

OUTSTANDING ACTIONS REPORT

Printed: Monday, 15 May 2023 3:49:47 pm

Division:
Committee: Council, Infrastructure Committee, Regulatory Compliance Committee and Strategy and Policy Committee
Officer:

Date From: 1/01/2020
Date To: 15/05/2023

| Meeting | Title | Resolution | Notes/Updates |
|---------------------------------------|--|--|---|
| Infrastructure Committee 5/05/2021 | <p>Economic and Practicability Assessment for Disposal of Treated Wastewater to Land from Kaikohe and Kaitāia Wastewater Treatment Plants</p> <p>AUTHOR: Jaye Michalick</p> <p>AUTHORISERS Janice Smith. Andy Finch</p> | <p>The amendment became the substantive motion. RESOLUTION 2021/13 That the Infrastructure Committee:</p> <p>a) agree the option of disposing treated wastewater to land from the Kaitaia and Kaikohe Wastewater Treatment plants is further investigated, specifically:</p> <p>i) engagement with affected landowners and mana whenua to determine the selection of a preferred site to be taken forward for preliminary design.</p> <p>ii) complete a preliminary design that includes site specific technical, design, and cost investigation of land disposal in which mana whenua are to be included.</p> <p>b) request that the preliminary designs are to be completed prior to December 2023, to enable the Long-Term Plan engagement process and request staff report back to the Infrastructure Committee to present the findings of the preliminary design reports.</p> <p>c) request staff seek replacement resource consents for discharge of treated wastewater to water from the Kaitaia and Kaikohe Wastewater Treatment Plants and that during the term of the consent, staff progress investigation of disposal to land options for both the Kaitaia and Kaikohe Wastewater schemes.</p> <p>d) request a treated wastewater disposal to land workshop be scheduled for late 2021 with the</p> | <p>04 Nov 2022 10:02am George, Tania</p> <p>Kaitaia: Initial landowner engagement resulted in a small number of landowners willing to further explore the option of having their land irrigated by treated wastewater, or of selling their land to FNDC for that purpose.</p> <p>Iwi engagement with Ahipara Takiwā is currently underway to determine whether any of the sites of interest (where landowners have indicated interest in this project) are acceptable to iwi.</p> <p>Should iwi engagement result in any of these sites being considered suitable, physical site investigations at a preferred site will be commenced.</p> <p>The resource consent application to authorise continued discharge of treated wastewater to water is currently on hold while staff continue to agree conditions of consent with iwi.</p> <p>Kaikohe: The Working Group (comprising FNDC staff and representatives of Ngā hapū o Kaikohekohe) have agreed a short list of 15 sites potentially suitable to receive treated wastewater, initial contact with landowners will be made by either council staff or ngā hapū reps during November.</p> <p>The Working Group has also identified a short list of suitable WWTP upgrade options required to achieve environmental compliance and to meet future growth. The resource consent application to authorise continued discharge of treated wastewater to water is currently on hold while the Working Group carries out the discharge to land and WWTP upgrade options assessments.</p> |

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| | | <p>Infrastructure Committee, which will cover methodologies and processes associated with establishing a disposal to land scheme.</p> <p>That the Infrastructure Committee recommend to Council that expenditure of up to \$330,000 to cover both the Kāitaia and the Kaikohe sites, is allocated in the Long-Term Plan deliberations, to complete a preliminary design for each Wastewater Treatment Plant, and sufficient staffing resources are assigned to enable ongoing engagement with mana whenua and other stakeholders.</p> <p style="text-align: right;">CARRIED</p> | <p>19 May 2023 8:02am Michalick, Jaye For both of these projects, the OPEX funds allocated no longer exist as they were allocated in a previous financial year. However, wastewater discharge to land investigations in Kaikohe have progressed significantly, consultants are currently finalising a concept design and high-level cost estimate for conveyance and discharge of treated wastewater from Kaikohe WWTP to a site located at 80A Jordan Road, which is on the market.</p> <p>Staff are also investigating the option of expanding the discharge scheme into Pamu Farms land adjoining 80A Jordan Road, should additional land be required.</p> <p>These investigations have been carried out as part of the Kaikohe WWTP Working Group formed with Nga Hapu o Kaikohekohe and includes investigating and recommending required upgrade of the Kaikohe WWTP. Staff and Nga Hapu o Kaikohekohe are planning to present these findings to elected members via a workshop and subsequent report in the coming months.</p> |
| Council 1/07/2021 | Proposal to Construct an Erosion Protection Structure on Council Owned Reserve, Omapere. | <p>RESOLUTION 2021/51 Moved: Cr John Vujcich Seconded: Cr Dave Collard That Council: a) approves the construction of, and associated occupation with, an erosion protection structure on Far North District Council owned</p> | <p>04 Aug 2021 1:23pm Crawford, Jessica FNDC's senior solicitor advises that Corporate Services is still awaiting draft memorandum of Encumbrance for review, from the property owners' lawyer and approval of this Council.</p> <p>17 Jun 2022 1:27pm Mitchell, Beverly - Target Date Revision</p> |

