

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 10 DECEMBER 2020 AT 10:00 AM**

PRESENT: 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), Sheryl Gavin (General Manager Strategic Planning and Policy - Acting)

1 KARAKIA TIMATANGA – OPENING PRAYER

Councillor Rachel Smith commenced the meeting with a prayer.

2 APOLOGIES AND DECLARATIONS OF INTEREST

RESOLUTION 2020/87

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That apologies from His Worship the Mayor John Carter be received and accepted.

CARRIED

3 DEPUTATION

Dr. Alison Vaughan spoke on behalf of SPCA NZ with regard to Animal Welfare impacts.

Judy Rankin spoke on behalf of Far North Sea Change with regard to a survey reviewing Far North Holdings Ltd.

Justin Blackie spoke on behalf of Kaikohe and Districts Sportsville with regard to the Sportsville Master Plan Design.

Diane Maxwell spoke with regard to the proposal of the Peterson Motors Building, Kaikohe.

Ipu Absolum and Janine McVeagh spoke on behalf of Te Puna o Kupenuku in regard to the lease agreement at the Rawene campus.

4 MAYORAL ANNOUNCEMENTS

Deputy Mayor Ann Court acknowledged:

- the presence of community board members,
- Janice Smith acting in place of Will Taylor, and
- Far North District Council staff for their work and effort throughout this year.

5 CONFIRMATION OF PREVIOUS MINUTES**5.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 5.1 document number A3018698, pages 10 - 19 refers.

RESOLUTION 2020/88

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That Council confirms the minutes of the Council meeting held 29 October 2020 as a true and correct record.

CARRIED

6 REPORTS**6.1 LEASE OF LOCAL PURPOSE (EDUCATION FACILITIES) RESERVES, RAWENE TO TE PUNA O KUPENUKU.**

Agenda item 6.1 document number A3026514, pages 20 - 28 refers.

MOTION

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That the Far North District Council agree:

Pursuant to the Reserves Act 1977 the Far North District Council consents to a new lease over the local purpose (educational facilities) reserve (Sections 154 - 156 and 159 - 166 Town of Rawene Block XIV Mangamuka Survey District) to Te Puna o Kupenuku subject to the following conditions:

- i) Rental - \$1 plus GST
- ii) Term of lease - 3 years
- iii) Right of Renewal - 3 years
- iv) Rent Review - On renewal
- v) Authorise the General Manager Infrastructure and Asset Management to negotiate and agree the final terms and conditions of the lease.

AMENDMENT

- ii) Term of lease - 5 years
- iii) Right of Renewal - 5 years

The amendment became the substantive motion.

RESOLUTION 2020/89

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That the Far North District Council agree:

Pursuant to the Reserves Act 1977 the Far North District Council consents to a new lease over the local purpose (educational facilities) reserve (Sections 154 - 156 and 159 - 166 Town of Rawene Block XIV Mangamuka Survey District) to Te Puna o Kupenuku subject to the following conditions:

- i) Rental - \$1 plus GST
- ii) Term of lease - 5 years
- iii) Right of Renewal - 5 years

iv) Rent Review - On renewal

- v) Authorise the General Manager Infrastructure and Asset Management to negotiate and agree the final terms and conditions of the lease.**

CARRIED**6.2 ROAD NAMING - PERAS ROAD WAIMA**

Agenda item 6.2 document number A3000736, pages 29 - 38 refers.

RESOLUTION 2020/90

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That Council rename Peras Road in Waima, Pera Road.**CARRIED****6.3 JOINT LOCAL AUTHORITY CLIMATE CHANGE COMMITTEE - AGREEMENT AND APPOINTMENT OF MEMBERS**

Agenda item 6.3 document number A3018905, pages 39 - 44 refers.

