



**Far North  
District Council**



**Te Kaunihera o Tai Tokerau ki te Raki**

# **AGENDA**

## **Ordinary Council Meeting**

**Thursday, 16 November 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 16 November 2023 at 10:00 am**

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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

- Leonie Exel representing BOI Watchdogs
- Summer Johnson representing BOI Animal Rescue Trust
- Dr Judith Reiken representing Te Mauri o te Wai
- Rueben Taipari
  - Occupation on the Moringaihe land in Ahipara
  - Support of the occupation of Patia o Matariki in Whatuwhiwi.
  - Lack of accountability of FNDC staff managers and CEO to attend hui with whanau, hapu and Iwi.
- Keringawai Evans representing Haititaimarangai Marae, Te Whanau Moana, Te Rorohuri hapu.
- Carol Berghan representing Te Hiku Community Development Trust

## 4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

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

### 5.1 CONFIRMATION OF PREVIOUS MINUTES

**File Number:** A4449264

**Author:** Ellie Greenwood, Democracy Advisor

**Authoriser:** Casey Gannon, Manager - 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 confirm the minutes of the Council meeting held 19 October 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. 19 October Council Minutes - A4467400 [↓](#) 

**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 <a href="#">Council's Significance and Engagement Policy</a>	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.























## 6 NGĀ PŪRONGO / REPORTS

### 6.1 SETTING OF 2024 MEETING SCHEDULE

**File Number:** A4455056

**Author:** Casey Gannon, Manager - Democracy Services

**Authoriser:** Jonathan Slavich, Chief Financial Officer

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide meeting and workshop dates for 2024 Council and Committee meetings to Council for adoption.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Council (4 weekly)	Te Huia - Executive Review Committee (4 weekly)	Te Kuaka – Te Ao Māori Committee (4 weekly)	Te Miromiro – Assurance, Risk and Finance Committee (6 weekly)	Te Koukou- Transport Committee (4 weekly)
8 February	1 February	22 February	28 February	20 February
14 March	29 February	28 March	3 April	26 March
11 April	4 April	22 April	22 May	23 April
9 May	2 May	23 May	24 July	21 May
13 June	30 May	27 June	4 September	25 June
11 July	4 July	25 July	22 October	23 July
8 August	1 August	22 August	3 December	20 August
12 September	29 August	26 September		24 September
17 October	3 October	31 October		29 October
14 November	7 November	28 November		26 November
12 December				

- The attached draft calendar of dates for formal Council, Committee meetings and reserve days for training and workshops.
- Regional and national dates have been considered in setting these dates.
- Council and Committee formal meetings have been aligned with Maramataka.
- Reserve dates have been identified as dates to keep for Council business as required (workshops, briefings, training sessions and extraordinary meetings).
- Community Board meetings are excluded awaiting confirmation of Council and Committee dates.

#### TŪTOHUNGA / RECOMMENDATION

That Council adopt the following 2024 meeting dates:

- 8 February
- 14 March

- 11 April
- 9 May
- 13 June
- 11 July
- 8 August
- 12 September
- 17 October
- 14 November
- 12 December

**And that Council note the following 2023 Reserve dates:**

- January 30, 31
- February 7, 21, 27
- March 5, 6, 12, 13, 27
- April 2, 9, 10, 24, 30
- May 1, 7, 8, 29
- June 4, 5, 11, 12, 26
- July 2, 3, 9, 10, 30, 31
- August 6, 7, 28
- September 2, 3, 10, 11, 25
- October 2, 8, 9, 15, 16, 30
- November 5, 6, 12, 13, 27
- December 4, 10, 11

## **1) TĀHUHU KŌRERO / BACKGROUND**

It is good practice across New Zealand for a Council to set its Formal Meeting Calendar a year in advance. In scheduling meetings and the frequency, Councillors should be mindful of the following principles:

- Meetings should be necessary for the good governance of its region or district.
- Meetings should promote the open and public transaction of business at meetings.
- Councillors are considered to be in a part time role of which attendance at formal meetings is only a small portion of the role. Consideration needs to be given to balancing workloads and non-Council commitments.

The proposed schedule includes 'reserve' dates for additional Council commitments such as workshops, training, extraordinary meetings or briefings to enable elected members to plan their varying commitments and in recognition that workshops are a beneficial tool to engage on technical or complex issues where staff require some indication on direction.

Council resolved in December 2019 not to conduct meetings on 28 October each year in recognition of He Whakaputanga o te Rangatiratanga o Nu Tirenī – Declaration of Independence of the United Tribes of New Zealand.

Council had a wānanga (workshop) on 23 November 2022 with esteemed Maramataka expert Matua Rereata Makiha who explained the benefits of following the moon cycles. Meeting dates have been proposed to take place on days aligned for better decision making.

Community Board meetings are excluded from the schedule and a report will be provided to each board in November to confirm their 2024 meeting dates.

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

In setting the 2021 meeting calendar Council adopted to hold 10 Council meetings, 29 Committee meetings and held an additional 6 extraordinary meetings.

For the year of 2023 Council adopted to hold 11 Council meetings, 23 Committee meetings and held an additional 8 extraordinary meetings. An additional 4 meetings were set with the addition of Te Koukou Transport Committee.

This report proposes the majority of meetings be held on a 4-weekly cycle. Te Miromiro – Assurance, Risk and Finance terms of reference has been amended to meet a six-weekly meeting schedule. Further exceptions are proposed and listed in the table below:

Meeting	Rationale
Council meeting 14 March (5 weeks)	Clash with R&P on 4 <sup>th</sup> week
Council meeting 13 June (5 weeks)	Clash with Whiro moon cycle on 4 <sup>th</sup> week
Council meeting 12 September (5 weeks)	To avoid clash with Whiro moon cycle in October
Council meeting 17 October (5 weeks)	Alignment with Rongo moon cycle
Te Miromiro – Assurance, Risk and Finance Committee meeting 3 April (5 weeks)	Clash with Council meeting on 6 <sup>th</sup> week
Te Miromiro – Assurance, Risk and Finance Committee meeting 22 May (7 weeks)	Clash with Community Boards on 6 <sup>th</sup> week
Te Miromiro – Assurance, Risk and Finance Committee meeting 24 July (9 weeks)	Alignment with Independent Chair scheduling requests
Te Miromiro – Assurance, Risk and Finance Committee meeting 22 October (7 weeks)	Alignment with Independent Chair scheduling requests
Te Koukou – Transport Committee meeting 26 March (5 weeks)	Clash with Community Boards on 4 <sup>th</sup> week
Te Koukou – Transport Committee meeting 24 June (5 weeks)	Clash with Community Boards on 4 <sup>th</sup> week
Te Koukou – Transport Committee meeting 24 September (5 weeks)	Clash with Community Boards on 4 <sup>th</sup> week
Te Koukou – Transport Committee meeting 29 October (5 weeks)	Clash with Community Boards on 4 <sup>th</sup> week
Te Huia – Executive Committee meeting 4 April (5 weeks)	Alignment with request for committee to be on different cycle to other committees
Te Huia – Executive Committee meeting 4 July (5 weeks)	Alignment with request for committee to be on different cycle to other committees
Te Huia – Executive Committee meeting 3 October (5 weeks)	Alignment with request for committee to be on different cycle to other committees