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| | <p>AUTHOR: Carla Ditchfield</p> <p>AUTHORISERS: Janice Smith Andy Finch</p> | <p>local purpose reserved legally described as Lot 5 DP196729; and</p> <p>b) approval is provided subject to a memorandum of encumbrance being recorded on the titles of Lot 1 DP196729 and Lot 1 DP310507 and that the encumbrance records the agreement that the owners of those properties:</p> <ul style="list-style-type: none"> i) bear full responsibility for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime. ii) incur cost of the agreement construction and registration against title. iii) notify FNDC of any variation or modification of the erosion protection structure <p>To avoid doubt, approval is given both within Council's capacity as the administering body of the reserve and an affected person within the meaning of Section 95 of the Resource Management Act 1991.</p> <p style="text-align: right;">CARRIED</p> <p>Note: need to include climate change and erosion as part of the Reserves and Parks Policy review.</p> | <p>Target date changed from 15 July 2021 to 11 August 2021 - Comment from In-House Counsel is: A resource consent for the construction of the structure has been granted with a condition being an easement on reserve for the encroachment.</p> <p>20 Jun 2022 3:13pm Baker, Marlema Update provided by George Swanepoel and Inna Shibalova, Still waiting for a response from the property owner's lawyer.</p> <p>7 July 2021 email sent to M. Clutterbuck and T. Petrie requesting they forward contact details to the solicitor drafting the Memorandum of Encumbrance for Councils review and approval.</p> <p>7 July 2021 email from John Kenyon Special Counsel at Martelli McKegg Lawyers acknowledging receipt of that email.</p> <p>30 Jul 2021 provided Council's Report leading to Council's resolution and precedents to legal team for M Clutterbuck and T Petrine and awaiting draft memorandum of Encumbrance for review and approval of this Council.</p> <p>20 June 2022I followed up with email</p> <p>07 Nov 2022 2:35pm Baker, Marlema - Reallocation Action reassigned to Swanepoel, George by Baker, Marlema - Beverly Mitchell asked for this action item to be assigned to you and/or Inna</p> <p>16 Mar 2023 1:06pm Pulham, Jamie-Lee Please provide an update before 17 March for upcoming Council meeting</p> <p>04 May 2023 5:05pm Baker, Marlema - Reallocation</p> |

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| | | | <p>Action reassigned to Ditchfield, Carla by Baker, Marlema - Please indicate which member of your team will be covering this action item.</p> <p>23 May 2023 10:04am Ditchfield, Carla</p> <p>Works are underway on the structure. March 2023 we had asked the landowners to instruct their lawyers to provide draft Memorandum of Encumbrance for Council approval (a repeated instruction). We are waiting for the document.</p> |
| Council 24/02/2022 | <p>Ngakahu Steering Group Update</p> <p>AUTHOR: Emma Healy <u>reallocated to Tanya Proctor</u></p> <p>AUTHORISERS: Andy Finch Janice Smith Shaun Clark</p> | <p>The amendment became the substantive motion. RESOLUTION 2022/12 Moved: Cr Mate Radich Seconded: Cr John Vujcich That Council, in receiving the recommendations from the Ngakahu Steering Group and subject to discussion and agreement with the Ngakahu/Ngakohu Whanau Ahuwhenua Trust, agree to;</p> <p>a) obtain the processed and analysed data from the Northland Regional Council sonar soundings of the dam, done in 2017.</p> <p>b) stage the lowering of the dam water level, beginning with a water level drop of 2 metres, once lowered the water level will be maintained at the lower levels.</p> <p>c) staff assist the Ngakahu Steering Group to prepare a report showing a visual presentation, including landscaping, of the preferred option, or options, with a rough order of cost to implement.</p> <p>d) and that further recommendations be brought to the 7 April Council meeting.</p> | <p>20 Mar 2023 11:43am Whiu, Rhonda-May - Reallocation Action reassigned to Swanepoel, George by Whiu, Rhonda-May - reallocated as requested</p> <p>20 Mar 2023 1:54pm Whiu, Rhonda-May - Reallocation Action reassigned to Finch, Andy by Whiu, Rhonda-May - reallocated as per agenda preview</p> <p>20 Mar 2023 2:47pm Finch, Andy</p> <ol style="list-style-type: none"> 1. Request made to NRC re sonar survey of dam. 2. Staged lowering of dam completed under Blair King's direction. 3. Staff are awaiting confirmation of access to dam to undertake option analysis, 4. Further report to Council cannot be progressed until Item 3 has been completed. <p>17 Apr 2023 5:40pm Finch, Andy Sonar survey of dam provided to Trust https://www.biobasemaps.com/Dashboard/SocialMap/Index?mwID=1248688</p> |

