

**Minutes of the Ordinary Meeting of the Kawerau District Council
held on Wednesday 28 February 2024
in the Council Chamber commencing at 9.00am**

Present: Her Worship the Mayor F K N Tunui
Deputy Mayor A Rangihika
Councillor C J Ion
Councillor B Julian
Councillor R G K Savage
Councillor J Ross
Councillor R Andrews

In Attendance: Chief Executive Officer (M Godfery)
Group Manager, Operations and Services (H van der Merwe)
Group Manager, Finance and Corporate Services (L Butler)
Group Manager, Regulatory and Planning (M Glaspey)
Economic and Community Development Manager (L Barton)
Administration Officer (T Barnett)

Mayor Tunui acknowledged whānau of Kawerau who were dealing with the loss of family members at this time.

Opening Prayer

Pastor Mark Kingi opened the meeting with a prayer.

Mayor Tunui introduced newly appointed Chief Executive Officer Morgan Godfery.

Apologies

Resolved

Councillors Julian / Ross

Apologies from Councillor Kingi were received.

Leave of Absence

Resolved

Councillors Ion / Savage

A Leave of Absence from Councillor Godfery was received.

Chief Executive Godfery made the following announcements.

- *Group Manager, Operations and Services Hanno van der Merwe's departure from the organisation.*
- *Riaan Nel to be appointed Acting Group Manager, Operations and Services for the month of March.*

- *Apologies from Communications and Engagement Manager Tania Humberstone were received.*

Public Forum

Derek Speirs

Mr. Speirs spoke of the condition of the Blue Bridge and repairs that needed to be undertaken to resolve the issue.

Declarations of Conflict of Interest

No declarations of conflict of interest were received.

1 CONFIRMATION OF COUNCIL MINUTES

1.1 Ordinary Council – 13 December 2023

CORRECTION:

- Page 2 – Item 2.1 – Change wording to ‘That the minutes of the Audit and Risk Committee meeting...’

Resolved

Councillors Savage / Ross

That the minutes of the Ordinary Council Meeting held on 13 December 2023 be confirmed as a true and accurate record.

1.2 Extraordinary Council – 22 November 2023

CORRECTIONS:

- Addition of Mayor and Councillors all spoke to the public.
- Include the reasoning behind Councillors Ion objection to Maori Wards.
 - *Legislation was set up in July 2022 with the intent to increase Maori representation throughout New Zealand. The way that this legislation is set up may not achieve that, and this has led to doubts of the legislations effectiveness.*
 - *Through the Public Consultation Process, the majority of those who put in written submissions were opposed to Maori Wards.*

Resolved

Deputy Mayor Rangihika / Councillor Andrews

That the minutes of the Ordinary Council Meeting held on 22 November 2023 be confirmed as a true and accurate record

2 RECEIPT OF COMMITTEE MINUTES

2.1 Regulatory and Services Committee Meeting – 13 December 2023

CORRECTIONS:

- Page 1 – Change the order of Declaration of Conflict of Interest and Leave of Absence, so the latter come after Declaration of Conflict of Interest.
- Page 7 – Change sentence 'Her Worship the Mayor gave a response to submitters' for a more detailed response.
- Page 8 – Item 3 – Third paragraph under Action Items - Change out the word 'her' for 'the', and also change out the word 'she' for 'the Group Manager, Finance and Corporate Services'

Resolved

Councillors Ion / Ross

That the Minutes of the Regulatory and Services Committee meeting held on 13 December 2023 be confirmed as a true and accurate record.

Chief Executive Godfery gave the following Update regarding the proposed introduction of fluoride into the water system.

In light of a meeting had with MP Dana Kirkpatrick, CE Godfery and Her Worship the Mayor were informed of the process of registering complaints around the proposed introduction of fluoride into the water system.

A further update was also given around the High Court case on 10 November 2022, regarding the process error that was made by not explicitly considering the section 5 under the New Zealand Bill of Rights Act 1990 in making a decision on each direction.

2.2 Audit and Risk Committee Meeting – 12 February 2024

Resolved

Deputy Mayor Rangihika / Councillor Julian

That the Minutes of the Audit and Risk Committee meeting held on 12 February 2024 be confirmed as a true and accurate record.