Te Huia – Executive Committee meeting 7 November (5 weeks)	Alignment with request for committee to be on different cycle to other committees
Te Kuaka – Te Ao Māori Committee meeting 28 March (5 weeks)	Clash with Community Boards on 4th week
Te Kuaka – Te Ao Māori Committee meeting 26 June (5 weeks)	Clash with Community Boards on 4th week
Te Kuaka – Te Ao Māori Committee meeting 31 October (5 weeks)	Clash with Community Boards on 4th week
Te Kuaka – Te Ao Māori Committee meeting 28 November (5 weeks)	Clash with Community Boards on 4th week

It is proposed that meetings be held on a 4 week cycle with the above variations. All dates are selected in an attempt to align with Maramataka to support good decision making.

Community Boards under legislation set their own meeting dates around Councils. Reports will be tabled at each Community Board December meeting to adopt meeting dates for 2024.

This report recommends that all meetings in the schedule be held at Far North District Council headquarters in Kaikohe. The Far North District Council does not own any suitable buildings elsewhere. While it is possible, hosting meetings elsewhere comes with an increase in cost and cannot be supported to the same level that is possible at headquarters (i.e livestreaming). If there is a desire to hold meetings elsewhere consideration needs to be given to what value this would add to the decision-making process.

Please note, additional time may be required outside of this schedule for extraordinary, urgent matters. Staff are committed to providing as much notice as possible and that business, where possible, is restricted to the days adopted as part of this schedule. If and when dates are not required staff will endeavour to provide timely cancellations.

**Take Tūtohunga / Reason for the recommendation**

To adopt a schedule of meetings and reserve days for the 2024 calendar year.

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

There is a cost in supporting meetings, and these are covered within operational budgets.

The cost in supporting meetings varies depending on the number of staff in attendance, the location and the duration of the meeting. These costs are charged out across the organisation making it difficult to report an exact “per meeting” figure.

While the frequency of meetings is proposed to increase from previous years the total number of meetings requiring support from staff are reduced.

**ATTACHMENTS**

1. **2024 Council Meeting Calendar - TBC - A4466602**  

**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.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This matter 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 relevant legislation as referenced in the report is the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.
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.	Community Boards are responsible for setting their own meeting schedule. Similar reports will be written suggesting alignment with Council and Committee meetings.
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 particular implications for Māori.
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 does not have any implications on persons identified in legislation.
State the financial implications and where budgetary provisions have been made to support this decision.	Financial implications are covered within operational budgets.
Chief Financial Officer review.	The CFO has reviewed this report.









## 6.2 TEMPORARY ROAD CLOSURES FOR THE KAIKOHE, KAITAIA AND PAIHIA CHRISTMAS PARADES

**File Number:** A4455448

**Author:** Fraser Hoani, Road Corridor Manager - TMC

**Authoriser:** Calvin Thomas, General Manager - Northland Transportation Alliance

### TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of this paper is to obtain Council approval for temporary road closures for the Kaikohe, Kaitaia and Paihia Christmas parades in the Far North.

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Northland Transportation Alliance manage temporary road closures for events on behalf of Council.
- The task of approving Road Closures, specifically for the safe operation of Events, cannot be delegated by Council
- Advertising of each event will take place approximately 28 days before proposed event and 1 week before the event in accordance with the Local Government Act 1974.
- Without Council approval the Kaikohe, Kaitaia and Paihia Christmas Parade's cannot take place.

### TŪTOHUNGA / RECOMMENDATION

**That Council approves the proposed temporary road closure for the Kaikohe, Kaitaia and Paihia Christmas parades to enable safe operations.**

### 1) TĀHUHU KŌRERO / BACKGROUND

The background to this paper has been prepared by the northland transportation alliance and is included as attachment 1.

### 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Discussion details have been prepared by the Northland Transportation Alliance and is included as Attachment 1.

The Public Notice for the proposed temporary road closures will be advertised in the Northern News & Bay Chronicle 28 days and 7 days in advance of the event.

### TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

To enable the Kaikohe, Kaitaia and Paihia Christmas parades to take place.

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

No Budgetary implications

### ĀPITIHINGA / ATTACHMENTS

1. Kaitaia Kaikohe and Paihia Christmas Parades - A4460495 [↓](#) 

**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 <a href="#">Council's Significance and Engagement Policy</a>	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.	Local Government Act 1974 The council may, subject to such conditions as it thinks fit, and after consultation with the police and NZTA, close any road or part of a road to all traffic or any specified type of traffic for a period or periods not exceeding in the 31 days in any year for any public function provided that no road may be closed for any purpose specified for public function if that closure would, in the opinion of the council, be likely to impede traffic unreasonably.
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.	Local relevance
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.	No specific implications for Maori have been identified
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).	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	No budgetary implications
Chief Financial Officer review.	The Chief Financial Officer has not reviewed the report

































### 6.3 TEMPORARY ROAD CLOSURE - KERIKERI STREET PARTY

**File Number:** A4457826

**Author:** Fraser Hoani, Road Corridor Manager - TMC

**Authoriser:** Calvin Thomas, General Manager - Northland Transportation Alliance

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of this paper is to obtain Council approval for temporary road closures for the Kerikeri street party in the Far North.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Northland Transportation Alliance manage temporary road closures for events on behalf of Council.
- The task of approving Road Closures, specifically for the safe operation of Events, cannot be delegated by Council.
- Advertising of each event will take place approximately 28 days before proposed event and 1 week before the event in accordance with the Local Government Act 1974.
- Without Council approval the Kerikeri street party cannot take place.

#### TŪTOHUNGA / RECOMMENDATION

**That Council approves the proposed temporary road closure for the Kerikeri street party to enable safe operations.**

#### 1) TĀHUHU KŌRERO / BACKGROUND

The background to this paper has been prepared by the Northland Transportation Alliance and is included as attachment 1.

#### 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Discussion details have been prepared by the Northland Transportation Alliance and is included as Attachment 1.

The Public Notice for the proposed temporary road closures will be advertised in the Northern News & Bay Chronicle 28 days and 7 days in advance of the event.

#### TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

To enable the Kerikeri street party to take place.