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| | | <p>CARRIED</p> <p><u>Note:</u> The Potential Decommissioning of Kauri Creek Dam report from John Duder referenced in the report was commissioned by the Ngakahu/Ngakohu Whanau Ahuwhenua Trust.</p> | |
| <p>Council 7/04/2022</p> | <p>Lindvart Park Pavilion, Kaikohe Project</p> <p>AUTHOR: Angie Thomas</p> <p>AUTHORISERS: Janice Smith</p> | <p>RESOLUTION 2022/19</p> <p>Moved: Cr John Vujcich</p> <p>Seconded: Cr Ann Court</p> <p>That Council:</p> <ol style="list-style-type: none"> Re-affirm the capital commitment of \$3,226,493 to the Lindvart Park Kaikohe – Sportsville project. Approve an increase in operational grant support to Sportsville of \$35,000 from year one of the 2024/2034 Long-Term Plan. <p>CARRIED</p> <p><i>Note: that the CEO was asked to provide advice to the next meeting on how to ensure a consistent approach to the way that FNDC supports community facilities across the District, by way of operational grant</i></p> | <p>16 May 2022 1:25pm Baker, Marlema</p> <p>Update from Andy Finch (GM-IAMs),</p> <ul style="list-style-type: none"> Detailed design superstructure complete, Pricing received and currently being reviewed for superstructure and fitout, Additional Geotech investigation complete – longer piles required under the building (4m to circa 6.5m), settlement risk greater than previous report mitigation being worked through, Substructure detailed design continuing , Pricing for substructure received (provisional) subject to detailed design completion, Civil tendering complete and report to board issued on outcome – awaiting board decision on preferred contractor, recommended contractor is \$30k below budget., Civil contract to be signed imminently following approval to proceed, Civil works to begin May 2022, BC for main building to be lodged in June 2022 |
| <p>Infrastructure Committee 4/05/2022</p> | <p>Boat Ramp Study Delivery Plan</p> | <p>RESOLUTION 2022/16</p> <p>Moved: Deputy Mayor Ann Court</p> <p>Seconded: Cr Kelly Stratford</p> <p>Moved: Deputy Mayor Ann Court</p> <p>Seconded: Cr Rachel Smith</p> | <p>14 Jul 2022 8:24am Target Date Revision Target date changed by Whiu, Rhonda-May from 01 September 2022 to 30 June 2023 - Requested by Janice and Andy</p> <p>04 Nov 2022 8:43am Heath, Tanya</p> <p>Item a) no action required,</p> |

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| | <p>AUTHOR: David Clamp <u>reallocated to Tanya George</u></p> <p>AUTHORISERS: Janice Smith Andy Finch</p> | <p>That the Infrastructure Committee:</p> <p>a) receives the report “Boat Ramp Study Delivery Plan” dated January 2022 (Revised March 2022). CARRIED</p> <p>RESOLUTION 2022/17</p> <p>Moved: Deputy Mayor Ann Court Seconded: Cr Kelly Stratford</p> <p>That the Infrastructure Committee:</p> <p>b) approves \$ 25,000 of operational expenditure for 2023/2024 for an engineering feasibility study at Russell car park and for supporting the scoping and costing of Floating Jetties</p> <p>c) approves \$ 34,650 capital expenditure for 2023/2024 for FNDC local share for a future TIF funding application for boat ramp safety guides</p> <p>d) recommends that Council consider the matter of \$5m annually, to be approved for strategic property purchases related to maritime infrastructure to be included in the capital programme commencing 2023/2024, and that an options paper on funding be prepared and an economic impact statement. CARRIED</p> | <p>Item b) Blair Houlihan to confirm funding and progress feasibility study.</p> <p>Item c) no action required until after TIF R7 dates are set</p> <p>Item d) see updates from Janice Smith / Andy Finch</p> <p>12 Apr 2023 2:33pm George, Tania</p> <p>Safety guides and Russell car park both going forward to Council as projects for TIF round 7 options on May 4 meeting.</p> <p>Russell carpark engineering is included in the project scope. Floating Jetties on hold until future TIF rounds confirmed. If approved by council applications close with MBIE on May 8th.</p> <p>22 May 2023 3:00pm, Tanya Heath (Project Administrator)</p> <p>- TIF round 7 has been submitted to MBIE. Council is awaiting a decision. The discussion concerning the purchase of land to provide additional facilities will be part of the upcoming 24/34 LTP discussions as we move forward with identifying key priorities.</p> <p>Item a) No action required,</p> <p>Item b) Blair Houlihan to confirm funding and progress feasibility study.</p> <p>Item c) no action required until after TIF R7 dates are set.</p> <p>Item d) see updates from Janice Smith / Andy Finch</p> |
| Council 9/05/2022 | 1A Seaview Road, Paihia - approval to grant easement on Local Purpose Esplanade Reserve under the Reserves Act 1977 | <p>RESOLUTION 2022/22</p> <p>Moved: Mayor John Carter Seconded: Cr Kelly Stratford</p> <p>That Council approve the granting of an easement pursuant to section 48(1)(f) of the Reserves Act 1977 on Local Purpose Esplanade Reserve Lot 3 DP 124280 for the purpose of accepting works proposed and</p> | 18 Apr 2023 7:35am Ditchfield, Carla |

