

Resolutions Register at 22 April 2020

Ref	Meeting Date	Item Number	Item Name	Resolution	Assigned	Status	Comments
1	11/07/2017	1.7.2	Notice of Motion 2, Councillor Larsen	1) That the Chief Executive develop a policy for the appointment of independent commissioners; and 2) That the policy include: a) the process for Council appointment to, and removal from the list of commissioners; and b) standardising of commissioner remuneration; and c) the requirement for Council approval of appointments of commissioners for resource consent hearings, and a procedure for appointment including: i) an alphabetical acceptance and refusal process to remove bias; and ii) a public register recording the process followed in point a); and iii) a process allowing applicants to refer disputes over appointments decisions to Council for resolution; and iv) mechanisms to allow qualified elected members to sit on hearing panels if Council decides to do so. 3) That the Chief Executive work with a committee to be recommended by the Mayor in developing the policy and procedure 4) That any related current delegations be amended to reflect policy 5) That the policy be presented to Council for approval at 09 October 2017 meeting.	GM T&E	In Progress	An updated draft of the policy was presented to the February 2020 Council briefing. Further work on this has been requested from the Council to be reported to a future Council briefing (scheduled for May 2020).
2	26/09/2017	6.6	Stopbank reinstatement - land known as Section 73 75 part 44 Block XV of the Tokatoka Survey District	3 Delegates responsibility to the interim Chief Executive to complete any associated works for the stopbank reinstatement of Raupo Drainage District flood protection based on feedback from community consultation and expert advice 4 Notes that the works are to be funded by Raupo Drainage Targeted Rate	GM IS	In Progress	Council made further decision on this issue in November 2018.
3	11/12/2017	6.5	Mangawhai Museum Partial Surrender of Lease	3 Approves the Partial Surrender of the Lease by the Mangawhai Museum 4 Approves the grant to the Mangawhai Museum of a non-exclusive licence to use the surrendered area for the use permitted in its lease 5 Delegates to the Acting Chief Executive responsibility for the finalisation of the Deed of Partial Surrender of Lease	GM IS	In Progress	The Deed of Partial Surrender can be finalised now with updated plans. However, the Museum has since advised they now want a new lease rather than a partial surrender. The Museum agreed to sign the new lease if Council seals carpark area they are surrendering. This was reported to the Mangawhai Community Park Governance Committee on 15 July 2019. The Committee deferred making a decision until more information on stormwater implications was known.

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4	23/05/2018	5.1.7	Issues and Options: Mangawhai Community Wastewater Scheme	<p>2 Approves the inclusion of \$20.05 million in the Long Term Plan 2018/2028 for the upgrade and extension of the Mangawhai Community Wastewater Scheme to accommodate new connections</p> <p>3 Agrees that the \$20.05 million shall be funded through debt</p> <p>4 Agrees that the growth portion of \$20.05 million debt servicing and financing be levied on future connections with the associated revenue raised from development contributions</p> <p>5 Notes that investigations of future disposal options to provide additional disposal capacity will be undertaken concurrently and a preferred option recommended to Council for approval</p>	GM IS	In Progress	Staff are looking to amend existing consent to increase capacity for future disposal as an initial option (estimate existing farm has 8-10 years' capacity). Staff will then progress acquiring the necessary resource consents for the preferred long term disposal option. Council briefing was provided in 2019. Staff are currently working through disposal options with landowners. WSP have been appointed to undertake the works.
5		5.1.15	Issues and Options: Pensioner Housing	<p>2 Approves the continued investigation of alternative options for the land it owns at Fagan Place in Mangawhai, including the possibility of working with external partners</p> <p>3 Requests the Chief Executive reports the results of the investigation to Council</p>	GM IS	Completed	Pensioners have been informed of Council's intent. Request for Expressions of Interest was published in November 2019, and expressions received are being evaluated.
6	26/07/2018	4.11	Mangawhai golf course Reserve status exchange and Golf Club surrender of lease / variation of lease or grant of new licence	<p>3 Approves the surrender of the Mangawhai Golf Club lease on Lot 33 DP 185449 and the driving range Licence to Occupy and agrees in principle to approve a new Licence to Occupy for the Mangawhai Golf Club in accordance with the Community Assistance Policy</p> <p>4 Directs the Chief Executive to publically notify Council's intention to grant the Mangawhai Golf Club a new Licence to Occupy as required in section 119 of the Reserves Act 1977, and to report back to Council on the results of this consultation so that Council can consider any submissions received in accordance with section 120 of the Reserves Act 1977</p>	GM IS	In Progress	Public notification was done in August 2018, with no objections received. Staff are in negotiation with the Golf Club on terms and conditions of the surrender and Licence to Occupy (LTO). Council's lawyers drafted an LTO for the Golf Club's consideration. Revised LTO was sent in May 2019. Meeting was held with the Golf Club in June 2019 to discuss the last remaining substantive issue, which is related to the rent review clause. The Club to provide a proposed revision in near future.
7	20/11/2018	4.7	Murphy Bower Stopbank Options Report	<p>3 Resolves that the Murphy Bower stopbank located on SECT 73 75 PT 44 BLK XV TOKATOKA SD is remediated as per Option C of the aforementioned report – the remediation of the stopbank along the approximately 300m long section outlined under New Stop Bank and the upgrade of the existing section of the stopbank as highlighted by the area marked under Option 2 as per Fig 1 in Appendix A of the aforementioned report, without associated ground improvements i.e. construct the proposed stopbank to a standard no less than the existing stopbanks within the Raupo Drainage District at an estimated cost of \$375,000 + GST</p> <p>4 Resolves to defer the following Raupo Drainage District capital works and operational projects to fund the proposed stopbank:</p>	GM IS	In Progress	Meeting with landowner was requested but not accepted. Details were sent to landowner's legal advisors. If no agreement can be reached with the landowner regarding approval to enter private property to undertake the works, then Council will need to proceed with statutory process to obtain authority to enter property to construct the public works. No contact from the landowner as promised on 31 May. KDC engaged legal representation.

