

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TE AHU, CNR STATE HIGHWAY 1 AND , MATHEWS AVENUE, KAITAIA
ON THURSDAY, 11 AUGUST 2022 AT 10:00 AM**

PRESENT: Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr Dave Collard, Cr Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr 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 Chairperson),

STAFF PRESENT: Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy); Janice Smith (Acting General Manager Corporate Services), Joshna Panday (Democracy Advisor, Aisha Huriwai (Team Leader Democracy Services) and Marlema Baker (Democracy Advisor)

1 KARAKIA TIMATANGA / OPENING PRAYER

His Worship the Mayor commenced the meeting with a prayer.

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

APOLOGY

RESOLUTION 2022/56

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That the apology received from Cr Felicity Foy be accepted and leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Pamela-Anne Simon-Baragwanath regarding Better Off Funding and Pokapu Spillway.

Joanne Civil regarding the Rangitane Jetty.

4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS

- Commemoration of staff member Sabine Weber-Beard, who worked for the Far North District Council for 21 years and was a Senior Librarian. A minute of silence was observed.
- Acknowledgement of Far North Holdings Limited Airport Manager, Stan Hansen's resignation. Mayor Carter wished him all the best..
- Acknowledgement of Oxfords Sports Trust \$100 000 grant for the Te Ahu Sports Centre..
- Council has received many emails regarding Rangitane.. This Report will be considered later today.
- Kaimaumu Ranges - Cr David Collard spoke on this matter.
- Kerikeri Squash – Cr Rachel Smith spoke on this matter.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A3793176, pages 6 - 27 refers.

RESOLUTION 2022/57

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council confirms the minutes of the Council meeting held 30 June 2022 and the Extraordinary Council meeting held 14 July 2022, as a true and correct record.

In Favour: 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

At 10:28 am, Cr Felicity Foy joined the meeting via Microsoft TEAMS.

6 REPORTS

6.1 THREE WATERS REFORM - BETTER OFF FUNDING

Agenda item 6.1 document number A3748171, pages 28 - 32 refers.

MOTION

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That Council:

- a) approve the schedule of Tranche 1 Better Off funding projects detailed in attachment 1.
- b) approve an unbudgeted operational cost of \$250k over two years for the project management and reporting requirement that will be required.
- c) delegate to the General Manager Infrastructure and Asset Management authority
 - I. to complete the Tranche 1 funding application to the Department of Internal Affairs.
 - II. to negotiate and approve the final Tranche 1 funding agreement for approved projects with the Department of Internal Affairs.

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr John Vujcich

That Council approve the reprioritised funding projects in the following order:

- a) Wreck Bay, Upgrade Refuse and Recycling centres, Cap Russell Landfill, Investigate retired landfills, increased iwi & hapu, community engagement, Lindvart Park, Pokapu, Shared paths and followed by the remainder projects
- b) that a Better Off Funding criteria and decision making panel be developed, to better manage this process going forward

In Favour: Mayor John Carter, Crs Mate Radich, Kelly Stratford and John Vujcich

Against: Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Rachel Smith and Moko Tepania

LOST

AMENDMENT

Moved: Cr Rachel Smith
 Seconded: Cr David Clendon

That Council;

- a) request the CEO to arrange a workshop between Elected Members and DIA (if it can be arranged) to understand how principally Council can utilise the Better Off Fund to achieve community led outcomes in partnership, by 30 August 2022.
- b) let the report lie on the table.

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

Against: Nil

CARRIED

The amendment became the substantive motion.

RESOLUTION 2022/58

Moved: Cr Rachel Smith
 Seconded: Cr David Clendon

That Council;

- a) request the CEO to arrange a workshop between Elected Members and the Department of Internal Affairs (if it can be arranged) to understand how principally Council can utilise the Better Off Fund to achieve community led outcomes in partnership, by 30 August 2022.
- b) let the report lie on the table.

CARRIED

6.2 RANGITANE MARITIME DEVELOPMENT

Agenda item 6.2 document number A3799803, pages 33 - 39 refers.

MOTION

Moved: Mayor John Carter
 Seconded: Deputy Mayor Ann Court

That Council:

- a) confirms its support for the continued work to obtain Consent for the Maritime Facilities Development at Rangitane.
- b) confirms its support for the resolution of and amendments to the NES-F definition and changes to the NRC RPS to support regionally significant maritime infrastructure (which includes Rangitane).
- c) remains committed to the funding Agreement with MBIE and supports an approach to MBIE to continue its funding support as well for the period required to obtain Consent.
- d) advises the Residents Association of its continued support of the development to enable them to decide on whether they relinquish their Consent to Council for the derelict jetty or not. If relinquished, the jetty will be rebuilt as per the funding agreement with MBIE.
- e) request that the delivery of boardwalks, footpaths and landscaping be included as a Resource Consent requirement of the project
- f) receive an annual report on the progress of this project

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

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - JULY 2022

Agenda item 6.3 document number A3793163, pages 40 - 54 refers.

RESOLUTION 2022/59

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That Council :

Item 5.1 Accessibility Policy – Recommendation for making a new policy (Strategy and Policy Committee)

- a) make the Accessibility Policy 2022 for the Far North District Council
- b) revoke the Equity and Access for People with Disabilities Policy 2016.
- c) Request that the implementation plan for this policy be bought back to the Strategy and Policy Committee for approval.

