

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD VIRTUALLY VIA MICROSOFT TEAMS
ON THURSDAY, 4 MAY 2023 AT 10:04 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, Cr Mate Radich, Cr Tāmati Rākena

IN ATTENDANCE: Adele Gardner (Te Hiku Community Board Chairperson, Chicky (Kaikohe-Hokianga Community Board Chairperson, Belinda Ward (Bay of Islands-Whangaroa Community Board Chairperson), Calvin Thomas (NTA), Kawiti Waetford (Interpreter)

STAFF PRESENT: Joshna Panday (Democracy Advisor), Blair King (FNDC CEO), Briar Macken (Manager – Strategy & Policy), Elbie Serfontein (Customer Service Administrator), Glenn Rainham (SHEQ & Compliance Manager), Janice Smith (Group Manager-Corporate Services), Jill Coyle (Group Manager-People & Transformation), Kevin Johnson (Group Manager-Delivery & Operations), Llani Harding (Manager Te Hono), Maria Giacon (Executive Assistant to CEO), Marlema Baker (Democracy Advisor), Paul Newman (Intermediate Project Manager), Roger Ackers (Group Manager-Planning & policy), Ruben Garcia (Group Manager-Communication & Engagement), Taniora Herewini (Executive Assistant to the Mayor), Tanya Proctor (FNWA Asset & Planning), Zac Whitsitt (Policy Advisor)

1 KARAKIA TIMATANGA / OPENING PRAYER

Kahika/Mayor Moko Tepania commenced the meeting with a karakia.

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

APOLOGY

RESOLUTION 2023/41

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Felicity Foy

That the apology received from Cr John Vujcich be accepted and leave of absence granted.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

3 NGĀ TONO KŌRERO / DEPUTATION

No deputations registered for this meeting.

4 NGĀ KŌRERO A TE KAHIKA / MAYORAL ANNOUNCEMENTS

- Today is Ōhua which is a high energy day today.

- Northland has a heavy rain (orange) warning. Civil Defence Northland is keeping a close watch and Council has set up a specific webpage on Council website to keep the public notified.
- Water mains break in Kerikeri this morning that affected the water pressure across the central business district – hoping to get up to full pressure by the end of the day.
- Acknowledge the Northland Hospitality 2023 awards with the Restaurant Association New Zealand – Congratulations to the winner Sage restaurant in Russell.
- A moment of silence for the passing of former Mayor Sue James – flowers to be sent to the family.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A4162787, pages 6 - 13 refers

RESOLUTION 2023/42

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Hilda Halkyard-Harawira

That Council confirms the minutes of the Council meeting held 6 April 2023 as a true and correct record.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

7.1 COMMUNITY BOARD MINUTES - APRIL 2023

Agenda item 7.1 document number A4177020, pages 202 - 220 refers

RESOLUTION 2023/43

Moved: Cr Mate Radich

Seconded: Cr Hilda Halkyard-Harawira

That Council note the following Community Board minutes:

- a) **11 April 2023 - Te Hiku Community Board**
- b) **12 April 2023 - Kaikohe-Hokianga Community Board**
- c) **13 April 2023 - Bay of Islands-Whangaroa Community Board**

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

6 REPORTS

6.1 TOURISM INFRASTRUCTURE FUND APPLICATIONS - ROUND 7 APRIL 2023

Agenda item 6.1 document number A4153236, pages 14 - 38 refers

MOTION

Moved: Cr Ann Court

Seconded: Kahika - Mayor Moko Tepania

That Council:

