

**MINUTES OF FAR NORTH DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON THURSDAY, 30 JULY 2020 AT 3.05 PM**

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

IN ATTENDANCE: 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 with a prayer.

2 APOLOGIES AND DECLARATIONS OF INTEREST

APOLOGY

RESOLUTION 2020/42

Moved: Mayor John Carter

Seconded: Cr Rachel Smith

That the apology received from Mike Edmonds be noted.

CARRIED

3 DEPUTATION

There were no deputations for this meeting.

4 MAYORAL ANNOUNCEMENTS

- Northland Forward
- PGF funding
- Acknowledged Kelly Stratford for the support she provided to the Moerewa/Kawakawa and surrounding communities during the recent flooding event.

5 REPORTS

5.1 APPOINTMENT OF DIRECTOR TO THE BOARD OF NORTHERN ADVENTURE EXPERIENCE LIMITED (NAX)

Agenda item 5.1 document number A2921669, pages 12 - 14 refers.

MOTION

Moved: His Worship the Mayor John Carter

Seconded: Cr John Vujcich

That Council:

- a) appoints Councillor Moko Tepania as HWTM's replacement on the NAX Board
- b) agrees to indemnify Councillor Tepania for any professional negligence as a director when acting in good faith in his capacity as a director.

AMENDMENT

Moved: His Worship the Mayor John Carter

Seconded: Cr John Vujcich

That Council leave "Appointment of Director to the Board of Northern Adventure Experience Limited (NAX) to lie on the table until a workshop can be held.

The amendment became the substantive motion

RESOLUTION 2020/43

Moved: His Worship the Mayor John Carter

Seconded: Cr John Vujcich

That Council leave "Appointment of Director to the Board of Northern Adventure Experience Limited (NAX) to lie on the table until a workshop can be held.

CARRIED

5.2 MOBILE LIBRARY FOR OUTREACH SERVICES - VAN FUNDING APPLICATION

Agenda item 5.2 document number A2923137, pages 15 - 26 refers.

RESOLUTION 2020/44

Moved: Cr John Vujcich

Seconded: Cr Rachel Smith

That Council approve the decision to seek funding for a van to provide a mobile library for outreach services, from Foundation North.

CARRIED

5.3 DEVELOPMENT OF LINDVART PARK

Agenda item 5.3 document number A2923333, pages 27 - 30 refers.

RESOLUTION 2020/45

Moved: His Worship the Mayor John Carter

Seconded: Cr Kelly Stratford

That Council:

- a) approve the allocation of \$2.1m of existing budgets for the renewal and upgrade of the Lindvart Park pavilion and associated assets to the Lindvart Park development project in 2021/22 and 2022/23 financial years; and
- b) note the ownership of the asset as proposed, will lie with Kaikohe & Districts Sportsville and the need to:
 - i. that a Memorandum of Understanding be established identifying public access rights to enable the application of public capital investment in a non-publicly

owned asset; and

- ii. note that future provision may be required to cover maintenance and renewal of the asset.**

CARRIED

Abstained: Cr John Vujcich

6 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2020/46

Moved: His Worship the Mayor John Carter

Seconded: Cr Moko Tepania

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 |
|--|---|--|
| 6.1 - Twin Coast Cycle Trail - Opuia to Taumarere Permanent Route | s7(2)(b)(i) - the withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret 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

7 CONFIRMATION OF DECISIONS AND INFORMATION IN OPEN MEETING

RESOLUTION 2020/47

Moved: His Worship the Mayor John Carter

Seconded: Cr Moko Tepania

That the Council confirms that the following decision contained in the part of the meeting held with public excluded be restated in the public meeting.

Item 6.1 - Twin Coast Cycle Trail – Opuā to Taumarere Permanent Route**RESOLUTION 2020/48**

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council support the second Northern Adventure Experience Ltd (NAX Ltd) application to the Provincial Growth Fund (PGF) and agrees to the total liability of Council's portion of the project at **\$REDACTED** per Option Three in the report:

- a) approves bringing forward the capital expenditure budget of **\$REDACTED** from the 2021/2022 Annual Plan to the 2020/2021 Annual Plan;
- b) Additional Capital Funding
 - i) approves additional capital funding of **\$REDACTED** for the 2020/2021 year in order to progress Stage One of the project.
 - ii) approves additional capital funding of **\$REDACTED** for the Taumarere to Opuā permanent Cycle track to be included in the 2021/2031 Long Term Plan consultation process.
 - iii) notes that **\$REDACTED** additional funding is required in total to complete the all three stages of Council's portion of the project.
- c) declines Northern Adventure Experience Ltd (NAX Ltd) operational project management costs over the life of the project for **\$REDACTED** plus GST;
- d) approves that unspent 2019-2020 annual budget of **\$REDACTED** for preliminary works and consultation is accrued and carried over to the 2020/2021 year;
- e) approves to fund the upgrade of Te Raupo road and bridge per initial rough order cost of **\$REDACTED** and preliminary work to commence in the 2020/2021 year;
- f) notes that external funding applications will be made to NZTA, Foundation North and Lotto for a total amount of **\$REDACTED**, and if funding is successfully secured then the capital loan funding required will reduce accordingly;
- g) notes that the recommendation to support the second Northern Adventure Experience Ltd (NAX Ltd) application to the Provincial Growth Fund (PGF) and approval of Option Three clauses a, b, c, d and e are subject to:
 - i) a funding agreement between NAX Ltd and MBIE
 - ii) a right of way easement or agreement to have the full length of Te Raupo Road vest in Council to ensure public access;
 - iii) Resource and Building Consents;
 - iv) Detailed design drawings and costings for the cycle trail construction, rail re-alignment and the upgrade works to Te Raupo Road to provide confidence to elected members that the project is within the **\$REDACTED** initial rough order estimate;
 - v) A long-term lease with KiwiRail that is favourable to all parties and to protect Councils investment.
 - vi) A negotiated agreement with NAX Ltd to:
 - 1) separate ratepayers' obligations from the balance of the project
 - 2) The BOIVRT and the Minerva Steamboat Trust to have their own respective organisations underwrite their portions of the project thus having no liability for Council;
 - 3) Council to decline contribution to NAX Ltd project management operating costs

- 4) Confirmation from NAX Ltd of the funding in place to construct the Opuā Terminus should FNHL not proceed with the investment

CARRIED

Against: Cr Mate Radich

Note: His Worship the Mayor thanked Deputy Mayor Court for her work in his absence over the last week.

8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER

Cr Moko Tepania closed the meeting with a Karakia

9 MEETING CLOSE

The meeting closed at 4.27 pm.

The minutes of this meeting will be confirmed at the Extraordinary Council meeting to be held on 13 August 2020.

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CHAIRPERSON