

# Whangarei District Council

---

## Notice of Meeting

A meeting of the Whangarei District Council will be held in the Council Chamber, Forum North, Whangarei on:

**Wednesday  
22 July 2015  
10.30 am**

## Committee

Her Worship the Mayor (Chairperson)  
Cr S J Bell  
Cr S J Bretherton  
Cr C B Christie  
Cr P A Cutforth  
Cr S J Deeming  
Cr S M Glen  
Cr P R Halse  
Cr C M Hermon  
Cr G C Innes  
Cr G M Martin  
Cr B L McLachlan  
Cr S L Morgan  
Cr J D T Williamson

---

**OPEN MEETING  
APOLOGIES  
CONFLICTS OF INTEREST**

Members are reminded to indicate any items in which they might have a conflict of interest.

## **INDEX**

<b>Item No</b>	<b>Page No</b>
1. Public Forum .....	1
2. Minutes of the Whangarei District Council Meeting held 24 June 2015 .....	2
3. Kotuku Dam Land Vestment .....	13

## **PUBLIC EXCLUDED BUSINESS**

<b>Item No</b>	<b>Page No</b>
C.1 Confidential Minutes of the Whangarei District Council Meeting held 24 June 2015 .....	1
C.2 Infrastructure Update .....	3
C.3 Registration of Interest .....	29
C.4 Lease.....	70
C.5 Property Transaction.....	78
C.6 Property Transaction.....	82
C.7 Infrastructure .....	

**Local Government Act 2002 Amendment Act 2012**

*Full consideration has been given to the provisions of the Local Government Act 2002 Amendment Act 2012 in relation to decision making and in particular the current and future needs of communities for good quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost effective for households and businesses. Consideration has also been given to social, economic and cultural interests and the need to maintain and enhance the quality of the environment in taking a sustainable development approach.*

**Recommendations contained in the Council agenda may not be the final decision of Council  
Please refer to Council minutes for final resolution**

# 1. Public Forum

---

**Reporting officer** Carolyne Brindle (Senior Meeting Co-ordinator)

**Meeting Date** 22 July 2015

## Public Forum

Appendix F in Standing Orders allows for a period of up to 15 minutes to be set aside for a public forum at the commencement of each monthly council meeting.

The time allowed for each speaker is 5 minutes.

Members of the public who wish to participate should send a written application setting out the subject matter and the names of the speakers to the Chief Executive Officer at least 10 working days before the day of the meeting.

## Speaker

Time	Speaker	Subject
10.30 – 10.35am	Allan George Lather	Footpaths, Otaika/Raumanga

## 2. Minutes: Whangarei District Council Wednesday, 24 June 2015

---

*Minutes of a meeting of the Whangarei District Council held in the Council Chamber Forum North on Wednesday 24 June 2015 at 10.30am*

**Present:**

Her Worship the Mayor S L Mai (Chairperson)

Crs S J Bell, S J Bretherton, C B Christie, P A Cutforth, S J Deeming, S M Glen, P R Halse, G C Innes, C M Hermon, G M Martin, B L McLachlan, S L Morgan and J D T Williamson

**Also present:**

Leon Pieterse (Director) and Sam Ho (Auditor) – Audit New Zealand

**In Attendance:**

Acting Chief Executive (S Weston), Group Manager Support Services (A Adcock), Financial Controller (R Kerr), Governance Manager (D Kula), Economic Development Manager (P Gleeson), Property Manager (M Hibbert), Parks Manager (P McDonald), Roading Manager (J Devine), Water Services Manager (A Venmore), Senior Communications Adviser (R Pascoe), LTP Co ordinator (S Gavin), Executive Assistant (J Crocombe) and Senior Meeting Co-ordinator (C Brindle)

*Deputy Mayor S L Morgan opened the meeting with a karakia.*

### 1. Public Forum

There were no applications received for Public Forum.

### 2. Confirmation of Minutes of a Meeting of the Whangarei District Council held on 27 May 2015

**Moved:** Cr Morgan

**Seconded:** Cr Martin

“That the minutes of the Whangarei District Council Meeting held on Wednesday 27 May 2015, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

### 3. Confirmation of Minutes of an Extra ordinary Meeting of the Whangarei District Council held 14, 15, 18 and 19 May 2015

**Moved:** Cr Deeming

**Seconded:** Cr Halse

“That the minutes of the Extra ordinary Whangarei District Council Meeting held on Thursday 14 May, Friday 15 May, Monday 18 May and Tuesday 19 May 2015 having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

### 4. Confirmation of Minutes of an Extra ordinary Meeting of the Whangarei District Council held on 11 June 2015

**Moved:** Cr McLachlan

**Seconded:** Cr Morgan

“That the minutes of an Extra ordinary Whangarei District Council Meeting held on Thursday 11 June 2015, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

## 5. Confirmation of Minutes of the Audit and Risk Committee Meeting held on 3 June 2015

**Moved: Cr Morgan**  
**Seconded: Cr Deeming**

“That the minutes of the Audit and Risk Committee Meeting held on Wednesday 3 June 2015, including the confidential section, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

## 6. Revenue and Financing Policy

Supplementary Agenda No 1 – additional to Item 6 was distributed separately but within the timeframe specified in LGOIMA.

The supplementary item outlined minor amendments to the agenda report and Appendix A (page 10) of the Revenue and Financing Policy.

**Moved: Cr Deeming**  
**Seconded: Cr Hermon**

- “1. That the information be received.
2. That having undertaken the Special Consultative Procedure, in accordance with sections 82, 82A and 102 of the Local Government Act 2002, Council adopt the Revenue and Financing Policy.
3. That Council authorises the Acting Chief Executive to make minor amendments, drafting, typographical or presentation corrections necessary to the Revenue and Financing Policy following review of the document by Audit New Zealand.”