- a) approve the application for funding for Maitai Bay Seal Extension and funding of \$ 600,000 for the FNDC local share to be incorporated into the 2023/24 Annual Plan.
- b) approve the application for funding for Taipa Beachfront Remedial Works and \$310,000 for the FNDC local share to be incorporated into the 2023/24 Annual plan.
- c) ~~approve the application for funding for Waipapa Campervan Dump Station and \$125,000 for the FNDC local share to be incorporated into the 2023/24 Annual plan.~~
Defer the application for funding for Waipapa Campervan dump station until TIF funding round 8 to enable further consultation with Te Puāwaitanga and iwi/hapu and that \$125,000 be added to the capital works programme for 2024/25 in anticipation of an application for TIF round 8
- d) approve the application for funding for Russell Boat Ramp Carpark Upgrade and \$240,000 which is currently budgeted in FY23 for the FNDC local share.
- e) approve the application for funding for Windsor Landing Boat Ramp Toilet and \$65,000 for the FNDC local share to be incorporated into the 2023/24 Annual plan.
- f) approve the application for funding for Smart Bins – (Additional 10) and \$ 50,000 which is currently budgeted in FY23 for the FNDC local share.
- g) approve the application for funding for Boat Ramp Side Safety Guides and confirm the funding of \$34,650 approved at Resolution 2022/17 for FY24 for the FNDC local share.
- h) approve the application for funding for Smart Technologies Bundle (Nothing but Net) and \$140,000 which is currently budgeted in FY2022/23 for the FNDC local share.
- i) approve the application for funding for the Visitor Data Study (Nothing but Net) and up to \$60,000 operational funding which is currently budgeted in FY2022/23 for the FNDC local share.
- j) Approve the appointment of Northern Edge Limited to undertake project management for any successful bids.
- k) delegate the District Engineer authorisation to sign the contracts with the Ministry of Business, Innovation and Employment for successful Round 7 applications.

AMENDMENT

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Cr Mate Radich

That Council:

- a) defer Maitai Bay Seal Extension for TIF funding application until Council has re-prioritised the dust matrix**

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Hilda Halkyard-Harawira, Babe Kapa, Penetaui Kleskovic, Mate Radich and Tāmati Rākena

Against: Crs Ann Court and Steve McNally

Abstained: Cr Felicity Foy

CARRIED

The amendment has become a substantive motion

RESOLUTION 2023/44

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council:

- a) defer Maitai Bay Seal Extension for TIF funding application until Council has re-prioritised the dust matrix
- b) approve the application for funding for Taipa Beachfront Remedial Works and \$310,000 for the FNDC local share to be incorporated into the 2023/24 Annual plan.
- c) defer the application for funding for Waipapa Campervan dump station until TIF funding round 8 to enable further consultation with Te Puāwaitanga and iwi/hapu and that \$125,000 be added to the capital works programme for 2024/25 in anticipation of an application for TIF round 8
- d) approve the application for funding for Russell Boat Ramp Carpark Upgrade and \$240,000 which is currently budgeted in FY23 for the FNDC local share.
- e) approve the application for funding for Windsor Landing Boat Ramp Toilet and \$65,000 for the FNDC local share to be incorporated into the 2023/24 Annual plan.
- f) approve the application for funding for Smart Bins – (Additional 10) and \$ 50,000 which is currently budgeted in FY23 for the FNDC local share.
- g) approve the application for funding for Boat Ramp Side Safety Guides and confirm the funding of \$34,650 approved at Resolution 2022/17 for FY24 for the FNDC local share.
- h) approve the application for funding for Smart Technologies Bundle (Nothing but Net) and \$140,000 which is currently budgeted in FY2022/23 for the FNDC local share.
- i) approve the application for funding for the Visitor Data Study (Nothing but Net) and up to \$60,000 operational funding which is currently budgeted in FY2022/23 for the FNDC local share.
- j) Approve the appointment of Northern Edge Limited to undertake project management for any successful bids.
- k) delegate the District Engineer authorisation to sign the contracts with the Ministry of Business, Innovation and Employment for successful Round 7 applications.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Hilda Halkyard-Harawira, Babe Kapa, Penetaui Kleskovic, Steve McNally, Mate Radich and Tāmati Rākena.

