

Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Ordinary Council Meeting

Thursday, 24 February 2022

Time: 10:00 am

Location: Virtually via Microsoft Teams

Membership:

Cr John Vujcich

Mayor John Carter - Chairperson
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

COUNCIL MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Hon Mayor John Carter QSO	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
Deputy Mayor Ann	Waipapa Business Association	Member		Case by case
Court	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	District Licensing	N/A	N/A	N/A
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre- determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre- determination	Case by case
	Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
	Warren Pattinson	My husband is a builder and may do work for Council staff		Case by case
Ann Court - Partner	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
David Clendon	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arrises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
David Clendon – Partner	Resident Shareholder on Kerikeri Irrigation			
David Collard	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
Felicity Foy	Flick Trustee Ltd	I am the director of this company that is the company trustee of Flick Family Trust that owns properties Seaview Road – Cable Bay, and Allen Bell Drive - Kaitaia.		
	Elbury Holdings Limited	This company is directed by my parents Fiona and Kevin King.	This company owns several dairy and beef farms, and also dwellings on these farms. The Farms and dwellings are located in the Far North at Kaimaumau, Bird Road/Sandhills Rd, Wireless Road/Puckey Road/Bell Road, the Awanui Straight and Allen Bell Drive.	
	Foy Farms Partnership	Owner and partner in Foy Farms - a farm on Church Road, Kaingaroa		
	Foy Farms Rentals	Owner and rental manager of Foy Farms Rentals for 7 dwellings on Church Road,		

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
		Kaingaroa and 2 dwellings on Allen Bell Drive, Kaitaia, and 1 property on North Road, Kaitaia, one title contains a cell phone tower.		
	King Family Trust	This trust owns several titles/properties at Cable Bay, Seaview Rd/State Highway 10 and Ahipara - Panorama Lane.	These trusts own properties in the Far North.	
	112 Commerce Street Holdings Ltd	Owner of commercial property in Commerce Street Kaitaia.		
	Foy Property Management Ltd	Owner of company that manages properties owned by Foy Farms Rentals and Flick Family Trust.		
	Previous employment at FNDC 2007-16	I consider the staff members at FNDC to be my friends		
	Shareholder of Coastline Plumbing NZ Limited			
Felicity Foy - Partner	Director of Coastal Plumbing NZ Limited			
	Friends with some FNDC employees			
Mate Radich	No form received			
Rachel Smith	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
	Vision Kerikeri	Financial Member		
Rachel	Property Owner	Kerikeri		
Smith (Partner)	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member and Treasurer		
	Vision Kerikeri	Financial Member		
	Town and General Groundcare Limited	Director, Shareholder		
Kelly Stratford	KS Bookkeeping and Administration	Business Owner, provides book keeping, administration and development of environmental management plans	None perceived	Step aside from decisions that arise, that may have conflicts

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Waikare Marae Trustees	Trustee	Maybe perceived conflicts	Case by case basis
	Bay of Islands College	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Karetu School	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Māori title land – Moerewa and Waikare	Beneficiary and husband is a shareholder	None perceived	If there was a conflict, I will step aside from decision making
	Sister is employed by Far North District Council			Will not discuss work/governance mattes that are confidential
	Gifts - food and beverages	Residents and ratepayers may 'shout' food and beverage	Perceived bias or predetermination	Case by case basis
	Taumarere Counselling Services	Advisory Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	Sport Northland	Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	He Puna Aroha Putea Whakapapa	Trustee	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Kawakawa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Whangaroa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	National Emergency Management Advisor Committee	Member		Case by case basis
	Te Rūnanga ā lwi o Ngāpuhi	Tribal affiliate member	As a descendent of Te Rūnanga ā Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā Iwi o Ngāpuhi Council relations	Declare a perceived conflict should there appear to be one

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Te Rūnanga ā lwi o Ngāti Hine	Tribal affiliate member	Could have a perceived conflict of interest	Declare a perceived conflict should I determine there is a conflict
	Kawakawa Business and Community Association	Member		Will declare a perceived conflict should there appear to be one
Kelly	Chef and Barista	Opua Store	None perceived	
Stratford - Partner	Māori title land – Moerewa	Shareholder	None perceived	If there was a conflict of interest I would step aside from decision making
Moko Tepania	Teacher	Te Kura Kaupapa Māori o Kaikohe.	Potential Council funding that will benefit my place of employment.	Declare a perceived conflict
	Chairperson	Te Reo o Te Tai Tokerau Trust.	Potential Council funding for events that this trust runs.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Te Rarawa	As a descendent of Te Rarawa I could have a perceived conflict of interest in Te Rarawa Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Whaingaroa	As a descendent of Te Rūnanga o Whaingaroa I could have a perceived conflict of interest in Te Rūnanga o Whaingaroa Council relations.	Declare a perceived conflict
	Tribal Member	Kahukuraariki Trust Board	As a descendent of Kahukuraariki Trust Board I could have a perceived conflict of interest in Kahukuraariki Trust Board Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga ā-Iwi o Ngāpuhi	As a descendent of Te Rūnanga ā-lwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-lwi o Ngāpuhi Council relations.	Declare a perceived conflict
John Vujcich	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest

Far North District Council Ordinary Council Meeting

will be held in the Virtually via Microsoft Teams on:

Thursday 24 February 2022 at 10:00 am

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1 KARAKIA TIMATANGA / OPENING PRAYER

"Ka tuku mātou kia kaha mai ngā māngai kua whiriwhirihia mō Te Kaunihera o Tai Tokerau ki te Raki ki te mahi me te ngākau auaha me te whakamahi i ngā pūkenga me te mātauranga i roto i ngā wānanga me ngā whakataunga kia whakatūria ai tētahi Hapori e matatika ana, e tū kotahi ana ka mutu ka whakapiki anō i te oranga o tō tātou rohe, ka whakatau anō i ngā take o te rohe i runga i te tika me te pono".

"We ask that through Council discussions and decisions the representatives we have elected may govern the Far North District with imagination, skill and wisdom to achieve a fairer and more united Community that enhances the wellbeing of our district and solves the District's problems efficiently and effectively".

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

3 NGĀ TONO KŌRERO / DEPUTATIONS

Shaun Johnson representing Merlin Labs and Space Aero.

Justin Blaikie representing Sportsville – Lindvart Park

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A3538366

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Team Leader Democracy Services

PURPOSE OF THE REPORT

The minutes are attached to allow Council to confirm that the minutes are a true and correct record of previous meetings.

RECOMMENDATION

That Council confirms as a true and correct record the minutes of the Council meetings as follows;

- a) 14 December 2021 (Extraordinary)
- b) 16 December 2021

1) BACKGROUND

Local Government Act 2002 Schedule 7 Section 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

2) DISCUSSION AND OPTIONS

The minutes of the meetings are attached.

Far North District Council Standing Orders Section 27.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

Reason for the recommendation

The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meetings.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision as a result of this report.

ATTACHMENTS

- 1. 2021-12-14 Council Minutes A3523284 $\sqrt[4]{1}$
- 2. 2021-12-16 Council Minutes A3530384 $\sqrt[4]{2}$

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the <u>Council's Significance and Engagement Policy</u>	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example, youth, the aged and those with disabilities).	This report is asking for minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

MINUTES OF FAR NORTH DISTRICT COUNCIL EXTRAORDINARY COUNCIL MEETING HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS ON TUESDAY, 14 DECEMBER 2021 AT 10:01 AM

PRESENT: Mayor John Carter (HWTM), Cr 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 (Member), Adele Gardner (Te Hiku Community Board

Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board), Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and

Policy)

1 KARAKIA TIMATANGA / OPENING PRAYER

His Worship the Mayor opened and commenced the meeting with a prayer.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

There were no apologies or declarations of interest.

3 NGĀ TONO KŌRERO / DEPUTATION

10:05 am Justin Blaikie provided a Lindvart Park Presentation.

12:10 pm Pita Tipene on behalf of Northland Adventure Experience LTD.

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

- COVID-19 Red Traffic Light system will be implemented in Northland on 15 December 2021 (Letter from Mayor Sheryl Mai read).
- Kerikeri ANZAC Day Letter to be sent to the Community Boards.
- Pohutukawa Trees Ahipara.
- Matauri Bay.
- Letter from Councillor Vujcich Ngakahu Steering Group. Item 6.2 refers.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A3497795, pages 12 - 34 refers.

RESOLUTION 2021/70

Moved: Mayor John Carter Seconded: Cr Rachel Smith

That Council confirms as a true and correct record the minutes of the Council meetings as follows;

- a) 14 October 2021 (Extraordinary)
- b) 4 November 2021

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

6 REPORTS

6.1 NEW RESERVE ACT LEASE TO RUSSELL TENNIS CLUB INCORPORATED

Agenda item 6.1 document number A3440072, pages 35 - 38 refers.

RESOLUTION 2021/71

Moved: Mayor John Carter Seconded: Cr Kelly Stratford

That Council:

- a) approve a new ground lease be issued to the Russell Tennis Club Incorporated over part of the Local Purpose (community activities) Reserve, for approximately 1,500 square metres, being part of Allotment 2A Section 6 Town of Russell held in Record of Title NA61/226, vested in Far North District Council as a local purpose reserve by Section 26A Reserves Act 1977. The terms of the proposed lease shall be:
 - I. Term 33 years maximum allowed for under the Reserves Act 1977
 - II. Rental \$110 pa FNDC Fees and Charges Schedule 2021/22 Community leases
- b) with further conditions negotiated and agreed upon by the General Manager Infrastructure and Asset Management and the Russell Tennis Club Incorporated.

<u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vuicich

Against: Nil

CARRIED

6.2 APPOINTMENT OF A COUNCIL STEERING GROUP TO DISCUSS THE FUTURE OF THE KAURI DAM WITH THE NGAKAHU WHENUA TRUST.

Agenda item 6.2 document number A3512603, pages 39 - 42 refers.

RESOLUTION 2021/72

Moved: Cr John Vujcich Seconded: Cr Dave Collard

That Council:

- a) establish a steering group named Ngakahu Steering Group.
- b) appoint Crs Radich, Vujcich, Collard and Tepania to the Ngakahu Steering Group,
- c) request the steering group enter into discussions with Ngakahu Ngakohu Whanau Ahuwhenua Trust to
 - I. obtain and understand their aspirations and concerns regarding the future of the Dam and surrounding land,
 - II. identify mutually acceptable exit options.
- d) request the steering group report back to Council their findings and recommendations.
- e) move the corrected report be tabled.

In Favour: Mayor John Carter, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Kelly

Stratford, Moko Tepania and John Vujcich

Against: Deputy Mayor Ann Court

Abstained: Cr Rachel Smith

CARRIED

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - NOVEMBER 2021

Agenda item 6.3 document number A3472547, pages 43 - 60 refers.

RESOLUTION 2021/73

Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court

That Council:

- a) approve the removal of the of Eucalyptus Trees along the boundary line walkway behind 121 & Lot 13 Waitotara Drive at an unbudgeted operational expenditure of \$27,000 plus GST
- approve the maintenance to the Eucalyptus trees along the Fairy Pools track and reserve posing potential immediate risk at an unbudgeted operational expenditure of \$10,000 plus GST
- c) revoke the Litter Infringement Policy 2017.
- d) adopts the provisions to infringe littering offences in the Far North District pursuant to Section 13 of the Litter Act 1979.
- e) agree that no infringement fee shall exceed \$400, as per Section 13 of the Act.
- f) agree infringement notices shall be served as per Section 14 of the Act.
- g) agree, in response to the consultation under 160 (3)(b)(ii), no amendments are to be made to the Solid Waste Bylaw.
- h) agree, under section 160 of the Local Government Act 2002 the Solid Waste Bylaw be continued without amendment.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7 INFORMATION REPORTS

7.1 CEO REPORT TO COUNCIL 1 SEPTEMBER 2021 - 31 OCTOBER 2021

Agenda item 7.1 document number A3489136, pages 61 - 83 refers.

RESOLUTION 2021/74

Moved: Mayor John Carter Seconded: Cr Mate Radich

That the Council receive the report CEO Report to Council 1 September 2021 - 31 October 2021.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7.2 EXTERNAL BORROWING REVIEW

Agenda item 7.2 document number A3486034, pages 84 - 90 refers.

RESOLUTION 2021/75

Moved: Cr Felicity Foy Seconded: Cr Rachel Smith

That the Council receive the report External Borrowing Review.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7.3 2021/22 TO 2023/24 ROADING CAPITAL AND RENEWALS WORK PROGRAMME

Agenda item 7.3 document number A3487138, pages 91 - 100 refers.

RESOLUTION 2021/76

Moved: Mayor John Carter Seconded: Cr John Vujcich

That the Council receive the report 2021/22 to 2023/24 Roading Capital and Renewals Work Programme.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Cr Mate Radich

CARRIED

The meeting was adjourned from 12:24 pm to 1.02 pm.

7.4 COMMUNITY BOARD UPDATES NOVEMBER 2021

Agenda item 7.4 document number A3400646, pages 101 - 124 refers.

RESOLUTION 2021/77

Moved: Cr John Vujcich Seconded: Cr Moko Tepania

a) That Council grant to the Kaikohe-Hokianga Community Board the delegated authority to negotiate the lease of the Council building on 11 Parnell Street Rawene.

In Favour: Mayor John Carter, David Clendon, Dave Collard, Felicity Foy, Kelly Stratford,

Moko Tepania and John Vujcich

Against: Deputy Mayor Ann Court and Mate Radich

Abstained: Cr Rachel Smith

CARRIED

RESOLUTION 2021/78

Moved: Mayor John Carter Seconded: Cr John Vujcich

That Council note the following Community Board minutes:

- b) Kaikohe-Hokianga Community Board, 8 November 2021.
- c) Te Hiku Community Board, 9 November 2021.
- d) Bay of Islands-Whangaroa Community Board, 11 November 2021.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

7.5 COUNCIL ACTION SHEET UPDATE DECEMBER 2021

Agenda item 7.5 document number A3472600, pages 125 - 144 refers

RESOLUTION 2021/79

Moved: Mayor John Carter Seconded: Cr Rachel Smith

That Council receive the report Action Sheet Update December 2021.

In Favour: Mayor John Carter ,Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Mate Radich, Rachel Smith, Kelly Stratford and John Vujcich

Against: Cr Moko Tepania

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/80

Moved: Mayor John Carter Seconded: Cr John Vujcich

- a) That the public be excluded from the following parts of the proceedings of this meeting.
- b) That Council permit Ana Heremaia and Mike Shaw into the public excluded part of the meeting in relation to the Kaikohe Civic Hub Working Party Recommendations as members of the working party they will be better placed to answer any questions from the members.
- c) 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
8.1 - Confirmation of Previous Minutes - Public Excluded	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
8.2 - Kaikohe Civic Hub Working Party Recommendations	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	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

	who supplied or who is the subject of the information	
	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
8.3 - Taumarere to Opua Cycle Trail Relocation Update	s48(2)(a)(i) - the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation where a right of appeal lies to any court or tribunal against the final decision of the Council in these proceedings	s48(2)(a)(i) - the exclusion of the public from the part of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation
8.4 - Contract Award - Contract 7/21/202 Construction of General Bridge Repairs 2021 - 24	s48(1)(b)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would be contrary to the provisions of a specified enactment	s48(1)(b)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would be contrary to the provisions of a specified enactment
8.5 - Community Board Public Excluded Minutes November 2021	s48(2)(a)(i) - the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation where a right of appeal lies to any court or tribunal against the final decision of the Council in these proceedings	s48(2)(a)(i) - the exclusion of the public from the part of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation
8.6 - Committee Public Excluded Resolutions - December 2021	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
	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)	
	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of	

		official information for improper gain or improper advantage	
In Favour:	Foy, Mate Radich,	r, Deputy Mayor Ann Court, David Rachel Smith, Kelly Stratford, Mo	
Against:	Nil		CARRIED

8.7 CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2021/81

Moved: Deputy Mayor Ann Court

Seconded: Cr Rachel Smith

That Council confirms the information and decisions contained in the part of the meeting held with public excluded not be restated in public meeting as follows:

That Council:

- a) Approve the award of Contract 7/21/202 Construction of General Bridge Repairs 2021-24 to Steve Bowling Contracting Ltd. for a contract value of \$REDACTED and
- b) Delegates authority to the Chief Executive Officer to execute the associated document approvals:
 - i) Contract signing
 - ii) Supplier recommendation approval
 - iii) PO approval

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity

Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Cr Moko Tepania closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 3:31 pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 24 February 2022.

CHAIRPERSON

MINUTES OF FAR NORTH DISTRICT COUNCIL ORDINARY COUNCIL MEETING HELD VIRTUALLY VIA MICROSOFT TEAMS ON THURSDAY, 16 DECEMBER 2021 AT 10.00 AM

PRESENT: Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr

Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, 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), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager

Strategic Planning and Policy)

1 KARAKIA TIMATANGA / OPENING PRAYER

His Worship the Mayor commenced the meeting with a prayer.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2021/70

Moved: Mayor John Carter Seconded: Cr Kelly Stratford

That the apology received from Cr David Collard be accepted and leave of absence granted.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Mate

Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputations for this meeting.

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

The Mayor advised he did not have any announcements.

5 REPORTS

5.1 FAR NORTH HOLDINGS LTD ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2021

Agenda item 5.3 document number A3516410, pages 72 - 120 refers.

RESOLUTION 2021/71

Moved: Mayor John Carter Seconded: Cr John Vujcich

That That Council accept the Annual Report for Far North Holdings Ltd for the year ended 30 June 2021.

<u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Mate

Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

5.2 ADOPTION OF THE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2021

Agenda item 5.2 document number A3495561, pages 70 - 71 refers.

RESOLUTION 2021/72

Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court

That Council:

a) adopt the Annual Report for the year ended 30 June 2021;

b) agree that the General Manager Corporate Services is authorised to make any grammatical changes that may be required.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Kelly

Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Crs Mate Radich and Rachel Smith

CARRIED

NOTE: A copy of the Far North District Council Annual Report was circulated to Mayor and Councillors under separate cover.

5.3 PROGRAMME DARWIN - PROGRAMME AND FUNDING UPDATE

Agenda item 5.4 document number A3458979, pages 121 - 159 refers.

RESOLUTION 2021/73

Moved: Deputy Mayor Ann Court

Seconded: Cr Rachel Smith

That item 5.4 Programme Darwin – Programme Darwin Funding Update is left to lie on the table.

In Favour: Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel Smith and Moko

Tepania

Against: Mayor John Carter, Mate Radich, Kelly Stratford and John Vujcich

CARRIED

RESOLUTION 2021/74

Moved: Cr Felicity Foy

Seconded: Cr Moko Tepania

That Council request a timeline of milestones is provided about latent capacity and area of benefit review for each of our wastewater and water treatment plants and reticulations in each township be provided by Feb 2022.

<u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel

Smith, Kelly Stratford and Moko Tepania

Against: Crs Mate Radich and John Vujcich

CARRIED

RESOLUTION 2021/75

Moved: Cr John Vujcich Seconded: Mayor John Carter

That Council request a working group be established and a terms of reference be developed, in collaboration with CEO and relevant staff, reporting to the Assurance, Risk and Finance Committee for governance oversight of Programme Darwin.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel

Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Cr Mate Radich

CARRIED

5.4 MEMORANDUM OF UNDERSTANDING FOR KERIKERI DOMAIN WAR MEMORIAL WALL

Agenda item document number A3477559, pages 160 - 166 refers.

MOTION

Moved: Cr Rachel Smith Seconded: Cr John Vujcich

That Council:

- a) approves the Memorandum of Understanding between Kerikeri R.S.A. Trust Fund and Council
- b) delegates the signing of the Memorandum of Understanding to the General Manager Infrastructure and Asset Management, including any non-material changes
- c) approves the inclusion of additional operational budget of \$5,000 per annum from 2022/23 for maintenance.

In Favour: Crs John Carter, Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel

Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

5.5 THE REINTRODUCTION OF DEVELOPMENT CONTRIBUTIONS IN THE FAR NORTH DISTRICT IN ALIGNMENT WITH THE 2024-34 LONG TERM PLAN

Agenda item document number A3514737, pages 167 - 174 refers.

MOTION

Moved: Cr Ann Court Seconded: Cr Rachel Smith

That Council approve a new Development Contributions policy be adopted with the adoption of the 2024-34 Long Term Plan.

At 12:05 pm, Cr Mate Radich left the meeting.

AMENDMENT

Moved: Cr David Clendon Seconded: Cr Kelly Stratford

request a standing item on every full Council agenda providing a staff report on progress against the indicative project schedule, until the policy comes into effect.

<u>In Favour:</u> Mayor John Carter, David Clendon, Kelly Stratford and Moko Tepania

Against: Deputy Mayor Ann Court, Felicity Foy, Rachel Smith and John Vujcich

EQUAL

His Worship the Mayor used his casting in favour.

The amendment became the substantive motion.

RESOLUTION 2021/76

Moved: Cr David Clendon Seconded: Cr Kelly Stratford

That Council:

- a) approve a new Development Contributions policy be adopted with the adoption of the 2024-34 Long Term Plan
- b) request a standing item on every full Council agenda providing a staff report on progress against the indicative project schedule, until the policy comes into effect.

<u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel

Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

The meeting adjourned from 12:09 pm to 12:45 pm.

6 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/77

Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court

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

- a) That Council permit Benji Potvin into the public excluded part of the meeting in relation to item 6.1 Waipapa Sports Development Transfer of funds from Baysport as the consultant leading that work.
- b) 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 - Waipapa Sports Development - Transfer of funds from Baysport	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 - Extension of Solid Waste Contracts	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
6.3 - 8A Matthews Ave NES Soil Testing Costs	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
6.4 - Extension of Community Services Contract (Recreation Services Limited)	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
6.5 - Purchase of land at 7 Hokianga Harbour Drive, Opononi	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, 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

		(including commercial and industrial negotiations)	reason for withholding would exist under section 6 or section 7
6.6 - Infrastro	ucture n Fund Proposals	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
		s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest	
		s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
		s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	
In Favour:		r, Deputy Mayor Ann Court, David ord and John Vujcich	Clendon, Felicity Foy, Rachel
Against:	Nil		
			CARRIED

At 12:50 pm, Cr Moko Tepania returned to the meeting. At 12:50 pm, Cr Mate Radich returned to the meeting.

RESOLUTION 2021/85

Moved: Mayor John Carter Seconded: Cr Kelly Stratford

That Council moves out of Closed Council into Open Council.

In Favour: Mayor John Carter, Deupty Mayor Ann Court, David Clendon, Felicity Foy, Kelly

Stratford, Moko Tepania and John Vujcich, Mate Radich

Against: Nil

CARRIED

8 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Cr. Moko Tepania closed with a karakia.

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The meeting closed at 3:20 pm	The	meeting	closed	at 3:20	pm.
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The minutes of this meeting will be confirmed at the February 2022.	Ordinary Council Meeting held on 24
	CHAIRPERSON

6 REPORTS

6.1 FAR NORTH HOLDINGS LIMITED - AMENDMENT TO COMPANY STRUCTURE

File Number: A3567181

Author: Janice Smith, Chief Financial Officer

Authoriser: William J Taylor MBE, General Manager - Corporate Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek Council approval, as the sole shareholder of Far North Holdings Ltd (FNHL), to the proposed changes to the structure of the company

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- In December 2021, the Board of FNHL approached Council with a proposal to amend the structure of the company
- The proposal is to create two, wholly owned subsidiaries, in order to enable asset growth, improve business performance and delivery and appropriately manage business risks.
- The proposed changes will not result in any cost to Council.
- FNHL have completed a due diligence report, which is attached to this report.

TŪTOHUNGA / RECOMMENDATION

That Council, as the sole shareholder of Far North Holdings Limited approve the proposal to create two wholly owned subsidiaries: Bay of Islands Marina Ltd and Far North Housing Ltd.

1) TĀHUHU KŌRERO / BACKGROUND

reportsIn December 2021, the Board of FNHL developed a proposal to amend the structure of the company.

Given the business growth and diversification over recent years, the Board of FNHL wishes to establish two wholly owned subsidiaries in order to enable asset growth, improve business performance and delivery and appropriately manage business risks.

It is appropriate to make these changes now due to:

- increasing risk with legislative and regulatory changes, coupled with the continuing diversification of the asset portfolio and business operations.
- the current commercial and social opportunity to respond to housing needs in our communities in the immediate term.
- the planned relocation of the FHNL office to the Ngawha Innovation Park once operational, and the need to manage any associated changes to the marina operations in Opua where the head office is currently based; and
- the existing development pipeline while assets have grown from \$40 million to \$136 million over the last nine years, the current pipeline of development and strategic initiatives expect asset growth to be close to \$200 million by 2024 based on current valuation evidence this level of growth requires focus, execution, and careful risk mitigation to deliver.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

These two subsidiaries are intended to own and manage the Bay of Islands Marina, and to own, develop and manage community and social housing across Northland, which we see as a key strategic growth area for the company to achieve financial and social impacts. The entities are proposed to be called Bay of Islands Marina Limited, and Far North Housing Limited respectively.

Both entities would be 100 percent owned by FNHL, with the FHNL Board remaining fully accountable to FNDC for group performance. The Statement of Intent would continue to govern the overall performance of the FNHL Group (FNHL and all subsidiaries), as it does currently, however it is reasonable to expect some revisions to reflect the increasingly diverse asset portfolio managed by FNHL, the broader group strategy to encompass community housing, and the social, community and environmental impacts achieved through this structural change and improved focus in key areas.

A full due diligence report is attached which outlines the key benefits of the proposed change, identifies the perceived risks, and identifies their potential impact and confirms that the organisations' ability to borrow and secure appropriate funding will not be compromised.

The report confirms that no additional funding will be sought from the Shareholder to give effect to the proposed change and that there will not be a negative impact on proposed dividends resulting from the proposal.

Take Tūtohunga / Reason for the recommendation

To formally approve the proposed changes to the company structure for FNHL, noting that a due diligence report has been prepared and received.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no specific financial implications arising from this report

ĀPITIHANGA / ATTACHMENTS

1. FNHL Subsidiary due diligence report - A3571799 4

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the <u>Council's Significance and Engagement Policy</u>	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	No specific legislation applies to this report
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a District Wide issue
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	This is a District Wide issue
State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable
State the financial implications and where budgetary provisions have been made to support this decision.	There are no specific financial implications arising from this report
Chief Financial Officer review.	The Chief Financial Officer has prepared this report



Opua Marine Park P.O. Box 7 Opua, 0241 Bay of Islands, New Zealand

7 December 2021

PRIVATE AND CONFIDENTIAL

Far North Holdings Limited

Proposed Changes to Company Structure

Purpose

Following our initial verbal presentation to FNDC Councillors on 1 December, the purpose of this paper is to consult with FNDC regarding proposed changes to the structure of Far North Holdings Limited (FNHL) as required under our Statement of Intent, and to provide assurance that this change will not adversely affect the profitability and risk profile of the company.

Executive Summary

Given the business growth and diversification over recent years, the Board of FNHL wishes to establish two wholly owned subsidiaries in order to enable asset growth, improve business performance and delivery and appropriately manage business risks. It is appropriate to make these changes now due to:

- increasing risk with legislative and regulatory changes, coupled with the continuing diversification of the asset portfolio and business operations.
- the current commercial and social opportunity to respond to housing needs in our communities in the immediate term.
- the planned relocation of the FHNL office to the Ngawha Innovation Park once operational, and the need to manage any associated changes to the marina operations in Opuawhere the head office is currently based; and
- the existing development pipeline while assets have grown from \$40 million to \$136 million over the last nine years, the current pipeline of development and strategic initiatives expect asset growth to be close to \$200 million by 2024 based on current valuation evidence - this level of growth requires focus, execution and careful risk mitigation to deliver.

These two subsidiaries are intended to own and manage the Bay of Islands Marina, and to own, develop and manage community and social housing across Northland, which we see as a key strategic growth area for the company to achieve financial and social impacts. The entities are proposed to be called Bay of Islands Marina Limited, and Far North Housing Limited respectively.

Both entities would be 100 percent owned by FNHL, with the FHNL Board remaining fully accountable to FNDC for group performance. The Statement of Intent would continue to govern the overall performance of the FNHL Group (FNHL and all subsidiaries), as it does currently, howeverit is reasonable to expect some revisions to reflect the increasingly diverse asset portfolio managed by FNHL, the broader group strategy to encompass community housing, and the social, community and environmental impacts achieved through this structural change and improved focus in key areas.

While ownership of some assets would be transferred from FNHL to these subsidiaries, FNHL confirms that no public assets (for example wharves, public marine infrastructure) will be transferred to the new subsidiaries. We can provide the draft list of assets to be transferred should that be of assistance.

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These changes do not require any changes to our funding by FNDC and should deliver more value. While additional costs are estimated at \$300,000 per annum for additional director fees, accounting and audit fees, these costs will be offset by improved commercial performance within two years. While some existing staff may transfer employment from FNHL to the new entities, further staff recruitment will only occur as business performance allows while maintaining our dividend commitments to FNDC.

It is intended that each subsidiary will have four directors, two from the FNHL board and two independent directors to retain appropriate group control and oversight, and to recruit specific skills and expertise as identified to drive performance in the two new subsidiaries. We would like to recruit for the two independent directors in the new year, and plan to advertise broadly both regionally and nationally to find strong candidates.

Key Benefits

The key benefits derived from the proposed change in company structure are summarized below:

Bay of Islands Marina Limited

- Improved business performance, profitability and risk management This will be achieved by a
 dedicated governance and management structure focused on the marina operations with
 specialist skills recruited over time to achieve this. The marina continues to represent our key
 operational asset and requires different skills and expertise from our core expertise of managing
 and developing commercial and infrastructure assets. While this change will deliver improved
 financial returns on marina assets, and increased profitability, we also expect improvements to a
 broad range of business, customer service and impact measures.
 - This level of focus has become increasingly important in a post-Covid environment with tourism flows limited, shifting consumer perceptions and the upcoming shift of the head office to Ngawha which risks alienating the marina operations.
- Improved risk management The marina and surrounding businesses we operate such as the
 boatyard, paint shop, fuel and general marine environment are high-risk environments that need
 to be managed differently to that of a property and development entity. A separate legal entity,
 combined with additional governance and management oversight and expertise helps to
 provide more appropriate risk management and mitigation specifically in the key areas of
 biosecurity, health & safety and environmental.
- Improved community & stakeholder engagement We acknowledge the importance of the marina in the broader Opua and Bay of Islands community. Focus and allocation of dedicated resources to work solely at the marina will enable us to improve relationships and engagement within the community, and to monitor our interactions and engagements more closely.
- Improved environment outcomes Site specific focus is required to both meet, and exceed, our environmental obligations for compliance purposes and to deliver upon community expectations.
- Improved customer service levels Structural and organisational changes will support improved customer service levels, by ensuring focus on day-to-day customer interactions with enhanced ability to measure and report on customer service, improving transparency.
- Covid management and response The marina oversees and operates the entry port at Opua.
 This operation, together with the large number of berth-holders, local businesses, and residents in a potentially vulnerable region, means that we must deliver robust Covid responses that adapt over time, and manage various stakeholders, their safety and their businesses.

Far North Housing Limited

Strategic Opportunity – There is a well-established need for social, affordable and community
housing across the wider Northland region which we expect to continue for the medium term.
We believe provision of affordable and social housing is the next strategic growth area for FNHL
to meet social and commercial outcomes.

2

FNHL is currently working on, and in negotiations for, further housing projects in the Far North and wider Northland region. We have successfully negotiated an agreement with the Ministryof Housing and Urban Development to secure 25-year government rents at an above market rate for provision of social housing. Government funding is currently available to support housing initiatives, FNHL has a strong balance sheet and delivery capability.

A separate entity with appropriate governance and management experience positions us to maximise this opportunity, while also managing the risk to the broader FNHL portfolio and business as we anticipate this will make a significant contribution to our asset growth over the next ten years.

- Community Need FNHL has financial capability, and development expertise to respond and deliver housing improvements for our community, supporting community well-being and social outcomes across the wider Northland region. The scale and urgency of this need is such that we believe it requires clear focus to execute effectively for our communities.
- Stakeholder Relationships This strategic focus in housing enables us to deliver social and
 community impact more deliberately and transparently than our existing development portfolio
 which often enable indirect benefits. It also provides opportunity to further develop and deepen
 current partnerships with community groups, hapu and iwi who have identified housingneeds for
 their communities. This will help to address community perceptions which purport a sole focus on
 FNHL's "for profit" purpose, and a separate entity helps to ensure focus, appropriate governance
 and management resource and delivery given the opportunity to reset perceptions of FNHL.
- Commercial Opportunity We are currently one of three property developers in New Zealand
 to have secured a direct relationship with Ministry of Housing and Urban Development which
 enables us to deliver social housing with a 25-year government lease creating good commercial
 returns. This financial return, coupled with our strong balance sheet enables us to obtain cost
 effective lending to deliver housing, which we believe can deliver significant asset growth and
 profitability, improving our dividend stream for FNDC.
- Risk Management While FNHL can secure external funding for housing based on its current
 balance sheet and financial performance, we expect a stand-alone entity focused on social
 housing will enable us to access lending and preferential interest rates from impact funders which
 will create significant cost savings. However, the new entity also provides some protection for
 the broader FNHL asset portfolio as we aim to secure social housing financing against these
 specific income streams for risk mitigation purposes.

