

NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council
held in the Council Chamber, 36 Water Street, Whangārei,
on Tuesday 21 November 2017, commencing at 11 am

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

In Attendance:

Full Meeting

Chief Executive Officer
GM – Governance and Engagement
GM – Corporate Excellence
GM – Environmental Services
Governance Support Manager

Part Meeting

Northland Inc. Limited Chair
Northland Inc. Limited GM Investment and Infrastructure
Northland Inc. Limited Business Analyst
Creative Northland General Manager
Independent Financial Advisor
GM – Regulatory Services
GM – Customer Service/Community Resilience
Resource Management Planning & Policy Manager
Finance Manager
Transport Manager
Financial Accountant
Economist
Policy Analyst (x2)
Deputy Harbourmaster

The Chairman declared the meeting open at 11 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.

Tabled Items for Council Meeting – 21 November 2017 (Items 2.0A and 2.0B)

IDs: A1003788, A1004774

Reports from Group Manager – Customer Service/Community Resilience, Tony Phipps, and
Group Manager – Corporate Excellence, Dave Tams

Moved (Shepherd/Sinclair)

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

- Tabled Item 7.5: Trial Mid-North Transport Rate Refund; and
- Tabled Item 7.6: Externally Managed Funds: SIPO and Investment Adjustments
be received.

Carried

Presentations (Item 3.0)

There were no presentations.

Health and Safety Report (Item 4.0)

ID: A999379

Report from Health and Safety Specialist, Tracey Warboys

Moved (Smart/Yeoman)

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

Carried

Confirmation of Council Minutes – 24 October 2017 Council Meeting and 31 October 2017 Extraordinary Council Meeting 2017 (Item 5.1)

ID: A999443

Report from Governance Support Manager, Chris Taylor

Moved (Sinclair/Stolwerk)

That the minutes of the council meeting held on 24 October 2017, and the minutes of the Extraordinary Council Meeting held on 31 October 2017, be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

ID: A999528

Report from Governance Support Manager, Chris Taylor

Moved (Stolwerk/Finlayson)

That the council action sheet be received.

Carried

Council Working Party Updates (Item 5.3)

ID: A997662

Report from Group Manager – Governance and Engagement, Jonathan Gibbard

Moved (Sinclair/Smart)

That the report 'Working Party Updates' by Jonathan Gibbard, Group Manager – Governance and Engagement, and dated 10 November 2017, be received.

Carried

Council Working Group Updates (Item 5.4)

ID: A997664

Report from PA/ Administrator – Environmental Services, Nola Sooner

Moved (Sinclair/Finlayson)

That the report 'Council Working Group Updates' by Nola Sooner, PA/Administrator – Environmental Services, and dated 9 November 2017, be received.

Carried

Financial Report to 31 October 2017 (Item 6.1)

ID: A998709

Report from Financial Accountant, Vincent McColl

Moved (Stolwerk/Bain)

That the 'Financial Report to 31 October 2017' by Vincent McColl, Financial Accountant, and dated 9 November 2017, be received.

Carried

Marsden Maritime Holdings Limited Market Performance Review (Item 6.2)

ID: A998023

Report from Financial Accountant, Vincent McColl

Moved (Sinclair/Yeoman)

That the report 'Marsden Maritime Holdings Limited Market Performance Review' by Vincent McColl, Financial Accountant, and dated 9 November 2017, be received.

Carried

Proposed Change to the Navigation Safety Bylaw for Kai Iwi Lakes 2017 (Item 7.1)

ID: A996683

Report from Policy Analyst, Fred Morgan; and Deputy Harbourmaster, Laurence Walkinshaw

Moved (Stolwerk/Smart)

1. That the report 'Proposed Change to the Navigation Safety Bylaw for Kai Iwi Lakes 2017' by Fred Morgan, Policy Analyst; and Laurence Walkinshaw, Deputy Harbourmaster, and dated 8 November 2017, be received.
2. That council adopts the Statement of Proposal, included as **Attachment 1** pertaining to Item 7.1 of the 21 November 2017 council agenda, for the purposes of consultation pursuant to section 156 of the Local Government Act 2002.
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 Statement of Proposal prior to formal public consultation.
4. That Councillors Penny Smart, Paul Dimery, and Rick Stolwerk be delegated the responsibility to deliberate and make recommendations to council on the extent of the five-knot speed restriction area around the shoreline of Lake Taharoa in the Navigation Safety Bylaw for Kai Iwi Lakes 2017, pursuant to Clauses 30 and 31, Schedule 7, Local Government Act 2002.

