



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Ordinary Council Meeting

Thursday, 19 May 2022

Time: 10:00 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Mayor John Carter - Chairperson
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

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 Court | Waipapa Business Association | Member | | Case by case |
| | 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 arises |
| | 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 Smith (Partner) | Property Owner | Kerikeri | | |
| | 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 matters 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 Iwi 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 Iwi 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 Stratford - Partner | Chef and Barista | Opua Store | None perceived | |
| | 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-Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-Iwi 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 Chairperson etc) (i.e. | Declaration of Interests | Nature Potential Interest of | 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 Council Chamber, Memorial Avenue, Kaikohe on:
Thursday 19 May 2022 at 10:00 am

Te Paeroa Mahi / Order of Business

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| 6.1 | Confirmation of Previous Minutes..... | 13 |
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1 KARAKIA TIMATANGA / OPENING PRAYER**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

No requests for deputations were received at the time of the Agenda going to print.

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

- Tree of the Year Nomination
- LGNZ Submission to remove exotic forests from NZ Emissions Trading Scheme (ETS) categories

5 NOTICE OF MOTION**5.1 NOTICE OF MOTION - ROAD SEAL PARAPARA HILL****File Number: A3705471**

I, Councillor Mate Radich, give notice that at the next Ordinary Meeting of Council to be held on 19 May 2022, I intend to move the following motion:

MŌTINI / MOTION**That Parapara Hill be sealed without delay.****TAKE / RATIONALE**

- For many years, the community of Parapara have expressed their concern regarding the maintenance and safety of the 1.2 km length of road on Parapara Hill. There have been numerous accidents, some of them serious.
- As a school bus route, both Petricevich and Ritchie Buses have voiced their concerns regarding safety issues. Contractors Fulton Hogan have constantly fixed potholes, corrugations, dust and mud issues, applied metal and rolled the road to keep the surface adequate for vehicle use.
- Over the years Council have sealed other hills that have been a problem such as Te Hapua, Henderson Bay and Spains Road. We have a budget of \$4 million for new sealing. I am fully aware that much of this money is already targeted however I regard the situation on this hill as an emergency that needs immediate action.
- Recently Elected Members received emails from concerned residents regarding the danger and deterioration of the hill, one describing it as a nightmare. The Mayor advised these people to contact Kelvin Davis and Willow Jean Prime to ask for more funding for road upgrades. This will not happen as they are simply not interested.
- This is a Far North District Council road, and it is our responsibility to fix it.

I commend this Notice of Motion to Council.

ĀPITI HANGA / ATTACHMENTS**Nil**

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A3689717

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 the minutes of the Council meeting held 7 April 2022 and the Emergency Council meeting 9 May 2022 as a true and correct record.

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. 2022-04-07 Council Minutes - A3655022 [↓](#) 
2. 2022-05-09 Council Emergency Meeting Minutes - A3703056 [↓](#) 

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.

| Compliance requirement | 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 | 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. |

Ordinary Council Meeting Minutes

7 April 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON THURSDAY, 7 APRIL 2022 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: Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board),

STAFF PRESENT Blair King (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.

Welcome to Blair King as the Far North District Council Chief Executive.

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

APOLOGY

RESOLUTION 2022/15

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That the apology received from Kaikohe-Hokianga Community Board Chairperson Mike Edmonds and Deputy Chairperson Emma Davis be noted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

10.06am- Top Energy Chief Executive Russell Shaw and Northpower Chief Executive Andrew McLeod made a joint presentation to Council regarding the Renewable Energy Zone for Northland.

A presentation was provided to Councillors to provide context to the deputation – document number A3664638 refers.

10.24 Pamela-Anne Simon-Baragwanath-Ngohe on behalf of Kai-noho i Otiria speaking to the Speed Limit Bylaw Changes in Otiria.

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

Mayor advised comments will be made throughout the agenda.

10.32 Cr Collard spoke about the recent Kaimaumau fires – referencing a written report that was circulated to Mayor and Councillors.

5 NOTICE OF MOTION

5.1 NOTICE OF MOTION - ROAD SEAL MATRIX AND PROGRAMME

Agenda item 5.1 document number A3654663, pages 12 - 12 refers.

The following motion from Cr Radich was lost for want of a seconder.

That the roading matrix policy be scrapped and replaced by bringing all roads to the Council table for elected members to make decisions on what metal roads are to be tar sealed.

MOTION

Moved: Cr John Vujcich

Seconded: Cr Moko Tepania

That Council conducts an independent review of the roading Dust Matrix to ensure it accurately prioritising roads for sealing based on Council-desired outcomes.

That the scope of the review will be finalised by the Chair of the Assurance, Risk and Finance Committee, the Chair of the Strategy and Policy Committee and Chair of Regulatory Compliance Committee.

That the reviewer reports back to Council the findings and where any changes or improvements are recommended.

The scope of the review shall include, but not be limited to, the following:

1. **A review of the purpose and function of the matrix**
2. **A review of the functionality (ie formulae etc), to determine if the attributes, weightings and the formulae for ranking have accurately prioritised roads that best fit Council's desired outcomes.**
3. **That the resulting attributes and scores are complete, accurate and transparent to elected members and the public.**
4. **That the processes for updating and changing the attributes, attribute scores and the ranking formulae are clearly defined and followed.**
5. **A review of issues with the matrix already identified by the NTA (traffic counts etc)**
6. **Identification of any other issues.**
7. **A detailed review of six roads looking at the roads attribute scores and that updates are recorded and information is available on request. Councilors to nominate roads.**
8. **Commentary on fitness for purpose and any other methodology suggested for prioritising sealing that best fit Council's desired outcomes.**
9. **Output to be a written report by no later than the end of June 2022.**

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: Cr Mate Radich

CARRIED

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3640638, pages 13 - 14 refers.

RESOLUTION 2022/16

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council confirms the minutes of the Ordinary Council meeting held 24 February and the Extraordinary Council meeting held 15 March 2022 as a true and correct record subject to the following amendment:

“The note for item 7.4 – Kauri Creek Dam **draft report”**

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

At 11:07 am, Cr Mate Radich left the meeting. At 11:10 am, Cr Mate Radich returned to the meeting.

7 REPORTS

7.1 RENEWABLE ENERGY ZONES – JOINT SUBMISSION

Agenda item 7.1 document number A3641586, pages 29 - 33 refers.

RESOLUTION 2022/17

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

That the Far North District Council:

- a) **approves the Draft Joint Submission on Renewable Energy Zones (Attachment B)**
- b) **delegates the Mayor the authority to finalise the submission in conjunction with the Mayors and Chairperson of the Northland Councils, to reflect any further elected member feedback.**

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 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - MARCH 2022

Agenda item 7.2 document number A3642923, pages 63 - 65 refers

RESOLUTION 2022/18

Moved: Cr Kelly Stratford

Seconded: Cr Moko Tepania

That Council:

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Parking on State Highways Bylaw

- a) approve, that the *Parking Bylaw*, to be made under section 22AB of the *Land Transport Act 1998*, be amended to include the regulation of parking and stationary vehicle offences on State Highways as per the delegation given by Waka Kotahi.

Adoption of the Regional Climate Change Adaptation Strategy

- b) adopts the *Te Taitokerau Climate Change Adaptation Strategy*.

Review of Maritime Facilities and Mooring Charges Bylaws

- c) approve the development of a new *Maritime Facilities Bylaw*, under section 145 and 146 of the *Local Government Act 2002*.

FNDC Speed Limit Reviews – Recommended Speed Limits

- d) receive, in its capacity as a Road Controlling Authority, the attached *Regional Speed Limit Review Technical Report – Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach* (Attachment 2 to the report).

- e) approves, in its capacity as a Road Controlling Authority, pursuant to Section 22AB(1)(d) of the *Land Transport Act 1998*, new speed limits set out in the *Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report*, (Attachment 1 to the report)

accepting the recommendation of 40kph speed limit on Otiria Road from Pembroke Street to 113 Otiria Road (220m east of Kingi Road),

but amend:

that the 60kph speed limit on Otiria Road from 113 Otiria Road (220m east of Kingi Road) extend to the intersection of Pokapu Road

- f) defers making amendments to the *Speed Limits Bylaw 2019* set out in Attachment 1 *Regional Speed Limit Review - Kaitāia-Awaroa-Broadwood-Moerewa urban and Te Oneroa-a-Tōhe Ninety Mile Beach – Recommendations Report* until signage to make the new speed limits enforceable is installed.

Economic and Practicability Assessment for Discharge of Treated Wastewater to Land from Kaeo Wastewater Treatment Plant.

- g) agree that the option of discharging treated wastewater from the Kaeo Wastewater Treatment Plant to land is not pursued at this time as part of the application to replace the resource consents authorising discharge of contaminants from the Kaeo Wastewater Treatment Plant, on the basis that the costs associated with that activity, are assessed as not economically viable.

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

Note: The Deputy Mayor requested the minutes record the following comment from Cr Radich “useless buggers” Cr Radich apologised and advised his comment was directed at his dogs.

The meeting adjourned at 11.49 am until 12.01 pm

7.3 LINDVART PARK PAVILION, KAIKOHE PROJECT

Agenda item 7.3 document number A3641588, pages 82 - 86 refers.

RESOLUTION 2022/19

Moved: Cr John Vujcich

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7 April 2022

Seconded: Cr Ann Court

That Council:

- a) **Re-affirm the capital commitment of \$3,226,493 to the Lindvart Park Kaikohe – Sportsville project.**
- b) **Approve an increase in operational grant support to Sportsville of \$35,000 from year one of the 2024/2034 Long-Term Plan.**

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

Note that CE was asked to provide advice to the next meeting on how to ensure a consistent operational grant approach across all sporting facilities in the district.

7.4 PACKAGING OF THE THREE WATERS CAPITAL PROGRAMME OF WORKS

Agenda item 7.4 document number A3647947, pages 87 - 93 refers.

RESOLUTION 2022/20

Moved: Cr Ann Court

Seconded: Cr Kelly Stratford

That Council approves the packaging of a programme of works up to \$4,000,000 annually to Far North Waters in accordance with the Water Services Alliance Agreement to enable the delivery of Council's Long Term Plan Capital programme.

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

Note: Council request an annual monitoring report to the Infrastructure Committee in order to track contractor performance, including the key performance indicators associated to the programme package.

Note: That Cr Foy requested a workshop to look over the Operations and Maintenance Alliance Agreement.

7.5 THREE WATERS REFORM – GOVERNANCE WORKING GROUP REPORT

Agenda item 7.5 document number A3648870, pages 94 - 172 refers.

RESOLUTION 2022/21

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council:

- a) **Note the report Three Waters Reform- Governance Working Group Report.**
- b) **Confirm Council's alignment with the position outlined by Dr Jason Smith, Mayor of Kaipara District, and Chair of the Northland Mayoral Forum on the proposed composition and voting rights for the Regional Representative Group for Entity A.**
- c) **Authorise the Mayor to notify the Minister of Local Government on the Far North**

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7 April 2022

District Council's position from b) above.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Moko Tepania and John Vujcich

Against: Nil

Abstained: Crs Rachel Smith and Kelly Stratford

CARRIED**8 INFORMATION REPORTS****8.1 PROGRESS REPORT: THE REINTRODUCTION OF DEVELOPMENT CONTRIBUTIONS IN THE FAR NORTH DISTRICT IN ALIGNMENT WITH THE 2024-34 LONG TERM PLAN**

Agenda item 8.1 document number A3589452, pages 173 - 176 refers.

RESOLUTION 2022/22

Moved: Cr Ann Court
Seconded: Cr John Vujcich

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

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

Against: Nil

Abstained: Cr Felicity Foy

CARRIED

The meeting adjourned at 1:00 pm set to reconvene at 1:30 pm

8.2 CEO REPORT TO COUNCIL 01 NOVEMBER 2021 - 28 FEBRUARY 2022

Agenda item 8.2 document number A3626631, pages 177 - 203 refers.

RESOLUTION 2022/23

Moved: Mayor John Carter
Seconded: Cr Moko Tepania

That the Council receive the report CEO Report to Council 01 November 2021 - 28 February 2022

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**8.3 COMMUNITY BOARD UPDATES MARCH 2022**

Agenda item 8.3 document number A3643083, pages 204 - 209 refers.

RESOLUTION 2022/24

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Ordinary Council Meeting Minutes

7 April 2022

Moved: Mayor John Carter
 Seconded: Cr John Vujcich

That Council note the following Community Board minutes:

- a) **Kaikohe-Hokianga Community Board, 2 March 2022.**
- b) **Bay of Islands-Whangaroa Community Board, 3 March 2022.**

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

8.4 COUNCIL ACTION SHEET UPDATE APRIL 2022

Agenda item 8.4 document number A3644770, pages 210 - 232 refers.

RESOLUTION 2022/25

Moved: Mayor John Carter
 Seconded: Cr John Vujcich

That Council receive the report Action Sheet Update April 2022.

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

9 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/26

Moved: Mayor John Carter
 Seconded: Cr Moko Tepania

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

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

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|---|---|--|
| 9.1 - Confirmation of Previous Minutes - Public Excluded | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the | 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 |

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| | | |
|--|--|--|
| | <p>information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> | |
| 9.2 - Committee Public Excluded Resolutions - April 2022 | <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p>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</p> | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 9.3 - Appointment of External commercial advisor to the Appointment to Council Organisation Committee | 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 |
| 9.4 - New Lease for Commercial Property - 13 Homestead Road | 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 |
| 9.5 - Purchase of land at 69 Cobham Road, Kerikeri | 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 |

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Ordinary Council Meeting Minutes

7 April 2022

| | | |
|--|---|--|
| | 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) | exist under section 6 or section 7 |
| 9.6 - Kaikohe Library and Civic Hub Progress Report | 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 |
| 9.7 - Community Board Public Excluded Minutes March 2022 | 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 |
| <p><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 Vujcich</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p> | | |

10.0 CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/27

Moved: Mayor John Carter
Seconded: Cr Ann Court

That Council confirms the information and decisions contained in the part of the meeting held with public excluded remain in public excluded with the exception of the following decision:

That Council approve that:

- a) Richard Booth be appointed as the external commercial advisor on the Appointment to Council Organisation Committee.
- b) This appointment be reviewed at the start of the next triennium when the new Appointment to Council Organisation Committee is formed.

CARRIED

Extraordinary Council Meeting Minutes

9 May 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE VIRTUALLY VIA MICROSOFT TEAMS
ON MONDAY, 9 MAY 2022 AT 3:00 PM**

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

STAFF PRESENT: 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 and Cr Moko Tepania opened with a karakia.

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

2.1 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2022/19

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council accept apologies from Cr Felicity Foy and a leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Nil

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

Nil

5 REPORTS

5.1 TEMPORARY ROAD CLOSURES REQUEST - INTERNATIONAL RALLY OF WHANGĀREI

Agenda item 5.1 document number A3698017, pages 12 - 15 refers

RESOLUTION 2022/20

Moved: Mayor John Carter

Seconded: Cr Ann Court

That Council Approve the proposed temporary road closures within the Far North District

Page 1

Extraordinary Council Meeting Minutes

9 May 2022

for safe event operation during the International Rally of Whangarei on Saturday, 14 May 2022.

In Favour: His Worship the Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

MAJOR ITEM NOT ON THE AGENDA

RESOLUTION 2022/21

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council consider the item not on the agenda 1A Seaview Road, Paihia – Approval to Grant Easement on Local Purpose Esplanade Reserve under the Reserves Act 1977.

In Favour: His Worship the Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Crs David Clendon and Rachel Smith

CARRIED

5.2 1A SEAVIEW ROAD, PAIHIA - APPROVAL TO GRANT EASEMENT ON LOCAL PURPOSE ESPLANADE RESERVE UNDER THE RESERVES ACT 1977

Agenda item 5.1 document number A3701981, pages 4 - 6 refers

RESOLUTION 2022/22

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council approve the granting of an easement pursuant to section 48(1)(f) of the Reserves Act 1977 on Local Purpose Esplanade Reserve Lot 3 DP 124280 for the purpose of accepting works proposed and applied for pursuant to application EBC-2022-1188/0 affecting 1A Seaview Road, Paihia.

In Favour: His Worship the Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Mate Radich, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Crs David Clendon and Rachel Smith

CARRIED

6 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Cr Kelly Stratford closed the meeting with a karakia

7 MEETING CLOSE

The meeting closed at 3:22 pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 19 May 2022.

.....
CHAIRPERSON

7 REPORTS

7.2 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - MAY 2022

File Number: A3690335

Author: Marlema Baker, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

- To increase governance oversight of Committee business/discussions.
- Communicate resolutions of Committee meetings.
- Escalate Committee recommendations to Council.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- The following Committee meetings have been held since the last ordinary Council meeting.
 - 26 April 2022 – Regulatory Compliance Committee
 - 27 April 2022 – Assurance, Risk and Finance Committee
 - 3 May 2022 – Strategy and Policy Committee
 - 4 May 2022 – Infrastructure Committee
- Copies of the Committee meeting minutes are attached for information.
- Links to the agendas containing the reports that formed the basis of recommendations are included in this report.
- The Strategy and Policy Committee and Infrastructure Committee make the following recommendations to Council.

TŪTOHUNGA / RECOMMENDATION

That Council:

Climate Change Policy Options Report (Strategy and Policy Committee)

- a) approves the development of a climate change policy.**

Parking Bylaw – Recommendations for Making New Bylaw (Strategy and Policy Committee)

- a) approves, the recommendations in the staff report on submissions to the Parking Bylaw that:**

- 1. No changes are made to clauses 1, 3, 11, 19, 21 and 22**
- 2. Clauses 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, and 20 are amended to improve certainty and clarity as per the recommendations in section 4.1 of the staff report *Analysis of Submissions – Parking* in attachment 1**
- 3. Schedule 1 is amended to extend the bus stop at the end of Kerikeri Road**

- b) make the Parking Bylaw in attachments 3 to 8 under section 22AB of the Land Transport Act 1998.**

- c) approve, to revoke the Parking and Traffic Control Bylaw on the same day the Parking Bylaw comes into force.**

- d) Request that the next opportunity to review the bylaw, incorporate the following points:**

1. remove “NO PARKING or STANDING” at all times from community building at Te Pokapu;
2. include Mobility (disabled parking) and other time limited parking in the local road portion of 71 Gillies Street, Kawakawa and the BOI Vintage Railway Station;
3. include off road parking at Te Hononga, Kawakawa.
4. Waipapa Loop Road.
5. Parklets.
6. Kaikohe-Hokianga.

e) Note that;

1. staff are working on scheduling a workshop for further discussion (including enforcement)
2. input will be sought from Community Boards to ensure community feedback can be incorporated.
3. Further amendments can be submitted through Community Boards or workshop to be finalised within a four-month period

Road Use Bylaw - Recommendations For Making New Bylaw (Strategy and Policy Committee)

a) approve the recommendations in the report on submissions to the Road Use Bylaw (Attachment 1) that:

1. The bylaw be made pursuant to both the Local Government Act 2002 and the Land Transport Act 1998.
2. No changes are made to clauses 1, 5, 6, 7, 25, 26, 29, 31, 32, 33, 37, 38, and Schedule 1.
3. Clauses 2, 3, 4, 8, 9, 12, 13, 14, 16, 19, 20, 21, 23, 24, 27, 34, 36, and Schedule 4 are amended to improve certainty and clarity as per the recommendations in section 4.1 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.
4. Clauses 10, 11, 15, 17, 18, 22, 28, 30, and 35 are amended to improve certainty and clarity as per the recommendations in section 4.3 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.
5. Schedules 2 and 3 are amended to improve certainty and clarity as per the recommendations in section 4.4 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.

b) approve the recommendations in the report on submissions to the inclusion of provisions regulating vehicles on beaches in the Road Use Bylaw (Attachment 2) that:

1. No changes are made to clauses 6, 30, 32, 33, 34, 41, and 43, and Schedules 6 and 7.
2. Clause 31 is amended to improve certainty and clarity as per the recommendations in section 4.2 of the staff report Vehicles on Beaches – Analysis of Submissions in attachment 2.

c) approve the Road Use Bylaw in attachment 3:

1. is the most appropriate form of bylaw; and
2. the bylaw provisions are considered reasonable limits on the rights in the New Zealand Bill of Rights Act 1990.

d) make the Road Use Bylaw in attachment 3 pursuant to sections 145 and 146 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998.

- e) **approve to revoke the Parking and Traffic Control Bylaw 2010 on the same day the Road Use Bylaw comes into force.**

Boat Ramp Study Delivery Plan (Infrastructure Committee)

- a) **consider the matter of \$5 million annually, to be approved for strategic property purchases related to maritime infrastructure to be included in the capital programme commencing 2023/2024, and that an options paper on funding be prepared and an economic impact statement.**

TĀHUHU KŌRERO / BACKGROUND

This is a regular report 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 ordinary 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:

26 April 2022 – Regulatory Compliance Committee

[Agenda of Regulatory Compliance Committee Meeting - Tuesday, 26 April 2022 \(fndc.govt.nz\)](https://infocouncil.fndc.govt.nz/agenda-items/2022/04/26/1)

The Regulatory Compliance Committee made no recommendations to Council.

27 April 2022 – Assurance, Risk and Finance Committee

[Agenda of Assurance, Risk and Finance Committee Meeting - Wednesday, 27 April 2022 \(fndc.govt.nz\)](https://infocouncil.fndc.govt.nz/agenda-items/2022/04/27/1)

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

3 May 2022 – Strategy and Policy Committee

[Agenda of Strategy and Policy Committee Meeting - Tuesday, 3 May 2022 \(fndc.govt.nz\)](https://infocouncil.fndc.govt.nz/agenda-items/2022/05/03/1)

The Strategy and Policy Committee made the following recommendations listed below to Council:

That Council:

Climate Change Policy Options Report

approves the development of a climate change policy.

Parking Bylaw – Recommendations for Making New Bylaw

- b) approves, the recommendations in the staff report on submissions to the Parking Bylaw that:

- i) No changes are made to clauses 1, 3, 11, 19, 21 and 22
- ii) Clauses 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, and 20 are amended to improve certainty and clarity as per the recommendations in section 4.1 of the staff report *Analysis of Submissions – Parking* in attachment 1
- iii) Schedule 1 is amended to extend the bus stop at the end of Kerikeri Road

- c) make the Parking Bylaw in attachments 3 to 8 under section 22AB of the Land Transport Act 1998.