Further Commentary

FNHL is first and foremost an asset management and development company, with assets acquired either originally from FNDC, developed or purchased. Our current skills and expertise reflect this core business of property development, ownership and management of property assets, rather than operational management of trading businesses.

While asset management is our core expertise, the diversity of our asset portfolio has helped to mitigate the effects of Covid over recent years and maintain financial performance at levels greater than budgeted. Accordingly, the directors consider this diversity a key strength of the business that needs to be maintained.

Over the last nine years, FNHL has achieved significant asset growth from \$40 million to \$136 million and has supported a number of key PGF projects across the region owned or managed by FNDC and / or other entities. With a strong pipeline of development activity forecast at Ngawha as we develop the Innovation Park, and community housing opportunities identified, we forecast an asset value of close to \$200 million by 2024 based on current valuation evidence.

This growth will occur with a significant program of development activity and requires appropriate governance and management structures in place to maintain focus, monitor execution and manage risk frameworks and processes.

In addition to this planned growth, there is an increasingly complex regulatory environment, specifically relating to Health and Safety, biosecurity and environmental with increasing obligations for directors and senior management. These obligations and risks differ for our various business portfolios, and require different experience and oversight depending on the nature of the operations and risk. It is important that FNHL is structured and resourced appropriately to respond

3

to, and proactively mitigate and manage potential risks, including climate change risks given the nature of our maritime assets.

While FNHL has previously been headquartered in Opua due to the marina being our largest asset, the intention is to shift to the Ngawha Park once operational to focus on the development of this Park over time, and to ensure co-location with other key tenants on the Park to help support economic and business initiatives at the Park. With a large number of operational staff based in Opua, we have carefully considered how best to manage this move while protecting the asset value and delivery at Opua and reflecting the significant development opportunity remaining at the marina over the next few years, and significant effort required to re-build international demand for marina services post Covid.

FNHL's greatest exposure to health and safety and environmental risk currently lies in the Marina and Boatyard operation. Currently staff well-being, health and safety is considered in context of the whole FNHL business, and we need to ensure specific focus on the operation and mitigations required for these higher-risk, and unique business operations compared to our wider operation.

The Marina is FNHL's largest revenue generating asset and yet, it receives the least of senior staff focus as a result of activities which compete for company resource – significant development projects, PGF project commitments – especially maritime projects, and stakeholder management requirements across the region. This restructure will create dedicated roles and governance focused solely on marina performance to maximise business outcomes, with a target to increase value by lifting the current return on marina investments from 3.46 percent to a more commercial return of 5.5 percent over a 3-year period.

As Councillors know, FNHL is currently completing our first social housing project in Kamo, which has demonstrated the potential for strong revenues and capital growth within this growth sector. Our financial projections expect a gross return in excess of eight percent upon our initial investment and asset value increases of approximately sixty five percent, and we believe these returns can be achieved across our social housing portfolio. Assuming our financial assumptions continue to reflect the economic and political environment, and based on our current development portfolio, we expect to grow the social housing asset base to circa \$50 million in three years, with potential further upside possible.

Key Risks

The below table identifies potential risks due to the proposed structural change with responses and mitigations identified.

Strategic Risks	Likelihood	Mitigation
Inability to comply with legislative requirements within the Local Government Act.	Low	There is no limitation within the Local Government Act preventing the establishment of a wholly owned subsidiary.
Establishment of subsidiaries reduces FNDC's ability to oversee performance and outcomes of FHNL.	Low	As wholly owned subsidiaries, the entitieswill continue to be governed by the SOI between FNDC and FNHL and the FNHL Board remain fully accountable.
Potential legislative changes within the local government sector may impact on FNDC, and the relationship between FNDC and FNHL.	Medium	While there is risk of future changes within the local government sector, FNHL is already a wholly owned subsidiary of FNDC, and the impact of any changes will need to be assessed over time if they eventuate. The creation of wholly owned subsidiaries does not alter this risk as all shares in the subsidiaries (and therefore ultimate asset ownership) remain with FNHL.

4

Ratepayer perception that increased costs relating to subsidiaries are an inappropriate use of council funds.	Medium	FNDC is not required to provide any additional funding to FNHL as a result of these changes.
		We expect to fund the increased costs through improved business performance and return on assets within two years based on indicative modelling and expect further value creation as a result of these changes. FNHL remains committed to delivering dividends outlined in the SOI.
Profitability of subsidiary companies does not track to budget.	Low	Business performance will be monitored by the subsidiary management and board, with regular reporting to the FNHL Board. Any performance deficits will be proactively addressed with remedialaction and / or offset by performance improvements within the wider Group.
Ratepayer perception that increased governance costs are not necessary and / or excessive.	Medium	FNHL has commissioned an independent report on director fees to ensure fees reflect market to support recruitment of appropriate expertise to deliver business outcomes. Company directors carry statutory obligations and exposures, and fees must be appropriate to attract appropriate skills and experience given the organisational activities and related risk profile. In addition, the diversity of the current and planned FNHL portfolio means specific skills and experience are required in order to maximise business performance and manage risk appropriately within different divisions. This re-structure enables us to recruit specialist expertise accordingly. Company communications or media should reflect the above.
Transferring asset ownership to subsidiaries reduces Council influence and increases possibility of asset disposals in the future.	Low	The proposed change is to improve business performance and manage risk primarily, and the Directors do not have any intention of selling strategic company assets. As previously indicated, we welcome the opportunity to review the entire company portfolio to identify any strategic assets that must be retained or subject to FNDC approval prior to disposal.
		2.0

Stakeholder perception this change is due to under-performance by the current management and Board.	Medium	FNHL has consistently delivered to most performance outcomes within the SOI, as a minimum guideline for performance. Significant asset growth and profitability has been achieved over recent financial years, despite Covid challenges. This change acknowledges the broad portfolio of FNHL's assets, and the need to acquire additional skills and expertise to manage risk and maximise business performance. Company communications or media should reflect the above.
Existing debt/equity ratios are impacted by the new company arrangements	1. Low	 The new companies will form a consolidated group and the existing ratios will be measured for the group. There will be no change to the ratios or impact on borrowing capacity.

6.2 FAR NORTH HOLDINGS LIMITED BOARD APPOINTMENTS

File Number: A3567179

Author: Janice Smith, Chief Financial Officer

Authoriser: William J Taylor MBE, General Manager - Corporate Services

TAKE PÜRONGO / PURPOSE OF THE REPORT

This report seeks to gain approval to extend the appointment of Kevin Baxter to 31 March 2022 and to form an appointments Committee to appoint his replacement.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Kevin Baxter is a long serving member of the Far North Holdings Limited (FNHL) Board, and he reached the maximum tenure of 9 years on 31 January 2022.
- Due to the Christmas break, it has not been possible to establish a committee to attend to the appointment of a new director.
- To ensure that the Board remained functional, the Mayor and Deputy Mayor approved an extension of his appointment to 31 March 2022, on behalf of Council. This report seeks to ratify that extension.
- An Appointments Committee is now required to be established as per the Appointment and Remuneration of Directors of Council Organisations Policy (#2117).

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) endorse the extension of tenure for Kevin Baxter to 31 March 2022 to enable the Board of Far North Holdings Limited to continue while an appointment process is carried out to identify a replacement.
- b) establish an "Appointment to Council Organisation Committee" in line with the Appointment and Remuneration of Directors of Council Organisations Policy (#2117).
- c) make the following appointments to the Committee;

i)	External Commercial Advisor
ii)	Council representative #1
iii)	Council representative #2

1) TĀHUHU KŌRERO / BACKGROUND

In late December Council was approached by Far North Holdings Limited (FNHL) in relation to the recruitment of a replacement director for Kevin Baxter, whose tenure was due to end 31 January 2022.

The Appointment and Remuneration of Directors of Council Organisations Policy (#2117) was approved by the Strategy and Policy Committee and Council in September 2021. The policy states the following in relation to the appointment of directors:

3. Appointments Committee

As soon as practicable after each local body triennial election, or as otherwise required, the Council will establish an Appointments Committee for the purpose of recommending the appointment of directors to Council Controlled Organisations. The members of the committee will comprise the chairperson of the CCO board, an external commercial advisor (or similar) with relevant experience and knowledge, and up to two other members nominated by the Council. These members would ideally be Councillors with an interest in CCO's and one of these appointees would be appointed as the Chair of the Appointments Committee.

It is now necessary to establish a Committee to appoint a new director to the FNHL Board.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

In December, Council was approached by FNHL seeking comment on the appointment of a replacement director as Kevin Baxter was due to end his position on 31 January 2022. As it was not possible to establish the Committee required to consider this process, it was deemed prudent to seek a short-term extension to his tenure to enable the Board to continue to function.

The FNHL constitution was reviewed, and it was determined that the Mayor and Deputy Mayor were able to approve that extension on behalf of the shareholder. This report now seeks endorsement of that action by Council.

In order to be able to move quickly in early 2022, an advert was placed on Seek, 21 December 2021 with a closing date of 24 January 2022.

It is now necessary to "stand up" the Appointment Committee to review the applications and make a recommendation to Council on a suitable replacement.

The policy states:

3. Appointments Committee

As soon as practicable after each local body triennial election, or as otherwise required, the Council will establish an Appointments Committee for the purpose of recommending the appointment of directors to Council Controlled Organisations. The members of the committee will comprise the chairperson of the CCO board, an external commercial advisor (or similar) with relevant experience and knowledge, and up to two other members nominated by the Council. These members would ideally be Councillors with an interest in CCO's and one of these appointees would be appointed as the Chair of the Appointments Committee.

The Committee will consist of four members.

- The current Chair of the FNHL Board Bill Birnie.
- An external commercial advisor. As the monitoring of FNHL is delegated to the Assurance, Risk and Finance (ARF) Committee, it would seem appropriate that this be the independent member of that Committee, Bruce Robertson. Consideration of this appointment is now sought.
- Two elected members to be nominated by Council. As above, given the relationship with the ARF Committee, this could be the Chair of that Committee plus another elected member. Guidance on these appointments is now sought.

Take Tūtohunga / Reason for the recommendation

To endorse the action taken in relation to the extension of tenure and to establish the Committee to make the appointment of a new director to the FNHL Board.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Any costs arising from the appointment process will be met from existing budgets.

ĀPITIHANGA / ATTACHMENTS

- 1. Appointment and Remuneration of Directors for Council Organisations Policy Proposal Sept 2021 FINAL A3568535 J
- 2. FNHL BOARD MEMBERS advert A3568551 U

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the <u>Council's Significance and Engagement Policy</u>	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Appointment and Remuneration of Directors of Council Organisations (Policy #2117)
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a District Wide issue and not relevant to one particular community board
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	The board of a CCO should be made up of a diverse range of people who are able to bring relevant expertise to the organisation. For the board to be fully effective, it should comprise directors with a range of complementary skills and experience to ensure that ideas are challenged and tested, and that decision-making it robust.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	As above
State the financial implications and where budgetary provisions have been made to support this decision.	No specific implications
Chief Financial Officer review.	The Chief Financial Officer prepared this report



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Appointment and Remuneration of Directors for Council Organisations (#2117)

Date Issued: 19 June 2003

Updated July 2021

Purpose

The purpose of this policy is to set out, in accordance with section 57 (1) of the Local Government Act 2002 (LGA), an objective and transparent process for the:

- a) identification and consideration of the skills, knowledge and experience required of directors of a council organisation.
- b) appointment of directors to a council organisation; and
- c) remuneration of directors of a council organisation.

Policy Objectives

The objectives of this policy are to ensure:

- that the process of appointing board members to Council Controlled Organisations (CCO's) of FNDC is undertaken in an objective and transparent manner, while protecting individual privacy.
- that board appointments:
 - are made based on an assessment of skills, knowledge and experience, having regard to the nature of scope of the organisation's objectives and activities.
 - consider the contribution that directors can make to the board as a whole and to the
 achievement of the organisation's objectives and activities.
 - · consider the context in which council, as a publicly accountable body operates.
- · continuity through smooth succession of board members and board chairs.

Other relevant legislation

In addition to this policy, the appointment and re-appointment of directors to Council Organisations are governed by their respective constitutions, trust deeds or, in some cases specific legislation. In the event of a conflict, the regulatory requirements of those documents take precedence over this policy.

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Background

"Candidate" is a person who has been nominated, submitted a written application or identified through search activities.

"Council Organisation" is defined in section 6 of the LGA as an organisation in which the council has a voting interest or the right to appoint a director, trustee or manager (however described).

"Council Controlled Organisation" is defined in section 6 of the LGA in which the council controls, directly or indirectly, 50% or more of the votes or has the right, directly or indirectly, to appoint 50% or more of the directors.

Board Diversity and Inclusion

Far North District Council (FNDC) values and supports the benefits that diversity of thought, experience and skills bring to our CCO boards as well as the council as a whole; that a culture of inclusion and diversity is cultivated through clear tone from the top, with the Council and elected members, SLT and boards championing diversity and inclusion in support of FNDC's values.

FNDC recognises that increasing diversity and fostering inclusive board culture is an essential element in supporting high performing boards, driving long-term success, making improved decisions, and delivering better outcomes for the communities of the Far North District.

The board of a CCO should be made up of a diverse range of people who are able to bring relevant expertise to the organisation. For the board to be fully effective, it should comprise directors with a range of complementary skills and experience to ensure that ideas are challenged and tested, and that decision-making is robust.

All board appointments must collectively reflect the diverse nature of the environment in which FNDC and its CCOs operates and be made on merit in the context of the skills, experience and knowledge which the board requires to be effective.

FNDC is committed to supporting and/or providing initiatives:

- that lead to an inclusive recruitment and selection process of board appointments.
- support a diverse range of aspiring directors to develop skills, knowledge, board room experience and to establish relationships and networks; and
- · build a diverse pool of experienced directors for Far North District organisations

Policies

1. Eligibility

Council can consider any person as eligible to be a Director/Board Member provided that:

- they have not been previously disqualified from being a director or board member within New Zealand.
- · they have not been convicted of a crime involving dishonesty.
- · they are not an undischarged bankrupt.
- they are not a currently elected member of the Council
- they are not a current employee of the Council.

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2. Skills

The council considers that any person that it appoints to be a director of a CO should, as a minimum, have the following characteristics:

- · sound judgement and decision-making.
- a public service ethos.
- a high standard of personal integrity.
- commercial and governance experience.
- clear communication skills and an ability to debate in a reasoned manner.
- The ability to build and maintain relationships.
- · effective teamwork and collaboration.
- ability to think strategically.
- risk assessment and contingency management.
- commitment to the principles of good corporate citizenship.
- understanding of the wider interests of the Council, as a publicly accountable shareholder.

3. Appointments Committee

As soon as practicable after each local body triennial election, or as otherwise required, the Council will establish an Appointments Committee for the purpose of recommending the appointment of directors to Council Controlled Organisations. The members of the committee will comprise the chairperson of the CCO board, an external commercial advisor (or similar) with relevant experience and knowledge, and up to two other members nominated by the Council. These members would ideally be Councillors with an interest in CCO's and one of these appointees would be appointed as the Chair of the Appointments Committee.

Any recommendation made must be the unanimous decision of the committee.

4. Appointment Process

The Appointments Committee will prepare a list of possible candidates to be interviewed. In preparing the list, the committee will use several resources including, but not exclusively, public advertising, personal recommendations, and self-referrals, identifying individuals with the required skills and competencies.

The appointment committee will be responsible for:

- · approving the criteria against which applications will be assessed.
- approving an independent recruitment consultant to assist with the selection process, if it decides it is warranted.
- · preparing a shortlist of candidates to interview.
- interviewing the shortlisted candidates and evaluating them against the approved criteria; and
- reporting on its assessment of each candidate against its criteria and recommending appointments of directors to council.

When making this decision the committee will also consider:

- · The costs of any advertisement and process
- The availability of qualified candidates
- The urgency of the appointment (e.g. a CO that is without a quorum cannot hold board meetings).

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The Appointments Committee will report to the Council on the outcome of the appointments process and the committee's recommendations. The Council will be the final decision-maker.

The Council expects all participants in the appointment process to undertake the work required of them in a timely manner.

5. Final Appointment

The council will make the final decision in committee (thus protecting the privacy of natural persons). Public announcement of the appointment will be made as soon as practicable after the council has made its decision.

6. Reappointment

Where a director's term of appointment has expired and he or she is offering him or herself for reappointment, the Appointments Committee will consult with the Chairperson of the CO with regard to:

- · Whether the skills of the incumbent add value to the work of the organisation
- Whether there are other skills the organisation needs
- The Director's length of tenure
- · Succession planning

The Committee will then consider the information obtained and form a view on the appropriateness of reappointment or making a replacement appointment. The outcome of the review will be advised to Council, who will make the final decision in relation to re-appointment if appropriate.

Council may reappoint an existing director for a further term without activating the formal appointment process. Where it is not intended to reappoint the incumbent, the appointment process outlined above will apply.

7. Removal of Directors

Council have the right to remove a Director if:

- · The Director becomes an undischarged bankrupt
- · The Director is convicted of a crime involving dishonesty
- · The Director is prohibited from managing a company by the Registrar of Companies
- The Director is not acting in good faith.
- The Director is unable to perform the duties as a Director

Should it be necessary to remove a Director the default process in the Companies Act 1993 would be followed unless the company constitution specifies a different process.

The default process is to:

- call a shareholder meeting for the specific purpose of removing the director in question. There
 can be other purposes, but they must appear in the notice of the meeting.
- · at the meeting, shareholders can remove the director through an ordinary resolution; and
- if a majority of shareholders votes in favour of the resolution, it passes and the directors' removal from their office becomes effective.

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8. Rotation of Directors and Length of Tenure

The Directorship shall be reviewed for appropriateness by the board of the relevant organisation each year. A statement advising that the review has been completed will be included in the Annual Report of the Company.

Directors will normally be appointed for periods of three years. Subject to a review of the director's performance after the first three-year period, the normal tenure for a director will be six years.

Following six years of services, a director may be appointed for a further three years if the benefit of such an extension is considered to outweigh the potential advantages of seeking and appointing a new candidate.

It is desirable that a director is not reappointed to the same organisation after nine years of service. The board shall develop and maintain:

- a skills and corporate knowledge matrix, identifying the skills currently represented by the board and clearly identifying those that need to be considered by a future appointment.
- A succession plan to ensure that the tenure of Directors is reviewed in line with this policy

The above to be discussed and reviewed with the Shareholder at least once a year.

9. Appointment of a Chairperson

The Chair of each CCO board will be appointed by the Board.

In general terms, the skills and attributes sought for CCO Chairs are the same as those sought for CCO Directors (see section 2), but in addition would include the following:

- strong leadership skills, with the ability to work collaboratively with the board to create
 a sustainable enterprise.
- ability to think in a visionary and strategic manner.
- · have a strong understanding of, and experience in, governance; and
- ability to ensure that the organisation is accountable and delivers high quality products, facilities, and services.

10. Conflicts of Interest

Far North District Council expects that directors of Council-controlled organisations will avoid situations where their actions could give rise to a conflict of interest. To minimise these situations, the council requires directors to follow the provisions of the New Zealand Institute of Directors' Code of Ethics. All directors are appointed 'at the pleasure of the council' and may be dismissed for breaches of this code.

11. Remuneration

Far North District Council will decide whether directors on CCO boards are to be remunerated. The level of remuneration of directors will be set by council in accordance with the factors below.

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To ensure transparency, fees will be set by the council for the board members and Chairs, rather than allocating a pool to be distributed by the board. Fees are to be met from the council organisation's own resources.

The council supports the payments by CCOs of directors' liability insurance and the indemnification of directors.

· Level of remuneration

Where CCO directors are remunerated, the level of remuneration will be set taking into account the following factors:

- · the need to attract and retain appropriately qualified directors
- the levels of remuneration paid by comparable organisations in New Zealand
- · any changes in the nature of the CCO's business
- · any other relevant factors.

Remuneration of directors of all CCOs will be reviewed at least once per triennium, or whenever the performance of the CCO or the role of the CCO and its board changes significantly.

12. Review

This Policy is to be reviewed by the Assurance, Risk and Finance Committee provided this is a delegated function of the Committee. If Council does not provide for this delegation at each triennium then the policy will be reviewed by Council.

The policy will be reviewed:

- Every three years or
- At the request of the Chair of the Assurance, Risk and Finance Committee or
- At the request of the Board of the CCO
- · In response to a change in legislation or statutory requirements.

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BOARD MEMBERS - FAR NORTH HOLDINGS LIMITED

The Far North District Council (FNDC) is seeking applications from persons who are interested in filling a vacancy on the Board of Far North Holdings Ltd (FNHL).

Far North Holdings is the commercial trading and asset management arm of FNDC, Council Controlled Trading Organisation (CCTO). They manage a diverse range of property, maritime and aviation assets right across the district on behalf of Far North ratepayers.

Further information on Statement of Intent 2021- 2024 and up to date information on management and operations can be found by accessing the Company's website at www.fnhl.co.nz

Key skills required for selection are:

- sound judgement and decision-making.
- a public service ethos.
- a high standard of personal integrity.
- commercial and governance experience.
- clear communication skills and an ability to debate in a reasoned manner.
- · the ability to build and maintain relationships.
- effective teamwork and collaboration.
- · ability to think strategically.
- risk assessment and contingency management.
- · commitment to the principles of good corporate citizenship.
- understanding of the wider interests of the Council, as a publicly accountable shareholder.

Key criteria for selection include:

- Senior executive (or similar) experience in governance
- · Commitment to the Far North District
- Knowledge relevant to the specific board opportunity (e.g., finance, marketing or legal skills, or tourism sector experience)
- An appreciation of CCTO roles and their relationship with the Council.

Directors are normally appointed for a three-year term and following an assessment of their performance over this period a further three-year appointment will be considered.

Any person interested is invited to submit an application which sets out how they consider they fulfill the attributes sought, including experience or knowledge they might bring and how they consider they will add value to the Company.

All applications need to include a recent CV which highlights achievements, experience and qualifications in operations or organisations relevant to the FNHL undertakings, and the names of two independent referees to whom the Council might make relevant enquiries.

These are to be addressed to the Chief Executive, Far North District Council, Private Bag 752, Kaikohe, or emailed to shaun.clarke@fndc.govt.nz and are to be received no later than 4.00 pm on Monday 24 January 2022.

Please address all enquiries to Will Taylor, General Manager Corporate Services William.taylor@fndc.govt.nz

Shaun Clarke Chief Executive

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - FEBRUARY 2022

File Number: A3584759

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PÜRONGO / PURPOSE OF THE REPORT

• To increase governance oversight of Committee business/discussions.

- Communicate resolutions of Committee meetings.
- Escalate Committee recommendations to Council.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The following Committee meetings have been held since Council's 14 December extraordinary and 16 December meetings:
 - o 2 February 2022 Assurance Risk and Finance Committee
 - o 8 February 2022 Strategy and Policy Committee
 - o 9 February 2022 Infrastructure Committee
- Copies of the Committee meeting minutes are attached for information.
- Since the Strategy and Policy meeting there are some minor changes that have been made to bylaws that are worth noting in the table below.
- Links to the agendas containing the reports that formed the basis of recommendations are included in this report.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) agree, the Access and Equity for People with Disabilities Policy should continue with amendment; and,
- b) agree, a strategy is the most appropriate way to address access to Council services, facilities, and assets in the Far North.
- c) note, under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020, the Class 4 Gaming and TAB Venue Policy has been reviewed regarding the social impacts of gambling in the Far North District
- d) approve, under section 102 of the Gambling Act 2003, that the Class 4 venues policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to improve certainty
- e) approve, under section 102 of the Gambling Act 2003, that the relocation policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to further align with the intent of the Class 4 gaming sinking lid policy
- f) approve, under section 97 of the Racing Industry Act 2020, that the TAB venues policy component of the Class 4 Gaming and TAB Venue Policy be replaced by a sinking lid policy.
- g) approve, pursuant to section 5A of the Shop Trading Hours Act 1990, a new Easter Sunday Trading Policy be developed allowing shops to open on Easter Sunday across the whole of the Far North District.
- h) agree to the recommendations in the staff report on submissions and recommendation for consideration in attachment 1 that:
 - i) No changes are made to clauses 1, 2, 3, 4, 5, 9, and 10.

- ii) Clause 6 is changed by:
 - 1) Adding a new definition:

"Occupier means any person, other than the owner, who has a right to occupy the property, by virtue of a tenancy granted by lease, licence or other authority".

- 2) Changing the definition of on-site wastewater disposal system to include "grease trap"
- iii) Under Part 2 Maintenance Requirements:
 - 1) Adding a new 'related information box':

"If the council is satisfied an on-site wastewater disposal system is injurious to health or not sanitary, the council can use its powers pursuant to sections 29, 30 and 34 of the Health Act 1956 by including issuing a notice of offence or to enter a premise and abate the nuisance without notice to the occupier or owner".

- 2) Adding the words "or occupier" after the word "owner" in the 'related information box'.
- iv) Clause 7 is changed by:
 - 1) Adding the words "or occupier" after the word "owner" in the title, subclause (1) and subclause (2).
 - 2) Adding the words "or the suitably qualified person verifies the system is functioning correctly" at the end of subclause (2).
- v) Clause 8 (5) is change by adding the words "or occupier" after the word "owner".
- i) agree the On-site Wastewater Disposal System Bylaw in attachment 2:
 - i) is the most appropriate form of bylaw; and
 - ii) the bylaw provisions are considered reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.
- j) under section 146 of the Local Government Act 2002, make the On-site Wastewater Disposal Systems Bylaw in attachment 2.
- k) agree, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing problems related to vehicles on beaches in the Far North District;
- I) agree that the current Vehicles on Beaches Bylaw 2015 is not the most appropriate form, because it does not address problems with vehicles on beaches effectively;
- m) agree that the most appropriate form of bylaw will be to include relevant provisions in:
 - the proposed Road Use Bylaw
 - a potential Reserves Bylaw
 - the Speed Limits Bylaw;
- approve the inclusion of provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be made under section 22AB of the Land Transport Act 1998;
- approve the Vehicles on Beaches Proposal in Attachment 2, including the provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be released for public consultation to meet the requirements of section 22AD of the Land Transport Act 1998 and section 156 of the Local Government Act 2002;

- p) agree the period for making written submissions on the proposal will begin 25 February 2022 and end 24 March 2022;
- q) agree the Strategy and Policy Committee will hear any people wanting to present oral submissions on Tuesday 22 March 2022 and agrees to delegate, to the Chair, the power to change the date of the oral submissions
- r) authorise the Chief Executive Officer to make minor changes to the Vehicles on Beaches Proposal to correct grammatical or spelling errors, or formatting.

TĀHUHU KŌRERO / BACKGROUND

This report is a new addition to the Council agenda in an effort to provide greater governance oversight of discussions that occur at Committee meetings and to avoid duplication of reading for Councillors for decisions that are recommended to them from each Committee meeting.

Copies of Committee meeting minutes that have occurred since the last Council meeting are attached for information.

From time to time, Committee's discuss items that are outside their delegations. This report, when necessary, will highlight recommendations from each Committee to Council for decision.

Information about Council, Committee or Community Board meetings is publicly available at https://infocouncil.fndc.govt.nz/

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Since the last Council meeting the following Committee meetings have occurred:

1 February 2022 - Regulatory Compliance Committee meeting

The Regulatory Compliance meeting was cancelled due to lack of quorum

2 February 2022 - Assurance, Risk and Finance Committee meeting

Agenda of Assurance, Risk and Finance Committee Meeting - Wednesday, 2 February 2022 (fndc.govt.nz)

The Assurance, Risk and Finance Committee made no recommendations to Council.

8 February 2022 - Strategy and Policy Committee meeting

Agenda of Strategy and Policy Committee Meeting - Tuesday, 8 February 2022 (fndc.govt.nz)

At the meeting, a number of typos were identified in various documents. These changes have been corrected noting the recommendation is to also provide the Chief Executive with authority to make editorial changes. In relation to the Onsite Wastewater Disposal (recommendation I below), staff have also amended the date that the bylaw will come into effect. The report to the Strategy and Policy Committee stated the bylaw would take effect 4 days after, however it will come into force on the 27th of May.

The Strategy and Policy Committee made the following recommendations to Council. The recommendations are listed below as well as in the recommendation above:

That the Strategy and Policy Committee recommend the Council:

- a) agree, the Access and Equity for People with Disabilities Policy should continue with amendment; and,
- b) agree, a strategy is the most appropriate way to address access to Council services, facilities, and assets in the Far North.
- c) note, under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020, the Class 4 Gaming and TAB Venue Policy has been reviewed regarding the social impacts of gambling in the Far North District

- d) approve, under section 102 of the Gambling Act 2003, that the Class 4 venues policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to improve certainty
- e) approve, under section 102 of the Gambling Act 2003, that the relocation policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to further align with the intent of the Class 4 gaming sinking lid policy
- f) approve, under section 97 of the Racing Industry Act 2020, that the TAB venues policy component of the Class 4 Gaming and TAB Venue Policy be replaced by a sinking lid policy.
- g) approve, pursuant to section 5A of the Shop Trading Hours Act 1990, a new Easter Sunday Trading Policy be developed allowing shops to open on Easter Sunday across the whole of the Far North District.
- h) agree to the recommendations in the staff report on submissions and recommendation for consideration in attachment 1 that:
 - i) No changes are made to clauses 1, 2, 3, 4, 5, 9, and 10.
 - ii) Clause 6 is changed by:
 - 1) Adding a new definition:
 - "Occupier means any person, other than the owner, who has a right to occupy the property, by virtue of a tenancy granted by lease, licence or other authority".
 - 2) Changing the definition of on-site wastewater disposal system to include "grease trap"
 - iii) Under Part 2 Maintenance Requirements:
 - 1) Adding a new 'related information box':
 - "If the council is satisfied an on-site wastewater disposal system is injurious to health or not sanitary, the council can use its powers pursuant to sections 29, 30 and 34 of the Health Act 1956 by including issuing a notice of offence or to enter a premise and abate the nuisance without notice to the occupier or owner".
 - 2) Adding the words "or occupier" after the word "owner" in the 'related information box'.
 - iv) Clause 7 is changed by:
 - 1) Adding the words "or occupier" after the word "owner" in the title, subclause (1) and subclause (2).
 - 2) Adding the words "or the suitably qualified person verifies the system is functioning correctly" at the end of subclause (2).
 - v) Clause 8 (5) is change by adding the words "or occupier" after the word "owner".
- i) agree the On-site Wastewater Disposal System Bylaw in attachment 2:
 - i) is the most appropriate form of bylaw; and
 - ii) the bylaw provisions are considered reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.
- j) under section 146 of the Local Government Act 2002, make the On-site Wastewater Disposal Systems Bylaw in attachment 2.
- k) agree, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing problems related to vehicles on beaches in the Far North District;
- agree that the current Vehicles on Beaches Bylaw 2015 is not the most appropriate form, because it does not address problems with vehicles on beaches effectively;

- m) agree that the most appropriate form of bylaw will be to include relevant provisions in:
 - the proposed Road Use Bylaw
 - a potential Reserves Bylaw
 - the Speed Limits Bylaw;
- n) approve the inclusion of provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be made under section 22AB of the Land Transport Act 1998;
- o) approve the Vehicles on Beaches Proposal in Attachment 2, including the provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be released for public consultation to meet the requirements of section 22AD of the Land Transport Act 1998 and section 156 of the Local Government Act 2002:
- p) agree the period for making written submissions on the proposal will begin 25 February 2022 and end 24 March 2022:
- agree the Strategy and Policy Committee will hear any people wanting to present oral submissions on Tuesday 22 March 2022 and agrees to delegate, to the Chair, the power to change the date of the oral submissions

authorise the Chief Executive Officer to make minor changes to the Vehicles on Beaches Proposal to correct grammatical or spelling errors, or formatting.

9 February 2022 - Infrastructure Committee meeting

Agenda of Infrastructure Committee Meeting - Wednesday, 9 February 2022 (fndc.govt.nz)

The Infrastructure Committee made no recommendations to Council.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

This report does not intend to repeat the financial implications, options or decision-making requirements for the recommendations listed. Please review the agendas via the provided links for further information.