**CARRIED**

## 7. Amended Water Fees and Charges 2015-2016

**Moved: Cr McLachlan**  
**Seconded: Cr Morgan**

- “1. That the following resolution adopted by council on 19 March 2015 now be rescinded:  
No 3 (i) Table 25, replicated below.

**“Table 25 – Proposed Fees and Charges 2015/16 – Water**

<b>Water</b>		<b>CURRENT (\$)</b>	<b>PROPOSED (\$)</b>	<b>Total % Increase</b>
<b>Meter Testing</b>	25 mm Diameter and Under	<b>136.00</b>	<b>289.50</b>	<b>112.90%</b>
	Over 25 mm up to 40 mm Diameter	<b>164.00</b>	<b>351.00</b>	<b>114%</b>

	Over 40 mm Diameter	<b>338.00</b>	<b>513.00</b>	<b>51.8%</b>
<b>Meter Only Water Connections</b>	20mm Manifold Meter Only	<b>300.00</b>	<b>\$307.00*</b>	<b>2.3%</b>
	20mm Manifold + Meter	<b>676.50</b>	<b>692.00*</b>	<b>2.3%</b>
	20mm Manifold + Meter + Box	<b>742.00</b>	<b>\$759.00*</b>	<b>2.3%</b>
	20mm In Line Meter + Dual Check Valve	<b>436.50</b>	<b>446.00*</b>	<b>2.2%</b>
	Cast Iron Meter Box (materials only)	<b>159.00</b>	<b>163.00*</b>	<b>2.5%</b>
<b>Boundary Back Flow Devices</b>	Charges for Backflow Preventers are now Targeted Rates. Refer to the Current Annual Plan or Long Term Plan for Current Costs			
<b>Special Reading</b>	Outside Normal Reading Cycle	<b>49.00</b>	<b>50.00</b>	<b>2%</b>
<b>Standpipes Metered</b>	Meter Reading – Monthly	<b>41.00</b>	<b>51.00</b>	<b>24.4%</b>
	Weekly Hire (minimum charge one week)	<b>28.00</b>	<b>28.00</b>	<b>-</b>
<b>Tanker Filling Point – Kioreroa and Sime Road</b>	Per Fill	<b>25.00</b>	<b>14.00</b>	<b>(44%)</b>
	Charge Rate – per m3	<b>Standard domestic rate</b>	<b>Standard domestic rate</b>	<b>-</b>

\* *Contracts currently out to tender. Proposed fees have been estimated at 2.24% increase on prior year.*

2. That the following amended water charges for the period 1 July 2015 to 30 June 2016 be adopted under the Local Government Act 2002.

<b>Water</b>		<b>CORRECTED FEE (\$)</b>
<b>Meter Testing</b>	25 mm Diameter and Under	<b>353.00</b>
	Over 25 mm up to 40 mm Diameter	<b>403.50</b>
	Over 40 mm Diameter	<b>589.50</b>
<b>Meter Only Water Connections</b>	20mm Manifold Meter Only	<b>288.50*</b>
	20mm Manifold + Meter	<b>575.00*</b>
	20mm Manifold + Meter + Box	<b>648.50*</b>

	20mm In Line Meter + Dual Check Valve	<b>469.00*</b>
	Cast Iron Meter Box (materials only)	<b>186.50*</b>
<b>Boundary Back Flow Devices</b>		
<b>Special Reading</b>	Outside Normal Reading Cycle	<b>50.00</b>
<b>Standpipes Metered</b>	Meter Reading – Monthly	<b>59.00</b>
	Weekly Hire (minimum charge one week)	<b>32.00</b>
<b>Tanker Filling Point – Kioreroa and Sime Road</b>	Per Fill	<b>16.00</b>
	Charge Rate – per m3	<b>Standard domestic rate.”</b>

\* Contracts now finalised.

**CARRIED**

## 8. Development Contributions Policy 2015 Adoption

Supplementary agenda No 2 – Additional to Item 8 was distributed separately but within the statutory timeframe specified in LGOIMA.

The supplementary item acknowledged a project had been entered incorrectly under Appendix 1 rather than Appendix 3 and provided replacement pages for Appendix 1 – 3 of the Policy.

**Moved: Cr Deeming**  
**Seconded: Cr Bretherton**

- “1. That Council adopt the Development Contributions Policy 2015 in accordance with Section 102 of the Local Government Act 2002.
2. That Council authorises the Acting Chief Executive to make any necessary minor drafting, typographical or presentation corrections to the Development Contributions Policy 2015 prior to the document going to print.”

**CARRIED**

*Cr Bretherton requested her vote against be recorded.*

## 9. Adoption of the 2015-2025 Long Term Plan

The 2015-2025 Long Term Plan document was distributed separately but within the statutory timeframe specified in LGOIMA.

**Moved: Her Worship the Mayor**  
**Seconded: Cr Morgan**

- “1. That the information be received.
2. That in accordance with the requirements of sections 101A and 101B of the Local Government Act 2002, Council adopts the Financial Strategy and Infrastructure Strategy as contained in the final 2015-2025 Long Term Plan.
2. That the 2015-2025 Long Term Plan be approved for signing.”

On the motion being put Cr Martin called for a division:

For the motion:

Crs Hermon, Innes, Morgan, Halse, Deeming, Martin, Williamson, Christie and Her Worship the Mayor (9)

Against the motion:

Crs McLachlan, Cutforth, Glen, Bretherton and Bell (5)

**The motion was CARRIED**

The meeting adjourned at 11.36am and reconvened 11.41am, during which time Her Worship the Mayor S L Mai, the Deputy Mayor S L Morgan, S Weston, A Adcock, L Pieterse and S Ho left the room for the signing of the approved Long Term Plan.