- d) approve, to revoke the Parking and Traffic Control Bylaw on the same day the Parking Bylaw comes into force.
- e) Request that the next opportunity to review the bylaw, incorporate the following points:
 - 7. remove “NO PARKING or STANDING” at all times from community building at Te Pokapu;
 - 8. include Mobility (disabled parking) and other time limited parking in the local road portion of 71 Gillies Street, Kawakawa and the BOI Vintage Railway Station;
 - 9. include off road parking at Te Hononga, Kawakawa.
 - 10. Waipapa Loop Road.
 - 11. Parklets.
 - 12. Kaikohe-Hokianga.
- f) Note that;
 - 4. staff are working on scheduling a workshop for further discussion (including enforcement)
 - 5. input will be sought from Community Boards to ensure community feedback can be incorporated.
 - 6. Further amendments can be submitted through Community Boards or workshop to be finalised within a four-month period

Road Use Bylaw - Recommendations For Making New Bylaw

- a) approve the recommendations in the report on submissions to the Road Use Bylaw (Attachment 1) that:
 - i) The bylaw be made pursuant to both the Local Government Act 2002 and the Land Transport Act 1998.
 - ii) No changes are made to clauses 1, 5, 6, 7, 25, 26, 29, 31, 32, 33, 37, 38, and Schedule 1.
 - iii) Clauses 2, 3, 4, 8, 9, 12, 13, 14, 16, 19, 20, 21, 23, 24, 27, 34, 36, and Schedule 4 are amended to improve certainty and clarity as per the recommendations in section 4.1 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.
 - iv) Clauses 10, 11, 15, 17, 18, 22, 28, 30, and 35 are amended to improve certainty and clarity as per the recommendations in section 4.3 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.
 - v) Schedules 2 and 3 are amended to improve certainty and clarity as per the recommendations in section 4.4 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.
- b) approve the recommendations in the report on submissions to the inclusion of provisions regulating vehicles on beaches in the Road Use Bylaw (Attachment 2) that:
 - i) No changes are made to clauses 6, 30, 32, 33, 34, 41, and 43, and Schedules 6 and 7.
 - ii) Clause 31 is amended to improve certainty and clarity as per the recommendations in section 4.2 of the staff report Vehicles on Beaches – Analysis of Submissions in attachment 2.
- c) approve the Road Use Bylaw in attachment 3:
 - 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.
- d) make the Road Use Bylaw in attachment 3 pursuant to sections 145 and 146 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998.
- e) approve to revoke the Parking and Traffic Control Bylaw 2010 on the same day the Road Use Bylaw comes into force.

4 May 2022 – Infrastructure Committee

[Agenda of Infrastructure Committee Meeting - Wednesday, May 4, 2022 \(fndc.govt.nz\)](https://fndc.govt.nz)

The Infrastructure Committee made the following recommendation below to Council:

That Council;

- a) consider the matter of \$5 million annually, to be approved for strategic property purchases related to maritime infrastructure to be included in the capital programme commencing 2023/2024, and that an options paper on funding be prepared and an economic impact statement.

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.

ĀPITI HANGA / ATTACHMENTS

1. 2022-04-26 meeting minutes - Regulatory Compliance Committee - A3680759  
2. 2022-04-27 meeting minutes - Assurance, Risk and Finance Committee - A3684893  
3. 2022-04-26 meeting minutes - Strategy and Policy Committee - A3691839  
4. 2022-05-04 meeting minutes - Infrastructure Committee Meeting - A3693318  

Regulatory Compliance Committee Meeting Minutes - **UNCONFIRMED**

26 April 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
REGULATORY COMPLIANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON TUESDAY, 26 APRIL 2022 AT 9:31 AM**

PRESENT: Chairperson Kelly Stratford, Cr Dave Collard, Cr David Clendon, Deputy Mayor Ann Court, Cr John Vujcich, Member Belinda Ward

IN ATTENDANCE: Blair King (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager Districts Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

STAFF PRESENT: Rochelle Deane, Trent Blakeman, Joshna Panday, Marlema Baker.

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Kelly Stratford 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 Cr Rachel Smith.

3 NGĀ TONO KŌRERO / DEPUTATION

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3669766, pages 14 - 15 refers

RESOLUTION 2022/7

Moved: Member Belinda Ward

Seconded: Cr John Vujcich

That the Regulatory Compliance Committee confirms that the minutes of the meeting of the Committee held 15 March 2022 are a true and correct record.

CARRIED

5 INFORMATION REPORTS

5.1 BUILDING COMPLIANCE UPDATE (TERRITORIAL AUTHORITY)

Agenda item 5.5 document number A3669730, pages 97 - 99 refers

RESOLUTION 2022/8

Moved: Chairperson Kelly Stratford

Seconded: Cr Dave Collard

That the Regulatory Compliance Committee receive the report Building Compliance Update

Page 1

(Territorial Authority).**CARRIED***Note:**Deputy Mayor Ann Court, Councillors Smith and Collard volunteered to work with the CEO to link in to Strategy and Policy.***5.2 NOISE CONTROL AND PARKING ENFORCEMENT UPDATE**

Agenda item 5.1 document number A3653116, pages 19 - 26 refers

RESOLUTION 2022/9

Moved: Chairperson Kelly Stratford

Seconded: Deputy Mayor Ann Court

That the Regulatory Compliance Committee receive the report Noise Control and Parking Enforcement Update.**CARRIED**

At 10:20 am, Chairperson Kelly Stratford left the meeting and Deputy Chair Dave Collard assumed the Chair in her absence.

At 10:22 am, Chairperson Kelly Stratford returned to the meeting and resumed chairing the meeting.

5.3 ANIMAL SHELTER UPDATE

Agenda item 5.2 document number A3653745, pages 37 - 39 refers

RESOLUTION 2022/10

Moved: Member Belinda Ward

Seconded: Deputy Mayor Ann Court

That the Regulatory Compliance Committee receive the report Animal Shelter Update.**CARRIED****5.4 FNDC DOG MANAGEMENT BYLAW 2018**

Agenda item 5.3 document number A3653772, pages 40 - 42 refers

RESOLUTION 2022/11

Moved: Deputy Mayor Ann Court

Seconded: Cr Dave Collard

That the Regulatory Compliance Committee receive the report FNDC Dog Management Bylaw 2018.**CARRIED***Note:**Letter from Troy Churton read by Chair Stratford and a copy tabled at this meeting. Letter of response to be sent to Mr Churton.*

5.5 DISTRICT SERVICES MONTHLY BUSINESS REPORT FOR FEBRUARY 2022

Agenda item 5.4 document number A3662724, pages 45 - 45 refers

RESOLUTION 2022/12

Moved: Deputy Mayor Ann Court

Seconded: Cr Dave Collard

That the Regulatory Compliance Committee receive the report District Services Monthly Business Report for February 2022.**CARRIED****5.6 REGULATORY COMPLIANCE COMMITTEE ACTION SHEET UPDATE APRIL 2022**

Agenda item 5.6 document number A3670055, pages 100 - 100 refers

RESOLUTION 2022/13

Moved: Deputy Mayor Ann Court

Seconded: Member Belinda Ward

That the Regulatory Compliance Committee receive the report Action Sheet Update April 2022.**CARRIED****6 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Chair Kelly Stratford closed the meeting with a karakia.

7 TE KAPINGA HUI / MEETING CLOSE**The meeting closed at 11:27 am.****The minutes of this meeting will be confirmed at the Regulatory Compliance Committee Meeting held on 7 June 2022.**.....
CHAIRPERSON

Assurance, Risk and Finance Committee Meeting Minutes - **Unconfirmed**

27 April 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ASSURANCE, RISK AND FINANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON WEDNESDAY, 27 APRIL 2022 AT 11:15 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: William J Taylor, MBE (General Manager Corporate Services), Andy Finch (General Manager Infrastructure and Asset Management), Dr Dean Myburgh (General Manager District Service), Ajay Kumar (Management Accountant), Jaime Dyhrberg (Chief Transformation & Technology Officer), Tanya Reid (Principal Advisor - Organisational Performance and Transformation), Glenn Rainham (Manager Infrastructure Operations), Margriet Veenstra (Manager Transaction Services), Roger Ackers (Manager Strategy Development), Lisa Huria (Manager ICT Operations & Delivery)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair John Vujcich commenced the meeting and Cr Kelly Stratford opened with a karakia.

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

2.1 APOLOGY

RESOLUTION 2022/1

Moved: Chairperson John Vujcich

Seconded: Member Adele Gardner

That the apology received from Mayor John Carter (HWTM) be accepted and leave of absence granted.

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 A3667630, pages 12 - 18 refers

RESOLUTION 2022/2

Moved: Chairperson John Vujcich

Seconded: Member Adele Gardner

That the Assurance, Risk and Finance Committee confirms the minutes of the Assurance, Risk and Finance Committee meeting held 16 March 2022 as a true and correct record.

CARRIED

Assurance, Risk and Finance Committee Meeting Minutes - **Unconfirmed**

27 April 2022

5 INFORMATION REPORTS**5.1 APRIL RISK MANAGEMENT REPORT**

Agenda item 5.1 document number A3650572, pages 19 - 44 refers

RESOLUTION 2022/3Moved: Cr Rachel Smith
Seconded: Cr Kelly Stratford**That the Assurance, Risk and Finance Committee receive the report April Risk Management Report.****CARRIED****5.2 REVENUE RECOVERY REPORT 31 MARCH 2022**

Agenda item 5.2 document number A3661007, pages 45 - 50 refers

RESOLUTION 2022/4Moved: Cr Rachel Smith
Seconded: Deputy Mayor Ann Court**That the Assurance, Risk and Finance Committee receive the report Revenue recovery report 31 March 2022.****CARRIED****5.3 COUNCIL FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2022**

Agenda item 5.3 document number A3662252, pages 51 - 76 refers

RESOLUTION 2022/5Moved: Cr Rachel Smith
Seconded: Member Bruce Robertson**That the Assurance, Risk and Finance Committee receive the report Council Financial Report for the Period Ending 28 February 2022.****CARRIED****5.4 LEVEL OF SERVICE KPI QUARTER 3 PERFORMANCE REPORT FOR 2021-2022**

Agenda item 5.4 document number A3668792, pages 77 - 97 refers

RESOLUTION 2022/6Moved: Cr Rachel Smith
Seconded: Cr Kelly Stratford**That the Assurance, Risk and Finance Committee receive the Level of Service KPI Quarter 3 Performance Report for 2021-2022.****CARRIED**

Assurance, Risk and Finance Committee Meeting Minutes - **Unconfirmed**

27 April 2022

5.5 AUDIT NZ MANAGEMENT REPORT FOR JUNE 2021

Agenda item 5.5 document number A3672214, pages 98 - 141 refers

RESOLUTION 2022/7

Moved: Cr Rachel Smith

Seconded: Chairperson John Vujcich

That the Assurance, Risk and Finance Committee receive the report Audit NZ Management Report for June 2021.**CARRIED****5.6 ASSURANCE, RISK AND FINANCE COMMITTEE ACTION SHEET UPDATE FOR APRIL 2022**

Agenda item 5.6 document number A3672062, pages 142 - 143 refers

RESOLUTION 2022/8

Moved: Chairperson John Vujcich

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee receive the report Action Sheet Update for April 2022.**CARRIED****6 TE WĀHANGA TŪMATATI / PUBLIC EXCLUDED****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2022/9**

Moved: Chairperson John Vujcich

Seconded: Cr Moko Tepania

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

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|--|---|--|
| 6.1 - Confirmation of Previous Minutes | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities | 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 |

Page 3

| | | |
|--|--|--|
| 6.2 - April 2022 Audit and Assurance Report | 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)(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 |
| 6.3 - Technology Update Report | s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(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 |

CARRIED

CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2022/10

Moved: Chairperson John Vujcich

Seconded: Cr Kelly Stratford

That the Assurance, Risk and Finance Committee confirms the information and decisions contained in the part of the meeting held with public excluded not be restated in public meeting as follows:

- **Item 6.1 Confirmation of Previous Minutes**
- **Item 6.2 April 2022 Audit and Assurance Report**
- **Item 6.3 Technology Update Report**

CARRIED

7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Moko Tepania closed the meeting with a karakia.

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 2:14pm.

The minutes of this meeting will be confirmed at the Assurance, Risk and Finance Committee Meeting held on 22 June 2022.

.....
CHAIRPERSON

Strategy and Policy Committee Meeting Minutes

3 May 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
STRATEGY AND POLICY COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON TUESDAY, 3 MAY 2022 AT 9:31 AM**

PRESENT: Chair Rachel Smith, Cr David Clendon, Mayor John Carter (HWTM) (*virtually*), Deputy Mayor Ann Court, Cr Dave Collard, Cr Felicity Foy (*virtually*), Cr Kelly Stratford, Cr Moko Tepania (*virtually*), Cr John Vujcich, Member Belinda Ward

IN ATTENDANCE: William J Taylor, MBE (General Manager Corporate Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

Chair Rachel Smith commenced the meeting and Cr Stratford opened with a karakia.

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

2.1 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2022/20

Moved: Chair Rachel Smith
Seconded: Cr John Vujcich

That the Strategy and Policy Committee receive an apology from His Worship the Mayor and grant a leave of absence.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

- Brent Eastwood and Anna Marwick - representing Sport Northland
- Liz Moncrieff – representing the Ministry for the Environment – document number A3694753 refers.
- Cr Karen Joyce-Paki, Janet Hoek, Bridgette Rowse, Rebecca Gilbert – representing Kaipara District Council speaking to item 5.5 Kaipara District Council Vaping Remit 2022.

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3675177, pages 16 - 21 refers.

RESOLUTION 2022/21

Moved: Cr John Vujcich
Seconded: Cr Dave Collard

That the Strategy and Policy Committee agrees that the minutes of the meeting held 22 March 2022 be confirmed as a true and correct record.

CARRIED

5 REPORTS**5.1 NEW EASTER SUNDAY SHOP TRADING POLICY CONSULTATION**

Agenda item 5.1 document number A3631374, pages 22 - 31 refers.

RESOLUTION 2022/22

Moved: Cr Kelly Stratford

Seconded: Member Belinda Ward

That the Strategy and Policy Committee:

- a) approves the Statement of Proposal for a new Easter Sunday Shop Trading Policy in Attachment 1 to be released for public consultation to meet the requirements of section 5B(1) of the Shop Trading Hours Act 1990;
- b) approves the period for making written submissions on the proposal to be 9 May to 10 June 2022;
- c) approves that the Committee will hear any oral submissions on 14 June 2022 and agrees to delegate, to the Chair, the power to change the date of the oral presentations of submissions;
- d) directs Council staff to make all necessary logistical arrangements for oral submissions to be heard, on 14 June 2022, either in person in the Council Chambers or online via Microsoft Teams.

CARRIED

5.2 CLIMATE CHANGE POLICY OPTIONS REPORT

Agenda item 5.2 document number A3641211, pages 32 - 71 refers

RESOLUTION 2022/23

Moved: Cr John Vujcich

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee recommends that Council approves the development of a climate change policy.

CARRIED

Meeting adjourned 11:01 am – resumed 11:20 am

Cr John Vucich left the meeting at 11:01 am – returned 11:23 am

5.3 PARKING BYLAW - RECOMMENDATIONS FOR MAKING NEW BYLAW

Agenda item 5.3 document number A3641431, pages 72 - 75 refers

RESOLUTION 2022/24

Moved: Cr Kelly Stratford

Seconded: Cr Dave Collard

That the Strategy and Policy Committee recommend that Council:

- a) approves, the recommendations in the staff report on submissions to the Parking Bylaw that:
 - i) No changes are made to clauses 1, 3, 11, 19, 21 and 22
 - ii) Clauses 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, and 20 are amended to

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Strategy and Policy Committee Meeting Minutes

3 May 2022

improve certainty and clarity as per the recommendations in section 4.1 of the staff report *Analysis of Submissions – Parking* in attachment 1

- iii) Schedule 1 is amended to extend the bus stop at the end of Kerikeri Road
- b) make the Parking Bylaw in attachments 3 to 8 under section 22AB of the Land Transport Act 1998.
- c) approve, to revoke the Parking and Traffic Control Bylaw on the same day the Parking Bylaw comes into force.

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Member Belinda Ward

- d) ~~Remove “NO PARKING or STANDING” at all times from community building at Te Pokapu; Include Mobility (disabled parking) and other time limited parking in the local road portion of 71 Gillies Street, Kawakawa and the BOI Vintage Railway Station; include off road parking at Te Hononga, Kawakawa.~~

withdrawn by Cr Stratford/Member Ward

SUSPENSION OF STANDING ORDERS

Moved: Chair Rachel Smith

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee suspend standing order 20 – General Rules of debate.

CARRIED

Meeting adjourned at 11:37 am

Meeting resumed at 12:00 pm

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Chair Rachel Smith

- d) *Request that the next opportunity to review the bylaw, incorporate the following points:*

1. *Remove “NO PARKING or STANDING” at all times from community building at Te Pokapu;*
2. *Include Mobility (disabled parking) and other time limited parking in the local road portion of 71 Gillies Street, Kawakawa and the BOI Vintage Railway Station;*
3. *include off road parking at Te Hononga, Kawakawa.*
4. *Waipapa Loop Road.*
5. *Parklets.*
6. *Kaikohe-Hokianga.*

- e) *Note that;*

1. *staff are working on scheduling a workshop for further discussion (including enforcement)*
2. *input will be sought from Community Boards to ensure community feedback can be incorporated.*
3. *Further amendments can be submitted through Community Boards or workshop to be finalised within a four month period*

CARRIED

The amendments became the substantive motion.

RESOLUTION 2022/25

Moved: Cr Kelly Stratford

Seconded: Cr Dave Collard

That the Strategy and Policy Committee recommend that Council:

- a) approves, the recommendations in the staff report on submissions to the Parking Bylaw that:
 - i) No changes are made to clauses 1, 3, 11, 19, 21 and 22
 - ii) Clauses 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, and 20 are amended to improve certainty and clarity as per the recommendations in section 4.1 of the staff report *Analysis of Submissions – Parking* in attachment 1
 - iii) Schedule 1 is amended to extend the bus stop at the end of Kerikeri Road
- b) make the Parking Bylaw in attachments 3 to 8 under section 22AB of the Land Transport Act 1998.
- c) approve, to revoke the Parking and Traffic Control Bylaw on the same day the Parking Bylaw comes into force.
- d) Request that the next opportunity to review the bylaw, incorporate the following points:
 - 1. remove “NO PARKING or STANDING” at all times from community building at Te Pokapu;
 - 2. include Mobility (disabled parking) and other time limited parking in the local road portion of 71 Gillies Street, Kawakawa and the BOI Vintage Railway Station;
 - 3. include off road parking at Te Hononga, Kawakawa.
 - 4. Waipapa Loop Road.
 - 5. Parklets.
 - 6. Kaikohe-Hokianga.
- e) Note that;
 - 1. staff are working on scheduling a workshop for further discussion (including enforcement)
 - 2. input will be sought from Community Boards to ensure community feedback can be incorporated.
 - 3. *Further amendments can be submitted through Community Boards or workshop to be finalised within a four month period*

RESUMPTION OF STANDING ORDERS

Moved: Chair Rachel Smith

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee resume standing orders 20 – General Rules of Debate.**CARRIED**

Cr Moko Tepania left the meeting 12:13 pm – returned 12:20 pm

5.4 ROAD USE BYLAW - RECOMMENDATIONS FOR MAKING NEW BYLAW

Agenda item 5.4 document number A3657126, pages 179 - 184 refers

RESOLUTION 2022/26

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee recommend that the Council:

- a) **Approve the recommendations in the report on submissions to the Road Use Bylaw (Attachment 1) that:**
 - i) **The bylaw be made pursuant to both the Local Government Act 2002 and the Land Transport Act 1998.**
 - ii) **No changes are made to clauses 1, 5, 6, 7, 25, 26, 29, 31, 32, 33, 37, 38, and Schedule 1.**
 - iii) **Clauses 2, 3, 4, 8, 9, 12, 13, 14, 16, 19, 20, 21, 23, 24, 27, 34, 36, and Schedule 4 are amended to improve certainty and clarity as per the recommendations in section 4.1 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.**
 - iv) **Clauses 10, 11, 15, 17, 18, 22, 28, 30, and 35 are amended to improve certainty and clarity as per the recommendations in section 4.3 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.**
 - v) **Schedules 2 and 3 are amended to improve certainty and clarity as per the recommendations in section 4.4 of the staff report Road Use Bylaw – Analysis of Submissions in attachment 1.**
- b) **Approve the recommendations in the report on submissions to the inclusion of provisions regulating vehicles on beaches in the Road Use Bylaw (Attachment 2) that:**
 - i) **No changes are made to clauses 6, 30, 32, 33, 34, 41, and 43, and Schedules 6 and 7.**
 - ii) **Clause 31 is amended to improve certainty and clarity as per the recommendations in section 4.2 of the staff report Vehicles on Beaches – Analysis of Submissions in attachment 2.**
- c) **Approve the Road Use Bylaw in attachment 3:**
 - 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.**
- d) **Make the Road Use Bylaw in attachment 3 pursuant to sections 145 and 146 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998.**
- e) **Approve to revoke the Parking and Traffic Control Bylaw 2010 on the same day the Road Use Bylaw comes into force.**

AMENDMENT

Moved: Cr Felicity Foy

~~f) Include in the bylaw, a note about how paper roads are addressed in the bylaw and will be addressed in practice.~~

~~g) Include in the bylaw a definition of parklets, and that these will be enabled in town centres, pending community board approval.~~

Strategy and Policy Committee Meeting Minutes

3 May 2022

Failed to secure a seconder**CARRIED****5.5 ENDORSEMENT OF KAIPARA DISTRICT COUNCIL VAPING REMIT FOR ZONE 1 MEETING 9 MAY 2022**

Supplementary Agenda item 5.5 document number A3688043, pages 4 - 40 refers.

RESOLUTION 2022/27

Moved: Cr Kelly Stratford

Seconded: Deputy Mayor Ann Court

That the Strategy and Policy Committee endorse the Kaipara District Council Vaping Remit 2022.Abstained: Member Belinda Ward**CARRIED****6 INFORMATION REPORTS****6.1 RESIDENT OPINION SURVEY - 2021-22**

Agenda item 6.1 document number A3619362, pages 305 - 307 refers

MOTION

Moved: Cr John Vujcich

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee receive the report Resident Opinion Survey - 2021-22.