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

No Budgetary implications

#### ĀPITIHINGA / ATTACHMENTS

1. Kerikeri Street Party NTA Agenda - A4464276  

**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 <a href="#">Council's Significance and Engagement Policy</a>	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.	Local Government Act 1974 The council may, subject to such conditions as it thinks fit, and after consultation with the police and NZTA, close any road or part of a road to all traffic or any specified type of traffic for a period or periods not exceeding in the 31 days in any year for any public function provided that no road may be closed for any purpose specified for public function if that closure would, in the opinion of the council, be likely to impede traffic unreasonably.
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.	Local relevance
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.	No specific implications for Maori have been identified
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).	N/A
State the financial implications and where budgetary provisions have been made to support this decision.	No budgetary implications
Chief Financial Officer review.	The Chief Financial Officer has not reviewed the report







## 6.4 POLICY AND PLANNING 2023-24 WORK PROGRAMME

**File Number:** A4437661

**Author:** Briar Macken, Team Leader – Policy & Bylaws

**Authoriser:** Roger Ackers, Group Manager - Planning & Policy

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval for the Policy and Planning 2023-24

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Elected members have requested a report on the Policy and Planning 2023-24 work programme
- Policy and Planning 2023-24 work programme is in attachment 1
- Components of the work programme are statutory requirements and / or have previously been approved by Council or Community Boards.

### TŪTOHUNGA / RECOMMENDATION

**That Council approve the Planning and Policy work programme 2023-24**

### 1) TĀHUHU KŌRERO / BACKGROUND

Elected members have requested a report outlining the Policy and Planning work programme for the 2023-24 financial year.

Planning and Policy Group includes the following departments:

- Integrated Planning
  - District Plan
  - Growth Planning and Placemaking
- Strategy and Policy
  - Strategy
  - Policy
  - Bylaws
- Climate Action and Resilience.

### 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The Policy and Planning 2023-24 work programme (attachment 1) outlines the projects that are or will be undertaken by the group for the current financial year, the project status and any issues.

The work programme is in two sections – work in progress, and upcoming work.

#### *Work in Progress*

This section of the programme of work, shows all projects currently being undertaken by the group, which outlines its target completion date, the status of the project, any issues and any actions required from elected members. It is based on a traffic light model which quickly shows the reader any projects that are under risk and whether it has improved from the last report period.

#### *Up Coming Work*

This section of the programme shows projects that have not yet started but will start in the current financial period. This allows the reader to see what other projects are in the pipeline and when they will start.

Due to the nature of the Planning and Policy work programme, many components are statutory requirements or have previously been approved via Council decision reports, including the adoption of the Annual Plan 2023-24 on 29 June 2023.

Any amendment to the work programme may pose a risk in meeting our statutory requirements. Some projects have previously been approved by Council. Any changes to the work programme affecting approved projects will require separate reports to Council outlining specific project related risks.

Many of the projects on the Planning and Policy work programme enable other work to be undertaken. For example spatial planning and the open spaces strategy informs the development contributions policy.

The following components on the Planning and Policy Work Programme are statutory requirements under various pieces of legislation.

- Proposed District Plan
- Significant Indigenous Biodiversity Mapping
- Consolidated Reserve Management Plan
- Te Hiku Reserve Management Plan
- Kaikohe – Hokianga Reserve Management Plan
- Bay of Islands – Whangaroa Reserve Management Plan
- Infrastructure Strategy
- Development Contributions Policy
- Solid Waste Strategy / WMMP
- Alcohol Control Bylaw
- Land Drainage Bylaw
- Earthworks Bylaw

The following components of the Planning and Policy Work Programme are not statutory requirements but have previously been approved by Council or Community Board resolution and projects are underway.

- Kerikeri / Waipapa Spatial Plan
- Russell Placemaking
- Open Spaces Strategy
- Parking Strategy
- Regional Accessibility Strategy
- Regional Economic Development Strategy
- Road Use – Vehicles on Beaches amendments
- Maritime Facilities and Mooring Charges Bylaws
- Animal Bylaw

The community are collaborating or have been advised of the following components of the Planning and Policy work programme.

- Oruru Valley Project
- Kerikeri / Waipapa Placemaking
- Taipa Placemaking

- Local Alcohol Policy

## Options

### Option one: Council approves the Planning and Policy work programme 2023-24 (attachment 1) – Recommended option

Council approves the Planning and Policy work programme 2023-24 in attachment 1.

Advantages	<ul style="list-style-type: none"> <li>Council staff continue to progress work that is underway efficiently using resources already allocated</li> <li>Projects planning timelines are adhered to</li> <li>Previous commitments to the community are carried through, preventing reputational risk</li> <li>Council meets current statutory requirements</li> <li>Projects that are interdependent will not be affected</li> </ul>
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Disadvantages None

### Option two: Council does not approve the Planning and Policy work programme 2023-24 (attachment 1)

Council does not approve the Planning and Policy work programme 2023-24 in attachment 1.

Advantages	Potential reduced expenditure for the balance of the financial year.
Disadvantages	<p>Council staff do not progress work that is underway which will result in:</p> <ul style="list-style-type: none"> <li>▪ an inefficient use of resources expended to date</li> <li>▪ reputational risk as commitments to the community are not followed through</li> <li>▪ financial risk as contracts with consultants are not adhered to, potentially resulting in Council needing to pay for work no longer required</li> <li>▪ not meeting certain statutory requirements</li> <li>▪ risk that projects are put on hold unnecessarily and then restarted later, creating delays to outputs.</li> </ul>

## TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

The recommended option ensures Council staff continue progressing work already commenced, reduces reputational and financial risk and supports the relationship between Council and the community.

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

Financial implications and budgetary provisions for the Policy and Planning work programme has previously been approved as part of the Annual Plan 2023-24 process. The Policy and Planning work programme is on Page 30 of the annual plan “Payment to staff and suppliers” \$8,551,000. This includes some budgets which no longer sit in the Policy and Planning group e.g., Community Development.

## ĀPITIHINGA / ATTACHMENTS

1. Planning and Policy 2023-24 work programme - A4460987  



**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Due to the operational nature of this report, the level of significance for the Policy and Planning work programme is low. Individual projects may have a different level of significance and have been / will be discussed in decision reports to Council.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	<p>Many of the projects undertaken by the Policy and Planning Group are statutory requirements under various pieces of legislation including but not limited to:</p> <ul style="list-style-type: none"> <li>• Local Government Act 2002</li> <li>• Resource Management Act 1991</li> </ul> <p>The Policy and Planning work programme supports all community outcomes as stated in the LTP and aligns with Councils policies.</p>
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 recommendation in this report has District wide relevance. However, individual projects in the work programme have had direct input from community boards during the policy making process that Council uses to develop and implement policy.
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.	<p>Due to the operational nature of this report, Māori have not been given an opportunity to contribute to the decision of this report.</p> <p>However, individual projects will have implications for Māori. Specific partnership and engagement plans are developed for each individual project.</p>
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).	<p>Due to the operational nature of this report affected or interested parties have not been identified.</p> <p>However, individual projects will have implications for Māori. Specific partnership and engagement plans are developed for each individual project.</p>

State the financial implications and where budgetary provisions have been made to support this decision.	Financial implications and budgetary provisions for the Policy and Planning work programme has previously been approved as part of the Annual Plan 2023-24 process.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.