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| | <p>AUTHOR: Carla Ditchfield</p> <p>AUTHORISERS: Janice Smith Andy Finch</p> | <p>applied for pursuant to application EBC-2022-1188/0 affecting 1A Seaview Road, Paihia.</p> <p style="text-align: right;">CARRIED</p> | <p>Progress continues Easement registration on title as approved by Council resolution is the goal here. The easement is ready for registration, we are waiting for the Surveyor to finalise the LT plan. Once we receive the LT plan A & I forms can be executed and lodged with LINZ for registration completion. The work is with the landowner's legal counsel. Legal Services continues to keep in touch and progress.</p> |
| <p>Council 11/08/2022</p> | <p>Russell Landfill Options Report</p> <p>AUTHOR: Louise Wilson <i>reallocated to Kevin Johnson</i></p> <p>AUTHORISERS: Janice Smith Andy Finch</p> | <p>RESOLUTION 2022/61</p> <p>Moved: Deputy Mayor Ann Court</p> <p>Seconded: Cr Kelly Stratford</p> <p>That Council:</p> <ul style="list-style-type: none"> a) approve in principle, the permanent closure of Russell Landfill (Option One). b) approve staff commence the resource consent application Northland Regional Council to close the Russell Landfill c) request staff bring back to Council the terms of the resource consent and investment required to close the landfill d) approve staff commence the community consultation process and report to Council the outcome of that consultation e) delegate to the Chief Executive, or his nominee, the negotiation, agreement and signing of contract variations with Northland Waste Ltd to provide on-going transport and disposal of waste from the Russell facility whilst Council | <p>04 Nov 2022 8:09am George, Tania</p> <p>Staff are seeking a short-term consent to allow the discharges from the landfill to continue until the closure concept (timing, management, monitoring etc) is understood. Once that information is available work can begin on resource consents required for the closure and consultation can start., Staff have received a draft proposal from PDP to develop the closure plan with a cost of around \$200K (includes \$50K subcontractor fees for bore drilling etc).</p> <p>Once budget is available, this work will likely span the order of 8-12 months given the need for new monitoring positions and seasonal baseline monitoring.</p> <p>This project has been put forward on the "better off fund list" and we are awaiting a decision as to whether this will be approved.</p> <p>18 Apr 2023 11:14am Panday, Joshna - Reallocation</p> <p>Action reassigned to Johnson, Kevin by Panday, Joshna - Reallocation from Louise Wilson</p> |

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| | | progress the resource consent and consultation process. CARRIED | |
| Regulatory Compliance Committee 5/09/2022 | Parking Enforcement AUTHOR: Rochelle Deane AUTHORISERS: Janice Smith | RESOLUTION 2022/16 Moved: Member Belinda Ward Seconded: Cr Rachel Smith That the Regulatory Compliance Committee; a) recommend that Council continue the trial period of enforcing stationary vehicle Warrants of Fitness and Registration offences across the district for a further 12 months to 30 June 2023 b) and that partnership opportunities be pursued to address road safety and resourcing issues. CARRIED <i>Note: That partnership opportunities with Waka Kotahi be explored for enforcement.</i> | 30 Jan 2023 10:45am Deane, Rochelle The trial period continues which now includes WoF and non-registered vehicles. A further report will be taken to Council with the results after June 2023. Team Leader Monitoring is investigating partnerships to address road safety and resourcing (police etc.) 24 Mar 2023 1:05pm Whiu, Rhonda-May - Target Date Revision Target date changed by Whiu, Rhonda-May from 19 September 2022 to 01 June 2023 |
| Council 22/09/2022 | Matauri Bay Wastewater Scheme AUTHOR: Sheryl Gavin – <u>reallocated to Angie Thomas</u> AUTHORISERS: Andy Finch Janice Smith | RESOLUTION 2022/71 Moved: Mayor John Carter Seconded: Cr Kelly Stratford That Council a) Permits Cavalli Properties Ltd to commission the Innoflow wastewater treatment assets at Matauri Bay with Cavalli Properties agreeing to fund all operationalization and operating costs until 1 July 2024. b) Agrees that on the basis of Cavalli Properties experience of operating the Innoflow system, Council will consult with the relevant entities to | 12 Oct 2022 8:05am Whiu, Rhonda-May - Reallocation Action reassigned to Finch, Andy by Whiu, Rhonda-May - reallocated as requested by Sheryl 28 Oct 2022 1:00pm Whiu, Rhonda-May - Reallocation Action reassigned to Thomas, Angie by Whiu, Rhonda-May - reassigned as requested by Andy |

