

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

**Date:** Wednesday 28 October 2020  
**Time:** 9:32 am – 2.27 pm  
**Location:** Mangawhai Domain  
75 Moir Street  
Mangawhai

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

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**1. Opening**

**1.1 Karakia**

Mayor Smith opened the meeting with a Karakia.

**1.2 Apologies**

There were no apologies.

**1.3 Confirmation of agenda**

**Moved: Mayor Smith**

**Seconded: Cr Joyce-Paki**

That the Kaipara District Council:

- a) Confirms the agenda for the meeting held 28 October 2020.

**Carried**

**1.4 Conflict of interest declarations**

<b>Item/matter</b>	<b>Councillor</b>
Item 5.5 - Kaihu Valley Trail	Cr Wills
Item 6.1 - Murphy Bowers Stop banks	Cr Wilson-Collins
Department of Conservation employee	Cr Joyce - Paki

**2. Presentations and petitions****Moved: Mayor Smith****Seconded: Deputy Mayor Curnow**

That Kaipara District Council:

- a) Receives the petition opposing the Kaihu Cycleway route (**Attachment A**)
- b) Notes that Council staff will report back to the 16 December 2020 Council Meeting.

**Carried****3. Minutes****3.1 Confirmation of Open minutes 30 September 2020****Moved: Deputy Mayor Curnow****Seconded: Cr Wills**

That the Kaipara District Council:

- a) Confirms that the open minutes of the Council meeting held on 30 September 2020 are a true and correct record.

**Carried****4. Notice of motion**

Nil.

## 5. Decision

### 5.1 Consideration of a Māori Ward

**Moved: Cr Joyce – Paki**

**Seconded: Mayor Smith**

That Kaipara District Council:

- a) Agrees to establish a Māori ward in the Kaipara District, applicable for the 2022 and 2025 triennial elections.

**Carried**

[Secretarial note: a division was called by Mayor Smith]

Councillor Name	For	Against	Abstain
Deputy Mayor Anna Curnow	x		
Councillor Victoria del la Varis-Woodcock	x		
Councillor Karen Joyce-Paki	x		
Councillor Jonathan Larsen			x
Mayor Jason Smith	x		
Councillor Mark Vincent	x		
Councillor Peter Wethey			x
Councillor David Wills	x		
Councillor Eryn Wilson-Collins	x		
<b>Total votes</b>	<b>7</b>	<b>0</b>	<b>2</b>

**The motion was declared carried**

The meeting adjourned for morning tea at 11.05 am.

The meeting reconvened at 11.25 am.

## 5.2 Final Consolidated General Bylaw

**Moved: Deputy Mayor Curnow**

**Seconded: Cr Larsen**

That Kaipara District Council:

- a) Determines that a bylaw is the most appropriate way of addressing the perceived problem, and that the proposed Consolidated General Bylaw 2020
  - i. is the most appropriate form of bylaw
  - ii. does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- b) Makes the Consolidated General Bylaw 2020 as provided in Attachment A, with effect from 1 December 2020.
- c) Revokes the 2008 General Bylaws, with effect from 30 November 2020.
- d) Authorises the Chief Executive to make any minor edits or amendments to the Bylaw to correct any spelling errors or make typographical edits, and/or to reflect decisions made by Council at this meeting.

**Carried**

## 5.3 Dangerous, Affected, and Insanitary Buildings Policy

**Moved: Mayor Smith**

**Seconded: Deputy Mayor Curnow**

That Kaipara District Council

- a) Approves the legislative process, analysis and consultation approach outlined in Attachment A.
- b) Adopts the Statement of Proposal provided in Attachment B for the draft Dangerous, Affected, and Insanitary Buildings Policy for community consultation (Option 1).
- c) Delegates Cr del la Varis Woodcock (Chair), Cr Vincent, Cr Larsen to form the Dangerous, Affected and Insanitary Buildings Panel to hear and consider community views, consider written submissions and make recommendations to Council on a final replacement Dangerous, Affected and Insanitary Buildings Policy.
- d) Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Statement of Proposal prior to consultation.

**Carried**

#### 5.4 Pouto wharf physical works procurement plan

**Moved: Deputy Mayor Curnow**

**Seconded: Cr Wethey**

That the Kaipara District Council:

- a) Approves the proposed procurement approach for the Pouto Wharf Physical Works.

[Secretarial note: it was agreed by Cr Curnow and Cr Wethey that amendments to the motion be incorporated]

That Kaipara District Council:

- a) Approves the procurement approach for the Pouto Wharf Physical Works, being a 3-staged open tender and advertised on Tender-link;
  - 1) Expression of Interest
  - 2) Non-price (weighted) attributes (40%)
  - 3) Price (60%)
- b) Notes the project is entirely PGF funded up to a maximum of \$1,809,120.

