



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Ordinary Council Meeting

Thursday, 9 March 2023

Time: 10:00 am
Location: Council Chambers
Memorial Ave
Kaikohe

Membership:

Kahika - Mayor Moko Tepania - Chairperson
Kōwhai - Deputy Mayor Kelly Stratford
Cr Ann Court
Cr Felicity Foy
Cr Hilda Halkyard-Harawira
Cr Babe Kapa
Cr Penetaui Kleskovic
Cr Steve McNally
Cr Mate Radich
Cr Tāmami Rākena
Cr John Vujcich

**Far North District Council
Ordinary Council Meeting**
will be held in the Council Chambers, Memorial Ave, Kaikohe on:
Thursday 9 March 2023 at 10:00 am

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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

- Raewyn Tipene & Ata Witana representing Ngati Rangi regarding Ngawha Innovation Park.
- Linda Kaye representing Kohukohu Residents regarding street lighting.

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A4093996

Author: Joshna Panday, 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 9 February 2023 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 meeting.

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. **2023-02-09 Council Minutes - A4076914** [↓](#) 

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

9 February 2023

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 9 FEBRUARY 2023 AT 10:02 AM**

PRESENT: Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Felicity Foy (Virtually), Cr Hilda Halkyard-Harawira, Cr Babe Kapa, Cr Penetaui Kleskovic, Cr Steve McNally, Cr Mate Radich (till 1.15pm), Cr Tāmami Rākena

IN ATTENDANCE: Kaikohe-Hokianga Community Board Chairperson Chick Rudkin (till 1.15pm), Bay of Islands-Whangaroa Community Board Chairperson Belinda Ward, Te Hiku Community Board Chairperson Adele Gardner, Kawiti Waetford (Interpreter)

STAFF PRESENT: Janice Smith (Acting Chief Executive Officer), Jill Coyle (Group Manager People and Transformation), Jacine Warmington (Group Manager – Strategic Relationships), Roger Ackers (Group Manager Planning and Policy), Margriet Veenstra (Manager – Transaction Services), Carla Ditchfield (Manager Legal Services), Inna Shibalova (Senior Solicitor), Ken Lewis (Senior Communications Advisor), Briar Macken (Manager Strategy Development), Aisha Huriwai (Team Leader Democracy Services), Rhonda-May Whiu (Democracy Advisor)

1 KARAKIA TIMATANGA / OPENING PRAYER

Kahika Mayor Moko Tepania opened the meeting with the Council karakia and prayer.

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

Nil

3 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- Introduce Te Reo Māori Interpreter Kawiti Waetford
- Thank you to Waitangi National Trust Board for the invitation to be involved the commemorations of Waitangi day.
- Maramataka update for the day
- Attendance at the gifting back of Pākinga Pa
- Central government housing announcement in Kerikeri
- Item 7.10 parks and reserves bylaw report. Staff brought to our attention the need to update two of the recommendations in this report. This update is an administrative matter, there is no change to the proposed bylaw itself, or the substance of the report.

4 NGĀ TONO KŌRERO / DEPUTATION

- Charles Parker from – Business Paihia regarding Paihia waterfront.
- Grant Harnish – Focus Paihia regarding Paihia waterfront.
- Albie Apiata – Ngāti Kaha regarding Paihia waterfront.
- Clare Ganantchian – provided suggestions to help mitigate the impacts of climate change.
- Hinewhare Harawira - Ngāti Rāhiri representative regarding Paihia waterfront improvement project

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5 NOTICE OF MOTION

5.1 NOTICE OF MOTION - HE WHAKAPUTANGA DAY - 28 OCTOBER

Agenda item 5.1 document number A4071464, pages 6 - 6 refers.

RESOLUTION 2023/1

Moved: Cr Hilda Halkyard-Harawira

Seconded: Cr Penetaui Kleskovic

That the Far North District Council Plan reference to October 28 exclusively acknowledge He Whakaputanga and delete the inclusion of NZ Colonial wars.

Abstained: Crs Mate Radich and Ann Court

CARRIED

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A4042052, pages 7 - 8 refers.

RESOLUTION 2023/2

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Cr John Vujcich

That Council confirms the minutes of the Council meeting held 15 December 2022 and extraordinary Council meeting 20 December 2022 as a true and correct record subject to an amendment to item 6.11 of the 15 December 2022 meeting to reflect that Cr McNally voted against rather than abstained.

CARRIED

7 REPORTS

7.1 PAIHIA WATERFRONT IMPROVEMENT PROJECT

Agenda item 7.1 document number A4049223, pages 25 - 31 refers.