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| | | transfer the operating of the system from Cavalli Properties Ltd from 1 July 2024. CARRIED | |
| Council 22/09/2022 | Notice of Motion - Rangitane Maritime Development AUTHOR: Deputy Mayor Ann Court <u>reallocated to Kevin Johnson</u> AUTHORISERS: Aisha Huriwai Janice Smith | RESOLUTION 2022/64 Moved: Deputy Mayor Ann Court Seconded: Cr Rachel Smith That Council: a) Support the Maritime Facilities Development at Rangitane proceed through to the conclusion of the Resource Consent process. b) Remains committed to the funding Agreement with MBIE and supports an approach be made to MBIE to continue its funding support for the period required to conclude the consenting process EQUAL Mayor John Carter used a casting vote to carry the vote. CARRIED | 10 Oct 2022 8:56am Whiu, Rhonda-May - Reallocation Action reassigned to Finch, Andy by Whiu, Rhonda-May - Action for allocation in IAM's 04 Nov 2022 8:18am George, Tania Updates to come through from Far North Holding Ltd. As at 11 October, they are organising meetings with MBIE and following the decision from MfE regarding NES-F consultation., Expecting decision from MfE in the next month or two. 12 Jan 2023 11:37am Finch, Andy Far North Holdings Ltd requested to provide update. 17 Mar 2023 11:20am Finch, Andy Update from FNHL- Legislative changes have been passed to Remedy the technical issue which precluded an EPA decision on the development application. Minor amendments being made now, and the application being re-lodged. MBIE investment remains. 17 Apr 2023 2:16pm Panday, Joshna - Reallocation Action reassigned to Johnson, Kevin by Panday, Joshna 17 Apr 2023 2:22pm Panday, Joshna - Target Date Revision Target date changed 06 October 2022 to 18 April 2023 |

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| Council 20/12/2022 | Road Maintenance of the upper section of Road - Peninsula Parade, Hihi AUTHOR: Andy Finch <i>reallocated to Apikali Rokobigi</i> AUTHORISERS: Janice Smith | RESOLUTION 2022/95 Moved: Cr Ann Court Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: a) Notes the Northland Transportation Alliance Report dated 8th November 2022 – Road Maintenance of the upper section of Road – Peninsula Parade, Hihi b) Approves Option 2: Confirm the inclusion of Peninsula Parade RP517-810m in the schedule of FNDC-maintained roads at the cost to Council to bring it up to standard c) Approves unbudgeted capital expenditure of \$40,000 to bring Peninsula Parade RP517-810m to an appropriate maintenance standard d) Notes the risk of setting a precedent for the request for upgrading other unformed legal roads across the District. CARRIED | 23 Mar 2023 9:00am Jordan, Cushla The end section (293m) of Peninsula Parade has been added to RAMM. The upgrade works have not started due to contractor resources busy with the storm event and other construction works that are currently in progress. The work has been programmed to end of April 2023 , once resources are available. 17 Apr 2023 1:50pm Panday, Joshna - Reallocation Action reassigned to Rokobigi, Apikali by Panday, Joshna - Reallocated by request from Cushla Jordan 16 May 2023 10:26am Andy Finch (District Engineer): Work has started but has been deferred as resources have been reassigned to dealing with the impact of flood events. |
| Council 20/12/2022 | Turner Centre Stormwater Catchment AUTHOR: Andy Finch AUTHORISERS: Janice Smith | RESOLUTION 2022/94 Moved: Cr Tāmāti Rākena Seconded: Kōwhai - Deputy Mayor Kelly Stratford That Council: a) notes the storm water flooding risk within the Turner Centre sub-catchment b) approves a budget of \$200,000 to progress a design to mitigate this risk through a future physical works contract c) approves the direct appointment of Trine Kel to undertake the design work. | 12 Jan 2023 11:37am Finch, Andy Offer of Service requested. To be reviewed once received. 16 Mar 2023 3:42pm Finch, Andy Trine Kel alongside Cook Costello appointed to progress design. Topographical survey organised. Work progressing for a design completion second half of year. 17 Apr 2023 5:41pm Finch, Andy Design of Stormwater mitigation programmed to be completed by August 2023. No further updates planned until this work is complete. |

