

Resolutions Register update – November 2021

Ref	Meeting Date	Item Number	Item Name	Resolution	Assigned	Status	Comments
1	26/09/2017	6.6	Stopbank reinstatement - land known as Section 73 75 part 44 Block XV of the Tokatoka Survey District	a) 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. b) Notes that the works are to be funded by Raupo Drainage Targeted Rate	GM SGI	In Progress	<p>Council made further decision on this issue in November 2018. Meeting was held on 22 September 2020 to conclude matters. Raupo Drainage committee confirmed direction to progress.</p> <p>August update – Consultant has been engaged to prepare material which will be used to progress the project. Engineers estimate will be updated and a paper brought to Council to incorporate budget. November- to be discussed at Nov Raupo Committee meeting and to Council later</p>
2	11/12/2017	6.5	Mangawhai Museum Partial Surrender of Lease	a) Approves the Partial Surrender of the Lease by the Mangawhai Museum b) Approves the grant to the Mangawhai Museum of a non-exclusive licence to use the surrendered area for the use permitted in its lease c) Delegates to the Acting Chief Executive responsibility for the finalisation of the Deed of Partial Surrender of Lease	GM P&C	Completed	<p>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. The Museum is currently reconsidering its position and appears more open to proceeding with the surrender.</p> <p>Daring now in 'temporary' location</p> <p>Sept 2021update new LTO and Surrender approved at September Council Meeting which supersedes this resolution. Nov 2021 –Refer to item 13</p>
3		5.1.7	Issues and Options: Mangawhai Community	a) Notes that investigations of future disposal options to provide additional disposal capacity will be undertaken concurrently and a preferred	GM SGI	In progress	Staff are looking to amend existing consent to increase capacity for future disposal as an initial option (estimate existing farm has

			Wastewater Scheme	option recommended to Council for approval.			<p>8-10 years' capacity).</p> <p>The preferred long term disposal option in the Infrastructure Strategy is to continue disposal to land through increased efficiencies and disposal to land options.</p> <p>The Preferred Option was presented to Elected Members at the January LTP Briefing together with proposed capital expenditure.</p> <p>A Mangawhai Community Waste Water Scheme Advisory Group has been established</p> <p>August Update – A Programme Business Case (PBC) is being developed which will bring together the different investment streams which respond to growth and support the Preferred Option described in the Infrastructure Strategy / LTP. This will be brought to Council briefing before the end of the year.</p> <p>Network modelling is being finalised which will feed into PBC.</p> <p>Procurement of Balancing Tank is being completed.</p> <p>Business Case for Golf Course is being finalised before being brought to Council when completed.</p> <p>October update- Release WSP reports to those that have requested . Further advice sought from WSP. Council updated Council updated as to status and detailed roadmap being requested from WSP so communication can begin on this</p>
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4	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>a) 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>b) 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 SGI	In Progress	<p>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.</p> <p>Sept 2021 update -Marked up LTO has been received from Club and an indication that they would like to conclude matter in the near future.</p> <p>November 2021 Update- Response to marked up LTO has prepared and will be sent to Club representatives for further discussion.</p>
5	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	GM T & E	In Progress	<p>Progress on the recommendations is reported to the Audit, Risk and Finance Committee. There are only 3 items left still in progress with one item not started. The remaining recommendations have been completed or a system set up for ongoing monitoring.</p>

6		5.5	Alamar boat ramp and carpark improvements	<ul style="list-style-type: none"> a) Approves the allocation of Financial Contributions up to \$900k for the design and construction of the boat ramp car park. b) Approves the Procurement Plan for the construction of the car park. a) Delegates award of Contract to the CEO subject to the price being within the approved budget 	GM SGI	In progress	<p>Procurement approach amended so that it can be advanced without the coastal walkway. This will avoid unnecessary delays</p> <p>August Update – Following design development it has been identified that the benefits of this investment do not outweigh the costs. Discussions have been held with stakeholders with regards not progressing the sealing of the road.</p> <p>October- Boat club contacted and realise increased parking needed. Masterplan for that area to be started</p>
7	28/07/2021	5.1	Stormwater Drainage Bylaw – Proposal for Consultation	<ul style="list-style-type: none"> a) Approves the legislative process, analysis and consultation approach outlined in Attachment A. b) Determines that a bylaw is the most appropriate way of addressing the perceived problem. c) Approves the Consultation Document provided in Attachment B. d) Delegates Cr del la Varis-Woodcock, Mayor Smith (Chair), Cr Vincent to form the Bylaw Panel to hear and consider community views, consider written submissions and to make recommendations to Council on a final proposed Stormwater Drainage Bylaw. e) Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Consultation Document prior to final printing and publication. 	GM T&E	In progress	Council deliberations were held on 15 November. Staff are now preparing the report and recommendations to go to Council for final decision-making.
8	28/07/2021	5.4	Resolving appeals on Private Plan Change 78 to the Kaipara District Plan	<ul style="list-style-type: none"> a) Delegates the authority to resolve appeals on Private Plan Change 78 (Mangawhai Estuary Estates) to Mayor Smith, Cr Larsen, Cr Wethey. b) Delegates staff to attend Court-assisted mediation on behalf of Kaipara District Council and to represent Council's position during mediation with the parties. 	GM E&T	In progress	The mediation is set down for 30 November and 1 December. Hearings, if required, would likely be scheduled in early April 2022.