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				a) \$128,000 to come from financial year capital works projects; b) \$50,000 from Management services (identified to start hydraulic modelling); c) \$42,000 from the stopbank maintenance budget 5 Resolves to approve an additional Raupo Drainage District capital budget of \$45,000 to be loan funded			
8	28/02/2019	4.1	Notice of Motion, Councillor del la Varis-Woodcock	a) Establishes an award for Kaipara citizens (and/or organisations), who have contributed to the environmental good of the Kaipara District. b) Agrees that this award is judged on environmental leadership and actions including (but not restricted to) the protection, enhancement, and kaitiakitanga of natural resources and ecosystems; sustainability in enterprise, and environmental education and awareness raising c) Agrees that a committee of suitably informed and qualified members will be established for determining the award recipient(s) d) Requests that the Chief Executive i. drafts an Award Policy with the frequency (to be determined), categories, and criteria for this Kaipara Environmental Award; ii. drafts a Terms of Reference for the establishment of the aforementioned Committee; iii. brings the draft Policy and Terms of Reference back to Council for approval, with a report that includes any possible costs to council for the establishment of the Award and the Committee.	GM T&E	Completed	The Environmental Awards Policy was adopted at the February 2020 Council meeting.
9	27/06/2019	4.4	Policy on Dogs and Dog Management Bylaw 2019 – Adoption	a) Adopts the Policy on Dogs and Dog Management Bylaw 2019 as presented in Attachment C to the circulated “Policy on Dogs and Dog Management Bylaw 2019 – Adoption” report b) Directs the Chief Executive to undertake a review of the effectiveness of the Policy on Dogs and Dog Management Bylaw 2019, 12 months after its adoption and to report back to Council on the review findings	GM T&E	In Progress	Bylaw implementation was delayed by 6 months, so 12 months of evidence not yet collected to provide robust and sufficient information. Will report to Council following the completion of 12 months of the bylaw being implemented, in early 2021.
10	29/08/2019	4.1	Independent Planning Functions Review	b) Requests the Chief Executive implement the recommendations provided by Barker & Associates and set out in Appendix 7 of the above report	CE	In Progress	Audit, Risk and Finance Committee has been updated on the progress. Implementation remains on the Executive Team's priority list.
11	26/09/2019	5.2	Kaipara District Council Dog Control Annual Report 01 July 2018 to June 2019	a) Adopts the ‘Kaipara District Council Dog Control Annual report for the 12 months ending 30 June 2019’ (circulated as Attachment A to the above mentioned report) and forwards it to the Secretary for Local Government, in terms of s10A(1) and s10A(2) of the Dog Control Act 1996 b) Delegates the Chief Executive and the Mayor to approve minor typographical changes that do not alter	GM CE	Completed	