ĀPITIHANGA / ATTACHMENTS

- 1. 2022-02-02 Assurance, Risk and Finance Minutes A3572441 🗓 🖼
- 2. 2022-02-08 Strategy and Policy Committee Minutes A3579324 U
- 3. 2022-02-09 Infrastructure Committee Minutes A3581404 U

MINUTES OF FAR NORTH DISTRICT COUNCIL
ASSURANCE, RISK AND FINANCE COMMITTEE MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON WEDNESDAY, 2 FEBRUARY 2022 AT 9.30 AM

PRESENT: Chairperson John Vujcich, Member Bruce Robertson, Deputy Mayor Ann Court,

Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Member

Mike Edmonds, Member Adele Gardner

IN ATTENDANCE: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General

Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and

Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Vujcich commenced the meeting and opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

Apologies were received from His Worship the Mayor and from Member Adele Gardner for early departure at 12pm. Apologies for late arrival also received from Cr Rachel Smith.

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputation requests for this meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3525653, pages 12 - 19 refers.

RESOLUTION 2022/1

Moved: Cr Kelly Stratford Seconded: Member Adele Gardner

That the Assurance, Risk and Finance Committee confirms the minutes of the Assurance, Risk and Finance Committee meeting held 1 December 2021 as a true and correct record.

In Favour: Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Kelly

Stratford, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

5 REPORTS

5.1 RECOMMENDATION TO REMOVE ARF009 CUSTOMER SERVICE DELIVERY RISK FROM THE ORGANISATIONAL RISK DASHBOARD

Agenda item 5.1 document number A3545470, pages 20 - 26 refers.

RESOLUTION 2022/2

Moved: Member Bruce Robertson Seconded: Chairperson John Vujcich That the Assurance, Risk and Finance Committee approves the removal of ARF009 Customer Service Delivery risk from the organisational risk dashboard.

In Favour: Deputy Mayor Ann Court, Crs John Vuicich, Bruce Robertson, Mate Radich, Kelly

Stratford, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

6 INFORMATION REPORTS

Attendance: 10:05 am Cr Rachel Smith joined the meeting.

6.1 COUNCIL FINANCIAL REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2021

Agenda item 6.1 document number A3542579, pages 27 - 48 refers.

RESOLUTION 2022/3

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee receive the report Council Financial Report for the Period Ending 30 November 2021.

In Favour: Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Rachel

Smith, Kelly Stratford, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

6.2 FEBRUARY 2022 RISK MANAGEMENT REPORT

Agenda item 6.2 document number A3547055, pages 49 - 75 refers.

RESOLUTION 2022/4

Moved: Cr Kelly Stratford

Seconded: Member Bruce Robertson

That the Assurance, Risk and Finance Committee receive the report February 2022 Risk Management Report.

In Favour: Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Rachel

Smith, Kelly Stratford, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

6.3 REVENUE RECOVERY REPORT - 31 DECEMBER 2021

Agenda item 6.3 document number A3550161, pages 76 - 80 refers.

RESOLUTION 2022/5

Moved: Cr Kelly Stratford Seconded: Cr Rachel Smith

That the Assurance, Risk and Finance Committee receive the report Revenue Recovery report - 31 December 2021.

In Favour: Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Rachel

Smith, Kelly Stratford, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil CARRIED

6.4 ASSURANCE, RISK AND FINANCE COMMITTEE ACTION SHEET UPDATE FEBRUARY 2022

Agenda item 6.4 document number A3559202, pages 81 - 82 refers.

RESOLUTION 2022/6

Moved: Chairperson John Vujcich

Seconded: Cr Rachel Smith

That the Assurance, Risk and Finance Committee receive the report Action Sheet Update February 2022.

NOTE: Program Darwin Working Group action update to be included in the ARF Action Sheet (Requested by Cr Smith).

In Favour: Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Rachel

Smith, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

7 TE WĀHANGA TŪMATATI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/7

Moved: Cr Rachel Smith Seconded: Member Adele Gardner

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
7.1 - Confirmation of Previous Minutes	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
7.2 - Technology Update Report	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	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
7.3 - February 2022 Audit and Assurance Report	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or	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

		officers or employees of any local authority	of information for which good reason for withholding would exist under section 6 or section 7	
In Favour: Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Rachel Smith, Moko Tepania, Members Mike Edmonds and Adele Gardner				
Against:	Nil	,		
			CARRIED	
The meeting adjourned at 10:54 am – reconvened at 11:00 am.				

7.4 CONFIRMATION OF DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/4

Moved: Cr Kelly Stratford Seconded: Member Adele Gardner

That the Assurance, Risk and Finance Committee confirms the information and decisions contained in the part of the meeting held with public excluded remain in public excluded.

- 7.2 Technology Update Report
- 7.3 February 2022 Audit And Assurance Report

<u>In Favour:</u> Deputy Mayor Ann Court, Crs John Vujcich, Bruce Robertson, Mate Radich, Rachel

Smith, Kelly Stratford, Moko Tepania, Members Mike Edmonds and Adele Gardner

Against: Nil

CARRIED

8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Moko Tepania closed the meeting with a karakia.

9 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 11:44 am.

The minutes of this meeting will be confirmed at the Assurance, Risk and Finance Committee Meeting held on 16 March 2022.

CHAIRPERSON	1

MINUTES OF FAR NORTH DISTRICT COUNCIL STRATEGY AND POLICY COMMITTEE MEETING HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS ON TUESDAY, 8 FEBRUARY 2022 AT 9.30 AM

PRESENT: Chair Rachel Smith, Cr David Clendon, Deputy Mayor Ann Court, Cr Dave

Collard, Cr Felicity Foy, Cr Kelly Stratford, Cr John Vujcich, Member Belinda

Ward.

APOLOGIES: Mayor John Carter (HWTM) and Cr Moko Tepania

IN ATTENDANCE: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General

Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and

Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chairperson Smith commenced the meeting with a karakia.

2 NGĀ TONO KŌRERO / DEPUTATION

Tom Frost – Programme Manager - Nothing but Net introduced Spark representatives Riki Hollings, Fiona Matthews, and Tonie De Vries

Representatives spoke to the following aspects of Spark's business:

- Spark's Māori Business Strategy
- 5g & Enabling Far North's Digital Future plan to increase capacity and reliability
- Community Engagement

Presentation provided at meeting

1 2022-02-08 Strategy and Policy - Spark Presentation - A3580333

3 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2022/1

Moved: Chair Rachel Smith Seconded: Cr Dave Collard

That apologies for absence be received from His Worship the Mayor and Councillor Tepania.

In Favour: Crs Rachel Smith, David Clendon, Ann Court, Dave Collard, Felicity Foy, Kelly

Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

note: Cr Tepania joined the meeting from 10:08 am until 10:52 am.

4 CONFIRMATION OF PREVIOUS MINUTES

Attendance: Cr Tepania joined the meeting at 10.08 am.

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3562870, pages 16 - 17 refers.

RESOLUTION 2022/2

Moved: Cr John Vujcich Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee agrees that the minutes of the meeting held 24 November 2021 be confirmed as a true and correct record.

In Favour: Crs Rachel Smith, David Clendon, Ann Court, Dave Collard, Felicity Foy, Kelly

Stratford, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5 REPORTS

5.1 REVIEW OF THE EQUITY AND ACCESS FOR PEOPLE WITH DISABILITIES POLICY

Agenda item 5.1 document number A3479274, pages 21 - 29 refers.

RESOLUTION 2022/3

Moved: Cr Kelly Stratford Seconded: Cr Dave Collard

That the Strategy and Policy Committee recommends that the Council:

- a) agree, the Access and Equity for People with Disabilities Policy should continue with amendment; and,
- b) agree, a strategy is the most appropriate way to address access to Council services, facilities, and assets in the Far North.

In Favour: Crs Rachel Smith, David Clendon, Ann Court, Dave Collard, Felicity Foy, Kelly

Stratford, Moko Tepania, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.2 PARKS AND RESERVES POLICY DEVELOPMENT

Agenda item 5.2 document number A3518519, pages 41 - 48 refers.

MOTION

Moved: Chair Rachel Smith Seconded: Cr Felicity Foy

That the Strategy and Policy Committee recommend that Council adopt the Parks and Reserves Policy.

AMENDMENT

Moved: Cr David Clendon Seconded: Cr Kelly Stratford Subject to an amendment to include "that Council commits to significantly reducing the use of herbicides in parks and reserves, in line with international and local best practice".

Cr Tepania left the meeting at 10.52 am and the meeting adjourned for a brief break at 10.52 to reconvene at 10.56 am

With the agreement of the mover and seconder, the above amendment was withdrawn.

AMENDMENT

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the report Parks and Reserves Policy Development be left to lie on the table to enable staff to consider a reduction to the use of herbicides be captured in the policy.

<u>In Favour:</u> Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

RESOLUTION 2022/4

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the report Parks and Reserves Policy Development be left to lie on the table to enable staff to consider a reduction to the use of herbicides be captured in the policy.

In Favour: Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.3 REVIEW OF CLASS 4 GAMING AND TAB VENUES POLICY

Agenda item 5.3 document number A3534272, pages 61 - 92 refers.

RESOLUTION 2022/5

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee recommends that the Council:

- a) note, under section 102 of the Gambling Act 2003 and section 97 of the Racing Industry Act 2020, the Class 4 Gaming and TAB Venue Policy has been reviewed regarding the social impacts of gambling in the Far North District
- b) approve, under section 102 of the Gambling Act 2003, that the Class 4 venues policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to improve certainty
- c) approve, under section 102 of the Gambling Act 2003, that the relocation policy component of the Class 4 Gaming and TAB Venue Policy continue with amendment to further align with the intent of the Class 4 gaming sinking lid policy
- d) approve, under section 97 of the Racing Industry Act 2020, that the TAB venues policy component of the Class 4 Gaming and TAB Venue Policy be replaced by a sinking lid policy.

In Favour: Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Felicity Foy, Kelly

Stratford, John Vujcich and Member Belinda Ward

Against: Cr Dave Collard CARRIED

5.4 EASTER SUNDAY TRADING POLICY

Agenda item 5.4 document number A3534512, pages 93 - 98 refers.

RESOLUTION 2022/6

Moved: Chair Rachel Smith Seconded: Deputy Mayor Ann Court

That the Strategy and Policy Committee recommends that Council approve, pursuant to section 5A of the Shop Trading Hours Act 1990, a new Easter Sunday Trading Policy be developed allowing shops to open on Easter Sunday across the whole of the Far North District.

In Favour: Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.5 ON-SITE WASTEWATER DISPOSAL SYSTEMS BYLAW - RECOMMENDATIONS FOR MAKING NEW BYLAW

Agenda item 5.5 document number A3541770, pages 99 - 122 refers.

RESOLUTION 2022/7

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That the Strategy and Policy Committee recommend that Council:

- a) Agree to the recommendations in the staff report on submissions and recommendation for consideration in attachment 1 that:
 - i) No changes are made to clauses 1, 2, 3, 4, 5, 9, and 10.
 - ii) Clause 6 is changed by:
 - 1) Adding a new definition:
 - "Occupier means any person, other than the owner, who has a right to occupy the property, by virtue of a tenancy granted by lease, licence or other authority".
 - 2) Changing the definition of on-site wastewater disposal system to include "grease trap"
 - iii) Under Part 2 Maintenance Requirements:
 - 1) Adding a new 'related information box':
 - "If the council is satisfied an on-site wastewater disposal system is injurious to health or not sanitary, the council can use its powers pursuant to sections 29, 30 and 34 of the Health Act 1956 by including issuing a notice of offence or to enter a premise and abate the nuisance without notice to the occupier or owner".
 - 2) Adding the words "or occupier" after the word "owner" in the 'related information box'.

- iv) Clause 7 is changed by:
 - 1) Adding the words "or occupier" after the word "owner" in the title, subclause (1) and subclause (2).
 - 2) Adding the words "or the suitably qualified person verifies the system is functioning correctly" at the end of subclause (2).
- v) Clause 8 (5) is change by adding the words "or occupier" after the word "owner".
- b) Agree the On-site Wastewater Disposal System Bylaw in attachment 2:
 - i) is the most appropriate form of bylaw; and
 - ii) the bylaw provisions are considered reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.
- c) Under section 146 of the Local Government Act 2002, make the On-site Wastewater Disposal Systems Bylaw in attachment 2.

<u>In Favour:</u> Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

5.6 REVIEW OF VEHICLES ON BEACHES BYLAW

Agenda item 5.6 document number A3542878, pages 123 - 151 refers.

RESOLUTION 2022/8

Moved: Chair Rachel Smith Seconded: Deputy Mayor Ann Court

That the Strategy and Policy Committee recommends that the Council:

- a) agree, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing problems related to vehicles on beaches in the Far North District;
- b) agree that the current Vehicles on Beaches Bylaw 2015 is not the most appropriate form, because it does not address problems with vehicles on beaches effectively;
- c) agree that the most appropriate form of bylaw will be to include relevant provisions in:

the proposed Road Use Bylaw

a potential Reserves Bylaw

the Speed Limits Bylaw;

- d) approve the inclusion of provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be made under section 22AB of the Land Transport Act 1998;
- e) approve the Vehicles on Beaches Proposal in Attachment 2, including the provisions regulating vehicles on beaches in the proposed draft Road Use Bylaw, to be released for public consultation to meet the requirements of section 22AD of the Land Transport Act 1998 and section 156 of the Local Government Act 2002;
- f) agree the period for making written submissions on the proposal will begin 25 February 2022 and end 24 March 2022;
- g) agree the Strategy and Policy Committee will hear any people wanting to present oral submissions on Tuesday 22 March 2022 and agrees to delegate, to the Chair, the power to change the date of the oral submissions

h) authorise the Chief Executive Officer to make minor changes to the Vehicles on Beaches Proposal to correct grammatical or spelling errors, or formatting.

In Favour: Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

6 INFORMATION REPORTS

6.1 STRATEGIC PLANNING & POLICY BUSINESS QUARTERLY OCTOBER - DECEMBER 2021

Agenda item 6.1 document number A3552062, pages 152 – 178 refers.

RESOLUTION 2022/9

Moved: Chair Rachel Smith Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee receive the report Strategic Planning & Policy Business Quarterly October - December 2021.

In Favour: Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

6.2 STRATEGY AND POLICY ACTION SHEET UPDATE JANUARY 2022

Agenda item 6.2 document number A3562863, pages 179 - 190 refers.

RESOLUTION 2022/10

Moved: Chair Rachel Smith Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee receive the report Action Sheet Update January 2022.

<u>In Favour:</u> Deputy Mayor Ann Court, Crs Rachel Smith, David Clendon, Dave Collard, Felicity

Foy, Kelly Stratford, John Vujcich and Member Belinda Ward

Against: Nil

CARRIED

7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Chairperson Cr Smith closed the meeting with a karakia.

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12.22 pm

The minutes of this meeting were confirmed at the Strategy and Policy Committee Meeting held on 22 March 2022.

CHAIRPERSON

MINUTES OF FAR NORTH DISTRICT COUNCIL INFRASTRUCTURE COMMITTEE MEETING HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS ON WEDNESDAY, 9 FEBRUARY 2022 AT 9.30 AM

PRESENT: Chairperson Felicity Foy, Mayor John Carter (HWTM), Deputy Mayor Ann

Court, Cr Dave Collard, Cr Rachel Smith, Cr Kelly Stratford, Cr John Vujcich,

Member Mike Edmonds, Member Adele Gardner

IN ATTENDANCE: Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General

Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and

Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Felicity Foy commenced the meeting and opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

APOLOGY

RESOLUTION 2022/1

Moved: Chairperson Felicity Foy

Seconded: Cr Rachel Smith

That the apologies received from His Worship the Mayor John Carter, Deputy Mayor Ann Court, and Member Mike Edmonds be accepted and leave of absence granted; and that the Infrastructure Committee note the late arrival of Cr Collard at 9:35 am.

In Favour: Crs Felicity Foy, Rachel Smith, Kelly Stratford, John Vujcich and Member Adele

Gardner

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

There were no deputations.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3565038, pages 14 - 18 refers.

RESOLUTION 2022/2

Moved: Chairperson Felicity Foy Seconded: Member Adele Gardner

That the Infrastructure Committee confirm that the minutes of the meeting held 24 November 2021 be confirmed as a true and correct record.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

5 REPORTS

5.1 TOTAL MOBILITY SCHEME

Agenda item 5.1 document number A3521778, pages 19 - 28 refers.

RESOLUTION 2022/3

Moved: Cr Kelly Stratford Seconded: Cr Rachel Smith

That the Infrastructure Committee approves the assignment of Total Mobility Scheme local share operational funding of \$31,000 to the Northland Regional Council.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

NOTES:

Chair Foy requests that a timeline, cost options and next steps for the rest of the district be included; as well as criteria for how towns are chosen.

6 INFORMATION REPORTS

6.1 TOURISM INFRASTRUCTURE FUND ROUND 4 - FREEDOM CAMPING STUDY

Agenda item 6.1 document number A3473099, pages 29 - 116 refers.

MOTION

Moved: Cr John Vujcich Seconded: Cr Rachel Smith

That the Infrastructure Committee receive the report "Freedom Camping Study Tif-R4-005f FNDC"

and

AMENDMENT

Moved: Cr Rachel Smith Seconded: Cr Dave Collard

a) that the Chief Executive prepare a delivery plan on the Tourism Infrastructure Fund - Freedom Camping Study.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/4

Moved: Cr John Vujcich Seconded: Cr Rachel Smith

That the Infrastructure Committee;

a) receive the report "Freedom Camping Study Tif-R4-005f FNDC" and

b) that the Chief Executive prepare a delivery plan on the Tourism Infrastructure Fund - Freedom Camping Study.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, John Vuicich and Member Adele

Gardner

Against: Cr Kelly Stratford

CARRIED

6.2 POU HERENGA TAI TWIN COAST CYCLE TRAIL CHARITABLE TRUST ANNUAL REPORT

Agenda item 6.2 document number A3501797, pages 117 - 158 refers.

MOTION

Moved: Cr John Vujcich Seconded: Cr Rachel Smith

That the Infrastructure Committee;

a) receive the report Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust Annual Report; and

AMENDMENT

Moved: Chairperson Felicity Foy

Seconded: Cr Dave Collard

b) request a report outlining the scope and cost to engage consultant services to advise routes and costs of district-wide cycle trail routes to the 4 May meeting of the infrastructure Committee.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

The meeting adjourned from 11:30 am and reconvened at 11:55 am.

The amendment became the substantive motion.

RESOLUTION 2022/5

Moved: Cr John Vujcich Seconded: Cr Rachel Smith

That the Infrastructure Committee:

- a) receive the report Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust Annual Report; and
- b) request a report outlining the scope and cost to engage consultant services to advise routes and costs of district-wide cycle trail routes to the 4 May meeting of the infrastructure Committee.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

6.3 INFRASTRUCTURE AND ASSET MANAGEMENT (IAM) MONTHLY BUSINESS REPORT FOR DECEMBER 2021

Agenda item 6.3 document number A3571229, pages 159 - 297 refers.

RESOLUTION 2022/6

Moved: Chairperson Felicity Foy

Seconded: Cr Rachel Smith

That the Infrastructure Committee receive the report Infrastructure and Asset Management (IAM) Monthly Business Report for December 2021.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

Chair Foy appointed Cr Smith as interim chair in the absence of a deputy chair and left the meeting at 12:09 pm

12:14 pm Chair Felicity Foy returned to the meeting and resumed the Chair.

6.4 INFRASTRUCTURE COMMITTEE ACTION SHEET UPDATE JANUARY 2022

Agenda item 6.4 document number A3571263, pages 298 - 299 refers.

RESOLUTION 2022/7

Moved: Chairperson Felicity Foy

Seconded: Cr John Vujcich

That the Infrastructure Committee receive the report Action Sheet Update January 2022.

In Favour: Crs Felicity Foy, Dave Collard, Rachel Smith, Kelly Stratford, John Vujcich and

Member Adele Gardner

Against: Nil

CARRIED

NOTE: That all pdf's in furture reports/agendas are scaleable and readabe for all members.

NOTE: that Resolution 2021/14, item 6.1 Tourism Infrastructure Fund Round Four, Boat Ramp Study be included on future action sheets.

5 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Chair Felicity Foy closed the meeting with a karakia.

6 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12:33 pm.

The minutes of this meeting will be confirmed at the Infrastructure Committee Meeting held on 23 March 2022.

CHAIRPERSON

6.4 KOUTU MONGERO PICNIC AREA ENCROACHMENT

File Number: A3540785

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PÜRONGO / PURPOSE OF THE REPORT

To seek approval of the recommendation that the Koutū Mongero Picnic Area be managed by a Kaitiaki Agreement.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- In April 2021 Council Monitoring Officers responded to a complaint that an area of unformed road known as Koutū Picnic Area was being used illegally as a campground. A site visit was carried out which confirmed the presence of illegal structures and signage relating to a campground. The kaitiaki occupiers have been mowing and maintaining the picnic area.
- The Monitoring Team and the Northern Transport Alliance (NTA) seek direction from Council about the future use of the picnic area. Staff recommend that Council support Option 1 and engage with the kaitiaki occupier to formalize a Kaitiaki Agreement. Further, that Council assists the occupier to obtain the necessary consents to legalise the use of the Koutū Picnic Area as a campground.
- On 6 October 2021 the Kaikohe-Hokianga Community Board resolved to support Option 1 of this report.
- This is the final report to Council for a decision.

TŪTOHUNGA / RECOMMENDATION

That Council

- a) engage with the kaitiaki of the Koutū Mongero Picnic Area to formalise a Kaitiaki Agreement for the lawful use of the area as a campground; and
- b) engage with the kaitiaki to obtain the necessary consents under the Resource Management Act, Local Government Act and Health Act to facilitate the lawful use of the area as a campground.

1) TĀHUHU KŌRERO / BACKGROUND

In April 2021 Council Monitoring Officers responded to a complaint that an area of unformed road known as Koutū Picnic Area was being used illegally as a campground (see fig.1 on the next page).

A site visit was carried out which confirmed the presence of illegal structures and signage relating to a campground. The kaitiaki occupiers have been mowing and maintaining the area (fig.4).



Fig.1 Location of area of unformed road known as Koutū Picnic Area



Fig.2 Signage relating to illegal campground



Fig.3 Illegal Structures



Fig.4 The site has been mowed and maintained by kaitiaki occupiers

Timeline of Events Relating to Koutū Mongeroa Picnic Area

11 Dec 2014

Council resolved

<u>"THAT</u> the person responsible for the structures on Koutū Point unformed legal road be given 21 days to have them removed;

<u>AND THAT</u> failure to do so will result in Council issuing a Trespass Notice to this person and having the structures removed at the occupier's expense (as per Policy #5108 - 2014 - Encroachments on Council Administered Land)."

A trespass notice was duly served on the occupier, and he was given 21 days to remove all structures from the Reserve.

Reports from community members and the NZ Police indicated that a land occupation was to be undertaken by the occupier and supporters, and matters could become unpleasant.

10 June 2015

Then Chief Executive Officer (Acting) Colin Dale met with the occupier and their legal representatives to endeavour to achieve an amicable outcome. The outcome of this meeting was that the family and hapū, with Council's assistance, convene a public meeting in Opononi to get the views of the wider community.

23 October 2015.

Approximately fifty people attended the public meeting chaired by Mark Ambler (elected from the floor). FNDC representatives, Chief Executive Officer (Acting), Colin Dale, George Swanepoel (Legal Counsel), Phill Grimshaw (Manager Strategic Iwi Relationships), and Mike Colebrook (Manager Facilities Operations) briefed the meeting on the history of the encroachment and Council's obligations under Local Government legislation, to address the public complaints that had been received.

Members of Ngāti Korokoro outlined their claim under the Treaty of Waitangi, and advised that by June 2016, they would have proof showing hapū ownership.

Colin Dale confirmed that Council was happy for the Treaty claim to progress as it was the correct and lawful process, but on receipt of the complaints regarding illegal structures, illegal camping, and other health and safety concerns, it had to act to protect the wider community.

The meeting then agreed that the whānau and Council had heard the arguments raised by the hapū and wider community, and that the parties concerned should continue to work towards a resolution of the concerns that had been raised (Council Report A1647876).

May 2016

Phil Grimshaw and George Swanepoel met with occupier Syd Mathews, and it was agreed:

- That although council was happy for Mr Mathews to be the caretaker of the block it has to be open to all the public and that the accosting and abuse of members of the public was unacceptable.
- 2. That Mr Mathews would remove the signs and that Council would assist with the removal of the container and the porta cottage.
- 3. Council would explore the installation of toilets as this destination was popular with freedom campers.
- 4. Council would look at some type of secure post box where campers could leave a koha which would help Syd pay for the maintenance of the area.

May 2016 - Present

The conditions of the informal Agreement were not progressed, and no formal Kaitiaki Agreement was finalised. The occupation of the area diminished without further action from FNDC. Due to staff changes and an absence of complaints, enforcement of the removal of the encroachment did not occur.

Treaty Claim

Independent historical research commissioned by FNDC and conducted by Schwarz Consultancy Ltd concluded the Koutū block was a private transaction between Māori and European settlers and did not find anything untoward that would suggest a Treaty claim was appropriate. In addition, land vested in Council is not Crown land for the purposes of Treaty settlements.

Public Use and Legislation

The site is currently advertised on the internet and social media as a campground. Figure 5 is a screen snip from https://nzcamping.com/camp-directory/camp-listing/north-island/far-north/Koutū-mongero/.



Figure.5 The picnic area is advertised as a campground on the internet

The site is public land, so it is desirable to maintain public access and enjoyment of the picnic area. However, Section 357 of the Local Government Act (LGA) provides that it is an offence to encroach on a road for example by erecting buildings or fences. Council has received multiple complaints since 2016 regarding the encroachment preventing access to the picnic area.

Council's Monitoring and Compliance Team and the Northern Transport Alliance (NTA) seek Council's direction on options to resolve the encroachment and address complainants' concerns.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Council Monitoring Staff have met with Northern Transport Alliance (NTA), Te Hono and Legal staff to identify options for the future use of the Koutū picnic area. It is noted that the unformed road is not required for roading purposes. However, any alternative use of public land requires elected member direction. The options are as follows.

- Option 1 Engage with kaitiaki occupier to formalize a Kaitiaki Agreement and seek necessary consents to legalise the campground; or
- Option 2 Take enforcement action to remove illegal structures and prevent campground use: or
- Option 3 Investigate changing status of area from road to reserve

Option 2 is not recommended because:

- Enforcement action is unlikely to resolve the demand for campervan parking at the picnic area.
 Even if encroachments are removed it is likely that campervans would still use the area.
 Complaints from Koutū Point residents about camping at the site would not necessarily be resolved.
- Enforcement action may alienate the kaitiaki who have been maintaining the area. This is not consistent with Treaty of Waitangi principles of Tino Rangatiratanga and Partnership.
- Enforcement Action would not provide for the ongoing maintenance of the area. NTA have no interest in or budget for maintaining the picnic area.

Option 3 is not recommended because:

- Changing the status of the land would require a formal legal process of road stopping.
- Reserve status would not resolve the demand for campervan parking in the area.
- Changing status of the land to Reserve would not provide for the ongoing maintenance of the area. There is no budget in the LTP for additional reserve maintenance.

Take Tūtohunga / Reason for the recommendation

Option 1 is the preferred option because:

- The Kaitiaki Agreement can document Council's expectations relating to public access and maintenance of the area.
- Council can work with kaitiaki to assess compliance with the requirements of the Resource Management Act 1991 (RMA), s.120B of the Health Act 1956 (Campground Regulations) and s.357 LGA. It is likely that resource consent and health licensing would be required.
- If compliance is achieved, the Kaitiaki Agreement can provide for both campervan parking and public access to the coast. Resource consent and health licensing conditions would also apply.
- An agreement would recognise the role of local kaitiaki and be the focus for constructive dialogue between Council and the kaitiaki occupier. This aligns with the Treaty of Waitangi principles of Tino Rangatiratanga and Partnership.
- Other government agencies, for example the Department of Conservation (DOC) have kaitiaki
 Agreements delegating functions to community groups. For example, the management of the
 Urupukapuka Island campground by hapū from the Bay of Islands/Rāwhiti area.
- Enforcement action to remove structures and exclude kaitiaki is likely to result in ongoing conflict and occupations. If the kaitiaki were not permitted to occupy and maintain the area it is unlikely to be maintained by NTA and public amenity would be reduced.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Council will need to fund technical and legal support to assess whether the proposed campground can achieve compliance with the requirements of the Resource Management Act 1991 (RMA), 120B of the Health Act 1956 and LGA.

The Kaitiaki agreement would likely set the scope for how much development and use is expected.

- Indicative costs:
- Resource consent application preparation \$3,500
- Resource consent processing \$3,500
- Campground Health Licence \$341/year

- Building consents may be required depending on what structures remain/ are introduced.
- There is no existing budget available for this work, however the recommended option (option 1) would have similar budget and staff capacity implications as an enforcement proceeding.

ĀPITIHANGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment		
State the level of significance (high or low) of the issue or proposal as determined by the <u>Council's Significance and Engagement Policy</u>	Medium – The occupation of the Koutū picnic area previously received media attention and was the subject of a public meeting. The future management of public land may be of interest to the community.		
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	n, unformed road. It is likely that resource consent und the RMA and a license under the Health Act will		
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District Wide Relevance This reports recommended option has been supported by the Kaikohe-Hokianga Community Board.		
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	This report has considered how kaitiaki Māori can be included in decision making about the future use of the Koutū Picnic Area. This aligns with the principles of Tino Rangatiratanga and Partnership.		
State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.			
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example	Potentially affected parties include residents of Koutū Point, hapū, kaitiaki, and members of the public wanting access the picnic area and coastline. NTA does not		

 youth, the aged and those with disabilities). 	consider themselves affected as they have no plans for the unformed road.
State the financial implications and where budgetary provisions have been made to support this decision.	As covered in report. Financial implications of Option 1 are similar to Options 2 and 3.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report

6.5 ADOPTION OF STATEMENT OF PROPOSAL TO AMEND RESOURCE CONSENT FEES & CHARGES FOR 2022-23

File Number: A3574653

Author: Sheryl Gavin, Manager - Corporate Planning & Community Development

Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy

TAKE PÜRONGO / PURPOSE OF THE REPORT

To adopt the Statement of Proposal to amend Resource Consent fees and charges for 2022-23 for consultation.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The annual review of fees and charges for the 2022-23 financial year has now been completed. Officer-recommended amendments beyond inflationary adjustments were discussed at the Annual Plan workshop on 9 December 2021.
- Council may set all fees and charges by resolution without consultation except for Resource Consent fees which may only be set following a Special Consultative Procedure as prescribed by section 83 of the LGA.
- Section 83 of the LGA requires a Statement of Proposal.
- The attached Statement of Proposal details proposed amendments to Resource Consent fees and charges and invites public feedback.
- While the remainder of the adjustments made to fees and charges do not require consultation, the full draft schedule will be available for the public to make comment on should they wish.
- The final schedule of Fees and Charges for 2022-23 will be formally adopted at the June Council meeting, with amended fees and charges becoming effective on 1 July 2022.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) adopts the Statement of Proposal for the proposed amendments to Resource Consent fees and charges.
- b) undertakes public consultation in accordance with section 83 of the Local Government Act 2002 from 1 March to 4 April 2022.

1) TĀHUHU KŌRERO / BACKGROUND

FNDC reviews and adjusts fees and charges annually.

In most cases, increases are limited to the Local Government Cost Index (inflation factor), forecast at 2.3% for 2022/23, except for the following:

- Adjustments to Resource Consent fee structures relating to instalments
- Increased daily handling fee for impounded animals to better reflect the actual cost
- Increased cost to obtain a property file to better reflect the actual investment in digitising these records
- Adjustments to various cemetery fees, including increased burial plot and interment fees, in recognition of increasing labour and land costs.

These exceptions were discussed at the 9 December 2021 Annual Plan workshop. All except the Resource Consent fees can be set by Council resolution (see section 36 of the RMA). Resource Consent fees can only be set following the Special Consultative Procedure as prescribed by section

83 of the LGA. The LGA requires adoption of a Statement of Proposal for the proposed changes. This is attached and relates only to the Resource Consent fees.

Despite no legislative requirement to consult on all other fees and charges, a draft schedule of Fees and Charges is being prepared for upload so that the public can consider and provide feedback on Resource Consent fees and all others at the same time should they wish to.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Council could decide not to adjust Fees and Charges as proposed. However, by doing so Council risks not recovering the actual and reasonable costs associated with these activities and places the burden on rates revenue.

In accordance with usual practice, inflationary adjustments have been made to most fees and charges to reflect rising costs. The fees and charges recommended for adjustments beyond inflation are detailed below.