**Moved: Cr Deeming**

**Seconded: Cr Morgan**

“5. That Council adopt the 2015-2025 Long Term Plan in accordance with Section 93 of the Local Government Act 2002.

6. That Council authorises the Acting Chief Executive to make any necessary minor drafting, typographical or presentation corrections to the 2015-2025 Long Term Plan prior to the document going to print.”

**CARRIED**

Cr Bell requested his vote against be recorded.

## 10. Rates Resolution 2015-2016

**Moved: Her Worship the Mayor**

**Seconded: Cr Williamson**

“That the Whangarei District Council, in pursuance of its powers under the Local Government (Rating) Act 2002 hereby resolves to set the following rates and charges on rating units in the Whangarei District for the period 1 July 2015 to 30 June 2016, and resolves the due dates and penalties as set out.

The rates will be set in accordance with the relevant provisions of the funding impact statement covering the financial year 1 July 2015 to 30 June 2016.

All rates and charges include Goods and Services Tax (GST). Penalties added to unpaid rates are exempt from GST but will be applied to the GST inclusive amount.

### General rates and charges

#### General Rates

Type of rate	Basis of Assessment Sec 13, 14, 15 and Schedule 2	Rate or charge 2015-2016
<b>GENERAL RATES</b>		
Uniform Annual General Charge	Per separately used or inhabited part of a rating unit	\$406.00
Residential category	Per \$ of land value	\$0.0032991
Residential Step 1	Per \$ of land value	\$0.0016496
Residential Step 2	Per \$ of land value	\$0.0008248
Multi – Unit category	Per \$ of land value	\$0.0065982
Rural category	Per \$ of land value	\$0.0026691



Commercial/Industrial category	Per \$ of land value	\$0.0171967
Miscellaneous category	Per \$ of land value	\$0.0032991

## Targeted rates

Council resolves to set the following targeted rates under Sec 16 of the Local Government (Rating) Act 2002.

### Sewage Disposal

The targeted rate will be set and assessed per separately used or inhabited part of a rating unit connected to Council's wastewater system on a differential basis based on the number of toilet pans. All residential connections will pay a fixed amount regardless of the number of toilet pans. Other premises, i.e. not residential, having no more than two toilet pans or urinals will pay a fixed amount. Where other premises have more than two pans, the charge will be based on the number of pans or urinals.

Type of rate	Basis of Assessment Sec 16, 17, 18, and Schedule 2 and 3	Rate or charge 2015-2016
<b>SEWERAGE RATES</b>		
Residential	Per separately used or inhabited part of a rating unit	\$639.00
Other – non-residential up to two pans	Per separately used or inhabited part of a rating unit	\$639.00
Other – non residential three or more pans	Per pan or urinal	\$416.00

### District-Wide Refuse Management

The targeted rate will be applied on a uniform basis to all rateable properties and assessed to all separately used or inhabited parts of a rating unit.

Type of rate	Basis of Assessment Sec 16, 17, 18, and Schedule 2 and 3	Rate or charge 2015-2016
<b>DISTRICT WIDE REFUSE MANAGEMENT CHARGE</b>		
All categories	Per separately used or inhabited part of a rating unit	\$166.00

### Water Supply

Water Supply rates are set under Section 19 of the Local Government (Rating) Act 2002. The water consumption is charged as a targeted rate on the basis of water consumed as recorded by a water meter. For all connected properties a uniform targeted rate set under Sec 16 for the annual supply charge will also apply.

For those premises where consumption of water is not recorded through a meter, but they are connected to any of the District's water supply systems, a uniform targeted rate set under Sec 16 will apply. Where premises are capable of being connected as they are situated within 100 meters of any public water supply reticulation system, and capable of connection, a targeted rate for availability will apply.

A targeted rate set under Sec16 for back flow prevention applies to all properties which have a back flow preventer connected. The rate will be calculated on a scale of charges based on the size of the back flow preventer.

Type of rate	Basis of Assessment Sec 16, 17, 18, 19 and Schedule 2 and 3	Rate or charge 2015-2016
<b>WATER RATES</b>		
Consumption Charge	Volume of metered water consumed per cubic metre	\$2.18
Supply charge	Provision of service per separately used or inhabited part of a rating unit	\$31.00
Availability charge	Availability of service per separately used or inhabited part of a rating unit	\$31.00
Uniform charge (unmetered)	Provision of service per separately used or inhabited part of a rating unit.	\$426.00
Backflow preventer charge	Provision of service per connection based on the nature of connection	
	15/20mm connection	\$75.71
	25mm connection	\$76.74
	32mm connection	\$90.78
	40mm connection	\$92.91
	50mm connection	\$96.39
	80/100mm connection	\$242.78
	150mm connection	\$284.21
200mm connection	\$470.72	

### Special rates and roading schemes

Targeted rates are set for specific activities under Sec 16 of the Local Government (Rating) Act 2002 and apply to properties within a defined area of benefit either for the provision of a service, or where they are capable of being connected to the service.

