

**MINUTES OF FAR NORTH DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE HELD ELECTRONICALLY, VIA MICROSOFT TEAMS  
ON THURSDAY, 21 MAY 2020 AT 10.02 AM**

**PRESENT:** Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr Dave Collard, Cr Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Cr John Vujcich

**IN ATTENDANCE:** Mike Edmonds (Kaikohe-Hokianga Community Board Chairperson), Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board)

**STAFF PRESENT:** Shaun Clarke (Chief Executive Officer), Andy Finch (General Manager Infrastructure and Asset Management), Dean Myburgh (General Manager District Services), William J Taylor, MBE (General Manager Corporate Services), Darrell Sargent (General Manager Strategic Planning and Policy)

**1 KARAKIA TIMATANGA – OPENING PRAYER**

Councillor Smith commenced the meeting with the Council prayer.

**2 APOLOGIES AND DECLARATIONS OF INTEREST**

There were no apologies or declarations of interest.

**3 DEPUTATION**

Deputations are not being conducted during virtual meetings.

**4 MAYORAL ANNOUNCEMENTS**

- Rate Payments
- 3 Waters
- Housing
- Shovel Ready Projects
- Cycleway Railway
- Cape Reinga
- Local Government Handbook
- Cr Vujcich commented on Rawene Campus
- Cr Smith commented on a potential remit to LGNZ

**5 CONFIRMATION OF PREVIOUS MINUTES**

**5.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 5.1 document number A2880641, pages 12 - 20 refers.

**RESOLUTION 2020/24**

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

**That Council confirm the minutes of the Council meeting held 07 May 2020 as a true and correct record.**

**In Favour:** Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard,

Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

## **6 REPORTS**

### **6.1 REQUEST FOR FINANCIAL ASSISTANCE FOR KAWAKAWA COMMUNITY OWNED UNDER VERANDA LIGHTING SCHEME**

Agenda item 6.1 document number A2850080, pages 21 - 27 refers.

#### **MOTION**

Moved: Cr Kelly Stratford

Seconded: Mayor John Carter

That Council approve a financial contribution of \$6,720 (GST exclusive) to the Kawakawa Business and Community Association (KBCA), for the cost of electricity supply to the Kawakawa Community Lighting Scheme, to be funded from the Eastern Amenity Development Levy Fund.

#### **AMENDMENT**

Moved: Cr John Vujcich

Seconded: Cr Moko Tepania

That Council:

- a) approve financial contributions of \$6,720 (GST exclusive) each to the Kawakawa Business and Community Association (KBCA) and no more than \$6,500 for the Kaikohe Business Association for expenses related to the Central Business District lighting schemes in those towns, to be funded from the Eastern and Western Amenity Development Levy Funds respectively.
- b) agree to consultation for a targeted rate be added to the Long Term Plan for future funding of these schemes.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Cr David Clendon

The amendment became the substantive motion.

#### **RESOLUTION 2020/25**

Moved: Cr Kelly Stratford

Seconded: Mayor John Carter

**That Council:**

- a) approve financial contributions of \$6,720 (GST exclusive) each to the Kawakawa Business and Community Association (KBCA) and no more than \$6,500 for the Kaikohe Business Association for expenses related to the Central Business District lighting schemes in those towns, to be funded from the Eastern and Western Amenity Development Levy Funds respectively.
- b) agree to consultation for a targeted rate be added to the Long Term Plan for future funding of these schemes.

**In Favour:** Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

**Against:** Nil

**CARRIED**

## **6.2 KAWAKAWA WATER TREATMENT PLANT - HEALTH AND SAFETY AT WORK ACT (HAZARDOUS SUBSTANCES) REGULATIONS 2017 COMPLIANCE AUDIT**

Agenda item 6.2 document number A2844466, pages 28 - 30 refers.

### **RESOLUTION 2020/26**

Moved: Mayor John Carter

Seconded: Cr John Vujcich

**That Council:**

- a) **approve unbudgeted capital expenditure of \$195k to cover the cost of the required compliance work to meet the obligations of the Health and Safety at Work Act (Hazardous Substances) Regulations 2017 for the Kawakawa Water Treatment Plant.**
- b) **approve the direct appointment of Broadspectrum to undertake the identified work under urgency.**

**In Favour:** Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

**Against:** Nil

**CARRIED**

## **6.3 SPEED LIMIT BYLAW REVIEW**

Agenda item 6.3 document number A2870967, pages 31 - 165 refers.