AMENDMENT

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Strategy and Policy Committee leave this item lie on the table until the next meeting.**CARRIED
LEFT TO LIE****6.2 STRATEGIC PLANNING & POLICY BUSINESS QUARTERLY JANUARY - MARCH 2022**

Agenda item 6.2 document number A3667408, pages 308 - 334 refers

RESOLUTION 2022/28

Moved: Chair Rachel Smith

Seconded: Cr John Vujcich

That the Strategy and Policy Committee receive the report Strategic Planning & Policy Business Quarterly January - March 2022.**CARRIED**

Strategy and Policy Committee Meeting Minutes

3 May 2022

6.3 NATURAL AND BUILT ENVIRONMENTS ACT FURTHER FEEDBACK TO THE MINISTRY FOR THE ENVIRONMENT.

Agenda item 6.3 document number A3612973, pages 335 - 348 refers

RESOLUTION 2022/29

Moved: Cr John Vujcich

Seconded: Member Belinda Ward

That the Strategy and Policy Committee receive the report Natural and Built Environments Act further feedback to the Ministry for the Environment.**CARRIED****6.4 MANA WHAKAHONO-Ā-ROHE / IWI PARTICIPATION ARRANGEMENT WITH TE RŪNANGA-Ā-IWI-Ō-NGĀPUHI**

Agenda item 6.4 document number A3666679, pages 349 - 351 refers

RESOLUTION 2022/30

Moved: Cr Kelly Stratford

Seconded: Chair Rachel Smith

That the Strategy and Policy Committee receive the report Mana Whakahono-ā-Rohe /Iwi Participation Arrangement with Te Rūnanga-Ā-Iwi-Ō-Ngāpuhi.**CARRIED****6.5 COMPLETION OF THE DRAFT DISTRICT PLAN AND TIMETABLE FOR NOTIFICATION**

Agenda item 6.5 document number A3669269, pages 352 - 354 refers

RESOLUTION 2022/31

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That the Strategy and Policy Committee receive the report Completion of the Draft District Plan and Timetable for Notification**CARRIED**

Cr Kelly Stratford left the meeting 1:25 pm – returned 1:28 pm

6.6 BI-ANNUAL SPORT NORTHLAND REPORT - 1 JULY 2021 TO 30 DECEMBER 2021

Agenda item 6.6 document number A3675344, pages 355 - 356 refers

RESOLUTION 2022/32

Moved: Cr John Vujcich

Seconded: Chair Rachel Smith

That the Strategy and Policy Committee receive the report Bi-Annual Sport Northland Report - 1 July 2021 to 30 December 2021.**CARRIED**

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Strategy and Policy Committee Meeting Minutes

3 May 2022

Tabled Papers:Sport Northland FNDC Activity Report 1Jul-31Dec 2021 [Objective ID A3694684](#)Sport Northland Photos [Objective ID A3694778](#)

Cr Moko Tepania left the meeting 1:34 pm

Cr Kelly Stratford left the meeting 1:35 pm – returned 1:36 pm

6.7 STRATEGY AND POLICY ACTION SHEET UPDATE APRIL 2022

Agenda item 6.7 document number A3675231, pages 357 - 358 refers

RESOLUTION 2022/33

Moved: Chair Rachel Smith

Seconded: Deputy Mayor Ann Court

That the Strategy and Policy Committee receive the report Action Sheet Update for April 2022.**CARRIED****7 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Cr Rachel Smith closed the meeting with a karakia.

8 TE KAPINGA HUI / MEETING CLOSE**The meeting closed at 1:40 pm.****The minutes of this meeting will be confirmed at the Strategy and Policy Committee Meeting held on 14 June 2022.**.....
CHAIRPERSON

Infrastructure Committee Meeting Minutes - **Unconfirmed**

4 May 2022

**MINUTES OF FAR NORTH DISTRICT COUNCIL
INFRASTRUCTURE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON WEDNESDAY, 4 MAY 2022 AT 9:31 AM**

PRESENT: Chairperson Felicity Foy, Deputy Mayor Ann Court, Cr Dave Collard (late), Cr Rachel Smith, Cr Kelly Stratford (late), Cr John Vujcich, Member Adele Gardner

IN ATTENDANCE: William J Taylor, MBE (General Manager Corporate Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

STAFF PRESENT: Glenn Rainham, Marlema Baker, Bernard Peterson (NTA), Andy Brown (NTA), Dawn Spence (NTA), Keith Kent, Helen Ronaldson.

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

2.1 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2022/14

Moved: Chairperson Felicity Foy

Seconded: Cr Rachel Smith

The the Infrastructure Committee receive apologies from His Worship the Mayor for absence and Crs Dave Collard and Kelly Stratford for lateness.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

- Bernard Petersen and Andy Brown (Northland Transportation Alliance) - Unsealed Road CoE update (A3694333)

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 4.1 document number A3670131, pages 14 - 19 refers

RESOLUTION 2022/15

Moved: Chairperson Felicity Foy

Seconded: Member Adele Gardner

That the Infrastructure Committee confirm that the minutes of the meeting held 23 March 2022 be confirmed as a true and correct record.

Abstained: Cr Rachel Smith

CARRIED

Page 1

5 REPORTS**5.1 BOAT RAMP STUDY DELIVERY PLAN**

Agenda item 5.1 document number A3666234, pages 20 - 32 refers

RESOLUTION 2022/16

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

Moved: Deputy Mayor Ann Court

Seconded: Cr Rachel Smith

That the Infrastructure Committee:

- a) receives the report "Boat Ramp Study Delivery Plan" dated January 2022 (Revised March 2022).

CARRIED

SUSPENSION OF STANDING ORDERS

Moved: Chairperson Felicity Foy

Seconded: Cr Rachel Smith

A motion was moved that the Infrastructure Committee suspend Standing Orders to pose Questions to Staff (SO 20.3) and Questions for Clarification (SO 20.4).

CARRIED

RESUMPTION OF STANDING ORDERS

Moved: Chairperson Felicity Foy

Seconded: Cr Kelly Stratford

A motion was moved that Council resume Standing Orders.

CARRIED

RESOLUTION 2022/17

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Infrastructure Committee:

- b) approves \$ 25,000 of operational expenditure for 2023/2024 for an engineering feasibility study at Russell car park and for supporting the scoping and costing of Floating Jetties
- c) approves \$ 34,650 capital expenditure for 2023/2024 for FNDC local share for a future TIF funding application for boat ramp safety guides
- d) recommends that Council consider the matter of \$5m annually, to be approved for strategic property purchases related to maritime infrastructure to be included in the capital programme commencing 2023/2024, and that an options paper on funding be prepared and an economic impact statement.

Abstained: Cr Rachel Smith

CARRIED

Meeting adjourned 10:53 am – resumed 11:10 am

6 INFORMATION REPORTS**6.1 BRIDGE PROGRAMME, STRATEGY & CONDITION UPDATE**

Agenda item 6.1 document number A3649891, pages 33 - 46 refers

RESOLUTION 2022/18

Moved: Chairperson Felicity Foy

Seconded: Deputy Mayor Ann Court

That the Infrastructure Committee receive the report Bridge Programme, Strategy & Condition Update.**CARRIED****6.2 HIHI WASTEWATER TREATMENT PLANT**

Agenda item 6.2 document number A3660381, pages 47 - 51 refers

RESOLUTION 2022/19

Moved: Cr Kelly Stratford

Seconded: Cr John Vujcich

That the Infrastructure Committee receive the report Hihi Wastewater Treatment Plant.Against: Cr Rachel Smith**CARRIED****6.3 CAPACITY MODELLING UPDATE**

Agenda item 6.3 document number A3664082, pages 52 - 54 refers

RESOLUTION 2022/20

Moved: Chairperson Felicity Foy

Seconded: Deputy Mayor Ann Court

That the Infrastructure Committee receive the report Capacity Modelling Update.**CARRIED****6.4 INFRASTRUCTURE AND ASSET MANAGEMENT (IAM) MONTHLY BUSINESS REPORT FOR FEBRUARY 2022**

Agenda item 6.4 document number A3664130, pages 55 - 235 refers

RESOLUTION 2022/21

Moved: Chairperson Felicity Foy

Seconded: Cr Kelly Stratford

That the Infrastructure Committee receive the report Infrastructure and Asset Management (IAM) Monthly Business Report for February 2022.**CARRIED**

6.5 FNDC SUBMISSIONS TO TAUMATA AROWAI PROPOSED DRINKING WATER STANDARDS AND RULES

Agenda item 6.5 document number A3666148, pages 236 - 239 refers

RESOLUTION 2022/22

Moved: Cr Kelly Stratford

Seconded: Cr Dave Collard

That the Infrastructure Committee receive the report 'FNDC Submissions to Taumata Arowai Proposed Drinking Water Standards and Rules'.**CARRIED****6.6 INFRASTRUCTURE COMMITTEE ACTION SHEET UPDATE APRIL 2022**

Agenda item 6.6 document number A3672100, pages 240 - 240 refers

RESOLUTION 2022/23

Moved: Chairperson Felicity Foy

Seconded: Cr John Vujcich

That the Infrastructure Committee receive the report Action Sheet Update April 2022.**CARRIED****7 TE WĀHANGA TŪMATATI / PUBLIC EXCLUDED****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2022/24**

Moved: Cr Kelly Stratford

Seconded: Cr John Vujcich

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 - Public Excluded | 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 - Far North Cycle Trail Route Development | 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 | 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 |

Infrastructure Committee Meeting Minutes - **Unconfirmed**

4 May 2022

| | | |
|----------------|---|------------------------------------|
| | commercial position of the person who supplied or who is the subject of the information | exist under section 6 or section 7 |
| CARRIED | | |

7.3 CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC**RESOLUTION 2022/25**

Moved: Chairperson Felicity Foy

Seconded: Cr John Vujcich

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:

- **Item 7.1 Confirmation of Previous Minutes – Public Excluded.**
- **Item 7.2 Far North Cycle Trail Route Development**

CARRIED**8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Chair Felicity Foy closed the meeting with a karakia

9 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 1:00 pm.

The minutes of this meeting will be confirmed at the Infrastructure Committee Meeting held on 15 June 2022.

.....
CHAIRPERSON

7.3 APPOINTMENT OF DISTRICT LICENSING COMMITTEE CHAIRPERSON AND DEPUTY CHAIRPERSON

File Number: A3692678

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Dean Myburgh, General Manager - District Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To appoint the District Licensing Committee Chairperson and Deputy Chairperson.

WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

- There is a requirement for a Chairperson of the District Licensing Committee (DLC) to allow Council to continue to discharge its obligations under the Sale and Supply of Alcohol Act 2012.
- Councillor Ann Court resigned from the position of Chairperson of the DLC on 27 April 2022.
- Councillor Kelly Stratford (Deputy Chairperson) is currently acting Chairperson.
- Councillor Ann Court wishes to remain on the committee as Deputy Chairperson.

TŪTOHUNGA / RECOMMENDATION

- a) That Councillor Kelly Stratford is appointed as the Chairperson of the District Licensing Committee.**
- b) That Councillor Ann Court is appointed as Deputy Chairperson of the District Licensing Committee.**
- c) And that Council review the Chairperson and Deputy Chairpersons on the District Licensing Committee in December 2022.**

1) TĀHUHU KŌRERO / BACKGROUND

Each territorial authority must appoint a DLC to manage licensing matters within its district under the Sale and Supply of Alcohol Act 2012 (the Act).

Within their local areas, DLCs decide applications for:

- new and renewal applications for on-, off- and club licences.
- special licences.
- new and renewal applications for manager's certificates.
- opposed acting or temporary appointments of managers.
- variation of licence conditions.
- temporary authorities and temporary licences.
- orders to vary, revoke, suspend or cancel a special licence.

A DLC is made up of a chairperson and two members who have terms of office up to five years.

The quorum for a DLC meeting is three members, except when licence or manager's certificate applications have no objections or matters raised in opposition. In these instances, the Chairperson can form a quorum of one.

A DLC hearing is held where there is public or agency objections to an application.

A DLC considers the application, agency reports, evidence and submissions presented to it against the criteria in the Act and any relevant case law. It then objectively determines facts and draws conclusions from them to make its decision.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The chair of a DLC can either be an elected member of the territorial authority, or a commissioner appointed by the chief executive, on the recommendation of the territorial authority.

Councillor Ann Court has held the role of Chairperson since December 2013. Councillor Kelly Stratford has been Deputy Chairperson since March 2018.

- The Deputy Chairperson is required to act in place of the Chairperson if they are unable to act because of illness, absence from New Zealand or other sufficient reason.
- While acting in place of the Chairperson, the Deputy Chairperson is a member of the committee and has all the powers and duties of the Chairperson.

Due to personal reasons, Councillor Court has resigned from the position of Chairperson on 27 April 2022 and Councillor Kelly Stratford has agreed to act in the position.

Councillor Ann Court has agreed to remain as Deputy Chairperson to assist with complex issues and hearings.

Option 1. Appoint Councillor Kelly Stratford as the Chairperson and Councillor Ann Court as Deputy Chairperson of the DLC.

Option 2. Appoint a commissioner to the role of Chairperson of the DLC.

Council can also recommend that the Chief Executive Officer appoint a DLC Commissioner under Section 193 of the *Sale and Supply of Alcohol Act*. Once this recommendation is received, the Chief Executive has the authority to appoint a DLC Commissioner under Section 193 of the *Sale and Supply of Alcohol Act* which states:

“The chief executive of a territorial authority may, on the recommendation of the territorial authority, appoint a commissioner or commissioners to any of the territorial authority’s licensing committees and any person so appointed has all the functions, powers, and duties of the chairperson of the licensing committee.”

Option 1 is the preferred outcome. Councillor Kelly Stratford has confirmed interest in the role of Chairperson and has experience as Deputy Chairperson. This will ensure the continuity of service to customers who make application for licences or manager’s certificates issued under the *Sale and Supply of Alcohol Act 2012*.

Councillor Court is well versed on and fully familiar with the requirements of Alcohol Licensing matters and decision-making serving as the Chairperson of the DLC since December 2013. This will assist greatly with the transition if she remains as Deputy Chairperson.

Take Tūtohunga / Reason for the recommendation

To ensure the continuity of service to customers who make application for licences or manager’s certificates issued under the *Sale and Supply of Alcohol Act 2012*.

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

Councillor Kelly Stratford will be entitled to claim expenses associated with the position as Chairperson of the DLC as stated in the Contract for services between the Far North District Council and the member.

ĀPITI HANGA / 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,
 - 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 | Low |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Compliance with the Sale and Supply of Alcohol Act 2012 (Section 189). |
| 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 role is representative of the District and Council. |
| 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. | None identified. The position of Chairperson and Deputy Chairperson of the District Licensing Committee already exists, and this report is seeking the appointment of a successor due to resignation. |
| 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). | Other list members of the District Licensing Committee have an interest in this matter. |
| State the financial implications and where budgetary provisions have been made to support this decision. | Refer to report. |
| Chief Financial Officer review. | The CFO has reviewed this report. |

7.4 LINDVART PARK EASEMENT TO TOP ENERGY

File Number: A3703758

Author: David Clamp, Manager - Major and Recovery Projects

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of this report is to seek Council approval to grant an easement in gross in favour of Top Energy Limited pursuant to section 48 of the Reserves Act 1977 on part Lot 3 Deposited Plan 22327 contained in Record of Title NA1008/196 being part of Lindvart Park in Kaikohe (“**Land**”). The easement is required to enable Top Energy to convey electricity and telecommunications over the easement area for the purpose of Lindvart Park - Sportsville Kaikohe project and sports facility located on the Land.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Lindvart Park - Sportsville Kaikohe project has completed the consultation and design phase and is looking to commence site works in May 2022.
- The project requires a connection to the Top Energy Ltd electricity network which requires the granting of an easement.
- The Reserves Act 1977 provides a mechanism for Council to consider approving the granting of an easement.
- Under the Reserves Act 1977 it is for Council to consider approving grants of easements on the Land for the purpose outlined above.
- No public consultation is required as the reserve Land is not likely to be materially altered or permanently damaged and the rights of the public in respect of the reserve are not likely to be permanently affected by the establishment and lawful exercise of the easement sought.

TŪTOHUNGA / RECOMMENDATION

That Council approve the granting of an easement in gross in favour of Top Energy Limited for a right to convey electricity and telecommunications pursuant to section 48(1)(a) and (d) of the Reserves Act 1977 on part Lot 3 Deposited Plan 22327 contained in Record of Title NA1008/196 being part of Lindvart Park in Kaikohe on the terms set out in the form of easement instrument (attachment 1), which shall be amended to include details of Easement Area upon installation of transmission line and associated works.

1) TĀHUHU KŌRERO / BACKGROUND

In 2015, a report was commissioned to identify possible shortcomings within the Kaikohe Lindvart Park Development. The report addressed required facilities that needed to be considered in the parks long term plan.

In 2019/2020, Kaikohe and Districts Sportsville formed a sub-committee tasked with the delivery of the project. The committee worked with various stakeholders and sports codes to form the design brief for the new facilities. Through various sources, \$11.38M has been secured.

The project has subsequently completed the consultation and design phase and is looking to commence site works in May 2022 following Ministerial approval to proceed (received 9th May 2022).

The project requires a connection to the Top Energy Ltd electricity network to connect services to the main sports facility and to support the construction phase. This requires the granting of an easement for supply of electricity and telecommunications.

The appropriate legal mechanism for Council to legalise installation of electricity infrastructure on the Land and associated works is to grant an easement in gross under the Reserves Act 1977. Section 48(1) (a) and (d) states:

Section 48(1) Subject to subsection (2) and to the [Resource Management Act 1991](#), in the case of reserves vested in an administering body, the administering body, with the consent of the Minister and on such conditions as the Minister thinks fit, may grant rights of way and other easements over any part of the reserve for—

(a) any public purpose; or ...

(d) an electrical installation or work, as defined in section 2 of the Electricity Act 1992...

In accordance with section 48(3), public notification is not required if the Reserve is not likely to be materially altered or permanently damaged and the rights of the public (in respect of the reserve) are not likely to be permanently affected by the establishment and lawful exercise of the easement.

In accordance with section 48(1) and the subsequent Minister of Conservation's 2013 instrument of delegation for Territorial Authorities, a Territorial Authority as an administering body of a reserve, maintains the delegated authority (by the Minister of Conservation) to grant easements pursuant to section 48(1) of the Reserves Act 1977.

Therefore, the Council can consider and approve to grant easement in gross under the Reserves Act 1977 for the purpose of allowing Top Energy Ltd to carry out installation of electricity infrastructure and the associated works and to convey electricity and telecommunications in perpetuity until the easement is surrendered, should the Council see fit to do so.

Though a Reserve Management is in place for this Reserve, the power to grant easement comes from the Reserves Act 1977, section 48, therefore Council approval to grant easement by resolution is sought and required.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Option 1 – Approve to grant easement in gross in favour of Top Energy Ltd for the purpose of legalising Top Energy Ltd right to convey electricity and telecommunications on the Land.

Option 2 – Not approve to grant easement in gross in favour of Top Energy subsequently not allowing and preventing Top Energy Ltd from conveying electricity and telecommunications on the Land.

Take Tūtohunga / Reason for the recommendation

Option 1 – Approve to grant easement in gross in favour of Top Energy Ltd for the purpose of legalising Top Energy Ltd right to convey electricity and telecommunications on the Land which electricity and telecommunications are necessary for effective construction and operation of Kaikohe Lindvart Park Development project. Should Council consider electricity and telecommunications are necessary utilities for effective constructions and operation of Kaikohe Lindvart Park Development project, section 48(1) of the Reserves Act 1977 provides Council with the legal mechanism to accept and legalise Top Energy's right to convey electricity and telecommunications on the Land.

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

Cost of easement, easement agreement and registration are provided within the project funding.

ĀPITI HANGA / ATTACHMENTS

1. 110502 (2612042) AGE - Kaikohe and Districts - A3704552  

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 | Low. |
| State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision. | Reserves Act 1977. |
| 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. | |
| 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. | |
| 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). | |
| State the financial implications and where budgetary provisions have been made to support this decision. | Cost to be absorbed by the project funding. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report. |

Agreement to Grant Easement

Top Energy Limited**Error! Bookmark not defined.**
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Far North District Council**Error! Bookmark not defined.**
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Kaikohe and Districts Sportsville Incorporated**Error! Bookmark not defined.**
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Date:

PARTIES

- Top Energy Limited**Error! Bookmark not defined.Error! Bookmark not defined.
Error! Bookmark not defined.Error! Bookmark not defined.
Error! Bookmark not defined.(*Top Energy*)

Address: John Butler Centre (level 2)
60 Kerikeri Road, Kerikeri

Phone:

Email:

- 2 Far North District Council!Error! Bookmark not defined.!Error! Bookmark not defined.!Error! Bookmark not defined.!Error! Bookmark not defined.!Error! Bookmark not defined.!Error! Bookmark not defined. (Owner)

Address: Private Bag 752, Kaihoro 0440

Email:

- 3 Kaikohe and Districts Sportville Incorporated (*KDSI*)

Address: Far North District Council, Memorial Avenue, Kaikohe 0405

Email:

Phone:

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BACKGROUND

- A The Owner is the owner of the Land.
- B Top Energy is the electricity lines network company responsible for electricity transmission servicing the Land.
- C KDSI operates a sports facility on the Land.
- D Top Energy, the Owner and KDSI have reached agreement on the terms upon which, amongst other things, Top Energy will undertake the Works, and the Owner will grant the Easement in favour of Top Energy in respect of the Works on the terms as set out in this agreement.

AGREEMENT

1 DEFINITIONS AND INTERPRETATION

1.1 Definitions: In this agreement:

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Bond means that part of the Estimated Costs detailed in Schedule 1, amounting to \$4,347.83 plus GST.

Conditions means any condition set out in clause 3.

Dealing means the registration of the Easement in accordance with clause 6.

Easement means an easement granting a right to convey electricity and telecommunications in gross in favour of Top Energy over the Easement Area, on the terms set out in the form of easement instrument attached as Schedule 2, which shall be amended to include the provisions of this agreement where necessary.

Easement Area means the area shown marked with white stripes on the Plan in respect of the Works, such areas to be finalised by Top Energy during the survey process in clause 6 following completion of the Works.

Estimated Costs means the sum of \$141,663.09 plus GST as recorded in the Sales Quotation No. 20006466 dated 28 February 2022 attached as Schedule 1.

KDSI means Kaikohe and Districts Sportsville Incorporated.

Land means the estate in fee simple in Part Lot 3 Deposited Plan 22327 described in Record of Title NA1008/196 being approximately 5.3603 hectares more or less, being a recreation reserve subject to the Reserves Act 1977.

Land Transfer Plan means an easement plan complying with the Land Transfer Act 2017;

LINZ means Land Information New Zealand.

Owner means the Owner, the Owner's successors and/or the registered owner(s) for the time being of the Land.

Plan means the indicative plan attached as Schedule 3.

Top Energy means Top Energy Limited, its successors and permitted transferees, assigns, lessees, sublessees and licensees together with Top Energy's servants, agents, employees, workers, invitees, licensees and contractors.

Transmission Line means the electricity infrastructure (including the transformer) and associated works to be constructed the Land as shown on the Plan and as further described on the Plan and in the Sales Quotation No. 20006466 dated 28 February 2022 attached as Schedule 1.

Works means the works to install the Transmission Line and associated works.

1.2 INTERPRETATION

In this agreement:

- (i) The words including the singular shall be deemed to include the plural and vice versa.
- (ii) References to Top Energy, Owner and KDSI shall include their successors and/or permitted transferees/assigns.

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Agreement to Grant Easement

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- (iii) References to any document or agreement shall be deemed to include references to that document or agreement as amended, novated, supplemented, varied or replaced.
- (iv) Headings are inserted for convenience and shall be ignored in interpreting this Agreement.
- (v) References to a clause or a paragraph are a reference to clauses of this Agreement and, unless stated otherwise, to the Part of this Agreement in which such reference appears.

2 COSTS

- 2.1 KDSI shall pay Top Energy the Estimated Costs immediately on signing this agreement (if not paid already).
- 2.2 The Bond shall be used to pay for the actual costs incurred by Top Energy in preparing this agreement, undertaking the survey of the Easement Area and registering the Easement with LINZ.
- 2.3 If the actual costs to Top Energy (as described in clause 2.2) will:
 - (a) exceed the Bond, then KDSI shall, on demand, increase the Bond payment accordingly by making an additional payment to Top Energy; or
 - (b) be less than the Bond, then Top Energy will refund to KDSI the excess held.

3 CONDITIONS

- 3.1 This agreement is conditional upon the Owner (as owner of the Land and as an administering body) complying with all laws and legal requirements necessary to register the Easement, including complying with any obligations under the Reserves Act 1977.
- 3.2 The date for satisfaction of the condition contained in clause 3.1 is the date that is two (2) months from the date this agreement is signed by all parties.

