

**Kaipara District Council**

**Open Ordinary Minutes**

**Date:** Wednesday, 29 June 2022

**Time:** 9.30 am – 2.04 pm

**Location:** Mangawhai Domain  
75 Moir Street  
Mangawhai

**Members Present:** Mayor Dr Jason Smith  
Deputy Mayor Anna Curnow  
Councillor Jonathan Larsen  
Councillor Victoria del la Varis-Woodcock  
Councillor Mark Vincent (by video)  
Councillor Peter Wethey  
Councillor David Wills  
Councillor Eryn Wilson-Collins

**Apologies:** Councillor Karen Joyce-Paki (for absence due to technical difficulties)

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**1. Opening**

**1.1 Karakia**

Mayor Smith opened the Meeting with karakia.

**1.2 Apologies**

**Moved: Mayor Smith**

**Seconded: Cr Wilson-Collins**

That Kaipara District Council:

- a) Accepts the apologies from Cr Joyce-Paki due to power outage.

**Carried**

**1.3 Confirmation of agenda**

**Moved: Mayor Smith**

**Seconded: Deputy Mayor Curnow**

That Kaipara District Council:

- a) Confirms the agenda for 29 June 2022.

**Carried**

**1.4 Conflict of interest declaration**

Nil.

**2. Presentations and petitions**

**2.1 Presentation: Three Waters Better Off Package community concerns**

Alexandra Martin presented this item by video link.

**2.2 Presentation: Te Kopuru Community Development Group Incorporated on the Development Agreement/License to Occupy Application**

[Secretarial note: Cr Vincent left the Meeting at 10.06 am].

Roxanne Kelly, Ron Walters, Violet Hutchison presented this item by video link.

**3. Minutes**

**3.1 Confirmation of Open minutes - 25 March 2022**

**Moved: Deputy Mayor Curnow**

**Seconded: Cr Wilson-Collins**

That Kaipara District Council:

- a) Confirms the Council Meeting Minutes dated 25 March as a true and accurate record.

**Carried**

**4. Notice of motion**

Nil.

## 5. Decision

### 5.1 Te Kopuru Community Development Group Incorporated Development Agreement/License to Occupy Application

**Moved: Cr Wills**

**Seconded: Cr Wilson-Collins**

That Kaipara District Council:

- a) Approves a Development Agreement/License to Occupy (LTO) be provided to the Te Kopuru Community Development Group Incorporated, for the area of the Te Kopuru Domain outlined in black on Attachment B
- b) Delegates the Chief Executive responsibility for finalising the terms and conditions of the Development Agreement/License to Occupy.

**Carried (Unanimous)**

### 5.2 Annual Plan 2022/2023

**Moved: Mayor Smith**

**Seconded: Deputy Mayor Curnow**

That Kaipara District Council:

- a) Adopts the Annual Plan 2022/2023 (Attachment A).
- b) Delegates the Mayor and Chief Executive the authority to make minor editorial changes to the Annual Plan 2022/2023.

[Secretarial note: Mayor Smith called for a division.]

<b>Elected Member</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
Deputy Mayor Anna Curnow	X			
Cr Victoria del la Varis-Woodcock	X			
Cr Karen Joyce-Paki				Apology
Cr Jonathan Larsen	X			
Cr Mark Vincent				X
Cr Peter Wethey	X			
Cr David Wills	X			
Cr Eryn Wilson-Collins	X			
Mayor Dr Jason Smith	X			
<b>Total Votes</b>	<b>7</b>			<b>1</b>

**Carried**

The Meeting adjourned for a break at 11.18 am

The Meeting reconvened at 11.30 am.

### 5.3 Setting of Rates, Due Dates and Penalties Regime 2022/2023

**Moved: Mayor Smith**

**Seconded: Deputy Mayor Curnow**

That the Kaipara District Council:

- a) Receives the report from the General Manager Sustainable Growth and Investment, "Setting of Rates, Due Dates and Penalties Regime 2022/2023", meeting date 28 June 2022.
- b) Notes that it is required to make the resolution publicly available on the Council's internet site.
- c) Notes that the Setting of Rates Due Dates and Penalties Regime 2022/2023 report has been reviewed by Council's lawyers.
- d) Sets the rates, due dates for payment and penalties regime for the 2022/2023 financial year, as follows:

#### **Rates resolution for the 2022/2023 financial year**

The following rates are set for the period commencing on the first day of July 2022 and ending on the last day of June 2023. All rates and amounts are GST inclusive unless otherwise stated.

#### **A. General rate**

Under Section 13 of the Local Government (Rating) Act 2002 (the Act), a General Rate set for all rateable land within the district based on the land value of the land and at different rates in the dollar for different categories of land as set out in the table below.