Rates for the schemes noted below recover a contribution of the costs of capital works over a five year period. They are:

- Acacia Park roading remediation
- Roading – Seal extensions – Whangaruru North Road
- Roading – Seal extensions – McKinley Road
- Ruakaka sewerage extension

<b>SPECIAL RATES</b>  <b>Roading Schemes</b>  Acacia Park Roading Remediation (Year 5 of 5)	Per rating unit in a specified and defined area of benefit	\$400.00
--	--	----------

Whangaruru North Road Seal Extension (Year 1 of 5)	Per rating unit in a specified and defined area of benefit	\$575.00
McKinley Road Seal Extensions (Year 1 of 5)	Per rating unit in a specified and defined area of benefit	\$575.00
<b>Mains Extension – Sewer</b>		
Ruakaka South Wastewater (Year 4 of 5)	Per separately used or inhabited part of a rating unit in a specified and defined area of benefit which is connected or capable of being connected.	
	- Residential	\$2,342.95
	- Non-Residential	\$3,466.87

### Hikurangi Swamp Rating District

A targeted rate applies to properties in the Hikurangi Swamp Special Rating District. The land within this special rating district is divided into classes based on benefit or effect of the scheme on a property. The targeted rate is based on a differential graduated scale according to the class of the property and the area of land within the rating unit. Some properties may have land which falls into several classes. A second targeted rate applies to properties in the Hikurangi Swamp Drainage Rating District, based on a differential graduated scale according to the class of the property and the area of land within the rating unit. The revenue is used to defray the costs and charges of the schemes.

Hikurangi Swamp Major Scheme Rating District to defray costs and charges within the Hikurangi Swamp special rating area.	Per hectare of land in the Hikurangi Swamp Special Rating area	
	Class A approx 2,814ha	\$149.31
	Class B approx 1,499 ha	\$134.09
	Class C approx 1,470 ha	\$104.53
	Class D approx 1,931 ha	\$14.96
	Class E approx 921 ha	\$7.53
	Class F approx 32,450 ha	\$3.01
Hikurangi Swamp Drainage Rating District to defray costs and charges within the Hikurangi Swamp drainage rating area	Per hectare of land in the Hikurangi Swamp Drainage Rating District	
	Class A approx 5,190 ha	\$17.27
	Class F approx 11,956ha	\$1.73

### Discount for full payment of annual rates

Council resolves to apply a policy for early payment of rates under Sec 55 of the Local Government (Rating) Act 2002. Where the total year's land rates and any arrears are paid in full by the due date of the first instalment a discount will apply.

	Due Date	Discount
Full payment of annual land rates and any arrears.	20 August 2015	Discount 3.0%

### Penalty dates for rates paid by instalments

#### Due dates and penalty dates for land rates

Council resolves the following due dates and to add penalties to rates not paid by the due date under Sec 57 of the Local Government (Rating) Act 2002. A penalty will be added to each instalment or part thereof which remains unpaid after the due date for payment.

	<b>Due date</b>	<b>Late payment penalty</b>	<b>Date penalty applied</b>
Instalment One	20 August 2015	Penalty 10%	25 August 2015
Instalment Two	20 November 2015	Penalty 10%	25 November 2015
Instalment Three	22 February 2016	Penalty 10%	25 February 2016
Instalment Four	20 May 2016	Penalty 10%	25 May 2016

#### **Due dates and penalty dates for water rates**

Water accounts are processed monthly, two-monthly or six-monthly. The due dates of these accounts will be relative to the consumer's cyclic billing period and will show on the water rates invoice. A penalty of 10% will apply to amounts unpaid after the applicable due date.

#### **Penalty dates for previous years**

##### **Additional penalty on arrears for land rates**

All rates (including penalties previously added) from the previous rating year ended 30 June 2015 that still remain unpaid as at 1 September 2015 will have a further 10% penalty added.

##### **Additional penalty on arrears for water rates**

A further penalty of 10% will be added to any water rates (including penalties previously added) which continue to remain unpaid at every six monthly interval after the due date."

**CARRIED**

*Cr Bell requested his vote against be recorded.*

### **11. Northland Events Centre – Appointment of Trustee**

**Moved: Cr Martin**  
**Seconded: Cr Deeming**

- "1. That Council appoints Ken Wilson to the Northland Events Centre Trust under the standard indemnity applying to Trustees.
2. That Council thanks Greg Gent for his contribution to the Trust."

**CARRIED**

*Cr Cutforth abstained from voting on Item 11.*

### **12. Appointment of Trustees to Parua Bay Cemetery Board**

**Moved: Cr Innes**  
**Seconded: Cr Glen**

"That the proposed appointments of Murray Ernest Jagger and Trevor Peter Hutchinson as trustees of the Parua Bay Cemetery Board be approved."

**CARRIED**

### 13. Recommendation for extension of contracts: Con12001, Con12002 Con 12003

**Moved: Cr Martin**  
**Seconded: Cr Deeming**

- “1. That the extension of the contract for North Maintenance Area (Contract 12001) for the period of one year from 1 July 2015 to 30 June 2016 be authorised and the contract value be increased by the sum of \$3,500,000 and the total contract value increased to \$ 17,099,588.75 exclusive of GST.
2. That the extension of the contract for South Maintenance Area (Contract 12002) for the period of one year from 1 July 2015 to 30 June 2016 be authorised and the contract value be increased by the sum of \$3,300,000 and the total contract value increased to \$ 16,269,852.35 exclusive of GST.
3. That the extension of the contract for Central Maintenance Area (Contract 12003) for the period of one year from 1 July 2015 to 30 June 2016 be authorised and the contract value be increased by the sum of \$2,100,000 and the total contract value increased to \$ 9,631,277.03 exclusive of GST.”

**CARRIED**

### Presentation – 100 Year Gallipoli Commemoration 25 April 2015 - Photograph

Her Worship presented Councillors Greg Martin and Sue Glen with a photograph of the historic 100 Year Gallipoli Commemoration ceremony held on 25 April 2015 at Laurie Hall Park. The ceremony was photographed and donated to the council by Sue Shepherd.