MOTION

Moved: Cr Ann Court

Seconded: Cr Mate Radich

That Council approves the allocation \$1.7 million toward waterfront improvements for Paihia and as per the attached agreement for the Paihia Waterfront Improvement Project.

AMENDMENT

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council approves the allocation \$1.7 million toward waterfront improvements for Paihia subject to the inclusion and resigning of the agreement for the working group to include Ngāti Kawa and Ngāti Rāhiri for the Paihia Waterfront steering group.

6 REPORTS

6.1 ADOPTION OF THE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2022

File Number: A4104744

Author: Julia Lee, Senior Financial Accountant

Authoriser: Janice Smith, Group Manager - Corporate Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To adopt the Annual Report for the year ended 30 June 2022.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Office of the Auditor General replaced the auditor for Council on 19 August 2022, assigning the audit to Deloitte.
- The Annual Report for the year ended 30 June 2022 has been prepared and has been audited by Deloitte Limited.
- The onsite audit was completed by 25 November 2022, but work continued offsite and verbal clearance was pending at the time of this agenda going to print.
- Deloitte have, like all other auditors, had resourcing issues and this has led to a delay in finalising the audit process.
- Council is therefore in breach of the requirements of the Local Government Act 2002, as amended by COVID-19 rules, as the Annual Report has not been adopted by 31 December 2022.
- The breach is technical only and will not result in a qualified opinion.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) adopt the Annual Report for the year ended 30 June 2022;**
- b) agree that the Group Manager Corporate Services is authorised to make any grammatical changes that may be required.**

1) TĀHUHU KŌRERO / BACKGROUND

The Local Government Act 2002 (LGA) requires Council to prepare an Annual Report within 4 months of the financial year end. Central Government approved an extension to that deadline to 31 December 2022 because of COVID-19, which impacted the recruitment of auditors available to complete audit work. As a result, we were appointed a new auditor, Deloitte Limited, by the Office of the Auditor General on 19 August 2022, after the audit had commenced with Audit New Zealand, our previous auditor. This has resulted in a lengthy audit as Deloitte familiarised themselves with our systems, chart of accounts and reports. Unfortunately, due to resourcing constraints, Deloitte were not able to complete the audit within the December 2022 timeframe and Council is now in breach of the requirements of the LGA.

This is a technical breach and does not affect the outcome of the audit or trigger a qualified opinion.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The Annual Report has been audited but Deloitte Limited are yet to issue the audit opinion. For this reason, the final report will be issued under separate cover.

Take Tūtohunga / Reason for the recommendation

Council is required by the Local Government Act 2002 to adopt the Annual Report as soon as possible, as Council is in breach of the 31 December 2022 requirement.

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

There are no financial implications arising from this report.

ĀPITIHINGA / ATTACHMENTS

1. **DRAFT Annual Report - A4113340** [↓](#) 

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.	Local Government Act 2002 part 6, sub part 2 s98 and Schedule 10
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.	Not applicable
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.	Not applicable
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable
State the financial implications and where budgetary provisions have been made to support this decision.	None
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

6.2 ESTABLISHMENT OF AN "APPOINTMENT TO COUNCIL ORGANISATION COMMITTEE"

File Number: A3977804
Author: Aisha Huriwai, Team Leader Democracy Services
Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

TAKE PŪRONGO / PURPOSE OF THE REPORT

To establish an Appointments Committee for the sole purpose of managing the recruitment of Directors of Council Organisations (CO's).

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council has an adopted policy in relation to the Appointment and Remuneration of Directors of Council Organisations. The policy stipulates that soon after the elections, an appointments committee be established to ensure timely management of that process.
- The policy also stipulates the membership to be one external commercial adviser (or similar) and two Councillors with an interest in CO's.
- This appointments committee would be in effect for the full triennium and convened as required to undertake the recruitment process for a new director.
- The committee will operate under the parameters of the policy, with support from officers.
- The appointments committee will make a final recommendation to Council on the most suitable candidate to be appointed as director.

TŪTOHUNGA / RECOMMENDATION

That Council;

- 1) establish an "Appointment to Council Organisation Committee" in line with the Appointment and Remuneration of Directors of Council Organisations Policy (#2117).
- 2) make the following appointments to the Committee;
 - i) Te Miromiro – Assurance Risk and Finance Committee Chairperson
 - ii) Council representative #1 _____
 - iii) Council representative #2 _____
- 3) appoint _____ as the Chair of the Appointment to Council Organisation Committee.