MOTION

Moved: Deputy Mayor Ann Court

Seconded: Cr Moko Tepania

That the Council:

- a) agrees, under clause 30A(1) of Schedule 7 of the Local Government Act 2002, with the Northland Regional Council, Whangārei District Council and Kaipara District Council to appoint a joint committee called the Joint Climate Change Adaptation Committee as specified in the Terms of Reference (A2994705), subject to the Terms of Reference being amended by:
- replacing, in the Membership section, the words “nominated”, “nomination” and “nominate” with the words “appointed”, “appointment” and “appoint” respectively
 - replacing, in the Committee Chair and Deputy Chair section, the words “elected from” with the words “appointed by”
 - replacing, in the Remuneration section, the words “non-elected members remuneration policy of that Council” with “the Northland Regional Council Appointed Members’ Allowances Policy”.
- b) appoints Councillor Clendon as the Far North District Council elected member on the Joint Climate Change Adaptation Committee.
- c) appoints Councillor Stratford as the Far North District Council alternative elected member on the Joint Climate Change Adaptation Committee.
- d) request His Worship the Mayor and Cr Clendon to invite Te Kahu o Taonui to nominate two people with skills, attributes, or knowledge that will assist the work of the Joint Climate Change Adaptation Committee to be the Far North District Council iwi/hapū member and alternative iwi/hapū member of the Committee.
- e) recommend to Council that a policy for the remuneration of non-elected members for committees of Council be developed.
- f) request that the policy is not inconsistent with other Northland Councils remuneration policies for Joint Regional committees

AMENDMENT

Moved: Deputy Mayor Ann Court

Seconded: Cr Moko Tepania

That Council note:

- e) **Strategic Policy and Planning Committee recommend** that a policy for the remuneration of non-elected members for committees of Council be developed.
- f) **Strategic Policy and Planning Committee request** that the policy is not inconsistent with other Northland Councils remuneration policies for Joint Regional Committees.

MOTION

The amendment became the substantive motion.

Moved: Deputy Mayor Ann Court

Seconded: Cr Moko Tepania

That the Council:

- a) **agrees, under clause 30A(1) of Schedule 7 of the Local Government Act 2002, with the Northland Regional Council, Whangārei District Council and Kaipara District Council to appoint a joint committee called the Joint Climate Change Adaptation Committee as specified in the Terms of Reference (A2994705), subject to the Terms of Reference being amended by:**
 - replacing, in the Membership section, the words “nominated”, “nomination” and “nominate” with the words “appointed”, “appointment” and “appoint” respectively
 - replacing, in the Committee Chair and Deputy Chair section, the words “elected from” with the words “appointed by”
 - replacing, in the Remuneration section, the words “non-elected members remuneration policy of that Council” with “the Northland Regional Council Appointed Members’ Allowances Policy”.
- b) **appoints Councillor Clendon as the Far North District Council elected member on the Joint Climate Change Adaptation Committee.**
- c) **appoints Councillor Stratford as the Far North District Council alternative elected member on the Joint Climate Change Adaptation Committee.**
- d) **request His Worship the Mayor and Cr Clendon to invite Te Kahu o Taonui to nominate two people with skills, attributes, or knowledge that will assist the work of the Joint Climate Change Adaptation Committee to be the Far North District Council iwi/hapū member and alternative iwi/hapū member of the Committee.**

That Council note:

- e) **Strategic Policy and Planning Committee recommend** that a policy for the remuneration of non-elected members for committees of Council be developed.
- f) **Strategic Policy and Planning Committee request** that the policy is not inconsistent with other Northland Councils remuneration policies for Joint Regional Committees.

CARRIED

6.4 KAKA STREET BEACH ACCESS

Agenda item 6.4 document number A2983949, pages 45 - 47 refers.