Her Worship acknowledged the significant work undertaken by Councillors Greg Martin and Sue Glen and the project team involved in the relocation of the World War One War Memorial project.

### Exclusion of the public

**Moved: Cr Williamson**  
**Seconded: Cr Hermon**

“That the public be excluded from the following parts of proceedings of this meeting. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
C.1	Confidential Minutes of the Whangarei District Council Meeting held 27 May 2015	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Confidential Minutes of the Extra ordinary Whangarei District Council Meeting held 20 May 2015		
C.3	Confidential Minutes of the Extra ordinary Whangarei District Council Meeting held 11 June 2015		

C.4	Confidential Minutes of the Audit and Risk Committee Meeting held 3 June 2015		
C.5	Confidential Minutes of the Civic Honours Committee Meeting held 11 June 2015		
C.6	Property Matter		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

Item	Grounds	Section
C.1	For the reasons as stated in the open minutes	
C.2	To enable the Council to carry on without prejudice or disadvantage negotiations	Section 7(2)(i)
C.3	For the reasons as stated in the open minutes	
C.4	For the reasons as stated in the open minutes	
C.5	To protect the privacy of natural persons	Section 7(2)(a)
C.6	To enable the Council to carry on without prejudice or disadvantage negotiations To enable the Council to carry on without prejudice or disadvantage commercial activities	Section 7(2)(i)."

**CARRIED**

*Cr Cutforth left the meeting at 12.01pm.*

**The meeting closed at 12.24pm**

Confirmed this 22<sup>nd</sup> day of July 2015

S L Mai (Chairperson)

## Kotuku Dam Land Vestment

**Reporting officer** Simon Weston (Group Manager Infrastructure & Services)  
**Date of meeting** 22 July 2015

### ***Vision, mission and values***

*This item is in accord with Council's vision, mission and values statement as it supports sustainable land use for management and transportation, and the Kotuku dam provides a quality environment by mitigating flood risk to central Whangarei.*

### **Background**

At the Council meeting on 26 February 2014, Council authorised the exchange of 6837 m<sup>2</sup> of Whangarei District Council reserve land to allow the construction and operation of a water retention dam at the end of Kotuku Place by Northland Regional Council. In return, it was agreed that Northland Regional Council would transfer 18072 m<sup>2</sup> comprised in five titles to Whangarei District Council that would become Esplanade and Recreation Reserves.

Northland Regional Council staff has now requested that two of these titles comprising 1904 m<sup>2</sup> remain in the ownership of Northland Regional Council as rental accommodation.

Upon further review and approval of the survey plan, the area of land from Whangarei District Council to be vested in NRC has reduced from 6837 m<sup>2</sup> to 5453 m<sup>2</sup>.

### **Significance and Engagement**

Having considered the Significance and Engagement Policy this proposal or decision is not considered significant and the public will be informed via Agenda publication on the website, and Council News.

The consent for the construction of Kotuku Dam was publically notified, and the wider project has been the topic of a number of press releases.

### **Discussion and options**

Northland Regional Council purchased houses at 22 and 24 Kotuku Street from private owners as part of the land purchases required for the Kotuku Dam, as analysis indicated that there was the potential for flooding of these properties when the water retention dam was established.

The intention was that the two houses would be removed, and the land underneath these houses would be transferred into the ownership of Whangarei District Council and form part of wider area of reserve. These two titles formed part of the exchange of land between Northland Regional Council and Whangarei District Council that was agreed in February 2014.

Northland Regional Council staff have requested that these two titles remain in the ownership of Northland Regional Council as subsequent analysis indicates that the flood risk for these properties is manageable given the flood return period probabilities and that there is economic benefit in retaining these dwellings as rental accommodation.

The two houses would be retained in the ownership of Northland Regional Council, and rental revenue received would help to pay back the capital cost of the dam, and this would have a substantial benefit in reducing the overall cost of the project to the ratepayers. The two sites are sloping and would not make a significant addition to Whangarei District Council reserves in this area.

While a resolution has been made and land exchange agreed, Whangarei District Council would be supporting Northland ratepayers by allowing the properties to be retained by Northland Regional Council as rental accommodation.

The following properties were included in the Council resolution at the meeting on 24 February 2014. It is proposed that Lot 9 DP 136446 and Lot 10 DP 136446 be removed from these schedules for the purposes of the current resolution.

Before SO plan 472207 was lodged with LINZ for approval the areas were reviewed and the plan was changed resulting in an area of 2915 m<sup>2</sup> of Whangarei District Council land to vest in Northland Regional Council being reduced to 1531 m<sup>2</sup>.

<b>First schedule</b>	<b>land to be exchanged (current WDC ownership)</b>	
<b>Area (m<sup>2</sup>)</b>	<b>Description</b>	<b>Comment</b>
2670	Lot 24 DP 13446.	
1252	Part Lot 24 DP 136445, shown as Section 6 on SO 472207.	
2915 now 1531	Parts Lot 11 DP 109143, shown as Sections 2 and 4 SO 472207. Now: Lot 24 DP 136446 & Lot 1 DP 480546.	SO 472207 was amended and the areas now shown as Lot 1 DP 480546 & Lot 2 DP 475087
Previous Total area <b>6837 m<sup>2</sup></b> New reviewed area 5453 m <sup>2</sup>		

<b>Second schedule</b>	<b>land to be exchanged (current NRC ownership)</b>	
<b>Area m<sup>2</sup></b>	<b>Description</b>	<b>Comment</b>
<b>758</b>	Lot 9 DP 136446 all CFR NA80B/892.	<b>House and site to be retained in ownership of NRC</b>
<b>1146</b>	Lot 10 DP 136446 all CFR NA80B/893.	<b>House and site to be retained in ownership of NRC</b>
8570	Lot 3 DP 151239; all CFR NA90A/742.	
1923	Part Lot 2 DP 151239; shown as Section 16 on SO 472207.	
548	Part Lot 1 DP 151239; shown as Section 15 on SO 472207.	
5127	Part Lot 6 DP 109143; shown as Section 13 on SO 472207.	
Total area as approved <b>18072 m<sup>2</sup></b> Total area excluding Lots 9 and 10 <b>16168 m<sup>2</sup></b>	Balance area in favour of WDC as approved <b>11235 m<sup>2</sup></b> Balance area in favour of WDC as currently proposed <b>10715 m<sup>2</sup></b>	

If the resolution were amended so that the land exchange adopted the proposed new areas, there would still be a significant net area (10715 m<sup>2</sup>) being in the favour of Whangarei District Council.



