

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 25 FEBRUARY 2021 AT 10.02 AM**

- PRESENT:** Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr Dave Collard, Cr Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Cr John Vujcich
- IN ATTENDANCE:** Mike Edmonds (Kaikohe-Hokianga Community Board Chairperson), Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board),
- STAFF PRESENT:** Shaun Clarke (Chief Executive Officer), Glen Rainham (Acting General Manager Infrastructure and Asset Management), Dean Myburgh (General Manager District Services), William J Taylor, MBE (General Manager Strategic Planning and Policy - Acting), Janice Smith (General Manager Corporate Services - Acting)

1 KARAKIA TIMATANGA – OPENING PRAYER

His Worship the Mayor John Carter opened the meeting and Cr John Vujcich commenced the meeting with a prayer.

2 MAYORAL ANNOUNCEMENTS

- Rangitoto Reserve (Hihi Bay) – Residents request the transfer of this Council Reserve into Department of Conservation ownership.
- Duffus Trust in Russell are looking for support from Council.
- Working Party Delegations – ensure that the delegations are right and expectations and terms of reference are clear. Any changes are signed off by Council.
- Cr Stratford - Manifesto update for Disability Action Group - key points are:
 - members of public are frustrated with people parking in mobility spaces, and lack of enforcement by Council because these spaces are on private supermarket property.
 - developers need to consider the needs of people with disability or mobile needs when completing projects.
 - need to make sure the levels of service capture the new engineering standards.
- Cr Foy - Procurement Policy;
 - concerns about delivery of Capital Work program, particularly Shovel Ready projects.
 - need a system that highlights risks for lack of output.
- His Worship the Mayor attended the opening of the Kerikeri Mens Shed and received complimentary comments about Council staff for work being done in the community.
- Notes that the Community Board Chair's report is included in this agenda and His Worship the Mayor invites the Chairs to make any further comments in the meeting today.
- Extraordinary meeting 3 March 2021, 3:30pm in Chambers.

3 CONFIRMATION OF PREVIOUS MINUTES

3.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A3052352, pages 12 - 30 refers.

RESOLUTION 2021/8

Moved: Mayor John Carter
Seconded: Cr Kelly Stratford

That Council confirm the minutes of the Council meetings held 10 December 2020, 21 December 2020, and 2 February 2021 as a true and correct record.

CARRIED

4 REPORTS

4.1 VODAFONE LICENCE

Agenda item 6.1 document number A3073394, pages 31 - 38 refers.

RESOLUTION 2021/9

Moved: Cr Rachel Smith
Seconded: Cr Moko Tepania

That the Far North District Council:

- a) **in its role as administering body of the local purpose (quarry) reserve and pursuant to its powers under Section 48A of the Reserves Act 1977, grants a licence to Vodafone to operate a telecommunications facility over 610m² of local purpose (quarry) reserve, being Section 3 Block XIII Whakarara Survey District.**
- b) **in its role as the Minister of Conservation's delegate, consents to the granting of the aforementioned licence. The terms of the licence shall be:**
 - i) **Term: 10 years**
 - ii) **Annual rental: \$9,000 plus GST (if any)**
 - iii) **Rent review: 3 yearly from commencement date; linked to Consumer Price Index (CPI)**

CARRIED

Cr Moko Tepania left meeting at 11:32 am – 11:34 am

Cr Kelly Stratford declared a conflict for agenda item 6.2 and did not participate in the discussion or decision making.

4.2 TRANSFER OF LOCAL PURPOSE (ESPLANADE) RESERVE TO LANDOWNERS OF KOPUAKAWAU BLOCK

Agenda item 6.2 document number A3084332, pages 48 - 52 refers.

RESOLUTION 2021/10

Moved: Mayor John Carter
Seconded: Cr David Clendon

That:

- a) **Council, subject to the directions of the Māori Land Court, approve the transfer of Lot 9 DP 102838 being Local Purpose (Esplanade) Reserve to the landowners of Kopuakawau, or to such body or Trust as the Māori Land Court directs; and**
- b) **the transfer of land is to occur at no cost to Council.**

CARRIED

4.3 OPTIONS REPORT TREATED WATER SUPPLY REGULATION

Agenda item 6.3 document number A3083951, pages 53 - 60 refers.