MOTION

Moved: Deputy Mayor Ann Court

Seconded: Cr Felicity Foy

That Council approves:

- a) the requirement for unplanned operational expenditure of approximately \$150k to appoint a consultant to investigate options to resolve the ongoing access to 90-mile beach from Kaka Street, Ahipara, or identify a different location for an alternative access

That Council notes:

- b) that this work is unplanned and additional to the work programme identified in the Annual Plan
- c) that unbudgeted capital expenditure may be needed in future to address a permanent solution to securing beach access
- d) that the option of providing an alternative point of access to 90-mile beach will be considered
- e) that a planning assessment will be needed for each option considered to identify the need for a Resource Consent to be issued by Northland Regional Council for any significant work. A Resource Consent, if needed, can take approximately six to nine months to obtain
- f) that the final cost of the work will be dependent upon the conditions associated with the Resource Consent.
- g) the external consultant procured to manage this project will, for urgency, be through a direct appointment.
- h) a further report will be brought to Council outlining the preferred option and confirming required capital budget.

AMENDMENT

Moved: Deputy Mayor Ann Court

Seconded: Cr Felicity Foy

That Council approves:

- a) the requirement for unplanned operational expenditure of up to approximately \$150k to appoint a consultant to investigate options to resolve the ongoing access to 90-mile beach from Kaka Street, Ahipara, or identify a different location for an alternative access

That Council notes:

- b) that this work is unplanned and additional to the work programme identified in the Annual Plan
- c) that unbudgeted capital expenditure may be needed in future to address a permanent solution to securing beach access
- d) that the option of providing an alternative point of access to 90-mile beach will be considered
- e) that a planning assessment will be needed for each option considered to identify the need for a Resource Consent to be issued by Northland Regional Council for any significant work. A Resource Consent, if needed, can take approximately six to nine months to obtain
- f) that the final cost of the work will be dependent upon the conditions associated with the Resource Consent.
- g) the external consultant procured to manage this project will, for urgency, be through a direct appointment.
- h) a further report will be brought to Council outlining the preferred option and confirming required capital budget.

The amendment became the substantive motion

MOTION

Moved: Deputy Mayor Ann Court

Seconded: Cr Felicity Foy

That Council approves:

- a) **the requirement for unplanned operational expenditure of up to approximately \$150k to appoint a consultant to investigate options to resolve the ongoing access to 90-mile beach from Kaka Street, Ahipara, or identify a different location for an alternative**

access**That Council notes:**

- b) that this work is unplanned and additional to the work programme identified in the Annual Plan**
- c) that unbudgeted capital expenditure may be needed in future to address a permanent solution to securing beach access**
- d) that the option of providing an alternative point of access to 90-mile beach will be considered**
- e) that a planning assessment will be needed for each option considered to identify the need for a Resource Consent to be issued by Northland Regional Council for any significant work. A Resource Consent, if needed, can take approximately six to nine months to obtain**
- f) that the final cost of the work will be dependent upon the conditions associated with the Resource Consent.**
- g) the external consultant procured to manage this project will, for urgency, be through a direct appointment.**
- h) a further report will be brought to Council outlining the preferred option and confirming required capital budget.**

In Favour: Deputy Mayor Ann Court, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Crs David Clendon, Dave Collard and Mate Radich

CARRIED**6.5 ROADSIDE RUBBISH AND RECYCLING**

Agenda item 6.5 document number A2995081, pages 48 - 55 refers.

RESOLUTION 2020/91

Moved: Deputy Mayor Ann Court

Seconded: Cr Moko Tepania

That Council:

- a) requests further investigation and analysis of future options for litter control, solid waste monitoring, kerbside collections will be considered in the S17A Service Delivery Review.**
- b) requests a report outlining the findings of the review including future service level enhancements when the review is completed.**

CARRIED

Meeting adjourned from 11:47 am to 11:59 am.

6.6 INTEGRATED TRANSPORT STRATEGY

Agenda item 6.6 document number A3005155, pages 56 - 77 refers.

RESOLUTION 2020/92

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That Council endorse the Integrated Transport Strategy and Programme Business Case.

CARRIED

6.7 ADOPTION OF THE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2020

Agenda item 6.7 document number A3015908, pages 78 - 79 refers.

RESOLUTION 2020/93

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That Council:

- a) adopt the Annual Report for the year ended 30 June 2020;
- b) agree that the General Manager Corporate Services is authorised to make any grammatical changes that may be required, and that;
- c) the wording of Key Project/Initiative 7, Russell Wharf on Page 53 Contribution to strategic objectives be changed to: To increase and improve public and community benefits from the facility under best ownership and management model. To enhance and increase the longevity and benefits from the structure.

