

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 24 AUGUST 2023 AT 10:00 AM**

- PRESENT:** Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira, Cr Babe Kapa, Cr Steve McNally, Cr Mate Radich, Cr Tāmāti Rākena, Cr John Vujcich
- IN ATTENDANCE:** Belinda Ward (Chair – Bay of Islands-Whangaroa Community Board) Kawiti Waetford (Kaiwhakawhiti Reo Language Interpreter), Adele Gardner (Chair – Te Hiku Community Board).
- STAFF PRESENT:** Guy Holroyd (CEO), Calvin Thomas (NTA), Roger Ackers (Group Manager-Planning & Policy), Andy Finch (District Engineer), Jonathan Slavich (Chief Financial Officer), Jill Coyle (Group Manager – People & Transformation), Kevin Johnson (Group Manager – Delivery & Operations), Janice Smith (Group Manager – Corporate Services), Carla Ditchfield (Manager – Legal Services), Jacine Warmington (Group Manager - Strategic Relationships), Ruben Garcia (Group Manager – Community & Engagement), Tania Steen (Manager – Property & Facilities), Ken Lewis (Manager – Communities and Engagement), Rochelle Deane (Manager – Compliance), Eden Ramsey (Finance & Customer Services), Casey Gannon (Manager – Democracy Services), Marlema Baker, (Democracy Advisor)

1 KARAKIA TIMATANGA / OPENING PRAYER

Kahika/Mayor Moko Tepania opened the meeting and commenced with a karakia.

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

2.1 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2023/92

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmāti Rākena

That the apologies from Cr Penetaui Klescovic and Kaikohe-Hokianga Community Board Chair Chicky Rudkin be accepted and a leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

- Roger Crowden (in-person 1st speaker) & Pierre Fernandez (virtual 2nd Speaker) regarding Fluoridation of Kerikeri and Kaitaia Water Supply. Opposed to compulsory flouridisation in Northland drinking water and water in New Zealand in general.
(Tabled documents Objective ID: A4377431, A4377428 and A4377425)
- Hinewhare Harawira: Item 6.4 Ground Lease to Paihia Sea Scouts - Te Kemara Avenue Paihia Maintains that Hapū groups are not “the public” and should not be defined as such. Notes that what is said about Ngāti Rāhiri on page 47 (Discussions and Options) portrays the Hapū in a negative light and asks that Council report both sides (for and opposed) fairly. Ngāti Rāhiri Hapū supports option 1 recommended by the Community Board.

- Karen Urlich: Karikari Peninsula comparing % of Rate Increase as related to Land Value % increases (tabled document Objective ID A4376590)
 - Staff to inform Mrs Urlich on the process of providing a late submission for Karikari Peninsula due to extenuating circumstances.

A full recording of these deputations can be found on the Far North District Council Facebook Page

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- Meetings now being livestreamed to the Far North District Council Facebook page.
- The Māramataka Māori today is Tamatea Kai Ariki – low energy day.
- Northland College will be holding a breakfast fundraiser on 25 August to raise money for the Cancer Society Daffodil Day.
- Acknowledged the passing of Dunn Mihaka, te reo and kaupapa Māori advocate.
- Acknowledged Rhonda-May Whiu 16 years at Council and shifting from Democracy Services team to Transaction Services.
- Welcomes Grace Hamlin and Lisa Nelson to the Strategic Relationships Service.
- Council will be confirming the minutes from the 4 August Council meeting to tidy up the resolution for 1 Wharo Way Ahipara & Pohutukawa Tree resolution. This will not change the scope or hold up the process of moving forward with the purchase.
- Councillor John Vujcich's Members Report was omitted from the last agenda and is included as a tabled document.

5 TE WHAKAAETANGA O NGĀ MENETI O MUA / CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A4336359, pages 6 – 17 refers

RESOLUTION 2023/93

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council confirm the minutes of the Council meeting held 3 August 2023 and Extraordinary Council meeting held 14 August 2023 as a true and correct record.

Correction to pg 10 item 7.1 Mayor and Councillors Reports: Cr Vujcich's reports 4/07/2023 was not omitted.

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 COMMUNITY BOARD MINUTES - AUGUST 2023

Agenda item 7.2 document number A4336417, pages 106 - 123 refers

RESOLUTION 2023/94

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council note the following Community Board minutes:

- a) **31 July 2023 - Bay of Islands-Whangaroa Community Board**

- b) 1 August 2023 - Te Hiku Community Board
 c) 2 August 2023 - Kaikohe-Hokianga Community Board

CARRIED**6.1 CEO DELEGATION FOR EXTERNALLY FUNDED PROJECTS**

Agenda item 6.1 document number A4329512, pages 18 - 23 refers

RESOLUTION 2023/95

Moved: Cr Ann Court
 Seconded: Cr Mate Radich

That Council:

- a) continue to approve the delegation for the Chief Executive Officer to authorise Direct Award Professional Services contracts up to a value of \$500,000 per contract, for Ministry of Business, Innovation and Employment funded projects, for period from 24 August 2023 to 30 June 2024.
- b) continue to approve the delegation for the Chief Executive Officer to authorise award construction contracts, for all Ministry of Business, Innovation and Employment funded projects, for period from 24 August 2023 to 30 June 2024.
- c) approve Agile Procurement Strategies for externally funded projects, effective 24 August 2023.
- d) instruct the Chief Executive Officer to provide a quarterly information only report to the Council for Ministry of Business, Innovation and Employment funded procurement activity.
- e) review the efficiency and effectiveness of these strategies one year after approval.

