

NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council
held in the Council Chamber, 36 Water Street, Whangārei,
on Tuesday 16 May 2017, commencing at 10.30 am

Present:

Chairman, Bill Shepherd
Deputy Chairman, David Sinclair
Councillors:
John Bain
Justin Blaikie
Paul Dimery
Mike Finlayson
Penny Smart
Rick Stolwerk
Joce Yeoman

In Attendance:

Full Meeting

Chief Executive Officer
Governance Support Manager

Part Meeting

Manager Enabling Māori Freehold Land, Far North District Council
Northland Inc. Limited CEO
Northland Inc. Limited Business Analyst
Northland Inc. Limited Portfolio Manager – TTNEAP
Far North Holdings Chief Executive
FNDC Deputy Mayor
Kawakawa Hundertwasser Trust Representatives
Independent Financial Advisor
GM – Corporate Excellence
GM – Environmental Services
GM – Regulatory Services
GM – Customer Service/Community Resilience
Economist
Finance Manager
Communications Manager
Customer Services Manager
Information Services and Technology Manager
Rivers and Natural Hazards Manager
Resource Management Planning and Policy Manager
Financial Accountant
Policy Analysts (x 2)
Kaiahi – Mātauranga Māori
Deputy Harbourmaster

The Chairman declared the meeting open at 10.31 am.

Apologies (Item 1.0)

There were no apologies.

Declarations of Conflicts of Interest (Item 2.0)

It was advised that councillors should make declarations item-by-item as the meeting progressed.

Presentations (Item 3.0)

ID: A944431

Report from Governance Support Manager, Chris Taylor.

Moved (Shepherd/Bain)

That the presentations:

- 3.1 Kawakawa Hundertwasser Park Centre by the Kawakawa Hundertwasser Trust and Far North Holdings Limited;
- 3.2 Far North District Council Collection of Regional Council Rates and Rate Arrears – Update to 31 March 2017 by Te Reo Hau, Manager Enabling Māori Freehold Land, Far North District Council; and
- 3.3 Consent Performance Survey by Sue Brooks, Customer Services Manager;

be received.

Carried

Secretarial Note: Items 2.0A, 2.0B and 4.0 were addressed prior to Item 3.3 to allow for the arrival of the Customer Services Manager.

Tabled and Supplementary Items for Council Meeting – 16 May 2017 (Items 2.0A and 2.0B)

IDs: A946757 and A944814

Reports from Governance Support Manager, Chris Taylor.

Moved (Shepherd/Finlayson)

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987:

- Tabled Item 7.6: Te Whāriki: Enhancing Māori Responsiveness Framework;
- Confidential Supplementary Item 10.4: CEO Recruitment; and
- Confidential Supplementary Item 10.5: Investment Opportunity – Expression of Interest

be received.

Carried

Health and Safety Report (Item 4.0)

ID: A943959

Report from Health and Safety Specialist, Tracey Warboys.

Moved (Stolwerk/Finlayson)

That the 'Health and Safety Report' by Tracey Warboys, Health and Safety Specialist, and dated 1 May 2017, be received.

Carried

Confirmation of Council Minutes – 18 April 2017 (Item 5.1)

ID: A944441

Report from Governance Support Manager, Chris Taylor.

Moved (Finlayson/Stolwerk)

That the minutes of the council meeting held on 18 April 2017 be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

ID: A944875

Report from Governance Support Manager, Chris Taylor.

Moved (Blaikie/Sinclair)

That the council action sheet be received.

Carried

Council Working Party Update (Item 5.3)

ID: A941250

Report from Group Manager – Strategy and Governance, Jonathan Gibbard.

Moved (Blaikie/Shepherd)

That the report 'Council Working Party Update' by Jonathan Gibbard, Group Manager – Strategy and Governance, and dated 5 May 2017, be received.

Carried

Council Working Group Update (Item 5.4)

ID: A941252

Report from Group Manager – Environmental Services, Bruce Howse.

Moved (Blaikie/Finlayson)

That the report 'Council Working Group Update' by Bruce Howse, Group Manager – Environmental Services, and dated 2 May 2017, be received.

Carried

Financial Report to 31 April 2017 (Item 6.1)

ID: A943008

Report from Financial Accountant, Vincent McColl.

Moved (Shepherd/Finlayson)

That the 'Financial Report to 30 April 2017' by Vincent McColl, Financial Accountant, and dated 4 May 2017, be received.

Carried

Secretarial Note: The Independent Financial Advisor, Geoff Copstick, provided commentary on the financial report.

River Management Policy Revision (Item 7.1)

ID: A942285

Report from Bruce Howse, Group Manager – Environmental Services.

