

**MINUTES OF FAR NORTH DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVE, KAIKOHE  
ON THURSDAY, 12 SEPTEMBER 2024 AT 10:08 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 Penetaui Kleskovic, Cr Steve McNally (virtual), Cr Mate Radich (virtual), Cr Tāmati Rākena, Cr John Vujcich.
- IN ATTENDANCE:** Chicky Rudkin (Chairperson - Kaikohe-Hokianga Community Board), Belinda Ward (Chairperson - Bay of Islands-Whangaroa Community Board), Adele Gardner (Chairperson - Te Hiku Community Board).
- STAFF PRESENT:** Aisha Huriwai (Manager – Democracy Services), Maria Bullen (Democracy Advisor), Marlema Baker (Te Kuaka Committee Co-ordinator), Tanya Proctor (Head of Infrastructure Strategy), Jonathan Slavich (Chief Financial Officer), Nadine Hopkins (Executive Projects Advisor), Esther Powell (Manager – Climate Action & Resilience), Jacine Warmington (Group Manager – Strategic Relationships), Charlie Billington (Acting Chief Executive Officer), Kevin Johnson (Group Manager – Delivery and Operations), Carla Ditchfield (Manager – Legal Services), Ruben Garcia (Group Manager – Community and Engagement).

**1 KARAKIA TIMATANGA / OPENING PRAYER**

At 10:08am, Kahika/Mayor Moko Tepania commenced the meeting with a karakia.

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

- There were no apologies.

**3 NGĀ TONO KŌRERO / DEPUTATION**

- Wally Hicks speaking in relation to Kohukohu Hall.
- Jane Hindle speaking in relation to Kororāreka/Russell Placemaking – Traffic Changes Pilot on The Strand report.
- Sam Stewart representing Coast to Coast Cat Rescue speaking in relation to the Keeping of Animals Bylaw report.

**4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS**

- Māramataka today is Ariroa.
- Mihi to Interpreters for Council meeting, who are two Year 13 students, AJ and Pairama from Te Kura Kaupapa Māori o Kaikohe
- Charlie Billington acting as Chief Executive.
- Item 6.6, review of Land Drainage Bylaw has withdrawn from this meeting and will be brought to an Extraordinary Council meeting.
- Mihi to four students, Tuhingaia Manihera Elite Reti, Pou Ariki Hemara-Daniels and Hineteaio Chapman, who represented the North for Ngā manu Kōrero nationals
- Mihi to Letitia Butler, who is from the North for making it on to The Voice Australia.

- Te Wiki o te Reo Māori
- Hato Hone St John, Kaikohe are looking for volunteers. A qualification is required. Courses starting soon, register interest by 15 September.
- Mihi to Barrier Air for their services.
- Delegation from Croatia visited FNDC Kaikohe and Te Hiku.

*At 10:42 am, the meeting was adjourned and resumed at 10:45 am.*

*At 10:46 am, Cr Kleskovic left the meeting and returned at 11:03 am.*

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

### **5.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 5.1 document number A4836991, pages 6 - 21 refers.

#### **RESOLUTION 2024/120**

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council confirm the minutes of the Council meeting held 8 August 2024 as a true and correct record.**

**CARRIED**

## **6 NGĀ PŪRONGO / REPORTS**

### **6.1 ENDORSEMENT OF TE RERENGA - TAITOKERAU NORTHLAND ECONOMIC WELLBEING PATHWAY**

Agenda item 6.1 document number A4314183, pages 22 - 53 refers.

#### **MOTION**

Moved: Cr John Vujcich

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council endorse Te Rerenga – Taitokerau Northland Economic Wellbeing Pathway.

#### **AMENDMENT**

Moved: Cr Felicity Foy

Seconded: Kahika - Mayor Moko Tepania

And that council request joint regional economic development committee (JREDC) investigate a tranche of work to ensure the plan can be enabled through council statutory documents.

**CARRIED**

The amendment became the substantive motion.

#### **RESOLUTION 2024/121**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Penetaui Kleskovic

**a) That Council endorse Te Rerenga – Taitokerau Northland Economic Wellbeing**

**Pathway.**

- b) And that council request joint regional economic development committee (JREDC) investigate a tranche of work to ensure the plan can be enabled through council statutory documents.**

Abstained: Cr Babe Kapa and Cr Ann Court

**CARRIED**

## **6.2 TOP ENERGY EASEMENT OVER RESERVE MOERUA PARK**

Agenda item 6.2 document number A4844652, pages 54 - 81 refers.