9	25/08/2021	5.1	2021 Representation Review – Initial Proposal	<p>a) Resolves, pursuant to sections 19H and 19J and clause 1 and 2 of Schedule 1A of the Local Electoral Act 2001, to adopt, as its Initial Proposal (as set out in Attachment A) for the review of representation arrangements for the 2022 and 2025 triennial elections, the following:</p> <ul style="list-style-type: none"> 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: iii. Kaiwaka-Mangawhai General Ward (three general councillors) iv. Otamatea General Ward (two general Councillors) v. Wairoa General Ward (three general Councillors) vi. Te Moananui o Kaipara Māori ward (one Māori councillor) vii. No community boards be established <p>b) Notes that the existing boundaries of the Kaiwaka-Mangawhai General Ward and the Otamatea General Ward are not proposed to be changed for the 2022 and 2025 triennial elections and that the existing Dargaville Ward and West Coast-Central Ward are proposed to be amalgamated into a single Ward for the 2022 and 2025 triennial elections, known as the Wairoa General Ward.</p> <p>c) Notes that the population each general councillor represents is within the population range of 2,688 +/- 10% (2,419 - 2,956), in compliance with section 19V(2) of the Local Electoral Act 2001.</p> <p>d) Notes the reasons the total number of councillors is proposed to increase to nine (plus the Mayor) are:</p> <ul style="list-style-type: none"> i. to provide fair and effective representation to Kaipara District residents and ratepayers (whilst still ensuring accessibility to a large area made up of populated towns and villages and sparsely populated rural areas); and ii. to provide effective representation of the Māori population of the district. <p>e) Issues a public notice that informs the public of the Initial Proposal (as set out in Attachment A) and provides the opportunity to make a submission on the Initial Proposal between 27 August 2021 and 27 September 2021.</p>	GM E&T	Complete	Council agreed the final proposal at its October meeting.
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10	25/08/2021	5.2	Wastewater Drainage Bylaw – Proposal for Consultation	<ul style="list-style-type: none"> a) Approves the legislative process, analysis and consultation approach outlined in Attachment A. b) Determines that a bylaw is the most appropriate way of addressing the perceived problem and that the proposed Wastewater Drainage Bylaw as included in Attachment B <ul style="list-style-type: none"> 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. c) Approves the Consultation Document provided in Attachment B. d) Delegates Cr Wetthey (Chair), Deputy Mayor Curnow, Cr Wills to form the Bylaw Panel to hear and consider community views, consider written submissions and to make recommendations to Council on a final proposed Wastewater Drainage Bylaw. e) Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Consultation Document prior to final printing and publication. 	GM E&T	In progress	Council deliberations were held on 15 November. Staff are now preparing the report and recommendations to go to Council for final decision-making.
11	25/08/2021	5.3	Appeals on the Dome Valley Landfill Resource Consent.	<ul style="list-style-type: none"> a) Notes that Kaipara District Council has joined the appeal lodged by Ngāti Whātua Ōrākei and Environs Holding Ltd (Te Uri O Hau) on the Dome Valley Landfill Resource Consent, as a s274 party. b) Delegates the authority to resolve appeals on the Dome Valley Landfill Resource Consent Mayor Smith (Chair), Cr Vincent, Cr Joyce-Paki. c) Delegates staff to attend Court-assisted mediation on behalf of Kaipara District Council and to represent Council's position during mediation with the parties. 	GM E&T	In progress	A date has now been set for the Environment Court hearing. It is scheduled to commence on 20 June 2022 for a period of nine weeks in total over the course of five months.
12	25/08/2021	5.5	Waipoua River Road Construction Contract Principal	<ul style="list-style-type: none"> a) Agrees to act as Principal to the Waipoua River Road construction contract. b) Agrees to enter into negotiations with Te Roroa, DOC and any other potential stakeholder, on a contract to fully recover the costs of both the second seal and on-going maintenance of this road. An acceptable agreement will be a prerequisite to any consideration of vesting this road to Council. c) Delegates authority to the Mayor and Chief Executive to approve the award of Contract 963 for Waipoua River Road Sealing Physical Work, subject to; <ul style="list-style-type: none"> i. Te Roroa approving the award of the contract, and ii. The contract price being within the approved project budget of \$1,800,000 + GST. 	GM SGI	In progress	<p>August update - [Reported through Externally Funded Programme Committee].</p> <p>Negotiations are in progress with Preferred Contractor.</p> <p>October- still to finalise second seal costs</p>