CARRIED*Cr Court would like included in the recommendation above information on:*

- How have we achieved compliance in section 5.
- Disability action group and framework.
- Report to include all professional services cost.

6.2 VEHICLE WARRANT AND REGISTRATION ENFORCEMENT

Agenda item 6.2 document number A4300463, pages 24 - 40 refers

MOTION

Moved: Kōwhai - Deputy Mayor Kelly Stratford
 Seconded: Cr Steve McNally

That Council approves the permanent enforcement of stationary vehicle Warrant of Fitness (WoF) and Vehicle Registration offences across the Far North District.

In Favour: Crs Moko Tepania, Kelly Stratford, Ann Court, Hilda Halkyard-Harawira and John Vujcich

Against: Crs Felicity Foy, Babe Kapa, Penetaui Kleskovic, Steve McNally, Mate Radich and Tāmati Rākena

LOST 5/6

6.3 ROAD RENAMING REQUEST WAA HOTERENE ROAD TO KARAWHE ROAD, MATAWAIA

Agenda item 6.3 document number A4306264, pages 41 - 45 refers

RESOLUTION 2023/96

Moved: Cr John Vujcich

Seconded: Cr Mate Radich

That Council agree to rename 'Waa Hoterene Road', Matawaia to 'Karawhe Road', Matawaia.Abstained: Crs Hilda Halkyard-Harawira and Tāmami Rākena**CARRIED****6.4 GROUND LEASE TO PAIHIA SEA SCOUTS - TE KEMARA AVENUE PAIHIA**

Agenda item 6.4 document number A4328925, pages 46 - 51 refers

RESOLUTION 2023/97

Moved: Cr Ann Court

Seconded: Cr Hilda Halkyard-Harawira

That Council, acting under delegation and pursuant to Section 61 Reserves Act 1977, grants:

- a) a new ground lease to Scouts Aotearoa over the Local Purpose (community activities) Reserve being approximately 238 square metres of Lot 40 DP 43842, held in New Zealand Gazette 2002 page 21 and vested in Far North District Council on deposit DP 43842 as a local purpose reserve.

The terms of the proposed lease shall be:**Term: 3 years with dates aligning with Te Kura Kōhangahunga Tōpū o Te Tai Tokerau Lease.****Rental: As per FNDC Fees and Charges Schedule for a Community lease.**

- **\$118 plus GST for 2023/24 and reviewed annually in conjunction with the FNDC fees and Charges Schedule.**

- b) **with further conditions negotiated and agreed upon by the Group Manager Delivery and Operations and Scouts Aotearoa.**

CARRIED**6.5 RANGITOTO RESERVE, MANGONUI**

Agenda item 6.5 document number A4299406, pages 52 - 55 refers

MOTION

Moved: Cr Felicity Foy

Seconded: Cr Hilda Halkyard-Harawira

That Council:

- a) approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve.
- b) appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to the Council in respect of the reserve

classification.

AMENDMENT

Moved: Cr Hilda Halkyard-Harawira

Seconded: Cr Tāmati Rākena

c) staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants.

CARRIED

The amendment became the substantive motion.

RESOLUTION 2023/98

Moved: Cr Hilda Halkyard-Harawira

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council:

- a) **approve the initiation of a public consultation process under Section 16 of the Reserves Act 1977 to classify Rangitoto Reserve (Allot 71 PSH of Mangonui East) as a Historic Reserve.**
- b) **appoint Te Hiku Community Board to hear any submissions received in response to the consultation process and to make recommendations to the Council in respect of the reserve classification.**
- c) **staff develop a Management Plan under s41 of the Reserves Act to eradicate the invasive wattle trees and moth plants.**

CARRIED

NOTE: Kahika/Mayor Tepania requests a briefing paper on how many reserves Council has, what their classifications are, how many have reserve management plans and how many can be sold.