4 WORKS

- 4.1 In consideration of the payment of the Estimated Costs to Top Energy by KDSI, Top Energy shall, from the date the Estimated Costs are paid and the Conditions are satisfied, be entitled to enter, re-enter and remain on the Land at all reasonable times with or without such assistance, machinery, vehicles and equipment as is reasonably necessary to undertake the Works.
- 4.2 Top Energy shall undertake the Works with all due care, speed and diligence, provided always that Top Energy shall use reasonable endeavours to cause as little interference as practicable to the Owner and KDSI.
- 4.3 Any change to the Easement Area (being solely as a result of an adjustment in accordance with the final route of the Transmission Line), must be approved in writing by the Owner and KDSI, such approval not to be unreasonably withheld or delayed.

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- 4.4 KDSI shall be responsible, at its sole cost, for obtaining any resource consents required in respect of the Works.

5 EASEMENT

- 5.1 From the date the Conditions are satisfied:

- (a) the Owner grants, and Top Energy accepts, the Easement over the Easement Area; and
- (b) Top Energy and the Owner agree to be bound by the Easement as if it had been executed by both parties and registered against the record of title to the Land, its terms being implied into this agreement.

6 SURVEY AND REGISTRATION

- 6.1 Following completion of the Works, Top Energy will:

- (a) undertake a survey and produce a Land Transfer Plan identifying the Easement Area;
- (b) submit the Land Transfer Plan to LINZ for approval and deposit and take such steps as are necessary to obtain LINZ's approval of the Land Transfer Plan; and
- (c) create a Landonline Workspace for the Dealing.

- 6.2 The Owner will promptly, at its cost, obtain the consent of any chargee or mortgagee of the Land to the Dealing on terms reasonably acceptable to Top Energy. The Owner will also procure the signing, certification and release of the Dealing to Top Energy for submission.

- 6.3 As soon as reasonably practicable after Top Energy receives notice that LINZ has registered the Easement, it will notify the Owner of the same.

7 COVENANTS

- 7.1 The Owner and KDSI acknowledge that there is no liability for any, and will make no claim for, compensation for or from Top Energy arising whether in relation to the Works, the grant of the Easement, injurious affection or loss of profit but excluding however any claim for breach of this agreement or the Easement or any negligence on the part of Top Energy.

- 7.2 The Owner and KDSI agree, warrants and undertake to Top Energy that the Owner will not:

- (a) negotiate or grant any rights to any person over the Easement Area between the date of this agreement and the registration of the Easement at LINZ; or
- (b) undertake any building construction on the Easement Area without obtaining the prior consent of Top Energy, such consent not to be unreasonably withheld or delayed.

- 7.3 The Owner and KDSI will not, in their capacity as owner or occupier of the Land or both, either directly or indirectly:

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- (a) object to, advocate against, oppose or impede any action taken by Top Energy to give effect to any of the matters referred to in this agreement or for the purpose of undertaking the Works so long as it is acting in accordance with this agreement, the Easement and all applicable statutory and regulatory obligations, whether national, regional or local;
 - (b) object to the granting of any consent required by Top Energy to undertake the Works; and
 - (c) fund, facilitate, assist or promote any other person to take any action that would be in breach of this agreement if done by the Owner.
- 7.4 The Owner and KDSI will promptly give, sign and deliver all written approvals or consents requested by Top Energy that are reasonably necessary to:
- (a) enable Top Energy to undertake the Works; or
 - (b) enable the registration of the Easement.

8 HEALTH AND SAFETY

- 8.1 Top Energy will comply with all obligations imposed on Top Energy at law as the person in charge of a place of work and will be responsible for the health and safety of any person who enters the Land at the request of Top Energy.
- 8.2 The Owner will comply with all obligations imposed on the Owner at law as owner of the Land relating to the health and safety of persons on or in the vicinity of the Land.
- 8.3 KDSI will comply with all obligations imposed on the KDSI at law as occupier of the Land relating to the health and safety of persons on or in the vicinity of the Land.

8.4 COSTS

- 8.5 KDSI agrees to reimburse, upon demand, all Top Energy's costs incurred in the perusal, execution and performance of this agreement, including but without limitation, internal and external legal, surveying, valuation, construction, engineering and management costs.

9 DISPUTE RESOLUTION

- 9.1 If any dispute arises between the parties concerning the rights and obligations contained within this agreement, the parties will enter into negotiations in good faith to resolve the dispute themselves or through any informal dispute process they agree upon.
- 9.2 If the dispute is not resolved within 14 days then any party may at any time serve a mediation notice on the other parties requiring the dispute be referred to mediation. The mediation notice shall set out the nature of the dispute. The parties shall in good faith endeavour to agree upon a mediator within 7 days of the date of service of the mediation notice. If the parties cannot agree on the mediator, the President for the time being of the New Zealand Law Society (or any successor organisation) or the President's nominee will appoint an independent mediator. The mediator's costs are to be borne equally by the parties.

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- 9.3 If the dispute is not resolved within 28 days of the date on which the mediation notice is served, the parties will submit to the arbitration of an independent arbitrator appointed jointly by the parties. If the parties cannot agree on the arbitrator within a further 14 days the President for the time being of the New Zealand Law Society (or any successor organisation) or the President's nominee will appoint an independent arbitrator.
- 9.4 Any arbitration proceedings will be conducted in accordance with the Arbitration Act 1996 and the substantive law of New Zealand.

10 ASSIGNMENT

- 10.1 Top Energy may assign, sub-license, novate or otherwise transfer the whole, but not any part of, their interest in this agreement to any party, provided that the transferee or assignee party enters into a deed of covenant with the other party to comply with the provisions of this agreement in place of Top Energy.
- 10.2 The Owner shall not transfer or assign any of its interest in the Land or this agreement or grant any interest, mortgage or charge over the Land without first obtaining the consent of Top Energy. Top Energy must give its consent if the assignee, transferee or recipient of the interest in the Land enters into a deed of covenant with Top Energy, that it will comply with the provisions of this agreement instead of the Owner or, in the case of the grant of an interest in the Land, in addition to the Owner.
- 10.3 KDSI shall not transfer or assign any of its interest in this agreement.

11 COMPLIANCE WITH LAWS

- 11.1 Each party must comply with all laws and other legal requirements that apply to the use or occupation of the Land or to activities undertaken on the Land, including under the Resource Management Act 1991, Reserves Act 1977, and the Building Act 2004.

12 COUNTERPARTS

- 12.1 This agreement may be executed in two or more counterparts, all of which will together be deemed to constitute one and the same agreement. A party may enter into this agreement by signing a counterpart copy and sending it to the other party or parties, including by facsimile or email.

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Agreement to Grant Easement

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EXECUTION

Signed by Top Energy Limited in the presence
of:

.....
Authorised Signatory

.....
Witness signature

.....
Name

.....
Full name (please print)

.....
Occupation (please print)

.....
Address (please print)

Signed by Far North District Council in the
presence of:

.....
Authorised Signatory

.....
Witness signature

.....
Name

.....
Full name (please print)

.....
Occupation (please print)

.....
Address (please print)

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Signed for and on behalf of the **Kaikohe and Districts Sportsville Incorporated** in the presence of:

.....
Authorised Signatory

.....
Witness signature

.....
Name

.....
Full name (please print)

.....
Authorised Signatory

.....
Occupation (please print)

.....
Address (please print)

.....
Name

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Agreement to Grant Easement

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SCHEDULE 1 – ESTIMATED COSTS

Cost of the Works: \$141,663.09 plus GST as detailed in Sales Quotation No. 20006466 dated 28 February 2022 as attached

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SCHEDULE 2 – EASEMENT INSTRUMENT

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Agreement to Grant Easement

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Easement instrument to grant easement or *profit à prendre***Section 109, Land Transfer Act 2017****Grantor***Surname(s) must be underlined.***FAR NORTH DISTRICT COUNCIL****Grantee***Surname(s) must be underlined.***TOP ENERGY LIMITED****Grant of Easement or *Profit à prendre***

The Grantor being the registered owner of the burdened land set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) ~~or *profit(s) à prendre*~~ set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A*Continue in additional Annexure Schedule if required.*

| Purpose of Easement or <i>Profit à prendre</i> | Shown (plan reference) | Burdened Land (Record of Title) | Benefited Land (Record of Title) or in gross |
|--|---------------------------------------|------------------------------------|--|
| Right to convey electricity and telecommunications | Marked "" and "" on Deposited Plan | NA1008/196 | In gross |

Easements or *profits à prendre* rights and powers (including terms, covenants, and conditions)

*Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.*

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby ~~[varied] [negated] [added to] or [substituted]~~ by:

~~[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017.]~~

[The provisions set out in the Annexure Schedule B].

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Annexure Schedule B**1 Interpretation**

1.1 In this instrument, unless the context otherwise requires:

- (a) "Burdened Land" means the land owned by the Grantor and contained in Record of Title NA1008/196;
- (b) "Easement Area" means that/those part(s) of the Burdened Land marked on Deposited Plan with the letter(s) " ";
- (c) "Emergency Situation" means a situation in which there is a probable danger to life or property or immediate risk to the continuity or safety of supply or distribution of electricity by means of the Transmission Line;
- (d) "Transmission Line" means wires or conductors of any other kind (including fibre optic or coaxial cables) used or intended to be used for the transmission of electricity and/or telecommunication signals, waves or impulses; and includes any insulators, foundations, casings, tubes, tunnels, minor fixtures and other items, equipment or material used or intended to be used for supporting, securing, enclosing, surrounding and protecting a Transmission Line; and also includes any fuses, fuse holders, pillars and transformers, automatic switches, voltage regulators, capacitors or other instruments, apparatus or devices used in association with a Transmission Line; and anything in replacement or substitution of any of the foregoing;
- (e) words importing the singular include the plural and vice versa; and
- (f) references to the Grantor and Grantee include their respective heirs, executors, transferees, administrators, successors and assigns.

2 Grant of electricity and telecommunications easements

2.1 The Grantor grants to the Grantee as an easement in gross forever, the rights to

- (a) convey, reticulate, convert, transform, transmit, supply and use electrical energy and power by means of the Transmission Line; and
- (b) convey, send, transmit and transport telecommunications signals, waves or impulses,

in each case without interruption or impediment and in any quantity.

2.2 The Grantee together with the Grantee's agents, contractors and employees, and with any vehicles, equipment, tools and materials has the right to enter by a reasonable route and remain on the Easement Area and any other parts of the Burdened Land as are reasonably necessary to do the following work:

- (a) to survey, investigate, lay, install and construct the Transmission Line both over and under the Easement Area, and if under at a depth and along such line as shall be determined by the Grantee and if over at a height and along such line as similarly shall be determined by the Grantee;

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- (b) to install such infrastructure both on or under the surface of the Burdened Land as is necessary for the effective transmission of electricity by means of the Transmission Line;
 - (c) to inspect, operate, use, maintain, repair, renew, upgrade, replace, change the size of and remove the Transmission Line;
 - (d) with the Grantee's agents, contractors and employees, and with any vehicles, equipment, tools and materials, to enter and remain for a reasonable time on the Burdened Land for any purposes necessary or convenient for the Grantee to exercise its rights under this instrument (including the right to extinguish fires);
 - (e) to construct on the Burdened Land whatever roads, tracks, access ways, fences, gates and other works are deemed necessary by the Grantee for it to exercise its rights under this instrument and which are approved by the Grantor (that approval not to be unreasonably withheld);
 - (f) to keep the Easement Area cleared of all buildings and structures by any means the Grantee considers necessary;
 - (g) to keep the Easement Area cleared of all fences, trees and vegetation by any means the Grantee considers necessary where such:
 - (i) breach any statutory or regulatory requirements or standards or codes of practice or otherwise breach generally accepted engineering standards as to the minimum clearance of the Transmission Line;
 - (ii) impede the exercise by the Grantee of its rights under this instrument or the Grantee's access over the Burdened Land or the Easement Area or to the Transmission Line; or
 - (iii) inhibit the safe and efficient operation of the Transmission Line;
 - (h) to remove at the Grantor's expense trees and/or vegetation on the Burdened Land where the Grantee, acting reasonably considers such trees and/or vegetation pose a risk to the safe and efficient operation of the Transmission Line and the Grantor having been given notice of the requirement for the removal of such trees and/or vegetation pursuant to clause 5(b) of this instrument has failed to act.
- 2.3 The Grantee has no obligation to construct the Transmission Line or convey electricity through it or them continuously or at all.
- 3 Access**
- 3.1 The Grantee must, before exercising the right of entry in clause 2.2:
- (a) make reasonable efforts to identify the Grantor or the occupier of the Burdened Land;
 - (b) give reasonable notice, and in any event not less than three (3) days' notice, to the Grantor or the occupier of the Burdened Land of the Grantee's intention

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| | to enter the Burdened Land, except in an Emergency Situation when prior notice is not required; and |
| | (c) identify the work it intends to carry out. |
| 3.2 | The Grantee is not required by reason of the obligations in this clause to delay entry onto the Burdened Land from the date notified. |
| 3.3 | The Grantee, in entering the Land, will take reasonable steps to minimise inconvenience to the Grantor or the occupier of the Burdened Land, including; |
| | (a) liaising with the Grantor to arrange a suitable time of entry to the Easement Area (unless this is not possible due to an Emergency Situation); |
| | (b) leaving gates as they are found (if applicable); |
| | (c) driving in a safe manner and taking reasonable steps not to disturb stock (if applicable); and |
| | (d) Avoiding access through specific areas identified by the Grantor unless necessary to access the Transmission Line. |
| 3.4 | The Grantee is not required to delay entry onto the Burdened Land or to pay any money or other consideration to the Grantor or any occupier of the Burdened Land by reason of the obligations in this clause. |
| 3.5 | When accessing the Easement Area, the Grantee will: |
| | (a) complete work on the Transmission Line as soon as possible with as little damage as possible to the Burdened Land and any vegetation, fences or improvements on it; and |
| | (b) use all reasonable endeavours to repair and make good all damage caused to the Burdened Land by the Grantee or the Grantee's agents, contractors or employees as a result of carrying out work on the Transmission Line. |
| 4 | Ownership of the Transmission Line |
| | The Transmission Line will at all times remain the property of the Grantee. |
| 5 | Grantor's Continued Use of Burdened Land |
| | Subject to clause 6, the Grantor: |
| | (a) may use the Burdened Land as long as that use does not unreasonably interfere with the enjoyment of the Grantee's rights and interests granted under this instrument; and |
| | (b) (at its cost) shall remove trees and vegetation on the Burdened Land where the Grantee, acting reasonably gives notice to the Grantor that it considers it necessary that such trees and/or vegetation be removed to ensure that such trees and vegetation do not pose a risk to the safe and efficient operation of the Transmission Line. |
| 6 | Restrictions on Grantor's use |

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- 6.1 The Grantor must not do or allow any act which may interfere with or affect the rights of the Grantee or the operation of the Transmission Line and, in particular, the Grantor must not, without the consent in writing of the Grantee:
- (a) on the Easement Area, or within the minimum distance from the Transmission Line as advised by the Grantee (having regard to relevant statutory or regulatory requirements, codes of practice and engineering standards applicable from time to time), erect or permit the erection of any buildings or structures, or alter or allow to be altered the overall dimensions of existing buildings or structures, or carry out any earthworks or stockpiling, or construct or permit the construction of any roads, dams, walls or driveways, or allow any vegetation to become established, or remove or permit the removal of any soil, sand, gravel or other substance;
 - (b) disturb the soil of the easement area below the depth of 0.3 metres;
 - (c) cause or knowingly permit flooding of the Easement Area;
 - (d) burn off crops, trees or undergrowth on the Burdened Land;
 - (e) operate or permit to be operated any machinery or equipment (including any cranes, drilling-rigs, pile-drivers and excavators) in close proximity to any part of the Transmission Line;
 - (f) disturb any survey pegs or markers placed on the Easement Area by the Grantee;
 - (g) impede the Grantee's access over the Burdened Land or the Easement Area or to the Transmission Line; or
 - (h) do anything on or in the Burdened Land which would or could damage or endanger the Transmission Line.
- 6.2 The consent of the Grantee required under clause 6.1 will not be unreasonably withheld, but may be given subject to conditions.
- 6.3 The Grantee may consent in writing to certain existing buildings, structures, fences or vegetation on the Easement Area at the date of this instrument remaining there, but such consent may be given subject to conditions.
- 6.4 If any act or item consented to under clause 6.2 or 6.3 subsequently results in a situation described in clause 2.2 (g)(i) – (iii), then such consent may be revoked by the Grantee without compensation.
- 6.5 Before exercising any right under this instrument to remove a fence, the Grantee must consult with the Grantor so the Grantor is given a reasonable opportunity to co-ordinate the erection of any necessary replacement fence. The cost of any replacement fence will be borne by the Grantor and the Grantor must comply with any reasonable directions of the Grantee as to the height, materials used and location of such replacement fence.
- 6.6 If the Grantor does not meet its obligations under this instrument within such reasonable timeframe as is specified in a notice from the Grantee requiring it to do

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so then the Grantee may meet those obligations (and enter the Burdened Land for that purpose) and the Grantor is liable to pay to the Grantee the costs incurred in doing so.

7 Indemnity against third party claims

- 7.1 Each party ("Indemnifying Party") must indemnify the other ("Indemnified Party") against all claims or demands from third parties for any loss, damage or liability in respect of, or arising out of, the use of the land by the Indemnifying Party (or any person authorised, whether expressly or impliedly by it) **EXCEPT THAT** it will not be liable to indemnify where such loss, damage or liability was caused by the Indemnified Party. Where the actions of the Indemnified Party contribute to that loss, damage or liability, the indemnity given by the Indemnifying Party will be reduced in proportion to that contribution.

8 Licence and assignment

- 8.1 The Grantee may assign, licence or otherwise grant any right of all or any part of any estate or interest conferred by this instrument.

9 Perpetual easement

- 9.1 There is no power implied in this instrument for the Grantor to terminate the easement for any breach of this instrument or for any other reason. It is the intention of the parties that the easement created by this instrument will continue forever unless surrendered.

10 Arbitration

- 10.1 If any dispute arises between the parties in relation to this instrument or any matter arising under it and that dispute cannot be resolved by negotiation, then the parties must submit the dispute to arbitration in accordance with the Arbitration Act 1996 (and its amendments or any statute which replaces it). The arbitration will be commenced by either party giving written notice to the other of the details of the dispute and that party's desire to have the matter referred to arbitration. The arbitration will be by one arbitrator, if the parties can agree upon one, and, if not, then by two arbitrators, one to be appointed by each party, and their umpire to be appointed by the arbitrators before they begin to consider the dispute. The award in the arbitration will be final and binding on the parties.

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SCHEDULE 3- PLAN

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8 INFORMATION REPORTS

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

File Number: A3589454

Author: Roger Ackers, Manager - Strategy Development

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

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

WHAKARĀPOOTO 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.

There has been some slippage with the development of a project plan which is explained in the body of this report. However, overall, the project is on track to deliver to 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 report 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 with the adoption of the 2024-34 Long Term Plan and that staff report on the progress against the indicative project schedule in the 16 December 2021 paper to Council that requested the development of a new development contributions policy.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The following table is a 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 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. | Completed. | |

| Phase: Research | | | |
|---|--------------------------|----------------------------|---|
| Communications and engagement planning commences with stakeholder and partner identification and analysis. | January – February 2022. | Postponed until June 2022. | To be completed post the 8 June 2022 workshop with elected. Once the options and scope of a new Development Contributions Policy is clear a more targeted and considered communications and engagement plan will developed alongside a detailed project plan. |
| Internal workshops on options, review of best practice development contribution policies in use across New Zealand. | February – April 2022. | Completed. | Workshop completed 29 March 2022. Outcomes from workshop: (1) Financial planning staff are now allocated to project team. (2) Input into the possible options for a new development contributions policy were put forward by staff for consideration at the 8 June 2022 elected member workshop. These will be further explored by the project team. |
| Review of options with an external expert and a mentor Council on development contributions. | April 2022. | May 2022. | Staff and the procured specialist in development contribution policies will gather evidence and examples from other Councils over the month of May that will feed into the options to be considered by elected members at the 8 June 2022 workshop. |
| Project plan approved. | April 2022. | Postponed until June 2022. | A detailed project plan to develop a new development contributions policy will follow the 8 June 2022 |

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| | | | workshop with elected members. |
| 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 nothing' option. |
| Research report completed. | August 2022. | | |
| Communications and engagement plan completed. | August 2022. | | |
| 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'. |
| <i>Local Body Elections.</i> | <i>8 October 2022</i> | | |
| 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. | | |

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| 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, (2) The Revenue and Financing Policy and (3) 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 information report.

ĀPITI HANGA / ATTACHMENTS

Nil

8.2 ELECTED MEMBER PROTOCOLS DURING THE 2022 LOCAL BODY ELECTIONS

File Number: A3654045

Author: Casey Gannon, Project Manager - Democracy Services

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

PURPOSE OF THE REPORT

Provide Elected Members with the guidelines for communication in the pre-election period, as published by Taituarā and Local Government New Zealand (LGNZ). The pre-election period runs from 15 July to 8 October 2022.

EXECUTIVE SUMMARY

Elected members should ensure their conduct during the pre-election period is in accordance with the communication guidelines published by Taituarā and LGNZ "Communications in the Pre-Election Period" and the principles set out in section 4 of the Local Electoral Act.

RECOMMENDATION

That Council receive the report "Elected Member Protocols during the 2022 Local Body Elections".

BACKGROUND

Local elections must be conducted in accordance with the principles set out in section 4 of the Local Electoral Act. The principles apply to any decision made by a Council under that Act or any other Act, subject only to the limits of practicality. A breach of the principles can give rise to an "irregularity" which could result in an election result being overturned. In this context the principles relate to public confidence in the election process. The conduct (including decision-making, activities, and public statements) of all Elected Members and Council staff during the pre-election period is expected to uphold these principles.

DISCUSSION AND NEXT STEPS

The pre-election period, which runs from 15 July to election day on 8 October 2022 is the subject of guidelines produced by the Taituarā and LGNZ which are intended to ensure that conduct by Council staff is not perceived to support the election of a particular candidate. The report outlining these guidelines, which also provides additional guidance on the use of social media, is entitled "Communications in the Pre-Election Period" and can be found at <https://www.lgnz.co.nz/assets/Uploads/Pre-election-communications-2021.pdf>. Elected members are encouraged to be familiar with these, to ensure their own conduct during the pre-election period does not result in the Taituarā and LGNZ guidelines being breached (or being perceived as having been breached).

Further information about the election will be available on Council's website, including the Candidate Information Booklet which provides further information about legal requirements of candidates. Staff are also being briefed on expected conduct during the pre-election period.

The Elected Member Protocols, along with a copy of this report, will be sent via email to all Community Board members at the conclusion of this meeting.

FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications.

ATTACHMENTS

1. **2022 Elections - Elected Member Protocols - A3636847**  



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Local Authority Elections 2022

Guidelines for Elected Members

Local government elections are held every three years. In 2022, the elections will be held on Saturday 8 October. The period leading up to an election is a time of high interest from parties including the media, members of the public, and electoral candidates. Officially, the period three months from polling day is known as the pre-election period and runs from 15 July 2022 to 8 October 2022.