MOTION

Moved: Mayor John Carter
Seconded: Cr John Vujcich

That Council, under section 155 of the Local Government Act 2002:

- a) agrees that making a new Treated Water Supply Bylaw is the most appropriate way to regulate reticulated water supply in the Far North District;
- b) requests that staff prepare a statement of proposal to make a new Treated Water Supply Bylaw.

AMENDMENT

Moved: Cr Rachel Smith
Seconded: Cr Kelly Stratford

- c) notes that in order to ensure the bylaw is not revoked, that it will need to be finalised by Council at the 25 September Council meeting

The amendment became the substantive motion.

RESOLUTION 2021/11

Moved: Mayor John Carter
Seconded: Cr John Vujcich

That Council, under section 155 of the Local Government Act 2002:

- a) **agrees that making a new Treated Water Supply Bylaw is the most appropriate way to regulate reticulated water supply in the Far North District;**
- b) **requests that staff prepare a statement of proposal to make a new Treated Water Supply Bylaw.**
- c) **notes that in order to ensure the bylaw is not revoked, that it will need to be finalised by Council at the 25 September Council meeting**

CARRIED

4.4 ADOPTION OF THE LONG TERM PLAN 2021-2031 CONSULTATION DOCUMENT AND SUPPORTING INFORMATION

Agenda item 6.4 document number A3070043, pages 61 - 64 refers.

Consultation document and supporting information are still going through audit process. An extraordinary meeting has been scheduled for 3 March 2021 for 3:30 pm to adopt the Long Term Plan 2021-2031 Consultation Document And Supporting Information.

4.5 AMENDMENT TO RATING DELEGATIONS

Agenda item 6.5 document number A3074131, pages 65 - 76 refers

RESOLUTION 2021/12

Moved: Mayor John Carter
Seconded: Cr Moko Tepania

That Council approves the amended Rating Delegations for 2021, as attached.

CARRIED

4.6 ELECTED MEMBER REPORT - 2020 YOUNG ELECTED MEMBER HUI

Agenda item 6.6 document number A3039899, pages 77 – 85 refers.

Meeting adjourned 11:11 am – 11:23 am

RESOLUTION 2021/13

Moved: Cr Moko Tepania

Seconded: Cr Rachel Smith

That Council:

- a) note the report entitled “Elected Member Report – 2020 Young Elected Member Hui.
- b) that a YEM Hui Organisation Working Party be established to progress this and subsequent hosting should the bid be successful.
- c) that Cr Smith and Cr Tepania be appointed as co-chairs of this working party and that appropriate staff members, ideally from Democracy Services are appointed to the working party to progress the bid.
- d) approve an initial financial commitment of up to \$10,000 should the bid be successful.
- e) working party work with the Chief Executive to report back to Council.

In Favour: Mayor John Carter, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Deputy Mayor Ann Court

CARRIED

4.7 CHANGES TO THE 2021 FORMAL MEETING CALENDAR

Agenda item 6.7 document number A3079410, pages 86 - 87 refers>

RESOLUTION 2021/14

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith

That the Executive Review Committee meeting scheduled for 9 March 2021 be rescheduled to 22 March 2021.

CARRIED

NOTE: Cr Felicity Foy reminded Council of it's commitment to hold 2 Council meetings or workshops in Kaitaia this year.

5 INFORMATION REPORTS

5.1 COMMUNITY BOARD UPDATES JANUARY - FEBRUARY 2020

Agenda item 7.1 document number A3083969, pages 88 - 103 refers.

RESOLUTION 2021/15

Moved: Mayor John Carter
 Seconded: Cr Dave Collard

That Council note the following Community Board minutes:

- a) **Te Hiku Community Board – 26 January 2021.**
- b) **Kaikohe-Hokianga Community Board – 3 February 2021.**
- c) **Bay of Islands-Whangaroa Community Board – 4 February 2021.**

CARRIED

NOTES

Chair Adele Gardner – Te Hiku Community Board:

- Rangitoto Reserve report to be presented to Te Hiku Community Board and then to Council.

Chair Mike Edmonds – Kaikohe Hokianga Community Board:

- Community Board delegations.
- Community Board sub-committee set up to receive information for Glyphosate spraying in Hokianga. Potential for combined community boards to address the matter together with other Boards.