Resource Consent fees and charges

Council consistently a substantial amount of arrears relating to Resource Consents that officers believe can be reduced with an increased instalment payment structure. At the time of lodging a consent application the customer is charged an instalment fee. Actual processing costs are calculated and invoiced after the decision is issued. In some cases, the final invoice is for a large amount. Legally, we cannot compel customers to pay by withholding the consent. This often results in unpaid invoices.

Officers believe (and this seems to be the experience of other councils) that higher instalment fees would be helpful to the customer when they get the final invoice and may result in Council carrying lower arrears.

While assessing appropriate instalment levels, other chargeable consenting activities were identified that enable a greater level of cost recovery if they are charged as an instalment (with a wash-up invoice at the end) rather than a fixed fee. Also identified are a small number of other types of applications that we should be recovering costs for but have not to date.

Summary of proposed changes – Resource Consents				
Increases for the following instalments	Current instalment	Proposed instalment	Increase/ (decrease)	
Simple land use (single zone rule breach)	\$1,204	\$2,700	\$1,496	
Subdivision 1-4 lots	\$1,933	\$2,900	\$967	
Subdivision 5-8 lots	\$1,933	\$4,800	\$2,867	
Subdivision 9+ lots	\$1,933	\$6,500	\$4,567	
Combined subdivision/land use	\$3,360	\$4,900	\$1,540	
National Environment Standards plantation forestry*	\$3,360	\$1,933	(\$1,427)	
Limited notification: Land use and subdivision; combined land use and subdivision; notices of requirement; heritage orders; discharge to land.	\$1,204	\$5,000	\$3,796	
Public notification: Land use and subdivision; combined land use and subdivision; discharge to land; changes to consent conditions – section 127; notice of requirements; heritage orders	\$3,613	\$8,000	\$4,387	

New instalment fees	Current instalment	Proposed instalment	Increase/ (decrease)
Subdivision 9+ lots – discharge to land	-	\$2,700	-
Subdivision 9+ lots – updating of cross lease flats plans	-	\$2,900	-
Combined land use / discharge	-	\$3,500	-
National Environmental Standards for contaminated soil	-	\$1,933	-
Fee unchanged but convert to instalment	Current instalment	Proposed instalment	Increase/ (decrease)
Creation of right of way under s348 LGA	-	\$925	-
Approval of survey plan s223, cert under s221 (consent notice), cert under s222 (completion cert)	-	\$262	-
Approval of documents required prior to s223 or s224 e.g. engineering plans etc	-	\$1,136	-
Approval of documents required prior to s223 or s224 e.g. without engineering conditions	-	\$612	-

Non-inflationary animal management adjustments

We currently charge different registration fees for menacing/dangerous dogs, but the Dog Control Act states that these types of dogs must be neutered, and that fees must be set at 150% of the non-dangerous dog registration fee. The proposal is therefore to remove the 'not desexed' fee and reduce the desexed fee to 150% of normal dog registration.

Impound fees are set for first, second and third impounding, and include also have an after-hours impounding fee. Staff recommend removing the after-hours fee simplify the charging regime.

The daily handling fee does not cover the cost of cleaning, feeding, and housing dogs, and is so low that many owners leave their dogs at the shelter until it is convenient for them to collect them. This puts pressure on capacity. Staff believe \$15 a day is more reflective of actual cost and is still a lot lower than that charged by other councils.

It is proposed that the fee for feeding impounded stock be specified as 'per head'. This is an error in the current schedule that leads to significant under-recovery should more than one head of stock be impounded.

Summary of proposed changes – Animal Management					
Fee/charge	Current	Proposed	Increase/ (decrease)		
Registration of menacing/dangerous dog – desexed	\$127	\$122	(\$6)		
Registration of menacing / dangerous dog – not desexed	\$137	-	(\$137)		
After hours impounding (impound fee \$68.50 plus after-hours fee of \$51.00)	\$125	-	(\$125)		
Daily handling for dogs	\$7.70	\$15	\$7.30		
Stock impounding sustenance fees	\$10.00	\$10.00 per head	n/a		

Non-inflationary cemetery fee adjustments

Cemetery fees have been assessed against actual costs, and in land-based cases reflect an expected 20% in land value in the District.

The following changes are proposed:

- Increased burial plot and ash burial fees combine the one-off maintenance fee of \$151 (currently a separate fee).
- The disinterment fee be removed, and disinterment be charged the same as interment.
- The statutory holiday surcharge be adjusted by 15% to reflect the allowable amount businesses can charge to cover the cost of paying staff time and a half as well as providing a day off in lieu.
- A new special circumstance surcharge of \$500 to cover the cost of staff waiting should there be a late arrival, processing costs if additional information is needed or other special circumstances that result in additional costs etc. It is standard practice across the sector for similar surcharges.
- Grave digging and concrete capping for ash burials increase by 10% to reflect increasing costs.
- Removal of flowering basket fee. This is a legacy item; we no longer provide flowering baskets.
- Increased search fee to reflect rising costs.
- Addition of a fee for a memorial bench at actual cost.

Summary of proposed changes – Cemeteries					
Fee/charge	Current	Proposed	Increase/ (decrease)		
Burial plots – including one-off ground maintenance cost	\$771	\$1,106	\$335		
Interment single depth	\$808	\$969	\$161		
Interment double depth	\$916	\$1,099	\$183		
Interment child (under 10)	\$217	\$239	\$22		
Interment – oversized single and double depth	\$890	\$1,068	\$178		
Interment oversized double depth	\$970	\$1,068	\$98		
Statutory holiday surcharge	\$464	\$534	\$70		
Special circumstance charge	-	\$500	-		
Ash burials					
Ash berm (Russell) interment and disinterment, includes ground maintenance cost	\$351	\$502	\$151		
Ash berm (all others) interment and disinterment, includes ground maintenance	\$107	\$258	\$151		
Grave digging for ash burial	\$194	\$213	\$19.40		
Concrete cap	\$100	\$110	\$10		
Other cemetery fees					
Search fee (per hour)	\$27	\$38	\$11		
Memorial bench	-	Actual costs	-		

Non-inflationary property information file fee adjustments

In 2017, all property files were digitally scanned at a cost of just over \$2.2 million. The objective was to recover this cost over seven years. Fees were set at \$25 per file at the time, recognising that actual costs would be assessed, and the fee adjusted accordingly.

Analysis of actual costs indicate that the cost to obtain a property file should rise to \$114.50.

Summary of proposed changes – Property File Information					
Fee/charge Current Proposed Increase (decrease					
Property file	\$25	\$114.50	\$89.50		

Timeline to adoption

Should the Statement of Proposal be adopted for consultation, the following dates are indicative:

Open for submissions: 1 March 2022

Close for submissions: 4 April 2022

Hearings: To be determined, depends on the number seeking to be heard

Adoption: 19 May 2022

Take Tūtohunga / Reason for the recommendation

To enable staff to proceed to consultation on the proposed fees and charges for Resource Consents for 2022-23 as required by Section 36 of the RMA. Council will adopt all final fees and charges prior to 1 July 2022.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The proposals outlined are in intended to meet the funding arrangements specified in the Revenue and Financing Policy. Adjustments as proposed support cost-recovery intentions for the relevant activities.

ĀPITIHANGA / ATTACHMENTS

1. Statement of Proposal fees & charges Resource Consents - A3574662 🗓 📆

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the <u>Council's</u> <u>Significance and Engagement Policy</u>	Low Significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Local Government Act, Resource Management Act
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District-wide, Community Board views have been sought through Chair attendance at relevant Council workshops.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	No specific implications.
State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Property developers will be targeted for communications.
State the financial implications and where budgetary provisions have been made to support this decision.	The proposals outlined are in intended to meet the funding arrangements specified in the Revenue and Financing Policy. Adjustments as proposed support cost-recovery intentions for the relevant activities.

Chief Financial Officer review.	The Chief Financial Officer has approved this report
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Resource Consent Fees and Charges for the 2022-2023 Financial Year Statement of Proposal

Introduction

Section 36 of the Resource Management Act (RMA) enables the Far North District Council (Council) to set fees and charges payable by applicants for resource consent, by holders of resource consents, and for other matters set out in section 36 6hat relate to Council's administration of its functions under the RMA.

New and/or amended fees and charges relating resource consents may only be set following consultation. This Statement of Proposal has therefore been prepared in accordance with requirements of section 83 of the Local Government Act (LGA) relating to the Special Consultative Procedure.

The review and amendment of Resource Consent fees was carried out as part of Council's annual review of all fees and charges. Council may set its schedule of all fees and charges by resolution under section 150 of the LGA, without consultation, with the exception of charges set through the RMA which must be set following the Special Consultative Procedure prescribed by the LGA.

Proposed changes to Resource Consent fees and charges for 2022-23

Council proposes the following:

- 1. That all Resource Consenting fees and charges be increased by 2.3% to accommodate the inflationary effects of the Local Government Cost Index¹ (LGCI).
- 2. That fees be amended to vary the instalment paid on lodgement of applications for simple land use, subdivisions, National Environmental Standards (NES) for plantation forestry, and limited and public notified applications. This does not change the overall amount charged for the consent; it simply adjusts when the applicant is required to pay. Council believes (and this seems to be the experience of other councils) that higher instalment fees will be helpful to the customer when they get the final invoice, and this this may result in Council carrying lower arrears. Proposed amendments are as follows:

Application type	Current	Proposed	Increase/
	instalment	instalment	(decrease)
Simple land use (single zone rule breach)	\$1,204	\$2,700	1,496
Subdivision 1 - 4 lots	\$1,933	\$2,900	967
Subdivision 5 - 8 lots	\$1,933	\$4,800	2,867
Subdivision 9+ lots	\$1,933	\$6,500	4,567
Combined subdivision / land use	\$3,360	\$4,900	1,540
National Environmental Standards Plantation	\$3,360	\$1,933	(1,427)
Forestry*			
Limited notification: Land use and subdivision;	\$1,204	\$5,000	3,796
combined land use and subdivision; notices of			
requirement; heritage orders; discharge to land			

¹ Business and Economic Research Ltd (BERL) forecast the LGCI for the Local Government Sector in New Zealand each year. The forecast for 2022-23 is currently 2.3%.

Item 6.5 - Attachment 1 - Statement of Proposal fees & charges Resource Consents

Ord	inary Council Meeting Agenda		24 1	Ephruary 2022
Old	Dublic notification: Land use and subdivision:	¢2 612	1 570 op	5852
	Public Hotilication. Land use and subdivision,	\$3,013	ψο,υυυ	4,307
	combined land use and subdivision; discharge to			
	land; changes to consent conditions – Section			
	127; notice of requirements; heritage orders.			

3. That installment fees be introduced for larger subdivisions, combined land use/discharge and NES for contaminated soil as follows:

Application type	Proposed
	instalment
Subdivision 9+ Lots - Discharge to Land	\$2,700
Subdivision 9+ Lots - Updating of cross lease flats plans	\$2,900
Combined land use/ discharge	\$3,500
National Environmental Standards for Contaminated Soil	\$1,933

4. That fees for the following be converted to an instalment payable at the time of lodgement, with a final invoice to cover the actual processing costs after the decision is issued:

Application type	Proposed
	instalment
Creation of right of way under S.348 LGA	\$925
Approval of survey plan s.223, cert under s.221 (consent notice), cert under	\$262
s.222 (completion cert)	
Approval of documents required prior to s.223 or s.224 e.g. engineering plans	\$1,136
etc	
Approval of documents required prior to s.223 or s.224 e.g. without	\$612
engineering conditions	

Our other fees and charges

We review all our fees and charges annually, and in most cases simply make inflationary adjustments in recognition of rising local government costs. Some may be adjusted beyond inflation, while others may not change at all.

We are not required by legislation to consult on these but have made the schedule that will be adopted in May for commencement on 1 July 2022 available on our website for you to look through. If you have feedback on any of the fees in that schedule please feel free to make a submission using any of the methods in this document.

Fees and charges that will rise beyond inflation in 2022-23 relate to:

- · Procurement of property files;
- Animal impound fees; and
- Burial plots and cemetery interment fees.

The schedule of Fees and Charges for 2022-23 can be found here. Please note that this schedule will not be formally adopted by Council until 19 May 2022.

Anyone can make a submission regarding the amendments proposed in this document, and we encourage you to let us know your views.

Submissions must be in writing. We have provided a submission form here and online. The form is ideal for brief submissions, but you may attach additional pages if you wish.

The submission period opens on Tuesday, 1 March 2022 and closes on Monday, 4 April 2022.

Submitters will have the opportunity to be heard in support of their submissions, the date for which will depend upon the number of submitters wishing to present. Submitters wishing to speak will be contacted directly to make arrangements.

Submissions can be:

• Made online: www.fndc.govt.nz/haveyoursay (or whatever the link is)

Emailed to: submissions@fndc.govt.nz. Subject heading should read

"Resource Consent Fees and Charges 22-23"

Posted to: Far North District Council

Private Bag 752 Kaikohe 0440 Attention: Jo Boyd

• Delivered to: Any of our service centres:

KAIKOHE KAITAIA

5 Memorial Avenue Te Ahu, corner Matthews Ave

Open Monday-Friday 8am-5pm & South Rd

Open Monday-Friday 8.30am-

5pm

KAEO KERIKERI

Leigh St John Butler Centre, 60

Open Monday-Friday 8am- Kerikeri Rd

4.30pm Open Monday-Friday 8am-

(closed 12.30-1pm) 5pm

PAIHIA KAWAKAWA

i-SITE Visitor Centre Te Hononga, Gillies St
The Wharf, Marsden Rd Open Monday-Friday 8am-

Open 7 days 8.30am-5pm 4.30pm

RAWENE OPONONI

11 Parnell St i-SITE Visitor Centre

Open Tuesday and Thursdays 29-31 SH12

8am-4.30pm (closed 12.30-1pm) Open 7 days 8.30am-4pm

Remember that written submissions must be received by 5pm on 4 April 2022

Council will acknowledge each submission received in writing.

Following the closing of submissions on 4 April 2022, all submissions will be reviewed by Councillors. Submitters will have an opportunity to speak to their submissions at a meeting that is open to the public on dd/mm/yy. Council will then formally consider all submissions at the 19 May Council meeting where the schedule of Fees and Charges for 2022-23 will be formally adopted.

The adopted schedule will be enacted on 1 July 2022.

6.6 PAIHIA CENTRAL BUSINESS DISTRICT DEVELOPMENT RATE - ALLOCATION 2020/21 TO 2023/24

File Number: A3570279

Author: Janice Smith, Chief Financial Officer

Authoriser: William J Taylor MBE, General Manager - Corporate Services

TAKE PÜRONGO / PURPOSE OF THE REPORT

To provide information on the request from Focus Paihia to allocate the Paihia Central Business District (CBD) Development Rate to specific elements of the Paihia Legacy Project

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council levies a specific amount for the Paihia CBD Development rate annually.
- This rate was established in the 2010/11 Annual Plan to "provide for additional developments in the Paihia Central Business District".
- An agreement with Focus Paihia is entered into that outlines the work that is to be provided by this rate and funds transferred.
- Funds transferred in 2020/21 were \$49,401.00. These funds were for projects relating to the Paihia Waterfront and given the imminent work to take place in that area and the impact of COVID, the projects were stalled.
- The rate for 2021/22 is \$48,618.34 and it is anticipated that a similar value will be struck in 2022/23 and 2023/24.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) approve the allocation of the Paihia Central Business District Development Rate to Focus Paihia to provide a contribution to the physical signage and walking tour with augmented reality projects as follows:
 - the allocation of \$49,401.00 from 2020/21 that is diverted from waterfront projects;
 - ii) the allocation of \$48,618.34 for 2021/22 and the rate, when struck, for 2022/23.
- b) approve in principal that the Paihia Central Business District Development Rate for 2023/24 be allocated to Focus Paihia to carry out the stalled waterfront projects on the waterfront in Paihia providing that the work currently planned for the waterfront has been completed.
- c) note that a new agreement on the allocation of funds will be required from 1 July 2024.

1) TĀHUHU KŌRERO / BACKGROUND

As part of the Annual Plan for 2010/11 a targeted rate known as the Paihia CBD Development Rate was created. The purpose of this rate was to provide for additional developments in the Paihia CBD.

In 2018/19 a formal process was established were by Focus Paihia submitted the planned works that would be funded from the targeted rate and payment was made once the work was agreed.

For 2021/22, Focus Paihia have approached Council to use the funds slightly differently in line with the Paihia 200th anniversary celebrations planned for 2023.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

In April 2023, Paihia will host its bi-centenary – one of the first towns in New Zealand to achieve that milestone.

A concept plan has been created that focuses on the history of Paihia and provide an immersive journey through time and place. This will be achieved by creating a number of interactive offerings including signage, a walking tour companion app and church projection lighting tour.

The concept plan is attached for information.

Focus Paihia are raising funds from other sources to complete aspects of the proposed work and would like Council to approve the use of the targeted rate for 2020/21 through to 2022/23 (approximately \$150k) to assist with signage and the walking tour with augmented reality.

The estimated costs for the complete concept are:

ESTIMATED COSTS

Physical signage design and printing	\$60,000-\$90,000
- Allowance for 6-8 signs	
- Designed, printed and installed	
Walking Tour with augmented reality	\$160,000 - \$190,000
- App design and development	
- Total of 8-12 hotspots with content to include:	
- 8-10 x text-, image- and gudio-based content	
- 2-3 x videos (shot and edited – approx. 30-60 secs per)	
- 3-4 augmented reality experiences	
Light tour and church projection	\$80,000-\$130,000
- 6-8 key tour stops	
- Church projection design, production, setup	
- Light tour design, production, setup	
- Hardware rental	
Virtual Reality experience	\$150,000-\$200,000
- 1-2 key stories created - to be built on for future	W 0 A U
- Hardware and minimal physical space setup	
Disbursements, travel, setup, management (allowance)	\$25,000
TOTAL INVESTMENT	\$475,000-\$635,000

Focus Paihia have drawn down the funds for 2020/21 and it was intended to carry out work on the waterfront. However, there is a significant project intended to commence on the waterfront that could have resulted in the projects having to be removed and that, coupled with COVID related delays, means Focus Paihia made the decisions to not apply the funds. These are still held by Focus Paihia.

If approval is given to use the above funds plus the targeted rate for the coming two years, Focus Paihia would like advance approval to use the funds for 2023/24 to carry out the stalled waterfront projects providing that the project that is currently planned has been completed.

Take Tūtohunga / Reason for the recommendation

To seek approval from Council to commit three years of targeted Paihia CBD Development rates to the Paihia Bi-centenary project to provide funds towards signage and the walking tour with augmented reality.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The Paihia CBD Development rate is already included in the 2021/31 Long Term Plan.

ĀPITIHANGA / ATTACHMENTS

1. Focus Paihia - 1st Concept plan Paihia legacy project - A3570280 🗓 🖫

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the <u>Council's Significance and Engagement Policy</u>	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	There are no specific polices or legislative requirements that related to this report
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The Chair of the Bay of Islands/Whangaroa Community Board is aware of the project.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	The project is focused on the early history of Paihia
State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	None identified that would not relate to the whole community
State the financial implications and where budgetary provisions have been made to support this decision.	The Paihia CBD Development rate was approved as part of the 2021/31 Long-Term Plan
Chief Financial Officer review.	The Chief Financial Officer prepared this report

AUGUST 2021 METHOD

PAIHIA 200TH ANNIVERSARY

Opportunities for Bicentenary Celebrations Paihia, April 2023

THE OPPORTUNITY

In April 2023, Paihia will host its bicentenary – one of the first towns in Aotearoa to achieve that milestone.

This offers a unique and exciting opportunity to celebrate and share pivotal moments in Aotearoa's history by creating an innovative and engaging immersive experience for visitors to Paihia.

To showcase the pivotal moments in Aotearoa's history originating from Paihia.

OUR VISION FOR PAIHIA

Within the birthplace of Aotearoa's modern history, to create an innovative and authentic opportunity to engage in a unique immersive journey through time and place

THE PAIHIA EXPERIENCE — EARLY BEGINNINGS



Signage Physical and Visual

Create striking visual way- and fact-finding with an opportunity for a combined physical and digital experience. These signboards will amplify key stops in our walking tour with additional information to delve into using the app.



Walking Tour Companion App
Mobile and Experiential

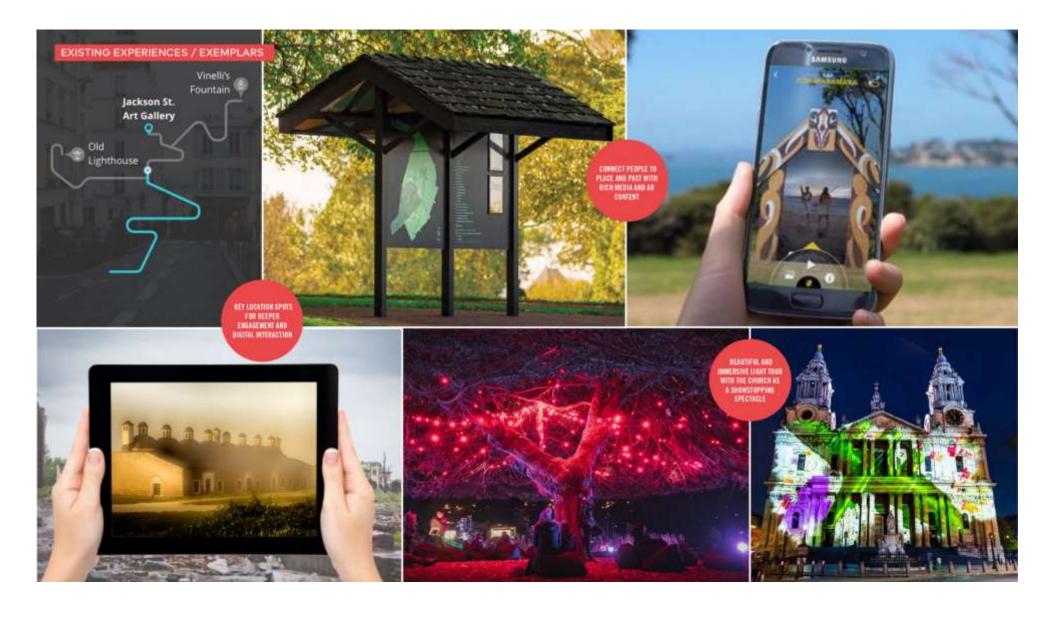
A beautiful way to connect people to place and past. A guided walking tour with hotspots at key locations providing rich media content and insights into the authentic Aotearoa origin story with the apportunity to transform sites back to how they were at significant moments in history.

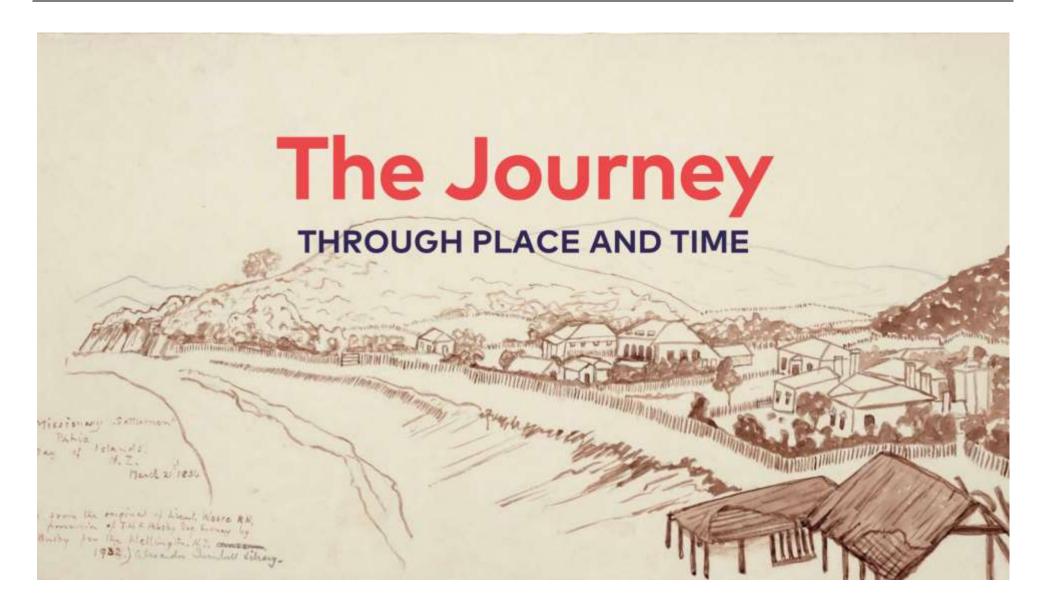


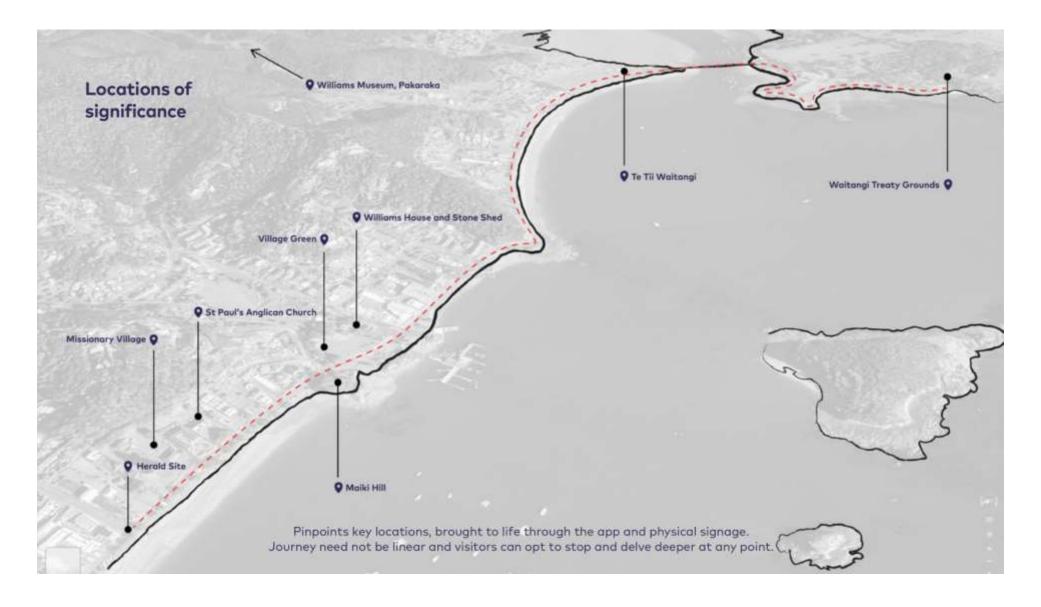
Church Projection, Light Tour

Awe-Inspiring and Experiential

A stunning event highlight that offers a unique and memorable way to see Paihia in a new light. An artists' collaboration bringing feature lighting to St Paul's Church as the pinnacle, awe-inspiring projection mapped audiovisual experience.











A variety of signboards to provide more context to the site with extended fact finding. The signboards amplify the walking tour with the ability to delve deeper using the app.

MISSION SITE - STONE HOUSE AUGMENTED REALITY EXPERIENCE



Use the walking tour app to bring back the past and showcase the original Mission site through augmented reality.

MISSION SITE - HONE HEKE AND HENRY WILLIAMS AUGMENTED REALITY EXPERIENCE



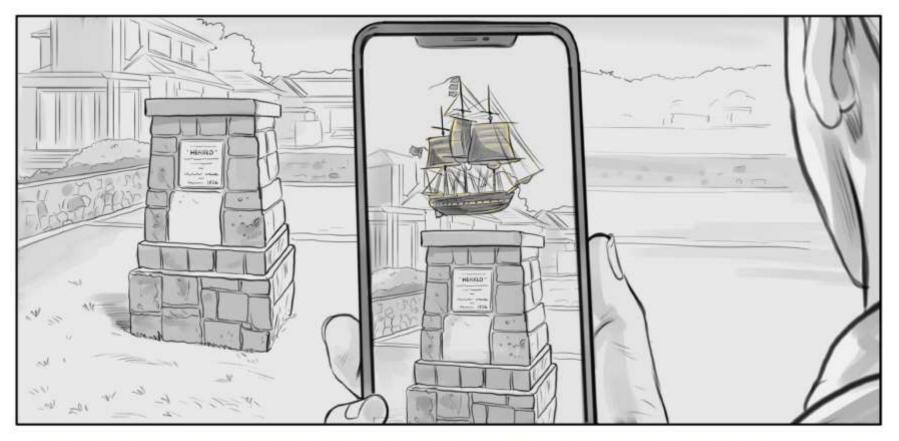
Recreate moments from history right before your eyes. The app brings to life important conversations and stories.





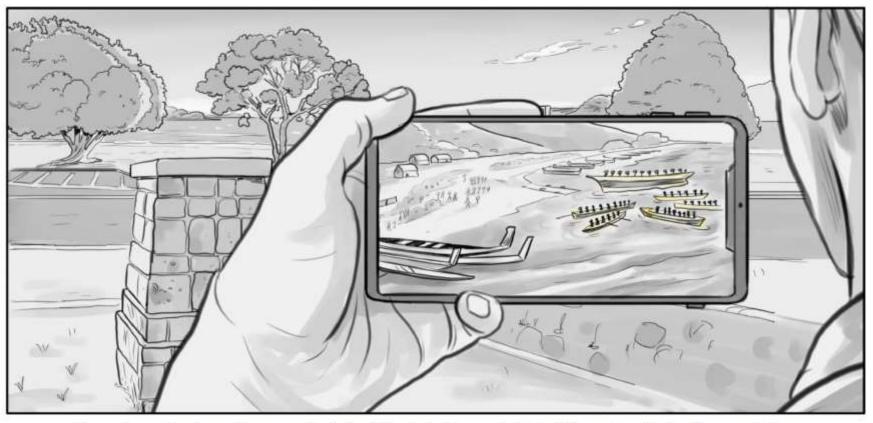
Invite visitors to interact with important monuments and key structures, providing interesting touchpoints throughout their journey.





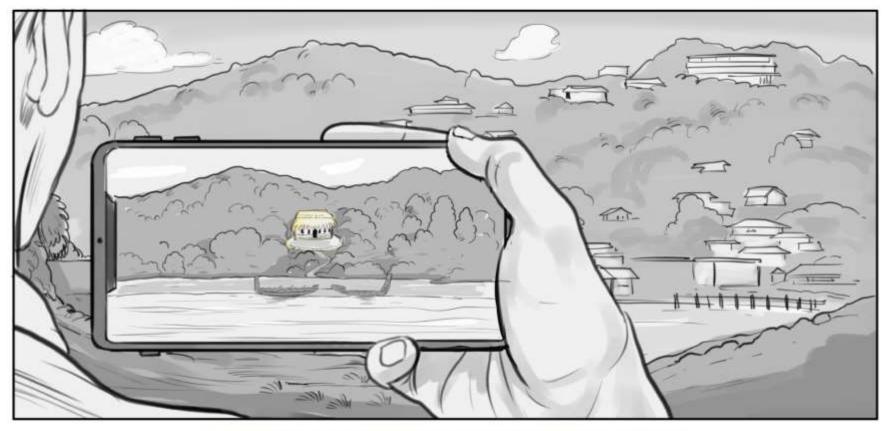
Showcase immersive content initiated through physical items to surprise and delight visitors while sharing key stories and visual elements.





Connect people to place with an opportunity for visitors to be transported back in time and see the bay like never before.





See how explorers might have viewed Paihia from the vantage point at Maiki Hill.





Create a mesmerising, once-in-a-lifetime experience using the church as our audio-visual storytelling canvas and the highlight of our Light Tour (bicentenary weekend).

BEYOND 2023 — LEGACY DESTINATION

The 200th anniversary event offers an opportunity to create excitement and generate interest for even further immersive experiences leading up to the celebrations of the 200th anniversary of Te Tiriti o Waitangi.

From an immersive microsite to a beautiful interactive virtual reality experience housed in a themed physical building, and additional rich content in the walking tour there are a multitude of exciting ways to connect with our audience beyond 2023.



PROJECT TIMELINE



ESTIMATED COSTS

Physical signage design and printing

\$60,000-\$90,000

- Allowance for 6-8 signs
- Designed, printed and installed

Walking Tour with augmented reality

\$160,000 - \$190,000

- App design and development
- Total of 8-12 hotspots with content to include:
 - B-10 x text-, image- and audio-based content
 - 2-3 x videos (shot and edited approx. 30-60 secs per)
 - 3-4 augmented reality experiences

Light tour and church projection

\$80,000-\$130,000

- 6-8 key tour stops
- Church projection design, production, setup
- Light tour design, production, setup
- Hardware rental

Virtual Reality experience

\$150,000-\$200,000

- 1-2 key stories created to be built on for future
- Hardware and minimal physical space setup.