As an incumbent elected member seeking re-election, you have two roles. You will continue to make the decisions of your council as members of the Council or its community boards, while at the same time campaigning for re-election as a candidate.

These protocols provide guidance for you to balance your dual role as elected members and candidates seeking re-election. It also seeks to ensure all candidates, whether incumbents or not, have a fair and equitable opportunity to participate in the democratic process. For further guidance or for clarification, please contact your Democracy Services team in the first instance.

Key Dates for the 2022 Elections

- 15 July – nominations open.
- 12 August – nominations close.
- 16 to 21 September – voting documents delivered to households (voting starts).
- 8 October – voting closes at noon, results announced as soon as practicable after.

Summary

1. If you are standing for re-election, you must clearly and transparently differentiate between activities conducted as an incumbent elected member (e.g., business-as-usual activities) and activities conducted while campaigning for re-election.
2. Resources owned by the Council and made available to you should only be used for Council purposes. The use of Council resources for election purposes is unacceptable. This includes Council-owned computers and mobile phones, social media channels, email addresses and publications.
3. Council-run social media accounts are considered Council resources and must remain politically neutral during the election. You must always comply with any social media guidelines for candidates.
4. You will continue to have access to the information you need to do your job as an incumbent. Council officers will not provide assistance with electioneering activities.
5. These protocols have general application at all times but are especially relevant in the three months before the local election (Friday 15 July – Saturday 8 October). It is your responsibility to ensure your behaviour falls within these guidelines.

Protocol 1: Continuation of Council business

The normal business of Council continues during the pre-election period. Incumbents seeking re-election must balance and differentiate between these two roles.

Leading up to the election, elected members continue to have the right and responsibility to govern and to make decisions.

However, you should be mindful of an increased level of media and public scrutiny during this period and make a clear and transparent distinction between your activities as an **elected member** and your activities as a **candidate**.

Protocol 2: Use of Council resources

A local authority must not promote, nor be perceived to promote, the re-election prospects of a sitting member. The use of Council resources for re-election purposes is unacceptable.

Council would be directly promoting a member's re-election prospects if it allows incumbent elected members to use Council resources¹ explicitly for campaign purposes. This includes all Council communications facilities (such as Council branding, stationery and postage, social media channels, and communications devices).

Council communications will be restricted during the pre-election period, to remove any perception that the Council is helping incumbents to promote their re-election prospects over other candidates.

Therefore, during the pre-election period:

- Council resources must not be used for campaigning purposes (including for positions not at your Council). This includes Council-supplied computers, social media channels, email addresses, mobile phones and telephone numbers.
- Elected members' columns in Council publications will be suspended.
- Elected members will be required to comply with any Council social media guidelines for candidates in all aspects of their role.
- Opportunities for elected members to act as Council spokespersons will be minimised. In general Council communications (such as media quotes) during the pre-election period will be attributed to Council staff (who are authorised media spokespersons).

Your Council contact information will still be available (for example on the Council website or in the Annual Report) so your constituents can contact you about Council business. However, you should not be using your Council-supplied email address or mobile phone for electioneering purposes. If someone contacts you regarding the election on either of these channels, **you should reply from your personal email address or mobile phone**.

¹ Council resources include, but are not limited to, Council-owned or -controlled property and other resources including the Council logo and branding, all Council marketing and communication channels (including social media), Council-supplied business cards, stationery, computers, email, mobile phones, photocopyers, cars, Council venues (other than those available for hire to the general public), Council funds, and Council's human resources.

Protocol 3: Social media

Council's social media channels are Council resources and must remain politically neutral during the election. Elected members seeking re-election should not comment on, share, or otherwise use Council social media channels for electioneering.

Advice on how to use social media effectively and safely during the election period is contained in Appendix 1.

Council's social media channels will always remain neutral. Council will promote elections and the importance of voting but will not associate these posts with any candidates.

Please note that for the period of the election:

- Council's social media channels must not be used by anyone for campaigning purposes. Any campaign-related material (including posts related to nominations and candidacy) will be removed.
- Council social media accounts will not follow any candidates. This may result in your account being unfollowed.
- You may not reply to comments or posts on Council's social media channels encouraging people to like or follow your social media accounts.
- You may not rate, review, check-in or tag the Council's social media channels in your own posts or comments.

Protocol 4: Availability of information

Elected members will have access to the information they need to discharge their roles as incumbents and their Council contact information will still be publicly available. However, Council officers will not provide assistance with electioneering activities.

You will continue to be supported in your role as an incumbent elected member, including by your Democracy Advisor (or in the case of the Mayor, his Executive Assistant). However, information requests should be clearly related to Council business and not for re-election purposes.

Information requests for election purposes are welcome. These should be made to the CE Office and will be carried out in accordance with the Local Government Official Information and Meetings Act 1987.

Where the Council supplies information that is not already in the public domain to a candidate, the Council may consider any broader interest in this information alongside the requirement that Council resources are not used to give an electoral advantage to any candidate, and at the CE's discretion make this information available to all other candidates.

Protocol 5: Use of Mayoral resources

Council resources provided for mayoral use should not be used for any electioneering activities associated with any candidate.

If an incumbent mayor is seeking re-election a clear and transparent distinction will be made between that mayor's business-as-usual activities and the mayor's campaigning activities.

The incumbent mayor's office will establish systems and protocols to ensure that any information or other requests from the public, media, other elected members or council employees during the pre-election period are identified as either business as usual or campaign related and to ensure that these are kept separate and responded to appropriately.

Application of protocols

As an elected member seeking re-election, it is ultimately your responsibility to ensure that your behaviour falls within these guidelines.

If you are unsure as to whether a particular action or request is in breach of these protocols, you should seek advice from your Electoral Officer (Dale Ofsoske) or Deputy Electoral Officer (Caroline Wilson) as soon as possible.

Review

These guidelines will be reviewed every three years before the nomination period opens for elections.

Appendix 1

Social Media Guidance for Candidates

A big part of being a councillor or community board member is engaging with the community – social media is a useful tool for this. However, during the election period, the following guidelines for candidates apply to your interactions with council social media channels.

Candidates must comply with the following guidelines for social media use and presence related to campaigning:

Things to be aware of

- Election advertising, using any media, including social media, must identify the person under whose authority they have been produced, as per sections 113-115 of the Local Electoral Act 2001. This means in your profile photo/bio, you must have a statement saying that all content/images on your social media channel are authorised by you or your agent. You must include a physical address in the authorisation statement.
- The Council's social media accounts are not permitted to be used as a communications channel by anyone (candidates or members of the public) for promotion, electioneering or campaigning. This also applies to all social media accounts owned by Council-controlled organisations.
- The Council's social media accounts are constantly monitored, and any campaign related, or electioneering content will be removed immediately.
- If Council already follows your public social media accounts, please note you will be unfollowed 3 months prior to the election date. This protocol is in line with the Local Electoral Act 2001.
- Any social media post – positive or negative – made by any individual specifically relating to their own – or someone else's – nomination, intention to run for Council, or election campaign, will be removed immediately.
- Candidates must not link their own social media accounts (if they are used for campaigning purposes) to the Council's social media accounts.
- Candidates may engage with FNDC social media posts (react, share or comment), provided their engagement is not deemed to be campaigning. Any such activity will be removed immediately. This also applies when sharing FNDC content to a candidate's own social media. You may be asked to remove this where it breaches protocol. Refer to the Taituarā and LGNZ guide for guidance on, "Communications in the Pre-Election Period" for examples.
<https://www.lgnz.co.nz/assets/Uploads/Pre-election-communications-2021.pdf>
- The Council's social media accounts will remain neutral. Council will promote elections and the importance of voting but will not associate these posts with any candidates.
- Resources that have already been produced and made available publicly through Council's digital channels may be shared to educate or inform people about what council does. However, we will not supply original versions of these assets to candidates.

8.3 LOCAL GOVERNMENT COMMISSION DETERMINATION FOR THE 2021 FNDC REPRESENTATION REVIEW

File Number: A3666670

Author: Caroline Wilson, Manager - District Administration

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

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide elected members with the Representation Review Determination from the Local Government Commission (LGC).

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Following early discussions around ward and community board subdivision matters and the decision to establish one or more Māori wards, Council undertook a comprehensive Representation Review, culminating in a final proposal adopted by Council on 4 November 2021.

As the final proposal adjusted ward or community board subdivision boundaries resulting in non-compliance with the +/- 10% rule (so as not to divide communities of interest), the final proposal was required to be treated as an appeal under section 19V(5) of the Local Electoral Act 2001 (LEA) and referred to the LGC following the appeal/objection period, for determination.

The LGC released their determination on 30 March 2022 which confirmed the council's final proposal. The determination is attached for information.

TŪTOHUNGA / RECOMMENDATION

That the Council receive the report Local Government Commission Determination for the 2021 FNDC Representation Review.

TĀHUHU KŌRERO / BACKGROUND

Councils are required, at least once every six years, to undertake a review of its representation arrangements. The last review was carried out in 2015 with minimal changes.

Council undertook a comprehensive review culminating in a final proposal which the LGC have accepted in its' entirety. At a high level, the changes proposed were:

- increase the number of councillors from nine to ten;
- create one district-wide Māori ward (Ngā Tai o Tokerau)
- create a new Waipapa subdivision for the Bay of Islands-Whangaroa community board;
- make minor boundary adjustments between subdivisions and wards to maintain communities of interest

The principle of establishing one or more Māori wards and the change to the Single Transferable Voting electoral system were undertaken through other provisions within the LEA and therefore out of scope of the determination.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The new structure will come into effect for the 2022 local body elections. Any impacts on ward rates will be reflected from 1 July 2023 onwards.

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

There are no financial implications as a result of this report.

ĀPITIHANGA / ATTACHMENTS

1. Far North DC Determination 2022 - A3654526 [↓](#) 



Local Government Commission
Mana Kāwanatanga ā Rohe

Determination

on a decision of the Far North District Council to adopt
representation arrangements for the local authority elections
to be held on 8 October 2022

Background

1. All territorial authorities are required under sections 19H and 19J of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years. Representation reviews are to determine the number of councillors to be elected, the basis of election for councillors and, if this includes wards, the boundaries and names of those wards. Reviews also include whether there are to be community boards and, if so, arrangements for those boards. Representation arrangements are to be determined so as to provide fair and effective representation for individuals and communities.
2. The Far North District Council (the council) last reviewed its representation arrangements prior to the 2016 local authority elections. Accordingly, it was due to undertake a review prior to the next elections in October 2022.
3. On 4 May 2021 the council resolved to establish one or more Māori wards which also requires a review of representation arrangements.
4. The Commission last made a determination in relation to Far North District Council's representation in 2010. The council's current representation arrangements have been in place since then, with minimal changes made in 2015. The arrangements are as follows:
 - (a) a council comprising 9 members elected from 3 wards as follows, plus the Mayor elected at large
 - Te Hiku ward, electing three councillors
 - Kaikohe-Hokianga ward, electing two councillors
 - Bay of Islands-Whangaroa ward, electing four councillors

- (b) Three community boards electing 19 members from subdivisions as follows:

| Community Board | Subdivision | Members elected |
|--------------------------|------------------|-----------------|
| Te Hiku | North Cape | 1 |
| | Whatuwhiwhi | 1 |
| | Doubtless Bay | 1 |
| | Kaitaia | 3 |
| Kaikohe-Hokianga | North Hokianga | 1 |
| | South Hokianga | 2 |
| | Kaikohe | 3 |
| Bay of Islands-Whangaroa | Whangaroa | 1 |
| | Kerikeri | 3 |
| | Paihia | 1 |
| | Russell-Opua | 1 |
| | Kawakawa-Moerewa | 1 |

Current review

5. On 12 August 2021 the council resolved its initial representation proposal as follows:

- (a) a council comprising 10 members elected from four wards as follows, plus the Mayor elected at large
- Ngā Tai o Tokerau Māori Ward, electing four councillors
 - Te Hiku General Ward, electing two councillors
 - Kaikohe-Hokianga General Ward, electing one councillor
 - Te Pēwhairangi-Whangaroa General Ward, electing three councillors

- (c) Three community boards and subdivisions for electoral purposes, being:

| Community Board | Subdivision | Members elected |
|--------------------------|------------------|-----------------|
| Te Hiku | North Cape | 1 |
| | Whatuwhiwhi | 1 |
| | Doubtless Bay | 1 |
| | Kaitaia | 3 |
| Kaikohe-Hokianga | North Hokianga | 1 |
| | South Hokianga | 2 |
| | Kaikohe | 3 |
| Te Pēwhairangi-Whangaroa | Whangaroa | 1 |
| | Waipapa | 1 |
| | Kerikeri | 2 |
| | Paihia | 1 |
| | Russell-Opua | 1 |
| | Kawakawa-Moerewa | 1 |

6. The council received 129 submissions on its initial proposal with the following key themes:
- The communities of Maromākū and Waiomio relate more to the Kawakawa-Moerewa subdivision than the Russell-Ōpua subdivision of the Bay of Islands-Whangaroa community
 - The Purerua Peninsula has a closer association with the Kerikeri subdivision than the Waipapa subdivision of the Bay of Islands-Whangaroa community
 - The name Te Pēwhairangi-Whangaroa should revert back to Bay of Islands-Whangaroa for the General Ward and Community Board
7. As a result of the submissions received the council reverted to the name Bay of Islands-Whangaroa for the General Ward and Community Board and adjusted the boundaries between the ward subdivisions as outlined above. This resulted in some changes for these subdivisions in relation to compliance with the fair representation requirement of Section 19V(2), i.e. the '+/-10% rule', including making the Kerikeri subdivision non-compliant.
8. The council adopted its final representation proposal on 4 November 2021. No appeals or objections were received. The final proposal was for a council comprising the mayor and 10 councillors elected from 4 wards as set out in the following table.

| Ward | Population* | Number of councillors per ward | Population per councillor | Deviation from district average population per councillor | % deviation from district average population per councillor |
|----------------------------|---------------|--------------------------------|---------------------------|---|---|
| Te Hiku | 13,260 | 2 | 6,630 | -1,045 | -13.61% |
| Kaikohe-Hokianga | 7,630 | 1 | 7,630 | -45 | -0.58% |
| Bay of Islands-Whangaroa | 25,160 | 3 | 8,387 | +712 | +9.27% |
| Total General Wards | 46,050 | 6 | 7,675 | | |
| Ngā Tai o Tokerau | 25,100 | 4 | 6,275 | | |
| Total | 71,150 | 10 | 7,115 | | |

*Based on 2020 population estimates

9. In addition, three community boards and subdivisions for electoral purposes are proposed as follows:

| Community Board/Subdivision | Population* | Number of members | Population per member | Deviation from district average population per member | % deviation from district average population per member |
|---------------------------------|---------------|-------------------|-----------------------|---|---|
| Te Hiku | | | 3,693 | | |
| North Cape | 3,250 | 1 | 3,250 | -446 | -12% |
| Whatuwhiwhi | 3,620 | 1 | 3,620 | -73 | -1.97% |
| Doubtless Bay | 4,010 | 1 | 4,010 | +317 | +8.58 |
| Kaitiāia | 11,280 | 3 | 3,760 | +67 | +1.81% |
| Kaikohe-Hokianga | | | 2,658 | | |
| North Hokianga | 2,490 | 1 | 2,490 | -168 | +6.3% |
| South Hokianga | 4,660 | 2 | 2,330 | -328 | -12.35% |
| Kaikohe | 8,800 | 3 | 2,933 | +275 | +10.34% |
| Bay of Islands-Whangaroa | | | 4,705 | | |
| Whangaroa | 4,160 | 1 | 4,160 | -545 | -11.54% |
| Waipapa | 4,590 | 1 | 4,590 | -115 | -2.46% |
| Kerikeri | 10,390 | 2 | 5,195 | +490 | +10.4% |
| Paihia | 5,030 | 1 | 5,030 | +325 | +6.89% |
| Russell-Ōpua | 3,970 | 1 | 3,970 | -735 | -15.63% |
| Kawakawa-Moerewa | 4,800 | 1 | 4,800 | +95 | +2.0% |
| Total | 71,150 | 19 | 7,115 | | |

*Based on 2020 population estimates

10. The council was required by section 19V(4) of the Act to refer its proposal to the Commission for determination as Te Hiku General Ward, the North Cape subdivision of the Te Hiku Community, Kerikeri, Russell-Ōpua and Whangaroa subdivisions of the Bay of Islands-Whangaroa Community and Kaikohe and South Hokianga subdivisions of the Kaikohe-Hokianga Community do not comply with the fair representation requirement of section 19V(2), i.e. the '+/-10% rule'.

Matters for determination by the Commission

11. Section 19V(3) provides that, despite subsection (2), if a territorial authority or the Commission considers one or more of certain prescribed conditions apply, ward and subdivisions may be defined and membership distributed between them in a way that does not comply with subsection (2). The prescribed conditions are:
- (a) non-compliance is required for effective representation of communities of interest within island or isolated communities situated within the district of the territorial authority

- (b) compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions
 - (c) compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest.
- 12. Section 19V(6) provides that on receiving a reference under subsection (4), the Commission must determine whether to:
 - (a) uphold the decision of the council, or
 - (b) alter that decision.
- 13. Accordingly, the matters for determination by the Commission are limited to the council's proposal for the Te Hiku General Ward, North Cape subdivision of the Te Hiku Community, Kerikeri, Russell-Ōpua and Whangaroa subdivisions of the Bay of Islands-Whangaroa Community and Kaikohe and South Hokianga subdivisions of the Kaikohe-Hokianga Community, despite not complying with the '+/-10% rule'.

Key considerations

- 14. Based on the legislative requirements, the Commission's *Guidelines for local authorities undertaking representation reviews* identify the following three key factors when considering representation proposals:
 - a. communities of interest
 - b. effective representation of communities of interest
 - c. fair representation for electors.
- 15. The Commission's Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered to the extent possible:
 - a. avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area
 - b. not splitting recognised communities of interest between electoral subdivisions
 - c. not grouping together two or more communities of interest that share few commonalities of interest
 - d. accessibility, size and configuration of an area including access to elected members and vice versa.

Communities of interest

- 16. The district's land use is predominantly rural with supporting service towns. The largest residential concentrations are Kaitiāia, Kaikohe and Kerikeri.
- 17. The district is currently divided into three wards and the council considers that the current ward boundaries still reflect the district's communities of interest (Te Hiku, Kaikohe-Hokianga and Bay of Islands-Whangaroa). There are three community boards, each covering the area of one of the three wards. Within these communities are a number of subdivisions for electoral purposes which the Council also still considers appropriate to reflect the district's communities of interest.

18. However, some minor boundary alterations between wards and subdivisions are included in the council's proposal in order to better group communities of interest together within wards and subdivisions. A Waipapa subdivision within the Bay of Islands-Whangaroa community has also been created to reflect that community of interest.

Effective representation and fair representation

19. The Te Hiku General Ward is non-compliant at -13.61% (or a population of 554). Most of the ward's southern boundary follows very distinct geographic features, in particular the Maungataniwha Range and the Maungataniwha and Otangaroa forests. The only possible extensions of the ward would be:
- In the north by transferring part of the Bay of Islands-Whangaroa General Ward in the vicinity of Taupo Bay and beyond
 - In the west by transferring part of the Kaikohe-Hokianga General Ward in the Northern Hokianga
20. However, both these areas are sparsely populated, and it would be necessary to transfer large areas into the Te Hiku ward for that ward to become compliant with the +/-10% rule. In both cases, this would result in dividing communities of interest.
21. The North Cape subdivision of the Te Hiku Community, the Whangaroa, Kerikeri, and Russell-Ōpua subdivisions of the Bay of Islands-Whangaroa Community and the South Hokianga and Kaikohe subdivisions of the Kaikohe-Hokianga Community also do not comply with the +/-10% rule. In some cases that non-compliance is a result of the boundary changes referred to in paragraph 18 designed to better reflect communities of interest.
22. Our examination of the proposed subdivisions leads us to agree with the council that they do reflect communities of interest, and that the changes proposed to existing boundaries do better reflect those communities of interest. It follows that changing boundaries to ensure compliance would result in dividing communities of interest and in uniting communities of interest with few commonalities.
23. In each case the level of non-compliance seems reasonable compared to the consequences of alternative arrangements for communities of interest and their effective representation.
24. In summary, we consider the council's proposal for the Te Hiku General Ward, North Cape subdivision of the Te Hiku Community, Kerikeri, Russell-Ōpua and Whangaroa subdivisions of the Bay of Islands-Whangaroa Community and Kaikohe and South Hokianga subdivisions of the Kaikohe-Hokianga Community not complying with the '+/-10% rule' should be upheld. The reasons being that compliance with the '+/- 10% rule' in this case would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.

Commission's determination

25. Under section 19R of the Local Electoral Act 2001, the Commission upholds the decision of the Far North District Council not to comply with section 19V(2) in respect of the Te Hiku General Ward, North Cape subdivision of the Te Hiku Community, Kerikeri, Russell-Ōpua and Whangaroa subdivisions of the Bay of Islands-Whangaroa Community and Kaikohe and South Hokianga subdivisions of the Kaikohe-Hokianga Community, as compliance would limit effective representation of communities of interest by dividing a communities of interest between wards or subdivisions or uniting within a ward or subdivision two or more communities of interest with few commonalities of interest.
26. Therefore, for at least those elections for Far North District Council to be held on 8 October 2022, the following representation arrangements will apply:
- (a) Far North District as delineated on LG-001-2022-W-1, is divided into one Māori ward and three general wards
 - (b) Those four wards will be:
 - (i) Ngā Tai o Tokerau Māori Ward, comprising the area delineated on LG-001-2022-W-2, electing four councillors
 - (ii) Te Hiku General Ward, comprising the area delineated on SO 430085, electing two councillors
 - (iii) Kaikohe-Hokianga General Ward, comprising the area delineated on LG-001-2022-W-4, electing one councillor
 - (iv) Bay of Islands-Whangaroa General Ward, comprising the area delineated on LG-001-2022-W-3, electing three councillors
 - (c) The district is divided into three communities as follows:
 - (i) Te Hiku Community, comprising the area of the Te Hiku Ward
 - (ii) Kaikohe-Hokianga Community, comprising the area of the Kaikohe-Hokianga Ward
 - (iii) Bay of Islands-Whangaroa Community, comprising the area of the Bay of Islands-Whangaroa Ward
 - (d) The Te Hiku Community is divided into four subdivisions as follows:
 - (i) (a) the North Cape Subdivision comprising the area delineated on LG-001-2022-S-1
 - (ii) the Whatuwhiwhi Subdivision comprising the area delineated on LG-001-2022-S-2
 - (iii) the Doubtless Bay Subdivision comprising the area delineated on SO Plan 430093 deposited with Land Information New Zealand.
 - (iv) the Kaitāia Subdivision comprising the area delineated on SO Plan 430094 deposited with Land Information New Zealand

- (a) The Kaikohe-Hokianga Community is divided into three subdivisions as follows:
- (i) the North Hokianga Subdivision comprising the area delineated on SO Plan 430098 deposited with Land Information New Zealand
 - (ii) the South Hokianga Subdivision comprising the area delineated on LG-001-2022-S-3
 - (iii) the Kaikohe Subdivision comprising the area delineated on LG-001-2022-S-4
- (b) The Bay of Islands-Whangaroa Community is divided into five subdivisions as follows:
- (i) the Whangaroa Subdivision comprising the area delineated on SO Plan 430092 deposited with Land Information New Zealand
 - (ii) Waipapa Subdivision comprising the area delineated on LG-001-2022-S-5
 - (iii) the Kerikeri Subdivision comprising the area delineated on LG-001-2022-S-6
 - (iv) the Paihia Subdivision comprising the area delineated on SO Plan 430090 deposited with Land Information New Zealand
 - (v) the Russell-Opua Subdivision comprising the area delineated on LG-001-2022-S-7
 - (vi) the Kawakawa-Moerewa Subdivision comprising the area delineated on LG-001-2022-S-8
- (c) The membership of the Te Hiku Community Board is comprised as follows:
- (i) one member elected from the North Cape Subdivision
 - (ii) one member elected from the Whatuwhiwhi Subdivision
 - (iii) one member elected from the Doubtless Bay Subdivision
 - (iv) three members elected from the Kaitiāia Subdivision
 - (v) one member of the Council representing the Te Hiku Ward and appointed to the community board by the Council.
- (d) The membership of the Kaikohe-Hokianga Community Board is comprised as follows:
- (i) one member elected from the North Hokianga Subdivision
 - (ii) two members elected from the South Hokianga Subdivision
 - (iii) three members elected from the Kaikohe Subdivision
 - (iv) one member of the Council representing the Kaikohe-Hokianga Ward and appointed to the community board by the Council.
- (e) The membership of the Bay of Islands-Whangaroa Community Board is comprised as follows:
- (i) one member elected from the Whangaroa Subdivision

- (ii) one member elected from the Waipapa Subdivision
 - (iii) two members elected from the Kerikeri Subdivision
 - (iv) one member elected from the Paihia Subdivision
 - (v) one member elected from the Russell-Opua Subdivision
 - (vi) one member elected from the Kawakawa-Moerewa Subdivision
 - (vii) one member of the Council representing the Bay of Islands-Whangaroa Ward and appointed to the community board by the Council.
27. As required by sections 19T(b) and 19W(c) of the Local Electoral Act 2001, the boundaries of the above wards, communities and subdivisions coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes.