Differential category*	Rate in the Dollar (including GST)
Residential and small sized lifestyle properties	0.0027838
Other	0.0043149

\* The definitions of these differential categories can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2022/2023.

#### **B. Uniform Annual General Charge**

Under Section 15 of the Act, a uniform annual general charge on all rateable land within the district of \$764.00 (including GST) per Rating Unit.

#### **C. Targeted rates for Wastewater – networks**

Under Section 16 of the Act, targeted rates for Wastewater in the networks referred to in the table below, for operating and maintaining Wastewater treatment plants and pump stations and reticulation repairs and minor upgrades, including renewals and extensions of the respective systems.

The rates are set on a differential basis based on the use to which the land is put and the provision or availability to the land of the Wastewater service provided by, or on behalf of, Council.

Each targeted rate is calculated as:

1. Properties not connected to the Wastewater network as at 30 June 2022, but capable of being connected (being situated within 30 metres of a public sewerage drain to which it is capable of being effectively connected, either directly, or through a private drain) "serviceable":
  - a. A fixed amount per Separately Used or Inhabited Part of a Rating Unit (SUIP) for all units used primarily as a residence; and
  - b. A fixed amount per Rating Unit for all other units.
2. Properties that are connected to the Wastewater network as at 30 June 2022 "connected":
  - a. A fixed amount per SUIP for all units used primarily as a residence; and
  - b. For all other units:
    - i. A fixed amount per Rating Unit; and
    - ii. A charge per pan (urinal or water closet) for each pan after the second.

Wastewater Network*	Differential Category*	Charge per Rating Unit (including GST)	Charge per SUIP (including GST)	Charge per pan (after the second) (including GST)
Dargaville Glinks Gully Kaiwaka Mangawhai Maungaturoto (Station Village) Maungaturoto (Township)	Residence and connected	-	\$1,162.61	-
	Residence and serviceable	-	\$871.96	-
	Other and connected	\$1,162.61	-	\$581.30
	Other and serviceable	\$871.96	-	-
Te Kopuru	Residence and connected	-	\$1,054.92	-
	Residence and serviceable	-	\$791.19	-
	Other and connected	\$1,054.92	-	\$527.46
	Other and serviceable	\$791.19	-	-

\* The definition of a SUIP, the networks and differential categories can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2022/2023.

#### D. Targeted rates for Wastewater – capital contributions

Under Section 16 of the Act, targeted rates for all rateable land connected or capable of connection to the Mangawhai wastewater network as at 30 June 2013, based on where the land is situated, as defined on maps in the Appendix of the Annual Plan 2022/2023. The targeted rates for each of the four defined areas (A, D, E and F) are as follows:

Targeted rate*	Fixed amount per Rating Unit (including GST)
Mangawhai Wastewater Capital Contribution A	\$676.00
Mangawhai Wastewater Capital Contribution D	\$569.95
Mangawhai Wastewater Capital Contribution E	\$606.31
Mangawhai Wastewater Capital Contribution F	\$643.26

*\* The definitions of the land subject to each targeted rate can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.*

### **E. Targeted rates for Stormwater – networks**

Under Section 16 of the Act, targeted rates for Stormwater in each of the following networks, for the purpose of running and maintaining each Stormwater network. The rate is the amount per dollar of the land value for all land situated in the respective Stormwater network.

Stormwater Network*	Rate in the Dollar (Land Value) (including GST)
Baylys	0.0020018
Dargaville	0.0019960
Kaiwaka	0.0006734
Mangawhai	0.0009728
Te Kopuru	0.0011633

*\*The definitions of the land subject to each targeted rate can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.*

### **F. Targeted rate Land Drainage – Raupo**

Under Section 16 of the Act, a targeted rate for all rateable land within the Raupo Land Drainage scheme, at different rates in the dollar for different categories of land based on where the land is situated. The rate is an amount per dollar of the land value of the land.

This rate is to fund work undertaken to maintain and improve the current capacity of the land drainage network and stop banks.

Differential Category*	Rate in the Dollar (Land Value) (including GST)
Raupo District A	0.0040458
Raupo District B	0.0003412
Raupo Township	0.0048744

*\* The definitions of the land subject to each targeted rate can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.*

### **G. Targeted rates for Land Drainage – other schemes**

Under Section 16 of the Act, targeted rates for Land Drainage in each of the following schemes, for the purpose of maintaining and improving the capacity of the land drainage network and stop banks. The rate is an amount per dollar of the land value for all land situated in the respective Land Drainage scheme.

