

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 9 MAY 2024 AT 10:00AM**

PRESENT: Kahika - Mayor Moko Tepania, Kōwhai - Deputy Mayor Kelly Stratford, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira, Cr Penetaui Kleskovic (virtually), Cr Steve McNally, Cr Mate Radich, Cr Tāmāti Rākena, Cr John Vujcich (virtually).

IN ATTENDANCE: Chicky Rudkin (Chairperson Kaikohe-Hokianga Community Board), Adele Gardner (Chairperson Te Hiku Community Board), Belinda Ward (Chairperson Bay of Island – Whangaroa) Kawiti Waetford (Kaiwhakawhitiwhiti Reo - Language Interpreter).

STAFF PRESENT: Guy Holroyd (CEO), Charlie Billington (Group Manager – Corporate Services), Charlie Billington (Group Manager – Corporate Services), Ruben Garcia (Group Manager – Community and Engagement), Ken Lewis (Manager – Community and Engagement), Emma Healy (Chief of Staff – Chief Executive Office), Jacine Warmington (Group Manager - Strategic Relationships), Kevin Johnson (Group Manager – Delivery Operations), Carla Ditchfield (Manager - Legal Services), Jonathan Slavich (Chief Financial Officer), Tanya Proctor (Head of Infrastructure), Roger Ackers (Group Manager – Planning and Policy), Casey Gannon (Manager – Democracy Services), Imrie Dunn (Democracy Advisor – Democracy Services), Fleur Beresford (Democracy Advisor – Democracy Services).

1 KARAKIA TIMATANGA / OPENING PRAYER

At 10.08am Kahika/Mayor Moko Tepania opened the meeting with a karakia.

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

APOLOGY

RESOLUTION 2024/38

Moved: Kahika - Mayor Moko Tepania
Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the apology received from Cr Babe Kapa be accepted and leave of absence granted.

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

Nil

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- We acknowledge that Councillor Kapa is absent due to the passing of his nephew.
- We also note with sadness the passing of a Far North legend: Matua Willie Hona – guitarist for Herbs. He mentored a lot of Hokianga youth and is lying in state in Whirinaki.
- My Maramataka is Te Ria – end of low moon phase and coming into high energy.
- Acknowledging New Zealand Sign Language Week.

- Next Friday – Pink Shirt Day to stand up against bullying next Friday 17th
- Kowhai has graduated Level 3 and 4 this week in Te Reo Maori.

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

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A4668454, pages 6 - 14 refer.

RESOLUTION 2024/39

Moved: Kahika - Mayor Moko Tepania
Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council confirm the minutes of the Council meeting held 11 April 2024 as a true and correct record.

CARRIED

7.1 COMMUNITY BOARD MINUTES - APRIL 2024

Agenda item 7.1 document number A4677345, pages 70 - 87 refer.

RESOLUTION 2024/40

Moved: Kahika - Mayor Moko Tepania
Seconded: Cr Hilda Halkyard-Harawira

That Council note the following Community Board minutes:

- **16 April 2024 Te Hiku Community Board;**
- **18 April 2024 Bay of Islands-Whangaroa Community Board; and**
- **19 April 2024 Kaikohe-Hokianga Community Board.**

CARRIED

6 NGĀ PŪRONGO / REPORTS

6.1 CEO REPORT TO COUNCIL

Agenda item 6.1 document number A4584222, pages 15 - 37 refer.

RESOLUTION 2024/41

Moved: Kahika - Mayor Moko Tepania
Seconded: Cr Hilda Halkyard-Harawira

That Far North District Council receive the CEO Report to Council for the period 1 January to 31 March 2024.

CARRIED

Conflicts in the following Item 6.2 were noted from Kowhai Deputy Mayor Stratford, and Councillors Foy, Halkyard-Harawira, and McNally.

6.2 INHOUSE COMMISSIONER REMUNERATION FOR PROPOSED DISTRICT PLAN HEARINGS

Agenda item 6.2 document number A4675059, pages 38 - 42 refer.

RESOLUTION 2024/42

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That Council approve the \$93.00 hourly rate for inhouse commissioners sitting on the Proposed District Plan Hearing Panel.

Against: Cr Mate Radich

Abstained: Crs Kelly Stratford, Felicity Foy, Hilda Halkyard-Harawira and Steve McNally

CARRIED

6.3 COMMITTEE RECOMMENDATIONS AND RESOLUTIONS - APRIL 2024

Agenda item 6.3 document number A4675775, pages 43 - 54 refer.

