

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 24 SEPTEMBER 2020 AT 10.00 AM**

PRESENT: Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr Dave Collard, Cr Felicity Foy, Cr Mate Radich, Cr Kelly Stratford, Cr Rachel Smith, Cr Moko Tepania, Cr John Vujcich

IN ATTENDANCE: Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board), Shaun Clarke (Chief Executive Officer), Andy Finch (General Manager Infrastructure and Asset Management), Dean Myburgh (General Manager District Services), William J Taylor, MBE (General Manager Corporate Services), Darrell Sargent (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

His Worship the Mayor commenced the meeting and;

- Acknowledged Cr Tepania who will be speaking in Te Reo Māori for the duration of the meeting and welcomes Nia Kara who is providing the English translation on his behalf.
- Invited Cr Foy to recite the Council prayer.
- Acknowledged the attendance of David Webb and Wendy Edwards, formerly of Broadspectrum (now Ventia). David Webb was presented with a gift for his commitment to working with the Far North District Council during the drought and COVID-19, away from his family in Christchurch.
- Acknowledges birthday celebrations during the months of August and September for Crs Felicity Foy, Ann Court, Rachel Smith, Moko Tepania, and David Clendon.

2 APOLOGIES AND DECLARATIONS OF INTEREST

APOLOGIES

RESOLUTION 2020/52

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That an apology be received for Kaikohe-Hokianga Community Board Chair Mike Edmonds be received and a leave of absence granted.

CARRIED

3 MAYORAL ANNOUNCEMENTS

- Hundertwasser Program is making progress.
- Sister Cities Program: on hold until COVID-19 lockdown has ended.
- Regional Economic Development Working Party.
- Rangitane Jetty and Boat ramp issues being worked through with all parties.
- Windsor Landing issues being worked through with the help of Nora Rameka and others.
- Three Waters and Local Government reform issues are ongoing.
- Northland Adventure Experience Limited (NAX Ltd) will be address in the Public Excluded part of the agenda with a recommendation for Cr Tepania to be appointed.
- Dr Dean Myburgh gave an update on Arvida.

- Taipa Waste Water Treatment
- Mangonui boardwalk temporary fix in place.
- Emergency Water Supply; Staff starting to work on drought alternatives for the coming summer.

4 DEPUTATION

Ministry of Social Development (MSD) – Eru Lyndon, Darrell Lambert;

- Presentation on the Labour Market, Benefit Register, Investment, Wage Subsidy Insights, Wrap-around Support, Māori and What Next?
- Will report back quarterly.

ĀKAU Design – Ana Heremaia – presentation on;

- Priority 1: Bikes on Broadway
- Priority 2: Memorial Park
- Priority 3: Safety & Access
- Priority 4: Broadway Upgrade
- Priority 5: Te Pu o Te Wheke

Te Whakamanamai Whanau Trust – Rhonda Zielinski and Doug Healey – Te Whakamamai Trust Presentation;

- Seeking Partnership with FNDC on option 3. Proposed Transitional Housing site
- Funding
- Support & Endorsement
- Approved Consents
- Help us Navigate the Required Council Pathway's

Kerikeri Ratepayers Association and Paihia and Districts Ratepayers Association - Jane Johnson:

- Alarmed with fast-moving feast that's on Council agendas at the moment with the influence of the Provincial Growth Fund, Shovel-Ready Projects as part of the Emergency Response to COVID stimulus packages and Infrastructure funds and various other things that are influencing Council at the moment.
- Community Centre Business Case application for funding to pay rent was declined by Bay of Islands-Whangaroa Communtiy Board.
- Housing affordability, quality and chronic social housing deficit in the Far North.
- Unbudgeted funds for drought resistance work.
- Are the communities receiving what they are paying for?
- The LTP is silent on funding for the Kerikeri domain.
- Kerikeri Domain are setting up a working party.
- Provincial Growth Fund is complicating the consultation process.
- The Kerikeri Ratepayers Association and Paihia and Districts Ratepayers Association request for Deputation to each Committee October meeting to discuss to go over, in detail, the reports being considered today with a veiw to engaging more closely.
- Paihia Waterfront is fraught where the is money budgeted from the PGF.