2.3 Regulatory and Services Committee Meeting – 14 February 2024

CORRECTIONS:

- Page 12 – add the wording 'one year on' to Chair Ion paying homage to the victims of Cyclone Gabrielle.
- Page 12 Declarations of Conflict of Interest – add the narrative to Councillor Julian's Declaration of a conflict of interest to Page 3 – Item 3, Alcohol Regulation – third paragraph "Chair Ion advised information was information only in the report, so Councillor Julian was not required to step out.
- Public Forum – Morris Mitchell – add the narrative "Chair Ion acknowledged receipt of Mr. Mitchell's letter and contact would be made regarding his concerns"

Resolved

Councillors Ion / Ross

That the Minutes of the Regulatory and Services Committee meeting held on 14 February 2024 be confirmed as a true and accurate record.

3 Action Schedule (101120)

Resolved

Councillor Savage / Deputy Mayor Rangihika

1. *That the updated Action Schedule of resolutions/actions requested by Council is received.*
2. *Chief Executive Godfery gave the following updates:*
 - *That a formal meeting held with Councils Iwi Liaison and Chris Majoribanks, former Interim CE for Kawerau District Council, regarding Cemetery Records.*
 - *Follow up to be done with submitters regarding the High Court case regarding the proposed introduction of fluoride into the water system.*
 - *Comms went out last year regarding the taps available to the public at New World carpark and at the pump house at Pat Baker Reserve.*

4 Her Worship the Mayor's Report (101400)

Resolved

Her Worship the Mayor / Deputy Mayor Rangihika

1. *That Her Worship the Mayor's report for the period Monday 15 January 2024 to Wednesday 21 February 2024 is received.*
2. *Chief Executive Godfery gave an update regarding following:*
 - *Rangi Delamere Centre*
 - *Eastern Bay of Plenty District Trust.*

5 Appointment of Chief Executive Officer to BOPLASS (Group Manager, Finance and Corporate Services) (104023)

Council discussed the report regarding the appointment of Chief Executive Godfery to BOPLASS.

Resolved

Councillors Ion / Andrews

1. *That the report "Appointment of Chief Executive Officer to BOPLASS" be received.*
2. *That Council resolves to vacate Russell George from his position as director of BOPLASS Ltd from Tuesday 31st October 2023.*
3. *That Council appoints Morgan Godfery as a director of BOPLASS Ltd on behalf of the Kawerau District Council.*

4. *That BOPLASS Ltd be advised that Morgan Godfery has been appointed as a director of the company on behalf of Kawerau District Council and the company be requested to advise the Companies Office of the appointment.*
5. *Invite of BOPLASS CEO Stephen Boyle to present to Council on what the directorship involves.*

6 Annual Plan Performance for the Six Months Ended 31 December 2023 (Group Manager, Finance and Corporate Services) (104000)

Council discussed the report on the Annual Plan Performance for the six months ended 31 December 2023.

Resolved **Councillor Ross / Deputy Mayor Rangihika**

That the report "Annual Plan Performance for the Six Months Ended 31 December 2023" be received.

7 Activity Review for the Cemetery Service (Group Manager, Operations and Services) (408700)

Council discussed the report on the Activity Review for the Cemetery Service.

Resolved **Councillors Ion / Savage**

1. *That the report "Activity Review for the Cemetery Service" be received.*
2. *That Council reviewed the section 17A Activity Review.*
3. *That Council adopts the Cemetery Service as proposed.*

8 Activity Review for the Solid Waste Service (Group Manager, Operations and Services) (406000)

Council discussed the report on the Activity Review for the Solid Waste Service.

CORRECTION:

Report to be amended to include the collection of plastics 1, 2 and 5.

Resolved **Councillors Savage / Julian**

1. *That the report "Activity Review for the Solid Waste Service" be received.*
2. *That Council adopts the Solid Waste Service as proposed.*

9 Exclusion of the Public – 10.03am

Resolved **Councillors Ross / Savage**

That the public is excluded from the following part of the proceedings of this meeting, namely:

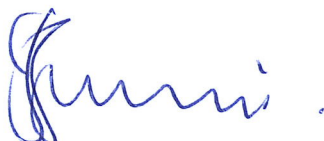
- 1. Minutes for Confidential Meeting Held on 13 December 2024**
- 2. Water Supply Pumphouse Upgrade Tender**
- 3. Rangi Delamere Centre: Signage and Carpark**

The general subject of the matter to be considered while the public is excluded; the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:

<i>General Subject of the matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>1. Minutes from Confidential Meeting held on 13 December 2023 2. Water Supply Pumphouse Upgrade Tender 3. Rangi Delamere Centre: Signage and Carpark</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That 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 exists. Section 48 (1) (a) (i)</i>

This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.

Meeting closed 10.52am



F K N Tunui

Mayor