RESOLUTION 2024/43

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That Council:

Te Kuaka Te Ao Māori Committee – Item 5.2 – Arotake Whakaahuatanga Tangata – Representation Review 2024 Update

- a) do not disestablish the Ngā Tai o Tokerau Māori Ward; and
- b) support the enhancement of Ngā Tai o Tokerau Māori Ward as one district-wide ward; and
- c) endorse a submission to the select committee on the Local Electoral Māori Wards and Constituencies Amendment Bill articulating the abhorrence for unnecessary legislative changes; and
- d) appoint Te Kahu o Taonui representatives to be included in the Representation Review submissions hearing.

Te Koukou – Transport Committee – Item 6.1 – Average Speed Safety Cameras for Kaitaia Awaroa Road

- a) endorse NZTA and Far North District Council staff to proceed with investigations of the proposed average speed safety camera location on Kaitaia Awaroa Road between urban Kaitāia and Ahipara; and
- b) endorse installation of average speed safety cameras if investigations validate the site.

Abstained: Cr Felicity Foy

CARRIED

6.4 REPRESENTATION REVIEW 2024 - AROTAKE WHAKAAHUATANGA TANGATA 2024

Agenda item 6.4 document number A4677056, pages 55 - 69 refer.

RESOLUTION 2024/44

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That the Far North District Council, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, adopt the following as its initial proposal for the review of representation arrangements for at least the 2025 triennial local elections:

- a) the Far North District Council to comprise the Mayor elected at large and 10 councillors elected under the ward system, specifically 6 general ward councillors and 4 Māori ward councillors.
- b) the Far North District Council be divided into 4 wards, these being:
 - i) Kaikohe-Hokianga General Ward (represented by 1 general ward councillor), comprising the area in the current Kaikohe-Hokianga General Ward map as shown on Attachment 1.
 - ii) Te Hiku General Ward (represented by 2 general ward councillors), comprising the area in the current Te Hiku General Ward map as shown on Attachment 1.
 - iii) Bay of Islands-Whangaroa General Ward (represented by 3 general ward councillors), comprising the area in the current Bay of Islands-Whangaroa General Ward map as shown on Attachment 1.
 - iv) Ngā Tai o Tokerau Māori Ward (represented by 4 Māori ward councillors), comprising the whole of the district in the Ngā Tai o Tokerau Māori Ward map as shown on Attachment 2.
- c) the Far North District Council be divided into 3 subdivided communities, these being:
 - i) Bay of Islands-Whangaroa Community subdivided into:
 - (1) Kawakawa-Moerewa Subdivision comprising the area in the proposed Kawakawa-Moerewa Subdivision map as shown on Attachment 4 (tabled);
 - (2) Kerikeri Subdivision comprising the area in the proposed Kerikeri Subdivision map as shown on Attachment 4 (tabled);
 - (3) Paihia Subdivision comprising the area in the proposed Paihia Subdivision map as shown on Attachment 4 (tabled);
 - (4) Russell-Ōpua Subdivision comprising the area in the proposed Russell-Ōpua Subdivision map as shown on Attachment 4 (tabled);

d) there be 19 community board members being:

(i) 7 members elected from the Bay of Islands-Whangaroa Community Board comprising:

- 1) Kawakawa-Moerewa Subdivision – 1 member**
- 2) Kerikeri Subdivision – 2 members**
- 3) Paihia Subdivision – 1 member**
- 4) Russell-Ōpua Subdivision – 1 member**
- 5) Waipapa Subdivision – 1 member**
- 6) Whangaroa Subdivision – 1 member**

and 2 members of the Council, 1 representing either the Bay of Islands-Whangaroa General Ward or and 1 representing Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights.

(ii) 6 members elected from the Kaikohe-Hokianga Community Board comprising:

- 1) Kaikohe Subdivision – 3 members**
- 2) North Hokianga Subdivision – 1 member**
- 3) South Hokianga Subdivision – 2 members**

and 2 members of the Council representing either the Kaikohe-Hokianga General Ward or Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights.

(iii) 6 members elected from the Te Hiku Community Board comprising:

- 1) Doubtless Bay Subdivision – 1 member**
- 2) Kaitāia Subdivision – 3 members**
- 3) North Cape Subdivision – 1 member**
- 4) Karikari-Awanui Subdivision – 1 member**

and 2 members of the Council representing either the Te Hiku General Ward or Ngā Tai o Tokerau Māori Ward appointed to the community board by Council with voting rights.

e) The Far North District Council changes the name of the Whatuwhiwhi Subdivision to Karikari-Awanui Subdivision to better reflect the entirety of the area and as a result of community feedback.

f) the formal, legislative consultative process and the following timetable be adopted:

Thursday 9 May 2024	Council meeting (Initial Proposal Resolution)	(section 19H, Local Electoral Act 2001 (LEA))
Thursday 16 May	Public Notice (within 14 days of resolution)	(section 19M, LEA)
Thursday 16 May – Monday 17 June 2024	Submission period (1 month)	(section 19M, LEA)
Tuesday 9 and Wednesday 10 July 2024	Submission hearings	(section 19M, LEA)
Thursday 8 August 2024	Council meeting (Final Proposal Resolution)	(section 19N, LEA)
Monday 12 August	Public Notice (within 14 days of resolution)	(section 19N, LEA)
Monday 12 August – Thursday 12 September 2024	Appeal/objection period (1 month)	(section 19N, LEA)
End of September	Forward material to LGC (if required) or public notice of basis of election	(section 19Q, LEA)

Note that if section 19V Local Electoral Act 2001 has not been complied (+/- 10% rule), the matter is treated as an appeal and automatically referred to the Local Government Commission for determination, such determination to be made by 10 April 2025.

- g) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each councillor represents must be within the population range of 8,077 +/- 10% (7,269 – 8,884) unless particular community of interest considerations justify otherwise. The representation of the Te Hiku General Ward falls outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.**
- h) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Te Hiku Community Board represents must be within the population range of 3,877 +/- 10% (3,489 – 4,264) unless particular community of interest considerations justify otherwise. The representation of the North Cape Subdivision and the Doubtless Bay Subdivision fall outside of the stipulated range as to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.**
- i) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Bay of Islands-Whangaroa Community Board represents must be within the population range of 4,967 +/- 10% (4,470 – 5,464) unless particular community of interest considerations justify otherwise. The representation of the Whangaroa Subdivision and the Russell-Ōpua Subdivision fall outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.**
- j) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of the Kaikohe-Hokianga Community Board represents must be within the population range of 2,790 +/- 10% (2,511 – 3,069) unless particular community of interest considerations justify otherwise. The representation of the South Hokianga Subdivision falls outside of the stipulated range - to comply would limit the effective representation of communities of interest by either splitting communities of interest or uniting communities of interest with few commonalities.**
- k) the hearing of any representation arrangements review submissions received be heard by Council on 9 and 10 July 2024.**

NOTE: Error on the report, pages 61-62 should reflect “two members” as stated in the recommendation

In Favour: Crs Moko Tepania, Kelly Stratford, Felicity Foy, Hilda Halkyard-Harawira, Penetaui Kleskovic, Steve McNally, Tāmati Rākena and John Vujcich

Abstained: Crs Ann Court and Mate Radich

CARRIED 8/0

7 NGĀ PŪRONGO TAIPITOPITO / INFORMATION REPORTS

7.2 MAYOR AND COUNCILLOR'S REPORTS

Agenda item 7.2 document number A4668685, pages 88 - 160 refer.

RESOLUTION 2024/45

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Hilda Halkyard-Harawira

That council note the reports submitted by Kahika - Mayor Moko Tepania and Councillors Court, Rākena, Halkyard-Harawira, Vujcich, Kapa, McNally.

.CARRIED

NOTE:

1. *Report from Kowhai Deputy Mayor Kelly Stratford was circulated. This Report was received on time but was omitted from the Agenda in error. This Report will be added to the online Agenda.*
2. *In regard to Civic Awards, Emergency Volunteers need to be included in these.*

7.3 COUNCIL OPEN RESOLUTIONS UPDATE MAY 2024

Agenda item 7.3 document number A4677561, pages 161 - 177 refer.

RESOLUTION 2024/46

Moved: Cr Steve McNally

Seconded: Kahika - Mayor Moko Tepania

That Council receive the report Council Open Resolution Update May 2024.

CARRIED

8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2024/47

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Tāmati Rākena

That the public be excluded from the following parts of the proceedings of this meeting:

- a) **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
8.1 - Confirmation of Previous Minutes - Public Excluded	<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)(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>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
8.2 - Northland Regional Council Rating Agreement	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.3 - Committee Public Excluded Recommendations and Resolutions - April 2024	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.4 - Council Public Excluded Open Resolutions Update May 2024	<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)(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</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

	(including commercial and industrial negotiations)	
b) and that Kawiti Waetford Kaiwhakawhiti Reo Language Interpreter is permitted to join the Public Excluded part of the meeting.		
CARRIED		

At 11.47am the meeting was adjourned for a break until 12.30pm at which time the meeting reconvened in Public Exclusion.

At 2.14pm the meeting returned to Public.

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

AT 2.15PM KAHIKA MAYOR MOKO TEPANIA CLOSED THE MEETING WITH A KARAKIA.

10 MEETING CLOSE

The meeting closed at 2.15pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 13 June 2024.

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CHAIRPERSON