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| Council 9/02/2023 | <p>Parks and Reserves Bylaw - Recommendations for making a new bylaw</p> <p>AUTHOR: Zac Whitsitt</p> <p>AUTHORISERS: Briar Macken Angie Thomas Roger Ackers</p> | <p>RESOLUTION 2023/12</p> <p>Moved: Cr Ann Court</p> <p>Seconded: Cr Mate Radich</p> <p>That Council:</p> <ol style="list-style-type: none"> a. agree to staff recommendations in the analysis of submissions that: <ol style="list-style-type: none"> i. in clause 10(3) and 10(4) of the proposed bylaw the line "This restriction does not apply to emergency services" is added. ii. in clause 12, a new sub-clause is added 12(3) that says, "No person shall bring any dog on to any park or reserve or allow any dog in their custody or under their control to remain on any park or reserve that is specified in the Council's Dog Management Policy as parks or reserves where dogs are not permitted." iii. the subclauses be renumbered correctly. b. make the Parks and Reserves Bylaw under Section 106 of the Reserves Act 1977 and Section 145 of the Local Government Act 2002 c. note that, in accordance with section 108 of the Reserves Act 1977, the bylaw shall not have any force or effect until it is approved by the Minister of Conservation d. delegate to the Mayor the power to determine the commencement date of the bylaw, once approval has been received from the Minister of Conservation. <p style="text-align: right;">CARRIED</p> | <p>02 Mar 2023 5:12pm Whitsitt, Zac Currently working with Department of Conservation on requirements of s108 of The Reserves Act 1977. Once approval has been acquired from Department of Conservation on behalf of the Minister, determination of commencement date and bylaw coming into effect can take place.</p> <p>17 Apr 2023 11:58am Whitsitt, Zac We are currently working through the process with Department of Conservation on seeking approval under s108 of the Reserves Act 1977 to get Ministerial Approval before bylaw can come into effect.</p> <p>18 May 2023 4:29pm Whitsitt, Zac Bylaw is currently sitting with Department of Conservation Legal team for elevation to Ministers office for approval under s108 of the Reserves Act 1977. Indicated timeframe for completion is Aug-Sept 2023.</p> |

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| | | Note – members raised issue with signage on reserves to educate public regarding bylaws and the need for staff to check content and te reo translations for accuracy. | |
| Council 9/02/2023 | <p>Procurement Plan and Contract Award > \$1m - FNDC Contract 7/23/185 – FNDC Footpath Projects Suite</p> <p>AUTHOR: Franz Wagner</p> <p>AUTHORISERS: Greg Monteith Angie Thomas Andy Finch</p> | <p>RESOLUTION 2023/20</p> <p>Moved: Cr Ann Court</p> <p>Seconded: Cr John Vujcich</p> <p>That Council uplift the Procurement plan and contract award . \$1M – FNDC Contract 7/23/185 – FNDC footpath projects suite 03 Report.</p> <p>And that Council</p> <p>a) acknowledge the approved NTA Procurement Proposal, and,</p> <p>b) delegate authority to the FNDC Chief Executive Officer (CEO) to award Contract 7/23/185 - FNDC Footpath Projects Suite 3 to a maximum contract value of \$2,747,000.00 including contingency upon satisfactory conclusion of the Tender Evaluation phase, including:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Supplier Recommendation approval. <input type="checkbox"/> Contract Signing <input type="checkbox"/> Purchase Order approval <p style="text-align: right;">CARRIED</p> | <p>21 Mar 2023 3:15pm Whiu, Rhonda-May - Reallocation</p> <p>Action reassigned to Wagner, Franz by Whiu, Rhonda-May, Tender responses for the FNDC Contract 7/22/100 - Raised Traffic Facilities 2021/24 (PW) have been received and being evaluated.</p> <p>The Lowest Price submission was however 8.6% higher than the 09/02/2023 Council approved amount of \$1,961,000.00 (including contingency). The NTA is investigating opportunities to increase funding and to put forward a paper to Council recommending to increase the allocated budget.</p> <p>Alternatively, the NTA will have to negotiate a reduced scope with the recommended supplier to fit within the approved budget.</p> <p>18 Apr 2023 11:11am Wagner, Franz</p> <p>An Elected Member questioned the scope of the footpath projects, in particular why the following 2 were not included;</p> <ul style="list-style-type: none"> • Footpath on Kaitaia Awaroa Road (Pukepoto), Priority 8, • Footpath on Kaitaia Awaroa Road (Kaitaia), Priority 9, <p>As per CB (Community Board) prioritisation, the respective cost estimates, and insufficient availability of funds, these two projects could not be included in this PP (Procurement Plan). Therefore the NTA has removed them from this PP (Procurement Plan).</p> |