Disbursements, travel, setup, management (allowance)

\$25,000

TOTAL INVESTMENT

\$475,000-\$635,000

Costs are estimates only and will be refined once details are confirmed. Costs are in NZ\$ and exclude GST.

OUR TEAM - PAIHIA HISTORICAL LEGACY SOCIETY

The Paihia Historical Legacy Society was incorporated in 2020.

The principal objective of the Society is to increase public understanding of the formative Pāhekā-Māori relationships established at Paihia through the work of members of the Church Missionary Society at Paihia during the period 1823 and 1840. Through doing this, the Society seeks to contribute to a shared understanding between Māori and Pākehā New Zealanders of the meaning, significance and importance of the Treaty of Waitangi 1840 in the context in which it was created.

The Society has a diverse membership comprising representatives of mana whenua and the local community as well as descendants of the CMS missionaries, Henry and Williams, who established the Mission at Paihia in 1823.

OUR TEAM — METHOD

Method is a creative experiences studio focussed on creating genuine connections with people. We merge creative tech, visual and interactive design to create beautiful and engaging stories and experiences. Our aim is to inspire awe through memorable interactions. We create rich and immersive experiences that surprise and delight audiences while offering them an opportunity to connect with genuine stories and each other.

We are constantly pushing the boundaries and exploring the unimaginable. We are a group of storytellers, artists, and technologists with the expertise and diverse skillset to deliver awe-inspiring experiences with proven success.

For more information visit: www.method.digital



6.7 REVIEW ON EROSION ISSUES FOR FREESE PARK

File Number: A3568751

Author: David Clamp, Manager - Major and Recovery Projects

Authoriser: Andy Finch, General Manager - Infrastructure and Asset Management

TAKE PÜRONGO / PURPOSE OF THE REPORT

To provide a progress update on the erosion issue at Freese Park, Omapere, including outcomes of the consultation. This report is also used as a basis for seeking approval for further funding to complete the remaining phases of the project.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The foreshore at Freese Park is experiencing active retreat due to coastal erosion. This has placed Council assets at risk.
- The project team implemented the Consultation Strategy endorsed by Elected Members however some adaptation was required to account for Covid related restrictions. There was considerable interest in the project from the Takiwa, local residents and the general public and the response from all parties has been very positive and strengthens Option 1B as the preferred approach, being rock rip rap with planting buffer and 2 accessways.
- Preferred Option 1B has a rough-order construction cost estimate range from \$420,000 to \$480,000. This engineers estimate is in the process of being reviewed and updated.
- A proprietary block wall construction method has also been reviewed and discounted as a
 potential option for Freese Park. This option may however be suitable for other coastal erosion
 issues in the Far North.
- An indicative programme is presented that outlines timeframes through to construction in late 2022. These timeframes have had to be modified due to Covid lockdown-induced delays.
- \$200k was approved in the September 2020 Council meeting for investigation, issue identification and consultation. Stellar projects have completed investigations, issue identification, options assessment, concept design development, consultation and the upcoming resource consenting all within this budget.
- An additional, estimated \$67k of professional service fees is required to progress the project from granting of Resource Consent through to start of construction phase.

TŪTOHUNGA / RECOMMENDATION

That Council approves

- a) additional unbudgeted operational expenditure of \$57,000 for professional services in 2021/22;
- b) an additional \$10,000 operational budget be added to professional fees as part of the 2022/23 Annual Plan, to advance the project through to the start of the construction phase.

1) TĀHUHU KŌRERO / BACKGROUND

Foreshore erosion is a growing issue of concern for most coastal communities around New Zealand. Future sea level rise and greater intensity storms associated with climate change are likely to exacerbate this problem. A range of interventions have been applied in various locations in order to manage the erosion and to protect land and infrastructure.

Coastal erosion has resulted in a significant loss of land at Freese Park, Omapere and has both affected Council assets and resulted in a public safety issue due to a fall hazard.

A report submitted to Council (dated 24 September 2020) recommended budget be approved for engagement of a consultant to lead investigations and consultation in an effort to identify an optimal solution for the erosion issues at Freese Park. This recommendation was approved, and Stellar Projects was engaged late 2020.

A comprehensive assessment into the erosion issue was undertaken along with a detailed drone survey, geotechnical investigation, preliminary planning assessment and draft consultation strategy.

A number of high-level options were identified for Freese Park, including:

- 1. Do Nothing
- 2. Managed Retreat
- 3. Hold the line (hard structure in the current alignment of the coastline)
- 4. Advance the Line (hard structure place seaward of the existing alignment of the coastline)

The project team presented these high-level options to elected members in the May 2021 meeting along with three hard structure design solutions. Council resolved to progress to public engagement, but also requested that a managed retreat option be included. Concept sections of the four options presented as part of the public consultation are shown in Attachment 1.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Outcomes of Public Engagement

Discussions with the FNDC Engagement Team led to the prioritisation of lwi in the public engagement process. It took some time to gather consultation collateral and initiate engagement with the local Takiwa and then in August, just as the engagement was getting underway, Covid lockdown restrictions were imposed. This prevented face to face communication and somewhat inhibited the engagement process. However, adjustments in the method of engagement resulted in a number of Zoom hui, and the use of web-based resources, which we felt were very successful.

In total the project team undertook the following engagement initiatives:

- Direct engagement with key hapu kaitiaki for the rohe in Te Wahapu
- Direct engagement with neighbours to Freese Park
- Direct engagement with the owner of No. 9 Freese Park Road
- Webinar on Wednesday 9 November
- Signage onsite from 26 October 12 November 2021
- On-line feedback survey. Seventy-six responses were received on the on-line survey.

Listed below are the key aspects of the design that we sought feedback on during the public engagement process as well as their respective engagement outcomes and recommended response. Where the recommended Council response is at odds with the engagement feedback, justification has been provided:

Aspect of the project we specifically sought feedback on	Feedback Received	Recommended Council Response (Adopt/Reject)
Preferred option (do nothing / managed retreat / hard protection structure)	There was a strong preference for a hard protection structure to prevent further erosion.	Adopt the public preference and adopt a hard coastal protection structure rather than managed retreat. This feedback aligns with the engineering recommendation
Preferred design solution	The preference was for the rock rip rap with footpath solution. A close second was the rock rip rap with planted buffer. Alternative hard	Adopt the public preference and adopt the rock rip rap option with a planting buffer. The reason being is that this is one of the public's favoured solutions. It is also the lowest cost for ratepayers. There are also likely to be

Aspect of the project we specifically sought feedback on	Feedback Received	Recommended Council Response (Adopt/Reject)
	structures such as proprietary block walls were included in the engagement collateral as alternative solutions but were not favoured.	difficulties apportioning maintenance cost to the owner of 9 Freese Park if the wall in front of the house includes a public asset, i.e., footpath.
Beach access location	The results showed a preference for beach access at both the northern and southern ends of the beach	Adopt the public preference - Include access points at both the northern and one at the southern end of the beach within the design.
Preference for plant species	Oioi, flax and other species preferred	Adopt the public preference and use the feedback from the public to inform the planting plan. We will ensure we use coastal species and will take direction from a specialist.
Preference for amenity (Beach versus Park). This question was trying to gauge the publics' desire to either 'advance the line' seaward versus 'hold the line'.	There was a very strong allegiance to the park amenity versus the beach, which suggests a preference for 'Advancing the Line' (pushing the coastline seaward as part of this project).	Reject the public preference and adopt a 'hold the line' approach. The coastline is actively eroding, and it is clear from comments received during the engagement process that a considerable number of the public want prompt action. The fastest (and lowest risk) avenue to coastal protection at this location is through holding the line, which NRC have advised is likely to progress through the consent process as nonnotified (~2 months). Conversely, the 'advancing the line' option would be fully notified and at best take 6 months to process. If there are any appeals that result in Environment Court Hearings, this timeframe would extend. Some coastal protection projects have taken years to get through the courts. In the meantime, erosion of Freese Park (and 9 Freese Park Road) would continue to occur.

Engagement with Owner of 9 Freese Park Road

One of the most important discussions during the engagement phase was with the owner of 9 Freese Park Road, which is positioned between the two public land lots (all of which are experiencing erosion). It is imperative for both the private property owner and Council that a collaborative approach to coastal protection is sought. Given the nature of the erosion, a successful solution for either the private or public land areas is extremely unlikely to be achieved independently.

Initial discussions with the owner of 9 Freese Park Road have been very positive and based on this, we are confident that Council and the owner can work towards a joint solution.

Discussions regarding asset ownership, maintenance responsibilities and cost apportionment are currently underway.

Proprietary Block Wall Option

The option of a proprietary block wall option was raised during the May 2021 Council meeting. Council staff were subsequently approached by a company who manufactures and installs a stacked, locking type block wall product. This was investigated to understand its potential application in coastal settings within the Far North and potentially Freese Park.

While this design appears to have promise in some high energy coastal settings, it was ruled out at Freese Park for the following reasons:

- Rigidity of Structure It is difficult to obtain curvature within this proprietary wall alignment due to the inflexible block locking mechanism. As a result, the wall would be straight rather than bending with the natural shape of the coastline and in this case would be more susceptible to 'end-effect' erosion. The solution we are looking for requires a flexible wall structure so we can tie into the existing rock rip rap walls both north and south of Freese Park. We also need to be able to easily integrate pedestrian access steps.
- Amenity As mentioned, rock rip rap walls already exist both north and south of Freese Park.
 It makes sense from an amenity perspective to continue the use of this material so that the
 structure fits in with the surroundings. The public feedback also showed a preference for the
 rock rip rap wall and expressed a desire for a structure that was aesthetically pleasing.
- Cost While the design is seen as a low-cost alternative to other coastal protection structures over the lifetime of the wall, due to low maintenance requirements, the up-front capital cost for Freese Park would be in the order of \$1,000,000 compared to \$320,000 \$630,000 for the riprap option.
- Risk of Undermining Rock rip rap walls are constructed with loosely stacked rock that is sized
 depending on the anticipated wave energy. In situations where beach sand is eroded below
 the wall foundation, the rip rap would 'self-heal' by settling slightly and continuing to protect the
 coastline. The proprietary structure doesn't appear to have this self-healing characteristic.
 Undermining of the wall could result in significant damage to the wall itself and could expose
 the land behind the wall to erosion.

Despite the above, there are likely to be straight stretches of eroding coastline in the Far North where a proprietary system could be useful. For this reason, it should not be ruled out as a coastal protection option elsewhere in the district.

'Hold the Line' versus 'Advance the Line'

As previously mentioned, the feedback received from the public engagement survey suggested a strong attachment to the reserve, over the beach. The project team asked this question to try and gauge the appetite for advancing the shoreline seaward. This question was asked despite the issues that come with consenting such a structure.

'Advancing the line' effectively results in 'reclamation' and our planning advice is that Northland Regional Council would require that the consent for such a structure go through a publicly notified process which could take an additional 4 months (best case scenario). Even after going through the lengthy public notification process (including a hearing) it is still not certain that FNDC would be successful in securing a consent. This is a risk, because the longer it takes to construct a protection structure, the more coastline is lost. We are much more likely to obtain consent without public notification by adopting the 'Hold the Line' approach.

Project Progress

The Covid lockdowns experienced since August have led to delays in the 'engagement' phase of the programme. Covid lockdowns introduced complexity, that resulted in more work adapting to a different engagement platform. However, despite this, we are still projecting that the resource consent lodgement and associated additional design tasks will be able to be completed within the project budget as planned.

With the engagement phase now been completed and we are ready to move into Resource Consent phase. A summary of task completion under the current contract is outlined below:

Completed project phases to date (under the current contract):

Background research

- Investigations
 - Drone Survey
 - o Geotechnical Investigation
 - Coastal erosion and processes assessment
 - Compliance check
- Issue definition
- Options assessment
- Concept design development
- Preliminary Planning Assessment
- Iwi/Public Engagement

Yet to be completed (under the current contract):

- Complete design for Resource Consent lodgement
- Resource Consent preparation, lodgement and post lodgement tasks associated with the consent application

Further work is required to progress this project through to construction following the granting of the resource consent. The text below outlines additional tasks, which currently fall outside the existing Stellar Projects engagement.

Upcoming phases of work (through to construction) that fall outside of the current contract:

- Further consultation/engagement
 - Finalising negotiations/agreements with owner of 9 Freese Park Road (based on detailed design)
 - o Updates to lwi, public and elected members prior to construction
 - Construction communications
- Detailed Design
- Procurement
 - Compiling tender documentation
 - Tender evaluation and award
- Ongoing Project Management

External resource may be required to assist Council with Construction Supervision/Contract Administration during the construction phase.

Indicative Programme

The timeframes for physical works will be largely dictated by the duration of consultation and consenting. The programme below presents indicative updated timeframes:

Pre-lodgement investigations (archaeological) Dec 2021

Resource Consent preparation Mid Jan – Mid-Late Feb 2022

Resource Consent lodgement Mid-Late Feb 2022

Granting of Resource Consent (Assuming Hold the Line) Mid-Late April 2022

Detailed Design Mid-April - Mid-May 2022

Preparation of Tender Docs Mid May – Mid June 2022

Tender Period through to Contract Award July-Aug 2022

Commence Construction Mid Sept – Mid Nov 2022

The construction timeframe is largely dependent on consent processing timeframes.

Take Tūtohunga / Reason for the recommendation

The scope of the original Stellar Projects contract was to undertake a thorough investigation of the erosion issue, carry out investigations, work through design options, engage with and seek feedback from the community, develop design to resource consent and lodge consent. Additional professional

services budget is required to have external resource (Stellar Projects) advance the project from resource consent through to construction.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The current Stellar Projects engagement will be completed at the point the Resource Consent is granted. Additional professional services are required to take the project from granting of Resource Consent through to Construction. A list of tasks and an associated estimate of the professional services fees required to complete the project are outlined below:

Tasks		Fee Estimate
1.	Detailed Design	
2.	Further consultation/engagement	
	 Finalising negotiations with owner of 9 Freese Park Road 	
	 Updates to Iwi, public and elected members prior to construction 	
	 Construction communications 	
3.	Procurement	
	 Compiling tender documentation 	
	 Tender evaluation and award 	
4.	Ongoing Project Management	
	TOTAL FEE ESTIMATE	\$67,000

Based on the programme above we would suggest splitting the budget over the two financial years as follows:

- FY 21/22 \$57,000
- FY 22/23 \$10,000

The rough order construction cost estimate for option 1B (rock rip rap and planting buffer) is currently estimated to cost in the order of \$420,000 – 480,000. This engineers estimate is in the process of being updated and the results should be available at the February Council meeting.

The proposed structure (see plan view in Attachment 2) has been designed (in concept) to a minimum of 50yr lifespan with consideration of extreme conditions to 2215. The degree and requirement for maintenance is likely to increase as the effects of sea level rise and climate change are realised. As with all coastal structures, it is suggested that monitoring of the structure's performance and beach response is undertaken, and adaptive maintenance applied as required, e.g. raising wall crest heights.

ĀPITIHANGA / ATTACHMENTS

- 1. Attachment 1 Freese Park Coastal Protection Options Presented During Public Consultation A3572222 1
- 2. Attachment 2 Freese Park, Coastal Erosion Plan view of preferred option (1B) A3568694 1

Hōtaka Take Ōkawa / Compliance Schedule:

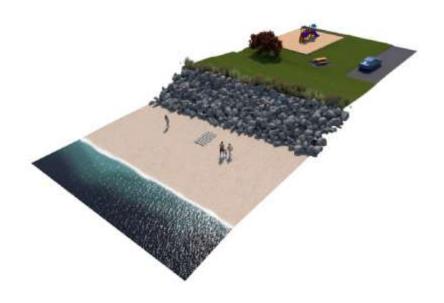
Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

- 1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
- 2. This section is subject to Section 79 Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	High significance due to level of public interest and effect on the community and its demographics.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Coastal erosion has resulted in a significant loss of land at Freese Park, Omapere and has both affected Council assets and resulted in a public safety issue due to a fall hazard. We have gained public input through a combined approach of direct engagement, hui, and surveys.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District-wide.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	Input from Iwi was received during the consultation phase. The opportunity to provide a CIA has been offered to the Hapu Management board and we will progress if it is decided to do so. We have completed an Archaeological Assessment.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Numerous engagement platforms were utilised to seek feedback on the project. The project team reviewed and considered all feedback received.
State the financial implications and where budgetary provisions have been made to support this decision. Chief Financial Officer review.	As detailed in the report. The Chief Financial Officer has reviewed this report

ATTACHMENT 1. FREESE PARK COASTAL PROTECTION OPTIONS PRESENTED DURING PUBLIC CONSULTATION

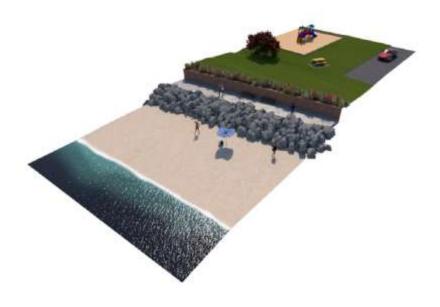
OPTION 1A - HIGH ROCK RIPRAP WALL



OPTION 1B - LOW ROCK RIPRAP WALL WITH PLANTING



OPTION 2 - LOW ROCK RIPRAP WALL WITH WALKWAY

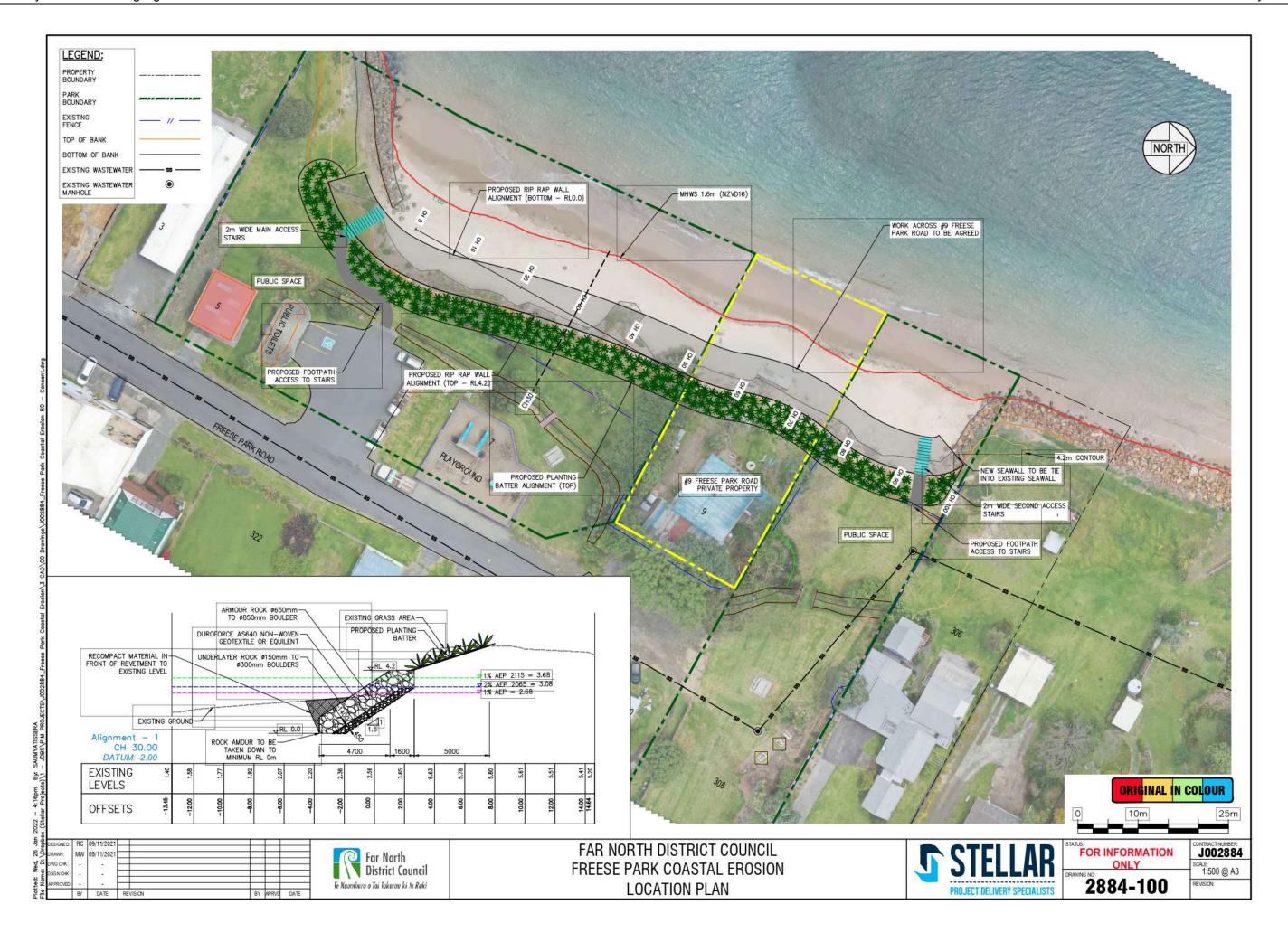


OPTION 3 - MANAGED RETREAT OPTION



ATTACHMENT 2. FREESE PARK COASTAL EROSION - PLAN VIEW OF PREFERRED OPTION (1B)

Ordinary Council Meeting Agenda 24 February 2022



7 INFORMATION REPORTS

7.1 KAIKOHE CARES PROJECT

File Number: A3528794

Author: Laurel Belworthy, Community Development Advisor

Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Council with an overview of the Kaikohe Cares Project and the Mayors Taskforce for Jobs Community Recovery Programme funding.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- To maximise collective impact, the Community Development Team is trialling a new way of working in Kaikohe, with one dedicated team member focused on Kaikohe Cares (KC).
- This single lens gives capacity to provide high-level overview and coordination between partners, as opposed to the traditional multi-town lens.
- Council recently received significant funding from the Mayors Task Force for Jobs (MTFJs) Community Recovery Programme to support Kaikohe Cares.
- The funding is for a total of \$400,000, released in 2 tranches. \$250,000 to deliver 15 Sustainable Employment Outcomes (SEO's) and an additional \$100,000 to deliver 25 SEO's.
- This focussed approach aims to 'join the dots', ensuring community initiatives and Council
 projects are not developed and delivered in isolation of each other guaranteeing the collective
 benefit is realised.
- His Worship the Mayor asked that this information report be provided to give Elected Members an overview of this important work.

TŪTOHUNGA / RECOMMENDATION

That the Council receives the report Kaikohe Cares Project February 2022.

1) TĀHUHU KŌRERO / BACKGROUND

Kaikohe is the heart of the mid-north, rich in social capital, culture, and history. Historically it is the centre of a wide area, known by Ngāpuhi as Te Pu o te Wheke, the heart of the octopus and the gateway between east and west, serving a large community beyond the township. In the last 30 years, Kaikohe has seen a shift from the thriving main centre, to one with the highest deprivation score in the Far North. With recent Provincial Growth Fund (PGF) projects like the Ngawha Innovation and Enterprise Park and Te Kona Digital Hub, and Council's commitment to new facilities (Civic Hub) and infrastructure in the town, the opportunity for Council to support the regeneration of Kaikohe and create positive change for its' community and future, is now.

To maximise collective impact, the Community Development Team is trialling a new way of working in Kaikohe, with one dedicated team member focused on Kaikohe Cares (KC). Kaikohe Cares is a cross-Council place-based community and economic development initiative. This single lens gives capacity to provide high-level overview and coordination between partners, as opposed to the traditional multi-town lens. This is a place-based, place-making approach that builds on local strengths and social connections. This also supports better service delivery and outcomes for Council, which will naturally ripple out to lift outcomes for surrounding areas.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Kaikohe Cares aims to create a pathway for increased inclusion of the Kaikohe community in Council business. The Kaikohe based Community Development Advisor is working towards building open engagement with both external and internal individuals, groups, iwi, organisations, business, and agencies to coordinate and support the community to collaborate, organise, and grow leadership

towards our vision, He Whenua Rangatira - A District of Sustainable Prosperity and Well-Being. The project also includes a refresh of the Kaikohe Community Plan and working with the Kaikohe-Hokianga Community Board to develop their Strategic Plan. This approach aligns with Council's Community Outcomes and anticipates the Future for Local Government Review, which seeks to 'design a system of local governance that is built on relationships....and creates the conditions in which communities can thrive into future generations" (<u>Ārewa ake Te Kaupapa' Interim Report September 2021, pg 2</u>).

This focussed approach aims to 'join the dots', ensuring community initiatives and Council projects are not developed and delivered in isolation of each other and the collective benefit is realised. This is currently being mitigated with the formation of a Kaikohe Cares Core Group with community and Council representation. An initial stocktake of community initiatives via an online survey is also being developed to inform the Kaikohe Cares project and Kaikohe Community Plan refresh.

Council recently received significant funding from the Mayors Task Force for Jobs (MTFJs) Community Recovery Programme to support Kaikohe Cares. This funding has led to meaningful partnerships with Ngawha Innovation and Enterprise Park, Te Kona Digital Hub, and local MSD teams with positive reputational impact for Council. This includes provision of the 'Berry Bus' which has enabled sustainable employment for teams at Ngawha Park, ferrying workers to Kerikeri and Waipapa while Kaikohe Berries grows capacity at Ngawha. The funding is for a total of \$400,000, released in 2 tranches. \$250,000 to deliver 15 Sustainable Employment Outcomes (SEO's) and a following \$100,000 to deliver 25 SEO's. Future MTFJ's funded projects include digital skills training, working with the Kaikohe Business Association to support local business to employ locally (including role specific training for employees and wage subsidies) and employer expos for established businesses and start-ups.

Covid disruptions are a risk as they challenge kanohi ki te kanohi meetings/hui and interactions, which, in the context of community development work/mahi, cannot effectively be replaced with virtual hui, therefore delaying true community relationship building. This will be managed by closely following Covid management protocols until such a time free community interaction returns.

Take Tutohunga / Reason for the recommendation

To provide current information regarding the Kaikohe Cares project and Mayors Taskforce for Jobs Community Recovery Funding

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provision in receiving this report.

ĀPITIHANGA / ATTACHMENTS

Nil

7.2 FAR NORTH HOLDINGS LTD - QUARTER ONE FINANCIAL REPORT 2021/22

File Number: A3569979

Author: Janice Smith, Chief Financial Officer

Authoriser: William J Taylor MBE, General Manager - Corporate Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To present the first quarter financial report for Far North Holdings Ltd (FNHL) to Council for information

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The financial reports for FNHL would, under normal circumstances, be presented to the Assurance, Risk & Finance Committee (ARF).

Due to the timing of the Christmas break and the ensuing deadlines for reports, it was not possible to prepare a report to ARF, therefore the financial report is being presented to Council.

TŪTOHUNGA / RECOMMENDATION

That the Council receive the report Far North Holdings Ltd - Quarter one financial report 2021/22.

TĀHUHU KŌRERO / BACKGROUND

FNHL prepare quarterly financial reports which are normally presented to the ARF Committee.

Due to the timing of the Christmas break and the ensuing deadlines for reports, it was not possible to prepare a report to ARF, therefore the financial report is being presented to Council.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The financial report has been reviewed and the following points have been noted:

- Interest rate cover ratio improved from 2.57 at 30 Sep 2020 to 3.59 at 30 Sep 2021 this represents how many times the company can pay its obligations using earnings.
- Equity/asset ratio increased from 52.37% at 30 Sep 2020 to 54.28% at 30 Sep 2021 the lower the ratio, the more debt the company has used to pay for its assets.
- Operating surplus increased from \$232k to \$366k between 30 Sep 2020 and 30 Sep 2021, an improvement of 58%, due to:
 - o Reduction in Finance Expenses from \$359k to \$291k, 23%.
 - o Reduction in Other Operating Expenses from \$890k to \$667k, 34%.
 - Increase in Inventories from \$222k to \$250k. -12%.
- The change in COVID alert levels to alert level 4 on 18 August 2021 impacted recoverable income and associated direct expenses from investment property compared to budget, as tenants were not able to trade and access their businesses during lockdown.
- Rent relief was provided to effected tenants.
- Corporate overheads were under budget again due to lockdown, as staff were not in the office using paper, stationery, water, coffee, etc. so running costs were reduced.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no specific financial implications arising from this report

ĀPITIHANGA / ATTACHMENTS

1. FNHL First Quarter Report 2021.2022v2 - A3571898 🗓 📆



Far North Holdings Limited

First Quarter Report



1 July 2021 to 30 September 2021



First Quarter Report

For the 3 months ended 30 September 2021

In accordance with Part 5, Section 67 of the Local Government Act 2002 and Far North Holdings Limited ("FNHL") Statement of Intent for the three years to June 2024 the Directors hereby report on the activities of the company for the 3 months from 1 July 2021 to the 20 September 2021.

FNHL's Statement of Financial Position at 30 September 2021 and Statement of Financial Performance for the 3 months to 30 September 2021 are attached.

FNHL's financial performance is below budget however this was expected due to New Zealand moving to alert level 4 on 18 August 2021, albeit we are above the same period last year. FNHL's interest cover ratio is at 3.59, with a permissible ratio of 1.5. The equity/asset ratio is also favourable at 54.28% with a permissible ratio of 50%.

Although Northland moved swiftly through the levels, there continues to be an impact to tourism due to the inability for people to travel freely from or through locked down Auckland. The company has again provided rent relief to the effected tenants and is expecting reduced income from its tourism related areas.

Rent relief was once again provided to commercial tenants who could not operate during level 4. Further support was given to those tenants that continue to be affected by the pandemic and lack of customers from Auckland that traditionally have travelled to Northland.

During the pandemic FNHL will continue to manage finances prudently whilst continuing to facilitate and develop commercial and infrastructural assets, and business growth in the Far North District.

Significant Variances

Significant variances are determined as variances over (+/-) \$10,000 and 10%.

Goods sold is below budget due to honey and fuel sales. Honey sales were slow in the first quarter but have picked up since. Fuel sales are low due to the sale of Intercity to Explore. Explore purchase their fuel directly from the fuel supplier. Consequently, inventory expenses are also below budget.

Recoverable income and associated direct expenses from investment property are down. This is due to tenants not being able to trade and access their business during lockdown.

Corporate overheads are under budget. Again, due to lockdown and staff not being in the office using stationery, power, water, paper, coffee etc, reduces overhead costs of running the business.

Project Updates

Ngawha Innovation and Enterprise Park (NIEP) remains tocused on; kaitiaki, creating employment and skills-based training opportunities, the circular economy, and regional capability development. The project is progressing well but has unfortunately been slower than hoped due to difficulties getting materials either out of or through Auckland and the very wet weather.

FNHL's interest in Kaikohe Berryfruit Limited, one of the cornserstone tenants on the park, has grown to 24%. This is because Onyx (Maungatapere Berries) has recently withdrawn its commitment to the berryfruit joint venture. Ngāpuhi Asset Holdings Ltd with support from FNHL have been seeking another partner to bring the horticulture expertise into this investment.

In terms of the construction program at NIEP, the Innovation & Education Centre building foundations are completed, and concrete slab poured. The framing timber is now on site ready for the next stage of building. Practical completion is currently expected October 2022.

The Regent Training Centre development within NIEP is well underway. The platform including under-slab drainage, power and data cabling have all been completed and steel frame erected. Covid and weather delays have had minimal on this project and completion is due August 2022.

The metal platform has been completed for the NorthTec building within NIEP and the slab pour has begun. Despite weather and covid issues, works have progressed well. The steel frame and roof are expected to be on before Christmas.

FNHL's 18-unit community housing development in Kamo Road has been considerably affected by Covid and has experienced delays due to the unit construction being in Auckland. However, it is now back to progressing well and is expected to be completed with handover early in the new year.

A new project at Kerikeri Airport to build and develop a new rental car facility for Avis Building Group to lease is progressing well. The 1745 sam site will contain a 300 sam building and include 44 car park spaces for hire vehicles.

Bay of Islands Marina Playground has now been installed. The playground is being enjoyed and praised by locals and boaties alike. It is a great addition to thriving marina precinct.

The Hokianga maritime project is the upgrade of wharves at Te Karaka and, Mangungu, installation of a new pontoon at Motuti and the construction of a new concrete wharf at Rangi Point. The wharves are 90% complete with the pontoon and gangways to be installed. Rangi Point almost complete. These facilities are expected to be available for use this summer.

The renewal of Pukenui and Unahi commercial wharves is progressing well. Pukenui is due to be complete by Christmas and Unahi in February 2022. These projects include the demolition of the existing structures and construction of a replacement concrete wharf, new pontoons, wharf mooring piles, service berth, and seawall repairs. The tender for both was awarded to Total Marine Services Ltd. They are employing Pukenui Excavators and Stonecraft as local subcontractors.