**6.5 ALCOHOL CONTROL BYLAW - OPTIONS REPORT****File Number: A4418457****Author: Donald Sheppard, Policy Advisor****Authoriser: Roger Ackers, Group Manager - Planning & Policy****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek approval to continue the Alcohol Control Bylaw without amendment. Any amendments of the Alcohol Control Areas are excluded from this decision.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

- The Alcohol Control Bylaw (the Bylaw) is due for review by 13 December 2023.
- The Bylaw has been effective in regulating people's behaviour to address identified problems of crime, disorder and incidents of harm relating to the consumption, bringing in, and/or possession of alcohol in public places in the Far North District.
- A bylaw is the most appropriate way of addressing these problems.
- The Bylaw is in the most appropriate form.
- Any implications on peoples' rights associated with the Bylaw are justified in accordance with the New Zealand Bill of Rights Act 1990.
- Council staff are satisfied that the level of crime or disorder relating to alcohol consumption that was experienced before the Bylaw was made is likely to return to the area if the Bylaw does not continue.
- The Bylaw should continue without amendment.
- Section 160(3) of the Local Government Act 2002 requires public consultation following a bylaw review.
- Further evidence and review of the Alcohol Control Areas will take place in 2024.

**TŪTOHUNGA / RECOMMENDATION****That the Council:**

- a) **agrees, under section 155(1) of the Local Government Act 2002, the Alcohol Control Bylaw 2018 is the most appropriate way of addressing the problems of crime, disorder and incidents of harm relating to the consumption, bringing in, and/or possession of alcohol in public places in the Far North District**
- b) **agrees, under section 155(2) of the Local Government Act 2002, the Alcohol Control Bylaw 2018:**
  - i) **is the most appropriate form of bylaw**
  - ii) **any implications on peoples' rights associated with the Bylaw are justified under the New Zealand Bill of Rights Act 1990**
- c) **is satisfied, under section 147A(2) of the Local Government Act 2002, that the level of crime or disorder experienced before the Bylaw was made (being crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area concerned) is likely to return to the area to which the bylaw is intended to apply if the bylaw does not continue**
- d) **agrees, under section 160(3)(b)(ii) of the Local Government Act 2002, to consult on continuing the Alcohol Control Bylaw without amendment in a manner that gives effect to the requirements of section 82 of the Local Government Act 2002**
- e) **approves the Alcohol Control Bylaw proposal including the Bylaw, in attachments two and three, to be made publicly available for the purpose of the consultation**

- f) **agrees the period for making written submissions on the proposal will be a minimum of 4 weeks**
- g) **delegates authority to the Mayor to decide on the date of oral presentation/s of submissions**
- h) **directs Council staff to make all necessary logistical arrangements for people’s oral submissions to be heard in person in the Council Chambers or online via Microsoft Teams on the date decided by the Mayor**
- i) **authorises the Chief Executive to make minor changes to the Alcohol Control Bylaw proposal to correct grammatical or spelling errors, or formatting**
- j) **notes that a review of the alcohol control areas covered by the Alcohol Control Bylaw will commence in Q1 2024**

## 1) TĀHUHU KŌRERO / BACKGROUND

The Bylaw was made on 13 December 2018 under section 147 of the Local Government Act 2002.

The Bylaw is due for review by 13 December 2023.

Under section 155 of the Local Government Act 2002, in reviewing the Bylaw the Council is now required to consider whether:

1. a bylaw is the most appropriate way of addressing the perceived problem, and, if so:
2. the Bylaw is the most appropriate form of bylaw, and
3. the Bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

In addition, if Council decides to continue the Bylaw without amendment, under section 147A(2) of the Local Government Act 2002, Council must be satisfied that the level of crime or disorder relating to alcohol consumption that was experienced before the Bylaw was made is likely to return to the area if the Bylaw does not continue.

The research report for the review is included as Attachment 1. A summary of the research report is provided below.

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

### Problem to be addressed

The problem addressed by the Bylaw is stated in the Proposal for the Bylaw from September 2018:

“The consumption of alcohol in public places and the bringing and possession of alcohol onto public places encourages **crime, disorder, and incidents of alcohol-related harm**. Alcohol-related harm through the consumption of alcohol in public places can include:

- damage to private property or public assets
- aggressive, intimidating, or offensive behaviour towards others
- public disorder/nuisance behaviour such as fighting
- nuisance issues through noisy and disruptive behaviour.

A review of RFS data, and feedback from the Police, Te Whatu Ora (Ngā Tai Ora – Public Health Northland), and Council’s Environmental Health Compliance team has not identified any other problems relating to the consumption of alcohol in public places.

### How the Bylaw works

The Bylaw allows the Council to establish temporary or permanent alcohol control areas in designated public places throughout the Far North District. Alcohol bans apply within these areas to control the consumption, bringing in and possession of alcohol including alcohol that is present or consumed in vehicles. The Bylaw does not apply to licensed premises or private residences.

However, the definition of public places is broad and includes some private properties that are open to the public. The Bylaw's potential reach therefore extends to diverse places such as supermarket carparks, private schoolgrounds, conservation reserves and unlicensed club or community venues.

Currently, there are 23 permanent alcohol control areas in the district where alcohol bans apply (either all year or during the Christmas holiday period): Ahipara, Coopers Beach Reserve, Haruru Falls, Hihi, Kaeo, Kaikohe, Kaitaia, Kawakawa, Kerikeri, Kohukohu, Lily Pond, Moerewa, Okaihau, Omapere, Opononi, Paihia, Pukenui, Rawene, Russell, Taipa, Taupo Bay, Tokerau Beach, and Waipapa.

### **Review of alcohol control areas**

Early engagement with staff, the Police, and Te Whatu Ora indicates that further review of the current alcohol control areas is necessary. However, more evidence is required before commencing this review. These areas were made by Council resolutions under sections 151 and 147B of the Local Government Act 2002. These resolutions are separate from the Bylaw itself and do not need to be addressed in this Bylaw review. NB. Assuming the Bylaw will continue, a separate review of the 23 alcohol control areas will be conducted in 2024 to allow time for the required evidence to be collected.

### **Enforcement of the Bylaw**

The Bylaw is enforced solely by the Police who have powers to:

- search peoples' vehicles, bags, and packages etc. for alcohol
- seize and remove any alcohol
- ask offenders to leave an alcohol control area
- arrest those who commit offences or refuse to comply with police requests.

### **Effectiveness of the Bylaw**

The Bylaw has been effective in regulating peoples' behaviour to address problems of alcohol-related crime and disorder and incidents of harm in public places in the Far North.

The Bylaw is also a more flexible and efficient regulatory tool than the Summary Offences Act 1981 for the Police to enforce, as it helps the Police proactively deal with alcohol-related problems before they escalate and involves less Police time and resources.