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| | | | <p>The design of these will be held until year 3 and NTA will revisit amount of surplus funds projected at that time. The NTA has however included the footpath enabling works of these two projects in the FNDC Contract 7/21/216 - HRRR Corridor Safety Treatments & HRI Intersection Safety Treatments, which is in the process of being awarded to the Maintenance Contract, commencement of which is anticipated June 2023. This will significantly reduce the costs associated with the physical works for these two projects.</p> <p>An Elected Member was not entirely satisfied with this. In solving this impasse, Andy offered to share with Crs the following;</p> <ul style="list-style-type: none"> a) tender pricing outcome b) any remaining surplus budget c) and indicate programme for delivery of the two remaining footpaths, Tendering has been delayed till July 23 due to complexity of footpaths in BOI ward that form part of this PP. Once tenders have been received and enabling works for Kaitaia Awaroa Road (Pukepoto) Priority 8 and Kaitaia Awaroa Road (Kaitaia) Priority 9 have been completed; the data will be made available to Andy to disseminate to the Elected Member. <p>18 May 2023 Wagner, Franz</p> <p>The footpath enabling works of these two projects is in the process of being added to the Maintenance Contract. The NTA Maintenance Lead will present a paper to council seeking approval to increase the contract budget, to also cover this scope of work.</p> |

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| | | | <p>Information to be shared with Crs regarding FNDC Contract 7/23/185 - FNDC Footpath Projects Suite 3 (21-24)</p> <ul style="list-style-type: none"> a) tender pricing outcome - [Response: Designs not yet complete, hence not tendered yet] b) any remaining surplus budget - [Response: Known after tender evaluation] c) and indicate programme for delivery of the two remaining footpaths - [Response: Commencement of Sandhills - Kaitaia safety improvement (which includes the footpath enabling works of these two projects) is anticipated June 2023]. |
| <p>Council 9/02/2023</p> | <p>Stormwater Issues 323 State Highway 10 - Cable Bay</p> <p>AUTHOR: Tanya George <u>reallocated to Pip Boye</u></p> <p>AUTHORISERS: Angie Thomas Andy Finch</p> | <p>RESOLUTION 2023/4</p> <p>Moved: Cr Mate Radich</p> <p>Seconded: Kōwhai - Deputy Mayor Kelly Stratford</p> <p>That Council approves expenditure of up to \$300,000 to undertake a project to decommission the existing stormwater reticulation from the property located at 323 State Highway 10 and install new reticulation into the State Highway 10 (legal description Lot 2 DP 85116).</p> <p style="text-align: right;">CARRIED</p> | <p>06 Mar 2023 1:24pm George, Tania The physical works package has been forwarded to Far North Waters for delivery. This action to be reassigned to Far North Waters.</p> <p>07 Mar 2023 12:36pm Baker, Marlema - Reallocation Action reassigned to Boye, Philippa by Baker, Marlema - Allocated to Peter Oliver (Far North Waters) but will sit with P. Boye until FNW staff are set up in Infocouncil.</p> <p>19 Apr 2023 8:16am Boye, Philippa FNW are now managing this capital project:</p> <ol style="list-style-type: none"> 1. Rip Rap open drain at the bottom of the hill leading to the beach outfall is 90% complete – just needs some tidy up. 2. Traffic Management was approved & arrived on Thursday last week; planning can now proceed with fixed dates. 3. At this point FNW are planning on a Monday 1st May start for main works. <p>18 May 2023 5:16pm Boye, Philippa</p> |