Whangarei District Council has the option of approving the amended land exchange or not.

## Recommendation

1. That the following resolution of the Whangarei District Council adopted on 26 February 2014 be rescinded:

“3. *In exercise of powers conferred on it by delegation under the Reserves Act 1977 the Council authorises the exchange of all or parts of Local Purpose (esplanade) Reserves described in the First Schedule for the land described in the Second Schedule.*

### **North Auckland Land District – Whangarei District**

#### **First Schedule**

*Reserve to be Exchanged*

<i>Area m<sup>2</sup></i>	<i>Description</i>
2670	<i>Lot 24 DP 13644.</i>
1252	<i>Part Lot 24 DP 136445, shown as Section 6 on SO 472207.</i>
2915	<i>Parts Lot 11 DP 109143, shown as Sections 2 and 4 SO 472207.</i>

#### **Second Schedule**

*Land to be Exchanged*

<i>Area m<sup>2</sup></i>	<i>Description</i>
758	<i>Lot 9 DP 136446; all CFR NA80B/892.</i>
1146	<i>Lot 10 DP 136446; all CFR NA80B/893.</i>
8570	<i>Lot 3 DP 151239; all CFR NA90A/742.</i>
1923	<i>Part Lot 2 DP 151239; shown as Section 16 on SO 472207.</i>
548	<i>Part Lot 1 DP 151239; shown as Section 15 on SO 472207.</i>
5127	<i>Part Lot 6 DP 109143; shown as Section 13 on SO 472207.”</i>

2. And that Council resolves:

In exercise of powers conferred on it by delegation under the Reserves Act 1977 the Council authorises the exchange of all or parts of Local Purpose (esplanade) Reserves described in the First Schedule for the land described in the Second Schedule.

### **North Auckland Land District – Whangarei District**

#### **First Schedule**

Reserve to be Exchanged (current WDC ownership)

<b>Area m<sup>2</sup></b>	<b>Description</b>
2670	Lot 24 DP 136446. Pt CFR NA78D/221
632	Lot 2 DP 475087. Pt CFR NA31C/834
1252	Lot 6 DP 475087. Pt CFR NA78D/221
899	Lot 1 DP 480546. Pt CFR NA31C/834

#### **Second Schedule**

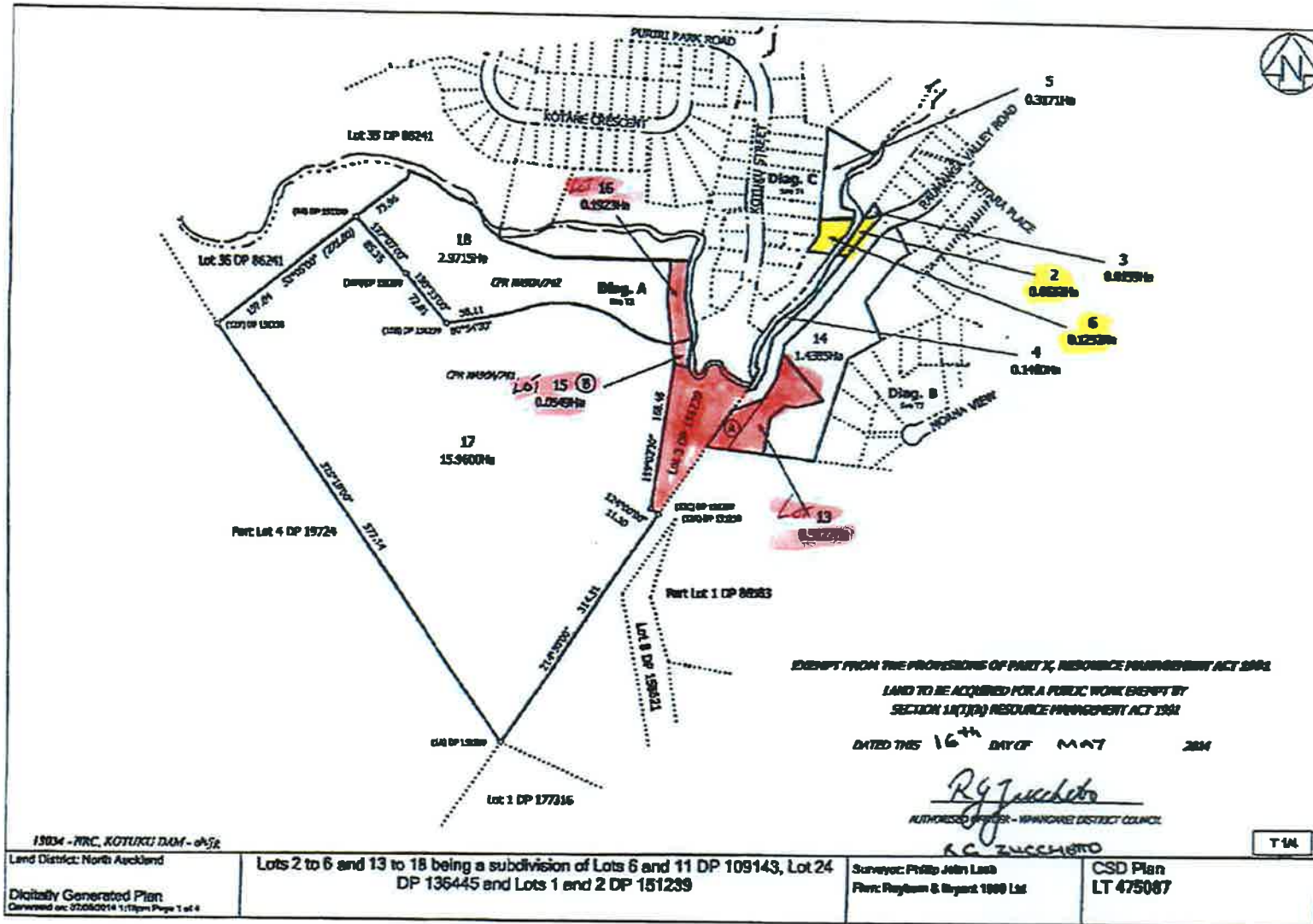
Land to be Exchanged (current NRC ownership)