Local Government Commission



Commissioner Brendan Duffy (Chair)



Commissioner Janie Annear



Commissioner Bonita Bigham



Commissioner Sue Piper

28 March 2022

8.4 COMMUNITY BOARD UPDATES MAY 2022

File Number: A3695123

Author: Rhonda-May Whiu, Democracy Advisor

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / 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

- Although the last Council meeting was dated 7 April, due to timing of printing the minutes received at the 7 April meeting were dated 3 March 2022.
- Minutes from the following Community Board meetings are attached for Council information:
 - 29 March 2022 - Te Hiku Community Board
 - 31 March 2022 - Bay of Islands-Whangaroa Community Board
 - 6 April 2022 - Kaikohe-Hokianga Community Board
 - 5 May 2022 - Bay of Islands-Whangaroa Community Board
- The following Community Board meetings will occur between printing of this agenda and the Council meeting and will be included in the 30 June 2022 Council agenda:
 - 10 May 2022 - Te Hiku Community Board
 - 11 May 2022 - Kaikohe-Hokianga Community Board

TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- a) 29 March 2022 - Te Hiku Community Board
- b) 31 March 2022 - Bay of Islands-Whangaroa Community Board
- c) 6 April 2022 - Kaikohe-Hokianga Community Board
- d) 5 May 2022 - Bay of Islands-Whangaroa Community Board

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.

ĀPITI HANGA / ATTACHMENTS

1. **2022-03-29 Te Hiku Community Board Minutes - A3644940** [↓](#) 
2. **2022-03-31 Bay of Islands-Whangaroa Community Board Minutes - A3647337** [↓](#) 
3. **2022-04-06 Kaikohe-Hokianga Community Board Minutes - A3654205** [↓](#) 
4. **2022-05-05 Bay of Islands-Whangaroa Community Board Minutes - A3696204** [↓](#) 

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

**MINUTES OF
TE HIKU COMMUNITY BOARD MEETING
HELD AT VIRTUALLY VIA MICROSOFT TEAMS
ON TUESDAY, 29 MARCH 2022 AT 10:06 AM**

PRESENT: Chairperson Adele Gardner, Member Jaqi Brown, Member Darren Axe, Member Sheryl Bainbridge, Member John Stewart, Member William (Bill) Subritzky, Member Felicity Foy

STAFF PRESENT: Kim Hammond (Funding Advisor), Shayne Storey (Community Development Advisor), Aisha Huriwai (Democracy Services Team Leader), Glenn Rainham (Manager infrastructure Operations), Troy Smith (Graduate Engineer), Rhonda-May Whiu (Democracy Advisor), Nina Gobie (Team Leader Facilities Operations), Mandy Griffin (Facilities Contract Specialist).

1 KARAKIA TIMATANGA / OPENING PRAYER

Chair Adele Gardner commenced the meeting and Member Sheryl Bainbridge opened with Prayer.

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

Member Darren Axe declared a conflict regarding item 8.2 Petition - Waterfront Road, Pukenui.

Member Felicity Foy declared a conflict regarding item 7.5a Funding Applications.

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

Recreation Services Limited staff addressed the board regarding level of service issues.

MEETING ADJOURNED 10:20AM

RESOLUTION 2022/4

Moved: Chairperson Adele Gardner

Seconded: Member Sheryl Bainbridge

That the meeting of Te Hiku Community Board be adjourned till 11.30am.

CARRIED

4 NGĀ TONO KŌRERO / DEPUTATIONS

There were no deputations.

5 NGĀ KAIKŌRERO / SPEAKERS

Blanche Morrogh - Ahipara Boardriders regarding Item 7.5a.

Jordan Jujnovich - Awanui Sports Complex regarding item 7.5b.

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

6 CONFIRMATION OF PREVIOUS MINUTES**6.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 6.1 document number A3538562, pages 12 - 14 refers.

RESOLUTION 2022/5

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board agrees that the minutes of the meeting held 15 February 2022 be confirmed as a true and correct record.**CARRIED****7 REPORTS**

Member Subritzky joined the meeting at 11.49 am.

7.1 CHAIRPERSON AND MEMBERS REPORTS

Agenda item 7.1 document number A3630526, pages 20 - 21 refers.

RESOLUTION 2022/6

Moved: Member Darren Axe

Seconded: Member Sheryl Bainbridge

That Te Hiku Community Board note the reports from Chairperson Adele Gardner and Members Darren Axe and Bill Subritzky.**In Favour:** Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy**Against:** Nil**CARRIED**

Note: Member Bainbridge tabled a proposed Waterfront parking plan from Daniel Thompson – document number A3681203 refers.

RESOLUTION 2022/7

Moved: Member Sheryl Bainbridge

Seconded: Member Darren Axe

That Te Hiku Community Board, having the delegation for the Northern Drainage Area Committees, and having received reports on progress on all Drainage aspects; Planning, financing, and physical works, for the financial year ending the 30th of June 2022 requests the Chief Executive to confirm in writing to the Te Hiku Community Board that:

- 1. Before proceeding with a June/July 2022 spray of drains, the council will ask the property owners concerned whether this is necessary, or whether they are prepared to wait for the spring and autumn cleans from 2022 onwards;**
- 2. As the programme states that spraying will be done in late spring and late autumn, the council will arrange for automatic issue of a works order in late September/early October and again in late January/early February;**
- 3. Regular monitoring will be in place to ensure that two sprays per season are carried out, and that they are carried out in consultation with property owners to ensure that**

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| | |
|--|--|
| <p>they are done at the right time i.e. low tide in the lower reaches of the drains;</p> | |
| 4. | The council will inform property owners immediately of the 2019 bylaw and Land Drainage Act conditions. Properties are changing hands all the time and there is no logic in waiting until June to send information; |
| 5. | Where property owners have knowingly undertaken development that is inconsistent with the bylaws or Land Drainage Act, give them a month to rectify this and then arrange for the work to be rectified and send them an invoice for the cost for expenses as clearly set out in Section 9.1 of the Land Drainage Bylaw 2019; |
| 6. | Advise what steps have been put in place to prevent Northern Drainage District committees being included in the proposed Three Waters reform as they relate to local land drainage which is separately rated for and not drinking water, wastewater or urban stormwater; |
| 7. | Ensure that going forward, the management of the northern drainage areas will have adequate staff resourcing; |
| 8. | All Board members will receive a copy of the draft management plans well in advance of the workshop scheduled for 4 April 2022. |
| <u>In Favour:</u> | Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy |
| <u>Against:</u> | Nil |
| CARRIED | |

7.2 PROJECT FUNDING REPORTS

Agenda item 7.2 document number A3581757, pages 27 - 28 refers.

| | |
|---|---|
| RESOLUTION 2022/8 | |
| Moved: | Member William (Bill) Subritzky |
| Seconded: | Member Jaqi Brown |
| That Te Hiku Community Board note the project reports received from Friends of Rangikapiti Reserve Society Incorporated. | |
| <u>In Favour:</u> | Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy |
| <u>Against:</u> | Nil |
| CARRIED | |

7.3 TE HIKU STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 JANUARY 2022

Agenda item 7.3 document number A3600542, pages 32 - 33 refers.

| | |
|---|---|
| RESOLUTION 2022/9 | |
| Moved: | Member Darren Axe |
| Seconded: | Member William (Bill) Subritzky |
| That the Te Hiku Community Board receive the report Te Hiku Statement of Community Board Fund Account as at 31 January 2022. | |
| <u>In Favour:</u> | Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy |
| <u>Against:</u> | Nil |

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

CARRIED**7.4 TE HIKU STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 28 FEBRUARY 2022**

Agenda item 7.4 document number A3627451, pages 36 - 39 refers.

RESOLUTION 2022/10

Moved: Chairperson Adele Gardner
Seconded: Member William (Bill) Subritzky

That the Te Hiku Community Board receive the report Te Hiku Statement of Community Board Fund Account as at 28 February 2022.

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED**7.5a FUNDING APPLICATIONS**

Agenda item 7.5 document number A3622941, pages 40 - 69 refers.

RESOLUTION 2022/11

Moved: Chairperson Adele Gardner
Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board:

- a) **approves the sum of \$30,000 (plus GST if applicable) to be paid from the Board's Community Fund account to Ahipara Boardriders Club for the purchase of a public address system, trailer and signwriting seating and shelter, to support the following Community Outcomes:**
- i) **Proud Vibrant Communities**
 - ii) **Communities that are healthy, safe, connected and sustainable.**

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart and William (Bill) Subritzky

Against: Nil

Abstained: Member Felicity Foy

CARRIED

Note: Member Felicity Foy remained silent on the discussion of this application

7.5b FUNDING APPLICATIONS**RESOLUTION 2022/12**

Moved: Member Jaqi Brown
Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board:

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Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

approves the sum of \$22,794.17 (plus GST if applicable) to be paid from the Board's Community Fund account to Awanui Sports Complex Incorporated for the purchase and installation of a submersible pump, to support the following Community Outcomes:

i) Proud Vibrant Communities

ii) Communities that are healthy, safe, connected and sustainable.

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7.5c FUNDING APPLICATIONS

RESOLUTION 2022/13

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board:

approves the sum of \$2,140 (plus GST if applicable) be paid from the Board's Community Fund account to R. Tucker Thompson to send a youth from the Te Hiku Community Board area to attend the seven day Youth Development Voyage on the R. Tucker Thompson, to support the following Community Outcomes:

i) Proud, vibrant communities

ii) Communities that are healthy, safe, connected and sustainable.

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7.6 ROAD NAMING - 373 KIMBERLY ROAD, PUKENUI

Agenda item 7.6 document number A3629141, pages 70 - 72 refers.

RESOLUTION 2022/14

Moved: Member Darren Axe

Seconded: Member William (Bill) Subritzky

That the Te Hiku Community Board, pursuant to Council's Road Naming and Property Addressing Policy #2125, name a public road, Klondike Lane that is currently addressed at 373 Kimberly Road, Pukenui as per map (A3436715).

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7.7 KAITAIA DRAINAGE AREA 2021/2022 PROGRAMME UPDATE

TŪTOHUNGA / RECOMMENDATION

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

~~That Te Hiku Community Board:~~

- ~~a) Note the report "Kaitaia Drainage Area 2021/2022 programme update" for information.~~
- ~~b) Approve the 2021/2022 work programme with feedback from the Kaitaia Drainage Area Committee.~~

Motion Withdrawn

Note: Action Sheet from Drainage Committees to be provided in future Te Hiku Community Board Action Sheet reports.

8 INFORMATION REPORTS

8.1 TE HIKU COMMUNITY HALL ANNUAL INFORMATION UPDATE

Agenda item 8.1 document number A3603250, pages 156 - 188 refers.

RESOLUTION 2022/15

Moved: Chairperson Adele Gardner

Seconded: Member William (Bill) Subritzky

That Te Hiku Community Board receive the report Te Hiku Community Hall Annual Information Update.

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

8.2 PETITION - WATERFRONT ROAD PUKENUI

Agenda item 8.2 document number A3633563, pages 189 - 191 refers.

RESOLUTION 2022/16

Moved: Member Jaqi Brown

Seconded: Member John Stewart

That Te Hiku Community Board:

- a) formally receive the petition from The Permanent Residents of Waterfront Road, Pukenui;**

In Favour: Members Adele Gardner, Jaqi Brown, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

Abstained: Member Darren Axe

CARRIED

8.3 TE HIKU COMMUNITY BOARD ACTION SHEET UPDATE MARCH 2022

Agenda item 8.3 document number A3583045, pages 193 - 193 refers

RESOLUTION 2022/17

Moved: Chairperson Adele Gardner

Seconded: Member Sheryl Bainbridge

That the Te Hiku Community Board receive the report Te Hiku Community Board Action Sheet Update March 2022.

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED**MEETING ADJOURNED 2:04 PM**

Moved: Member Sheryl Bainbridge

Seconded: Member Darren Axe

That the meeting of Te Hiku Community Board be adjourned until 11 April 2022 from 9:30am.

In Favour: Members Adele Gardner, Jaqi Brown, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED**8 TE KAPINGA HUI / MEETING CLOSE**

Chair Adele Gardner adjourned the meeting for the day and Member Jaqi Brown closed with a Karakia at 2:04 pm

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

**MINUTES OF
TE HIKU COMMUNITY BOARD MEETING
HELD VIRTUALLY VIA MICROSOFT TEAMS
ON MONDAY, 11 APRIL 2022 AT 9:33 AM**

PRESENT: Chairperson Adele Gardner, Member Jaqi Brown, Member Darren Axe, Member Sheryl Bainbridge, Member John Stewart, Member William (Bill) Subritzky, Member Felicity Foy

STAFF PRESENT: Aisha Huriwai (Democracy Services Team Leader), Glenn Rainham (Manager infrastructure Operations), Troy Smith (Graduate Engineer), Rhonda-May Whiu (Democracy Advisor)

KARAKIA TIMATANGA / OPENING PRAYER

Chair Adele Gardner reopened the meeting with a prayer.

9 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

Apologies received from Member Jaqi Brown

9.1 KAITAIA DRAINAGE AREA 2021/2022 PROGRAMME UPDATE

Agenda item 7.7 document number A3637920, pages 94 - 102 refers.

RESOLUTION 2022/18

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board:

- a) Note the report “Kaitaia Drainage Area 2021/2022 programme update” for information.
- b) Approve the 2021/2022 work programme with feedback from the Kaitaia Drainage Area Committee.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED

7.8 KAITAIA DRAINAGE AREA 2022/2023 PROGRAMME

Agenda item 7.8 document number A3638045, pages 103 - 109 refers.

RESOLUTION 2022/19

Moved: Chairperson Adele Gardner

Seconded: Member Sheryl Bainbridge

That Te Hiku Community Board leave the reviewed Kaitaia Drainage Area 2022/2023 work programme report to lie.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

Page 8

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

LEFT TO LIE

Note: To update the report to include the minutes and action points from the Kaitaia Drainage Area Committee meeting.

7.9 KAITAIA DRAINAGE AREA 2023/2024 PROGRAMME

Agenda item 7.9 document number A3638099, pages 110 - 116 refers.

RESOLUTION 2022/20

Moved: Member Darren Axe

Seconded: Member John Stewart

That Te Hiku Community Board leave the Kaitaia Drainage Area 2023/2024 Programme report to lie.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

LEFT TO LIE**7.10 WAIHARARA AND KAIKINO DRAINAGE AREAS 2021/2022 PROGRAMME UPDATE**

Agenda item 7.10 document number A3638124, pages 117 - 124 refers.

RESOLUTION 2022/21

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board:

- a) **Note the report "Waiharara and Kaikino Drainage Areas 2021/2022 programme update" for information.**
- b) **Approve the Waiharara and Kaikino Drainage Areas 2021/2022 work programme.**

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

CARRIED**7.11 WAIHARARA AND KAIKINO DRAINAGE AREAS 2022/2023 PROGRAMME**

Agenda item 7.11 document number A3638182, pages 125 - 130 refers.

RESOLUTION 2022/22

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board leave the reviewed Waiharara and Kaikino Drainage Areas 2022/2023 work programme report to lie.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

Against: Nil**LEFT TO LIE**

Note: To update the report to include the minutes and action points from the Waiharara and Kaikino Drainage Area Committee meeting

7.12 WAIHARARA AND KAIKINO DRAINAGE AREAS 2023/2024 PROGRAMME

Agenda item 7.12 document number A3638209, pages 131 - 136 refers.

RESOLUTION 2022/23

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That Te Hiku Community Board leave the Waiharara and Kaikino Drainage Areas 2023/2024 Programme report to lie.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil**LEFT TO LIE****7.13 MOTUTANGI DRAINAGE AREA 2021/2022 PROGRAMME UPDATE**

Agenda item 7.13 document number A3638247, pages 137 - 144 refers.

RESOLUTION 2022/24

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board:

- a) note the report "Motutangi Drainage Area 2021/2022 work programme update" for information.**
- b) approve the reviewed Motutangi Drainage Area 2021/2022 work programme.**

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil**CARRIED****7.14 MOTUTANGI DRAINAGE AREA 2022/2023 PROGRAMME**

Agenda item 7.14 document number A3638260, pages 145 - 150 refers.

RESOLUTION 2022/25

Moved: Chairperson Adele Gardner

Seconded: Member Sheryl Bainbridge

That the Te Hiku Community Board leave the Reviewed Motutangi Area 2022/2023 work programme report to lie.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Te Hiku Community Board Meeting Minutes - **Unconfirmed**

29 March 2022

Against: Nil**LEFT TO LIE**

Note: To update the report to include the minutes and action points from the Motutangi Drainage Area Committee meeting.

7.15 MOTUTANGI DRAINAGE AREA 2023/2024 PROGRAMME

Agenda item 7.15 document number A3638324, pages 151 - 155 refers.

RESOLUTION 2022/26

Moved: Chairperson Adele Gardner

Seconded: Member Darren Axe

That the Te Hiku Community Board leave the report Motutangi Drainage Area 2023/2024 Programme report to lie.

In Favour: Members Adele Gardner, Darren Axe, Sheryl Bainbridge, John Stewart, William (Bill) Subritzky and Felicity Foy

Against: Nil

LEFT TO LIE**8 TE KAPINGA HUI / MEETING CLOSE**

Chairperson Adele Gardner closed the meeting at 9.48am with a prayer.

The minutes of this meeting will be confirmed at the Te Hiku Community Board Meeting held on 10 May 2022.

.....
CHAIRPERSON

Bay of Islands-Whangaroa Community Board Meeting Minutes

31 March 2022

**MINUTES OF
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING
HELD VIRTUALLY VIA MICROSOFT TEAM
ON THURSDAY, 31 MARCH 2022 AT 9:00 AM**

PRESENT: Chairperson Belinda Ward, Deputy Chair Frank Owen Member Lane Ayr, Member Manuela Gmuer-Hornell, Member Bruce Mills, Member Manuwai Wells, Member Dave Hookway-Kopa

IN ATTENDANCE: Councillor David Clendon

1 KARAKIA TIMATANGA / OPENING PRAYER

Member Dave Hookway-Kopa opened with a karakia.

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

APOLOGY

Chairperson Belinda Ward acknowledged receipt of the apology from Cr Rachel Smith and accepted her leave of absence.

3 NGĀ KAIKŌRERO / SPEAKERS

Brendon Francis from Kerikeri Scouts Group regarding the ANZAC day dawn service.

Rhonwen Mansell from Far North Life Education Trust regarding the annual visits to Northland primary schools.

Jo Lynch from R Tucker Thompson Sail Training Trust regarding the Youth Development Voyage.

Jane Newton from Russell Tennis Club Inc. regarding the construction of a tennis pavilion and relocation of current practice wall.

4 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

Hillary Sumpter spoke in regard to Item 8.4 Kerikeri Redwood - December 2021 Arborist Report.

Ruth Kerr and Bob Van Pierce & John Dunn, Kathryn Starr Wood and Hugh Fenwick spoke in regard to Item 8.6 for the Wharau Road Report.

5 NGĀ TONO KŌRERO / DEPUTATIONS

There were no deputations.

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538431, pages 10 - 16 refers.

RESOLUTION 2022/18

Moved: Chairperson Belinda Ward

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board confirm the minutes of the Bay of

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Bay of Islands-Whangaroa Community Board Meeting Minutes

31 March 2022

Islands Whangaroa Community Board meeting held on 3 March 2022 are a true and correct record.

In Favour: Belinda Ward, Lane Ayr, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Manuela Gmuer-Hornell

CARRIED

7 REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORT

Agenda item 7.1 document number A3640027, pages 17 - 27 refers.

RESOLUTION 2022/19

Moved: Member Bruce Mills

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board note the reports from Chair Belinda Ward, Deputy Chair Frank Owen and Members Lane Ayr and Bruce Mills.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

7.2 RELOCATION AND INSTALLATION OF KERIKERI DOMAIN PLAYGROUND TO TOTARA NORTH HALL RESERVE

Agenda item 7.2 document number A3605085, pages 28 - 61 refers.

RESOLUTION 2022/20

Moved: Member Bruce Mills

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board approve the Relocation and Installation of Kerikeri Domain Playground to Totara North Hall Reserve.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

7.3 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 28 FEBRUARY 2022

Agenda item 7.3 document number A3628641, pages 62 - 65 refers.

RESOLUTION 2022/21

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board receives the report entitled "Statement of the Bay of Islands-Whangaroa Community Board Community Fund account"

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as at 31 December 2021”.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED**7.4 A FUNDING APPLICATIONS**

Agenda item 7.4 document number A3624939, pages 66 - 106 refers.

