawhai Summer Bus 2024-2025

Moved: Cr Howard

Seconded: Cr Nayyar

That the Kaipara District Council:

- a) Notes the Mangawhai Summer Bus 2024-2025 report.

Carried

8. Recommendation to move into Public Excluded Session – 11 December 2024

Moved: Mayor Jepson

Seconded: Cr Nayyar

The following recommendation is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6 and 7 of the Act.

On the grounds that matters will be prejudiced by the presence of members of the public during discussions on the following items, it is recommended:

Recommendation | Ngā tūtohunga

- a) That the following items are considered with the public excluded:

Item	Report Name	Reason for excluding the public	Grounds for excluding the public

1.1	Confirmation of Public Excluded Council minutes 27 November 2024	Decisions and information contained in the PEX minutes will be released publicly when appropriate. Please visit the meeting website for the latest information.	Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; (Section 7(2)(bii))
1.2	Kaipara District Community Housing Management – December 2024	To allow Council to consider a proposal to renew DCDB's Contract for Service to manage Council's community housing in Dargaville and Ruawai without disclosing commercially sensitive information.	Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; (Section 7(2)(bii))
1.3	Wood Street revitalisation and stormwater project approval	To protect commercially sensitive information related to the procurement plan and contract award for the Wood Street revitalisation and stormwater project until the contract is awarded and parties notified.	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); (Section 7(2)(i))
1.4	Metlifecare Retirement Villages Ltd Development Agreement	The report discloses sensitive details about Metlifecare's development plans and financial commitments.	Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; (Section 7(2)(bii))
1.5	Mangawhai Brown Road disposal field odour issues	This report refers to affected private persons and property.	Protect the privacy of natural persons, including that of deceased natural persons; (Section 7(2)(a))

Carried

The Meeting entered Public Excluded session at 12.14 pm.

9. Public Excluded agenda items 11 December 2024

The Meeting returned to Open session at 1.11 pm.

10. Return to Open session

11. Closure

The Meeting closed at 1.11 pm.