<b>Area m<sup>2</sup></b>	<b>Description</b>
8570	Lot 3 DP 151239; part CFR NA90A/742
5127	Lot 13 DP 475087; part CFR 61C/79
549*	Lot 15 DP 475087; part CFR NA90A/741
1923	Lot 16 DP 475087; part CFR NA90A/742.

\* This figure was corrected from 548m<sup>2</sup> to 549m<sup>2</sup> as a result of the LINZ survey.

## Attachments

1. [DP plan 136446](#)
2. [LT 475087](#)
3. [LT 480546](#)



13034 - RRC, KOTUKU DAM - ohjg

Land District: North Auckland

Digitally Generated Plan  
Generated on: 07/05/2014 11:11am Page 1 of 4

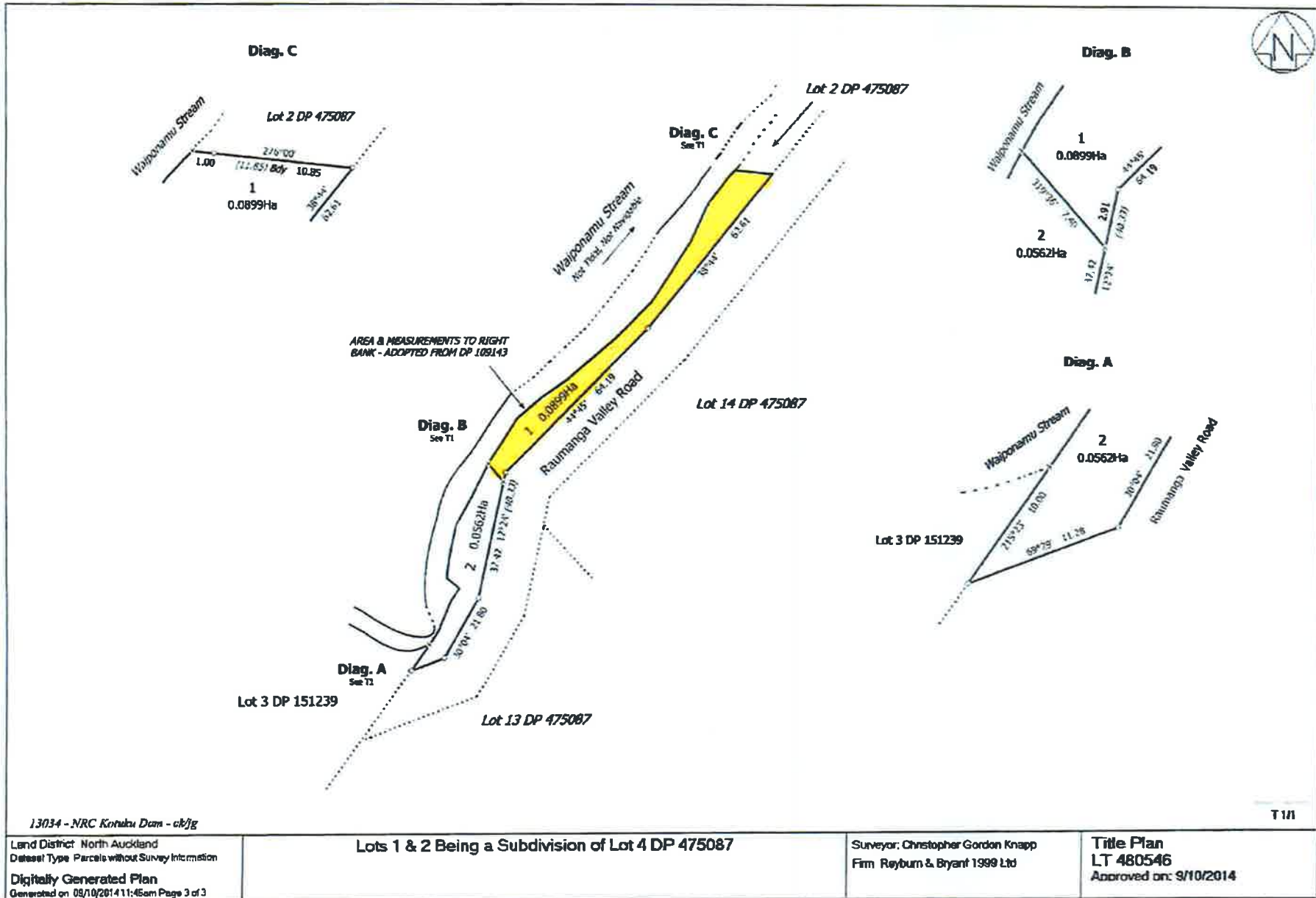
Lots 2 to 6 and 13 to 18 being a subdivision of Lots 6 and 11 DP 109143, Lot 24 DP 136445 and Lots 1 and 2 DP 151239

