

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 8 APRIL 2021 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 Rachel Smith, Cr Moko Tepania, Cr John Vujcich
- IN ATTENDANCE:** Emma Davis (Kaikohe-Hokianga Community Board Deputy Chairperson), Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board)
- STAFF PRESENT:** 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 Strategic Planning and Policy - Acting), Jacine Warmington (General Manager - Corporate Services - Acting)

1 KARAKIA TIMATANGA – OPENING PRAYER

His Worship the Mayor commenced the meeting with a prayer.

2 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2021/21

Moved: Mayor John Carter

Seconded: Cr Felicity Foy

That apologies from Cr Kelly Stratford be received and accepted.

CARRIED

3 DEPUTATION

Nil

4 MAYORAL ANNOUNCEMENTS

- Acknowledged Councillor Smith for her presentation as a Young Elected Member at the Northland Forward Together hui in Whangarei last week.
- Acknowledged Councillor Stratford on her appointment as a Ministerial Advisory on the National Emergency Advisory Committee.
- Acknowledged and passed on the Councillors support to Honourable Kiritapu Allan.
- Acknowledges Councillor Vujcich for the work that he is doing on Community Boards.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A3127874, pages 12 - 26 refers.

RESOLUTION 2021/22

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council:

- a) confirms the minutes of the Council meeting held on 23 February 2021 as a true and correct record.
- b) confirms the minutes of the Council meeting held 25 February 2021 as a true and correct record.
- c) confirms the minutes of the Extraordinary Council meeting held on 5 March 2021 as a true and correct record.

CARRIED**Note:** Amendments to minutes

Page 19 – Item 4.5 – Amendment to Rating Delegations, Cr Smith abstained from voting.

Page 20 – Item 5.1 – Community Board Updates January – February 2020. Belinda Smith (Bay of Islands-Whangaroa Community Board Chairperson) requests that the wording be changed from “Pg. 101 requesting urgent report on existing to give effect to levels of services in the Bay of Islands-Whangaroa ward” to “Pg. 101 requesting urgent report on existing Far North District Council contracts to give effect to levels of services in the Bay of Islands-Whangaroa ward”.

6 REPORTS**6.1 SOLID WASTE BYLAW REVIEW**

Agenda item 6.1 document number A3127952, pages 27 - 79 refers.

RESOLUTION 2021/23

Moved: Deputy Mayor Ann Court

Seconded: Cr Dave Collard

That Council:

- a) agree, under section 155(1) of the Local Government Act 2002, the Solid Waste Bylaw 2016 is the most appropriate way of addressing solid waste problems in the Far North District.
- b) agree, under section 155(2) of the Local Government Act 2002, the Solid Waste bylaw 2016:
 - i) is the most appropriate form of bylaw.
 - ii) does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- c) agree the provisions of the Solid Waste Bylaw be reassessed in conjunction with the Waste Management and Minimisation Plan review, which is due by 2023, or after central government legislation comes into effect.

CARRIED**Note:** request the Chief Executive Officer take this topic - Roadside Recycling (bag options), to the Regional Waste workstream for discussion within the Regional Waste Strategies policy.**Note:** request the Chief Executive Officer provide timeframes for the establishment of a governance group on Regional Waste Strategies.

6.2 HIHI WASTEWATER TREATMENT PLANT CAPITAL WORKS BUSINESS CASE

Agenda item 6.2 document number A3127943, pages 80 - 87 refers.

MOTION

Moved: Cr Felicity Foy
 Seconded: Cr Dave Collard

That Council:

- a) approves the detailed business case preferred Option 3 – Membrane Bio Reactor, to be located on the existing Hihi Wastewater Treatment Plant site to be advanced to-community consultation and Iwi consultation.
- b) notes the potential cost of the preferred option and the impact upon rates.

The meeting was adjourned from 11.24 am to 11.42 am.

AMENDMENT

Moved: Cr Felicity Foy
 Seconded: Cr Dave Collard

That Council:

- a) acknowledge the current risk being carried at Hihi Wastewater Treatment Plant.
- b) direct staff to consult with Iwi and the Hihi community on most sustainable and affordable future focused solution (with consultation to begin by May).
- c) direct staff to evaluate short term mitigation while the long-term solution is being developed.

CARRIED

Against: Cr Rachel Smith

RESOLUTION 2021/24

Moved: Cr Felicity Foy
 Seconded: Cr Dave Collard

That Council:

- a) **acknowledge the current risk being carried at Hihi Wastewater Treatment Plant.**
- b) **direct staff to consult with Iwi and the Hihi community on most sustainable and affordable future focused solution (with consultation to begin by May).**
- c) **direct staff to evaluate short term mitigation while the long-term solution is being developed.**

CARRIED

Against: Cr Rachel Smith

6.3 NORTHLAND TRANSPORTATION ALLIANCE (NTA) - RESOURCING REQUEST - SUPPORTING DELIVERY OF 2021/24 LONG TERM PLAN TRANSPORT PROGRAMMES

Agenda item 6.3 document number A3112133, pages 88 - 107 refers.