RESOLUTION 2022/22

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board approves the sum of \$5,000 (plus GST if applicable) be paid from the Board's Community Fund account to Kerikeri Scout Group for costs towards 2022 Kerikeri ANZAC Service to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable**
- ii) Proud, vibrant communities**

In Favour: Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells

Against: Belinda Ward and Dave Hookway-Kopa

CARRIED**7.4 B FUNDING APPLICATIONS****MOTION**

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board approves the sum of \$10,000 (plus GST if applicable) be paid from the Board's Community Fund account to Life Education Trust for costs towards School Visits to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

In Favour: Bruce Mills

Against: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

LOST**7.4 C FUNDING APPLICATION****MOTION**

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board approves the sum of \$2,461 (plus GST if applicable) be paid from the Board's Community Fund account to R Tucker Thompson Sail Training Trust for costs towards participation costs for one trainee from the Bay of Islands-Whangaroa Community Board area to meet the following Community Outcomes:

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31 March 2022

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

AMENDMENT

Moved: Member Lane Ayr

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board approves the sum of \$4,922 (plus GST if applicable) be paid from the Board's Community Fund account to R Tucker Thompson Sail Training Trust for costs towards participation costs for two trainees from the Bay of Islands-Whangaroa Community Board area to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/23

Moved: Member Lane Ayr

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board approves the sum of \$4,922 (plus GST if applicable) be paid from the Board's Community Fund account to R Tucker Thompson Sail Training Trust for costs towards participation costs for two trainees from the Bay of Islands-Whangaroa Community Board area to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable**
- ii) Proud, vibrant communities**

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED**7.4 D FUNDING APPLICATION****MOTION 2022/24**

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board approves the sum of \$20,000 (plus GST if applicable) be paid from the Board's Community Grant Fund account to Russell Tennis Club Inc for costs towards building a new pavilion to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

AMENDMENT

Moved: Member Manuwai Wells

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Seconded: Member Dave Hookway-Kopa

That the Bay of Islands-Whangaroa Community Board approves the sum of \$6,000 (plus GST if applicable) be paid from the Board's Community Grant Fund account to Russell Tennis Club Inc for costs towards building a new pavilion to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

In Favour: Manuwai Wells and Dave Hookway-Kopa

Against: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills and Frank Owen

LOST

RESOLUTION 2022/25

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board approves the sum of \$20,000 (plus GST if applicable) be paid from the Board's Community Grant Fund account to Russell Tennis Club Inc for costs towards building a new pavilion to meet the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable**
- ii) Proud, vibrant communities**

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills and Frank Owen

Against: Dave Hookway-Kopa

Abstained: Manuwai Wells

CARRIED

7.4 E FUNDING APPLICATION

MOTION

Moved: Member Manuwai Wells

Seconded: Member Manuela Gmuer-Hornell

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board confirm their resolutions of 3 June 2021 and 7 October 2021 to approve the sum of \$10,000 (plus GST if applicable) be paid from the Board's Community Fund account to Kawakawa Hundertwasser Charitable Trust with the following conditions and authorise the release of the funds:

- i) Kawakawa Hundertwasser Charitable Trust work with Bay of Islands-Whangaroa Community Board Kawakawa - Moerewa subdivision representative, Kawakawa business association, iwi/hapu representatives and other interested community groups.
- ii) report back to Bay of Islands-Whangaroa Community Board with a project brief including timeline and deliverable commitments before funds are uplifted.

AMENDMENT

Moved: Member Manuwai Wells

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board confirm their resolutions of 3 June 2021 and

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Bay of Islands-Whangaroa Community Board Meeting Minutes

31 March 2022

7 October 2021 to approve the sum of \$10,000 (plus GST if applicable) be paid from the Board's Community Fund account to Kawakawa Hundertwasser Charitable Trust with the following conditions and authorise the release of the funds:

- i) Kawakawa Hundertwasser Charitable Trust work with Bay of Islands-Whangaroa Community Board Kawakawa - Moerewa subdivision representative, Hapu representatives and other interested community groups.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/26

Moved: Member Manuwai Wells

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board confirm their resolutions of 3 June 2021 and 7 October 2021 to approve the sum of \$10,000 (plus GST if applicable) be paid from the Board's Community Fund account to Kawakawa Hundertwasser Charitable Trust with the following conditions and authorise the release of the funds:

- i) **Kawakawa Hundertwasser Charitable Trust work with Bay of Islands-Whangaroa Community Board Kawakawa - Moerewa subdivision representative, Hapu representatives and other interested community groups.**

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

The meeting adjourned at 11.47 am and reconvened at 12 noon.

8 INFORMATION REPORTS**8.1 BAY OF ISLANDS-WHANGAROA COMMUNITY HALL ANNUAL INFORMATION UPDATE**

Agenda item 8.1 document number A3603245, pages 107 - 104 refers.

MOTION

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Community Hall Annual Information update.

AMENDMENT

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the meeting of Bay of Islands-Whangaroa Community Board be adjourned. That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Community

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Bay of Islands-Whangaroa Community Board Meeting Minutes

31 March 2022

| | |
|--|---|
| Hall Annual Information update and refers the report back to the author for more information | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa |
| <u>Against:</u> | Nil |
| CARRIED | |
| The amendment became the substantive motion. | |
| RESOLUTION 2022/27 | |
| Moved: | Chairperson Belinda Ward |
| Seconded: | Member Manuela Gmuer-Hornell |
| That the meeting of Bay of Islands-Whangaroa Community Board be adjourned. That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Community Hall Annual Information update and refers the report back to the author for more information | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa |
| <u>Against:</u> | Nil |
| CARRIED | |

8.2 RESERVE MANAGEMENT (DOMAIN) COMMITTEE - ANNUAL RETURNS

Agenda item 8.2 document number A3611606, pages 175 - 192 refers.

| | |
|--|---|
| RESOLUTION 2022/28 | |
| Moved: | Chairperson Belinda Ward |
| Seconded: | Member Manuela Gmuer-Hornell |
| That the Bay of Islands-Whangaroa Community Board receive the report Reserve Management (Domain) Committee - Annual Returns, noting receipt of the annual information from the Russell Sports Club and the Kawakawa Domain committee. | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa |
| <u>Against:</u> | Nil |
| CARRIED | |

8.3 MOEREWA TRAFFIC CALMING DELIVERY STRATEGY

Agenda item 8.3 document number A3627320, pages 193 - 195 refers.

| | |
|--|---|
| RESOLUTION 2022/29 | |
| Moved: | Member Dave Hookway-Kopa |
| Seconded: | Member Manuwai Wells |
| That the Bay of Islands-Whangaroa Community Board receive the report Moerewa Traffic Calming Delivery Strategy. | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa |
| <u>Against:</u> | Nil |

CARRIED

8.4 KERIKERI REDWOOD - DECEMBER 2021 ARBORIST REPORT

Agenda item 8.4 document number A3617652, pages 196 - 209 refers.

MOTION

Moved: ~~Chairperson Belinda Ward~~

Seconded: ~~Member Manuela Gmuer-Hornell~~

~~That the Bay of Islands-Whangaroa Community Board receive the report Kerikeri Redwood - December 2021 Arborist Report.~~

This motion was withdrawn and a new motion proposed.

MOTION

Moved: Member Frank Owen

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board declines to receive the report and refers the report back to the writer and requests a more in depth level 3 assessment from Arborlab or any other suitably qualified arborist.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

RESOLUTION 2022/30

Moved: Member Frank Owen

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board declines to receive the report and refers the report back to the writer and requests a more in depth level 3 assessment from Arborlab or any other suitably qualified arborist.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

8.5 MORETON BAY FIG, RUSSELL - 2021 ARBORIST REPORT

Agenda item 8.5 document number A3624377, pages 210 - 221 refers.

RECOMMENDATION

Moved: Member Manuela Gmuer-Hornell

Seconded: Chairperson Belinda Ward

That the Bay of Islands-Whangaroa Community Board receive the Moreton Bay Fig, Russell - 2021 Arborist Report.

In Favour: Belinda Ward and Lane Ayr

Against: Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa, due to the report failing to provide what was wanted

Bay of Islands-Whangaroa Community Board Meeting Minutes

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LOST**8.6 WHARAU ROAD AND RESERVE - A WAY FORWARD**

Agenda item 8.6 document number A3624042, pages 222 - 226 refers.

RESOLUTION 2022/31

Moved: Chairperson Belinda Ward

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board receive the report Wharau Road and Reserve - A Way Forward.In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-KopaAgainst: Nil**CARRIED****8.7 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD ACTION SHEET UPDATE MARCH 2022**

Agenda item 8.7 document number A3636005, pages 227 - 233 refers.

RESOLUTION 2022/32

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Community Board Action Sheet Update March 2022.In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-KopaAgainst: Nil**CARRIED****9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

Member Manuwai Wells closed the meeting with a prayer.

10 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 2:22 pm.

The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board Meeting held on 31 March 2022.

.....
CHAIRPERSON

Kaikohe-Hokianga Community Board Meeting Minutes - **UNCONFIRMED**

6 April 2022

**MINUTES OF
KAIKOHE-HOKIANGA COMMUNITY BOARD MEETING
HELD AT THE HELD VIRTUALLY VIA MICROSOFT TEAMS
ON WEDNESDAY, 6 APRIL 2022 AT 10:31 AM**

PRESENT: Chairperson Mike Edmonds, Member Emma Davis, Member Louis Toorenburg, Member Kelly van Gaalen, Member Alan Hessel, Member Laurie Byers, Member John Vujcich, Member Moko Tepania

STAFF PRESENT: Kim Hammond, Aisha Huriwai, Shayne Storey, Laurel Belworthy, Kirsty Farrow, Nick Marshall (NTA), Elizabeth Stacey (NTA), Ken Lewis, Joshna Panday, Rhonda-May Whiu, Sheryl Gavin

1 NGĀ KAIKŌRERO / SPEAKERS

- Esther Booth from Kohukohu Bowling Club regarding Item 6.3a funding application.
- Rhonda Zielinski and Te Miringa Mihaka requesting support for Freedom Whare Limited.

Member Alan Hessel joined the meeting at 10.55am

2 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

- Shaun Reilly - Kaikohe township and stormwater needs maintenance, and has poor appearance.

3 NGĀ TONO KŌRERO / DEPUTATIONS

No deputations.

7 INFORMATION REPORTS

7.1 KAIKOHE TRAFFIC CALMING DELIVERY STRATEGY

Agenda item 7.1 document number A3627293, pages 55 - 56 refers

MOTION

Moved: Member Alan Hessel
Seconded: Member Louis Toorenburg

That the Kaikohe-Hokianga Community Board receive the report Kaikohe Traffic Calming Delivery Strategy

AMENDMENT

Moved: Chairperson Mike Edmonds
Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board

- a) **receive the report Kaikohe Traffic Calming Delivery Strategy; and**
- b) **accepts Elizabeth Stacey's (NTA) commitment to provide an overall strategy list for Kaikohe at the next meeting.**

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenburg, Kelly van Gaalen, Alan Hessel, Laurie Byers and John Vujcich

Against: Nil

CARRIED 7/0

The amendment became the substantive motion

RESOLUTION 2022/16

Moved: Chairperson Mike Edmonds

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board receive the report Kaikohe Traffic Calming Delivery Strategy and accepts Elisabeth's commitment to provide an overall strategy list for Kaikohe at the next meeting.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessell, Laurie Byers and John Vujcich

Against: Nil

CARRIED**4 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST****RESOLUTION 2022/17**

Moved: Chairperson Mike Edmonds

Seconded: Member Emma Davis

That the apology received from Member Moko Tepania be accepted.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessell, Laurie Byers and John Vujcich

Against: Nil

CARRIED**5 CONFIRMATION OF PREVIOUS MINUTES****5.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 5.1 document number A3538463, pages 12 - 12 refers

RESOLUTION 2022/18

Moved: Member Alan Hessell

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board confirms the minutes of their meeting held 2 March 2022 as a true and correct record

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessell, Laurie Byers and John Vujcich

Against: Nil

CARRIED**6 REPORTS****6.1 DISCHARGING OF THE HOKIANGA SPRAYING COMMITTEE**

Agenda item 7.1 document number A3615572, pages 16 - 17 refers

RESOLUTION 2022/19

Moved: Chairperson Mike Edmonds

Seconded: Member John Vujcich

That Kaikohe-Hokianga Community Board;

- a) **disestablish the Hokianga Spraying Committee and discharge all members from their committee roles.**
- b) **acknowledge and thank community representatives Gail and John Aiken, Peter Reid and Lorene Royal for their service and community advocacy.**

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers and John Vujcich

Against: Nil

CARRIED

6.2 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 28 FEBRUARY 2022

Agenda item 7.2 document number A3640349, pages 18 - 19 refers

RESOLUTION 2022/20

Moved: Member Louis Toorenborg

Seconded: Member Emma Davis

That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 28 February 2022.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers and John Vujcich

Against: Nil

CARRIED

7 INFORMATION REPORTS CONTINUED

7.1 KAIKOHE - HOKIANGA COMMUNITY HALL ANNUAL INFORMATION UPDATE

Agenda item 8.2 document number A3603256, pages 61 - 62 refers

RESOLUTION 2022/21

Moved: Member Louis Toorenborg

Seconded: Member Emma Davis

That the Kaikohe-Hokianga Community Board receive the report Kaikohe - Hokianga Community Hall Annual Information Update.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers and John Vujcich

Against: Nil

CARRIED

7.2 KAIKOHE-HOKIANGA COMMUNITY BOARD ACTION SHEET UPDATE APRIL 2022

Agenda item 8.3 document number A3640622, pages 117 - 117 refers

RESOLUTION 2022/22

Moved: Chairperson Mike Edmonds

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board receive the report Kaikohe-Hokianga Community Board Action Sheet Update April 2022.

In Favour: Members Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan

Kaikohe-Hokianga Community Board Meeting Minutes - **UNCONFIRMED**

6 April 2022

| | | |
|-----------------|---|----------------|
| <u>Against:</u> | Hessell, Laurie Byers and John Vujcich Nil | CARRIED |
|-----------------|---|----------------|

6.3 FUNDING APPLICATIONS**RESOLUTION 2022/23**

Moved: Member Kelly van Gaalen

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board:

- a) approves the sum of **\$xx.xx** (plus GST if applicable) be paid from the Board's Community Fund account to Kohukohu Bowling Club to replace the grass and purchase two water tanks for the Kohukohu Bowling Club, to support the following Community Outcomes:
 - i) Proud, vibrant communities
 - ii) Communities that are healthy, safe, connected and sustainable.
- b) approves the sum of **\$xx.xx** (plus GST if applicable) be paid from the Board's Community Fund account to R. Tucker Thompson to send a youth from the Kaikohe-Hokianga Community Board area to attend the 7-day Youth Development Voyage on the R. Tucker Thompson, to support the following Community Outcomes:
 - i) Proud, vibrant communities
 - ii) Communities that are healthy, safe, connected and sustainable.
- c) approves the sum of **\$xx.xx** (plus GST if applicable) be paid from the Boards Community Fund account to Weka Weka Valley Community Trust for the purchase of shelving, paint, roller blinds and barstools for the Waimamaku Resource Centre, to support the following Community Outcomes:
 - i) Proud, Vibrant communities
 - ii) Communities that are healthy, safe, connected and sustainable.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessell, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED**RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2022/24**

Moved: Chairperson Mike Edmonds

Seconded: Member Alan Hessell

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 |
|---|---|---|
|---|---|---|

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Kaikohe-Hokianga Community Board Meeting Minutes - **UNCONFIRMED**

6 April 2022

| | | |
|-----------------------------------|---|---|
| 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 | | |

The meeting adjourned 12.03 to 12.15pm

At 12:12 pm, Member Moko Tepania joined the meeting.

RESOLUTION TO READMIT THE PUBLIC

RESOLUTION 2022/25

Moved: Chairperson Mike Edmonds

Seconded: Member Alan Hessel

That Kaikohe-Hokianga Community Board moves out of Public Excluded and into Ordinary meeting.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

6 REPORTS

6.3a FUNDING APPLICATIONS CONTINUED

Agenda item 7.3 document number A3614080, pages 22 - 25 refers

RESOLUTION 2022/26

Moved: Member Kelly van Gaalen

Seconded: Member John Vujcich

That the Kaikohe-Hokianga community Board approves the sum of **\$14,190 (plus GST if applicable) be paid from the Board's Community Fund account to Kohukohu Bowling Club to replace the grass and purchase two water tanks for the Kohukohu Bowling Club, to support the following Community Outcomes:**

i) Proud, vibrant communities

ii) Communities that are healthy, safe, connected and sustainable.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

6.3b FUNDING APPLICATIONS CONTINUED

Agenda item 7.3 document number A3614080, pages 22 - 25 refers

RESOLUTION 2022/27

Moved: Member Kelly van Gaalen

Seconded: Member John Vujcich

That the Kaikohe-Hokianga community Board approves the sum of **\$2,140 (plus GST if applicable) be paid from the Board's Community Fund account to R. Tucker Thompson to send a youth from the Kaikohe-Hokianga Community Board area to attend the 7-day Youth Development Voyage on the R. Tucker Thompson, to support the following Community Outcomes:**

i) Proud, vibrant communities

ii) Communities that are healthy, safe, connected and sustainable.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

CARRIED

6.3c FUNDING APPLICATIONS CONTINUED

Agenda item 7.3 document number A3614080, pages 22 - 25 refers

MOTION

Moved: Member Kelly van Gaalen

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community board leave the Weka Weka Valley Community Trust funding application for the purchase of shelving, paint, roller blinds and barstools for the Waimamaku Resource Centre to lie on the table pending Weka Weka Valley Community Trust seeking local quotes.

In Favour: Mike Edmonds, Emma Davis, Louis Toorenborg, Kelly van Gaalen, Alan Hessel, Laurie Byers, John Vujcich and Moko Tepania

Against: Nil

LEFT TO LIE

8 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 12.31pm.

The minutes of this meeting will be confirmed at the Kaikohe-Hokianga Community Board Meeting held on 11 May 2022.

.....
CHAIRPERSON

Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

**MINUTES OF
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING
HELD VIRTUALLY VIA MICROSOFT TEAMS
ON THURSDAY, 5 MAY 2022 AT 10:00 AM**

PRESENT: Chairperson Belinda Ward, Deputy Chairperson Frank Owen, Member Lane Ayr, Member Manuela Gmuer-Hornell, Member Bruce Mills, Member Manuwai Wells, Member Dave Hookway-Kopa and Cr Rachel Smith

IN ATTENDANCE: Cr David Clendon

STAFF PRESENT: Joshna Panday, Marlema Baker and Aisha Huriwai

1 KARAKIA TIMATANGA / OPENING PRAYER

Chairperson Belinda Ward commenced the meeting and opened with a karakia.

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

Nil

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

- Terry Greening - Community Project proposal.

4 NGĀ TONO KŌRERO / DEPUTATIONS

- Anouk Van Donzel for item 8.2 Petition - Corner of Waiare Road and State Highway 10

5 NGĀ KAIKŌRERO / SPEAKERS

- Therese Wickbom from Bald Angels Charitable Trust for the Rainbow Rangatahi
- Steph Godsiff and Jackie Sanders from Business Paihia Inc. for the Matariki Festival
- Brydie Lendon and Neil Driver from Lonsdale Park Camp Board Trust for a Footpath Upgrade
- Kylie Penn from Magic Playhouse (Additional Funding Request) for Morph! Puppet Festival
- Carrie Rae Cunningham from Massive Theatre Company for The Directors Lab (TDL)
- Annika Dickey from Our Kerikeri Community Charitable Trust for Landscaping
- Brenda Frear from Totara North Residents and Ratepayers for the Playground Project
- Anne Corbett and Chris Williams from The Friends Of Williams House for A Permanent Exhibition

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3538438, pages 10 - 20 refers

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| RESOLUTION 2022/33 |
|---------------------------|

Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

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 31 March 2022 are a true and correct record.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

7 REPORTS

7.1 CHAIRPERSON AND MEMBERS REPORT

Agenda item 7.1 document number A3661009, pages 21 - 28 refers

RESOLUTION 2022/34

Moved: Member Manuela Gmuer-Hornell
 Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board note the reports from Chairperson Belinda Ward and Members Lane Ayr and Manuela Gmuer-Hornell.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

7.2 ROAD NAMING - 1913 STATE HIGHWAY 10, WAIPAPA

Agenda item 7.2 document number A3668375, pages 29 - 42 refers

RESOLUTION 2022/35

Moved: Chairperson Belinda Ward
 Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board, pursuant to Council's Road Naming and Property Addressing Policy #2125, name a private right-of-way (ROW), Industrial Way that is currently addressed at 1913 State Highway 10, Waipapa as per map (A3667618).

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills and Frank Owen

Against: Nil

Abstained: Manuwai Wells, Dave Hookway-Kopa and Cr Rachel Smith

CARRIED

7.3 ROAD NAMING - 307 KERIKERI ROAD, KERIKERI

Agenda item 7.3 document number A3670457, pages 43 - 53 refers

RESOLUTION 2022/36

Moved: Member Bruce Mills
 Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board, pursuant to Council's Road Naming

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Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

and Property Addressing Policy #2125, name a private road, Squeak Lane that is currently addressed at 307 Kerikeri Road, Kerikeri as per map (A3627345).

In Favour: Belinda Ward, Manuela Gmuer-Hornell, Bruce Mills and Frank Owen

Against: Nil

Abstained: Lane Ayr, Manuwai Wells, Dave Hookway-Kopa and Cr Rachel Smith

CARRIED

7.4 ROAD NAMING - 20A ARANGA ROAD, KERIKERI

Agenda item 7.4 document number A3671289, pages 54 - 56 refers

RESOLUTION 2022/37

Moved: Member Lane Ayr

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board, pursuant to Council's Road Naming and Property Addressing Policy #2125, name a private right-of-way (ROW), Morcom Lane that is currently addressed at 20a Aranga Road, Kerikeri as per map (A3670973).

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills and Frank Owen

Against: Nil

Abstained: Manuwai Wells, Dave Hookway-Kopa and Cr Rachel Smith

CARRIED

7.5 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 MARCH 2022

Agenda item 7.5 document number A3673998, pages 57 - 61 refers

RESOLUTION 2022/38

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Manuwai Wells

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 March 2022"

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

7.6 WINTER 2021/2022 RURAL TRAVEL FUNDING APPLICATIONS

Agenda item 7.6 document number A3674056, pages 62 - 112 refers

RESOLUTION 2022/39

Moved: Chairperson Belinda Ward

Seconded: Member Dave Hookway-Kopa

That the Bay of Islands-Whangaroa Community Board:

a) allocates Rural Travel Grant funding in accordance with the recommendations received from Sport Northland as follows:

a) Bay of Islands Amateur Swimming Club Incorporated \$1,000.00

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| | | |
|--|---|-------------|
| b) | Bay of Islands College | \$3,000.00 |
| c) | Kerikeri High School | \$1,000.00 |
| d) | Moerewa Rugby Club | \$1,500.00 |
| e) | Moerewa Tigers Rugby League Club | \$1,500.00 |
| f) | Paihia Football Club | \$1,500.00 |
| g) | Russell Sports Club | \$1,600.00 |
| h) | Whangaroa College | \$2,000.00 |
| i) | Mid North United Sports Club | \$2,000.00 |
| Total: | | \$15,100.00 |
| b) agree that Bay of Islands Amateur Swimming Club Incorporated is allocated \$336.50 as their Rural Travel Summer application was not included for consideration. | | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa | |
| <u>Against:</u> | Nil | |
| <u>Abstained:</u> | Cr Rachel Smith | |
| CARRIED | | |

At 12:58 pm, Cr Rachel Smith left the meeting.