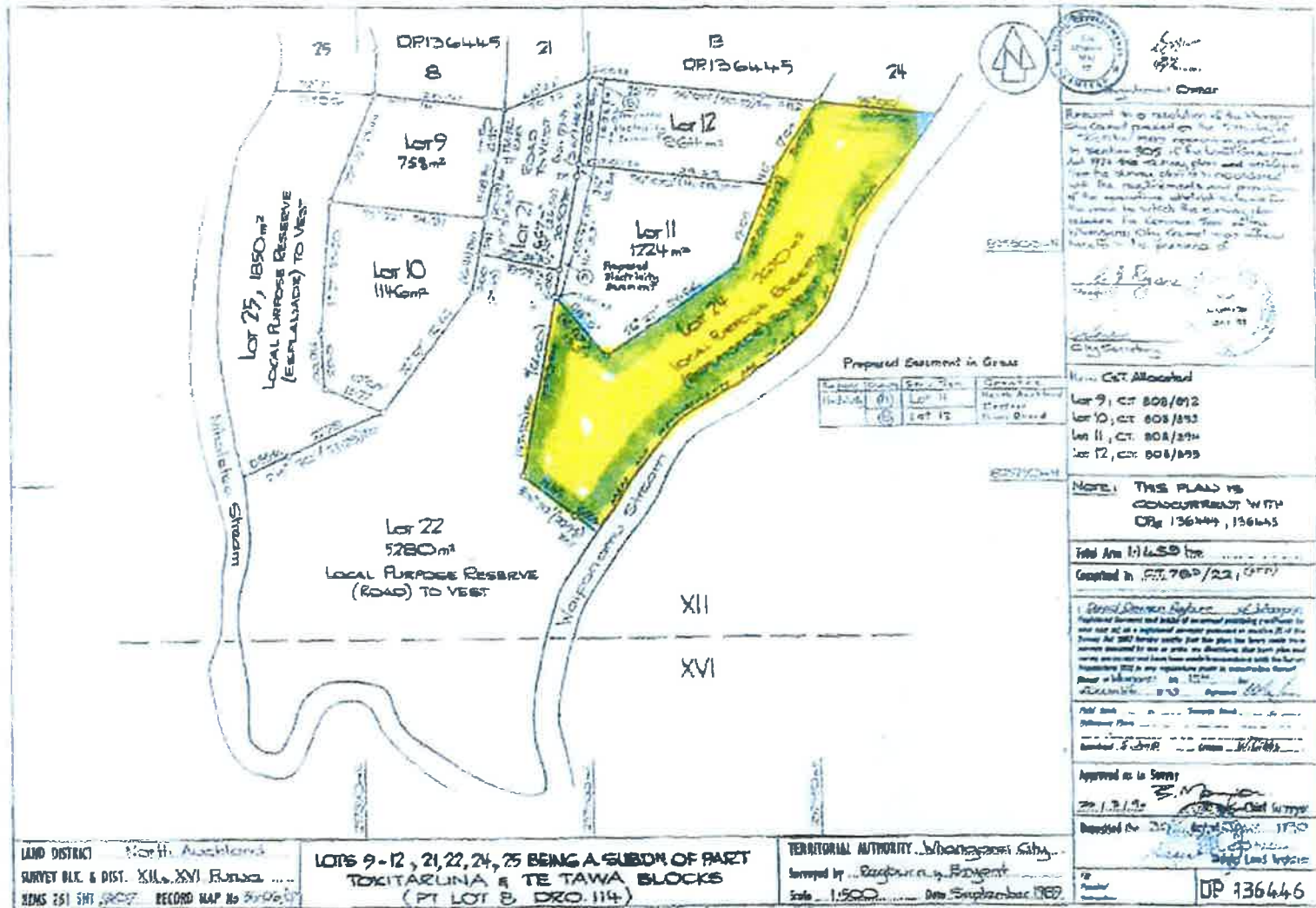
Surveyor: Philip John Lamb  
Plan: Ruytem & Ngard 1000 Lot

CSD Plan  
LT 475087

T14

Whangarei District Council - Resource Management Act 1991 - Section 224(1)(a) - Public Work Benefit





**RESOLUTION TO EXCLUDE THE PUBLIC****Move/Second**

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
C.1	Confidential Minutes of the Whangarei district Council meeting held 24 June 2015	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Infrastructure Update		
C.3	Registration of Interest		
C.4	Lease		
C.5	Property Transaction		
C.6	Property Transaction		
C.7	Infrastructure		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

Item	Grounds	Section
C.1	For the reasons as stated in the open minutes	
C.2	To protect information where making that information available would be likely to unreasonably prejudice the commercial position of those who are the subject of the information. To enable Council to carry on without prejudice or disadvantage negotiations	Section 7(2)(b)(ii) Section 7(2)(i)
C.3	To enable the Council to carry on without prejudice or disadvantage commercial activities to enable the Council to carry on without prejudice or disadvantage negotiations	Section 7(2)(h) Section 7(2)(i)
C.4, C.5 C.6, C.7	To enable the Council to carry on without prejudice or disadvantage negotiations	Section 7(2)(i)

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

"That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item \_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_

*Note:*

*Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*