

## Resolutions Register at 21 May 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	<p>1) That the Chief Executive develop a policy for the appointment of independent commissioners; and</p> <p>2) That the policy include:</p> <ul style="list-style-type: none"> <li>a) the process for Council appointment to, and removal from the list of commissioners; and</li> <li>b) standardising of commissioner remuneration; and</li> <li>c) the requirement for Council approval of appointments of commissioners for resource consent hearings, and a procedure for appointment including: <ul style="list-style-type: none"> <li>i) an alphabetical acceptance and refusal process to remove bias; and</li> <li>ii) a public register recording the process followed in point a); and</li> <li>iii) a process allowing applicants to refer disputes over appointments decisions to Council for resolution; and</li> <li>iv) mechanisms to allow qualified elected members to sit on hearing panels if Council decides to do so.</li> </ul> </li> </ul> <p>3) That the Chief Executive work with a committee to be recommended by the Mayor in developing the policy and procedure</p> <p>4) That any related current delegations be amended to reflect policy</p> <p>5) That the policy be presented to Council for approval at 09 October 2017 meeting.</p>	GM T&E	In Progress	An updated draft of the policy was presented to the February 2020 Council briefing. The policy is reported to this May Council meeting for possible adoption.
2	26/09/2017	6.6	Stopbank reinstatement - land known as Section 73 75 part 44 Block XV of the Tokatoka Survey District	<p>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</p> <p>4 Notes that the works are to be funded by Raupo Drainage Targeted Rate</p>	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	<p>3 Approves the Partial Surrender of the Lease by the Mangawhai Museum</p> <p>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</p> <p>5 Delegates to the Acting Chief Executive responsibility for the finalisation of the Deed of Partial Surrender of Lease</p>	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	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.
6	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> <p>a) \$128,000 to come from financial year capital works projects;</p> <p>b) \$50,000 from Management services (identified to start hydraulic modelling);</p> <p>c) \$42,000 from the stopbank maintenance budget</p>	GM IS	In Progress	<p>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.</p> <p>Negotiations with landowner are reaching conclusion. Statutory process to commence by 1<sup>st</sup> July 2020</p>

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				5 Resolves to approve an additional Raupo Drainage District capital budget of \$45,000 to be loan funded			
7	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 March 2021.
8	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.
9		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.
10	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. f) Delegates the Chief Executive the authority to negotiate the terms of sale, impose any reasonable	GM IS	In Progress	Staff are progressing the agreement to secure a bond payment.

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				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.			
11	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.
12		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 was delayed due to COVID19. The tender process has closed, and the application is being assessed. b) Noted - Confirmed c) Noted - Confirmed d) These decisions will be incorporated into our financials for future years.
13	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	Completed	This was reported to the April 2020 Council meeting. The lead petitioner has been informed.
14		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	Completed	April 2020 council approved Annual Plan 20/21 at 3.97%
15		4.5	Kaihu raw water supply	a) Approves that financial assistance by way of loan be given to identified affected dwelling owners in the	GM SGI	In Progress	Having to go back and get quotes agreed again

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				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.			
16		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.
17	23/03/2020	2	Decision-making arrangements: COVID-19 Pandemic	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 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 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 elected member should one of the three members listed become incapacitated) d) Notes that the above delegation (c) will only be used for decisions which; 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 e) Notes that when the urgent decision-making process is exercised, instances will be reported to the first subsequent Council or relevant committee meeting 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 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	GM T&E	In progress	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. Decisions made during this period will be reported on at the first Council meeting, after the pandemic is declared over, likely to be the June Council meeting.

