

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE HELD ELETRONICALLY, VIA MICROSOFT TEAMS
ON THURSDAY, 23 APRIL 2020 AT 10.00 AM**

- PRESENT:** Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr Dave Collard, Cr Felicity Foy, Cr Mate Radich, Cr Rachel Smith, Cr Kelly Stratford, Cr Moko Tepania, Cr John Vujcich
- IN ATTENDANCE:** Mike Edmonds (Kaikohe-Hokianga Community Board Chairperson), Adele Gardner (Te Hiku Community Board Chairperson), Belinda Ward (Bay of Islands-Whangaroa Community Board)
- STAFF PRESENT:** Shaun Clarke (Chief Executive Officer), Andy Finch (General Manager Infrastructure and Asset Management), Dean Myburgh (General Manager District Services), William J Taylor, MBE (General Manager Corporate Services), Darrell Sargent (General Manager Strategic Planning and Policy)

1 KARAKIA TIMATANGA – OPENING PRAYER

His Worship the Mayor commenced the meeting and Councillor Clendon read the Council prayer.

2 APOLOGIES AND DECLARATIONS OF INTEREST

There were no apologies or declarations of interest.

3 DEPUTATION

There were not requests for deputations.

4 MAYORAL ANNOUNCEMENTS

- Appointment of Councillor Moko Tepania to Te Maruata Roopu Whakahaere as the young elected member representative.
- Appointment of Councillor Rachel Smith to the Young Elected Members LGNZ Advisory Committee.
- Auckland Council has submitted a landfill resource consent and plan change for the Dome Valley.
- Update on Kaipara Council's Mayors Taskforce – Economic Support and Recovery.
- Far North Holdings to be discussed later in the meeting.
- Totara Industry – proposal to come to Mayoral Forum.
- Wellington Mayor on media - recycling and refuse issues similar to Far North District Council.
- Business Community update in light of COVID-19.
- Drought is still an issue, particularly for our rural sectors.
- Congratulates those that are providing pastoral care during this time.
- Encourage everyone to buy-local and make purchases to help rebuild the economy.
- Read emails from ratepayers thanking the Council for the rates relief that was agreed upon the previous Council meeting.
- Continuing discussions with central government leaders.
- The Te Hiku Community Board and Kaitia RSA have created an ANZAC remembrance video.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 5.1 document number A2874170, pages 12 - 13 refers.

RESOLUTION 2020/20

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council confirm the minutes of the Council meeting held 9 April 2020 as a true and correct record.

CARRIED

6 REPORTS

6.1 FAR NORTH HOLDINGS LIMITED - HALF YEAR REPORT

Agenda item 6.1 document number A2860860, pages 18 - 20 refers.

RESOLUTION 2020/21

Moved: Mayor John Carter

Seconded: Cr Dave Collard

That Council:

- a) accept the Half Year Report from Far North Holdings Limited:**
- b) request that future reports contain the following information;**
 - i) annual and Year to Date budget,**
 - ii) commentary on any significant variances, and**
 - iii) detail of significant income and expenditure, for example fees & charges and salaries to aid the shareholder understanding of the financial position.**

In Favour: Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Kelly Stratford, Rachel Smith, Moko Tepania and John Vujcich, Mate Radich and His Worship the Mayor

Against: Nil

CARRIED

6.2 DRAFT FAR NORTH HOLDINGS LIMITED STATEMENT OF INTENT 2020 TO 2023

Agenda item 6.2 document number A2859977, pages 27 - 30 refers.

MOTION

Moved: Mayor John Carter

Seconded: Cr Mate Radich

That Council:

- a) review the comments from staff as identified and approve that:**
 - i. the purchase of any business needs to have prior approval of the Shareholder;**
 - ii. the delivery of strategic objectives must align to Council's objectives and the four**

- well beings;
- iii. the accounting policies needs to advise that additional disclosures are required to meet the needs of the Shareholders reporting requirements;
 - iv. the purchase of shares should require prior approval by the Shareholder;
 - v. the reference to a Statement of Expectations be removed from the Statement of Intent as the Shareholder has not yet taken any decisions in relation to the new sections of the Local Government Act 2002;
 - vi. the Board membership section of the Statement of Intent identifies which members will be retiring when and that all appointments will be in line with Council policy.