Therefore, the Bylaw is still the most appropriate way of addressing these problems.

### **Form of the Bylaw**

The form of the Bylaw is the most appropriate form because:

- it deals with the identified problems and the objective it is intended to achieve
- it is 'certain' as its language is clear and it follows modern plain English legal drafting standards, meaning it is readily understandable by the public
- it is enforceable
- it can be implemented and administered effectively and efficiently
- it complies with all relevant laws and legislation
- its benefits outweigh its costs.

### **Option One: Do nothing – let the Bylaw lapse in December 2025**

*The Bylaw review date of 13 December will be missed. The Bylaw will still apply for two more years and will then revoke on 13 December 2025. Public consultation is not required regarding this Option.*

### **Advantages:**

- no costs involved for community consultation and implementation
- until 13 December 2025, when the Bylaw will revoke, the Bylaw will:

- address serious problems relating to crime and disorder and incidents of harm associated with alcohol in public places
- support the community outcome of '*Communities that are healthy, safe, connected and sustainable*'
- target areas where high levels of alcohol-related crime and disorder have occurred
- provide the Police with enforcement powers:
  - to prevent alcohol-related problems escalating
  - that are quick and instant to apply
  - that are discretionary
  - that are less time consuming and easier to apply than charging offenders under the Summary Offences Act 1981

**Disadvantages:**

- after 13 December 2025 the Bylaw will no longer apply:
  - the alcohol control areas in the district will lapse
  - the community outcome of healthy, safe, connected, and sustainable communities will not be supported
  - the Police will not be able to readily act to prevent alcohol-related problems before they escalate; they will not have quick and instant powers to deal with these problems; and their discretion to act (or not act) will be reduced
  - levels of crime and disorder due to alcohol consumption are likely to return to levels before the Bylaw applied
  - the expectations of key stakeholders, such as the Police and Te Whatu Ora (Ngā Tai Ora – Public Health Northland) to have an effective regulatory tool, will not be met
- given the benefits of the Bylaw, staff resources and time may be required to make a new Bylaw before the current Bylaw revokes
- the public may question the decision to revoke the Bylaw, as the review indicates it is an effective regulatory tool.

Revised recommendation if Option 1 is preferred by Council:

- That the Council agrees not to review the Alcohol Control Bylaw 2018.

**Option Two: The Bylaw continues without amendment (recommended Option)**

*The Bylaw will continue as is. This decision is subject to public consultation which will take place in 2023. The alcohol control areas established by the Bylaw will be reviewed separately commencing in early 2024.*

**Advantages:**

- the Bylaw addresses serious problems relating to crime, disorder and incidents of harm associated with alcohol in public places
- it supports the community outcome of '*Communities that are healthy, safe, connected and sustainable*'
- it targets areas where high levels of alcohol-related crime and disorder have occurred
- it provides the Police with enforcement powers:
  - to prevent alcohol-related problems escalating
  - that are quick and instant to apply

- that are discretionary
- that are less time consuming and easier to apply than charging offenders under the Summary Offences Act 1981
- continuing the Bylaw is strongly supported by the Police and Te Whatu Ora (Ngā Tai Ora – Public Health Northland)
- the Bylaw will not need to be reviewed again until December 2033.

**Disadvantages:**

- the costs involved for community consultation and implementation (minimal)

**Requirement for public consultation**

If Council accepts this recommended Option, public consultation will be required, as Council is required to consult after deciding that a bylaw should continue without amendment.

**Details of public consultation**

Assuming the decision is made to continue the Bylaw without amendment, the consultation process will meet the requirements of section 82 of the Local Government Act 2002 by:

- providing the opportunity for people to give their views on the proposal, from 20 November to 18 December 2023 (a 4-week period)
- conducting hearings of oral presentations of submissions at a Council meeting in 2024.

**Legal requirements for public consultation**

Continuing the Alcohol Control Bylaw with or without amendment is not a significant decision under the Council's Significance and Engagement Policy. Therefore, section 160(3)(b)(ii) of the Local Government Act 2002 requires the Council to consult in a manner that meets the requirements of section 82 of the Local Government Act 2002. This includes:

- giving submitters information in a manner and format that is appropriate
- encouraging people to give their views and have a reasonable opportunity to present those views in either a written or verbal manner
- being clear about the purpose of the consultation and the scope of the decisions to be taken.

Section 160(4) of the Local Government Act 2002 requires, for consultation purposes, the Council to make publicly available:

- a copy of the bylaw to be continued
- the reasons for the proposal
- a report of any relevant determinations by the local authority under section 155 of the Local Government Act 2002.

Attachment 2 is the proposal document and attachment 3 is a copy of the Bylaw to be continued.

**Consultation period**

Section 82 of the Local Government Act 2002 does not stipulate a minimum length of time for consultation, however a consultation period of at least four weeks is considered best practice. Therefore, consultation is planned to open on 20 November 2023 and close on 18 December 2023, a period of four weeks.

**Oral submissions**

It is likely some people will want to make an oral presentation of their views on continuing the Bylaw directly to elected members. The planned date for Council to hear these oral submissions is the first Council meeting in 2024 (not yet scheduled).

**TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

The bylaw is still the most appropriate way of addressing the problems with crime, disorder and incidents of alcohol-related harm relating to the consumption, bringing in and possession of alcohol in public places.

The form of the Bylaw is the most appropriate form.

The Bylaw may potentially have implications on peoples' rights to freedom of peaceful assembly, freedom of movement, and to be secure against unreasonable search or seizure. The Bylaw limits these rights only to the extent they create actual or potential crime, disorder and/or incidents of alcohol-related harm in public places. Therefore, any limitations on these rights are justified in accordance with the New Zealand Bill of Rights Act 1990 as reasonable limits in a free and democratic society. If Council resolves that the Bylaw should be amended, a further assessment of Bill of Rights implications would be made for the revised Bylaw.

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

The costs of continuing the Bylaw without amendment, including any costs associated with public consultation (expected to be less than \$1000), will come from within existing budgets.

