



Far North District Council



AGENDA

Ordinary Council Meeting

Tuesday, 19 November 2019

Time: 10.00 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Mayor John Carter - Chairperson
Cr Ann Court
Cr Felicity Foy
Cr Rachel Smith
Cr Mate Radich
Cr John Vujcich
Cr Kelly Stratford
Cr Dave Collard
Cr David Clendon
Cr Moko Tepania

COUNCIL MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Hon Mayor John Carter QSO	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
Deputy Mayor Ann Court	Waipapa Business Association	Member		Case by case
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	Top Energy	Supplies my power		No other interest greater than the publics
	District Licensing	N/A	N/A	N/A
	Top Energy Consumer Trust	Trustee	Crossover in regulatory functions, consenting economic development and contracts such as street lighting.	Declare interest and abstain from voting.
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre-determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.	

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Warren Patteninson	My husband is a builder and may do work for Council staff		Case by case
Ann Court - Partner	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Kurbside Rod and Custom Club (unlikely)	President NZ Hot Rod Association	Potential to be linked to a funding applicant and my wife is on the decision making committee.	unlikely to materialise but would absent myself from any process as would Ann.
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
David Clendon	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
David Clendon - Partner	Resident Shareholder on Kerikeri Irrigation			
David Collard	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
Felicity Foy	Director - Northland Planning & Development	I am the director of a planning and development consultancy that is based in the Far North and have two employees. Property owner of Commerce Street, Kaitaia		I will abstain from any debate and voting on proposed plan change items for the Far North District Plan.
				I will declare a conflict of interest with any planning matters that relate to resource consent processing, and

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
				the management of the resource consents planning team.
				I will not enter into any contracts with Council for over \$25,000 per year. I have previously contracted to Council to process resource consents as consultant planner.
	Flick Trustee Ltd	I am the director of this company that is the company trustee of Flick Family Trust that owns properties on Weber Place, Seaview Road, and Allen Bell Drive.		
	Elbury Holdings Limited	This company is directed by my parents Fiona and Kevin King.	This company owns several dairy and beef farms, and also dwellings on these farms. The Farms and dwellings are located in the Far North at Kaimaumau, Bird Road/Sandhills Rd, Wireless Road/ Puckey Road/Bell Road, the Awanui Straight and Allen Bell Drive.	
	Foy Farms partnership	Owner and partner in Foy Farms - a farm in three titles on Church Road, Kaingaroa		
	Foy Farms Rentals	Owner and rental manager of Foy Farms Rentals for 6 dwellings on Church Road, Kaingaroa and 2 dwelling on Allen Bell Drive, Kaitaia, and 1 property on North Road, Kaitaia		
	King Family Trust	This trust owns several titles/properties at Cable Bay, Seaview Rd/State Highway 10 and Ahipara - Panorama Lane.	These trusts own properties in the Far North.	

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Previous employment at FNDC 2007-16	I consider the staff members at FNDC to be my friends		
Felicity Foy - Partner	Employed by Justaplumber Taipa			
	Friends with some FNDC employees			
Mate Radich	No form received			
Rachel Smith	Acura Accountants Director			
	Self employed contractor-marketing and events			
	Self employed			
	Kerikeri District Business Association	Board member		
	Rolands Wood Charitable Trust	Board member		
Rachel Smith (Partner)	Acura accountants Limited, Director			
	Kerikeri Cruising Club	Treasurer		
	Riverview School Board of Trustees	Treasury position.		
Kelly Stratford	KS Bookkeeping and Administration	Business Owner, provides book keeping, administration and development of environmental management plans	None perceived	Step aside from decisions that arise, that may have conflicts
	Waikare Marae Trustees	Trustee	Maybe perceived conflicts	Case by case basis
	Bay of Islands College	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Karetu School	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Maori title land – Moerewa and Waikare	Beneficiary and husband is a shareholder	None perceived	If there was a conflict, I will step aside from decision making
	Sister is employed by Far North District Council			Wil not discuss work/governance mattes that are confidential
	Gifts - food and	Residents and	Perceived bias or	Case by case