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				<p>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>			
18	29/04/2020	4.1	Council response to COVID-19	<p><b>Part one:</b></p> <p>a) Recognises the impact COVID-19 pandemic has on the Kaipara community.</p> <p>b) Notes the proposed comprehensive hardship relief package put forward by this report as a result of the COVID-19 pandemic.</p> <p>c) Requests the Chief Executive conduct informal community engagement on the hardship relief package and the funds proposed and report the results to the May Council meeting.</p> <p><b>Part two:</b></p> <p>a) Rescinds the previous Kaipara District Council Annual Plan decisions made at the December 2019 and February Council 2020 meetings, highlighted below:</p> <p>11 December 2019 Council meeting</p> <p>Agrees that if the financials presented to the February Council briefing and meeting demonstrate that the total rates increase is within the range 4.83% to 5.49%, consultation on the proposed Annual Plan 2020/21 is not required as there are no significant or material differences from the 2018/28 Long Term Plan.</p>	GMSGI	Completed	Engagement completed and report to May Council meeting

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				<p>26 February 2020 Council meeting</p> <p>b) 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).</p> <p>c) Approves the proposed Annual Plan 2020/21 be prepared on the basis that the general rates increase will be 3.97% after factoring in growth (Option three in the report).</p> <p>d) Agrees that consultation is not required if the general rates increase of 3.97% after factoring in growth is approved (recommendation e) as there are no significant or material differences from the 2018/28 Long Term Plan.</p> <p>e) Sets the Uniform Annual General Charge at \$764 for the 2020/21 financial year.</p>			
19	29/04/2020	4.2	Fees and Charges 2020/21: Annual Review	a) Approves the proposed draft Fees and Charges 2020/2021 (Attachment A of this report) for community consultation prior to formal adoption.	GMSGI	In Progress	Feedback being sought
20	29/04/2020	4.3	Capital Projects Report April 2020	<p>a) Notes the Infrastructure Report April 2020 including the proposed approach to procurement which will allow acceleration.</p> <p>b) Approves the retrospective submission of the Economic Stimulus Programme.</p> <p>c) Approves the Procurement Plans associated with the Economic Stimulus Programme.</p>	GM IS	In Progress	C) Note that the Procurement Plans are being presented 27 <sup>th</sup> May 2020
21	29/04/2020	4.4	Adoption of Statement of Proposal for draft Consolidated General Bylaw 2020	<p>a) Adopts the Statement of Proposal for the draft Consolidated General Bylaw 2020 including the draft Consolidated General Bylaw 2020 and Summary of the Statement of Proposal for consultation.</p> <p>b) Delegates the Chief Executive and the Mayor the authority to make editorial changes.</p> <p>c) Delegates Deputy Mayor Curnow (Chair), Councillor Larsen and Councillor Vincent to form the General</p>	GM T&E	In Progress	The Statement of Proposal has been confirmed and is out for public consultation. Submissions close on 19 June 2020.



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				Bylaws Panel to hear views, to consider both written and verbal submissions and to make recommendations on the draft Consolidated General Bylaw 2020 to Council.			
22	29/04/2020	4.5	Community Assistance Policy Licence to Occupy Review	a) Approves the amendments to the Community Assistance Policy as provided in Attachment A of this report. 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 Community Assistance Policy.	GM T&E	Completed	The Policy has been finalised and implemented. Licences to Occupy have been standardised and community groups notified.
23	29/04/2020	4.6	Extension of Wastewater System to Spring Street	a) Approves, in principal, the extension of the Dargaville Wastewater Scheme (DWWS) to include the Springs Street residential area and for engagement and preparatory works to be continued in the 2020/21 financial year.	GM IS	In Progress	Project team and brief to be established and executed in July 2020
24	29/04/2020	4.7	District Licensing Committee selection panel establishment and processes	a) Approves the establishment of a Selection Panel made up of the Mayor, Councillor Vincent and the Chief Executive or her Delegate, with a purpose of managing the recruitment and recommendation process to the Council for the membership of the Kaipara District Licensing Committee.	GM T&E	In Progress	The DLC roles have been advertised. The selection panel will assess and interview applicants and recommend appointments to the June Council meeting.
25	29/04/2020	4.8	Audit, Risk and Finance Committee Terms of Reference	a) Notes the Audit, Risk and Finance Committee's recommendation on the Committee's Terms of Reference from its 12 March 2020 meeting.  b) Approves the recommended changes to the Audit, Risk and Finance Committee's Terms of Reference as shown in Attachment A.	GMSGI	Completed	Chairperson notified.