1) TĀHUHU KŌRERO / BACKGROUND

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

3. Appointments Committee

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

The Committee responsibilities are outlined within the policy. The Committee has no decision-making powers but will make a recommendation to Council for adoption.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

It is now timely to establish a committee in preparation for any unforeseen resignations or planned end of tenure of directors during the triennium. This is now possible with the recent appointment of the independent Chair of Te Miromiro-Assurance Risk and Finance Committee who fits the requirements of being an external advisor.

Option 1 – Establish the Appointments Committee (preferred option)

In this option, the appointments committee is established and prepared for any unforeseen resignations of current directors or planned end of tenure requirements. It allows the recruitment process to be commenced without the need to wait for the next Council meeting to establish the Committee. This option is recommended to ensure that the Committee have sufficient time to go through the process before the next appointment expiry in July 2023. A further 2 appointments end in February 2024.

Option 2 – Establish the Appointments Committee at a later date

In this option, the appointments committee would not be established until such a time as we received a resignation from a member of the Board of Directors of a CO or were aware of the end of tenure for existing directors. This is not the preferred option as it would unnecessarily delay the appointment process.

Take Tūtohunga / Reason for the recommendation

Establish the Appointments Committee in advance of any resignations from directors of Council Organisations.

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

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

ĀPITIHINGA / ATTACHMENTS

- 1. Appointment and Remuneration of Directors for Council Organisations Policy - A3568535**  

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	This report is 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.	The Appointment and Remuneration of Directors of Council Organisations (Policy #2117)
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a district wide matter with no particular relevance to Community Boards.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	The board of a CO should be made up of a diverse range of people who are able to bring relevant expertise to the organisation. For the board to be fully effective, it should comprise directors with a range of complementary skills and experience to ensure that ideas are challenged and tested, and that decision-making it robust.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	As above.
State the financial implications and where budgetary provisions have been made to support this decision.	No specific implications.
Chief Financial Officer review.	The Acting CFO has not reviewed this report

6.3 APPOINTMENT OF INDEPENDENT HEARINGS COMMISSIONER

File Number: A4077714

Author: Rochelle Deane, Manager - Environmental Services

Authoriser: Janice Smith, Group Manager - Corporate Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To appoint Mr Barry Mosley to the pool of independent commissioners under section 34A of the Resource Management Act 1991, (the 'Act').

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Act provides that Council may delegate its functions, powers or duties to independent Commissioners appointed by Council.
- Council has a statutory requirement to maintain a pool of independent commissioners that meet the accreditation requirements and include a sufficient variety of knowledge and experience.
- Barry Mosley has extensive experience in resource planning and would assist the Resource Consent team to undertake Commissioner work as well as assist to ensure continuity of service and the efficient determination of resource consents in a timely manner.

TŪTOHUNGA / RECOMMENDATION

That pursuant to section 34A of the Resource Management Act 1991, that Far North District Council appoint Barry Mosley to the Council's list of approved Commissioners.

1) TĀHUHU KŌRERO / BACKGROUND

The Resource Management Act 1991 provides that Council may delegate its functions, powers or duties to independent commissioners appointed by Council.

The Act requires Council to engage independent commissioners under the following circumstances:

- *Notified resource consents.*

An applicant and/or submitter/s to a notified resource consent application may request that council appoint at least one independent commissioner to hear and decide on the application. This also applies to notified notices of requirement for a designation and heritage. If such a request is received, council must delegate its functions, powers, and duties to hear and decide the application to one or more independent commissioners.

- *Objections to a decision of council officer on resource consent*

An applicant who is objecting to a decision by a council officer has the ability to request that their objection be heard by an independent commissioner. If such a request is received, council must delegate its functions, powers, and duties to consider and decide on the objection to one or more independent commissioners.

Council may also choose to use independent commissioners for:

- making decisions on –
 - proposed policy statements, proposed plans, variations, or plan changes (other than approval)
 - resource consent applications and recommendations on notices of requirement
 - notification or non-notification of resource consents
 - servicing of an application
 - plan changes or variations and on submissions to plan changes (other than declaring a plan change operative)

- reviewing resource consent conditions

Independent commissioner roles extend to:

- providing advice on technical or procedural matters to make decisions on particular applications.
- for perceived or actual conflicts of interest or perceptions of bias,
- where issues are complex or of a highly technical nature and there is a need for specialist expertise that is not available within council,
- where an application has substantive implications for council policy,
- assisting council when councillors are not available or following local body elections, and/or
- covering lengthy hearings.