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				the intent of the information in the 'Kaipara District Council Dog Control Annual report for the 12 months ending 30 June 2019'			
12		5.3	Kaipara Territorial Authority Annual Report under the Sale and Supply of Alcohol (Fees) Regulations 2013 – 01 July 2018 to 30 June 2019	a) Adopts the 'Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2018 to 30 June 2019', circulated as Attachment A to the afore mentioned report, and makes it publically available to meet the requirements of s19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 b) Delegates the Chief Executive to approve minor typographical changes that do not alter the intent of the information in the 'Kaipara Territorial Authority Annual Report – Kaipara District Licensing Committee Proceedings for the period 01 July 2018 to 30 June 2019'	GM CE	Completed	
13		5.5	Development contributions for first response or community organisations	a) Notes the status quo with regard to development contributions charged to a first response or community organisation and that, in this instance, no remission been given and they be directed to apply for the applicable grant on their building and resource consent b) Requests the Chief Executive review the Development Contributions Policy for consistent approaches for both first response services; and community organisations	GM SGI	In Progress	Fire Service has been contacted and understands it can apply for grants. Review of the Development Contributions will be part of the 2021/2031 Long Term Plan process.
14	27/11/2019	5.7	Partial Road Stopping & Disposal – 35d Taranga View Road, Mangawhai	a) Agrees that the subject land is not required for further public works. b) Agrees to investigate the road stopping application in terms of the Local Government Act 1974 (LGA) of part of Seacoast Road (0.1014 ha) approximately for potential sale and amalgamation to the adjoining property owner at 35d Taranga View Road, Mangawhai. c) Requests Council staff seek an appropriate bond from the Applicant to cover initial Council processing costs and commence LGA stopping process d) Confirms that the applicant is to meet all costs involved with road stopping application. e) Requests Council staff firstly seek Ministerial approval for the partial stopping in accordance with Sec 342 pf the LGA and if Ministerial approval granted; i. Authorise Council officers to initiate the road stopping process for the road land in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974. ii. Approve the disposal of the (subject land) to the Owners of 35d Taranga View Road subject to a successful road stopping process.	GM IS	In Progress	Staff are progressing the agreement to secure a bond payment.

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				f) Delegates the Chief Executive the authority to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the road land with the adjoining owner, 35d Taranga View Road, Mangawhai, provided any such agreement is conditional upon the road being stopped.			
15	11/12/2019	5.3	Telecommunications lease - Kopuru Domain, Glinks Gully	a) Resolves that public notification of the intention to grant a telecommunications tower is not required as the Kopuru reserve, Glinks Gully, is not likely to be materially altered or permanently damaged; and the rights of the public in respect of the reserve are not likely to be permanently affected - by the granting and lawful exercise of the rights and powers contained in the licence. b) Approves a licence for a telecommunication tower on the Kopuru Domain at Glinks Gully to the Rural Connectivity Group. c) Delegates to the Chief Executive responsibility for negotiating the terms and conditions of the licence to the Rural Connectivity Group.	GM IS	In Progress	Staff are finalising the licence agreement with the Rural Connectivity Group.
16		5.10	Dargaville Pontoon Asset	a) Notes that work is ongoing over the 19/20 Summer break to progress the delivery of the Dargaville Pontoon to agreed timeframes b) Agrees that the Dargaville Pontoon becomes a Council owned asset upon completion of the project c) Notes that if Council agree the Dargaville pontoon becomes a Council owned asset, maintenance costs of \$5,000 - \$7,500 for Year 2 (19/20) and \$10,000 - \$13,000 of Year 3 (20/21) of the Long-term Plan will be incurred, with these costs funded from current operating budgets. d) Agrees with the proposed establishment of a specific coastal structure maintenance budget to fund the estimated maintenance costs for wharf infrastructure developed through Provincial Growth Funding, as part of decision-making in the Long Term Plan 2021-2031.	GM T&E	In Progress	a) The procurement process for Head Contractor, Construction is currently open, appointment expected end of March but has been extended. b) Noted - Confirmed c) Noted - Confirmed d) These decisions will be incorporated into our financials for future years. Procurement process has been delayed 4 weeks due to inability to price all components of contract in Level 4 lockdown. Appointment now expected end of April.
17	26/02/2020	2.2	Petition from Mangawhai Activity Zone Trust (MAZ)	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.	GM T&E	In Progress	This will be reported to the April 2020 Council meeting. The lead petitioner has been informed.
18		4.1	Response to the Logan Street, Dargaville, speed restrictions petition	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	GM IS	Completed	