Mangonui Waterfront Development is the extension of the waterfront boardwalk, new public jetty, new footpaths, upgrade of an existing carpark, lighting and landscaping. The tender has been awarded to United Civil Construction Ltd. They are planning on completing most of the boardwalk construction works with a barge to reduce disruption to road users and pedestrians.

Construction of a reclamation in Rangitane to provide approximately 19 trailer parks and 8 car parking spaces is being processed through the EPA. The development proposes the construction of a new double width boat ramp with a launching pontoon, renewal of the existing jetty, and installation of a pontoon and gangway. FNHL continue to work with residents and local Hapu to ensure the progression of this essential development for the community.

Paihia Waterfront Development is the construction of rock breakwaters to provide a calmer wave environment in the Paihia Basin, enabling replenishment of Horotutu Beach to provide a beach for public enjoyment and protect the State Highway and the services within the road. Design is 95% complete, with only the eastern abutment design to be completed. Registration of interests for the main contract were released in September. Due to the effects of lockdown and summer tourism season, physical works is expected to commence in quarter one of 2022.

FAR NORTH HOLDINGS LIMITED

STATEMENT OF FINANCIAL PERFORMANCE For Three Months Ended 30 September 2021

	Actual 3 months to 30-Sep-21	Budget 3 months to 30-Sep-21	Budget vs Actual Variance		Actual 3 months to 30-Sep-21
	\$	s	%	\$	\$
Goods sold	208.357	502_122	-59%	(293,765)	381,161
Services	1,791,233	1,915,882	-7%	(124,649)	1,815,620
Rental income	918.278	949,695	-3%	(31.417)	869.289
Recoverables	125,066	162,621	-23%	(37,555)	118,692
Commission	11,304	3,000	277%	8,304	
Wage Subsidy	111,836	1000000	0%	111,836	
Finance income	(6,334)	1,749	-462%	(8.083)	4,554
Total Revenue	3,159,740	3,535,069	-11%	(375,329)	3,189,316
Employee benefit expenses	880,779	846,033	4%	34,746	820,549
Director compensation	31,994	39,801	-20%	(7,807)	30,425
Corporate overheads	98,299	133,101	-26%	(34,802)	130,453
Donations	22.806	25,876	-12%	(3.068)	22,166
Other operating expenses	666.547	681,624	-2%	(15.077)	890,138
Direct expenses from investment property	337,487	403,752	-16%	(66.265)	270,137
Inventories	250,084	401,184	-38%	(151,100)	222,003
Impairment of receivables	8,731	16,251	-46%	(7,520)	3,505
Depreciation and amortisation	205,062	218,367	-6%	(13,305)	209,341
Finance expenses	291,482	297,057	-2%	(5,575)	359,056
Total Expenses	2,793,273	3,063,046	-9%	(269,773)	2,957,773
Operating Surplus	366,466	472,023	-22%	(105,557)	231,543
Tax on items that will not be reclassified to profit or loss	81	£6			

FAR NORTH HOLDINGS LIMITED

STATEMENT OF FINANCIAL POSITION As at 30 September 2021

	30-Sep-21	30-Jun-21	30-Sep-20
Equity			
Share capital	18,000,000	18,000,000	18,000,000
Reserves	9,961,398	10,031,991	7,825,556
Retained earnings	45,674,407	45,214,022	36,876,712
	73,635,805	73,246,013	62,702,268
Current Assets			
Cash and cash equivalents	5,480	87,282	18,863
Trade receivables & prepayments	1,971,776	3,837,729	2,068,221
Inventories	1,693,587	1,690,653	1,584,127
Other investments	573,768	573,768	570,717
Properties intended for sale		1,558,678	
	4,244,612	7,748,110	4,241,926
Non Current Assets			
Intangible assets	100,000	100,000	100,000
Biological assets	1,184,150	1,184,150	1,603,560
Property, plant & equipment	25,376,569	25,413,261	26,699,890
Investment properties	102,772,790	100,409,919	87,000,783
Investments in equity accounted associates	1,232,203	1,232,203	
Loans	665,000	-	-
	131,330,713	128,339,533	115,404,233
Total Assets	135,575,324	136,087,643	119,646,159
Current Liabilities			
Current Loans	1,671,240	1,671,240	1,166,606
Payables, accruals and income in advance	8,112,883	10,389,351	2,701,386
	9,784,123	12,060,591	3,867,992
Non Current Liabilities			
Loans	37,087,422	37,124,992	38,906,840
Deferred tax liability	3,334,213	3,428,132	2.849,253
Income in advance	11,733,762	10,227,914	11,319,807
	52,155,396	50,781,038	53,075,899
Total Liabilities	61,939,520	62,841,629	56,943,891
	73,635,805	73,246,014	62,702,268

7.3 PROGRESS REPORT: THE REINTRODUCTION OF DEVELOPMENT CONTRIBUTIONS IN THE FAR NORTH DISTRICT IN ALIGNMENT WITH THE 2024-34 LONG TERM PLAN

File Number: A3589368

Author: Roger Ackers, Manager - Strategy Development

Authoriser: Darren Edwards, General Manager - Strategic Planning and Policy

TAKE PÜRONGO / PURPOSE OF THE REPORT

To provide Council with an update on the progress against the indicative project schedule for the reintroduction of development contributions in alignment with the 2024-34 Long Term Plan.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

This report provides an update to elected members on the progress made towards the reintroduction of development contributions in alignment with the 2024-34 Long Term Plan. Progress is on target as per the indicative project schedule for the reintroduction of development contributions that was approved by Council at the 16 December 2021 Council meeting.

TŪTOHUNGA / RECOMMENDATION

That the Council receive the Progress Report: The Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan.

TĀHUHU KŌRERO / BACKGROUND

On 16 December 2021 Council approved that a new development contributions policy be adopted in alignment with the 2024-34 Long Term Plan, at the same time staff were required to provide regular progress reports against the indicative project schedule in developing the new policy.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The following table is copy of the indicative project schedule in the 16 December 2021 paper to Council - The Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan. An additional extra column 'Progress against estimated due date' has been added to provide a commentary of progress made to date as requested by resolution of Council on 16 December 2021.

Activity/Deliverable	Estimated due date	Progress against estimated due date	Comments/Notes
Phase: Concept			
Paper to Council recommending the adoption of new development contributions in alignment with the 2024-34 Long Term Plan.	16 December 2021	Complete.	
Phase: Research			
Communications and engagement planning commences with stakeholder and partner identification and analysis.	January – February 2022	On Target to be completed in February.	

Activity/Deliverable	Estimated due date	Progress	Comments/Notes
		against estimated due date	
Internal workshops on options, review of best practice development contribution policies in use across New Zealand.	February – April 2022	Workshop requested with proposed internal placemaking working group in March 2022.	
		Workshop will be facilitated by a contracted expert in development contributions.	
Review of options with an external expert and a mentor Council on development contributions.	April 2022	On target.	
Project plan approved.	April 2022	On target.	From this point on the dates in this table are indicative and assumptive. With the approval of the project plan will come more exact due dates, timeframes, and costings.
Phase: Conceive			
Workshop on different options, timeframes, and a confirmation of the scope of the development contributions policy (which growth related development, which locations)	June 2022	Scheduled for 8 June 2028. Booked in the formal meeting calendar.	This will explore differing ratios of contributions based on equity between ratepayers and developers and who benefits. It will also seek a steer on what new growth-related development will be subject to development contributions and in what locations. It will also explore the 'do
Research report	August 2022		nothing' option.
completed.			
Communications and engagement plan completed.	August 2022		

Activity/Deliverable	Estimated due date	Progress against estimated due date	Comments/Notes
Paper to Strategy and Policy Committee – options and recommendations for a new development contributions policy.	6 September 2022		This will also present a full assessment of the 'do nothing option'
Local Body Elections.	8 October 2022		
Phase: Design			
Drafting of a development contributions policy for public consultation.	October 2022– January 2023		
Communications and Engagement Plan approved.	February 2023		
Approval by Council for public consultation on draft development contributions policy.	February 2023		
Phase: Consult			
Public consultation on draft development contributions policy.	March – May 2023		This timeframe includes hearings
Submission's analysis.	May-July 2023		
Draft new policy for adoption.	July – August 2023		
Approval by Council to use a new development contributions policy to inform 2024-34 Long Term Plan.	September 2023		This informs the development of (1) The Financial Strategy and (2) The Infrastructure Strategy.
Phase: Activate Policy			
Adoption of a new Development Contributions Policy with 2024-34 Long Term Plan.	June 2024		
New Development Contributions Policy comes into effect.	1 July 2024		Staff commences administration of the development contributions policy. Policy rules apply for developers.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial or budgetary implications that will result from Council receiving this report.

ĀPITIHANGA / ATTACHMENTS

Nil

7.4 NGAKAHU STEERING GROUP UPDATE

File Number: A3594499

Author: Emma Healy, Executive Officer

Authoriser: Shaun Clarke, Chief Executive Officer

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Council with an update on progress the Ngakahu Steering Group has made.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The Ngakahu Steering group, formed by Council resolution, has been making progress. Attached for information are minutes from the last Steering Group meeting (noting the 'recommendations' are in reference to an internal steering group only) and a Ngakahu commissioned report from Mr John Duder regarding potential decommissioning of Kauri Creek dam.

TŪTOHUNGA / RECOMMENDATION

That the Council receive the report Ngakahu Steering Group Update.

TĀHUHU KŌRERO / BACKGROUND

At its 14 December 2021 meeting Council resolved:

That Council;

- a) establish a steering group named Ngakahu Steering Group.
- b) appoint Crs Radich, Vujcich, Collard and Tepania to the Ngakahu Steering Group,
- c) request the steering group enter into discussions with <u>Ngakahu Ngakohu</u> Whanau Ahuwhenua Trust to
 - obtain and understand their aspirations and concerns regarding the future of the Dam and surrounding land,
 - II. identify mutually acceptable exit options.
- d) request the steering group report back to Council their findings and recommendations.
- e) move the corrected report be tabled.

The group formed under this resolution has been making good progress, illustrated by the two documents attached for information:

- 1. Draft minutes of Ngakahu Steering Group meeting, 11 February 2022. The 'recommendations' in these minutes are in reference to an internal steering group only.
- 2. The Ngakahu commissioned report from Mr John Duder Potential Decommissioning of Kauri Creek Dam.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The steering group will continue to keep Council updated on progress as per the Council resolution noted above.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Nil

ĀPITIHANGA / ATTACHMENTS

- 1. Draft Minutes Ngakau Steering Group 20220211 A3594781 🗓 📆
- 2. J Duder Kauri Dam Report 20220201 A3594785 🗓 📆

3. 14 December Council report - Appointment of a Council Steering Group - A3594929 $\underline{\mathbb{J}}$

Draft Minutes of Ngakahu Steering Group Held at Collard's Tavern, Kaitaia , on 11 February 2022 at 5:30 pm

Present:

Cr Mate Radich (Chair), Cr Dave Collard, Cr Moko Tepania, and Cr John Vujcich, Peter Wiessing (NRC Manager Kaitaia), Dave Bellingham and Brian Bellingham (Bellingham Quarries)

Opening Karakia

Moko Tepania

Mihi (Welcome from the chair to all those present)

Chair Mate thanks and introduced those in attendance

Apologies:

Kelly Stratford (invited by Chair)

Moved: Mate Radich; Seconded John Vujcich Carried

Note: all Steering Group members were present

Minutes of last Meeting.

No previous minutes as this meeting is the first meeting of the Ngakahu Steering Group.

John Vujcich noted the wording on the amended Council report and its recommendations passed by Council on the 14 December establishing the Ngakahu Steering Group. That "the Steering Group will keep meeting records, and provide regular updates to Council. Council will support the Steering Group and not enter into any action that would compromise the effectiveness of the Steering Group in achieving its purpose"

The amended Council document will be attached to these minutes.

Inwards Correspondence

- Email dated 12 January 2022. Invitation to meet with Ngakahu Trust (the Trust) on 18 January 2022
- Email dated 24 January 2022. The Trust's minutes of the meeting onsite at the Kauri Dam and at the REAP centre including the draft option No 1 report.
- Email dated 31 January 2022. The Trust providing the Draft option No 2 report.
- Email dated 4 February 2022. The Trust's minutes of 3 February 2022.
- Email dated 4 February 2022. From the Trust which included an additional paragraph to section 5 of the option report No 2 as requested by John Duder
- The Chair tabled the final draft of John Duder's report listing options for the Dam.

That inward correspondence be accepted

Moved: Cr Mate Radich; Seconded Cr John Vujcich Carried

Outwards Correspondence

 Email dated 3 February 2022 from Mate giving a response to all elected members regarding the background of the John Duder's report.

That outward correspondence be accepted

Moved: John Vujcich; Dave Collard Carried

Discussions Arising, and Recommendations

The Chair requested the meeting be based on John Duder's tabled report: in particular, taking note of the response from the Ngakahu Trust, as they had a meeting and were happy with the report. It was noted the Ngakahu Trust's preferred option was option 4.

The meeting discussed all options and came to the following key points and subsequent recommendation.

Key Points:

- The Trust does not want any dam liabilities, annual inspection costs, 5 yearly safety review costs or any maintenance costs whatsoever.
- The Steering Group does not have all the information needed for a final recommendation nor does it know what state the dam is in.
- Any action must minimise environmental damage to the whenua and its waterways.

Recommendations to Council

Recommendation 1

Obtain the processed and analysed data from the Regional Council sonar soundings of the dam, done in 2017.

Reason: This would provide the necessary data to assess the current state of the dam, volume of water and extent of silting. It would better enable decision-making for the best strategy to decommission the dam.

Moved: Mate Radich, Seconded John Vujcich Carried

Recommendation 2

Council stage the lowering of the dam water level, beginning with a water level drop of 2 metres. Once lowered the water level will be maintained at the lower levels.

Reasons: Lowering the dam water will also help in determining the state of the dam and extent of leakage. It will allow the exposed banks to dry and grow covering vegetation, reducing future silting and erosion. It will enable engineers to assess the potential impact of the lowering of the dam, and reduce the risk to streams from high volumes of algae or poorly oxygenated muddy water being discharged into waterways.

Moved: Moko Tepania, Seconded Dave Collard Carried

Recommendation 3

Prepare a report showing a visual presentation, including landscaping, of the preferred option, or options, with a rough order of cost to implement.

Reasons: This report will give a clear vision of what the Trust and Council hope to achieve, and indicative costing. It will enable Council to better understand and justify the mutually preferred option. It will demonstrate good will and also that Council recognises it has a duty of care to leave the land in the best possible state. It creates an opportunity to better "tell the story" to other parties and potentially attract external funding to assist with the restoration and exit from the Whenua.

Note: The Ngakahu Trust will be actively engaged in and participate with creating the vision for how the final decommissioned dam and surrounding land will look. This will ensure that the Ngakahu Trust's desire for no future financial liabilities or risk is achieved.

Moved: Mate Radich; Seconded John Vujcich Carried

Closing Remarks

Chairman thanks everyone for attending.

The next meeting date is not set; it is expected to be called when necessary

Closing Karakia

Moko Tepania

Meeting Closed 7pm

Attachments to Minutes

With the minutes are three attachments:

- Covering email from the secretary of the Ngakahu/Ngakohu Whanau Ahuwhenua Trust giving permission for the draft John Duder report and its attachments to be made available to Far North District Council elected members
- 2) John Duder's report and attachments
- The amended Council report and its recommendations passed by Council on the 14 December establishing the Ngakahu Steering Group

Ngakahu/Ngakohu Whanau Ahuwhenua Trust 07:39

to John, Mate, dave.collard, Moko

Morena Cr Vujcich, Cr Radich, Cr Collard, Cr Tepania Cr Vujcich,

In response to your phone call last night.

I contact the trust chairperson and Deputy Chairperson who have giving their consent for the John Duder Draft Options report NO 2 RE: Decommissioning of the Kauri Creek Dam, for your committee to make this report and attachments available to the Far North District Council elected members.

DRAFT OPTION REPORT NO 2

We would request that this email is also provided in conjunction to the Draft Option NO 2 report RE: Decommissioning of the Kauri Creek Dam.

- The trust met with Cr Radich, Collard, Tepania, Stratford, Vujcich on 3 December 2021 for an
 informal meeting re decommissioning of the Kauri Dam. The trustees gave the elected members a
 commitment to working with you councillors to achieve the decommissioning of the Kauri Creek
 Dam.
- At this meeting the trustees stated very clearly the trust would engage the services of a qualified dam engineer to prepare an options report so the trust at least knew what options were available.
- The Trust engaged the services of John Duder to prepare this options report only which the trust are paying for, [not Council.]
- The trust also agreed to share this draft option report with the Council appointed committee to start the discussions off only.
- 5. This was the first time anyone from Council has actually met with the trust to listen and discuss what the trust wanted to happen with the dam despite statements from Council staff claiming Council have tried negotiating with the trust re exiting of the dam.
- 6. What is very much at the forefront of the trustees minds is seeing the dam totally gone all the pipes gone so we can develop the land and provide housing for the Ngakahu whanau without the requirement of having to indemnify Council against a dam failure which is now being suggested.
- 7. The trust thanks Cr Radich, Cr Tepania, Cr Vujcich, Peter Wiessing David and Brian Bellingham for meeting with the trust and the trusts qualified dam engineer at the Kauri Creek Dam on Ngakahu Trust owned land on 18 January 2022. The trust looks forward to further meetings with the Council appointed committee to further progressing the exiting of the dam as soon as possible.

Nga mihi Des Mahoney Secretary Trustee

Ngakahu/Ngakohu Whanau Ahuwhenua Trust

JOIN N. DUDER F Eng NZ; CPEng

Phone: (64 9) h. 445 3331 m. 027 4799742

e-mall: induder@gmail.com

41A Church St Desonport Auckland 6624 New Zenland

The Trustees

DRAFT No. 2

Ref JND/22/1

Ngakahu/Ngakohu Whanau Ahuwhenua Trust Email: ngakahu/ngakohuwat@gmail.com

1 February 2022

Attention: The Secretary, Des Mahoney

Potential Decommissioning of Kauri Greek Dam Stage 1 - Overview

1.0 Introduction

This report reviews the options and procedures for decommissioning an earth embankment dam and supersedes the draft report tabled at the Kaltala meeting on 18 January. It is presented on behalf of the Ngakahu/Ngakohu Whanau Ahuwhenua Trust in response to their request and in accordance with our mutual agreement signed on 7 January, and the site visit and discussions on 18 January.

The report describes the Kauri Creek Dam and its appurtenant structures, its history and its present condition. Reference is made to documentation and reports as provided to the Trust by Far North District Council (FNDC). Options for decommissioning by full or partial dewatering of the lake are discussed along with the engineering and environmental implications. The 18 January meeting proposed an investigatory lowering of the lake as soon as practicable with appropriate sediment control measures downstream of the two dam outlets.

The New Zealand Society on Large Dams (NZSOLD) published updated NZ Dam Safety Guidelines in 2015. Module 7 of the Guidelines, Life Cycle Management addresses Dam Decommissioning at Section 8, a copy of which is attached hereto. This report draws on Section 8 noting the engineering and environmental issues to be considered when addressing dam decommissioning, including longer term managerial and consenting issues of dewatering the reservoir, future flood passage and downstream effects of mobilisation of polluted water, sediment and debris.

2.0 History and Status of Kaurl Creek Dam

The 16m high embankment dam was built on the Trust's land by Kaitaia Borough Council in the 1960's for water supply to Kaitaia township and is now owned and operate by FNDC. In recent years, water quality has become unsuitable for town supply, and there have been ongoing issues with dam seepage. The Ngakahu/Ngakohu Trust seeks decommissioning of the dam and improving the use of their land including part of the dam.

A detailed history of the dam and associated issues including ongoing seepage and consequent remedial works was given in Riley Consultants 2018 Comprehensive Dam Safety Report. That report concluded that "no major issues have been identified with the performance of the dam, however uncertainty remains on definitive explanations for the seepage evident on the top of the buttress." Using the processes in the NZSOLD 2015 Dam Safety Guidelinas "indicated a Low PIC (Potential Impact Category) may be appropriate." (Riley 2018)

There was no evident reference to confirmation of spillway capacity in terms of design flood inflows. However, spillway adequacy was noted in Riley's 2003 report.

Riley's 2020 Intermediate Dam Safety Review for FNDC concluded there was no significant change in the condition of the dam and appurtenant works; some remedial work had been done in 2019.

3.0 Description of Dam

The Kauri Creek dam lies on a tributary of the Okahu Stream which then joins the Tarawhaturoa Stream running through Kaitaia township. The catchment of the lake is in bush covering about 2.0km² (200 ha), extending south some 2.5km into the Taumatamahoe range in the Herekino forest. The reservoir behind the dam is said to have a volume of about 170,000m² with a surveyed depth to about 11.0m. The reservoir lies on Conservation Land. Drone photography shows coarse localised sediment and debris accumulations at the head of the lake: finer deposits are to be expected at lower levels. Anecdotal and photographic evidence indicates some areas of instability in the catchment which likely are contributing to sedimentation at the reservoir head with particular relevance to any dewatering of the lake.

The chute spillway on the right abutment is concrete lined with a flip bucket and erosion protection at the base. It is understood to be constructed in the body of the dam but may be partially founded on natural ground. Evidently, there is no record of recent dam overtopping since the dam crest and spillway head walls were raised in the 1990's. A brief check on the passage of a representative 1/100-year flood discharge through the dam supports adequacy of the spillway under present conditions. The spillway stilling basin appears stable, with no evidence of significant erosion downstream to the Okahu Stream confluence.

The downstream face of the dam has exhibited various locations of seepage over the years and been the subject of the construction of a toe weight and drainage blanket, several series of standpipe piezometers and two sets of bored drains, all currently monitored and relatively stable. A wet area persists at the top of the buttress fill when the dam is full but diminished when the lake was lowered by some 2.0m in 2017. These features are shown on the attached drawings with acknowledgement to Riley Consultants.

4.0 Implications of Decommissioning

4.1 NZSOLD Guidelines

The following extract is from Section 8 of NZSOLD 2015 Dam Safety Guidelines Module 7. It is understood from Riley Consultants 2018 and 2020 Reports that the dam is not currently unsafe, albeit with some unresolved issues regarding seepage. Hence the following extract from Section 8 focuses on the engineering and environmental issues to be expected during and arising from dam decommissioning.

- *... important engineering issues that will require careful consideration during the design and removal processes include:
 - The structure removal limits necessary to achieve an appropriate level of dam safety.
 - The long-term management of accumulated reservoir sediment (e.g. removal and disposal, removal by the river, flushing and release in to the downstream river or re-contouring and re-vegetation) and other environmental issues.
 - Reservoir drawdown capabilities and limitations on drawdown rates.
 - Flood management during decommissioning.

2

- The methodology for decommissioning the dam (e.g. removal sequence, demolition and removal methods, disposal, site restoration).
- The long-term safe pessage of flood events.
- The long-term surveillance, operation and maintenance requirements for ongoing dam safety.
- Long-term public safety considerations where partial structures remain and are able to be accessed and used by the public."

4.2 Partial Dewatering

Options for partial dewatering of the lake could include:

Option 1:

Permanently maintain a modest lowering of the water levels (e.g. by 1.5m as done previously to dry up the wet area at the top of the buttress fill) by floating intake and socur valve discharge. The spillway structure would be retained as at present to handle flood discharges, resulting in some degree of flood retention and attenuation of peak discharges. Some sediment would be remobilised, mostly for redistribution further down the take and with turbidity in pipe discharges. Exposed take margins could become revegetated but subject to periodic inundation by flood inflows.

Option 2:

Lowering the dam crest and redistributing the excavated material to form a flatter overall downstream slope such as suitable for grazing or disposal in the lake area to promote a wetland, as shown on the section on Sketch No. 22/1-1. The existing spillway provision would be extensively modified making use of the lower parts of the spillway chute and stilling basin for water level control.

More substantial ongoing partial lowering of the water level would increase flood attenuation but mobilise more sediment and debris and expose more of the take shoreline.

A key requirement for operating the lowered dam would be maintaining the lowest practicable water levels by ongoing discharges through the floating intake and the bottom sluice valve. That procedure would provide some flood inflow retention/attenuation to reduce spillway discharge capacity. The existing pipe discharges and monitoring facilities would need to be extended and/or re-routed.

4.3 Full Decommissioning of the Dam

Options for effectively full dewatering of the lake could include:

Option 3:

As shown on the attached sketches, complete decommissioning by full lowering of the lake level would involve the effective removal of the dam and its flood retention function. A trapezoidal cut through the dam body would require stable side slopes to be determined by geotechnical analysis and a base width at least equivalent to the natural watercourse through the valley with erosion protection. That action would entail excavation and disposal of a substantial volume of dam fill of at least 20,000m², as shown on Sketch 22/1 - 2. Some of the excavated material could be repositioned into the dewatered lake area or for recontouring of downstream land.

It is to be expected that at least part if not most of the sediment and debris accumulated over 60 years in the lake (coarser material at the head and finer silts at the lower parts) will be mobilised during drawdown and during subsequent floods. There would likely be significant effects on downstream lands and the watercourse to and through Kaitaia with challenges in obtaining consents with comprehensive conditions.

Substantial dewatering will initially result in extensive areas of mud flats and/or slumping side slopes, taking some years to effectively revegetate. Flood discharges are likely to have higher peak flows than at present because of the removal of the retention/attenuating effect of filling the lake. The existing concrete spillway would become redundant.

Option 4:

Recognising the need to continue passing flood flows through the dam site, an alternative to the above would retain and utilise the stilling basin of the existing spillway while lowering the main part of the spillway. A smaller trapezoidal cutting would involve considerably less excavation in the order of 10,000m² as shown on Sketch 2.

The remaining lake volume and residual sediment could be filled and stabilised by disposal of material from lowering the spillway, and from part of the dam if appropriate and thereby encourage wetland development. While there would be environmental issues from remobilisation of sediments it is likely these would be less than with Option 3. The dam would then cease to act as such, with future monitoring confined to ensuring stability and no detrimental effects or erosion downstream of the stilling basin.

The attached copy of Rifey's Drawing 170308-5 shows the respective footprints of effective removal of the centre of the dam and the lesser impact of lowering the spillway, leaving the bulk of the dam 'high and dry' and hence no longer a Large Dam.

5.0 Preliminary Investigations

The above concepts and options are aimed principally at improving the Trust's land use while recognising associated water quality issues and future responsibilities. The key issues foreseen for each option are summarised in the attached table.

As a first step in investigations and as agreed at the Kaitaia meeting on 18 January it is proposed that Council arrange to lower the lake as far as practicable during the remaining summer months using both the floating intake and the scour valve. The discharges would be routed through a settling facility which would need to be constructed at an early date. Sediment ponds would be installed with discharge to land involving geotextile fillers and hay bales or heavy drainage material to limit sediment entering the Kauri Creek from ongoing pipe discharges. Drawing down the lake prior to refilling from winter flood inflows would allow the dam and the lake floor to be assessed for slope stability together with the build-up of silt, mud and debris.

A prefeasility study would be commissioned concurrently to define more clearly the options and concepts outlined above. A critical issue for detailed consideration would be handling the passage of flood flows during construction of the lowered spillway and hence the timing of any excavations and demolition of most of the spillway and construction of a lower channel, either concrete lined base or erosion protection of an unlined channel.

Maintaining or modifying the existing structure with lowered water levels could be more feasible in terms of consenting and would likely entail conditions regarding revegetation of lake margins as wetlands and monitoring of downstream effects after stakeholder consultation. Significant modification of the dam structure and the spillway would also likely entail seeking Building Consents.

6.0 Outline Procedures for Decommissioning Dam - Stage 2

Reference is made to Figure 8.1 in the attached extract from Section 8, Module 7 of NZSOLD 2015 Guidelines:

Step 1 Would entail discussions by the Trust with FNDC and Northland Regional Council (NRC) to define in principle the extent of dewatering of the dam as part of an agreement to decommission at least partially, possibly with shortlisted options for more detailed assessment.

Steps 2 and 3 Would include collection of relevant data including the issues remaining from Riley Consultants 2018 and 2020 reports, and geotechnical data as relevant. Environmental issues in the reservoir area and downstream would be scoped with input from appropriate specialists. Preliminary cost estimates could be made to compare decommissioning options and produce preliminary budgets.

Step 4 Following a decision to proceed, support documentation would be developed by consultants to inform stakeholder consultation and support resource consents.

Steps 5 and 6 The decommissioning procedure would be contracted and managed by FNDC with NRC oversight and ongoing monitoring of effectiveness.

7.0 Conclusions

The Ngakahu/Ngakohu Whansu Ahuwhenua Trust seeks full decommissioning of the Kauri Creek Dam. Any retention of the dam function per se would entail ongoing responsibility for maintenance and monitoring and some resolution of ownership issues.

After considering options of full or partial dewatering this review points to effective decommissioning of the dam body but with spillway modification and retention of the spillway stilling basin to handle flood flows as outlined in Option 4 above. The lake would then be affectively dewatered with the potential of developing a wetland, with the remaining dam body ceasing to be a Large Dam.

Following the investigations outlined in Section 5 above, more details of dam excavation, lake modification and reconfiguration of the spillway would follow as part of a prefeasibility report following the steps outlined in Section 8.

8.0 Limitations

The scope of this overview has been limited to a brief site visit, the available documentation and the discussions on 18 January. The concepts outlined are preliminary and tentative and are presented for discussion and further investigations.

This Stage 1 Overview Report has been prepared for the benefit of the Ngakahu/Ngakohu Whanau Ahuwhenua Trust with respect to our particular brief and it may not be relied upon in other contexts or for any other purpose without my prior review and agreement.

5

9.0 Acknowledgements

Far North District Council for use of Tonkin & Taylor Ltd and Riley Consultants drawings. Des Mahoney for advice and comments.

Nga mihi

J N Duder F Eng NZ, CPEng

Principal Reference Documents:

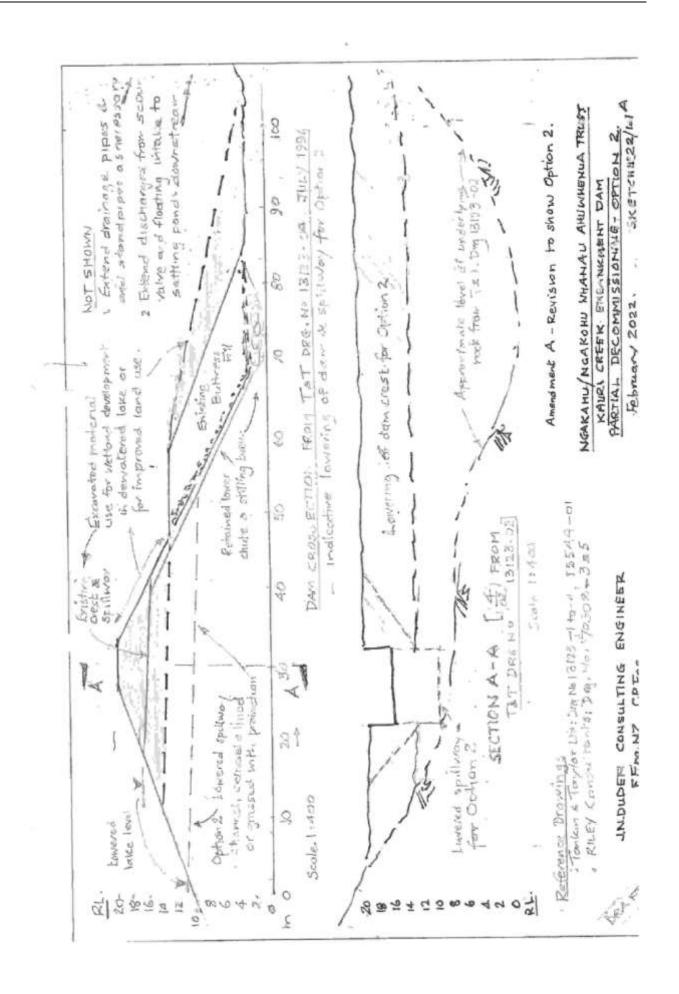
- Tonkin & Taylor Ltd Job Number 13123 July 1996
- NZSOLD Dam Safety Guidelines 2015
- Riley Consultants Comprehensive Dam Safety Review 2018/2019 Intermediate Dam Safety Review 2020
- Minutes of site visit and meeting on 22 January Lozo.