5 MAJOR ITEM NOT ON THE AGENDA – REGIONAL ECONOMIC DEVELOPMENT WORKING PARTY APPOINTMENT

His Worship the Mayor introduced the item verbally.

RESOLUTION 2020/53

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council:

- a) give consent for His Worship the Mayor to table a motion to appoint Councillors John Vujcich and David Clendon as Far North District Council representatives on the Regional Economic Development Working Party.
- b) appoints Crs John Vujcich and David Clendon as Far North District Council representatives on the Regional Economic Development Working Party.

CARRIED

The meeting was adjourned from 11:25 am to 11:33 am.

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A2952428, pages 12 - 32 refers.

RESOLUTION 2020/54

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council confirms the minutes of the Council meetings held 13 August 2020 and 25 August 2020 as a true and correct record.

CARRIED

7 REPORTS

7.1 FREESE PARK, OMAPERE - EROSION ISSUES

Agenda item 6.1 document number A2917344, pages 33 - 38 refers.

MOTION

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council approves:

- a) the requirement for unbudgeted operational expenditure of approximately \$200k to appoint a consultant project manager, undertake hydraulic modelling, and community consultation to identify the optimal solution to address coastal erosion issues and thereby protect Council owned assets at Freese Park, Omapere.

That Council notes:

- b) that unbudgeted capital expenditure may be needed to address coastal erosion issues at Freese Park, Omapere.

- c) that the Resource Consent to be issued by Northland Regional Council required for this work will take approximately six to nine months to obtain.
- d) that the final cost of the work will be dependent upon the conditions associated with the Resource Consent.
- e) an external consultant will be procured to manage this project. For urgency this will be through a direct appointment.
- f) that there is no overall strategy or policy for addressing coastal erosion issues across the district.
- g) a further report will be brought to Council outlining the preferred option and confirming required capital budget.

AMENDMENT

Moved: Cr Felicity Foy
Seconded: Cr Rachel Smith

- b) that a report will be brought to Council that considers purchasing new land for the park, retreat of infrastructure from the park and investigate liability and enforcement action against neighbouring properties, and further seek legal comment on the legal position relating to erosion.

CARRIED

The amendment became the substantive motion

RESOLUTION 2020/55

Moved: Cr Felicity Foy
Seconded: Cr Rachel Smith

That Council approves:

- a) **the requirement for unbudgeted operational expenditure of approximately \$200k to appoint a consultant project manager, undertake hydraulic modelling, and community consultation to identify the optimal solution to address coastal erosion issues and thereby protect Council owned assets at Freese Park, Omapere.**

That Council notes:

- b) **that a report will be brought to Council that considers purchasing new land for the park, retreat of infrastructure from the park and investigate liability and enforcement action against neighbouring properties, and further seek legal comment on the legal position relating to erosion.**
- c) **that the Resource Consent to be issued by Northland Regional Council required for this work will take approximately six to nine months to obtain.**
- d) **that the final cost of the work will be dependent upon the conditions associated with the Resource Consent.**
- e) **an external consultant will be procured to manage this project. For urgency this will be through a direct appointment.**
- f) **that there is no overall strategy or policy for addressing coastal erosion issues across the district.**
- g) **a further report will be brought to Council outlining the preferred option and confirming required capital budget.**

CARRIED

7.2 DISTRICT WIDE HOUSING FOR THE ELDERLY

Agenda item 6.2 document number A2935558, pages 39 - 51 refers.

MOTION

Moved: Mayor John Carter
 Seconded: Cr John Vujcich

That Council:

- a) agrees that the options, as presented, for the future of the Housing for the Elderly Portfolio be consulted on with the community through the 2021/2031 Long Term Plan engagement process.
- b) requests that a detailed asset condition survey of the Housing for the Elderly Portfolio be undertaken as soon as practical to ensure that information is available to help inform any decisions on the future of the portfolio.
- c) confirms that the 10-year budget for Housing for the Elderly asset renewals be retained in the 2021/31 Long Term.