### **RESOLUTION 2024/122**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Penetaui Kleskovic

**That Council grant an easement in gross in favour of Top Energy Limited for a right to convey electricity and telecommunications pursuant to section 48(1)(a) and (d) of the Reserves Act 1977 on Part Lot 27 Deposited Plan 405 contained in Record of Title NA19A/1151 being part of Moerua Park, Kaitiāia on the terms set out in the form of easement instrument (Attachment 1 Schedule 2).**

**CARRIED**

## **6.3 NOTIFICATION OF VARIATION 1 - MINOR CORRECTIONS AND OTHER MATTERS - TO THE PROPOSED FAR NORTH DISTRICT PLAN**

Agenda item 6.3 document number A4777861, pages 82 – 281 refers.

### **RESOLUTION 2024/123**

Moved: Cr Felicity Foy

Seconded: Kahika - Mayor Moko Tepania

- a) That Variation 1 – Minor Corrections and Other Matters including section 32 analysis is recommended for public notification pursuant to clause 16A of the First Schedule of the Resource Management Act 1991.**
- b) That the Group Manager Planning and Policy is authorised to make any minor editorial or technical amendments to Variation 1 – Minor Corrections and Other Matter including the section 32 analysis deemed necessary prior to notification.**

Abstained: Cr Ann Court

**CARRIED**

## **6.4 KEEPING OF ANIMALS BYLAW- APPROVAL OF DRAFT FOR PUBLIC CONSULTATION**

Agenda item 6.4 document number A4763238, pages 282 – 296 refers.

### **RESOLUTION 2024/124**

Moved: Cr Ann Court

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council:**

- a) approves the Statement of Proposal for a new Keeping of Animals Bylaw in Attachment 1 to be released for public consultation to meet the requirements of section 156 of the Local Government Act 2002.
- b) approves a minimum four-week period for making written submission on the proposal in Attachment 1.
- c) approves to hear any oral submissions and agrees to delegate to the Mayor, the power to arrange and change the date of the oral presentations of submissions.
- d) directs Council staff to make all necessary logistical arrangements for people to be heard in person in the council chambers or online via Microsoft Teams.
- e) Authorises the Chief Executive to make minor changes to the proposal for a new Keeping of Animals Bylaw to correct grammatical or spelling error, or formatting.

Abstained: Cr Penetaui Kleskovic

**CARRIED**

## 6.5 REVIEW OF CONTROL OF EARTHWORKS BYLAW

Agenda item 6.5 document number A4821340, pages 297 - 309 refers.

### RESOLUTION 2024/125

Moved: Cr Ann Court

Seconded: Cr Felicity Foy

**That Council:**

- a) approve, under section 158 of the Local Government Act 2002, the Control of Earthworks Bylaw has been reviewed.
- b) approve, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing problems related to the control of earthworks.
- c) approve, under section 155(2) of the Local Government Act 2002, the Control of Earthworks Bylaw:
  1. i) is the most appropriate form of bylaw
  2. ii) does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- d) Approve, to continue the Control of Earthworks Bylaw without amendment under section 145 of the Local Government Act 2002.

**CARRIED**

## 6.7 KORORĀREKA/RUSSELL PLACEMAKING - TRAFFIC CHANGES PILOT ON THE STRAND

Agenda item 6.7 document number A4842371, pages 322 - 331 refers.

### RESOLUTION 2024/126

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Cr John Vujcich

**That Council approve a pilot commencing late 2024 for six-months, during which the use of The Strand is changed to:**

**Option 3: Essential Vehicle Access Only from Cass Street to Pitt Street with the remainder of The Strand as a Shared Space (Attachment 1 Map 3).**

**CARRIED**

## **6.2 CARRY FORWARDS FOR CAPITAL PROGRAMME 2023-24**

Supplementary Agenda item 6.2 document number A4873834, pages 6 - 18 refers

### **MOTION**

Moved: Cr Ann Court

Seconded: Kahika - Mayor Moko Tepania

That the Council approve the capital budgets identified in the report "Carry Forwards Capital Programme 2023-24" totalling \$45,869,656 be carried forward to the 2024-25 financial year.

### **AMENDMENT**

Moved: Cr Felicity Foy

Seconded: Cr Penetaui Kleskovic

That Council leave to lie the capital budgets identified in the report "Carry Forwards Capital Programme 2023-24" totalling \$45,869,656 be carried forward to the 2024-25 financial year pending workshop.