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| | | | FNW are managing delivery of this project |
| Council 9/02/2023 | <p>Easement On Local Purpose Esplanade Reserve- Wairawarawa Stream</p> <p>AUTHOR: Inna Shibalova</p> <p>AUTHORISERS: Carla Ditchfield Angie Thomas Janice Smith</p> | <p>RESOLUTION 2023/5</p> <p>Moved: Cr Ann Court</p> <p>Seconded: Cr Penetaui Kleskovic</p> <p>That Council approve the granting of a right of way easement pursuant to section 48(1)(f) of the Reserves Act 1977 on Local Purpose Esplanade Reserve Lot 16 DP 146304 for the purpose of constructing and using a private bridge over the Wairawarawa Stream connecting:</p> <ul style="list-style-type: none"> i. 2276C State Highway 10 Kerikeri - Lot 1 DP 91402 contained in record of title NA64B/178; and ii. 15 Conifer Lane Kerikeri - Lot 1 DP 535123 and Lot 14 DP 158690 contained in record of title 884105; and iii. 2228 State Highway 10, Kerikeri - Lot 1 DP 457586 contained in record of title 593590. <p>and that approval is provided subject to:</p> <ul style="list-style-type: none"> 1. NRC granting Resource Consent for construction of the bridge; and 2. public consultation in accordance with sections 48(2), 119 and 120 of the Reserves Act 1977; and 3. compensation being negotiated and finalised in a written Compensation Agreement payable by the landowners to the Council; and 4. Landowners - <ul style="list-style-type: none"> a) bearing all costs and disbursements in relation to the required public consultation. | <p>23 May 2023 10:23am Ditchfield, Carla</p> <p>The process against this action has started. It begins with public notification of the easement, waiting for submissions and then taking the next steps. The applicant is paying for this process as was resolved, applicant is working with Council. All moving forward amicably.</p> |

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| | | <p>b) if required by law and prior to commencing construction works, seeking relevant consent(s) and / or permits from the Council under Local Government Act 1974, Resource Management Act 1991 and / or Building Act 1991.</p> <p>c) bearing all legal and survey costs and disbursements in relation to creating and registering the easement instrument on all relevant titles;</p> <p>d) bearing full responsibility for the construction, maintenance, upkeep, repair, removal of the bridge (if required) during its lifetime, and end of its lifetime;</p> <p>e) the bridge being the landowner's asset, which if abandoned, neglected or on becoming a nuisance of any kind or degree, must be removed or decommissioned and Reserve land remediated to Council's satisfaction;</p> <p>f) indemnifying the Council of all costs, claims and expenses arising from use and operation of the bridge during its lifetime.</p> <p>CARRIED</p> | |

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| Council 9/02/2023 | Procurement Plan and Contract Award > \$1m - FNDC Contract 7/22/100 – FNDC Raised Traffic Facilities 2021-24 AUTHOR: Franz Wagner AUTHORISERS: Angie Thomas Andy Finch | RESOLUTION 2023/7 Moved: Kōwhai - Deputy Mayor Kelly Stratford Seconded: Cr Ann Court That Council: i) acknowledge the approved NTA Procurement Proposal, and, ii) delegate authority to the FNDC Chief Executive Officer (CEO) to award Contract 7/22/100 - FNDC Raised Traffic Facilities 2021-24 to a maximum contract value of \$1,961,000.00 (including contingency) upon satisfactory conclusion of the Tender Evaluation phase, including: ☐ Supplier Recommendation approval. ☐ Contract Signing ☐ Purchase Order approval CARRIED | 18 Apr 2023 11:26am Wagner, Franz Tender Responses have been received and evaluation is underway. However, the received Lowest Price submission is 8.6% higher than the approved amount to be under CEO delegation (09/02/2023 Council approved Amount (including contingency) of \$1,961,000.00. As such the NTA will investigate whether more funding can get allocated or whether to reduce scope. This former will be presented in paper to council within the next month. |
| Council 4/05/2023 | Review of Waste Management and Minimisation Plan 2017-2023 AUTHOR: Briar Macken AUTHORISERS: Angie Thomas Roger Ackers | 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. CARRIED | 15 May 2023 11:42am Baker, Marlema Update from Machen, Briar (Manager - Strategy & Policy) - TARGET DATE: September 2023 |

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| Council 4/05/2023 | Tourism Infrastructure Fund Applications - Round 7 April 2023 AUTHOR: Pip Boye AUTHORISERS: Angie Thomas Andy Finch | 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 | 18 May 2023 5:17pm Boye, Philippa Funding application submitted. |

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| | | <p>currently budgeted in FY23 for the FNDC local share.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>j) Approve the appointment of Northern Edge Limited to undertake project management for any successful bids.</p> <p>k) delegate the District Engineer authorisation to sign the contracts with the Ministry of Business, Innovation and Employment for successful Round 7 applications.</p> <p style="text-align: right;">CARRIED</p> | |
| Council 4/05/2023 | Control of Animals bylaw AUTHOR: Zac Whitsitt AUTHORISERS: | 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 | 18 May 2023 4:29pm Whitsitt, Zac Bylaw will continue through next steps in development - expected timeframe for next update to council is 4 months. Target Date September 2023 |

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| | Briar Macken Angie Thomas Roger Ackers | 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. CARRIED | |