### **MOTION**

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

**That Council:**

- a) in its capacity as Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998, confirm new speed limits set out in the Okaihau-Kaeo-Waimate Review Area, as set out in Attachment 1 - "*Okaihau-Kaeo-Waimate Review Area – Recommendations Report*".
- b) defers making amendments to the Speed Limits Bylaw 2019 set out in Attachment 1 "*Okaihau-Kaeo-Waimate Review Area – Recommendations Report*" until signage to make the new speed limits enforceable is installed.

### **AMENDMENT**

Moved: Deputy Mayor Ann Court

Seconded: Cr Rachel Smith

- a) agree to add the recommendations included on pages 60 and 162 of the FNDC Speed Limit Bylaw Review (File Number A2870967) in regards to engineering interventions for Wiroa

Road from State Highway 10 to 100m west of the Kerikeri Airport be included in both the Regional Land Transport Plan (RLTP) 2021-2024 (currently under development) and the next Long Term Plan (2021) LTP for funding.

**In Favour:** Mayor John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Moko Tepania and John Vujcich

**Against:** Cr Kelly Stratford

**CARRIED**

The amendment became the substantive motion.

#### **RESOLUTION 2020/27**

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

**That Council:**

- a) in its capacity as Road Controlling Authority, pursuant to Section 22AB(1)(d) of the Land Transport Act 1998, confirm new speed limits set out in the Okaihau-Kaeo-Waimate Review Area, as set out in Attachment 1 - "*Okaihau-Kaeo-Waimate Review Area – Recommendations Report*".
- b) defers making amendments to the Speed Limits Bylaw 2019 set out in Attachment 1 "*Okaihau-Kaeo-Waimate Review Area – Recommendations Report*" until signage to make the new speed limits enforceable is installed.
- c) agree to add the recommendations included on pages 60 and 162 of the FNDC Speed Limit Bylaw Review (File Number A2870967) in regards to engineering interventions for Wiroa Road from State Highway 10 to 100m west of the Kerikeri Airport be included in both the Regional Land Transport Plan (RLTP) 2021-2024 (currently under development) and the next Long Term Plan (2021) LTP for funding.

**In Favour:** Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

**Against:** Nil

**CARRIED**

#### **Attachments tabled at meeting**

- 1 Corrected FNDC Bylaw Waimate Speed Review Confirmation Recommendations Report

The meeting was adjourned from 11.53 am to 12.03 pm.

#### **6.4 OPTION REPORT - PARKS AND RESERVES REGULATION**

Agenda item 6.4 document number A2870781, pages 163 - 172 refers.

#### **RESOLUTION 2020/28**

Moved: Cr Dave Collard

Seconded: Cr Rachel Smith

**That Council agree:**

- a) that a bylaw, under the Local Government Act, is the most appropriate way of addressing the problems of nuisance, health and safety and offensive behaviour on Council controlled parks and reserves.
- b) that administration draft a statement of proposal for the Council to make a bylaw to

**regulate activities on Council controlled parks and reserves and also develop nonregulatory options such as guidelines, education programmes and signage to support the implementation of an adopted bylaw.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

## **6.5 OPTIONS FOR CONTROLLING AND REGULATING TRADE IN PUBLIC PLACES**

Agenda item 6.5 document number A2850002, pages 173 - 179 refers.

### **MOTION**

Moved: Mayor John Carter

Seconded: Cr Felicity Foy

That Council, under the Local Government Act, adopt Option Three – make a new bylaw, as the most appropriate response to addressing the perceived problems associated with trading in public places.

### **AMENDMENT**

Moved: Cr Kelly Stratford

Seconded: Cr Dave Collard

**That Council b) develop guidelines and education programmes after the adoption of the bylaw.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

The amendment became the substantive motion.

### **RESOLUTION 2020/29**

Moved: Mayor John Carter

Seconded: Cr Felicity Foy

**That Council, under the Local Government Act,**

**a) adopt Option Three – make a new bylaw, as the most appropriate response to addressing the perceived problems associated with trading in public places.**

**a) develop guidelines and education programmes after the adoption of the bylaw.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

**6.6 OPTIONS REPORT - VEHICLE CROSSINGS REGULATION**

Agenda item 6.6 document number A2856590, pages 180 - 185 refers.