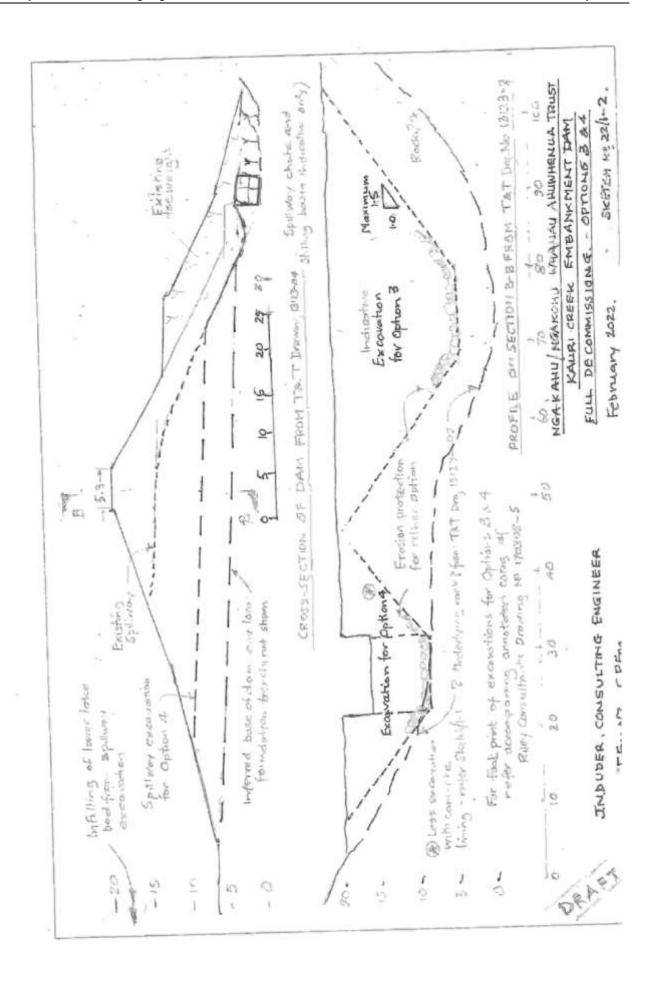
Reference Drawings:

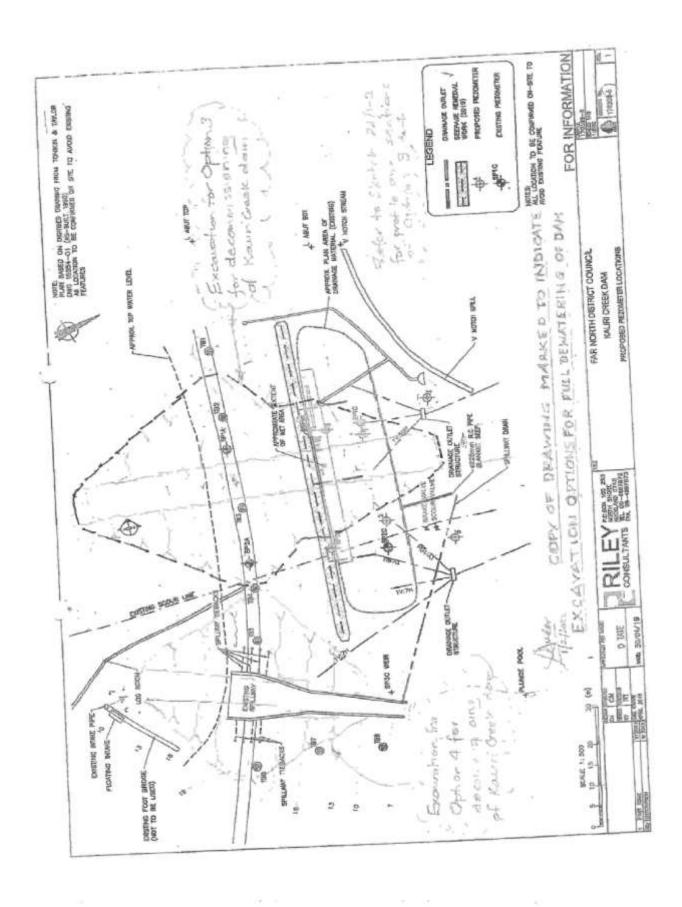
- D.B. von Sturmer Survey No 1634 1996
- Worley Consultants Drawing No 9-121-01
- Tonkin & Teylor Drawings Nos 13123-01 to 4
- Tonkin & Taylor Drawing 15544-01 (As Built)

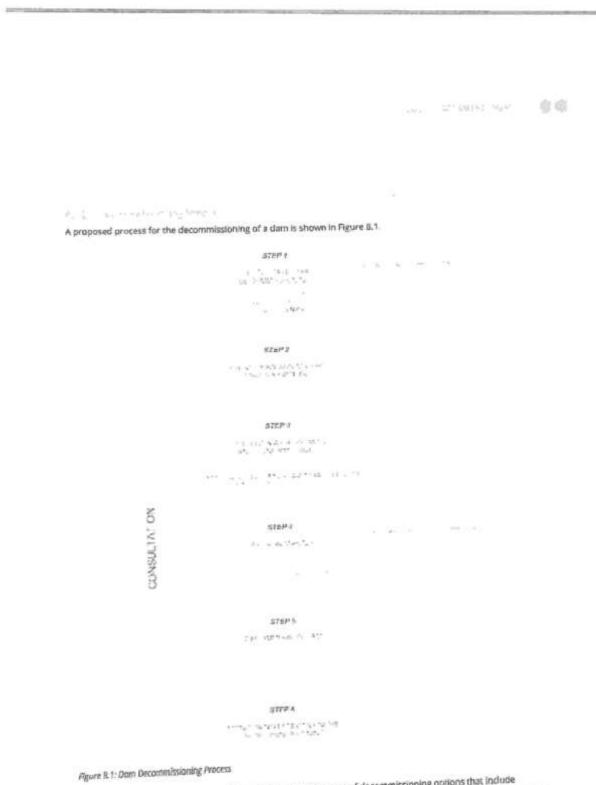
- Section 8 from Module 7, NZSOLD 2015
 Riley Consultants Drawing May 1700000 Riley Consultants Drawing: Nos 170308 – 3
 - Sketches 11...122/1-168-2
 - Table: Summary of Options 1 4

6









The process should include the careful evaluation of a wide range of decommissioning options that include complete removal, partial removal, changes in reservoir operation and change of use. A wide range of issues will be associated with each decommissioning option; some will be common to many of the options while others will be specific to a single option. The use of independent achice from technical specialists and stakeholders is an essential component in the identification of a preferred decommissioning option.

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8. Dam Decommissioning

Introduction

Decommissioning of a dam may become necessary because the dam has outlined its usefulness, or it requires rehabilitation works which the Owner cannot afford or which render the operation of the dam uneconomic. Unless emergency action is agreed by the Regional Authority as being necessary, the decommissioning of large structures will typically require consents under the Resource Management Act and Building Act. Investigation, design and decommissioning procedures should generally follow those outlined in Modules 3, 4 and 6, with a focus on controlling the risks during the decommissioning process and leaving them acceptably low on completion.

A decision to decommission a dam should be based on the careful evaluation of a wide range of alternatives to resolve issues associated with dam safety, high rehabilitation costs, high operation and maintenance costs, environmental effects, sedimentation issues, and long-term function and ownership. Such evaluations need to consider issues arising from either retention or decommissioning of the dam as there will be effects and consequences with either approach. In some cases full removal may be necessary to resolve critical issues, while in other cases partial removal may provide a satisfactory long-term solution. The following subsections provide guidelines for the consideration of dam decommissioning as a project alternative. The guidelines are restricted to the consideration of issues related to dam safety – they do not address environmental, legal, social, economic, ownership and political issues, all of which could have significant effects on the identification of a preferred decommissioning option. The guidelines do not apply to tailings dams.

Decommissioning 8.2 Considerations

Dam Satety 8.21

The Building Act and Building (Dam Safety) Regulations require dams to meet current dam safety criteria as recommended in these Guidelines. If the criteria are not met Owners would likely consider a number of questions including the following:

- What rehabilitation works are necessary to address the identified dam safety deficiencies?
- What is the estimated cost and time for the completion of the rehabilitation works?
- How would the completion of the rehabilitation works affect my commercial operation?
- What are the costs of decommissioning and is it economically viable for me to complete the rehabilitation works?
- What alternatives are available if it is uneconomic for me to complete the rehabilitation works?
- What are the issues associated with the alternatives and what alternatives would likely be acceptable to the consent authorities?

Decommissioning could become necessary if it was uneconomic for an Owner to complete the rehabilitation works necessary to address a dam safety deficiency. Complete removal of a dam would usually be unnecessary to satisfy current dam safety criteria and, in most cases, partial removal would be sufficient. Partial removal could include reducing the dam height or breaching the dam to permanently reduce the loads on the structure, and removing all ancillary structures (e.g. gates, pipelines, pump stations, powerhouses). Total removal would generally only become necessary to address issues unrelated to dam safety.

New Tenture Plans, subdiv. Opinietines, 1984, a 1895/931



Stakeholder participation in the decision making process and stakeholder support of a preferred decommissioning option will usually be essential for a successful project outcome. Obtaining consents for a preferred decommissioning option will be very difficult, if not impossible, to achieve without support from community and environmental inserest groups.

8.5 Decomplished in Party and Releases

Dam decommissioning projects require careful design and a comprehensive understanding of the existing structures is essential to the success of a decommissioning project. In some cases there will be sufficient documentation available to confidently establish the characteristics of the existing structures while, in other cases where documentation is scarce, a programme of field work may be necessary to confirm site conditions.

The design and removal processes should generally follow the recommendations included in Modules 3 and 4. However, experience in dam decommissioning projects is very limited in New Zealand and, depending on the scale of the decommissioning project, specialist design and contractor support may be necessary to achieve a successful outcome, important engineering issues that will require careful consideration during the design and removal processes include:

- The structure removal limits necessary to achieve an appropriate level of dam safety.
- The long-term management of accumulated reservoir sediment (e.g. removal and disposal, removal by the river, flushing and release in to the downstream river or re-contouring and re-vegetation) and other environmental issues.
- Reservoir drawdown capabilities and limitations on drawdown rates.
- Flood management during decommissioning.
- The methodology for decommissioning the dam (e.g. removal sequence, demolition and removal methods, disposal, site restoration).
- · The long-term safe passage of flood events.

- The long-term surveillance, operation and maintenance requirements for ongoing dam safety.
- Long-term public safety considerations where partial structures remain and are able to be accessed and used by the public.

8 - Duri Performance Stenitoring

A programme of dam performance monitoring would normally be necessary to quantify and evaluate effects that accompany the demolition and removal of a dam and, if partial removal is adopted, to monitor the origoing safety and public safety of the completed project.

A dam performance monitoring programme during demolition and removal should address the dam safety objectives of the programme, monitoring requirements and frequencies, acceptable performance criteria for the elements being monitored and reporting and evaluation requirements. Mitigation measures and an Emergency Action Plan (refer Module 6) should also be in place to address any dam safety concerns that could arise during demolition and removal.

if partial removal is adopted and the completed project incorporates a permanent reservoir, performance monitoring may be necessary to enable verification that the completed works are performing as intended and to identify developing or changing conditions that could affect the safety of the decommissioned dam. Postdecommissioning performance monitoring programmes should reflect the PIC of the decommissioned dam and the procedures recommended in Module 5 should be followed. Although unlikely, given that the dam is decommissioned, there may be some residual dam safety risk that requires an Emergency Action Plan to be in place to address any emergencies that arise following the decommissioning of the dam. In such a case the recommendations included in Module 5 should be followed.

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NGAKAHUINGAKOHU WHANAU AHUWHENUA TRUST KAURI DAM DECOMISSIONING SUMMARY OF OPTIONS

Existing spillway retained. Lower and longer intake or flatten downstream chuite and stilling basin chuite and stilling basin with excavated channel, rock existing structure in a service of pass flood axisting still basin, with and/or downstream land excavated channel to be existing still basin, with and/or downstream land and/or downstream land	1	24 Santon 4.9 Sherch 22/1/1	522		
Existing dam retained. Existing spillway retained. Upper part of dam channel, retain lower intake or fiatien downstream channel, retain lower section 4.3 Sketch 22/1/2 Full depth trapezoidal excavation through dam excavated channel, rock section 4.3 Sketch 22/1/2 Full depth trapezoidal excavation decommissioned. Trapezoidal excavation Excavated channel to pass flood for lowered spillway retained or figure. Develop lake shorelines or figure basin shoulder. Associating dam retained. Chuie and longer intake or figure basin shoulder. Associating dam channel retain long still basin, with and/or downstream land and/or downstream land and/or downstream land.	rtial DewaterIng - Rep	חון מפרווחון איבי מוניים דום			
Lower and longer intake channel, retain lower channel, retain lower channel, retain grace acceptant amounted to pass flood axisting still basin, with and/or downstream land excerted channel to existing still basin, with and/or downstream land accounted lings or rock	-		Existing spillway retained.		Maintain lower lake by discharging through existing pipes; some sediment redistribution.
Existing structure redundant – long excevated channel, rock amounted to pass flood flows. Excevated channel to existing still basin, with and/or downstream land and/or downstream land	6	Upper part of dam	Lower and longer Intake channel, retain lower chuie and stilling basin	Develop lake shorelines or fatten downstream dam shoulder.	Permanently kower top water levels, significant sadiment redistribution.
Full depth trapezoidal redundant – long sexcavation through dam excavated channel, rock decommissioned. Trapezoidal excavation for lowered spillway axisting still basin, with for lowered spillway for lowered spillway concara the lining or rock and/or downstream land.	III Dewatering - Repor	1 Section 4.3 Sketch 22/114			I also desirebeted
excavation Excavated channel to Develop take wetland pillway pillway existing still basin, with and/or downstream land	ri	Full depth trapezoidal axcavation through dam >20,000m². Dam decommissioned.	Existing structure redundant – long excevated channel, nock amnoured to pass flood	>20,000m³, develop lake wetland or downstream land use.	substantial excavation of sediments to minimise downstream effects of remobilisation.
wan boy or amounting.	4	Trapezoldal excavation for lowered spillway c.10,000m³. Main body of dam fully	Excavated channel to axisting still basin, with concrete lining or rock armouning.	Develop lake welland and/or downstream land use.	Water level permanently lowered. Excavate sediments or combine with dam material for wetland.
Maran Estate		decommissioned			

J.N. Duder, Consulting Engineer 1 February 2022

2/15/22, 5:31 AM

Gmail - Decommissioning report



Ngakahu/Ngakohu Whanau Ahuwhenua Trust <ngakahu.ngakohuwat@gmail.com>

Decommissioning report

1 message

John Duder <induder@gmail.com> Fri, Feb 4, 2022 at 9:04 AM To: Des and Melva Davis Mahoney <desandmelva@gmail.com>, Ngakahu/Ngakohu Whanau Ahuwhenua Trust <ngakahu.ngakohuwat@gmail.com>

-- Kiaora Des & Trustees .

I intend to add a new third paragraph into section 5 preliminary Investigations , before the para staring "A prefeasibility study-" A sounding survey of the lake was done by Northland regional council in 2017, but the results were not processed. Early processing of that data is recommended in order a) to check the reservoir volume estimate of 172,000 m3 b) to estimate the volume of finer sediments at lower parts of the lake c] to enable monitoring of the effect of lake drawdown on remobilising sediments during the proposed trial dewatering of the lake.

That information will provide valuable data for final design of decommissioning.

Processing the sounding survey results and the proposed trial dewatering should both be done as soon as possible, well before the coming winter inflows "

John N Duder,

Extraordinary Council Meeting Agenda

14 December 2021

6.2 APPOINTMENT OF A COUNCIL STEERING GROUP TO DISCUSS THE FUTURE OF THE KAURI DAM WITH THE NGAKAHU WHENUA TRUST

File Number: A3512603

Author: George Swanepoel, In-House Counsel

Authoriser: Shaun Clarke, Chief Executive Officer

TAKE PÜRONGO / PURPOSE OF THE REPORT

The appointment of an Elected Member Steering Group to enter into discussions about the future of the Kauri Dam with the Ngakahu Ngakohu Whanau Ahuwhenua Trust (the Trust).

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Kauri Dam is an earth dam built in the mid-60s and is currently a part of the Kaitaia water supply.
- The Dam is accessed through a right of way easement over Ngakahu land and Council also has a pipeline easement over Ngakahu land.
- The retirement of the Dam is part of the Kaitaia Water Project and is dependent on the successful commissioning of Sweetwater bore
- An exit from Kauri Dam needs to be managed in a prudently, risk and financial costmanaged responsible manner
- As Ngakahu land borders the Dam and has Council easements over it, it is important and necessary to obtain The Ngakahu Whenua views and aspirations and take those into consideration in developing its exit strategy.
- This report recommends the appointment of an Elected Member steering group toenter discussions with the Trust

TÜTOHUNGA / RECOMMENDATION

That Council:

- a) establish a steering group named Ngakahu Steering Group,
- b) appoint Crs Radich, Vujcich, Collard and Tepania to the Ngakahu Steering Group,
- request the steering group enter into discussions with Ngakahu/Ngakohu Whanau Ahuwhenua Trust to
 - obtain and understand their aspirations and concerns regarding the future of the Dam and surrounding land,
 - identify mutually acceptable exit options
- request the Steering Group report back to Council their findings and recommendations.

1) TÄHUHU KÕRERO / BACKGROUND

The Kauri Dam is situated on a Council water conservation reserve vested in Council and is under a treaty claim. Its Spillway is also on Council land acquired through the PWA process. The Dam is accessed through a right of way easement over Ngakahu land and Council also has a pipeline easement over Ngakahu Land.

The retirement of the Dam is part of the Kaitaia Water Project and is dependent on the successful commissioning of Sweetwater bore as a second, alternate water source.

The Dam's current importance is that it is part of the Kaitaia's emergency backup system, but because of the problem with algae bloom in summer it cannot be used in

Item 6.2 - Appointment of a Council Steering Group to Discuss the Future of the Kauri Dam with the Ngakahu Whenua Trust. Page 39

Extraordinary Council Meeting Agenda

14 December 2021

summer.

For the Kauri Dam, Council holds consent AUT.002835.01.03, AUT.002835.02.04 and AUT.002835.03.022. The consents allow Council to dam and divert the Kauri Stream as well as takea maximum of 5,190 cubic metres of water in any consecutive 24-hour period. The consent is due to expire in November 2032.

The Council holds consent AUT.002837.01.023 for abstraction from the **Okahu Stream** (lower take). The consent allows Council to take a maximum of 455 cubic metres of water in any 24 consecutivehours so long as the rate of abstraction does not exceed 5.3 litres per second and the residual flowin the stream is greater than 11 litres per second. The consent is due to expire in November 2032.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

It is anticipated that Sweetwater will be commissioned in or about May 2022 as the second alternatewater source for Kaitaia. It is therefore prudent to start developing an exit strategy for FNDC from Kauri Dam by planning for it and managing the foreseeable risks. The risks being legal, financial, Health & Safety, political and reputational.

Legal Risk

The Dam land and easements are all classed as strategic assets and the above consents have value. Therefore, any decision or proposal to dispose of a strategic asset will trigger the threshold for publicconsultation in terms of the significance and engagement policy and LGA 2002.

Further as the Dam is on reserve land this would also require public notice and consultation requirements under the Reserves Act 1977.

In terms of the Public Works Act 1981 the disposal provisions only apply to land no longer requiredfor public works. It is anticipated that those provisions will be triggered by Council if it decides that the longer requires access to the land for public works. This would also require an application to the Maori Land Court. (Refer s40, 41, 42 of the PWA 1981).

In discussions with the Trustees of the Trust it will be important to obtain and understand their aspirations and concerns surrounding the Dam and land surrounding it. The Steering Group must ensure that it does not agree or bind Council in any way.

Financial Risk

There are numerous financial risks that may arise with exiting the Kauri Dam that will need to be identified and examined in order to determine the best or most viable exit strategy for Council. The most acceptable option will need to be fully engineered and costed.

Health & Safety Risk

The decommissioning of any major Dam has physical risks and there are exposed and broken unused asbestos pipes on the land.

Political and Reputational Risk

There is a high political and reputational risk with the manner with which the decommissioning is approached. Council needs to approach its exiting from the Dam with an open mind.

The Steering Group will at all times be respectful to all parties, and work in good faith with Ngakahu trustees. The Steering Group will keep meeting records, and provide regular updates to Council. Council will support the Steering Group and not enter into any action that would compromise the effectiveness of the Steering Group in achieving its purpose.

Item 6.2 - Appointment of a Council Steering Group to Discuss the Future of the Kauri Dam with the Ngakahu Whenua Trust. Page 40 Extraordinary Council Meeting Agenda

14 December 2021

Recommendation

It is therefore recommended that Council appoint Crs Mate Radich, John Vujcich, Dave Collard and Moko Tepania to form a Steering Group to enter into discussions with the Trust to:

- a) obtain and understand the Trust's aspirations and concerns regarding the future of the Dam and land surrounding it,
- b) identify mutually acceptable exit options, and
- c) report back to Council with their findings and recommendations.

Take Tütohunga / Reason for the recommendation

On the 28th June 2018 a resolution of Council was passed to exit the Kauri Dam as soon as possible. The appointment of the Steering Group to enter into dialogue with the Trust and report back to Council will be the first steps in achieving the 2018 resolution.

3) PÂNGA PÛTEA ME NGÂ WÂHANGA TAHUA / FINANCIAL IMPLICATIONS AND

BUDGETARY PROVISION

Nil

ĀPITIHANGA / ATTACHMENTS

Nil

Item 6.2 - Appointment of a Council Steering Group to Discuss the Future of the Kauri Dam with the Ngakahu Whenua Trust. Page 41

7.5 COMMUNITY BOARD UPDATES FEBRUARY 2022

File Number: A3585408

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PÜRONGO / PURPOSE OF THE REPORT

To enable oversight of Community Board resolutions at Council and provide Community Board Chairperson's with a formal opportunity to speak with Council about discussions at Community Board.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

A copy of the following Community Board meeting minutes are attached for Council's information.

TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- a) Bay of Islands-Whangaroa Community Board, 3 February 2022.
- b) Kaikohe-Hokianga Community Board, 4 February 2022.
- c) Te Hiku Community Board, 15 February 2022.

TĀHUHU KŌRERO / BACKGROUND

This report is to provide Council oversight of resolutions made at Community Board meetings and provide Community Board Chairperson's with a formal opportunity to raise any Community Board issues with Council.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

This is intended as an information report.

From time-to-time Community Board's may make recommendations to Council. This report is not considered to be the appropriate mechanism for Council to make a decision from a Community Board recommendation. Council could however move a motion to formally request a report on a particular matter for formal consideration at a subsequent meeting. The report would then ensure that Council have sufficient information to satisfy the decision-making requirements under the Local Government Act 2002 (sections 77-79).

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budget provision in considering this report.

ĀPITIHANGA / ATTACHMENTS

- 1. 2022-02-03 Bay of Islands-Whangaroa Community Board Minutes A3572101 🗓 🖼
- 2. 2022-02-04 Kaikohe-Hokianga Community Board Minutes A3572557 🗓 📆
- 3. 2022-02-15 Te Hiku Community Board Minutes A3591338 4 📆

MINUTES OF BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING HELD AT THE VIRTUALLY VIA TEAMS ON THURSDAY, 3 FEBRUARY 2022 AT 10:00 AM

PRESENT: Chairperson Belinda Ward, Member Lane Ayr, Member Manuela Gmuer-

Hornell, Member Bruce Mills, Member Frank Owen, Member Manuwai Wells,

Member Rachel Smith

IN ATTENDANCE: Shaun Clarke (Chief Executive) and William Taylor MBE (General Manager -

Corporate Services)

1 KARAKIA TIMATANGA / OPENING PRAYER

Chair Belinda Ward commenced the meeting and Member Manuwai Wells opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

2.1 APOLOGIES

RESOLUTION 2022/1

Moved: Chairperson Belinda Ward Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board receive apologies from Member Dave Hookway-Kopa and early departure for Members Bruce Mills and Lane Ayr.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen,

Manuwai Wells

Against: Nil

Abstained Rachel Smith

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATIONS

Jenni Prisk and Therese Wickbom introduced Bee Meinders as member of Rainbow Rangitahi based in Kerikeri. Parents Rachel and Steve Meinders shared some of Bee's story and representatives spoke to seek support from the Board with Rainbow Rangitahi ideas.

4.1 RAINBOW RANGATAHI PRIDE MONTH SUPPORT

RESOLUTION 2022/2

Moved: Chairperson Belinda Ward Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board provide support to Rainbow Rangatahi to enable celebrating PRIDE month in Kerikeri and request staff support Rainbow Rangatahi in their aspirations, noting the Boards support.

In Favour: Belinda Ward, Manuela Gmuer-Hornell and Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

5 NGĀ KAIKŌRERO / SPEAKERS

There were no speakers for this meeting.

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538421, pages 10 - 17 refers.

RESOLUTION 2022/3

Moved: Chairperson Belinda Ward Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board confirm the minutes of the Bay of Islands-Whangaroa Community Board meeting held 2 December 2021 are a true and correct record, with the following amendments:

- 1. That items 8.1 Chairperson and Members Reports be recorded as follows
 That the Bay of Islands-Whangaroa Community Board note the reports from
 Chairperson Belinda Ward, Deputy Chair Frank Owen, Member Lane Ayr, Member
 Manuela Gmuer-Hornell, and Member Bruce Mills; and that,
 - a) support the proposed beautification plan of the Paihia War Memorial Hall forecourt area and recommend that Focus Paihia consider the irrigation and ongoing maitenance costs;

and

b) support the installation of skateboard ramps at Simpson Memorial Park by writing a letter of support to Simpson Park Hall and Park Committee,

and

- c) supporting principle the relocation of the playground from Kerikeri Domain to Totara North.
- 2. That the "Setting of the 2022 Meeting Schedule" Report be recorded as a Supplementary Agenda item.
- 3. That it be recorded that Member Frank Owen voted against Item 8.3 b)
- 4. That it be recorded that Member Lane Ayers abstained on item 8.3 c)

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

7 REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORT

Agenda item 7.1 document number A3555637, pages 18 - 26 refers.

RESOLUTION 2022/4

Moved: Member Manuwai Wells Seconded: Member Lane Ayr That the Bay of Islands-Whangaroa Community Board note the reports from Chair Belinda Ward and Members Manuela Gmuer-Hornell, and Dave Hookway-Kopa.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

7.2 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 DECEMBER 2021

Agenda item 7.2 document number A3555754, pages 27 - 28 refers.

RESOLUTION 2022/5

Moved: Chairperson Belinda Ward Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board receives the report entitled "Statement of the Bay of Islands-Whangaroa Community Board Community Fund account as at 31 December 2021".

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

7.3 BAY OF ISLANDS-WHANGAROA STATEMENT OF FINANCIAL PERFORMANCE ACTIVITIES BY WARD FOR THE PERIOD ENDING 31 DECEMBER 2021

Agenda item 7.3 document number A3555769, pages 31 - 33 refers.

RESOLUTION 2022/6

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Statement of Financial Performance Activities by Ward for the period ending 31 December 2021.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

7.4 PROJECT FUNDING REPORTS

Agenda item 7.4 document number A3555148, pages 34 - 45 refers.

RESOLUTION 2022/7

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board note the project reports received from:

a) Jacman Entertainment - Hullaballoo Outreach, Totara North

b) Paihia Red Cross

c) Towai Makers Market

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

8 INFORMATION REPORTS

8.1 COMMUNITY AND CUSTOMER SERVICES ACTIVITIES - 6 MONTHLY REPORT

Agenda item 8.1 document number A3554072, pages 46 - 57 refers.

RESOLUTION 2022/8

Moved: Member Frank Owen Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board receive the report Community and Customer Services Activities - 6 Monthly Report.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

8.2 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD ACTION SHEET UPDATE FEBRUARY 2022

Agenda item 8.2 document number A3559342, pages 58 - 67 refers.

RESOLUTION 2022/9

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board;

a) receive the report Bay of Islands-Whangaroa Community Board Action Sheet Update February 2022; and

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Lane Ayr

b) that, as a result of consultation with the Russell Community thus far, the Bay of Islands-Whangaroa Community Board approve the cost of procurement up to \$15000 for concept drawings for The Strand, Russell, from the Bay of Islands - Whangaroa Community Board placemaking funds.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and

Manuwai Wells

Against: Nil

Abstained: Rachel Smith

CARRIED

Member Frank Owen left the meeting 12:02 pm

Members Lane Ayer and Bruce Mills left the meeting 12:11 pm.

The meeting was closed with a karakia.

3	TF KAPINGA	HUI / MEETING	CLOSE
,			CLUGE

The meeting closed at 12:36 pm.

The minutes of this meeting will be confirmed at the Bay of Islands-Board Meeting held on 3 March 2022.	Whangaroa Community
	CHAIRPERSON

MINUTES OF KAIKOHE-HOKIANGA COMMUNITY BOARD MEETING HELD VIRTUALLY VIA MICROSOFT TEAMS ON FRIDAY, 4 FEBRUARY 2022 AT 10:30 AM

PRESENT: Chairperson Mike Edmonds, Member Emma Davis, Member Louis Toorenburg,

Member Kelly van Gaalen, Member Alan Hessell, Member Laurie Byers,

Member John Vujcich, Member Moko Tepania

1 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

There were no apologies or declarations of interest.

2 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

Ginni Ryan – Coastal erosion, water tanks and heavy traffic in Rawene.

3 NGĀ TONO KŌRERO / DEPUTATIONS

There were no deputations.

4 NGĀ KAIKŌRERO / SPEAKERS

Funding Applicants:

- Peter Mcraith, June Hicks, Ana Belz and Linda Lunjevich representing Broadwood/Mangonui o Wai. Item 7.5 f) refers.
- Rene De Vries and Craig Joiner representing Hokianga Sailing Club. Item 7.5 a) refers.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538453, pages 12 - 18 refers.

RESOLUTION 2022/1

Moved: Chairperson Mike Edmonds Seconded: Member Louis Toorenburg

That the Kaikohe-Hokianga Community Board confirms the minutes of their meeting held 8 December 2021 as a true and correct record.

CARRIED

6 REPORTS

6.1 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 DECEMBER 2021

Agenda item 7.1 document number A3557022, pages 19 - 22 refers.

RESOLUTION 2022/2

Moved: Member John Vujcich

Seconded: Member Laurie Byers

That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 31 December 2021.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell,

Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

6.2 KAIKOHE-HOKIANGA STATEMENT OF FINANCIAL PERFORMANCE ACTIVITIES BY WARD FOR THE PERIOD ENDING 31 DECEMBER 2021

Agenda item 7.2 document number A3557067, pages 23 - 25 refers.

RESOLUTION 2022/3

Moved: Member Alan Hessell Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Financial Performance Activities by Ward for the period ending 31 December 2021

In Favour: Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell,

Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

The meeting adjourned 12:02 to 12:05 pm

6.3 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/4

Moved: Member Moko Tepania Seconded: Chairperson Mike Edmonds

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	
7.5 – Funding Applications	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.

CARRIED

6.4 MOTION TO MOVE OUT OF CLOSED MEETING IN TO OPEN MEETING

RESOLUTION 2022/5

Moved: Member Moko Tepania Seconded: Member Emma Davis

That the Kaikohe-Hokianga Community Board moves out of closed meeting into open

meeting.

CARRIED

6.5 FUNDING APPLICATIONS

Agenda item 7.3 document number A3549200, pages 26 - 66 refers

RESOLUTION 2022/6

Moved: Chairperson Mike Edmonds Seconded: Member Alan Hessell

That the Kaikohe Hokianga Community Board:

a) declines the funding application received from Hokianga Sailing Club for the tar sealing of the accessway for the Sailing Club and Hokianga Gym and suggests the Hokianga Sailing Trust make a submission during the next Long Term Plan submission process with support from the Kaikohe-Hokianga Community Board Strategic Planning process.

CARRIED

- b) approves the sum of \$758.00 (plus GST if applicable) be paid from the Board's Community Fund account to Manāki Tinana Trust for the purchase of a laptop to support the following Community Outcomes:
 - i) Proud, vibrant communities
 - ii) Communities that are healthy, safe, connected and sustainable.

CARRIED

c) approves the request from Manāki Tinana Trust to extend the project timeframe for the funding that was allocated in February 2020 for hiring the Rawene Town Hall for weekly exercise sessions.

CARRIED

Moved: Member Kelly van Gaalen Seconded: Member Emma Davis

- d) approves the sum of \$1,650 (plus GST if applicable) be paid from the Board's Community Fund account, for 2022/23, to Rob Pink for the purchase, transportation and installation of sand for the Clendon Esplanade beach, to support the following Community Outcomes:
 - i) Proud, vibrant communities
 - ii) Communities that are healthy, safe, connected and sustainable.

noting that sand must be deposited landward side of the Mean High Water Springs line (MHWS). Sand is not to be deposited in the Coastal Marine Area without attaining consent from the Northland Regional Council.

CARRIED

e) approves the request from Pioneer Village Kaikohe to roll over the \$1,500 that was allocated for the costs of the 2021 Halloween Party to now be used for the 2022 Halloween Party.