- b) advise Far North Holdings Limited of any amendments that are suggested by the shareholder, that are not covered in the report; and
- c) that all amendments be notified, through the Chief Executive, to the Board of Far North Holdings Limited prior to 30 April 2020.

AMENDMENT

Moved: Cr John Vujcich

Seconded: Cr Mate Radich

That the following be struck from the recommendation:

- i. the purchase of any business needs to have prior approval of the Shareholder;
- ii. the delivery of strategic objectives must align to Council's objectives and the four well beings;
- iv. the purchase of shares should require prior approval by the Shareholder;

And add Council recommend that Far North Holdings Limited begin quarterly financial and risk reporting to the Assurance, Risk and Finance Committee.'

In Favour: Deputy Mayor Ann Court, Crs Dave Collard, Mate Radich and John Vujcich and His Worship the Mayor.

Against: Crs David Clendon, Felicity Foy, Rachel Smith, Kelly Stratford and Moko Tepania

The Mayor used his casting vote to carry the motion.

CARRIED

AMENDMENT

Moved: Cr Felicity Foy

Seconded: Cr Rachel Smith

That Far North Holdings Limited give recognition to the importance of investment in town centres to encourage economic development and vibrancy of town centres.

In Favour: Crs David Clendon, Felicity Foy, Rachel Smith, Kelly Stratford and Moko Tepania

Against: His Worship the Mayor John Carter, Deputy Mayor Ann Court, Dave Collard, Mate Radich and John Vujcich

The Mayor used his casting vote to defeat the motion.

LOST

The amendment became the substantive motion.

RESOLUTION 2020/22

Moved: Cr John Vujcich

Seconded: Cr Mate Radich

That Council:

- a) review the comments from staff as identified and approve that:
- i. the accounting policies needs to advise that additional disclosures are required to meet the needs of the Shareholders reporting requirements;
 - ii. the reference to a Statement of Expectations be removed from the Statement of Intent as the Shareholder has not yet taken any decisions in relation to the new sections of the Local Government Act 2002;
 - iii. the Board membership section of the Statement of Intent identifies which members will be retiring when and that all appointments will be in line with Council policy.
- b) advise Far North Holdings Limited of any amendments that are suggested by the shareholder, that are not covered in the report; and
- c) that all amendments be notified, through the Chief Executive, to the Board of Far North Holdings Limited prior to 30 April 2020.

And that Far North Holdings Limited begin quarterly financial and risk reporting to the Assurance, Risk and Finance Committee.'

In Favour: Deputy Mayor Ann Court, Crs Dave Collard, Felicity Foy, Mate Radich, John Vujcich and His Worship the Mayor

Against: Crs David Clendon, Rachel Smith, Kelly Stratford and Moko Tepania

CARRIED

6.3 TE HIKU SPORTS HUB - FUNDING

Agenda item 6.3 document number A2866601, pages 43 - 47 refers.

MOTION

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council

- a) approve the release of \$3m to Te Hiku Sports Hub Incorporated to allow the construction of the proposed sports hub facility;
- b) approve a public access agreement be developed with Te Hiku Sports Hub Incorporated;
- c) approve the addition of a non-voting observer role as part of the public access agreement.

AMENDMENT

Moved: Cr Felicity Foy

Seconded: Cr Dave Collard

That Council:

- a) approve the release of up to \$3m as council capital contribution, in principle, subject to Te Hiku Sports Hub Incorporated completing detailed design and associated QS / Value engineering to ensure construction can be delivered within the \$9m envelope;
- b) request that if further funding is required above the \$9m then it is up to Te Hiku Sports Hub Incorporated to fund it from sources other than through the Far North District Council;
- c) approve a public access agreement be developed with Te Hiku Sports Hub Incorporated; and

- d) approve the addition of a non-voting observer role as part of the public access agreement.