**RESOLUTION 2020/30**

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

**That Council:**

- a) under the Local Government Act, agree that a bylaw is the most appropriate way of addressing the health and safety hazards than can be caused by poorly constructed or maintained vehicle crossings in the Far North District
- b) approve that administration draft a Statement of Proposal for the Council to make a bylaw to regulate vehicle crossings in the Far North District and provide information and education to support compliance with the bylaw (when it is made).

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

**6.7 ELECTED MEMBER REPORT**

Agenda item 6.7 document number A2880089, pages 186 - 192 refers.

**MOTION**

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

That Council note the report's entitled "Cr Tepania - Te Maruata Hui – March 2020".

**AMENDMENT**

Moved: Cr Moko Tepania

Seconded: Cr Kelly Stratford

**That Council:**

- a) note the report's entitled "Cr Tepania - Te Maruata Hui – March 2020".
- b) ensure an appropriate level of engagement, and due respect, be given to the representation review.
- c) agree an appropriately resourced programme to review Māori representation be implemented.
- d) hold informative workshops and receive robust analysis on Māori wards, including options to enable Māori participation in its processes and decision-making.
- e) that the review include guest speakers from Māori and Councils who have unsuccessfully and successfully enshrined Māori Wards/Constituencies.

In Favour: Mayor John Carter, Ann Court, David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

The amendment became the substantive motion.

**RESOLUTION 2020/31**

Moved: Cr Moko Tepania

Seconded: Cr John Vujcich

**That Council:**

- a) note the report's entitled "Cr Tepania - Te Maruata Hui – March 2020".
- b) ensure an appropriate level of engagement, and due respect, be given to the representation review.
- c) agree an appropriately resourced programme to review Māori representation be implemented.
- d) hold informative workshops and receive robust analysis on Māori wards, including options to enable Māori participation in its processes and decision-making.
- e) that the review include guest speakers from Māori and Councils who have unsuccessfully and successfully enshrined Māori Wards/Constituencies.

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

**6.8 CLIMATE CHANGE ROADMAP - PROPOSED POSITION OF SUSTAINABILITY PROGRAMME CO-ORDINATOR AND IMPLEMENTATION FUNDING**

Agenda item 6.8 document number A2883795, pages 193 - 196 refers.

**RESOLUTION 2020/32**

Moved: Cr Kelly Stratford

Seconded: Cr Moko Tepania

**That Council:**

- a) approve the Chief Executive Officer to create the post of Sustainability Programme Co-ordinator from within the current establishment (i.e. delete one of the current FTE vacancies and replace with the new climate change post)
- b) approve the inclusion of \$125k in the Annual Plan 20/21 to enable actions arising from the climate change roadmap to be implemented.

In Favour: Mayor John Carter, Crs David Clendon, Dave Collard, Felicity Foy, Kelly Stratford, Moko Tepania and John Vujcich

Against: Deputy Mayor Ann Court, Crs Mate Radich and Rachel Smith

**CARRIED**

**MAJOR ITEM NOT ON THE AGENDA****RESOLUTION 2020/33**

Moved: Mayor John Carter

Seconded: Cr John Vujcich

**That Council resolve to consider the item not on the agenda 'Sustainable Procurement Criteria for Shovel Ready Projects' and notes the item was not on the agenda.**

**CARRIED****6.9 SUSTAINABLE PROCUREMENT CRITERIA FOR SHOVEL READY PROJECTS**

Supplementary Agenda item 6.9 document number A2884013, pages 4 - 7 refers.

**RESOLUTION 2020/34**

Moved: Mayor John Carter

Seconded: Cr John Vujcich

**That Council adopt five sustainable procurement principles for shovel ready projects:**

- 1. Targeted Employment,**
- 2. Wages,**
- 3. Professional Development,**
- 4. Supplier Diversity and**
- 5. Environmental Kaitiaki.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED****7 PUBLIC EXCLUDED****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2020/35**

Moved: Mayor John Carter

Seconded: Cr 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>7.1 - Confirmation of Previous Minutes - Public Excluded</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would

	<p>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>	<p>be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<b>7.2 - Arvida Development Agreement Update</b>	<p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<b>7.3 - Projected Variations to Performance Targets</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>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>
<b>CARRIED</b>		

**RESOLUTION TO READMIT THE PUBLIC****RESOLUTION 2020/36**

Moved: Mayor John Carter

Seconded: Cr Moko Tepania

**That Council move out of public excluded into open Council.**

**CARRIED**

**8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Cr Moko Tepania closed the meeting with a Karakia

**9 MEETING CLOSE**

The meeting closed at 3.14 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 June 2020.

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**CHAIRPERSON**