AMENDMENT

Moved: Cr Clendon
 Seconded: Cr Foy

That option c) be removed from the recommendation

LOST

RESOLUTION 2020/56

Moved: Mayor John Carter
 Seconded: Cr John Vujcich

That Council:

- a) **agrees that the options, as presented, for the future of the Housing for the Elderly Portfolio be consulted on with the community through the 2021/2031 Long Term Plan engagement process.**
- b) **requests that a detailed asset condition survey of the Housing for the Elderly Portfolio be undertaken as soon as practical to ensure that information is available to help inform any decisions on the future of the portfolio.**
- c) **confirms that the 10-year budget for Housing for the Elderly asset renewals be retained in the 2021/31 Long Term.**

CARRIED

Abstained: Cr David Clendon

12:15 pm His Worship the Mayor left the meeting – Deputy Mayor Court assumed the Chair.
 12:17 His Worship the Mayor left the meeting returned to the meeting and resumed the Chair.

7.3 KERIKERI BASIN ROAD STOPPING AND TRANSFER OF OWNERSHIP

Agenda item 6.3 document number A2940982, pages 52 - 121 refers.

RESOLUTION 2020/57

Moved: Cr Rachel Smith

Seconded: Deputy Mayor Ann Court

That Council:

- a) **declare the two sections of road on either side of the Kerikeri Basin, that once connected to the vehicle bridge, surplus to requirements and consent to stopping both sections of road in accordance with the Public Works Act 1981 requirements; and**
- b) **once stopped, that the land be amalgamated with the adjoining land owned by the central government departments (Heritage New Zealand on the western bank and the Department of Conservation on the eastern bank), so the stopped road can be formally incorporated into the Basin reserve as per *Section 7: Use Management of the 2007 Sustainable Development Plan for the Kororipo-Kerikeri Basin*.**

CARRIED

7.4 POLICY ON ELECTIONS HOARDINGS #2112 - RESCIND AMENDED RESOLUTION MADE 13 AUGUST 2020 IN RELATION TO PERIOD OF DISPLAY

Agenda item 6.4 document number A2942696, pages 122 – 126 refers.

RESOLUTION 2020/58

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That Council rescind one part of the resolution related to period of display by replacing the wording “six weeks” with the wording “nine weeks” in clause 7 of the Election Hoardings Policy #2112.

CARRIED

Against: Cr Kelly Stratford

7.5 2020 RESIDENT SURVEY RESULTS

Agenda item 7.1 document number A2950594, pages 406 - 501 refers.

Richard Edmondson (Manager – Communications) spoke to this item and introduced Michael Hooker (Director of Research at Key Research).

RESOLUTION 2020/59

Moved: Cr Kelly Stratford

Seconded: Cr Rachel Smith

That the Council receive the report 2020 Resident Survey Results.

CARRIED

The meeting was adjourned for lunch from 12:55 pm to 1:27 pm.

7.6 2020-21 SEAL EXTENSION PROGRAM AND ASSOCIATED NZTA BUSINESS CASE UPDATE

Agenda item 6.5 document number A2941702, pages 127 - 301 refers.

Cr Foy declared a conflict for the following item and left the meeting at 1:30 pm.

RESOLUTION 2020/60

Moved: Deputy Mayor Ann Court

Seconded: Cr Rachel Smith

That Council:

- a) notes that updated traffic count data validation has been completed for the Treatment Lengths (TLs) submitted to Waka Kotahi NZTA on Church Road (SH10 end), Koropewa Road and Otangaroa Road (SH1 end);
- b) reaffirms resolutions 2019/18, 2019/19 and 2019/20 (Council Meeting - August 29th, 2019) and approves proceeding with contract award and construction of the approved Waka Kotahi NZTA subsidised Treatment Lengths (TLs) on Church Road (SH10 end) and Koropewa Road;

CARRIED

Against: Cr Mate Radich

Cr Felicity Foy returned to the meeting at 1:54 pm.