Abstained: Cr Felicity Foy

CARRIED

6.3 REVIEW OF WASTE MANAGEMENT AND MINIMISATION PLAN 2017-2023

Agenda item 6.3 document number A4162375, pages 53 - 172 refers

RESOLUTION 2023/45

Moved: Cr Mate Radich

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council:

- a) agree, under section 50 of the Waste Minimisation Act 2008, the Waste Management and Minimisation Plan 2017-2023 has been reviewed.
- b) approve, a new waste management and minimisation plan be developed under sections 43 and 44 of the Waste Minimisation Act 2008.
- c) approve the development of a solid waste strategy.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Penetaui Kleskovic, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

At 11:18 am, Meeting adjourned

At 11:18 am, Cr Penetaui Kleskovic left the meeting.

At 11:42 am, Meeting resumed

6.2 CONTROL OF ANIMALS BYLAW

Agenda item 6.2 document number A4156698, pages 39 - 52 refers

RESOLUTION 2023/46

Moved: Cr Ann Court

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council:

- a) approve, under section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing known and perceived animal problems in the Far North District.**
- b) approve, to develop a bylaw that addresses known and perceived problems regarding animals under the Local Government Act 2002 and the Health Act 1956.**

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

6.4 UPDATE OF COUNCIL DELEGATIONS UNDER LEGISLATION

Agenda item 6.4 document number A4171169, pages 173 - 201 refers

RESOLUTION 2023/47

Moved: Cr Felicity Foy

Seconded: Cr Hilda Halkyard-Harawira

That Council approve the instruments of delegation as attached:

- a) Resource Management Act 1991**
- b) Local Government (Rating) Act 2002**

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

7 INFORMATION REPORTS

7.2 MAYOR AND COUNCILLORS REPORTS

Agenda item 7.2 document number A4182263, pages 221 - 250 refers

RESOLUTION 2023/48

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council note the reports from Kahika-Mayor Moko Tepania, Kōwhai-Deputy Mayor Kelly Stratford and Councillors Ann Court, Babe Kapa, Hilda Halkyard-Harawira, John Vujcich, Steve McNally and Tāmati Rākena.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED**7.3 COUNCIL ACTION SHEET UPDATE MAY 2023**

Agenda item 7.3 document number A4150255, pages 251 - 269 refers

RESOLUTION 2023/49

Moved: Kōwhai - Deputy Mayor Kelly Stratford

Seconded: Cr Steve McNally

That Council receive the report Council Action Sheet Update April 2023.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED**8 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2023/50**

Moved: Kahika - Mayor Moko Tepania

Seconded: Cr Steve McNally

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	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons,	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting

	<p>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>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>
8.2 - Mangonui Waterfront development- boardwalk extension and Mill Bay Jetty	<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>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>
8.3 - Kerikeri Squash Courts - Variation to Contract over \$1 Million	<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>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>
8.4 Interim Chief Executive Officer Appointment	<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>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>

CARRIED

CONFIRMATION OF INFORMATION AND DECISIONS TO BE RELEASED IN PUBLIC

RESOLUTION 2023/51

Moved: Kahika - Mayor Moko Tepania

Seconded: Kōwhai - Deputy Mayor Kelly Stratford

That Council confirms the decisions contained in the part of the meeting held with public excluded be restated in public meeting as follows:

8.2 Mangonui Waterfront development- boardwalk extension and Mill Bay Jetty subject to the redacting of the amounts.

8.3 Kerikeri Squash Courts - Variation to Contract over \$REDACTED subject to the redacting of the amounts.

In Favour: Kahika/Mayor Moko Tepania, Kōwhai/Deputy Mayor Kelly Stratford, Crs Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Babe Kapa, Steve McNally, Mate Radich and Tāmati Rākena

Against: Nil

CARRIED

9 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Cr Tāmati Rākena closed the meeting with a karakia.

10 MEETING CLOSE

The meeting closed at 1:22 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 1 June 2023.

.....
CHAIRPERSON