



Far North
District Council



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Extraordinary Council Meeting

Monday, 14 August 2023

Time: 2:00 pm

Location: Virtually via Microsoft Teams

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 Tāmāti Rākena
Cr John Vujcich

**Far North District Council
Extraordinary Council Meeting
will be held in the Virtually via Microsoft Teams on:
Monday 14 August 2023 at 2:00 pm**

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1 KARAKIA TIMATANGA / OPENING PRAYER

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

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

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

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

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Manager - Democracy Services (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 KAHIKA / MAYORAL ANNOUNCEMENTS

5 NGĀ PŪRONGO / REPORTS

5.1 PROPOSED TERMS OF REFERENCE FOR TE KOUKOU TRANSPORT COMMITTEE AND SETTING OF MEETING DATES

File Number: A4335381

Author: Casey Gannon, Manager - Democracy Services (Acting)

Authoriser: Jacine Warmington, Group Manager - Strategic Relationships

TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek Council's adoption of the draft terms of Reference for Te Koukou - Transport Committee. To set the 2023 meeting schedule for Te Koukou – Transport Committee.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council has created a Te Koukou Transport Committee.
- Council Roding portfolio holders have been meeting regularly with Northland Transport Alliance General Manager and staff.
- The Te Koukou - Transport Committee will help increase transparency and governance oversight of Council activities.

TŪTOHUNGA / RECOMMENDATION

That Council:

- a) adopt the Te Koukou - Transport Committee Terms of Reference, and**
- b) adopt the 2023 Te Koukou - Transport Committee meeting schedule.**

1) TĀHUHU KŌRERO / BACKGROUND

At the 29 June 2023 Council meeting, a resolution was passed to establish a Transport Committee and for a Terms of Reference (ToR) be confirmed for Council adoption at a later date. The Transport Portfolio holders, Cr Ann Court and Cr Steve McNally have been meeting regularly with Northland Transport Alliance and along with the General Manager of the Northland Transport Alliance are in support of the creation of this committee.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

4 weekly meetings have been suggested to align with the flow of reporting deadlines in place with Northland Transport Alliance (NTA) which also aligns with Council's formal meeting schedule.

The proposed 4 weekly meeting schedule includes four meetings for the remainder of this year as follows:

Committee Meetings:

- 6 September 2023, 10:00 am – 12:00 pm
- 5 October 2023, 10:00 am – 12:00 pm
- 2 November 2023, 10:00 am – 12:00 pm
- 30 November 2023, 10:00 am – 12:00 pm

Committee Workshops

- 6 September 2023, 1:00 pm – 3:00 pm
- 5 October 2023, 1:00 pm – 3:00 pm

- 2 November 2023, 1:00 pm – 3:00 pm
- 30 November 2023, 1:00 pm – 3:00 pm

It is proposed that the meetings follow the same duration as the Whangarei District Council, which includes a meeting followed by a break, and a workshop.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

To confirm the scope and responsibilities as well as the meeting dates for of Te Koukou –Transport Committee.

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

There is existing operational budgets to support this Committee.

ĀPITIHINGA / ATTACHMENTS


1. **Proposed Terms of Reference for Te Koukou Transport Committee - A4335489** [↓](#) 

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 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.	There are no policies but this report is in alignment with the Local Government Act and Council's Long Term Plan Commitment to enable participation of Māori in decisions of Council.
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 views of Community Boards have not been sought as this is a matter of district-wide governance.
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.	Te Kuaka will provide a mechanism to encourage engagement with Māori and participation of Māori in decision making moving forward. The draft terms of reference were drafted based on discussions that Te Kahu o Taonui representatives were part of and a copy of the draft terms of reference was sent to them for review.
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).	There are no identified persons affected by this report.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or requirements for further budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

 Far North District Council <i>To Kaunihera o Tai Tokerau ki te Raki</i>	Authorising Body	Mayor/Council
	Status	Standing Committee
COUNCIL COMMITTEE	Title	Te Koukou – Transport Committee Terms of Reference
	Approval Date	14 August 2023
	Responsible Officer	Northland Transport Alliance General Manager

Purpose

The purpose of Te Koukou - Transport Committee is to increase governance oversight over Council's Transport activities.

To perform his or her role effectively, each member must develop and maintain his or her skills and knowledge, including an understanding of the Committees' responsibilities, and of the Council's business, operations and risks.

Membership

The Committee will comprise of all Mayor and Councillors.

Mayor Tepania
 Deputy Mayor Kelly Stratford
 John Vujcich
 Ann Court
 Babe Kapa
 Felicity Foy
 Hilda Halkyard-Harawira
 Mate Radich
 Penetaui Kleskovic
 Steve McNally
 Tāmati Rākena

Quorum

The quorum at a meeting of the Committee is 6 members.

Frequency of Meetings

The Committee shall meet 4 weekly.

Power to Delegate

The Committee may not delegate any of its responsibilities, duties or powers.

Responsibilities

The Committees responsibilities are described below:

- Consideration of temporary road closures for events (subject to legal advice)
- Monitoring road maintenance schedule
- Monitoring road upgrade priority
- Monitoring contractor performance
- Monitoring of roading condition
- Approval of roading contracts beyond CE delegation up to \$3 million
- Approval of award of budgeted planned works – already approved under the Long-Term Plan up to \$3 million

Rules and Procedures

Council's Standing Orders and Code of Conduct apply to all meetings.

6 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED**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
6.1 - Solid Waste Services Contract Procurement Plan	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
6.2 - Briefing on Resource Consent Conditions - Kohukohu/Opononi	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

7 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

8 TE KAPINGA HUI / MEETING CLOSE