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	beverages	ratepayers may 'shout' food and beverage	predetermination	basis
Kelly Stratford Partner	Chef and Barista	Opua Store	None perceived	
	Maori title land – Moerewa	Shareholder	None perceived	If there was a conflict of interest I would step aside from decision making
Moko Tepania	Teacher at Te Kura Kaupapa Māori o Kaikohe.	Potential Council funding that will benefit my place of employment.		Declare a perceived conflict
	Chairperson at Te Reo o Te Tai Tokerau Trust.	Potential Council funding for events that this trust runs.		Declare a perceived conflict
	Tribal Member – Te Rūnanga o Te Rarawa	As a descendent of Te Rarawa I could have a perceived conflict of interest in Te Rarawa Council relations.		Declare a perceived conflict
	Tribal Member - Te Rūnanga o Whaingaroa	As a descendent of Te Rūnanga o Whaingaroa I could have a perceived conflict of interest in Te Rūnanga o Whaingaroa Council relations.		Declare a perceived conflict
	Tribal Member – Kahukuraariki Trust Board	As a descendent of Kahukuraariki Trust Board I could have a perceived conflict of interest in Kahukuraariki Trust Board Council relations.		Declare a perceived conflict
	Tribal Member – Te Rūnanga ā-Iwi o Ngāpuhi	As a descendent of Te Rūnanga ā-Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-Iwi o Ngāpuhi Council relations.		Declare a perceived conflict
John Vujcich	Board Member	Ngati Hine Health Trust	Matters pertaining to property or decisions that may impact of their health services	Declare interest and abstain
	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company	Declare interest and abstain

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
			services	
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest
	Member	Kaikohe Business Association	Possible funding provider	Declare a Conflict of Interest
Adele Gardner	N/A - FNDC Honorarium			
	The Far North 20/20, ICT Trust	Trustee		
	Te Ahu Charitable Trust	Trustee		
	ST Johns Kaitaia Branch	Trustee/ Committee Member		
	I know many FNDC staff members as I was an FNDC staff member from 1994-2008.			
Partner of Adele Gardner	N/A as Retired			
Mike Edmonds	Chair	Kaikohe Mechanical and Historic Trust	Council Funding	Decide at the time
	Committee member	Kaikohe Rugby Football and Sports Club	Council Funding	Withdraw and abstain
Belinda Ward	Ward Jarvis Family Trust	Trustee		
	Kenneth Jarvis Family Trust	Trustee		
	Saltwater Trust	Trustee		
Belinda Ward (Partner)	Ward Jarvis Family Trust	Trustee		
	Kenneth Jarvis Family Trust	Trustee		
	Saltwater Trust	Trustee		

**Far North District Council
Ordinary Council Meeting**
will be held in the Council Chamber, Memorial Avenue, Kaikohe on:
Tuesday 19 November 2019 at 10.00 am

Order Of Business

1	Prayer	11
2	Apologies and Declarations of Interest.....	11
3	Deputation.....	11
4	MAYORAL ANNOUNCEMENTS.....	11
5	Confirmation of Previous Minutes.....	12
	5.1 Confirmation of Previous Minutes.....	12
6	Public Excluded	19
	6.1 Supplier Recommendation Report - Server and Network Infrastructure Renewal	19
	6.2 Property File Digitisation Project Update	19
7	Meeting Close	20

1 PRAYER**2 APOLOGIES AND DECLARATIONS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Governance Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

3 DEPUTATION

Ron Cooke will present a deputation to Council.