**ĀPITIHINGA / ATTACHMENTS**

1. **Research Report - Alcohol Control Bylaw - A4459732** [↓](#) 
2. **Proposal - to Continue the Alcohol Control Bylaw - A4459801** [↓](#) 
3. **Alcohol-control-bylaw-2018 - A4459809** [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
<p>State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a></p>	<p>While the Bylaw covers the serious problem of alcohol-related crime, disorder and incidents of harm in public places in the district, under Council's Significance and Engagement Policy it is not an area of high significance, as it:</p> <ul style="list-style-type: none"> <li>• does not involve the transfer of ownership or control of a strategic asset or other important asset</li> <li>• is not inconsistent with current Council policies.</li> </ul>
<p>State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.</p>	<p>The relevant community outcome from the Long-Term Plan is '<i>Communities that are healthy, safe, connected and sustainable</i>'.</p> <p>Requirements to review the Bylaw are covered by section 155 of the Local Government Act 2002.</p> <p>Section 147 of the Local Government Act 2002 authorises the Council to make a bylaw for alcohol control purposes, while sections 169 and 170 of this Act describe the powers for the Police to enforce the Bylaw.</p>
<p>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.</p>	<p>As a district-wide matter, it is outside the delegations of Community Boards to provide their views on the continuation of the Bylaw. However, when the alcohol control areas are reviewed (as a separate later exercise), the views of the Community Boards will be essential.</p>
<p>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.</p> <p>State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.</p>	<p>The Bylaw does not consider the relationship of Māori to land, water, sites, wāhi tapu, valued flora and fauna and other taonga as it does not "significantly affect land or a body of water" as covered by section 60A of the Act.</p> <p>However, as crime, disorder, and incidents of alcohol-related harm in public places may disproportionately affect Māori, the views of Māori are essential. The views of iwi and hapū will be integral when the alcohol control areas are reviewed.</p>

<p>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).</p>	<p>There are two main groups of persons likely to be affected by the Bylaw and its provisions:</p> <p>1) <b>The general public</b> – as discussed in the research report (see Appendix 1) the public can be negatively affected by crime and disorder in public places e.g. feeling intimidated or threatened by intoxicated individuals, having their property damaged, and/or not enjoying being in these public places</p> <p>2) <b>Those consuming alcohol in public</b> – the Bylaw puts in place controls on the consumption of alcohol in public in alcohol control areas. If someone is peacefully enjoying a drink in these areas, the Police have the discretion to ignore these people. However, the Police have a range of powers to address offenders whose behaviour is intimidating, aggressive or anti-social. The Research report examines how the rights of these people may be affected by the Human Rights Act 1990, and how the limits applied by the Bylaw are reasonable in regard to these rights.</p>
<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>The costs of continuing the Bylaw without amendment, including any costs associated with public consultation, will come from within existing budgets.</p>
<p>Chief Financial Officer review.</p>	<p>The Chief Financial Officer has reviewed this report.</p>







































































































**6.6 UPDATE OF COUNCIL DELEGATIONS UNDER LEGISLATION****File Number: A4453994****Author: Margriet Veenstra, Manager – Property Data and Business Compliance****Authoriser: Janice Smith, Group Manager - Corporate Services****TAKE PŪRONGO / PURPOSE OF THE REPORT**

To update the existing delegation of powers under the Local Government (Rating) Act 2002 (LGRA) and Rating Valuations Act 1998 to include delegations under the Rating Valuations Act, LGRA and reflect correct position titles.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

- The powers that are delegated allow Council staff to carry out the day-to-day functions of the LGRA 2002 and the Rating Valuations Act 1998 in an efficient and effective way.
- Rating delegations were amended in May 2023, since the organisation was re-aligned, but some delegations were omitted, and one position title requires correction.
- To ensure practical and efficient operations under the powers granted to Council by the LGRA and Rating Valuations Act, the attached instrument of delegation has been amended.

**TŪTOHUNGA / RECOMMENDATION**

**That Council approve the instruments of delegation as attached:**

- a) Local Government (Rating) Act 2002**
- b) Rating Valuations Act 1998**

**1) TĀHUHU KŌRERO / BACKGROUND**

Council approved instruments of delegation relating to powers granted to it by the LGRA and Rating Valuations Act.

The powers that are delegated allow Council staff to carry out the day-to-day functions of the LGRA and Rating Valuations Act in an efficient and effective way.

If the delegations did not exist, staff would have to seek Council approval for every action required to be taken under the legislation. This is neither practical nor efficient.

**2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

Rating delegations were amended in May 2023, since the organisation was re-aligned, and position titles amended. Delegations under section 135 of the LGRA, and sections 50, 36 and 34 of the Rating Valuations Act were omitted.

Local Government (Rating) Act 2002	135	Sign documents as evidence for court proceedings	<ul style="list-style-type: none"> <li>Chief Executive</li> <li>GM: Corporate Services</li> <li>Chief Financial Officer</li> <li>Team Leader - Transaction Services</li> </ul>
Rating Valuations Act 1998	50 & 34	Determine an objection following review, EXCEPT THAT where the determination differs from the outcome of the registered valuers review, the matter must be brought to the Council for final determination.	<ul style="list-style-type: none"> <li>Chief Executive</li> <li>GM: Corporate Services</li> <li>Manager – Property Information &amp; Business Compliance</li> <li>Team Leader - Property Information</li> </ul>
Rating Valuations Act 1998	50 & 36	Require an objection to be heard by the Land Valuation Tribunal.	<ul style="list-style-type: none"> <li>Chief Executive</li> <li>GM: Corporate Services</li> <li>Manager – Property Information &amp; Business Compliance</li> <li>Team Leader - Property Information</li> </ul>

One position title under section 35 for the LGRA requires correction.

Local Government (Rating) Act 2002	35	Remove a name from the Rating Information Database.	<ul style="list-style-type: none"> <li>Chief Executive</li> <li>GM: Corporate Services</li> <li>Manager - Property Information &amp; Business Compliance</li> </ul>
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Rating valuations objections are currently approved under section 39 of the LGRA but to ensure that work can continue in a practical and efficient way under the powers granted to Council by the Rating Valuations Act 1998, the attached instrument of delegation has been amended to reflect the delegations.

The powers delegated had been previously approved but omitted from the updated delegations post organisational realignment.

**TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

To update the schedule of delegations to align with the new position titles and previous delegations under the LGRA and Rating Valuations Act 1998.

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

There are no financial implications arising from this report.

**ĀPITIHINGA / ATTACHMENTS**

1. Rating Delegations amendment 27.10.23 - A4450089 [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Low
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Local Government (Rating) Act 2002 (LGRA) and Rating Valuations Act 1998 are relevant legislation to updating the schedule of delegations to align with new position titles and previous delegations.
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.	Community Board views have not been sought as this is a matter for Councillors to determine.
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.	There are no specific implications due to the amendments recommended in this 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).	There are no particular implications on any group or identified persons.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report





















**6.7 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - NOVEMBER 2023****File Number: A4455506****Author: Ellie Greenwood, Democracy Advisor****Authoriser: Casey Gannon, Manager - 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.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

- The following Committee meetings have been held since the last ordinary Council meeting.
  - 30 October 2023 – Te Koukou – Transport Committee
  - 31 October 2023 – Te Miromiro – Assurance Risk and Finance Committee
  - 7 November 2023 – Te Kuaka – Te Ao Māori Committee
- Copies of the Committee meeting minutes are attached for information.
- Links to the agendas containing the reports that formed the basis of the recommendations below are included in this report.