Councils have the discretion to decide who they employ as independent commissioners provided, they meet the Act's accreditation requirements, and they are not a member (including elected representatives) of council.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Council is required to ensure that it has an appropriate pool of independent commissioners to meet its functions, powers and duties under the Resource Management Act 1991. It is recognised as good practice for council to use independent commissioners in the place of staff and elected representatives, particularly where:

- independent commissioners can help ensure continuity of service and the efficient determination of resource consents in a timely manner,
- staff and/or elected representative/s may be perceived to have an actual or alleged conflict of interest,
- Council is determining objections relating to council charges,
- matters are outside the technical knowledge or experience of staff and/or elected representative/s; such as legal matters, built heritage, previous consenting knowledge or Te Ao Māori and Te Tiriti o Waitangi issues,
- staff and/or an elected representative/s may have, or may be perceived to have, a closed mind on the proposal (such as when publicly stating opinions on the merits of a proposal in the media or at public meetings before it is heard),
- there may be a combined or joint hearing with a district or regional council and a neutral chairperson or adviser is considered desirable,
- Council Controlled Organisation Far North Holdings Ltd is the applicant or has an interest in the outcome of the matter being considered, and council may therefore be perceived to have an actual or alleged conflict of interest, and/or
- staff or contractors of council are the applicant or have an interest in the outcome of the matter being considered, and council may therefore be perceived to have an actual or alleged conflict of interest.

Barry Mosley has extensive experience in resource planning and has previously been on the approved FNDC list of Commissioners prior to joining Auckland Council in 2011.

Barry has a Master of Regional and Resource Planning (awarded with distinction in 1990 Otago University 1990) and is a certified Hearings Commissioner (Ministry for the Environment (MfE)).

He has an extensive work history in planning and policy having worked across several councils, up to General Manager level. This has included developing policy on a wide range of resource management issues, undertaking complex resource management assignments and Environment and High Court work.

Barry Mosley is currently Principal of a Consultancy established to provide professional Resource Management and Urban planning advice and services to individuals and organisations as well as Commissioner work. Barry has recently processed and reported on urban development proposals for the Far North District Council.

As a Planner and certified Hearings Commissioner Barry maintains his knowledge and understanding of Te Ao Māori and tangata whenua values in the current environment by participating

in ongoing education via the NZPI. In particular this relates to the impact of Treaty Settlements and the context for the application of Iwi Management Plans and Cultural Impact Assessments.

Barry would be a valuable addition to the current pool of FNDC approved Commissioners.

As he is not on Council's list of approved Commissioners, he will need to be appointed formally by Council pursuant to s34A of the RMA which provides for delegations to Commissioners.

Take Tūtohunga / Reason for the recommendation.

Barry Mosley is a very experienced Commissioner who is held in high regard by those organisations that use his services. It is, therefore, recommended that he be appointed to the Council's list of approved Hearings Commissioners.

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

The RMA and LGA allow Far North District Council to recover all reasonable costs incurred in respect of the activity to which the charge relates. The costs of the Independent Hearing Commissioners are passed on to the applicant.

ĀPITIHINGA / 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	This matter has a low degree of significance. It does not meet the criteria/threshold for a matter of significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Resource Management Act 1991 Local Government Act 2002 Far North District Plan (operative and proposed) LTP Community Outcome: A wisely managed and treasured environment that recognises the special role of Tangata Whenua as Kaitiaki.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District Wide Significance
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	The Commissioner is very experienced working across the country on a variety of matters. He is well rehearsed in Hearings where there are a high number of Iwi submitters.
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).	The process is available to those that meet the criteria.

<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>The RMA and LGA allow Far North District Council to recover all reasonable costs incurred in respect of the activity to which the charge relates. The costs of the Independent Hearing Commissioners are passed on to the applicant.</p>
<p>Chief Financial Officer review.</p>	<p>The CFO has reviewed this report.</p>

7 INFORMATION REPORTS

7.1 MAYOR AND COUNCILLORS REPORTS

File Number: A4049974

Author: Joshna Panday, Democracy Advisor

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

TE TAKE PŪRONGO / PURPOSE OF THE REPORT

This report is a mechanism to have open communication and transparency on activities undertaken by Councillors as elected representatives.

NGĀ TŪTOHUNGA / RECOMMENDATION

That Council note the reports from Kahika-Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Hilda Halkyard-Harawira, Babe Kapa and Tāmati Rākena.

TE TĀHUHU KŌRERO / BACKGROUND

Kahika-Mayor Tepania has reintroduced Council members reports as a mechanism to have open communication and transparency on activities undertaken by Councillors as elected representatives. Members reports are compulsory for Councillors.

TE MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Members reports are attached for information.

Cr Tāmati Rākena has submitted his report in te reo. Staff were not available to translate the report in time for printing but will circulate a translation before the meeting.








REASON FOR THE RECOMMENDATION

To formally receive Councillor reports.