4 MAYORAL ANNOUNCEMENTS

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

File Number: A2756172

Author: Melissa Wood, Meetings Administrator

Authoriser: Aisha Huriwai, Team Leader Governance Support

PURPOSE OF THE REPORT

The minutes of the previous Council meeting are attached to allow the Council to confirm that the minutes are a true and correct record

RECOMMENDATION

That Council confirm that the minutes of the inaugural meeting of the Far North District Council held 31 October 2019 are a true and correct record.

1) BACKGROUND

Local Government Act 2002 Schedule 7 clause 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

2) DISCUSSION AND OPTIONS

The minutes of the meeting are attached. Far North District Council Standing Orders Section 27.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

Reason for the recommendation

The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meeting

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision as a result of this report.

ATTACHMENTS

1. 2019-10-31 Council Minutes - A2760626 [↓](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	This report is asking for the minutes to be confirmed as true and correct record, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision arising from this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Ordinary Council Meeting Minutes

31 October 2019

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 31 OCTOBER 2019 AT 11:00 AM**

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

IN ATTENDANCE: Mike Edmonds – Kaikohe-Hokianga Community Board Member, Louis Toorenburg – Kaikohe-Hokianga Community Board Member, Manuwai Wells – Bay of Islands-Whangaroa Community Board Member

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

Shaun Clarke - Chief Executive Officer opened the meeting at 11.00 am.

1 APOLOGIES AND DECLARATIONS OF INTEREST

Nil

2 DEPUTATION

Nil

The meeting adjourned from 11.01 am and moved to the Kaikohe Memorial Hall for Item 5.1 Making and Attesting of Declarations and readjourned at 11.08 am with a karakia from Ted Wihongi – Senior Maori Liaison Officer.

3 CORPORATE SERVICES GROUP

3.1 MAKING AND ATTESTING OF DECLARATIONS

Agenda item 5.1 document number A2706774, pages 6 - 6 refers

Shaun Clarke - Chief Executive Officer, witnessed the attestation and declaration of His Worship the Mayor, Hon John Carter.

The Mayor assumed the Chair.

His Worship the Mayor witnessed the attestation and declaration of Councillors

David Clendon

Rachel Smith

Dave Collard

Kelly Stratford

Ann Court

Moko Tepania

Felicity Foy

John Vujcich

Mate Radich

The meeting was adjourned from 11.30 am to 11.42 am and moved back to the Council Chambers.

4 COUNCIL PRAYER

5 MAYORAL ANNOUNCEMENTS

- Asked the Councillors to think about the placement of the Kauri Tree.
- Northland Regional Council are asking for submissions on Te Aupouri Aquafarm – FNDC has put a submission in which will be circulated to Members.
- Reminder that laptops and phones are not to be used during Council meeting times in Chambers.
- Provided an update on the Mayoral Conference in Wellington – information will be shared with members.
- The Mayor welcomed all Councillors and asked that Councillors bring any issues to the table for consideration or to talk to other Councillors.

6 CORPORATE SERVICES GROUP CONTINUED

6.2 EXPLANATION OF LAWS AFFECTING ELECTED MEMBERS

Agenda item 5.2 document number A2706826, pages 7 - 84 refers

RESOLUTION 2019/39

Moved: Cr John Vujcich

Seconded: Cr Ann Court

That Council note the report “Explanation of Laws Affecting Elected Members”, and the advice provided at this meeting.

CARRIED

6.3 APPOINTMENT OF DEPUTY MAYOR

Agenda item 5.3 document number A2707046, pages 85 - 86 refers

His Worship the Mayor announced that he had appointed Ann Court as the Deputy Mayor.

6.4 APPOINTMENT OF WARD COUNCILLORS TO COMMUNITY BOARDS

Agenda item 5.4 document number A2717329, pages 87 - 89 refers

RECOMMENDATION

Moved: Cr Felicity Foy

Seconded: Cr John Vujcich

That the Council:

- a) Appoints _____ as a member the Bay of Islands-Whangaroa Community Board.
- b) Appoints _____ as members of the Kaikohe-Hokianga Community Board.
- c) Appoints _____ as a member of the Te Hiku Community Board.

