

**MINUTES OF FAR NORTH DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD VIRTUALLY VIA MICROSOFT TEAMS  
ON THURSDAY, 16 DECEMBER 2021 AT 10.00 AM**

**PRESENT:** Mayor John Carter (HWTM), Deputy Mayor Ann Court, Cr David Clendon, Cr Felicity Foy, Cr Mate Radich, 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), Shaun Clarke (Chief Executive Officer), William J Taylor, MBE (General Manager Corporate Services), Dean Myburgh (General Manager District Services), Andy Finch (General Manager Infrastructure and Asset Management), Darren Edwards (General Manager Strategic Planning and Policy)

**1 KARAKIA TIMATANGA / OPENING PRAYER**

His Worship the Mayor commenced the meeting with a prayer.

**2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST**

**RESOLUTION 2021/70**

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

**That the apology received from Cr David Collard be accepted and leave of absence granted.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

**3 NGĀ TONO KŌRERO / DEPUTATION**

There were no deputations for this meeting.

**4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS**

The Mayor advised he did not have any announcements.

**5 REPORTS**

**5.1 FAR NORTH HOLDINGS LTD ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2021**

Agenda item 5.3 document number A3516410, pages 72 - 120 refers.

**RESOLUTION 2021/71**

Moved: Mayor John Carter  
 Seconded: Cr John Vujcich

**That That Council accept the Annual Report for Far North Holdings Ltd for the year ended 30 June 2021.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

**5.2 ADOPTION OF THE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2021**

Agenda item 5.2 document number A3495561, pages 70 - 71 refers.

**RESOLUTION 2021/72**

Moved: Mayor John Carter  
 Seconded: Deputy Mayor Ann Court

**That Council:**

- a) **adopt the Annual Report for the year ended 30 June 2021;**
- b) **agree that the General Manager Corporate Services is authorised to make any grammatical changes that may be required.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Crs Mate Radich and Rachel Smith

**CARRIED**

*NOTE: A copy of the Far North District Council Annual Report was circulated to Mayor and Councillors under separate cover.*

**5.3 PROGRAMME DARWIN - PROGRAMME AND FUNDING UPDATE**

Agenda item 5.4 document number A3458979, pages 121 - 159 refers.

**RESOLUTION 2021/73**

Moved: Deputy Mayor Ann Court  
 Seconded: Cr Rachel Smith

**That item 5.4 Programme Darwin – Programme Darwin Funding Update is left to lie on the table.**

In Favour: Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel Smith and Moko Tepania

Against: Mayor John Carter, Mate Radich, Kelly Stratford and John Vujcich

**CARRIED**

**RESOLUTION 2021/74**

Moved: Cr Felicity Foy

Seconded: Cr Moko Tepania

**That Council request a timeline of milestones is provided about latent capacity and area of benefit review for each of our wastewater and water treatment plants and reticulations in each township be provided by Feb 2022.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel Smith, Kelly Stratford and Moko Tepania

Against: Crs Mate Radich and John Vujcich

**CARRIED**

#### **RESOLUTION 2021/75**

Moved: Cr John Vujcich

Seconded: Mayor John Carter

**That Council request a working group be established and a terms of reference be developed, in collaboration with CEO and relevant staff, reporting to the Assurance, Risk and Finance Committee for governance oversight of Programme Darwin.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

Abstained: Cr Mate Radich

**CARRIED**

#### **5.4 MEMORANDUM OF UNDERSTANDING FOR KERIKERI DOMAIN WAR MEMORIAL WALL**

Agenda item document number A3477559, pages 160 - 166 refers.

#### **MOTION**

Moved: Cr Rachel Smith

Seconded: Cr John Vujcich

**That Council:**

- a) **approves the Memorandum of Understanding between Kerikeri R.S.A. Trust Fund and Council**
- b) **delegates the signing of the Memorandum of Understanding to the General Manager Infrastructure and Asset Management, including any non-material changes**
- c) **approves the inclusion of additional operational budget of \$5,000 per annum from 2022/23 for maintenance.**

In Favour: Crs John Carter, Ann Court, David Clendon, Felicity Foy, Mate Radich, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

## 5.5 THE REINTRODUCTION OF DEVELOPMENT CONTRIBUTIONS IN THE FAR NORTH DISTRICT IN ALIGNMENT WITH THE 2024-34 LONG TERM PLAN

Agenda item document number A3514737, pages 167 - 174 refers.

### MOTION

Moved: Cr Ann Court

Seconded: Cr Rachel Smith

That Council approve a new Development Contributions policy be adopted with the adoption of the 2024-34 Long Term Plan.

At 12:05 pm, Cr Mate Radich left the meeting.

### AMENDMENT

Moved: Cr David Clendon

Seconded: Cr Kelly Stratford

request a standing item on every full Council agenda providing a staff report on progress against the indicative project schedule, until the policy comes into effect.

In Favour: Mayor John Carter, David Clendon, Kelly Stratford and Moko Tepania

Against: Deputy Mayor Ann Court, Felicity Foy, Rachel Smith and John Vujcich

**EQUAL**

His Worship the Mayor used his casting in favour.

The amendment became the substantive motion.

### RESOLUTION 2021/76

Moved: Cr David Clendon

Seconded: Cr Kelly Stratford

**That Council:**

- a) **approve a new Development Contributions policy be adopted with the adoption of the 2024-34 Long Term Plan**
- b) **request a standing item on every full Council agenda providing a staff report on progress against the indicative project schedule, until the policy comes into effect.**

In Favour: Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel Smith, Kelly Stratford, Moko Tepania and John Vujcich

Against: Nil

**CARRIED**

The meeting adjourned from 12:09 pm to 12:45 pm.

## 6 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

### RESOLUTION TO EXCLUDE THE PUBLIC

### RESOLUTION 2021/77

Moved: Mayor John Carter

Seconded: Deputy Mayor Ann Court

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

- a) That Council permit Benji Potvin into the public excluded part of the meeting in relation to item 6.1 Waipapa Sports Development - Transfer of funds from Baysport as the consultant leading that work.
- b) 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
<b>6.1 - Waipapa Sports Development - Transfer of funds from Baysport</b>	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
<b>6.2 - Extension of Solid Waste Contracts</b>	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
<b>6.3 - 8A Matthews Ave NES Soil Testing Costs</b>	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
<b>6.4 - Extension of Community Services Contract (Recreation Services Limited)</b>	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
<b>6.5 - Purchase of land at 7 Hokianga Harbour Drive, Opononi</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and	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

	industrial negotiations)	exist under section 6 or section 7
<b>6.6 - Infrastructure Acceleration Fund Proposals</b>	<p>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</p> <p>s7(2)(c)(ii) - 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 otherwise to damage the public interest</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)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage</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

**In Favour:** Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Rachel Smith, Kelly Stratford and John Vujcich

**Against:** Nil

**CARRIED**

At 12:50 pm, Cr Moko Tepania returned to the meeting. At 12:50 pm, Cr Mate Radich returned to the meeting.

**RESOLUTION 2021/78**

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

**That Council moves out of Closed Council into Open Council.**

**In Favour:** Mayor John Carter, Deputy Mayor Ann Court, David Clendon, Felicity Foy, Kelly Stratford, Moko Tepania and John Vujcich, Mate Radich

**Against:** Nil

**CARRIED**

**8 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

Cr. Moko Tepania closed with a karakia.

**9 MEETING CLOSE**

The meeting closed at 3:20 pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 24 February 2022.

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**CHAIRPERSON**