**TŪTOHUNGA / RECOMMENDATION****That Council :**

*Te Koukou – Transport Committee – Item 5.2 – Amendment to North Hokianga Interim Speed Management Plan*

- a) **adopt the amendment to the North Hokianga Interim Speed Management Plan as set out in Exhibit A.**

**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:

30 October 2023 – Te Koukou Transport Committee

[30 October 2023 – Te Koukou Transport Committee Agenda](#)

*Te Koukou – Transport Committee – Item 5.2 – Amendment to North Hokianga Interim Speed Management Plan*

**Recommends that Council adopt the amendment to the North Hokianga Interim Speed Management Plan as set out in Exhibit A.**

31 October 2023 – Te Miromiro Assurance Risk and Finance Committee

[31 October 2023 – Te Miromiro Assurance Risk and Finance Committee Agenda](#)

***No escalation required.***

7 November 2023 – Te Kuaka Te Ao Māori Committee

[7 November 2023 – Te Kuaka Te Ao Māori Committee – Extraordinary Meeting](#)

***No escalation required.***

## **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.

## **ĀPITIHINGA / ATTACHMENTS**

**Nil**

**6.8 BAY OF ISLANDS/KERIKERI INTERIM SPEED MANAGEMENT PLAN****File Number:** A4452887**Author:** Elizabeth Stacey, NTA Road Safety and Traffic Engineer**Authoriser:** Calvin Thomas, General Manager - Northland Transportation Alliance**TAKE PŪRONGO / PURPOSE OF THE REPORT**

To receive the Recommendations Report and adopt the Interim Speed Management Plan for the Kerikeri Bay of Islands Catchment Speed Limit Review.

**WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

The agenda seeks adoption of an Interim Speed Management Plan for Kerikeri Bay of Islands, which is now the legal mechanism for setting speed limits. This speed limit review has been undertaken as part of the implementation of the government's Road to Zero National Road Safety Strategy and a new Setting of Speed Limits Rule 2022.

The Te Koukou Transport Committee heard this agenda item at the 30 October meeting and returned an Equal (Lost Motion) result. This matter is now referred to the full Council for consideration.

**TŪTOHUNGA / RECOMMENDATION****That Council:**

- a) receives the report **Regional Speed Limit Review Kerikeri Bay of islands Catchment Recommendations Report** ([Pages 18-125 of 30 October Te Koukou Transport Committee Meeting Agenda](#))
- b) adopts the **Interim Speed Management Plan for Kerikeri Bay of Islands which includes the following sub catchments (Attached):**
  - i) **Kerikeri-Waipapa (Exhibit B Map 1)**
  - ii) **Kerikeri-Waipapa Peri-Urban Area (Exhibit B Map 2)**
  - iii) **Opuā (Exhibit B Map 3)**
  - iv) **Paihia (Exhibit B Map 4 & 5)**
  - v) **Haruru (Exhibit B Map 6)**
  - vi) **Rural Connecting Roads – South (Exhibit B Map 7)**
  - vii) **Whangaroa (Exhibit B Map 8)**
  - viii) **Rural Connecting Roads - North (Exhibit B Map 9)**
  - ix) **Schools (Exhibit B Maps 10-17)**

**1) TĀHUHU KŌRERO / BACKGROUND**

Proposed new speed limits in the Kerikeri Bay of Islands Catchment area were publicly notified in accordance with Section 3.9 of the Setting of Speed Limits Rule 2022; with feedback being sought from 26th October to 5th December 2022. Hearings were held at Council Chambers in Kaikohe on March 21st 2023. A total of 253 submissions were received with 11 submitters attending the Hearing.

This Agenda item provides Council with recommended changes to speed limits in the Kerikeri Bay of Islands Catchment area. The Recommendations Report ([Pages 18-125 of 30 October Te Koukou Transport Committee Meeting Agenda](#)) takes account of all submissions received, including the requirements of the Setting of Speed Limits Rule 2022; Road to Zero, National Road Safety Strategy 2020-2030; and National Speed Management Guidance.

Based on the attached Recommendations, an Interim Speed Management Plan (ISMP) has been produced (Attachment). This ISMP is the document that is forwarded to the director of Waka Kotahi (NZTA) for certification under the Setting of Speed Limits Rule 2022.

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

### Submissions

A total of 253 submissions were received with 11 submitters presenting in support of their submissions at a formal hearing on 21<sup>st</sup> March 2023; held in Council Chambers in Kaikohe. Of the submissions received two-thirds were in support or partial support of the new speed limits proposed.

In preparing the Recommendations Report, all submissions were reviewed alongside the technical assessments required under the Setting of Speed Limits Rule 2022. Where required, additional site visits and engineering assessments were undertaken.

### Decision process

This Agenda Item, hyperlink to 30 October Ter Koukou Agenda and Attachment provide all the information that Council, in its capacity as Road Controlling Authority, must consider when setting new speed limits. The recommendations on new speed limits have been informed by community feedback and meet national speed management guidance and legal requirements for setting speed limits.

Council have the option to adopt the ISMP in whole or by sub catchment area. Additionally, council may elect to amend speed limits for individual roads. If changes to speed limits are made by amendment, staff will confirm that the new speed is sound in terms of road safety, relevant guidance and standards, and the Setting of Speed Limits Rule 2022.

Once the ISMP is adopted, staff will commence the certification process by Waka Kotahi (NZTA). Certification is a legal requirement and ensures that the requirements the Setting of Speed Limits Rule 2022 has been met and ensures national consistency.

Final detailed design of physical infrastructure (signage etc) and procurement will commence once the ISMP has been certified. Procurement and installation of the required physical works takes time. Implementation may be in a staged process and may take place over financial years.

### Options

**Option 1:** The Council may receive the Recommendations Report and adopt the ISMP in full. This option will enable certification and implementation of the new speed limits upon Council approval.

**Option 2:** The Council may receive the Recommendations Report and adopt the ISMP in full with amendments. If the Council make any amendments, additional assessments may be required to ensure that the amendments meet the requirements of the Setting of Speed Limits Rule 2022 and National Speed Management Guidance.

**Option 3:** The Council may receive the Recommendations Report and adopt the ISMP in part. The individual sub-catchments are set out in the Interim Speed Management Plan and may be adopted individually. Staff will amend the ISMP to reflect the chosen sub-catchments prior to Waka Kotahi certification.

**Option 4:** Council may reject the Recommendations Report and the ISMP in their entirety. This option is not recommended as it will result in a requirement to re-consult in a future Regional Speed Management Plan.

The recommended option is **Option 1**.

### Risks of Not Adopting Speed Limit Changes:

**Current Project:** Development of the ISMP, associated consultation and preliminary design of the catchment has cost approximately \$184,000 to date. Failure to implement the ISMP results in the

cost of this work being lost. The project has an approved budget of approximately \$1.2 million in total for design, consultation and implementation. Council may lose the Waka Kotahi share in the current LTP for implementation as this funding cannot be shifted to another activity class.

