

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

Date: Wednesday, 27 October 2021
Time: 9.30 am – 4.03 pm
Location: Conference Room, Northern Wairoa Memorial Hall,
Dargaville and broadcast online via Facebook.

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

1. Opening

1.1 Karakia

Mayor Smith opened the Meeting with a karakia.

1.2 Apologies

Moved: Mayor Smith

Seconded: Cr Joyce-Paki

That Kaipara District Council:

- a) Accepts the apologies from Cr Wills.

Carried

1.3 Confirmation of agenda

Moved: Mayor Smith

Seconded: Cr Joyce-Paki

That the Kaipara District Council:

a) Confirms the agenda for 27 October 2021, with the following amendments:

- The removal of item 5.8 Dargaville Christmas Parade due to the event being cancelled by the organisers.

Carried

1.4 Conflict of interest declaration

Nil.

2. Presentations and petitions

2.1 Securing Ruawai development presentation

Bruce Compton presented this item.

3. Minutes

3.1 Moved: Mayor Smith

Seconded: Cr Wilson-Collins

That Kaipara District Council:

b) Accepts the Open Council Minutes dated 29 September 2021 as a true and accurate record with the following amendments:

- amendment to the meeting extension recommendation.
- correction of reconvening time on page 5.

Carried

Cr del la Varis-Woodcock voted against

4. Notice of motion

Nil.

5. Decision

5.1 Norfolk Pines Removal at Pahi

Moved: Deputy Mayor Curnow

Seconded: Cr Joyce-Paki

That Kaipara District Council:

- a) Notes that the District Plan review is underway and that this process will encompass a review of notable trees and input from the community will be sought at that time.
- b) Approves correspondence to the Pahi residents (petitioners of the July Council meeting), that the issue of "Removal of Norfolk Pines" will be dealt with in the current District Plan process and that additions and deletions to the Notable Trees list will occur through consultation at that time.

Carried

Cr del la Varis-Woodcock voted against

The Meeting adjourned for a break at 10.30 am.

The Meeting reconvened at 10.40 am.

[Secretarial note: the decisions made from items 5.2 to 5.6 were carried unanimously. This is noted at the request of the Chair].

5.2 NTA Report on 2021-24 NLTP Funding

Moved: Mayor Smith

Seconded: Cr Vincent

That Kaipara District Council

- a) Approves the NTA preferred Option for the redistribution of the unsubsidised local share portion of \$2,187,127 of the 2021/24 LTP budget to provide the best opportunity for the desired Transportation AMP Level of Service (LOS) for MOR activities to be maintained, road safety promotion outcomes achieved, and new footpaths and pedestrian improvements built.

Carried (Unanimous)

5.3 Representation Review 2021 – Final Proposal

Moved: Mayor Smith

Seconded: Deputy Mayor Curnow

That Kaipara District Council:

- a) Resolves, pursuant to section 19N of the Local Electoral Act 2001 and having considered and deliberated on submissions received on the Representation Review 2021 Initial Proposal, the Initial Proposal be adopted as the Representation Review 2021 Final Proposal with no changes.
- b) Notes that the arrangements for at least the 2022 triennial elections are as follows:
 - i. Kaipara District Council to comprise nine councillors elected under the ward system (specifically, eight general ward councillors and one Māori ward councillor) and the Mayor elected at large.
 - ii. Kaipara District Council be divided into four wards, these being: – Kaiwaka-Mangawhai General Ward (three general councillors) – Otamatea General Ward (two general councillors) – Wairoa General Ward (three general councillors) – Te Moananui o Kaipara Māori ward (one Māori councillor) .
 - iii. That no community boards are established.
- c) Issues a public notice (on 29 October 2021) detailing the final representation review arrangements.

Carried (Unanimous)

5.4 Kaipara District Council Section 17A Service Delivery Review

[Secretarial note: please note the recommendation below differs from the original published in the agenda. The mover and seconder agreed to amend it to the version below].

Moved: Deputy Mayor Curnow

Seconded: Cr Wilson-Collins

That Kaipara District Council:

- a) Notes the report 'Section 17A Local Government Act: Service Delivery Review 2021' (**Attachment B**).
- b) Approves Option One of this report which includes the following:
 - A. Three-waters**

Address the prioritised points below in the order in which they appear. Noting that each item may be discounted in circumstances such as prohibitive cost or the inability to agree terms or conditions of a contract.

- i. Negotiate a Contract 798 out-of-contract four-year extension with the incumbent supplier.
- ii. Negotiate contract variations with Whangarei District Council's water supply, and wastewater & stormwater operations & maintenance contractors (two separate contracts) to operate & maintain Council's Three-waters reticulation networks, and either operate the water supply and wastewater treatment plants in-house, or by Whangarei District Council's in-house treatment plant operators (requires Whangarei District Council's agreement).
- iii. Tender (open or invited) a new four-year contract to operate and maintain Council's Three-waters infrastructure.

B. Flood Protection and Land Drainage

- i. Continue with the status quo.

C. Waste Minimisation

- i. Continue with the status quo for one year; then
- ii. Explore the option of a joint contract/s with Whangarei District Council.