CARRIED

- f) declines the sum of \$56,041.80 (plus GST if applicable) be paid from the Board's Placemaking Fund account to June Hicks for the completion of the Broadwood Bridge Feasibility Study to support the following Community Outcomes:
 - i) Proud, vibrant communities
 - ii) Communities that are healthy, safe, connected and sustainable.

CARRIED

Moved: Chairperson Mike Edmonds Seconded: Member Louis Toorenburg

 authorise \$5,000 from the Boards Placemaking Fund, towards placement of barriers for the protection of the Opononi Pohutukawa trees, following the resolution 2021/94, Item 8.1 Pohutukawa Trees – Opononi made at their meeting 8 December 2021.

CARRIED

h) grant the sum of \$20,000 to AKAU for a masterplan of Mangamuka from the Boards Placemaking Fund.

CARRIED

Moved: Member Louis Toorenburg Seconded: Member Alan Hessell

i) That the Kaikohe-Hokianga Community Board work closely with Council and the Broadwood Community with regard to the plan for the Broadwood Bridge.

CARRIED

Member John Vujcich left the meeting 12:23 pm.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell,

Laurie Byers and Moko Tepania

Against: Nil

CARRIED

7 INFORMATION REPORTS

7.1 COMMUNITY AND CUSTOMER SERVICE ACTIVITIES - 6 MONTHLY REPORT

Agenda item 8.1 document number A3555152, pages 67 - 75 refers.

RESOLUTION 2022/7

Moved: Member Moko Tepania Seconded: Member Alan Hessell

That the Kaikohe-Hokianga Community Board receive the report Community and Customer Service Activities - 6 Monthly Report.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell,

Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

7.2 KAIKOHE-HOKIANGA COMMUNITY BOARD ACTION SHEET UPDATE JANUARY 2022

Agenda item 8.2 document number A3555904, pages 76 - 78 refers

RESOLUTION 2022/8

Moved: Member John Vujcich Seconded: Member Louis Toorenburg

That the Kaikohe-Hokianga Community Board receive the report Kaikohe-Hokianga Community Board Action Sheet Update January 2022.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessell,

Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

The Board requested the minutes record the following requests following comments reported on their Action Sheet.

- Footpaths to be followed up and an updated list of footpaths be provided to the Board as soon as possible.
- That a workshop on Footpaths be held after the Kaikohe-Hokianga Community Board April meeting.

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12.37 pm.

The minutes of t	this meeting will be	e confirmed	at the	Kaikohe-Hokianga	Community	Board
Meeting held on	2 March 2022.					

CHA	IRPE	RSON	١

MINUTES OF TE HIKU COMMUNITY BOARD MEETING HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS ON TUESDAY, 15 FEBRUARY 2022 AT 10:03 AM

PRESENT: Chairperson Adele Gardner, Member Jagi Brown, Member Darren Axe,

Member Sheryl Bainbridge, Member John Stewart, Member William (Bill)

Subritzky, Member Felicity Foy.

IN ATTENDANCE: Shaun Clarke (Chief Executive).

1 KARAKIA TIMATANGA / OPENING PRAYER

Chair Adele Gardner commenced the meeting and Member Jaqi Brown opened with a karakia.

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

- Member John Stewart declared a conflict regarding item 7.2 Funding Applications.
- Member Felicity Foy arrived at 10:07 am.

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

- Manuera Riwai requested Community Board support for an extension of the Tangonge Park lease.
- Julie Gordon requests the Community Board include a footpath at Waterfront Road Pukenui.

4 NGĀ TONO KŌRERO / DEPUTATIONS

Mark Osbourne – Mangonui Waterfront development.

5 NGĀ KAIKŌRERO / SPEAKERS

There were no speakers.

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538546, pages 12 - 18 refers.

RESOLUTION 2022/1

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board agrees that the minutes of the meeting held 7 December 2021 be confirmed as a true and correct record with the following amendment.

 Kaitaia Carparks – removal of 1 carpark outside Riders Sports Store and 1 from Gecko Café

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7 REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORTS

Agenda item 7.1 document number A3573843, pages 19 - 28 refers.

RESOLUTION 2022/2

Moved: Chairperson Adele Gardner Seconded: Member William (Bill) Subritzky

That the Te Hiku Community Board note the reports from Chairperson Adele Gardner, Deputy Chairperson Jaqi Brown and Members Darren Axe, Sheryl Bainbridge, John Stewart and Bill Subritzky.

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7.2 FUNDING APPLICATIONS

Agenda item 7.2 document number A3535883, pages 29 - 38 refers.

MOTION

Moved: Member Darren Axe

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board approves the sum of \$2,391 (plus GST in applicable) be paid from the Board's Community Fund account to Kaitaia and Districts A&P Association for costs to printing of the outdoor/indoor booklets and purchase of the ribbons for the 2022 Kaitaia A&P show, to support the following community Outcomes:

i) Proud, vibrant communities

AMENDMENT

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board approves the sum of \$500.00 (plus GST if applicable) be paid from the Board's Community Fund account to Kaitaia and Districts A&P Association for costs to support the 2022 Kaitaia A&P show should it go ahead, to support the following community Outcomes:

i) Proud, vibrant communities

In Favour: Crs Adele Gardner, Darren Axe, Sheryl Bainbridge, William (Bill) Subritzky and

Felicity Foy

<u>Against:</u> Cr Jaqi Brown <u>Abstained:</u> Cr John Stewart

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/3

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board approves the sum of \$500.00 (plus GST if applicable) be paid from the Board's Community Fund account to Kaitaia and Districts A&P Association

for costs to support the 2022 Kaitaia A&P show should it go ahead, to support the following community Outcomes:

ii) Proud, vibrant communities

In Favour: Adele Gardner, Darren Axe, Sheryl Bainbridge, William (Bill) Subritzky and Felicity

Foy

<u>Against:</u> Jaqi Brown <u>Abstained:</u> John Stewart

CARRIED

Member Stewart declared a conflict of interest, as he provided a quote for this application.

7.3 PROJECT FUNDING REPORTS

Agenda item 7.3 document number A3567947, pages 39 - 43 refers.

RESOLUTION 2022/4

Moved: Member Jagi Brown

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board note the project reports received from Northland Area Floral Art Society.

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7.4 TE HIKU STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 DECEMBER 2021

Agenda item 7.4 document number A3569988, pages 44 - 47 refers.

RESOLUTION 2022/5

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board receive the report Te Hiku Statement of Community Board Fund Account as at 31 December 2021.

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED.

8 INFORMATION REPORTS

8.1 TE HIKU STATEMENT OF FINANCIAL PERFORMANCE ACTIVITIES BY WARD FOR THE PERIOD ENDING 31 DECEMBER 2021

Agenda item 8.1 document number A3570023, pages 48 - 50 refers.

RESOLUTION 2022/6

Moved: Member William (Bill) Subritzky

Seconded: Member Darren Axe

That the Te Hiku Community Board receives the report Te Hiku Statement of Financial Performance Activities by Ward for the period ending 31 December 2021.

In Favour: Adele Gardner, Jagi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

8.2 COMMUNITY AND CUSTOMER SERVICES ACTIVITIES - 6 MONTHLY REPORT

Agenda item 8.2 document number A3568576, pages 51 - 59 refers.

RESOLUTION 2022/7

Moved: Chairperson Adele Gardner

Seconded: Member Jaqi Brown

That the Te Hiku Community Board receive the report Community and Customer Services Activities - 6 Monthly Report.

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

8.3 TE HIKU COMMUNITY BOARD ACTION SHEET UPDATE JANUARY 2022

Agenda item 8.3 document number A3564934, pages 60 - 63 refers.

RESOLUTION 2022/8

Moved: Member Jagi Brown

Seconded: Member William (Bill) Subritzky

That the Te Hiku Community Board receive the report Te Hiku Community Board Action Sheet Report Update January 2022.

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

8.4 TANGONGE RESERVE LEASE

RESOLUTION 2022/9

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board request a report from District Services regarding the status of the existing lease for Tangonge Reserve, formerly the Kaitaia soccer field.

In Favour: Adele Gardner, Jagi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

8.5 MANGONUI WHARF PROPOSED WORK

RESOLUTION 2022/10

Moved: Member Sheryl Bainbridge Seconded: Chairperson Adele Gardner

That the Te Hiku Community Board support, in principle, the expanded scope for the Mangonui Wharf as presented to the Board by Mark Osbourne.

In Favour: Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William

(Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

The meeting was closed with a karakia.

9 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12:04 pm.

The minutes of this mee on 29 March 2022.	ting will be confirmed	at the Te Hiku Commui	nity Board Meeting held
			CHAIRPERSON

7.6 COUNCIL ACTION SHEET UPDATE FEBRUARY 2022

File Number: A3578430

Author: Casey Gannon, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Council with an overview of outstanding Council decisions from 1 January 2020.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council staff have reintroduced action sheets as a mechanism to communicate progress against Council decisions and confirm when decisions have been implemented.
- The focus of this paper is on Council decisions.
- Action sheets are also in place for Committees and Community Boards.

TŪTOHUNGA / RECOMMENDATION

That Council receive the report Action Sheet Update February 2022.

1) TĀHUHU KŌRERO / BACKGROUND

The Democracy Services Team have been working on a solution to ensure that elected members can receive regular updates on progress against decisions made at meetings, in alignment with a Chief Executive Officer key performance indicator.

Action sheets have been designed as a way to close the loop and communicate with elected members on the decisions made by way of resolution at formal meetings.

Action sheets are not intended to be public information but will provide updates to elected members, who, when appropriate can report back to their communities and constituents.

Officers recognise that the action sheet format is not yet fully meeting the expectations of the elected members. This is a system generated report over which officers have no current ability to change the format. Discussions are underway with the software provider to assess costs of a customisation option for these reports to make them bespoke to our council requirements.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The outstanding tasks are multi-facet projects that take longer to fully complete.

The Democracy Services staff are working with staff to ensure that the project completion times are updated so that action sheets provided to members differentiate between work outstanding and work in progress.

Take Tūtohunga / Reason for the recommendation

To provide Council with an overview of outstanding Council decisions from 1 January 2020.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provision in receiving this report.

ĀPITIHANGA / ATTACHMENTS

1. ACTION SHEET - Council Meeting 24 February 2022 - A3585944 U

	OUTSTANDING ACTIONS REPORT	
Division:		Date From: 1/01/2020
Committee: Officer:	Council	Date To: 16/02/2022

Meeting	Title	Resolution	Notes
Council 10/12/2020	Roadside Rubbish and Recycling	RESOLUTION 2020/91 Moved: Deputy Mayor Ann Court Seconded: Cr Moko Tepania That Council: a) requests further investigation and analysis of future options for litter control, solid waste monitoring, kerbside collections will be considered in the S17A Service Delivery Review. b) requests a report outlining the findings of the review including future service level enhancements when the review is completed. CARRIED	14 May 2021 5:13pm Huriwai, Aisha A regional approach is being developed for solid waste. Work is being done to develop a governance model to support a regional approach. 20 Oct 2021 2:16pm George, Tania The outcome was that we will consider kerbside services as part of the S17a review., This review will take place over the next 12 months or so there will be no update for a while.
Council 8/04/2021	Hihi Wastewater Treatment Plant Capital Works Business Case	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	a) No action required, b) Initial meeting with Engagement Lead scheduled for 28.04.2021 to agree approach - expected completion date TBC, c) Inspection of tank already in train - delays experienced due to wet weather as tank needs to be emptied first, a process that will take 2 days - expected completion date 31 May 2021 24 May 2021 11:28am Moore, Mary b) Drop in session held with community 11 July. Community confirms existing site and wetlands as preferred locations. Concern is cost v connections with clear steer on defining affordability for them. Online survey open for feedback, this focused 31 July. Responses to drop in session and survey being drafted by project team. Mana whenua have requested independent engagement and this is being scheduled by project team. Next Project team meeting 6 July., Project team formed and engagement plan in development. Contact made with livi and community contacts. Informal attendance at ratepayer assn meeting. Possible formal engagement opportunity beginning July

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OUTSTANDING ACTIONS REPORT	Printed: Wednesday, 16 February 2022 3:28:01 PM
Division: Committee: Council	Date From: 1/01/2020 Date To: 16/02/2022
Officer:	

Meeting	Title	Resolution	Notes
			c) Condition assessment t be commissioned. Previously considered options to be referenced. AM investigating other options. Inf Planning input re RC.
			b) Drop in session held with community 11 July. Community confirms existing site and wetlands as preferred locations. Concern is cost v connections with clear steer on defining affordability for them. Online survey open for feedback, this lcosed 31 July. Responses to drop in session and survey being drafted by project team. Mana whenua have requested independent engagement and this is being scheduled by project team. Next Project team meeting 6 July.
			05 Aug 2021 12:59pm Moore, Mary c) Condition assessment has been commissioned but experiencing ongoing delays due to weather.
			19 Oct 2021 1:50pm Moore, Mary c) Condition assessment of the tank has not been completed due to weather and Covid. Reports considering Onsite Disposal options, Wetlands condition and suitability for TP, and TP short & long term options have been presented with final reports to be issued by WSP.
			19 Oct 2021 1:54pm Moore, Mary b) Contact with mana whenua has been made although invitation to a discussion has not yet taken up, probably due to Covid. Community contact is ongoing with comprehensive update due to be released by 31 October. This is to be a precursor to a further meeting including technical expertise to talk to specific treatment options.
Council 20/05/2021	Parking Enforcement Services	RESOLUTION 2021/23 Moved: Deputy Mayor Ann Court Seconded: Cr Rachel Smith That Council:	20 Jul 2021 11:22am Deane, Rochelle Parking Trial for WoF and unregistered vehicles began 1 July 2021. In discussion with NZTA regarding receiving delegation in time for the draft bylaw released for public consultation.

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	OUTSTANDING ACTIONS REPORT		
Division:		Date From: 1/01/2020	
Committee: Officer:	Council	Date To: 16/02/2022	

Meeting	Title	Resolution	Notes
		a) makes application for the delegation to enforce stationary parking offences on State Highway from Waka Kotahi (the New Zealand Transport Agency); and	
		 commences a trial period of enforcing stationary vehicle Warrants of Fitness and Registration offences across the district. 	
		CARRIED	
		RESOLUTION 2021/51	
Council 1/07/2021	Proposal to Construct an Erosion Protection Structure on Council Owned Reserve, Omapere	Moved: Cr John Vujcich Seconded: Cr Dave Collard	02 Aug 2021 11:18am Hammond, Kim - Reallocation Action reassigned to Cottle, Kim by Hammond, Kim - Reallocating as Ruben Wylle no longer works at Council.
		That Council:	
		 a) approves the construction of, and associated occupation with, an erosion protection structure on Far North District Council owned local purpose reserved legally described as Lot 5 DP196729; and 	
		approval is provided subject to a memorandum of encumbrance being recorded on the titles of Lot 1 DP196729 and Lot 1 DP310507 and that the encumbrance records the agreement that the owners of those properties:	02 Aug 2021 11:20am Hammond, Kim - Reallocation Action reassigned to Crawford, Jessica by Hammond, Kim - Sorry - reassigning as requested by Kim Cottle
		 i) bear full responsibility for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime. 	02 Aug 2021 11:20am Hammond, Kim Work is in the early stages post approval by Council in July 2021. 04 Aug 2021 1:23pm Crawford, Jessica FNDC's senior solicitor advises that Corporate Services is still awaiting draft memorandum of Encumbrance for review, from the property owners' lawyer and approval of this Council.
		 ii) incur cost of the agreement construction and registration against title. 	
		iii) notify FNDC of any variation or modification of the erosion protection structure	
		To avoid doubt, approval is given both within Council's capacity as the administering body of the reserve and an affected person within the meaning of Section 95 of the Resource Management Act 1991.	
		CARRIED	

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	OUTSTANDING ACTIONS REPORT	Printed: Wednesday, 16 February 2022 3:28:01 PM
Division:		Date From: 1/01/2020
Committee: Officer:	Council	Date To: 16/02/2022

Meeting	Title	Resolution	Notes
Council 12/08/2021	Notice of Motion - Kaimaumau Road	RESOLUTION 2021/58 Moved: Cr Mate Radich Seconded: Mayor John Carter That the Far North District Council: a) place speed bumps on the tar seal in the village of Kaimaumau. b) remove all illegal obstacles (road tyres, signs, rocks) obstructing this road immediately. c) agree that traffic calming measures on the metal portion of Kaimaumau Road, along with sealing of the short section of road to the Kaimaumau toilets, be initiated and d) approve an unbudgetted figure of \$50k towards this project. CARRIED	O6 Sep 2021 9:27am Baker, Marlema - Reallocation Action reassigned to Goes, Aram by Baker, Marlema - This item was referred to Aram Goes (NTA) and overseen by IAMs GM Andy Finch. 15 Sep 2021 12:38pm Hammond, Kim Staff are putting together a list of stakeholders and contact details. Once this list has been completed then community engagement will start to take place with the completion date being January 2022. 16 Feb 2022 2:07pm Baker, Marlema Work In progress., Illegal obstacles were removed., Speed-calming measures (speed bumps) funded for installation 16 Feb 2022 2:09pm Baker, Marlema - Reallocation Action reassigned to Rokobigi, Apikali by Baker, Marlema - Transferring this action item to you. please update at your earliest convenience.
Council 12/08/2021	Koutu Mangeroa Picnic Area Encroachment	RESOLUTION 2021/63 Moved: Mayor John Carter Seconded: Cr Rachel Smith That Council a) refer this back to the Kaikohe-Hokianga Community Board for consideration. b) agree that a final report be presented to Council no later than December 2021. CARRIED	16 Feb 2022 2:10pm Baker, Marlema An updated report will be presented at the 24 February 2022 Council Meeting

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		OUTSTANDING ACTIONS REPORT Division: Committee: Council Officer:	Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
Council 12/08/2021	Pou Herenga Tai Twin Coast Cycle Trail Bylaw Review	RESOLUTION 2021/65 Moved: Cr John Vujcich Seconded: Cr Rachel Smith That Council: a) agree, under section 155(1) of the Local Government Act 2002, that a Bylaw is the most appropriate way of addressing problems related to the Pou Herenga Tai - Twin Coast Cycle Trail. b) agree, under section 155(2) of the Local Government Act 2002, that the current Pou Herenga Tai - Twin Coast Cycle Trail Bylaw is not the most appropriate form because: i) it is not consistent with relevant laws and legislation ii) it is not certain. c) agree, the Pou Herenga Tai - Twin Coast Cycle Trail Bylaw be continued with amendment to: i) ensure consistency with relevant laws and legislation ii) improve certainty d) note, that under section 155(2) of the Local Government Act 2002, a full analysis of any implications regarding the Pou Herenga Tai - Twin Coast Cycle Trail Bylaw under the New Zealand Bill of Rights Act 1990 cannot be completed until the amendments to the bylaw have been written. e) agree that a draft policy for the Pou Herenga Tai Twin Cost Cycle Trail Bylaw be presented to the Strategy and Policy Committee in the first quarter of 2022 prior to consultation.	03 Sep 2021 9:20am Macken, Briar Drafting of amendments underway
Council 4/11/2021	2021-24 NLTP Outcomes	RESOLUTION 2021/60 Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court That Council:	02 Dec 2021 9:08am George, Tania

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	OUTSTANDING ACTIONS REPORT	Printed: Wednesday, 16 February 2022 3:28:01 PM
C	vision: omnittee: Council ficer:	Date From: 1/01/2020 Date To: 16/02/2022
	a) Receives the NTA Report dated 30 th September – 2021-24 NLTP Outcomes b) Approves Option 3, to: i) reinstate a portion of the original funding request Local Share (\$3,282,622) into the Council's 2021-31 Long Term Plan to enable full renewals subsidy uptake from Waka Kotahi, the reinstatement would be divided into the following portions: 1) Reinstate \$1,094,207 of renewal funding into 2021/22 budget 2) Reinstate \$2,188,415 of renewal funding into the Annual Plan, split evenly, for 2022/23 and 2023/24 and; ii) redistribute the unsubsidised local share portion (\$4,277,963) as follows: 1) \$461,125 as unsubsidised work activities for maintenance activities 2) \$578,753 as unsubsidised work activities for operational activities 3) \$3,238,085 as unsubsidised work activities (New Footpaths programme and safety – pedestrian improvements) under the Low Cost-Low Risk Investment Activities. c) Confirms the previously endorsed unsubsidised roading capital sealing budget included in the Long Term Plan (\$2,060,000 FY2022/23), instead of reallocation to other unsubsidised roading activities.	NTA have been following this up with finance since the 4th November Council meeting. Sent another message this morning asking for an update and have been advised that the LTP approved budget has been loaded in Tech1 but without the adjustments following the Council meeting of 4th November and they are hoping to have this completed by today.
Council Three Waters Reform 4/11/2021 - Resident Survey	RESOLUTION 2021/69 Moved: Mayor John Carter Seconded: Cr Ann Court	

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	OUTSTANDING ACTIONS REPORT Division: Committee: Council Officer:		Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
		That Council receive the report Three Waters Reform - Resident Survey. CARRIED	
Council 4/11/2021	Maintenance and Renewals Contracts - Increases in Contract Sums	MOTION Moved: Mayor John Carter Seconded: Cr Ann Court That Council: a) approves the contract value for 7/18/100 North Area Road Maintenance and Renewals Contract to be increased to \$63,491,607.76 exclusive of GST, and b) approves the contract value for 7/18/101 South Area Road Maintenance and Renewals Contract to be increased to \$58,161,835.81 exclusive of GST. CARRIED	
Council 4/11/2021	Extension of Solid Waste and Waste Minimisation Education Contracts	RESOLUTION 2021/58 Moved: Mayor John Carter Seconded: Cr Ann Court That: a) Council approve the Solid Waste Contracts (Northern and Southern) for a term of three years to 30 September 2025, to enable the completion of a strategic work programme, new contracts, and public tender. EQUAL/LOST MOTION Moved: Cr Felicity Foy Seconded: Cr John Vujcich b) Council approve in principle to further extend the Waste Minimisation Education Contracts for a term of three years to 30	

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	C	OUTSTANDING ACTIONS REPORT ivision: ommittee: Council fficer:	Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
		September 2025, to enable the completion of a strategic work programme, new contracts, and public tender	
		CARRIED 10/0	
		MOTION	
		Moved: Cr David Clendon Seconded: Cr John Vujcich	
		 officers commence discussion and negotiation with current contractors to extend the current contracts for a further three- year term. 	
		iii) Community Business and Enterprise Centre CBEC	
		CARRIED 8/0	
		MOTION	
		Moved: Cr Rachel Smith Seconded: Cr Dave Collard	
		d) officers are to report quarterly to the Infrastructure Committee the progress being made to the proposed Solid Waste Strategic Programme.	
		CARRIED	
Council 4/11/2021	Kaitaia Warehouse Building - Renovation and Leasing	MOTION Moved: Cr Mate Radich Seconded: Cr Felicity Foy That Council: a) approves unbudgeted expenditure of \$1,000,000 (includes 10% for asbestos contingency) to remediate the 'Old Warehouse' building at 11 Matthews Ave, Kaitaia. b) awards a lease to the Te Hiku Iwi Development Trust and Northland Basketball for the development of a community hub as proposed, with terms and conditions to be agreed with the General Manager Corporate Services.	02 Dec 2021 10:32am Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 18 November 2021 to 25 February 2022 - DHB have executed their right of renewal, scopes for work is currently being worked in with Project Management in IAM 11 Feb 2022 3:57pm Smith, Janice Agreement to lease to Northern Basketball has been arranged to enable the group to seek external funding. DHB lease extended to June 2022 due to COVID requirements 16 Feb 2022 2:59pm Baker, Marlema

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	C	OUTSTANDING ACTIONS REPORT ivision: ommittee: Council fficer:	Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
		CARRIED	Update from Janice Smith: , Staff are working on a timeline for the work to be completed. The DHB have extended their use of the building to June 2022 and Northern Basketball have been provided with an "Agreement to Lease" to enable them to secure funding for their project
Council 4/11/2021	8A Matthews Ave - Property for Sale	RESOLUTION 2021/62 Moved: Cr Felicity Foy Seconded: Mayor John Carter That Council leave this item lie on the table and a report on the costs for a NES Soil Contamination assessment be brought to the December Council meeting. Carried	02 Dec 2021 9:08am Steen, Tania Report to Council with costs for NES soil testing has been completed 02 Dec 2021 10:33am Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 18 November 2021 to 17 December 2021 - Going to December Council
Council 4/11/2021	Section 5 & 6 Kohukohu Road, Kohukohu - Property for Sale	RESOLUTION 2021/63 Moved: Cr Rachel Smith Seconded: Cr Moko Tepania That Council: a) agree in principle to start negotiations to purchase subject to due diligence and appropriate valuation; and b) purchase the property located in Kohukohu at section 5 & 6 Kohukohu Road (Legal Description: Section 5 Town of Kohukohu Extension & Section 6 Town of Kohukohu Extension) for no more than \$175,000.00; c) upon purchase, begin the process of classifying the land, or part thereof, as local purpose reserve pursuant to the Reserves Act 1977; and d) consider protection of the remaining structures.	08 Nov 2021 2:33pm Steen, Tania Contact made with Northland Valuers to book Registered Valuation. Awaiting fee estimate and proposed time frame. 02 Dec 2021 9:09am Steen, Tania The vendor for this property had been presented with an offer and has since accepted. This offer is conditonal and the Vendor may look to accept a backup offer from Council. 02 Dec 2021 10:34am Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 18 November 2021 to 25 February 2022 - Valuation being sought but property already under offer.
Council 4/11/2021	Matauri Bay Wastewater Treatment	RESOLUTION 2021/65 Moved: Mayor John Carter	

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	OUTSTANDING ACTIONS REPORT Division: Committee: Council Officer:		Printed: Wedn 3:28:01 PM Date From: Date To;	1/01/2020 16/02/2022
		Seconded: Cr Rachel Smith That Council agrees that the meeting continue beyond the six hour duration in Standing Order 4.2 - Meeting Duration, to discuss the remaining items left on the agenda. CARRIED		
		RESOLUTION 2021/66		
		Moved: Cr Rachel Smith Seconded: Cr John Vujcich That Council leave this item lie on the table and reconsider this item		
		at the February 2022 Council meeting. CARRIED		
		RESOLUTION 2021/57		
		Moved: Mayor John Carter Seconded: Cr Felicity FoyMoved:		
		That Council:		
Council	Tree Waters Reform -	authorise the Mayor to sign on behalf of the Council – a letter to the Prime Minister expressing concern at the Three Waters reform process, and requesting a meeting to discuss a constructive way forward.		
4/11/2021	Resident Survey	CARRIED		
		Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court		
		allocate \$10,000 toward the fund as per the Memorandum of Understanding to collaboratively work with other Councils in lobbying the Government to deliver a set of reform proposals that meet the needs of communities, councils and Government.		
		CARRIED		

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		OUTSTANDING ACTIONS REPORT	Printed: Wednesday, 16 February 2022 3:28:01 PM
	C	ivision: ommittee: Council fficer:	Date From: 1/01/2020 Date To: 16/02/2022
Council 14/12/2021	Appointment of a Council Steering Group to Discuss the Future of the Kauri Dam with the Ngakahu Whenua Trust	RESOLUTION 2021/72 Moved: Cr John Vujcich Seconded: Cr Dave Collard That Council; a) establish a steering group named Ngakahu Steering Group. b) appoint Crs Radich, Vujcich, Collard and Tepania to the Ngakahu Steering Group, c) request the steering group enter into discussions with Ngakahu Ngakohu Whanau Ahuwhenua Trust to 1. obtain and understand their aspirations and concerns regarding the future of the Dam and surrounding land, ii. identify mutually acceptable exit options. d) request the steering group report back to Council their findings and recommendations. e) move the corrected report be tabled.	16 Feb 2022 3:21pm Huriwai, Aisha An information report is on the 24 February agenda as an update.
Council 14/12/2021	Kaikohe Civic Hub Working Party Recommendations	RESOLUTION 2021/71 Moved: Cr Moko Tepania Seconded: Cr John Vujcich That Council approve the following recommendations from the Kaikohe Civic Hub Working Party: a) approve Council Officers enter into negotiation for the acquisition of the Doonan site, (1189m2, being Lot 13 DP 7437 (NA1027/4) and Lot 13 DP 7437 (NA1936/67). b) and that a progress report come to Council in the first quarter of 2022, i. approve the Petersen property be purchased by Council from Far North Holdings Limited. c) agree the building of the Stage 1 Library across the Doonan and Petersen sites with provision to build the Stage 2 Civic Hub, as per option 3 in the report. d) agree the existing Kaikohe Civic Hub Working Party continues to have governance oversight of the project.	16 Feb 2022 2:14pm Baker, Marlema - Reallocation Action reassigned to Mules, Ana by Baker, Marlema - In the absence of Bil Lee are you able to provide an update on this action item or allocate it to the staff member in charge of this project.

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OUTSTANDING ACTIONS REPORT Division: Committee: Council Officer:		Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
	CARRIED	
Council Taumarere to Opt Cycle Trail Relocation Update	RESOLUTION 2021/72 Moved: Mayor John Carter Seconded: Deputy Mayor Ann Court That Council: j) approve deferred investment of the relocation of the Taumarere to Opua cycle trail project pending a reassessment of the project's viability and deliverability, and the completion of the rail restoration project. k) confirm that it will suspend its membership of NAX until such time as it and NAX are in a position to proceed with a viable option for the cycle trail on the rail corridor. l) approve the disposal of its shareholding in NAX and offer its shares back to the other shareholders for a dollar. m) approve the resignation of Councillor David Clendon from the	

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	C	OUTSTANDING ACTIONS REPORT ivision: ommittee: Council fficer:	Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
Council 14/12/2021	Contract Award - Contract 7/21/202 Construction of General Bridge Repairs 2021 - 24	RESOLUTION 2021/73 Moved: Deputy Mayor Ann Court Seconded: Cr Rachel Smith That Council: a) Approve the award of Contract 7/21/202 - Construction of General Bridge Repairs 2021-24 to Steve Bowling Contracting Ltd. for a contract value of \$1,667,862.25 + GST (one million six hundred and sixty-seven thousand, eight hundred and sixty two dollars and twenty five cents) and b) Delegates authority to the Chief Executive Officer to execute the associated document approvals: i) Contract signing ii) Supplier recommendation approval iii) PO approval CARRIED	
Council 4/05/2021	Notice of Motion - Establishment of Māori Wards	RESOLUTION 2021/14 That the Far North District Council: a) establish Māori wards in accordance with Schedule 1, Part 1, 2(1) of the Local Electoral Act for the 2022 and 2025 local government elections. b) immediately reconsiders its current committee structure and membership and delegations to ensure lwi/Hapu membership to Council Committees and Community Board Committees. CARRIED	11 Feb 2022 2:28pm Wilson, Caroline Maori wards have been established for the 2022 and 2025 elections. Part a) of this resolution is now complete, Part b) of the resolution remains a work in progress within SPP.
Council 16/12/2021	Memorandum of Understanding for Kerikeri Domain War Memorial Wall	MOTION Moved: Cr Rachel Smith Seconded: Cr John Vujcich That Council:	

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	Co	OUTSTANDING ACTIONS REPORT vision: committee: Council ficer:	Printed: Wednesday, 16 February 2022 3:28:01 PM Date From: 1/01/2020 Date To: 16/02/2022
		a) approves the Memorandum of Understanding between Kerikeri R.S.A. Trust Fund and Council b) delegates the signing of the Memorandum of Understanding to the General Manager Infrastructure and Asset Management, including any non-material changes c) approves the inclusion of additional operational budget of \$5,000 per annum from 2022/23 for maintenance. CARRIED	
Council 16/12/2021	The Reintroduction of Development Contributions in the Far North District in Alignment with the 2024-34 Long Term Plan	RESOLUTION 2021/76 Moved: Cr David Clendon Seconded: Cr Kelly Stratford That Council: a) approve a new Development Contributions policy be adopted with the adoption of the 2024-34 Long Term Plan b) request a standing item on every full Council agenda providing a staff report on progress against the indicative project schedule, until the policy comes into effect. CARRIED	16 Feb 2022 3:24pm Huriwai, Aisha Following from the 16 December Council resolution an information report is provided to the 24 February Council meeting.

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8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDE

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

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
8.1 - 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	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
	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	reason for withholding would exist under section 6 or section 7
	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	
	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
8.2 - Committee Public Excluded Resolutions - February 2022	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	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
	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	of information for which good reason for withholding would exist under section 6 or section 7
	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) s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper	
8.3 - Milford Island - Out of Policy Rate Remission Request	gain or improper advantage 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 - 8A Matthews Avenue	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
	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)	

- 9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER
- 10 TE KAPINGA HUI / MEETING CLOSE