Item 6.1 Resident Opinion Survey 2021/22 (Strategy and Policy Committee)

- d) receive a report from the CEO demonstrating how the organisation will address these survey results.

Economic And Practicability Assessment For Discharge Of Treated Wastewater To Land From Hihi Wastewater Treatment Plant (Infrastructure Committee)

- e) agree the option of discharging treated wastewater from the Hihi 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 Hihi Wastewater Treatment Plant, on the basis that the costs associated with that activity, are assessed as not economically viable.

CARRIED

6.4 INCREASE IN CONTRACT VALUE FOR ROADING MAINTENANCE CONTRACTS

Agenda item 6.4 document number A3812028, pages 55 - 67 refers.

RESOLUTION 2022/60

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That Council:

- a) note the increase in contract values requested does not require any additional unbudgeted investment, and
- b) approve the contract value for 7/18/100 North Area Road Maintenance and Renewals Contract to be increased by the sum of \$34,227,212.16 and the total contract value increased to \$97,718,819.92 exclusive of GST.
- c) approve the contract value for 7/18/101 South Area Road Maintenance and Renewals Contract to be increased by the sum of \$24,873,540.70 and the total contract value increased to \$83,035,276.51 exclusive of GST.

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

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

Against: Nil

Abstained: Cr Mate Radich

CARRIED

6.5 RUSSELL LANDFILL OPTIONS REPORT

Agenda item 6.5 document number A3812686, pages 68 - 117 refers.

RESOLUTION 2022/61

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That Council:

- a) approve in principle, the permanent closure of Russell Landfill (Option One).
- b) approve staff commence the resource consent application Northland Regional Council to close the Russell Landfill
- c) request staff bring back to Council the terms of the resource consent and investment required to close the landfill
- d) approve staff commence the community consultation process and report to Council the outcome of that consultation
- e) delegate to the Chief Executive, or his nominee, the negotiation, agreement and signing of contract variations with Northland Waste Ltd to provide on-going transport and disposal of waste from the Russell facility whilst Council progress the resource consent and consultation process.

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

Against: Nil

CARRIED

At 1:20 pm, Cr Felicity Foy left the meeting.

7 INFORMATION REPORTS

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

Agenda item 7.1 document number A3589458, pages 118 - 122 refers

RESOLUTION 2022/62

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

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.

CARRIED

7.2 COMMUNITY BOARD UPDATES JULY 2022

Agenda item 7.2 document number A3793157, pages 123 – 143 refers

RESOLUTION 2022/63

Moved: Cr John Vujcich
Seconded: Cr Dave Collard

That Council note the following Community Board minutes:

- a) **21 June 2022 - Te Hiku Community Board**
- b) **6 July 2022 - Kaikohe-Hokianga Community Board**
- c) **7 July 2022 - Bay of Islands-Whangaroa Community Board**

CARRIED

7.3 ROADING MAINTENANCE AND OPERATIONS CONTRACT COST ESCALATION IMPACTS

Agenda item 7.3 document number A3810028, pages 144 - 150 refers

RESOLUTION 2022/64

Moved:: Cr Rachel Smith
Seconded: Cr Moko Tepania

That Council receive the report Roothing Maintenance and Operations Contract Cost Escalation Impacts and supports the Mayor and CEO to write to appropriate Ministers of the Crown, requesting for them to inform FNDC, with urgency, how they have considered, and will address, the recommendations of the April 2022 Funding and Financing of Infrastructure in New Zealand report, written by Kevin Ramsay Consulting Limited.

CARRIED

7.4 FLUORIDATION DIRECTION FROM MINISTRY OF HEALTH

Agenda item 7.4 document number A3812177, pages 151 - 168 refers.

RESOLUTION 2022/65

Moved: Mayor John Carter
Seconded: Deputy Mayor Ann Court

That the Council receive the report Fluoridation Direction from Ministry of Health.

CARRIED

7.5 COUNCIL ACTION SHEET UPDATE JULY 2022

Agenda item 7.5 document number A3793149, pages 169 - 173 refers.

RESOLUTION 2022/66

Moved: Mayor John Carter
Seconded: Cr Moko Tepania

That Council receive the report Action Sheet Update July 2022.

CARRIED

7.6 ELECTED MEMBER REPORT - WATER NZ WORKSHOP AND CONFERENCE 2021, HAMILTON

Agenda item 7.6 document number A3765739, pages 174 - 180 refers.

RESOLUTION 2022/67

Moved: Cr John Vujcich
 Seconded: Cr Dave Collard

That Council note the report entitled “Elected Member Report – Water NZ Workshop and Conference 2021, Hamilton

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/68

Moved: Cr John Vujcich
 Seconded: Cr Rachel Smith

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>8.1 - Confirmation of Previous Minutes - Public Excluded</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial</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>

	activities	
8.2 - Loan to Manea Footprints of Kupe	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.3 - 11 Matthews Avenue, Kaitaia	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.4 - Extension of Contract 7/15/603 Waste Management and Minimisation Services - Northern	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)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.5 - Extension of Contract 7/15/604 Waste Management and Minimisation Services - Southern	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)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.6 - Committee Public Excluded Resolutions - July 2022	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial	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>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>	
<p>8.7 - Community Board Public Excluded Updates - July 2022</p>	<p>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</p>	<p>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>

CARRIED

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

CR MOKO TEPANIA CLOSED WITH A KARAKIA.

10 MEETING CLOSE

The meeting closed at 3:43pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 22 September 2022.

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CHAIRPERSON