Abstained: Crs Mate Radich and Tāmati Rākena

**LOST**

### **RESOLUTION 2024/127**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Babe Kapa

**That the Council approve the capital budgets identified in the report "Carry Forwards Capital Programme 2023-24" totalling \$45,869,656 be carried forward to the 2024-25 financial year.**

Abstained: Crs Hilda Halkyard-Harawira, Mate Radich and Tāmati Rākena

**CARRIED**

## **7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS**

### **7.1 RESIDENT OPINION SURVEY RESULTS**

Agenda item 7.1 document number A4835981, pages 332 - 440 refers.

### **RESOLUTION 2024/128**

Moved: Cr Penetaui Kleskovic

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That the Council receive the report Resident Opinion Survey results.**

CARRIED

**7.2 COMMUNITY BOARD MINUTES - AUGUST 2024**

Agenda item 7.2 document number A4836939, pages 441 - 452 refers

**RESOLUTION 2024/129**

Moved: Cr John Vujcich

Seconded: Cr Felicity Foy

**That Council note the following Community Board minutes:**

- 13 August 2024 Te Hiku Community Board;
- 15 August 2024 Bay of Islands-Whangaroa Community Board; and
- 16 August 2024 Kaikohe-Hokianga Community Board

CARRIED

**7.3 MAYOR AND COUNCILLOR'S REPORTS**

Agenda item 7.3 document number A4836964, pages 453 - 492 refers.

**RESOLUTION 2024/130**

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council**

- a) note the reports submitted by Kahika Moko Tepania, Kōwhai Kelly Stratford and Crs Ann Court, Hilda Halkyard-Harawira, John Vujcich, Tāmati Rākena, Penetaui Kleskovic and Babe Kapa be received; and
- b) note the verbal reports received from Crs Felicity Foy, Steve McNally and Mate Radich.

CARRIED

**Attachments tabled at meeting**

- 1 Member Report - Cr Penetaui Kleskovic
- 2 Member Report - Cr Tāmati Rākena
- 3 Member Report - Cr Babe Kapa

**7.4 COUNCIL OPEN RESOLUTIONS UPDATE SEPTEMBER 2024**

Agenda item 7.4 document number A4836974, pages 493 - 528 refers.

**RESOLUTION 2024/131**

Moved: Cr John Vujcich

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**That Council receive the report Council Open Resolution Update September 2024.**

CARRIED

At 12:14pm, Cr Tāmāti Rākena left the meeting and returned at 12:17pm.

## 8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

### RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLUTION 2024/132

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

**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
<b>8.1 - Confirmation of Previous Minutes - Public Excluded</b>	<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)(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>	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
<b>8.2 - Options and Next Steps Relating to Divestment of the Housing for the Elderly Portfolio</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>8.3 - Council Public Excluded Open Resolutions Update September 2024</b>	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</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>	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

<b>8.4 - Supplier Recommendation Report: Award of FNDC Contract 7/23/105 for Emergency Slip Repair on West Coast Road, Motuāi (RP16740)</b>	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>8.1 - Far North Holdings Limited Board Reappointments</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
<b>8.5 - Supplier Recommendation Report - Donald Road Catchment Wastewater Upgrades Tender</b>	<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)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</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>	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
<b>8.6 - Kaikohe Infrastructure Acceleration Fund Detailed Design Procurement</b>	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>8.2 - Kaitāia Airport</b>	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	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

	commercial position of the person who supplied or who is the subject of the information  s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	exist under section 6 or section 7
<b>CARRIED</b>		

**CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC**

At the conclusion of the public excluded discussion, Council confirmed the following decision be restated in public meeting as follows:

Supplier recommendation report: award of fndc contract 7/23/105 for emergency slip repair on west coast road, motutī (rp16740)

That Council:

- a) approves the award of the FNDC Contract 7/23/105 - EW PH3 - West Coast Road, Motutī (RP16740) to CLL Solutions Limited (CLL) at the tendered sum of \$REDACTED, and
- b) approves a Contingency to a maximum sum of \$REDACTED

Supplier Recommendation Report - Donald Road Catchment Wastewater Upgrades Tender

That Council:

- a) Award Contract 7/24/16 – Donald Road Wastewater Network Upgrades to United Civil Construction for a contract value of \$REDACTED + GST and
- b) Delegates authority to the Chief Executive to execute the associated document approval
  - i) Contract signing
  - ii) Supplier recommendation approval
  - iii) Purchase order approval
  - iv) Variations to the contract to a total value of \$REDACTED

**9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

AT 4:08 PM, KAHIKA/MAYOR MOKO TEPANIA CLOSED THE MEETING WITH A KARAKIA.

**10 MEETING CLOSE**

The meeting closed at 4:08pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 17 October 2024.

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**CHAIRPERSON**