7.7 FUNDING APPLICATION

Agenda item 7.7 document number A3674897, pages 113 - 121 refers

RESOLUTION 2022/40

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

That the Bay of Islands-Whangaroa Community Board;

- a. rescinds their grant of \$5,000 (plus GST if applicable) which was to be paid from the Board's Community Fund account to Kerikeri Scout Group for costs towards 2022 Kerikeri ANZAC Service to meet the following Community Outcomes:
 - i) Communities that are healthy, safe, connected and sustainable
 - ii) Proud, vibrant communities

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

Abstained: Cr Rachel Smith

CARRIED

RESOLUTION 2022/41

Moved: Member Dave Hookway-Kopa

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board;

- b. approves the sum of \$10,000 (plus GST if applicable) be paid from the Board's Community Fund account to Bald Angels Charitable Trust for costs towards establishing a drop-in centre and promoting Rainbow Rangatahi services to meet the following Community Outcomes:
 - i) Communities that are healthy, safe, connected and sustainable
 - ii) Proud, vibrant communities

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In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa
Against: Nil
Abstained: Cr Rachel Smith

CARRIED**RESOLUTION 2022/42**

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board;

- c. approves the sum of \$5,000 (plus GST if applicable) be paid from the Board's Community Fund account to Bay of Islands Country Rock Festival for costs towards shuttles and event promotion to meet the following Community Outcomes:**
i) Communities that are healthy, safe, connected and sustainable
ii) Proud, vibrant communities

In Favour: Belinda Ward, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells
Against: Lane Ayr and Dave Hookway-Kopa

CARRIED**MOTION**

Moved: Member Manuela Gmuer-Hornell

Seconded: Chairperson Belinda Ward

That the Bay of Islands-Whangaroa Community Board;

- ~~**d. approves the sum of \$20,000 (plus GST if applicable) be paid from the Board's Community Fund account to Business Paihia Inc for costs towards inaugural Matariki Festival 2022 to meet the following Community Outcomes:**~~
~~**i) Communities that are healthy, safe, connected and sustainable**~~
~~**ii) Proud, vibrant communities**~~

In Favour: Belinda Ward
Against: Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells
Abstained: Dave Hookway-Kopa and Cr Rachel Smith

LOST**AMENDMENT**

Moved: Member Manuwai Wells

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board;

- d. approves the sum of \$5,000 (plus GST if applicable) be paid from the Board's Community Fund account to Business Paihia Inc for costs towards the inaugural Matariki Festival 2022 the event is to meet the following Community Outcomes:**
i) Communities that are healthy, safe, connected and sustainable
ii) Proud, vibrant communities
e. that the Bay of Islands-Whangaroa Community Board Logo is included in all promotions;
f. free water is provided at all events and the attendees are encouraged to bring their own refillable/reusable containers or sustainable drinking containers are provided.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

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| <u>Against:</u> | Nil | CARRIED |
| RESOLUTION 2022/43 | | |
| Moved: Chairperson Belinda Ward | | |
| Seconded: Member Lane Ayr | | |
| That the Bay of Islands-Whangaroa Community Board; | | |
| d. approves the sum of \$5,000 (plus GST if applicable) be paid from the Board's Community Fund account to Business Paihia Inc for costs towards the inaugural Matariki Festival 2022 the event is to meet the following Community Outcomes: | | |
| i) Communities that are healthy, safe, connected and sustainable | | |
| ii) Proud, vibrant communities | | |
| e. that the Bay of Islands-Whangaroa Community Board Logo is included in all promotions; | | |
| f. free water is provided at all events and the attendees are encouraged to bring their own refillable/reusable containers or sustainable drinking containers are provided. | | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa | |
| <u>Against:</u> | Nil | CARRIED |
| RESOLUTION 2022/44 | | |
| Moved: Member Bruce Mills | | |
| Seconded: Member Manuwai Wells | | |
| That the Bay of Islands-Whangaroa Community Board; | | |
| g. approves the sum of \$950 (plus GST if applicable) be paid from the Board's Community Fund account to Kororipo Paddlers for costs towards the Triple Crown event 2022 to meet the following Community Outcomes: | | |
| i) Communities that are healthy, safe, connected and sustainable | | |
| ii) Proud, vibrant communities | | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa | |
| <u>Against:</u> | Nil | CARRIED |
| RESOLUTION 2022/45 | | |
| Moved: Member Bruce Mills | | |
| Seconded: Member Manuela Gmuer-Hornell | | |
| That the Bay of Islands-Whangaroa Community Board; | | |
| h. approves the sum of \$3,476 (plus GST if applicable) be paid from the Board's Community Fund account to Lonsdale Park Camp Board for costs towards the footpaths to meet the following Community Outcomes: | | |
| i) Communities that are healthy, safe, connected and sustainable | | |
| ii) Proud, vibrant communities | | |
| <u>In Favour:</u> | Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa | |
| <u>Against:</u> | Nil | CARRIED |
| RESOLUTION 2022/46 | | |
| Moved: Member Manuela Gmuer-Hornell | | |

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5 May 2022

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board;

- i. approves the sum of \$4,000 (plus GST if applicable) be paid from the Board's Community Fund account to the Magic Playhouse costs towards the Morph! festival to meet the following Community Outcomes:
- i) Communities that are healthy, safe, connected and sustainable
 - ii) Proud, vibrant communities

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells

Against: Dave Hookway-Kopa

CARRIED**RESOLUTION 2022/47**

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board;

- j. approves the sum of \$1,000 (plus GST if applicable) be paid from the Board's Community Fund account to the Massive Theatre Company towards The Directors Lab programme to meet the following Community Outcomes:
- i) Communities that are healthy, safe, connected and sustainable
 - ii) Proud, vibrant communities

In Favour: Belinda Ward, Manuela Gmuer-Hornell and Manuwai Wells

Against: Bruce Mills and Dave Hookway-Kopa

Abstained: Lane Ayr and Frank Owen

CARRIED**RESOLUTION 2022/48**

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board;

- k. leaves the application for \$75,000 (plus GST if applicable) to lie on the table pending confirmation of permissions and a lease to occupy being granted to Our Kerikeri towards planting of the SH10/Kerikeri Road intersection to meet the following Community Outcomes:
- i) Communities that are healthy, safe, connected and sustainable
 - ii) Proud, vibrant communities

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED**RESOLUTION 2022/49**

Moved: Member Bruce Mills

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board;

- l. approves the sum of \$23,061 (plus GST if applicable) be paid from the Board's Community Fund account to the Totara North Residents and Ratepayers Association towards playground installation to meet the following Community Outcomes:

Page 7

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| <p>i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities</p> <p>provided that the funds are only released when the total funding associated with the entire project are obtained and provided to the funding advisor</p> <p><u>In Favour:</u> Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p> | |
| <p>RESOLUTION 2022/50 Moved: Member Manuela Gmuer-Hornell Seconded: Chairperson Belinda Ward</p> <p>That the Bay of Islands-Whangaroa Community Board;</p> <p>m. approves the sum of \$20,000 (plus GST if applicable) be paid from the Board's Community Fund account to the Friends of Williams House towards establishing a permanent exhibition of artefacts at Williams House to meet the following Community Outcomes:</p> <p>i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities</p> <p><u>In Favour:</u> Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Frank Owen and Dave Hookway-Kopa</p> <p><u>Against:</u> Bruce Mills and Manuwai Wells</p> <p style="text-align: right;">CARRIED</p> | |

7.8 PROJECT FUNDING REPORTS

Agenda item 7.8 document number A3675240, pages 194 - 197 refers

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| <p>RESOLUTION 2022/51 Moved: Chairperson Belinda Ward Seconded: Member Lane Ayr</p> <p>That the Bay of Islands-Whangaroa Community Board note the project report received from Russell Centennial Trust Board/Russell Museum.</p> <p><u>In Favour:</u> Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED</p> | |
|--|--|

7.9 BAY OF ISLANDS-WHANGAROA STATEMENT OF FINANCIAL PERFORMANCE ACTIVITIES BY WARD FOR THE PERIOD ENDING 31 MARCH 2022

Agenda item 7.9 document number A3675276, pages 198 - 200 refers

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| <p>RESOLUTION 2022/52 Moved: Member Manuela Gmuer-Hornell Seconded: Member Lane Ayr</p> <p>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</p> | |
|---|--|

Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

March 2022.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED**8 INFORMATION REPORTS****8.1 OPITO BAY RESERVES MANAGEMENT PLAN PROPOSAL**

Agenda item 8.1 document number A3657082, pages 201 - 215 refers

RESOLUTION 2022/41

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

That the Bay of Islands – Whangaroa Community Board receives as information only the report on the Opito Bay Reserves Management Plan Proposal.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED**8.2 PETITION - CORNER OF WAIARE ROAD AND STATE HIGHWAY 10, KAE0**

Agenda item 8.2 document number A3677445, pages 216 - 224 refers

RESOLUTION 2022/42

Moved: Member Bruce Mills

Seconded: Member Frank Owen

That Bay of Islands-Whangaroa Community Board:

- a) formally receive the petition from Anouk Van Donzel on behalf of all signatories on the petition; and**
- b) requests the Chief Executive, or his appointed staff to investigate options to close the rubbish collection point identified in the petition as the corner of Waiare Road, and State Highway 10, Kaeo.**

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen, Manuwai Wells and Dave Hookway-Kopa

Against: Nil

CARRIED

At 2:51 pm, Member Dave Hookway-Kopa left the meeting.

8.3 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD ACTION SHEET UPDATE APRIL 2022

Agenda item 8.3 document number A3661019, pages 225 - 231 refers

MOTION

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

That the Bay of Islands-Whangaroa Community Board;

- a) receive the report Bay of Islands-Whangaroa Community Board Action Sheet Update April**

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Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

2022.

AMENDMENT

Moved: Member Frank Owen

Seconded: Chairperson Belinda Ward

- b) and ask Council to place Cherry Park House under the Halls Policy with urgency.

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells

Against: Nil

CARRIED**AMENDMENT**

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

- c) and agree to add the following new item onto the Action Sheet:
- Terry Greening Kaha Place community project proposal be added to the community boards strategic plan

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells

Against: Nil

CARRIED

The amendment became a substantive motion:

RESOLUTION 2022/55

Moved: Member Frank Owen

Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board:

- receive the report Bay of Islands-Whangaroa Community Board Action Sheet Update April 2022, and
- and ask Council to place Cherry Park House under the Halls Policy with urgency;
- and agree to add the following new item onto the Action Sheet:
 - Terry Greening Kaha Place community project proposal be added to the community boards strategic plan

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells

Against: Nil

CARRIED**9 RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2022/56**

Moved: Chairperson Belinda Ward

Seconded: Member Frank Owen

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:

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Bay of Islands-Whangaroa Community Board Meeting Minutes

5 May 2022

| 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 |
|---|--|--|
| 9.1 - New Lease for FENZ - 9 Homestead Road | 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)(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 |
| In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells Against: Nil | | |
| CARRIED | | |

CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC**RESOLUTION 2022/58**

Moved: Chairperson Belinda Ward

Seconded: Member Manuwai Wells

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

- **9.1 New Lease For Fenz - 9 Homestead Road**

In Favour: Belinda Ward, Lane Ayr, Manuela Gmuer-Hornell, Bruce Mills, Frank Owen and Manuwai Wells

Against: Nil

CARRIED**10 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

Member Manuwai Wells closed the meeting with a karakia.

11 TE KAPINGA HUI / MEETING CLOSE

The meeting closed at 3:52pm.

The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board Meeting held on 2 June 2022.

.....
CHAIRPERSON

8.5 COUNCIL ACTION SHEET UPDATE MAY 2022**File Number:** A3696548**Author:** Marlema Baker, Democracy Advisor**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.

WHAKARĀPOOTO 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 May 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.

ĀPITIHINGA / ATTACHMENTS

1. Council Action Sheet May 202 - A3697640  

| OUTSTANDING ACTIONS REPORT | | | |
|--|---|---|--|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| 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 | 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 | The amendment became the substantive motion 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. <u>Against:</u> Cr Rachel Smith CARRIED | 06 May 2022 11:07am Moore, Mary b) Technical induction held 28 April 2022 with hapu and Ratepayer group representatives. Agreed three activity streams - tank replacement, planning for upgrading remainder of plant, and reticulation network improvements - with next steps for each including ongoing engagement. 06 May 2022 11:15am Moore, Mary c) Information report presented to May Infrastructure Committee. Tank replacement now timed for FY23. Detailed design of upgrade to remainder of plant now planned for FY24 with delivery phased over FY25 and FY26. |
| Council 4/05/2021 | Notice of Motion - Establishment of Māori Wards | The amendment becomes the substantive motion: 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 Iwi/Hapu membership to Council Committees and Community Board Committees. | 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. |

| OUTSTANDING ACTIONS REPORT | | | |
|-------------------------------------|---|--|---|
| Division: Committee: Officer: | | Council | |
| | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| | | <u>Against:</u> Deputy Mayor Ann Court, Crs Dave Collard and Felicity Foy CARRIED | |
| Council 1/07/2021 | Proposal to Construct an Erosion Protection Structure on Council Owned Reserve, Omapere | RESOLUTION 2021/51 Moved: Cr John Vujcich Seconded: Cr Dave Collard 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 b) 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: i) bear full responsibility for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime. 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. <u>Abstained:</u> Cr Kelly Stratford CARRIED | 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. |
| 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. | 29 Mar 2022 9:07am Macken, Briar Due to staff turnover, the Pou Herenga Cycle Trail Bylaw had been re-prioritised to prioritise bylaws about to revoke. Drafting is now complete. Legal review complete. Engagement underway with internal staff and Pou Herenga Cycle Trail Trust. |

| OUTSTANDING ACTIONS REPORT | | | |
|-------------------------------------|---|---|---|
| Division: Committee: Officer: | | Council | |
| | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| | | 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. ABSTAIN: Cr Mate Radich CARRIED | |
| Council 12/08/2021 | Koutu Mangeroa Picnic Area Encroachment | The amendments became the substantive motion. 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 | 10 May 2022 1:53 pm - Baker, Marlema An updated report will be presented at the 11 May Kaikohe-Hokianga Community Board meeting |
| Council 4/11/2021 | Three Waters Reform - Resident Survey | RESOLUTION 2021/69 Moved: Mayor John Carter Seconded: Cr Ann Court That Council receive the report Three Waters Reform - Resident Survey. | 10 May 2022 1:57pm – Baker, Marlema No update provided |

| OUTSTANDING ACTIONS REPORT | | | |
|--|---|---|---|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| | | <u>In Favour:</u> Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich <u>Against:</u> Nil CARRIED | |
| 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 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. <u>Against:</u> Deputy Mayor Ann Court <u>Abstained:</u> Cr Rachel Smith CARRIED | 31 Mar 2022 1:02pm Mitchell, Beverly - Target Date Revision Target date changed by Mitchell, Beverly from 28 December 2021 to 19 May 2022 - Note from In-House Counsel - The council steering committee has been formed, met with the trustees and is reporting back directly to Council. |
| Council 24/02/2022 | Far North Holdings Limited Board Appointments | RESOLUTION 2022/4 Moved: Mayor John Carter Seconded: Cr Kelly Stratford That Council: a) Extend the tenure for Kevin Baxter on a month-by-month basis until 31 May 2022, or earlier when his replacement has been appointed. b) establish an "Appointment to Council Organisation Committee" in line with the Appointment and Remuneration of Directors of Council Organisations Policy (#2117). | 31 Mar 2022 1:04pm Mitchell, Beverly - Target Date Revision Revised date changed to 19 May 2022 |

| OUTSTANDING ACTIONS REPORT | | | |
|--|--|--|---|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| | | c) make the following appointments to the Committee; i) External Commercial Advisor ii) Council representative #1 Mayor John Carter iii) Council representative #2 Cr John Vujcich <div style="text-align: right;">CARRIED</div> | |
| Council 24/02/2022 | Koutu Mongero Picnic Area Encroachment | RESOLUTION 2022/6 Moved: Cr John Vujcich Seconded: Cr Moko Tepania That Council a) engage with the kaitiaki of the Koutū Mongeroa 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. c) That a progress report be brought to the Kaikohe-Hokianga Community Board. <u>In Favour:</u> Mayor John Carter, Cs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich <u>Against:</u> Nil <div style="text-align: right;">CARRIED</div> | 04 May 2022 4:11pm Baker, Marlema An update report will be presented to the Kaikohe-Hokianga Community Board at their meeting 11 May 2022. Target date to be revised. |
| Council 24/02/2022 | Review on Erosion Issues for Freese Park | RESOLUTION 2022/9 Moved: Mayor John Carter Seconded: Cr Moko Tepania 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. <div style="text-align: right;">CARRIED</div> | 10 May 2022 2:03pm – Baker, Marlema No update provided |

| OUTSTANDING ACTIONS REPORT | | | |
|--|--|---|--|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| Council 7/04/2022 | Renewable Energy Zones – Joint Submission | RESOLUTION 2022/17 Moved: Mayor John Carter Seconded: Cr Moko Tepania That the Far North District Council: a) approves the Draft Joint Submission on Renewable Energy Zones (Attachment B) b) delegates the Mayor the authority to finalise the submission in conjunction with the Mayors and Chairperson of the Northland Councils, to reflect any further elected member feedback. CARRIED | 10 May 2022 1:55pm – Baker, Marlema No update provided |
| Council 7/04/2022 | Lindvart Park Pavilion, Kaikohe Project | RESOLUTION 2022/19 Moved: Cr John Vujcich Seconded: Cr Ann Court That Council: a) Re-affirm the capital commitment of \$3,226,493 to the Lindvart Park Kaikohe – Sportsville project. b) Approve an increase in operational grant support to Sportsville of \$35,000 from year one of the 2024/2034 Long-Term Plan. CARRIED Note that CE was asked to provide advice to the next meeting on how to ensure a consistent operational grant approach across all sporting facilities in the district. | 10 May 2022 2:00pm – Baker, Marlema No update provided |
| Council 7/04/2022 | Packaging of the Three Waters Capital Programme of Works | RESOLUTION 2022/20 Moved: Cr Ann Court Seconded: Cr Kelly Stratford That Council approves the packaging of a programme of works up to \$4,000,000 annually to Far North Waters in accordance with the Water Services Alliance Agreement to enable the delivery of Council's Long Term Plan Capital programme. CARRIED Note: Council request an annual monitoring report to the Infrastructure Committee in order to track contractor performance, including the key performance indicators associated to the programme package. | 10 May 2022 1:49pm – Baker, Marlema No update provided |

| OUTSTANDING ACTIONS REPORT | | | |
|--|---|---|--|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| | | Note: That Cr Foy requested a workshop to look over the Operations and Maintenance Alliance Agreement. | |
| Council 7/04/2022 | Notice of Motion - Road Seal Matrix and Programme | <p>The following motion from Cr Radich was lost for want of a seconder.</p> <p>That the roading matrix policy be scrapped and replaced by bringing all roads to the Council table for elected members to make decisions on what metal roads are to be tar sealed.</p> <p style="text-align: right;">LOST</p> <p>RESOLUTION 2022/16 Moved: Cr John Vujcich Seconded: Cr Moko Tepania That Council conducts an independent review of the roading Dust Matrix to ensure it accurately prioritising roads for sealing based on Council-desired outcomes. That the scope of the review will be finalised by the Chair of the Assurance, Risk and Finance Committee, the Chair of the Strategy and Policy Committee and Chair of Regulatory Compliance Committee. That the reviewer reports back to Council the findings and where any changes or improvements are recommended. The scope of the review shall include, but not be limited to, the following: <ol style="list-style-type: none"> 1. A review of the purpose and function of the matrix 2. A review of the functionality (i.e. formulae etc.), to determine if the attributes, weightings, and the formulae for ranking have accurately prioritised roads that best fit Council's desired outcomes. 3. That the resulting attributes and scores are complete, accurate and transparent to elected members and the public. 4. That the processes for updating and changing the attributes, attribute scores and the ranking formulae are clearly defined and followed. 5. A review of issues with the matrix already identified by the NTA (traffic counts etc.) 6. Identification of any other issues. </p> | 10 May 2022 2:01pm – Baker, Marlema No update provided |

| OUTSTANDING ACTIONS REPORT | | | |
|--|--|--|--|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| | | 7. A detailed review of six roads looking at the roads attribute scores and those updates are recorded, and information is available on request. Councilors to nominate roads. 8. Commentary on fitness for purpose and any other methodology suggested for prioritising sealing that best fit Council's desired outcomes. 9. Output to be a written report by no later than the end of June 2022. CARRIED | |
| Council 7/04/2022 | Three Waters Reform – Governance Working Group Report | RESOLUTION 2022/21 Moved: Mayor John Carter Seconded: Cr John Vujcich That Council: a) Note the report Three Waters Reform- Governance Working Group Report. b) Confirm Council's alignment with the position outlined by Dr Jason Smith, Mayor of Kaipara District, and Chair of the Northland Mayoral Forum on the proposed composition and voting rights for the Regional Representative Group for Entity A. c) Authorise the Mayor to notify the Minister of Local Government on the Far North District Council's position from b) above. <u>Abstained:</u> Crs Rachel Smith and Kelly Stratford CARRIED | 04 May 2022 4:40pm George, Tania - Reallocation Action reassigned to Carter, John by George, Tania - The resolution gives action to the Mayor |
| Council 9/05/2022 | Temporary Road Closures Request - International Rally of Whangārei | RESOLUTION 2022/20 Moved: Mayor John Carter Seconded: Cr Ann Court That Council Approve the proposed temporary road closures within the Far North District for safe event operation during the International Rally of Whangarei on Saturday, 14 May 2022. CARRIED | 10 May 2022 2:05pm – Baker, Marlema No update provided |

| OUTSTANDING ACTIONS REPORT | | | |
|--|---|--|--|
| Division: Committee: Council Officer: | | Printed: Tuesday, 10 May 2022 11:48:15 am Date From: 1/01/2020 Date To: 10/05/2022 | |
| Meeting | Title | Resolution | Notes |
| Council 9/05/2022 | 1A Seaview Road, Paihia - approval to grant easement on Local Purpose Esplanade Reserve under the Reserves Act 1977 | RESOLUTION 2022/22 Moved: Mayor John Carter Seconded: Cr Kelly Stratford That Council approve the granting of an easement pursuant to section 48(1)(f) of the Reserves Act 1977 on Local Purpose Esplanade Reserve Lot 3 DP 124280 for the purpose of accepting works proposed and applied for pursuant to application EBC-2022-1188/0 affecting 1A Seaview Road, Paihia. <u>Abstained:</u> Crs David Clendon and Rachel Smith CARRIED | 10 May 2022 2:03pm – Baker, Marlema No update provided |

9 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 |
|--|--|---|
| 9.1 - Confirmation of Previous Minutes - Public Excluded | <p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> | <p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p> |
| 9.2 - Appointment of Directors to the FNHL Board | <p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> | <p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p> |
| 9.3 - Request for further instructions regarding the Ratcliffe Bay land acquisition | <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> | <p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p> |

| | | |
|---|--|--|
| | 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) | |
| 9.4 - Committee Public Excluded Resolutions - May 2022 | <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p>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</p> | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 9.5 - Community Board Public Excluded Minutes March 2022 | 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 |
| | | |

10 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

11 TE KAPINGA HUI / MEETING CLOSE