

**MINUTES OF FAR NORTH DISTRICT COUNCIL
AUDIT, RISK, AND FINANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 27 SEPTEMBER 2018 AT 10:00 AM**

PRESENT: Cr John Vujcich, Mayor John Carter (HWTM), Cr Tania McInnes (Deputy Mayor), Cr Ann Court, Cr Felicity Foy, Cr Colin (Toss) Kitchen, Cr Kelly Stratford, Independent Member Bruce Robertson, Chairperson Adele Gardner, Chairperson Mike Edmonds, Chairperson Terry Greening

STAFF PRESENT: Shaun Clarke - Chief Executive Officer, Samantha Edmonds - General Manager Corporate Services, Dean Myburgh - General Manager District Services, Andy Finch - General Manager Infrastructure and Asset Management, Janice Smith - Chief Financial Officer, Jaime Dyhrberg - Executive Officer, George Swanepoel - In House Counsel, Matt Bell - Manager Risk and Improvement, Leanna Ransom - Internal Auditor, Paul Carr - Manager Infrastructure Project Delivery, Adele Thomson, Executive Assistant to the Mayor, Melissa Wood - Meetings Administrator

2 DEPUTATION

Cheryl Smith, representative from Kaikohe Rugby Football and Sports Club - in regard to Public Exclusion Supplementary Agenda item 2.1 Blues Preseason Game.

1 APOLOGIES AND DECLARATIONS OF INTEREST

COMMITTEE RESOLUTION 2018/1

Moved: Cr John Vujcich
Seconded: Cr Colin (Toss) Kitchen

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

CARRIED

Cr Colin (Toss) Kitchen declared an interest in relation to Public Exclusion Supplementary Agenda item 2.1.

Cr Ann Court declared an interest in relation to Supplementary Agenda item 1.1 and Public Exclusion Supplementary Agenda item 2.1.

SUPPLEMENTARY AGENDA

1.1 TO SUPPORT AND ADOPT A LOCAL BILL TO ENABLE TOP ENERGY TO OWN AND MANAGE ITS EXPANDED PLANT AND CONNECT IT TO ITS NETWORK

COMMITTEE RESOLUTION 2018/2

Moved: Cr John Vujcich
Seconded: Cr Tania McInnes

**That the Far North District Council on behalf of Top Energy puts forward a Local Bill to Parliament, that will seek to amend the Electricity Industry Act 2010.
The Bill shall propose the following amended wording to clause 3(b) of Schedule 2 of the Electricity Industry Act 2010 :**

An interest in a business that generates electricity from a geothermal energy source if –

- (i) Although expanded, the geothermal plant which draws energy from that resource source was originally commissioned between 1 January 1998 and 1 January 2009, and is currently owned by the person that commissioned it; and*
- (ii) The output from the expanded geothermal plant is less than 100MW (determined according to nameplate); or*

CARRIED

4 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION 2018/3

Moved: Cr John Vujcich
 Seconded: Mayor John Carter

- a) That the public be excluded from the following parts of the proceedings of this meeting.**
- b) That Earl White, representative from Bancorp, be permitted to remain at this meeting for items 4.1 and 4.2 after the public has been excluded, in order to present information regarding the subject matter of the reports**
- c) 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: (as per the agenda paper and supplementary agenda paper)**

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
4.1 - Bank facility renewal	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	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
4.2 - Pre funding of approved debt	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	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

	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	exist under section 6 or section 7
4.3 - Confirmation of Previous Minutes (Public Excluded)	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
4.4 - Draft Annual Report Financials 2017-18	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	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
4.5 - Far North Holdings Ltd Annual Report for June 2018	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	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
4.6 - Internal Audit Update - September	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	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
4.7 - Organisational Risk Framework	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out,	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would

	without prejudice or disadvantage, commercial activities	be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
4.8 - FNDC Current Legal Action Potential Liability Claim	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	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
4.9 - Blues Preseason Game	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	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

CARRIED

CONFIRMATION OF DECISIONS AND INFORMATION IN OPEN MEETING

COMMITTEE RESOLUTION 2018/4

Moved: Cr John Vujcich
 Seconded: Cr Kelly Stratford

That the Audit, Risk, and Finance Committee

a) confirms that the following decisions contained in the part of the meeting held with the public excluded are to be restated in public meeting

Supplementary Public Excluded Agenda item: 1.1 Blues Preseason Game

That the Audit, Risk, and Finance Committee approve the Chief Executive Officer entering into an agreement with the Northland Rugby Union to underwrite eighty percent of a potential loss to a maximum of \$59,568 from hosting a preseason rugby game between the Blues and the Chiefs franchises on 2 February 2019.

4.1 Bank Facility Renewal

That the Audit, Risk, and Finance Committee

- a) approve the CFO to proceed with the Banking Facility Proposal put forward by the ASB bank for a two year period to November 2020.**
- b) authorise the CEO to sign any necessary documentation**

b) confirms that the remaining decisions contained in the part of the meeting held with the public excluded are not to be restated in public meeting

c) confirms the information contained in the part of the meeting held with the public excluded be restated in public meeting

Supplementary Public Excluded Agenda item 1.1 Blues Preseason Game

- Report only - excluding attachments 1 and 2

d) confirms the remaining information contained in the part of the meeting held with the public excluded not be restated in public meeting

CARRIED

3 CORPORATE SERVICES GROUP

3.1 CONFIRMATION OF PREVIOUS MINUTES

COMMITTEE RESOLUTION 2018/5

Moved: Cr John Vujcich
Seconded: Cr Tania McInnes

That the Audit, Risk, and Finance Committee confirm that the minutes of the meeting of the Committee held 26 June 2018 are a true and correct record.

CARRIED

3.2 CAPITAL CARRY FORWARDS JUNE 2018

COMMITTEE RESOLUTION 2018/6

Moved: Cr John Vujcich
Seconded: Cr Ann Court

That the Audit, Risk and Finance Committee approve capital budgets identified in the report “Capital Carry Forwards June 2018” totalling \$8,861,644 be carried forward to the 2018-19 financial year.

CARRIED

3.3 COUNCIL FINANCIAL REPORT AUGUST 2018

COMMITTEE RESOLUTION 2018/7

Moved: Cr Ann Court
Seconded: Cr Felicity Foy

That the Audit, Risk, and Finance Committee receive the report entitled “Council Financial Report August 2018”

CARRIED

5 MEETING CLOSE

The Meeting closed at 12:21 PM.

The minutes of this meeting were confirmed at the Audit, Risk, and Finance Committee Meeting held on 29 November 2018.

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CHAIRPERSON