13	29/09/2021	5.3	Mangawhai Museum Licence to Occupy	<ul style="list-style-type: none"> a) Approves the Mangawhai Museum's proposal for a new Licence to Occupy (LTO) for a period of up to 35 Years. b) Accepts a Surrender of the Mangawhai Museums existing lease once the terms of the new LTO have been agreed. c) Delegates to the Chief Executive responsibility for finalising the terms and conditions of the Surrender and LTO documents. 	GM P & C	In Progress	Documentation is being prepared November 2021 update- LTO and Deed of surrender has been sent to Museum for their consideration.
14	27/10/2021	5.1	Norfolk Pines Removal at Pahi	<ul style="list-style-type: none"> 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. 	GM SGI	Completed	Response in media and to petitioners
15	27/10/2021	5.2	NTA Report on 2021-24 NLTP Funding	<ul style="list-style-type: none"> 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. 	GM SGI	In Progress	Changes will be encompassed in reforecast
16	27/10/2021	5.3	Representation Review 2021 – Final Proposal	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	GM E&T	In progress	Council agreed the final proposal at its October meeting. The appeal period concludes on 29 November. To date, one appeal has been received for forwarding to the Local Government Commission.

				c) Issues a public notice (on 29 October 2021) detailing the final representation review arrangements.			
17	27/10/2021	5.4	Kaipara District Council Section 17A Service Delivery Review	<p>a) Notes the report 'Section 17A Local Government Act: Service Delivery Review 2021' (Attachment B). Approves Option One of this report which includes the following:</p> <p>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.</p> <p>i. Negotiate a Contract 798 out-of-contract four-year extension with the incumbent supplier.</p> <p>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).</p> <p>iii. Tender (open or invited) a new four-year contract to operate and maintain Council's Three-waters infrastructure.</p> <p>B. Flood Protection and Land Drainage i. Continue with the status quo.</p> <p>C. Waste Minimisation Continue with the status quo for one year; then Explore the option of a joint contract/s with Whangarei District Council.</p> <p>D. Open Spaces Continue with the status quo. Investigate contracting options which will include a review of possible cost-saving initiatives until an alternative to status quo is found.</p>	GM SGI	In progress	3 waters negotiation underway
18	27/10/2021	5.5	Dargaville Wastewater Treatment Plant Desludging Approval of Additional Funding	<p>a) Approves the allocation of \$200,000 from retained earnings to the Dargaville Wastewater Treatment Plant Desludging project.</p> <p>b) Approves the allocation of \$273,000 from the unspent original budget allocation to the Dargaville Wastewater Treatment Plant Desludging project.</p>	GM SGI	Completed	Contractor has demobilised equipment and completed contract

19	27/10/2021	5.6	Mangawhai Heads Campground Lease variation	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.	GM P&C		Variation deed is currently being prepared.
20	27/10/2021	5.7	Decision on Kaipara Ki Tua: Climate Smart Strategic Framework	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.	GM E&T	Completed	The final strategic framework has been finalised and is available on the Council website.
21	27/10/2021	5.9	2021/2022 Remuneration Authority Determination	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.	GM E&T	Completed	The approved policy has been updated and provided on the council website.
22	27/10/2021	5.10	Delegations for approval of submissions outside a Council meeting	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.	GM E&T	Completed	The delegation's register has been updated and noted for future use if needed.