RESOLUTION 2020/61

Moved: Deputy Mayor Ann Court

Seconded: Mayor John Carter

That Council:

- c) notes the sites identified for completion of Seal Extension Works in 2020/21;
- d) notes that the proposed Treatment Lengths (TLs) on Otangaroa Road (SH1 end) no longer meets the criteria for NZTA subsidised funding and will therefore be removed from the current Sealing Program, and;
- e) notes the FNDC Dust Matrix Priorities and challenges relating to funding the highest ranked RAMM-Section site length vs available budget;
- f) notes the list of NZTA *Circular 16.04* criteria sites requires confirmation for investment of Business Cases, before they can be submitted to Waka Kotahi NZTA;
- g) approves the alternative list of Dust Strip Sealing sites using shorter, targeted 'Treatment Length' sections for fast-tracked design and construction late in the 2020-21 season.

CARRIED

7.7 DUST MATRIX PRIORITISATION TOOL UPDATE

Agenda item 6.6 document number A2941013, pages 302 - 309 refers.

RESOLUTION 2020/62

Moved: Mayor John Carter

Seconded: Deputy Mayor Ann Court

That the Council notes the progress update on data validation associated with the Dust Matrix Prioritisation tool.

CARRIED

7.8 APPOINTMENT OF HEARINGS COMMISSIONER

Agenda item 6.8 document number A2947376, pages 310 - 315 refers.

RESOLUTION 2020/63

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That pursuant to Section 34A of the Resource Management Act 1991 that Far North District Council:

- a) **delegates to Commissioner Rob van Voorthuysen the power to hear and determine RC 2200220 being an application by Far North Holdings Ltd to undertake works associated with a proposed barge docking facility at Opua,**
- b) **that Commissioner Rob van Voorthuysen be appointed to Council's list of approved Commissioners.**

CARRIED

Abstain: Cr Felicity Foy

7.9 CAPITAL CARRY FORWARDS JUNE 2020

Agenda item 6.9 document number A2948768, pages 316 – 327 refers.

RESOLUTION 2020/64

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Council approve the capital budgets identified in the report "Carry Forward for Capital Programme 2019-20" totalling \$27,721,391 be carried forward to the 2020-21 financial year.

CARRIED

7.10 REVIEW OF ROAD SAFETY PROMOTION ACTIVITY SERVICES

Agenda item 6.10 document number A2950912, pages 328 - 391 refers.

Sandi Morris (Road Safety & Traffic Planning Engineer), spoke to this item.

RESOLUTION 2020/65

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council:

- a) **approve the 'collaborative model under the NTA umbrella' as recommended by Northland Transportation Alliance for Far North District as detailed under the 'reason for recommendation' in the Road Safety Promotion Activity: Service Delivery Review Summary attached to the report on page 339, and;**

- b) **delegate to the Chief Executive Officer (CEO) to approve and sign the final procurement plan, and;**
- c) **approve compliance with national strategies and policies, specifically 'Road to Zero', to seek further funding assistance from Waka Kotahi New Zealand Transport Agency, for the Far North Community Road Safety Programme from July 2021.**

CARRIED

7.11 THREE WATERS REFORM FUNDING DRAFT DELIVERY PLAN

Agenda item 6.11 document number A2955534, pages 392 - 398 refers.

Melissa Parlane (Team Leader – Infrastructure Planning), and Andy Finch (General Manager – Infrastructure and Asset Management), spoke to this item.

RESOLUTION 2020/66

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council:

- a) **approves the Three Waters Reform Draft Delivery Plan at Appendix A.**
- b) **authorises the Chief Executive to finalise the Three Waters Reform Delivery Plan, to address feedback from Government and to obtain the approval needed to release funding.**

CARRIED

Abstain: Cr Felicity Foy

7.12 APPOINTMENT OF COUNCIL TRUSTEES TO THE TWIN COAST CYCLE TRAIL TRUST

Agenda item 6.12 document number A2956560, pages 399 - 402 refers.

RESOLUTION 2020/67

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council:

- a) **appoints Councillor John Vujcich as a Trustee and Grant Harnish as a Community Trustee to the Pou Herenga Tai Twin Coast Cycle Trail Trust.**

CARRIED

Abstain: Cr John Vujcich

7.13 FORMALISATION OF APPOINTMENT TO TE HIKU SPORTS BOARD

Agenda item 6.13 document number A2956856, pages 403 - 405 refers.

RESOLUTION 2020/68

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That Council appoint Councillor Foy as its representative on Te Hiku Sports Hub Incorporated.