**Carried**

#### 5.5 Externally funded project agreements

**Moved: Mayor Smith**

**Seconded: Cr Wethey**

That the Kaipara District Council:

- a) Approves signing of the Kaihu Valley Rail Trail Funding Agreement, Mangawhai Shared Path Funding Agreement and Kaiwaka Footbridges and Linked Pathways Funding Agreement with the Ministry of Business, Innovation and Employment that would enable Council to uptake \$7.15m funding for the delivery of shovel ready projects.
- b) Delegates authority to the Chief Executive Officer to execute the Kaihu Valley Rail Trail, Mangawhai Shared Path and Kaiwaka Footbridges and Linked Pathways Funding Agreements.

**Carried**

**Cr Wills abstained**

## 5.6 Long Term Plan: Regional Economic Development – Joint Delivery Model Update

**Moved: Mayor Smith**

**Seconded: Cr Wills**

That Kaipara District Council:

- a) Notes that Whangarei District Council has decided to opt out of the process of forming a joint delivery model for regional economic development.
- b) Notes that Whangarei District Council will continue to fund Northland Inc. according to its Long-Term Plan.
- c) Agrees to continue the process of forming a joint delivery model for regional economic development with the Northland Regional Council and Far North District Council.
- d) Agrees to consult with the public on transitioning Northland Inc. to a Joint Regional Economic Development Council Controlled Organisation in the 2021/31 Long Term Plan.
- e) Agrees that if Whangarei District Council decides to participate in the joint delivery model at a later date, that Northland Inc shareholdings be distributed equally amongst the four Northland councils.
- f) Appoints Cr Curnow and Cr Wethey to be the Kaipara District Council representatives to the Regional Economic Development Service Delivery Working Party of Northland Regional Council.

**Carried**

**Cr del la Varis-Woodcockvoted against**

The meeting adjourned for lunch at 1.00pm.

The meeting reconvened at 1.30 pm.

### 5.7 Approval – Dargaville Lions Club Christmas Parade 2020

**Moved: Cr Joyce-Paki**

**Seconded: Cr Wilson-Collins**

That Kaipara District Council

- a) Approves the application for a temporary road closure to allow the Dargaville Christmas Parade 2020 to take place in a safe manner. The proposed closure is to be held on Saturday 05 December 2020 from 07:00 am to 01:00pm and includes parts of Victoria Street, Edward Street, Poto Street, Totara Street, Parore Street, Hokianga Road and Kapia Street.
- b) Notes that this approval is conditional on the event organiser informing all businesses/residents located within the road closure area with a letter drop.

**Carried**

### 5.8 Committee Structure Changes - 2019 to 2021 triennium

**Moved: Mayor Smith**

**Seconded: Cr Joyce-Paki**

That the Kaipara District Council:

- a) Notes that the Mayor has established the Externally Funded Projects Committee using the mayoral powers provided in the Local Government Act (2002).
- b) Approves the Terms of Reference for the Externally Funded Projects Committee (Attachment B).
- c) Delegates the Mayor and Chief Executive the authority to make minor editorial changes to finalise the Terms of Reference, if needed.
- d) Notes that the Horizons Committee has been disestablished.

**Carried**

## 6. Information

### 6.1 Exceptions Report for September 2020

**Moved: Cr Wilson-Collins**

**Seconded: Cr Larsen**

That Kaipara District Council notes the Exceptions Report for September 2020.

**Carried**

## 6.2 Resolutions Register

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

**Seconded: Deputy Mayor Curnow**

That Kaipara District Council notes the Resolutions Register dated 28 October 2020.

**Carried**

## 7. Resolution to move into Public Excluded Session

*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:*

**Moved: Mayor Smith**

**Seconded: Deputy Mayor Curnow**

### **Recommendation/Ngā tūtohunga**

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

<b>Item</b>	<b>Grounds for excluding the public</b>
<ul style="list-style-type: none"> <li>▪ Public Excluded Minutes from 30 September 2020.</li> <li>▪ Unsealed Roads Contracts.</li> </ul>	To protect the privacy of natural persons, including that of deceased natural persons (LGOIMA s7(2)(a)), to avoid prejudice to measures protecting the health or safety of members of the public(LGOIMA s7(2)(d)), to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (LGOIMA s7(2)(h)) and to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (LGOIMA s7(2)(i))

**Carried**

The Meeting moved into Public Excluded Session at 1.59 pm.

## 8. Return to Open Session

The meeting returned to open session at 2.27 pm.

## 9. Closure

### 9.1 Karakia

Mayor Smith closed the Meeting with a Karakia

The Meeting closed at 2.27 pm.



**Kaipara District Council**

Confirmed