Chair Belinda Ward – Bay of Islands-Whangaroa Community Board:

- pg 101 requesting urgent report on existing to give effect to levels of services in the Bay of Islands-Whangaroa ward.
- Follow-up on service related contracts with staff attending the Board meetings to report on these.
- Pressure on the Board with the number of people wanting assistance for funding.
- Requests contact details for District Facilities staff be provided to Community Board chairs in cases of emergency.

Cr Stratford left the meeting 11:44 pm – 11:47 am.

5.2 TRANSITIONAL LEGISLATION ON MĀORI REPRESENTATION

Agenda item 7.2 document number A3073875, pages 104 - 105 refers.

RESOLUTION 2021/16

Moved: Mayor John Carter
 Seconded: Cr Moko Tepania

That the Council receive the report Transitional Legislation on Māori Representation.

CARRIED

12:03 pm His Worship the Mayor John Carter asked In-House Counsel George Swanepoel to address the matter of the Kauri Dam raised by Cr Radich.

5.3 CEO REPORT TO COUNCIL 01 NOVEMBER 2020 - 31 DECEMBER 2020

Agenda item 7.3 document number A3086904, pages 109 - 109 refers.

RESOLUTION 2021/17

Moved: Mayor John Carter

Seconded: Cr John Vujcich
That the Council receive the report CEO Report to Council 01 November 2020 - 31 December 2020.
CARRIED

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/18		
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
6.1 - 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
6.2 - Re-appointment of Directors for Far North Holdings Limited	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)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	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
6.3 - All of Government Electricity Providers	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 s7(2)(h) - the withholding of the information is necessary to	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

	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)	
CARRIED		

7.1 CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2021/19

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council confirms that the information and decisions contained in the part of the meeting held with public excluded be restated in public meeting as follows:

- a) **item 6.2 - Re-Appointment Of Directors For Far North Holdings Limited; and**

6.2 RE-APPOINTMENT OF DIRECTORS FOR FAR NORTH HOLDINGS LIMITED

Agenda item 8.2 document number A3082199, pages 25 - 29 refers

RESOLUTION 2021/9

Moved: Cr John Vujcich
 Seconded: Mayor John Carter

That Council approve that:

- a) **the following Directors be re-appointed to the Board of Far North Holdings Limited for a further term of 3 years without advertisement:**
 - I. Sarah Petersen
 - II. Murray McCully

CARRIED

RESOLUTION 2021/10

Moved: Cr John Vujcich
 Seconded: Mayor John Carter

- b) **the current Chair, Bill Birnie, is re-appointed to the Board of Far North Holdings Limited for a further period of 2 years to July 2023 without advertisement, noting that this decision is “out of policy” and relates to the specific knowledge and support the Board requires for the completion of the Ngawha Innovation & Enterprise Park.**

In Favour: Crs John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith and John Vujcich

Against: Crs Moko Tepania and Kelly Stratford.

Abstained: Nil

CARRIED

RESOLUTION 2021/11

Moved: Cr John Vujcich
 Seconded: Mayor John Carter

- c) **at the end of the extension identified in b) above, Bill Birnie will retire from the Board of Far North Holdings.**

CARRIED

RESOLUTION 2021/12

Moved: Cr John Vujcich
 Seconded: Mayor John Carter

- d) **note the current policy enables the appointment of a fifth director, which Council supports.**

CARRIED

- b) **item 6.3 - All Of Government Electricity Providers, with the total value redacted,**

ALL OF GOVERNMENT ELECTRICITY PROVIDERS

Agenda item 8.3 document number A3077994, pages 37 - 41 refers.

RESOLUTION 2021/20

Moved: Mayor John Carter

Seconded: Cr Dave Collard

That:

- a) Council approve the recommendation to enter into four contracts with the following Energy suppliers (Pricing Supplements) for the Supply of Electricity to the Far North District Council from 1 July 2021 to the following dates:

Electricity Providers	Contract Period
Genesis Energy	1 July 2021 to 30 June 2024
Contact Energy	1 July 2021 to 29 February 2024
Contact Energy - Ventia	1 July 2021 – 29 February 2024
Meridian Energy	1 July 2021 to 29 February 2024

- b) the Total Value of the contracts over the term of the agreements is **REDACTED**.
- c) Council delegate the execution of the contracts and approval and execution of any variations to the contracts to Far North District Council’s Chief Executive Officer.

CARRIED

.CARRIED

8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Stratford closed the meeting with a karakia

9 MEETING CLOSE

The meeting closed at 1:07 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 April 2021.

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CHAIRPERSON