There is an expectation through consultation from communities that a change will occur. Failure to adopt safe and appropriate speeds would mean that any change to speed limits in the Bay of Islands-Kerikeri catchment would require waiting on the 2027-2030 Regional Speed Management Plan, and would potentially need to be funded at a 100% council share.

**Dependent Projects:** There are a number of projects currently in development or signed under temporary speed limits that are dependent on changes of speed under the Interim Speed Management Plan. These projects include:

- Kerikeri Transport Choices – Work on Hone Heke Road and Kerikeri Road have approved design based on new, lowered speed limits and would likely not qualify for funding at current 50kph speed limit.
- Kerikeri Primary & High School Safe Schools Treatments – design based on 30kph posted speed
- Riverview School Safe Schools Treatments – design based on 30 kph posted speed
- Additional eight schools throughout this catchment would wait 2-4 years for lowered speed limits, either permanent or variable, on their school frontage.
- Oramahoe Road/Whangae Road Temporary Speed Limits – This location is under a temporary speed reduction, due to expire in December. Without permanent changes to speed limit this would no longer be a viable alternative route for the Pou Herenga Tai Twin Coast Cycle Trail.
- Kerikeri Road (Packhouse Market) Temporary Speed Limits – Temporary speed limits were installed to accommodate a new, mid-block crossing between the Packhouse Market and Makana Chocolate Factory. This feature is not an approved safe system treatment in an 80kph environment.
- Failure to adopt safe and appropriate speed may impact our funding bid for future projects such as the Cobham/Hone Heke Roundabout and other proposed mid-block raised crossings.

**Death and Serious Injury Reduction:** Over the last ten years in the Bay of Islands-Kerikeri Catchment Area there have been 5 fatal and 42 serious injury crashes. National and international research has consistently shown that for every 5km/h reduction in average speeds, there is a 28% reduction in fatal crashes and a 26% reduction in serious injury crashes.

If the Council elects to adopt Option 1 (full catchment) rather than Option 4 (rejection of the ISMP), assuming only a 5km/h reduction in average speeds across the catchment, Council can anticipate one fewer fatal crash and 11 fewer serious injury crashes over the next ten year period. The Ministry of Transport has set the social cost of road trauma at \$4.46 million per fatal crash and \$467K per serious injury crash. (2020 update). Using the 2020 data results in a social cost savings of \$9.597 million dollars over this period.

### **Next steps**

Once the Recommendations Report is received and Interim Speed Management Plan is adopted, either in whole or in part, staff will finalise the certification of the Interim Speed Management Plan and commence the detail design, procurement and implementation process.

### **TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION**

The Recommendations arising from consultation and the resultant Interim Speed Management Plan must be adopted by Council before the Speed Management Plan can be certified and implemented.

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

The installation and removal of the required signage will be funded from the Low Cost Low Risk (LCLR) Speed Limit budget as part of the 2023-2024 financial year budgets. The timing for approval of this catchment may result in additional funding for physical works to be sought in the next LTP period.

**ĀPITIHINGA / ATTACHMENTS**

1. **BOI KK ISMP - A4460724** [↓](#) 

**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.

<b>He Take Ōkawa / Compliance Requirement</b>	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Significance has been determined as "Low" under Councils Significance and Engagement Policy.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Land Transport Act 1998 Land Transport (Register of Land Transport Records – Speed Limits) Regulations 2022. Setting of Speed Limits Rule 2022
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 decision is procedural in nature and does not impact on the district.
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.	There are no direct implications for Māori as the decision implements current legislation.
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 persons likely to be affected as this decision is procedural in nature.
State the financial implications and where budgetary provisions have been made to support this decision.	This project is identified in the current 2021-2024 LTP period and is subsidised at Council's current FAR rate.
Chief Financial Officer review.	Nil.

























































































































































## 7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

### 7.1 COMMUNITY BOARD MINUTES - OCTOBER 2023

**File Number:** A4449332

**Author:** Ellie Greenwood, Democracy Advisor

**Authoriser:** Casey Gannon, Manager - Democracy Services

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

To provide an overview of resolutions made by Community Boards with an opportunity for Chairpersons to speak with Council about pertinent discussions held at Community Board.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

Minutes from the following Community Board meetings are attached for Council information:

- 24 October 2023 Te Hiku Community Board
- 25 October 2023 Kaikohe-Hokianga Community Board
- 26 October 2023 Bay of Islands-Whangaroa Community Board

#### TŪTOHUNGA / RECOMMENDATION

That Council note the following Community Board minutes:

- 24 October 2023 Te Hiku Community Board
- 25 October 2023 Kaikohe-Hokianga Community Board
- 26 October 2023 Bay of Islands-Whangaroa Community Board

#### TĀHUHU KŌRERO / BACKGROUND

This report is to provide Council with an overview of resolutions made at Community Board meetings and for Community Board Chairpersons to raise any Community Board issues with Council.

#### MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

This is intended as an information report but shows on the agenda as a standard report to place it earlier on the agenda.







From time-to-time Community Boards 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).

The minutes presented to this meeting include recommendations to Council, which staff have requested be considered by Council for the June meeting.

#### 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.

#### ĀPITIHINGA / ATTACHMENTS

1. THCB\_20231024\_MIN\_2616 - A4453835  
2. KHCB\_20231025\_MIN\_2628 - A4453832  
3. BIWCB\_20231026\_MIN\_2681 - A4456535  











































## 7.2 MAYOR AND COUNCILLOR'S REPORTS

**File Number:** A4449298

**Author:** Ellie Greenwood, Democracy Advisor

**Authoriser:** Casey Gannon, Manager - Democracy Services

### 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 submitted by Kahika – Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Hilda Halkyard-Harawira, Tāmāti Rākena, and Steve McNally.

### 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.







### REASON FOR THE RECOMMENDATION

To formally receive the Mayor and 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. Kahika Tepania Report w attachment - A4451915 [↓](#) 
2. Kowhai Stratford Report - A4451899 [↓](#) 
3. Cr Court Report - A4448937 [↓](#) 
4. Cr Halkyard-Harawira Report 30.10.23\_ - A4454372 [↓](#) 
5. Cr Rakena Report September - A4440348 [↓](#) 
6. Cr McNally Report - A4451894 [↓](#) 

















































































































### 7.3 COUNCIL ACTION SHEET UPDATE NOVEMBER 2023

**File Number:** A4449355

**Author:** Ellie Greenwood, Democracy Advisor

**Authoriser:** Casey Gannon, Manager - 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 2021.

#### 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 Council Action Sheet Update November 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. November Action Sheet Attach - A4467094 [↓](#) 

























**8 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
<p><b>8.1 - Confirmation of Previous Minutes - Public Excluded</b></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><b>8.2 - Community Board Public Excluded Minutes - October 2023</b></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>

**9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

**10 TE KAPINGA HUI / MEETING CLOSE**