Moved (Bain/Sinclair)

1. That the report 'River Management Policy Revision' by Bruce Howse, Group Manager – Environmental Services, and dated 27 April 2017, be received.

Carried

It was further moved (Dimery/Blaikie)

2. That council rescinds the Northland Regional Council River Management Policy and replaces it with a web based River Management Guideline.

Carried

Advancement of Funds for the Slip Repair at Hopua te Nihotetea Detention Dam (Item 7.2)

ID: A943345

Report from Joseph Camuso, Rivers and Natural Hazards Manager

Moved (Bain/Sinclair)

1. That the report 'Advancement of Funds for the Slip Repair at Hopua te Nihotetea Detention Dam' by Joseph Camuso, Rivers and Natural Hazards Manager, dated 28 April 2017, be received.
2. That council approves an advance of up to \$80,000 from the Whangārei Urban Rivers reserve for the slip repair.
3. That the slip be repaired as per the dam engineers' recommendations.

Carried

Environment Fund Change to Assist Landowners with River Erosion Protection Works (Item 7.3)

ID: A943649

Report from Duncan Kervell, Land Manager – Environmental Services

Moved (Stolwerk/Blaikie)

1. That the report 'Environment Fund Change to Assist Landowners with River Erosion Protection Works' by Duncan Kervell, Land Manager – Environmental Services, and dated 1 May 2017, be received.

Carried

It was further moved (Finlayson/Stolwerk)

2. That council approves the change to the Environment Fund by introducing a work stream to assist landowners with river erosion protection works to mitigate sedimentation of waterways, subject to the landowner providing two-thirds of the cost of the works (actual and/or in kind cost), NRC funding being limited to a maximum cap of \$5k per property, the property being subject to a Farm Water Quality Improvement Plan, and that this change be effective from 1 July 2017.

3. That as part of the deliberations and adoption of the draft 2017/18 Annual Plan, council considers and, if in support, approves an internal transfer of \$50k of existing minor rivers works budget to the Environment Fund budget to fund the river erosion protection works.

Carried

Appointment of Honorary Enforcement Officers for Whangārei Harbour (North), Houhora, and Whananaki (Item 7.4)

ID: A945128

Report from Anthony Browne, Deputy Harbourmaster

Moved (Stolwerk/Dimery)

1. That the report 'Appointment of Honorary Enforcement Officers for Whangārei Harbour (North), Houhora, and Whananaki' by Anthony Browne, Deputy Harbourmaster, dated 5 May 2017, be received.
2. That the council approves the appointment of the following honorary enforcement officers, under sections 177 of the Local Government Act 2002 and 33G of the Maritime Transport Act 1994:
 - a. Mr Rick Hunter
 - b. Mr Greg Gemmell
 - c. Mrs Kim O'Connell

Carried

Secretarial Note:

- *The meeting adjourned at 12.05pm and reconvened at 12.40pm.*
- *Proceedings recommenced with a video conference with FNDC Chief Financial Officer, Janice Smith, regarding the collection of current rates and rate arrears, and to advise how collection was tracking against targets.*

Moved (Shepherd/Sinclair)

That the report 'Revenue and Collections Quarterly Report 31 March 2017' (included in the supporting information pertaining to the 16 May 2017 council meeting agenda) by FNDC Chief Financial Officer, Janice Smith, and dated 5 May 2017, be received.

Carried

Adoption of the Draft Kai Iwi Lakes Navigation Safety Bylaw 2017 and Statement of Proposal (Item 7.5)

ID: A943864

Report from Anthony Browne, Deputy Harbourmaster

Moved (Sinclair/Blaikie)

1. That the report 'Adoption of the Draft Kai Iwi Lakes Navigation Safety Bylaw 2017 and Statement of Proposal' by Anthony Browne, Deputy Harbourmaster, and dated 5 May 2017 be received.

Carried

It was further moved (Stolwerk/Finlayson)

2. That council adopts the draft Kai Iwi Lakes Navigation Safety Bylaw 2017 and Statement of Proposal (included as **Attachments One** and **Three** pertaining to Item 7.5 of the 16 May 2017 council agenda) for the purposes of consultation, pursuant to section 156 of the Local Government Act 2001.
3. That council delegates to the General Manager – Customer Service/Community Resilience the authority to make any necessary minor formatting, typographical, and administrative changes to the draft Kai Iwi Lakes Navigation Safety Bylaw 2017 prior to formal public consultation.

Carried

It was further moved (Dimery/Bain)

4. That a joint hearing panel consisting of Councillor Penny Smart, Kaipara District Council Councillor Andrew Wade, and Taharoa Domain Governance Committee member Ric Parore, be delegated the responsibility to hear submissions, deliberate and make recommendations to council on the Kai Iwi Lakes Navigation Safety Bylaw 2017, pursuant to Clause 30, 30A and 31, Schedule 7, Local Government Act 2002.