The meeting was adjourned from 1.15 pm to 2.02 pm.

AMENDMENT

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Council:

- a) Appoints Cr Kelly Stratford as a member the Bay of Islands-Whangaroa Community Board.
- b) Appoints Cr Vujcich as members of the Kaikohe-Hokianga Community Board.
- c) Appoints Cr Felicity Foy as a member of the Te Hiku Community Board.
- d) agrees that this item will also be discussed and considered at the later meeting after discussing with the Community Boards what their preference would be.

The amendment became the substantive motion

RESOLUTION 2019/40

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That the Council:

- a) Appoints Cr Kelly Stratford as a member the Bay of Islands-Whangaroa Community Board.
- b) Appoints Cr Vujcich as members of the Kaikohe-Hokianga Community Board.
- c) Appoints Cr Felicity Foy as a member of the Te Hiku Community Board.
- d) agrees that the appointments of Councillors to Community boards be discussed at a future meeting to seek input from each Community Board.

CARRIED

6.5 ELECTED MEMBERS CODE OF CONDUCT

Agenda item 5.5 document number A2717458, pages 90 - 92 refers

RESOLUTION 2019/41

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council adopt the Far North District Council Elected Members' Code of Conduct.

CARRIED

6.6 STANDING ORDERS

Agenda item 5.6 document number A2706848, pages 109 - 110 refers

RESOLUTION 2019/42

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith

That Council adopt the Far North District Council Standing Orders pending a review.

CARRIED

6.7 ELECTED MEMBERS ALLOWANCE AND REIMBURSEMENT POLICY

Agenda item 5.7 document number A2717534, pages 111 - 117 refers

RESOLUTION 2019/43

Moved: Mayor John Carter
 Seconded: Cr Rachel Smith

That Council note the Elected Member Expense and Reimbursement Policy with the following amendments:

- a) Entertainment and hospitality – The Mayor may hold a purchasing card to pay directly for any entertainment or hospitality expenses which must be used in accordance with Council’s Sensitive Expenditure Policy.
- b) Travel and conferences, courses and seminars – deletion of the Chief Financial Officer.
- c) Include the Childcare Expense in Appendix B – Allowances and Expenses as per the Remuneration Authority Local Government Members (2019/20) Determination 2019.

CARRIED

Abstained: Cr Felicity Foy

6.8 ADOPTION OF FAR NORTH DISTRICT COUNCIL'S FORMAL MEETING SCHEDULE NOVEMBER TO DECEMBER 2019

Agenda item 5.8 document number A2721324, pages 118 - 120 refers

RECOMMENDATION

Moved: Mayor John Carter
 Seconded: Cr Ann Court

That Council note the formal Council meetings calendar for the remainder of the 2019 calendar year:

Ordinary Council Meeting	19 November 2019	10.00 am
Ordinary Council Meeting	19 December 2019	10.00 am

AMENDMENT

Moved: Cr Felicity Foy
 Seconded: Cr Kelly Stratford

for one of the meetings to be held in Te Ahu – subject to availability.

The amendment became the substantive motion:

RESOLUTION 2019/44

Moved: Cr Felicity Foy
 Seconded: Cr Kelly Stratford

That Council note the formal Council meetings calendar for the remainder of the 2019 calendar year:

- a) Ordinary Council Meeting 19 November 2019 10.00 am
- b) Ordinary Council Meeting 19 December 2019 10.00 am

c) for one of the meetings to be held in Te Ahu – subject to availability.

CARRIED

7 MEETING CLOSE

The meeting closed at 2.50 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting to be held on 19 November 2019.

.....
CHAIRPERSON

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

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
<p>6.1 - Supplier Recommendation Report - Server and Network Infrastructure Renewal</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>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>
<p>6.2 - Property File Digitisation Project Update</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)(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>

7 MEETING CLOSE