D. Open Spaces

- i. Continue with the status quo.
- ii. Investigate contracting options which will include a review of possible cost-saving initiatives until an alternative to status quo is found.

Carried (Unanimous)

5.5 Dargaville Wastewater Treatment Plant Desludging Approval of Additional Funding

Moved: Cr Wilson-Collins

Seconded: Cr Joyce-Paki

That Kaipara District Council:

- a) Approves the allocation of \$200,000 from retained earnings to the Dargaville Wastewater Treatment Plant Desludging project.
- b) Approves the allocation of \$273,000 from the unspent original budget allocation to the Dargaville Wastewater Treatment Plant Desludging project.

Carried (Unanimous)

5.6 Mangawhai Heads Campground Lease variation

Moved: Cr Wethey

Seconded: Deputy Mayor Curnow

That Kaipara District Council:

- a) Approves a variation to the Mangawhai Heads Campground Lease to amend the campground footprint, the addition of two more shareholders by the lessee and document the outcome of the rent review.
- b) Delegates the Chief Executive responsibility to negotiate and finalise the minor lease variation.

Carried (Unanimous)

The Meeting adjourned for lunch at 11.52 pm

The Meeting reconvened at 12.27 pm.

5.7 Decision on Kaipara Ki Tua: Climate Smart Strategic Framework

Moved: Mayor Smith

Seconded: Cr Wilson-Collins

That Kaipara District Council:

- a) Approves the Kaipara Ki Tua: Climate Smart Strategic Framework (Attachment A).
- b) Delegates the Mayor and Chief Executive the authority to approve minor editorial changes that do not alter the intent of the Kaipara Ki Tua: Climate Smart Strategic Framework.

Carried

5.8 Temporary Road Closure Approval – Dargaville Lions Club Christmas Parade 2021

[Secretarial note: this agenda item was removed due to Council being advised the event was no longer taking place].

5.9 2021/2022 Remuneration Authority Determination

Moved: Cr del la Varis-Woodcock

Seconded: Deputy Mayor

That Kaipara District Council:

- a) Notes the 2021/22 Remuneration Authority Determination.
- b) Agrees to amend the Elected Member Allowances and Recovery of Expenses Policy as outlined in Attachment C of this report.

Carried (Unanimous)

[Secretarial note: the Chair requested that it be noted the decision was unanimous].

5.10 Delegations for approval of submissions outside a Council meeting

Moved: Mayor Smith

Seconded: Deputy Mayor Curnow

That Kaipara District Council:

- a) Approves the delegations as provided in Table 1 of this report.
- b) Notes that staff will report any submission approved under this delegation to the next available Council meeting for information.
- c) Rescinds the existing delegations as provided in Table 2 of this report.

Carried

[Secretarial note: Cr del la Varis-Woodcock called for a division].

Elected Member	For	Against	Abstain	Absent
Cr Curnow	x			
Cr del la Varis-Woodcock		x		
Cr Joyce-Paki	x			
Cr Larsen	x			
Cr Vincent	x			
Cr Wethey	x			
Cr Wills				Apology
Cr Wilson-Collins	x			
Mayor Smith	x			
Tally	7	1		1

The motion was carried

6. Information

6.1 Mayoral Appointments to Kaipara Community Health Trust

Moved: Mayor Smith

Seconded: Cr Wilson-Collins

That Kaipara District Council:

- a) Notes that the Mayor has re-appointed David Underwood as the Central ward representative on the Kaipara Community Health Trust, effective 1 December 2021, for his second three-year term.
- b) Notes that the Mayor has re-appointed Jayne King as the Otamatea Ward representative on the Kaipara Community Health Trust, effective 1 December 2021, for her final three -year term.

Carried

6.2 Department of Internal Affairs Future for Local Government Panel interim report

Moved: Cr Wilson-Collins

Seconded: Cr Larsen

That the Kaipara District Council:

- a) Notes the Department of Internal Affairs Future of Local Government Panel interim report.

Carried

6.3 Exceptions report

Moved: Cr Vincent

Seconded: Cr Wethey

That Kaipara District Council:

- a) Notes the September 2021 Exceptions report.

Carried

6.4 Resolutions Register

Moved: Cr Vincent

Seconded: Cr Wethey

That Kaipara District Council:

- a) Notes the October Resolutions report.

Carried

7. Resolution to Exclude the Public

Moved: Mayor Smith

Seconded: Cr Joyce-Paki

The following recommendation is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) and the particular interest or interests protected by section 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	Grounds for excluding the public
PEX Council Minutes 29 September 2021; Mangawhai Pensioner Housing; Mangawhai Wastewater	S7(2)(a) to protect the privacy of natural persons, including that of deceased natural persons. S7(2)(i) enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).

Conrad La Pointe from Habitat for Humanity to remain for his presentation only.

Carried
Cr del la Varis-Woodcock voted against

The Meeting entered Public Excluded Session at 2.03 pm.

8. Public Excluded agenda items - 27 October 2021

9. Return to Open Session

The Meeting returned to Open Session at 4.02 pm.

10. Closure

10.1 Karakia

Mayor Smith closed the Meeting with a karakia.

The Meeting closed at 4.03 pm.