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

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

NGĀ ĀPITIHINGA / ATTACHMENTS

1. Report - Kahika-Mayor Moko Tepania - Feb 2023 - A4107307 [↓](#) 
2. Report - Kowhai-Deputy Mayor Kelly Stratford - Feb 2023 - A4103988 [↓](#) 
3. Report - Cr Ann Court - Feb 2023 - A4090830 [↓](#) 
4. Cr Court - Report from New Zealand Future Roads Conference 2022 - A4090840 [↓](#) 
5. Report - Cr Hilda Halkyard-Harawira - Feb 2023 - A4104202 [↓](#) 
6. Report - Cr Babe Kapa - Feb 2023 - A4101121 [↓](#) 
7. Report - Cr Tāmati Rākena.- Feb-Mar 23 - A4110759 [↓](#) 

7.2 COUNCIL ACTION SHEET UPDATE MARCH 2023

File Number: A4094004

Author: Joshna Panday, Democracy Advisor

Authoriser: Aisha Huriwai, Team Leader Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide Council with an overview of outstanding Council and the previous term Committee decisions from 1 January 2020.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Action sheets are a mechanism to communicate progress against decisions/resolutions.
- Action sheets are also in place for all formal elected member meetings.

TŪTOHUNGA / RECOMMENDATION

That Council receive the report Action Sheet Update March 2023.

1) TĀHUHU KŌRERO / BACKGROUND

Any resolution or decision from a meeting is compiled on an action sheet, to capture actions triggered by Board decisions. Staff provide updates on progress against tasks that are not yet completed.

The action sheet report also includes outstanding actions from previous triennium committees.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The outstanding tasks are often multi-facet projects that take longer to fully complete. Where a decision differs to the recommendation of staff there may be unintended consequences or challenges that take longer for staff to work through

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 March 2023 - A4113158 [↓](#) 

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDE

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

THAT THE PUBLIC BE EXCLUDED FROM THE FOLLOWING PARTS OF THE PROCEEDINGS OF THIS MEETING.

THE GENERAL SUBJECT MATTER OF EACH MATTER TO BE CONSIDERED WHILE THE PUBLIC IS EXCLUDED, THE REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND THE SPECIFIC GROUNDS UNDER SECTION 48 OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 FOR THE PASSING OF THIS RESOLUTION ARE AS FOLLOWS:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48 FOR THE PASSING OF THIS RESOLUTION
<p>8.1 - CONFIRMATION OF PREVIOUS MINUTES - PUBLIC EXCLUDED</p>	<p>S7(2)(A) - THE WITHHOLDING OF THE INFORMATION IS NECESSARY TO PROTECT THE PRIVACY OF NATURAL PERSONS, INCLUDING THAT OF DECEASED NATURAL PERSONS</p> <p>S7(2)(B)(II) - THE WITHHOLDING OF THE INFORMATION IS NECESSARY TO PROTECT INFORMATION WHERE THE MAKING AVAILABLE OF THE INFORMATION WOULD BE LIKELY UNREASONABLY TO PREJUDICE THE COMMERCIAL POSITION OF THE PERSON WHO SUPPLIED OR WHO IS THE SUBJECT OF THE INFORMATION</p> <p>S7(2)(F)(I) - FREE AND FRANK EXPRESSION OF OPINIONS BY OR BETWEEN OR TO MEMBERS OR OFFICERS OR EMPLOYEES OF ANY LOCAL AUTHORITY</p> <p>S7(2)(H) - THE WITHHOLDING OF THE INFORMATION IS NECESSARY TO ENABLE COUNCIL TO CARRY OUT, WITHOUT PREJUDICE OR DISADVANTAGE, COMMERCIAL ACTIVITIES</p>	<p>S48(1)(A)(I) - THE PUBLIC CONDUCT OF THE RELEVANT PART OF THE PROCEEDINGS OF THE MEETING WOULD BE LIKELY TO RESULT IN THE DISCLOSURE OF INFORMATION FOR WHICH GOOD REASON FOR WITHHOLDING WOULD EXIST UNDER SECTION 6 OR SECTION 7</p>
<p>8.2 - APPOINTMENT OF TE MIROMIRO - ASSURANCE RISK AND FINANCE INDEPENDENT CHAIRPERSON</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>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</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)	WITHHOLDING WOULD EXIST UNDER SECTION 6 OR SECTION 7
8.3 – EXECUTIVE REVIEW COMMITTEE 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)(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 – GENERAL EMPLOYMENT MATTERS & TABLED DOCUMENTS	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

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

10 TE KAPINGA HUI / MEETING CLOSE