CARRIED

Attachments tabled at meeting

- 1 Tabled Document - Independent Auditors Report

Adjourned for lunch from 12:36 pm to 1:07 pm.

6.8 FAR NORTH HOLDINGS LTD ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2020

Agenda item 6.8 document number A3015934, pages 80 - 81 refers.

RESOLUTION 2020/94

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That Council accept the Annual Report for Far North Holdings Ltd for the year ended 30 June 2020.

CARRIED

6.9 ADOPTION OF COMMUNITY BOARD WORKING PARTY TERMS OF REFERENCE

Agenda item 6.9 document number A3013463, pages 82 - 85 refers.

RESOLUTION 2020/95

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That the Council formally establish the Community Board Working Party as set out by the tabled Terms of Reference.

CARRIED

Attachments tabled at meeting

- 1 Tabled Document - Community Board Working Party Terms of Reference Document A3013476

6.10 SUSTAINABLE PROCUREMENT POLICY

Agenda item 6.10 document number A2970913, pages 86 - 92 refers.

RESOLUTION 2020/96

Moved: Deputy Mayor Ann Court

Seconded: Cr Dave Collard

That Council

- a) **rescind the resolution made at the Council meeting, 25 October 2018**

RESOLUTION 2018/1

Moved: Mayor John Carter

Seconded: Cr Ann Court

That Council adopts the revised FNDC Procurement Policy – Procuring Goods and Services.

CARRIED

- b) **adopt the Sustainable Procurement Policy.**

CARRIED

7 INFORMATION REPORTS**7.1 ELECTROCOAGULATION WASTEWATER TREATMENT UPDATE**

Agenda item 7.1 document number A2973392, pages 93 - 114 refers.

RESOLUTION 2020/97

Moved: Deputy Mayor Ann Court

Seconded: Cr Felicity Foy

That Council refer the report Electrocoagulation Wastewater Treatment to the Infrastructure Committee.

CARRIED

7.2 PROGRAMME DARWIN UPDATE- NOVEMBER 2020

Agenda item 7.2 document number A3015889, pages 115 - 126 refers.

RESOLUTION 2020/98

Moved: Deputy Mayor Ann Court

Seconded: Cr John Vujcich

That the Council receive the report Programme Darwin Update- November 2020.

CARRIED

7.3 REPRESENTATION REVIEW COSTS

Agenda item 7.3 document number A3010764, pages 127 - 129 refers.

RESOLUTION 2020/99

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Council receive the report Representation Review Costs.

CARRIED

7.4 CEO REPORT TO COUNCIL 01 SEPTEMBER 2020 - 31 OCTOBER 2020

Agenda item 7.4 document number A3008847, pages 130 - 198 refers.

RESOLUTION 2020/100

Moved: Deputy Mayor Ann Court

Seconded: Cr Kelly Stratford

That the Council receive the report CEO Report to Council 01 September 2020 - 31 October 2020.

CARRIED

8 PUBLIC EXCLUDED**RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2020/101**

Moved: Deputy Mayor Ann Court

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
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)(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,</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

	without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
8.2 - Renewal of Revolving Cash Facility	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	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 - Kaikohe Library and Civic Hub	<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>	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 - Southern Animal Shelter - Asset Disposal	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	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
8.5 - Potential Rating Sale	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

	persons, including that of deceased natural persons	be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.6 - Alternative Wastewater Treatment Technologies Review - Moxiepel	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	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

CARRIED

Meeting adjourned for a brief break at 2:26 pm until 2:35 pm.

Councillor Mate Radich left the meeting at 2:30 pm.

9 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Councillor Moko Tepania closed with a karakia.

10 MEETING CLOSE

The meeting closed at 4:10 pm.

The minutes of this meeting will be confirmed at the Ordinary Council meeting held on 25 February 2021.

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CHAIRPERSON