Land Drainage Scheme*	Rate in the Dollar (Land Value) (including GST)
Aoroa	0.0016203
Arapohue No1	0.0005993
Arapohue No2	0.0003364
Aratapu Village	0.0006377
Awakino Point	0.0006423

Land Drainage Scheme*	Rate in the Dollar (Land Value) (including GST)
Awakino Valley	0.0006800
Greenhill	0.0007269
Hoanga	0.0021637
Horehore	0.0006434
Kaihu	0.0006519
Kopuru Swamp	0.0008310
Koremoa	0.0005335
Mangatarā	0.0006357
Manganui	0.0001175
Mititai	0.0007897
Notorious	0.0004195
Oruariki	0.0012108
Otiria	0.0009783
Owairangi	0.0004967
Tangowahine No1	0.0005934
Tangowahine No2	0.0010834
Tangowahine Valley	0.0002410
Tatarariki 1	0.0004023
Tatarariki 2	0.0013012
Tatarariki 3	0.0007542
Te Hapai	0.0028393
Tikinui	0.0011304
Whakahara	0.0007967

\* The definitions of each land drainage scheme can be found in the Funding Impact Statement – Rating Tools section of Council's Annual Plan 2022/2023.

#### H. Targeted rates for Water Supply

Under Sections 16 and 19 of the Act, targeted rates for Water Supply in each of the networks referred to in the table below, for operating and maintaining the Water Supply network. In particular, the costs associated in treating the water for domestic consumption.

The rates are set on a differential basis based on the provision or availability to the land of the water supply service provided by, or on behalf of, Council. Each targeted rate is calculated as:

Metered properties as at 30 June 2022:

1. A scale of charges based on the per cubic metre amount of water consumed.

Other properties (except in the Mangawhai water supply network, where there is no rate set for "other properties"):

2. A fixed amount per rating unit.

Networks	Metered properties*		Other properties*
	Volumetric charge (up to and including the first cubic metre) (including GST)	Volumetric charge (per cubic metre beyond the first cubic metre) (including GST)	Fixed amount per Rating Unit (including GST)
Dargaville Glinks Gully Mangawhai Maungaturoto (Station Village) Maungaturoto (Township) Ruawai	\$373.23	\$4.18	\$229.67

\* The definitions of the network can be found in the Funding Impact Statement - Rating Tools section of Council's Annual Plan 2022/2023.

#### **I. Targeted rate for Mangawhai Harbour Restoration**

Under Section 16 of the Act, a targeted rate for all rateable land within the Mangawhai Harbour Restoration area of \$80.00 (including GST) per Rating Unit. An indicative map of the Mangawhai Harbour Restoration area can be found in the Appendix of Council's Annual Plan 2022/2023.

#### **J. Targeted rate for Closed Circuit Television (CCTV)**

Under Section 16 of the Act, a targeted rate for all rateable land within the Dargaville, Central, West Coast and North areas, and land located within the Ruawai Tokatoka Hall Targeted Rate area of \$10.35 (including GST) per Rating Unit. Indicative maps of the areas can be found in the Appendix of Council's Annual Plan 2022/2023.

#### **K. Targeted rate for Ruawai Tokatoka Hall**

Under Section 16 of the Act, a targeted rate for all rateable land within the Ruawai Tokatoka Hall targeted rate area of \$36.94 (including GST) per Rating Unit. An indicative map of the Ruawai Tokatoka Hall targeted rate area can be found in the Appendix of Council's Annual Plan 2022/2023.

#### **L. Targeted rate for Forestry Roding**

Under Section 16 of the Act, a targeted rate for all rateable land within the Forestry Roding targeted rate area of 0.0078226 (including GST) per dollar of the land value for all land situated in the area. An indicative map of the Forestry Roding targeted rate area can be found in the Appendix of Council's Annual Plan 2022/2023.

#### **M. Due dates**

Under Section 24 of the Act, the rates, except targeted rates for metered water supply, will be payable in four equal instalments with the following due dates:

Instalment 1	20 August 2022
Instalment 2	20 November 2022
Instalment 3	20 February 2023
Instalment 4	20 May 2023



Metered water rates will be billed twice during the year. The due date for each billing is the 20th of the month following the delivery of the invoice. The billing and due dates for each area are:

Billing month	Area	Payment due date
July 2022 January 2023	Dargaville (Hokianga Road and side streets) and Glinks Gully	20 August 2022 20 February 2023
August 2022 February 2023	Dargaville (Station and Beach Roads) and Mangawhare	20 September 2022 20 March 2023
September 2022 March 2023	Dargaville (Township East)	20 October 2022 20 April 2023
October 2022 April 2023	Dargaville (Awakino Road and Main Street) and Ruawai	20 November 2022 20 May 2023
November 2022 May 2023	Dargaville (Ranfurly, Plunket and Tirarau Streets); Maungaturoto Railway; Maungaturoto Township and Mangawhai	20 December 2022 20 June 2023
December 2022 June 2023	North Dargaville to Kaihu, Awakino Point and Baylys	20 January 2023 20 July 2023

#### N. Penalties

Under Sections 57 and 58 of the Act:

- a) A penalty of 10% of the rates (other than water-by-meter rates) assessed in the 2022/2023 financial year that are unpaid after the due date for each instalment will be added on the relevant penalty date for each instalment stated below, except where a ratepayer has entered into an arrangement by way of direct debit authority, and honours that arrangement. For each instalment the date the penalty will be added is as follows:
  - Instalment 1     21 August 2022
  - Instalment 2     21 November 2022
  - Instalment 3     21 February 2023
  - Instalment 4     21 May 2023; and
- b) A penalty of 10% of the amount of all rates (including any penalties) other than water-by-meter rates from any previous financial years that are unpaid on 06 July 2022 will be added on 07 July 2022; and
- c) A penalty of 10% of the amount of all rates to which a penalty has been added under b) and which remain unpaid on 10 January 2023 will be added on 11 January 2023; and
- d) A penalty of 10% of the amount outstanding for water by meter rates charged per invoice will be added on the relevant penalty date for each billing month and area stated below, except where a ratepayer has entered into an arrangement by way of direct debit authority, and honours that arrangement. For each billing month and area, the date the penalty will be added is as follows:

Billing month	Area	Penalty date
July 2022 January 2023	Dargaville (Hokianga Road and side streets) and Glinks Gully	21 August 2022 21 February 2023
August 2022 February 2023	Dargaville (Station and Beach Roads) and Mangawhare	21 September 2022 21 March 2023

Billing month	Area	Penalty date
September 2022 March 2023	Dargaville (Township East)	21 October 2022 21 April 2023
October 2022 April 2023	Dargaville (Awakino Road and Main Street) and Ruawai	21 November 2022 21 May 2023
November 2022 May 2023	Dargaville (Ranfurly, Plunket and Tirarau Streets); Maungaturoto Railway; Maungaturoto Township and Mangawhai	21 December 2022 21 June 2023
December 2022 June 2023	North Dargaville to Kaihu, Awakino Point and Baylys	21 January 2023 21 July 2023

- e) Delegates authority to the Revenue Manager and the Revenue Officer - Property to apply penalties to unpaid rates according to the resolutions above.

[Secretarial note: Mayor Smith called for a division.]

Elected Member	For	Against	Abstain	Absent
Deputy Mayor Anna Curnow	X			
Cr Victoria del la Varis-Woodcock	X			
Cr Karen Joyce-Paki				Apology
Cr Jonathan Larsen	X			
Cr Mark Vincent				X
Cr Peter Wethey	X			
Cr David Wills	X			
Cr Eryn Wilson-Collins	X			
Mayor Dr Jason Smith	X			
<b>Total Votes</b>	<b>7</b>			<b>1</b>

**Carried**

#### **5.4 Change of Designation D63 NZ Refining Company Ltd to Channel Terminal Services Limited**

**Moved: Deputy Mayor Curnow**

**Seconded: Cr Wilson-Collins**

That the Kaipara District Council

- a) Notes the changes outlined to the operations of Refining NZ.
- b) Approves the transfer of the Requiring Authority from NZ Refining Company Ltd to Channel Terminal Services Ltd as it pertains to Designation D63 in the Operative District Plan and the consequential changes to the conditions attached to the Designation.

Carried

### 5.5 Private Plan Change PPC 78 Estuary Estates (Mangawhai Central) Final Decision

**Moved: Mayor Smith**

**Seconded: Cr Wethey**

That the Kaipara District Council:

- a) Agrees to amend the Operative Kaipara District Plan in accordance with the Environment Court's determination and decision at Attachments A and B.
- b) Approves Private Plan Change 78 to the Kaipara District Plan (pursuant to Clause 17 of Schedule 1 of the Resource Management Act 1991), circulated as Attachment C.
- c) Delegates the Chief Executive to publicly notify in accordance with Clause 20 of Schedule 1 of the Resource Management Act (1991) that the 'operative date' will be 22 July 2022.

[Secretarial note: Mayor Smith called for a division.]