In Favour: Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania, John Vujcich and His Worship the Mayor

Against: Cr Mate Radich

CARRIED

AMENDMENT

Moved: Mayor John Carter

Seconded: Cr Dave Collard

That Council

- a) approve the release of up to \$3m as council capital contribution, in principle, subject to Te Hiku Sports Hub Incorporated completing detailed design and associated QS / Value engineering to ensure construction can be delivered within the \$9m envelope;
- b) request that if further funding is required above the \$9m then it is up to Te Hiku Sports Hub Incorporated to fund it from sources other than through Council;
- c) approve a public access agreement be developed with Te Hiku Sports Hub Incorporated;
- d) approve the addition of a non-voting observer role as part of the public access agreement;
- e) request that Te Hiku Sports Hub Incorporated change their constitution to include the appointment the Chair of the Te Hiku Community Board and a Councillor from the Te Hiku ward to the Te Hiku Sports Hub Committee.

In Favour: Deputy Mayor Ann Court, Councillors David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich and His Worship the Mayor

Against: Cr Mate Radich

CARRIED

The amendments became the substantive motion.

RESOLUTION 2020/23

Moved: Mayor John Carter

Seconded: Cr Dave Collard

That Council:

- a) **approve the release of up to \$3m as council capital contribution, in principle, subject to Te Hiku Sports Hub Incorporated completing detailed design and associated QS / Value engineering to ensure construction can be delivered within the \$9m envelope;**
- b) **request that if further funding is required above the \$9m then it is up to Te Hiku Sports Hub Incorporated to fund it from sources other than through Far North District Council;**
- c) **approve a public access agreement be developed with Te Hiku Sports Hub Incorporated;**
- d) **approve the addition of a non-voting observer role as part of the public access agreement; and**
- e) **request that Te Hiku Sports Hub Incorporated change their constitution to include the appointment the Chair of the Te Hiku Community Board and a Councillor from the Te Hiku ward to the Te Hiku Sports Hub Committee.**

In Favour: Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania, John Vujcich and His Worship the Mayor

Against: Cr Mate Radich

CARRIED**6.4 KAIKOHE WATER BILLING UNDER COVID-19 ALERT LEVEL 4 SHUTDOWN**

Agenda item 6.4 document number A2874905, pages 107 - 109 refers.

RESOLUTION 2020/24

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council:

- a) approve not invoicing Kaikohe water customers in May 2020,
- b) approve the issue of one invoice only in November 2020, and
- c) approve staff working with consumers on payment plans to alleviate the impact of only invoicing once in 2020.

In Favour: Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, John Vujcich and His Worship the Mayor

Against: Nil

CARRIED**7 INFORMATION REPORTS****7.1 CEO REPORT TO COUNCIL 01 JANUARY 2020 - 29 FEBRUARY 2020**

Agenda item 7.1 document number A2861349, pages 110 - 110 refers.

RESOLUTION 2020/25

Moved: Mayor John Carter

Seconded: Cr Felicity Foy

That the Council receive the report "CEO Report to Council 01 January 2020 - 29 February 2020".

In Favour: Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania, John Vujcich and His Worship the Mayor

Against: Nil

CARRIED**8 PUBLIC EXCLUDED****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2020/26**

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That the public be excluded from the following parts of the proceedings of this meeting.

- a) 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, including that of deceased natural persons s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities 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)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.2 - Draft CEO Key Performance Indicators 2020-2021	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
8.3 - Projected Variations to Performance Targets	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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

And approves that Dr Stephen Finlay – General Manager Investment, Infrastructure and Governance Group be permitted to remain after the public has been excluded, because of his knowledge will be of assistance in relation to the matters to be discussed.

In Favour: His Worship the Mayor, Deputy Mayor Ann Court, Crs David Clendon, Dave Collard, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

CARRIED

At the conclusion of the public excluded discussion the meeting confirmed that the decisions and information discussed, would not be restated in public.

9 MEETING CLOSE

The meeting closed at 3.03 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 7 May 2020.

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CHAIRPERSON