Lost

(Councillor Dimery voted in favour of the motion)

It was further moved (Bain/Sinclair)

5. That should Kaipara District Council not resolve to support the joint hearings panel process before or at their next meeting of 26 June 2017:

That a hearing panel consisting of Councillor Penny Smart, Councillor Stolwerk and Councillor Dimery be delegated the responsibility to hear submissions, deliberate and make recommendations to council on the Kai Iwi Lakes Navigation Safety Bylaw 2017, pursuant to Clause 30, 30A and 31, Schedule 7, Local Government Act 2002.

As per Standing Order 21.1 the motion was amended with the agreement of the mover and seconder as follows:

5. That a hearing panel consisting of Councillor Penny Smart, Councillor Stolwerk and Councillor Dimery be delegated the responsibility to hear submissions, deliberate and make recommendations to council on the Kai Iwi Lakes Navigation Safety Bylaw 2017, pursuant to Clause 30, 30A and 31, Schedule 7, Local Government Act 2002.

Carried

Te Whāriki: Enhancing Māori Responsiveness Framework

(Tabled Item 7.6)

ID: A943817

Report from Jonathon Gibbard, Group Manager – Strategy and Governance and Rachel Ropiha, Kaiarahi Mātauranga Māori

Moved (Blaikie/Yeoman)

1. That the report 'Te Whāriki: Enhancing Māori Responsiveness Framework' by Jonathon Gibbard, Group Manager – Strategy and Governance and Rachel Ropiha, Kaiarahi Mātauranga Māori, and dated 1 May 2017, be received.
2. That council approves Te Whāriki: Māori Responsiveness Framework as provided in Attachment 1 and the summary document provided in Attachment 2 pertaining to tabled item 7.6 of the 16 May 2017 council meeting agenda.

Carried

Chairman's Report to Council (Item 8.1)

ID: A943565

Report from Bill Shepherd, Chairman

Moved (Shepherd/Sinclair)

That the report 'Chairman's Report to Council' by the Chairman, Bill Shepherd, and dated 5 May 2017, be received.

Carried

Chief Executive's Report to Council (Item 8.2)

ID: A941249

Report from Sally Bowron, PA/Team Admin – Strategy and Governance

Moved (Shepherd/Stolwerk)

That the report 'Chief Executive's Report to Council' and dated 5 May 2017, be received.

Carried

Regional Software Holdings Limited – Statement of Intent 2018–2020 (Item 8.3)

ID: A943978

Report from Dave Tams, Group Manager – Corporate Excellence

Moved (Shepherd/Sinclair)

That the report Regional Software Holdings Limited – Statement of Intent 2018–2020 by Dave Tams, Group Manager – Corporate Excellence, and dated 28 April 2017, be received.

Carried

Receipt of Committee Minutes (Item 9.0)

ID: A945107

Report from Chris Taylor, Governance Support Manager

Moved (Shepherd/Bain)

That the unconfirmed minutes of the Regional Transport Committee meeting held on 5 April 2017 be received.

Carried

Business with the Public Excluded (Item 10.0)

ID: A944615

Report from Chris Taylor, Governance Support Manager

Moved (Shepherd/Sinclair)

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matters to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

Item No.	Item Issue	Reason\Grounds
10.1	Confirmation of Confidential Minutes of the Council Meeting – 18 April 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.2	Receipt of Confidential Minutes of Extraordinary Investment Subcommittee Meeting – 28 April 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.3	Human Resources Report	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons 7(2)(a).
10.4	CEO Recruitment	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons 7(2)(a).
10.5	Investment Opportunity – Expression of Interest	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to allow the council to carry out, without prejudice or disadvantage, commercial activities 7(2)(h).

Carried

Open Meeting

Moved (Shepherd/Sinclair)

That the council resumes in open meeting.

Carried

Secretarial Note: Council confirmed the resolutions of Confidential Supplementary Item 10.4: CEO Recruitment in open meeting.

CEO Recruitment (Confidential Supplementary Item 10.4)

ID: A944398

Report from Group Manager – Corporate Excellence, Dave Tams.

Moved (Shepherd/Sinclair)

1. That the report 'CEO Recruitment' by Dave Tams, Group Manager – Corporate Excellence, and dated 3 May 2017, be received.
2. That an offer of employment be made to Malcolm Nicolson on a fixed five-year term with a salary yet to be determined.

Carried

CONCLUSION

The meeting concluded at 2.31 pm.