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				Vehicle Bypass route with the Northland Freight Group at its next meeting.			
19		4.2	Annual Plan 2020/2021	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).	GM SGI	In Progress	Due to the COVID-19 epidemic, this issue is now under re-consideration. A report on this topic is on the April 2020 Council agenda.
20		4.3	Procurement Strategy – Final for adoption	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.	GM IS	Completed	
21		4.4	Kaipara water restrictions	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.	GM IS	Completed	
22		4.5	Kaihu raw water supply	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.	GM SGI	In Progress	
23		4.6	Rose Marsden Cottage Lease	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.	GM IS	In Progress	Staff are preparing an LTO for the Te Whai Trust.
24		4.7	Environmental Awards Policy	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.	GM T&E	Completed	
25		4.9	Elected Member Code of Conduct	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.	GM T&E	Completed	
26		4.10	Review of Standing Orders	a) Agrees to retain the power to grant a member leave of absence following an application from that member (Standing Orders 13.3).	GM T&E	Completed	

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				<p>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).</p> <p>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).</p> <p>d) Agrees to default to Option A for moving and speaking (Standing Orders 22).</p> <p>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).</p> <p>f) Agrees to the following time limits on speakers (Standing Orders 21.2):</p> <ul style="list-style-type: none"> ▪ 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. <p>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.</p> <p>h) Agrees to amend Standing Orders definitions (Standing Orders 2) and Appendix 11 to hold open Briefings and closed Workshops.</p> <p>i) Adopts the final Kaipara District Council Standing Orders incorporating the decisions above.</p> <p>j) Delegates to the Chief Executive to update Council policies to reflect the new Standing Orders.</p> <p>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.</p>			
27	23/03/2020	2	Decision-making arrangements: COVID-19 Pandemic	<p>a) Notes that the Department of Internal Affairs is currently investigating drafting an Order in Council to amend the statutory requirement for a physical quorum to be present to constitute local authority meetings, allowing for meetings of Council to be held electronically</p> <p>b) Notes that if such an Order in Council were to be enacted, Kaipara District Council may further require an additional, more flexible urgent decision-making process</p> <p>c) Delegates the power to make urgent decisions on behalf of the Council or its committees, to the Mayor, Deputy Mayor and Councillor Wethey (or a substituted</p>	GM T&E	In progress	<p>The COVID-19 Response (Urgent Management Measures) Legislation Act 2020 was passed on 25 March 2020 to enable local authorities to hold virtual meetings while COVID-19 epidemic notice is in force.</p> <p>Decisions made during this period will be reported on at the first Council meeting, after the pandemic is declared over.</p>

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				<p>elected member should one of the three members listed become incapacitated)</p> <p>d) Notes that the above delegation (c) will only be used for decisions which;</p> <ul style="list-style-type: none"> i. are urgent, and ii. are recommended to decision-makers by the Chief Executive, and iii. are to be made in a period where it is not possible to convene a physical or electronic Council meeting due to the COVID-19 situation and iv. Council is statutorily able to delegate <p>e) Notes that when the urgent decision-making process is exercised, instances will be reported to the first subsequent Council or relevant committee meeting</p> <p>f) Notes that where statute states that decision-making cannot be delegated, arrangements will be made to delay the decision until a Council meeting can be convened in a manner that ensures the health and wellbeing of people involved</p> <p>g) Approves the budgeted financial delegation of the Chief Executive be increased to up to \$1 million to ensure contractual arrangements can continue to be met and established, only when it is not possible to convene a decision making meeting of Council, and the matter is of a time critical and urgent nature</p> <p>h) Agrees that the above delegation (g) is provided for expenditure that is included in the Council's current approved Long-term Plan and budgeted for the year it is to be spent over the period</p> <p>i) Approves an unbudgeted financial delegation of up to \$100,000 for the Chief Executive to ensure efficient management of unforeseen operational expenses due to COVID-19</p> <p>j) Agrees that all delegations (recommendations c, g and i) will remain in force until the pandemic is declared over, or advice is received from the Government instructing all government agencies and authorities to return to normal business status, or Council decides to do so</p> <p>k) Notes that the delegation provided to Councillor Curnow in December 2019 to declare a state of local emergency in the event the Mayor may be unavailable, remains in force.</p>			