CARRIED

Abstain: Cr Felicity Foy

7.14 MAJOR ITEM NOT ON THE AGENDA – NOTICE OF MOTION - OMAPERE-OPONONI WASTEWATER RESOURCE CONSENTS

RESOLUTION 2020/69

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the matter of ‘Notice of Motion – Omapere-Opononi Wastewater Resource Consents’ be considered by Council as a matter for urgent consideration as provided for in Section 46A(7) of the Local Government Official Information and Meetings Act 1987 on the grounds that the Notice of Motion is a voluntary step to change a structured, timebound, consenting process.

CARRIED

7.15 NOTICE OF MOTION – OMAPERE-OPONONI WASTEWATER RESOURCE CONSENTS

Supplementary agenda item 6.14 document number A2960823, pages 4-5 refers.

RESOLUTION 2020/70

Moved: Cr Kelly Stratford

Seconded: Cr Moko Tepania

That Council request that The Northland Regional Council as the consenting Authority publicly notifies the renewal consent application to discharge treated wastewater from the Omapere-Opononi Wastewater Treatment Plant into the Hokianga Harbour.

CARRIED

Abstain: Cr Ann Court and Felicity Foy

8 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2020/71

Moved: Mayor John Carter

Seconded: Cr Felicity Foy

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

The general subject matter 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 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 for the passing of this resolution
Deputation from FNHL CEO - Kaitaia Beautification/Regeneration Plan	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.1 – Resolution to Permit Nia Kara and Andy Nock in Public Excluded	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.2 - Confirmation of Previous Minutes - Public Excluded	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.3 - Coopers Beach Christian Youth Camp - Remission Request	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.4 - Waima Tōpū B Trust - Incentivising Māori Economic Development Policy Application	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.5 - Far North Holdings Ltd - Letter of Comfort	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good

	unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	reason for withholding would exist under section 6 or section 7
8.7 Supplementary Report: The Status of Northland Adventure Experience Limited (NAX Ltd)	<p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(g) -the withholding of the information is necessary to maintain legal professional privilege.</p>	
8.8 Item Left to Lie on the Table - Appointment of Director to the Board of Northland Adventure Experience Limited (NAX Ltd)	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	
CARRIED		

8.9 CONFIRMATION OF INFORMATION AND DECISIONS IN OPEN MEETING**RESOLUTION 2020/72**

Moved: Mayor John Carter

Seconded: Cr Dave Collard

That Council confirms that the following decisions contained in the part of the meeting held with public excluded be restated in public meeting.

8.3 COOPERS BEACH CHRISTIAN YOUTH CAMP - REMISSION REQUEST**RESOLUTION 2020/73**

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council approve the remission of additional pan charges of \$6,518.68 for the rating year 2020/21 provided that the group continue to provide the same level of community service; and that they remain a not for profit organisation.

CARRIED

Abstained: Cr Kelly Stratford

8.4 WAIMA TŌPŪ B TRUST - INCENTIVISING MĀORI ECONOMIC DEVELOPMENT POLICY APPLICATION**RESOLUTION 2020/74**

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That Council approve the application for remission under the Incentivising Māori Economic Development Policy, commencing with full remission of \$28,182.81 in the current rating year 2020/21 with the final remission of 20% of rates in 2027/28.

CARRIED

8.8 ITEM LEFT TO LIE ON THE TABLE - APPOINTMENT OF DIRECTOR TO THE BOARD OF NORTHLAND ADVENTURE EXPERIENCE LIMITED (NAX)**RESOLUTION 2020/75**

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That Council:

- a) **uplifts the report "Appointment of Director to the Board of Northland Adventure Experience Limited (NAX).**
- b) **appoints Councillor Moko Tepania as His Worship the Mayor's replacement on the Northland Adventure Experience Limited (NAX) Board.**
- c) **agrees to indemnify Councillor Tepania for any professional negligence as a Director when acting in good faith in his capacity as a Director.**

CARRIED

Against: Crs Ann Court and John Vujcich

CARRIED

9 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Nia Kara closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 4:18 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 29 October 2020.

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CHAIRPERSON