6.6 INITIATION OF PUBLIC CONSULTATION FOR GROUND LEASE TO HOKIANGA BOWLING CLUB OVER 61 CLENDON ESPLANADE, RAWENE

Agenda item 6.6 document number A4330060, pages 56 - 59 refers

RESOLUTION 2023/99

Moved: Cr John Vujcich

Seconded: Kahika - Mayor Moko Tepania

That Council:

- a) **commences public notice as required by the Reserves Act 1977 on the granting of a new ground lease to Hokianga Bowling Club Incorporated, over approximately 2700.9m² of land being Sections 153, 157 and 158 TN OF Rawene, located at 61 Clendon Esplanade, Rawene and vested in Far North District Council as recreation reserve.**

The terms of the proposed lease shall be:

Term: 15 years (5+5+5) – allowed for under the Reserves Act 1977

Rental: As per FNDC Fees and Charges Schedule for a Community lease.

- **\$118 plus GST for 2023/24 and reviewed annually in conjunction with the FNDC fees and Charges Schedule.**

- b) **appoint the Kaikohe – Hokianga Community Board to hear any submissions received in response to the public notice and to make recommendations to Council.**

CARRIED

6.7 COUNCIL SUBMISSION ON THE NATIONAL POLICY STATEMENTS FOR RENEWABLE ELECTRICITY GENERATION AND ELECTRICITY TRANSMISSION

Agenda item 6.7 document number A4256471, pages 60 - 64 refers

RESOLUTION 2023/100

Moved: Cr Steve McNally

Seconded: Kahika - Mayor Moko Tepania

That the Council receive the report Council Submission on the National Policy Statements for Renewable Electricity Generation and Electricity Transmission.

Abstained: Cr Steve McNally

CARRIED

6.8 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - AUGUST 2023

Agenda item 6.8 document number A4345733, pages 65 - 77 refers

RESOLUTION 2023/101

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Felicity Foy

That Council :

Item 4.2 - Proposed District Plan Hearing Process and Hearing Panel

- a) approve of the updated list of approved Independent Commissioners (Attachment 1 - Commissioners with 'Making good decisions' certification – July 2023).
- b) rescind part of the 11 February 2010 delegation 10.2 Hearing Delegations for District Plan Changes *“And that Councillors will be appointed to the hearing panel for Council initiated plan changes by Council;”* and replace with *“And that Councillors may be appointed to the hearing panel for Council initiated plan changes by Council”*.
- c) rescind part of the 5 September 2022 delegation 5.2 Expressions of Interest for Independent Hearings Commissioners *“d) make recommendations on public and private plan changes; and”* and replace with *“d) hear and determine or make recommendations on public and private plan changes; and”*.
- d) confirm a Proposed District Plan hearing panel of five panel members, including two with chairing endorsement and one with skills and expertise in matters relating to Te Tiriti O Waitangi/Treaty of Waitangi, Kaupapa Māori and Maturanga Māori.

Item 5.2 - Ahipara Iwi/Hapu Environmental Management Plan (IHEMP)

- a) support the Ahipara Takiwā Environmental Management Plan.

Item 5.3 - Ngāti Hine Iwi/Hapu Environmental Management Plan (IHEMP)

- a) support the Ngāti Hine Environmental Management Plan.

CARRIED

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.1 MAYOR AND COUNCILLOR'S REPORTS

Agenda item 7.1 document number A4329470, pages 78 - 105 refers

RESOLUTION 2023/102

Moved: Cr John Vujcich

Seconded: Kahika - Mayor Moko Tepania

That Council:

- a) note the report from Cr John Vujcich dated 14.07.23 which was omitted from the 3 August 2023 Council agenda.
- b) note the reports submitted by Kahika – Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Hilda Halkyard-Harawira Babe Kapa, Tāmami Rākena, Steve McNally and Cr John Vujcich.

CARRIED

Kahika/Mayor Tepania requests that the Elected Member reports be extracted from each agenda and uploaded to the FNDC website and deposited in each elected members portal so the general public can access them.

7.3 COUNCIL ACTION SHEET UPDATE AUGUST 2023

Agenda item 7.3 document number A4340224, pages 124 - 124 refers

RESOLUTION 2023/103

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr John Vujcich

That Council receive the report Council Action Sheet Update August 2023.

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2023/104

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Felicity Foy

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</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>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>	
8.2 - Contract 7/21/185 Lighting Maintenance and Renewals Contract Extension	<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>
8.3 - Kerikeri Waste Water Treatment Plant – Funding Request for Easement	<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)(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>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>
8.4 - 11 Matthews Ave, Kaitaia	<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>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>
8.5 - Chief Executive Officer Appointment	<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)(i) - the withholding of the</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</p>

	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
<p>And that Kawiti Waetford (Kaiwhakawhiti Reo Language Interpreter) be allowed to remain in the meeting.</p>		
<p style="text-align: right;">CARRIED</p>		

Meeting adjourned for lunch 1:06pm returning at 1:30pm.

At the conclusion of the public excluded session Council confirmed the information and decisions contained in the part of the meeting held with public excluded **not be restated** in public meeting.

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

KAHIKA/MAYOR TEPANIA CLOSED THE MEETING WITH A KARAKIA.

10 MEETING CLOSE

The meeting closed at 3:48 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 21 September 2023.

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CHAIRPERSON