<b>Elected Member</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
Deputy Mayor Anna Curnow	X			
Cr Victoria del la Varis-Woodcock	X			
Cr Karen Joyce-Paki				Apology
Cr Jonathan Larsen	X			
Cr Mark Vincent				X
Cr Peter Wethey	X			
Cr David Wills	X			
Cr Eryn Wilson-Collins	X			
Mayor Dr Jason Smith	X			
<b>Total Votes</b>	<b>7</b>			<b>1</b>

Carried

### 5.6 Treasury Management Policy – funding maturity profile

**Moved: Deputy Mayor Curnow**

**Seconded: Cr Wethey**

That Kaipara District Council:

- a) Approves the external term loans maturity profile as at April 2022 in accordance with Council's Treasury Policy as follows:

	<b>Minimum cover to Maximum cover</b>	<b>Actual %</b>	<b>Compliance</b>
0 to 3 years	15% to 60%	63%	No
3 to 7 years	25% to 85%	44%	Yes
7 years plus	0% to 60%	6%	Yes

- b) Notes that 0 to 3 years mix is out of policy by 3% and will remain out of policy until April 2023.

**Carried**

### **5.7 Māori Freehold Land Rates Postponement and Remission Policy**

**Moved: Cr Wilson-Collins**

**Seconded: Mayor Smith**

That Kaipara District Council:

- a) Adopts the amended Māori Freehold Land Rates Postponement and Remission Policy as provided in Attachment A.
- b) Delegates the Mayor and Chief Executive the authority to approve any minor editorial changes to the Policy that do not alter the intent of the Policy.
- c) Delegates all responsibilities, duties, and powers under the Policy to the Chief Executive.

**Carried (Unanimous)**

### **5.8 Procurement Policy adoption**

**Moved: Cr Wethey**

**Seconded: Cr Wills**

That Kaipara District Council

- a) Adopts the Procurement Policy 2022 as provided in Attachment B.
- b) Rescinds the Procurement and Contract Management Manual 2014 as provided in Attachment A.
- c) Delegates the Chief Executive the authority to make any minor and inconsequential amendments to the Policy identified at this meeting.

[Secretarial note: Mayor Smith called for a division.]

<b>Elected Member</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
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Deputy Mayor Anna Curnow	X			
Cr Victoria del la Varis-Woodcock	X			
Cr Karen Joyce-Paki				Apology
Cr Jonathan Larsen	X			
Cr Mark Vincent				X
Cr Peter Wethey	X			
Cr David Wills	X			
Cr Eryn Wilson-Collins	X			
Mayor Dr Jason Smith	X			
<b>Total Votes</b>	<b>7</b>			<b>1</b>

**Carried**

The Meeting adjourned for lunch at 12.40 pm.

The Meeting reconvened at 1.10 pm.

## **6. Information**

### **6.1 Joint Submission on draft National Adaptation Plan**

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

**Seconded: Cr Wilson-Collins**

That Kaipara District Council:

- a) Notes the 'Joint Submission on draft National Adaptation Plan' (Attachment A) that was prepared and submitted on behalf of the Northland Councils.

**Carried**

### **6.2 Raupo Drainage Committee - Elections for ratepayer members**

**Moved: Cr Wills**

**Seconded: Deputy Mayor Curnow**

That Kaipara District Council:

- a) Notes the report Raupo Drainage Committee – Elections for ratepayer members.

**Carried**

[Secretarial note: Cr Vincent rejoined the Meeting at 1.24pm].

**6.3 Exceptions Report May 2022****Moved: Cr Wethey****Seconded: Cr Wilson-Collins**

That Kaipara District Council:

- a) Notes the Exceptions Report May 2022.

**Carried****6.4 Resolutions Register****Moved: Deputy Mayor Curnow****Seconded: Cr Wilson Collins**

That Kaipara District Council:

- a) Notes the Resolutions Register – June 2022.

**Carried****7. Recommendation to move into Public Excluded Session****Moved: Cr Wilson-Collins****Seconded: Deputy Mayor Curnow**

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:

<b>Recommendation/Ngā tūtohunga</b>	
a) That the following items are considered with the public excluded:	
<b>Item</b>	<b>Grounds for excluding the public</b>
Mangawhai shared path Phase 2 additional costs.	S7(2)(i) enable any local authority holding the information to carry on without prejudice or disadvantage negotiations (including commercial and industrial negotiations).

**Carried**

The Meeting entered Public Excluded Session at 1.45 pm.

**8. Public Excluded agenda item - 29 June 2022**

**9. Return to Open Session**

The Meeting returned to open session at 2.04 pm.

**10. Closure**

**10.1 Karakia**

Mayor Smith closed the Meeting with a karakia.

The Meeting closed at 2.04 pm.

Unconfirmed