RESOLUTION 2021/25

Moved: Deputy Mayor Ann Court
 Seconded: Cr Felicity Foy

That Council:

- a) notes the significant increase in District and Regional Transportation budgets since the beginning of the 2018/21 Long Term Plan cycle.
- b) notes the additional employment related costs incurred through the additional FTE's is offset through job costed recoveries and does not result in any additional increase to proposed transportation budgets within the 2021/24 LTP.
- c) notes the proposal acknowledges and accounts for indicated risk to available National Land Transport Fund Funding.
- d) approves the recruitment of three (3) additional FTE's to be employed by FNDC as a component of the total nine (9) FTE's to be recruited into the Northland Transportation Alliance to support delivery of the 2021/24 Northland Council's Transportation programme.

.CARRIED

Notes:

Request Northland Transport Alliance and the Far North District Council Consents department provide information or reports on upgrading Council Roads and vesting of new roads to Council.

Amendments to the report: Page 89, the table should read:

Department	Position	Hiring Council
Asset Strategy & Management	Asset Manager	WDC
<i>Asset Strategy & Management</i>	<i>Graduate Asset Engineer</i>	<i>FNDC</i>
Road Safety & Traffic Engineering	Senior Development Engineer, Transportation	WDC
<i>Road Safety & Traffic Engineering</i>	<i>RSAP Program Manager</i>	<i>FNDC</i>
Road Safety & Traffic Engineering	Graduate Transportation Engineer	<i>FNDC KDC</i>
<i>Maintenance & Operations</i>	<i>CAR Specialist</i>	<i>FNDC</i>
Maintenance & Operations	Regional Field Compliance Assessor	WDC
Maintenance & Operations	Streetlighting Services Manager	KDC
Business Performance	Customer Services Lead	WDC

and deletion of Senior Development Engineer and replaced with RSAP Programme Manager – the description of this role remains the same.

6.4 RATES ARREARS POLICY

Agenda item 6.4 document number A3132825, pages 108 - 123 refers.

RESOLUTION 2021/26

Moved: Mayor John Carter
 Seconded: Deputy Mayor Ann Court

That Council:

- a) approve the enforcement options attached to the report be formalised into an operational policy under which next steps following a District Court judgement will be assessed.
- b) agree that all other cases will be measured against the policy options and reviewed on a case by case basis.
- c) agree that the Chief Financial Officer and General Manager Corporate Services will review each case and approve the most appropriate course of action for collection of

debt.

- d) agree that any cases where the opinion of the Chief Financial Officer and General Manager Corporate Services is that a rating sale is the most appropriate course of action, that endorsement will be sought from Council.
- e) agree that any actions taken will be reported back to the Assurance, Risk and Finance Committee as part of the quarterly Revenue Recovery report.

CARRIED

7 INFORMATION REPORTS

7.1 COMMUNITY BOARD UPDATES MARCH 2021

Agenda item 7.1 document number A3131304, pages 124 - 137 refers.

RESOLUTION 2021/27

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That Council note the following Community Board minutes:

- a) **Te Hiku Community Board, 2 March 2021.**
- b) **Kaikohe-Hokianga Community Board, 3 March 2021.**
- c) **Bay of Islands-Whangaroa Community Board, 4 March 2021.**

CARRIED

Note: request staff provide Councillor Foy with an update on the Te Hiku Shared Footpath by Friday 16 April 2021.

The meeting was adjourned from 12.51 pm to 1.19 pm.

7.2 CEO REPORT TO COUNCIL 01 JANUARY 2021 - 28 FEBRUARY 2021

Agenda item 7.2 document number A3119902, pages 138 - 183 refers.

RESOLUTION 2021/28

Moved: Cr John Vujcich

Seconded: Cr Moko Tepania

That the Council receive the report CEO Report to Council 01 January 2021 - 28 February 2021

CARRIED

At 1:36 pm, Mayor John Carter left the meeting. At 1:38 pm, Mayor John Carter returned to the meeting.

At 2:00 pm, Deputy Mayor Ann Court left the meeting.

7.3 INFORMAL CONSULTATION FEEDBACK ON MĀORI WARDS

Agenda item 7.3 document number A3127368, Supplementary Agenda, pages 4 - 14 refers.

RESOLUTION 2021/29

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Council receive the report Informal Consultation Feedback on Māori Wards.

CARRIED

8 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/30

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

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
<p>8.1 - Confirmation of Previous Minutes - Public Excluded</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>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</p> <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)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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</p>
<p>8.2 - Property Purchase at 9/288 Hokianga Harbour Drive, Omapere</p>	<p>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)</p>	<p>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</p>

CARRIED

9 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Tepania closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 2.37 pm.

The minutes of this meeting will be confirmed at the Ordinary Council meeting to be held on 13 May 2021.

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CHAIRPERSON