Carried

Freshwater Improvement Fund Update (Item 7.2)

ID: A997939

Report from Biodiversity Manager, Lisa Forester; and Land Manager, Duncan Kervell

Moved (Bain/Yeoman)

1. That the report 'Freshwater Improvement Fund Update' by Lisa Forester, Biodiversity Manager; and Duncan Kervell, Land Manger, and dated 2 November 2017, be received.
2. That for 2017/18 council approves that \$168,436.00 of the Land Management Reserve be used to fund the Northland Regional Council's Year One contribution to the FIF Dune Lakes and Northern Wairoa Projects.
3. That the Northland Regional Council CEO be delegated the ability to negotiate and sign the final deed of funding with MfE fund managers for the Northland Dune Lakes Strategic Water Quality project and the Northern Wairoa River Freshwater Improvement Project.

Carried

Investment and Growth Reserve: Feasibility Assessment and Business Case Development – Manea Footprints of Kupe (Item 7.3)

ID: A1000298

Report from Policy Analyst, Jon Trewin

Moved (Blaikie/Yeoman)

1. That the report 'Investment and Growth Reserve: Feasibility Assessment and Business Case Development – Manea Footprints of Kupe' by Jon Trewin, Policy Analyst, and dated 6 November 2017, be received.
2. That council agrees to provide up to \$40,000 from the Investment and Growth Reserve to Northland Inc. towards progressing the Manea Footprints of Kupe project (as outlined in Attachment 1 pertaining to Item 7.3 of the 21 November 2017 council agenda).

Carried

Northland Emergency Services Trust – Security Arrangements for Loan and Permission for External Borrowing (Item 7.4)

ID: A1000416

Report from Economist, Darryl Jones; and Group Manager – Governance and Engagement, Jonathan Gibbard

Moved (Sinclair/Blaikie)

1. That the report 'Northland Emergency Services Trust – Security Arrangements for Loan and Permission for External Borrowing' by Darryl Jones, Economist; and Jonathan Gibbard, Group Manager – Governance and Engagement, and dated 8 November 2017, be received.
2. That council approves the security arrangement being offered on the loan to purchase the second helicopter as set out in Item 7.4 of the 21 November council agenda.
3. That council enters into two 15-year fixed term loans from the Local Government Funding Agency to finance loans of \$4,500,000 and \$5,100,000 to NEST: the first loan from the LGFA is for a value up to \$4,572,000 (inclusive of 1.6% Borrower Notes), and the second loan from the LGFA is for a value up to \$5,181,600 (inclusive of 1.6% Borrower Notes). These loans will be entered into only after the appropriate Drawdown Notices have been received by council from NEST.

Carried

(Councillors Smart and Finlayson voted against the motion. Councillor Bain abstained from voting)

Trial Mid-North Transport Rate Refund (Tabled Item 7.5)

ID: A991210

Report from Group Manager – Customer Service/Community Resilience, Tony Phipps

Moved (Yeoman/Finlayson)

1. That the report 'Mid-North Transport Rate Refund' by Tony Phipps, Group Manager – Customer Service/Community Resilience, and dated 17 November 2017, be received.
2. That council approve the refund (by credit or refund payment) those ratepayers whose properties were charged the Mid-North Transport Rate but not included in the area to be rated as shown on the maps used in the 2016/17 and 2017/18 Annual Plans and associated council rate setting resolutions.

Carried

Externally Managed Funds: SIPO and Investment Adjustments (Tabled Item 7.6)

ID: A1004774

Report from Finance Manager, Simon Crabb

Moved (Bain/Dimery)

1. That the report 'Externally Managed Funds: SIPO and Investment Adjustments' by Simon Crabb, Finance Manager, and dated 21 November 2017, be received.
2. That the Infrastructure Investment Fund SIPO asset mix benchmark is amended to 50% income assets and 50% growth assets by introducing the Aspiring fund and transferring the balance of the Mint Diversified Income Fund into Aspiring and introducing the Schroders RRF 5% fund and transferring the balance held in the Schroders RRF 3.5% into this fund.
3. That the balance in the Property Reinvestment Fund Salt Long Short fund is withdrawn and invested in a three-month trading bank term deposit.

Carried

Chairman's Report to Council (Item 8.1)

ID: A997965

Report from Chairman, Bill Shepherd

Moved (Shepherd/Sinclair)

That the report 'Chairman's Report to Council' by the Chairman, Bill Shepherd, and dated 9 November 2017, be received.

Carried

Secretarial Note: The meeting adjourned at 12.01 pm and reconvened at 12.35 pm. Item 8.3 (followed by 8.4 and 8.2) was addressed at this time.

Chief Executive's Report to Council (Item 8.2)

ID: A997661

Report from Chief Executive Officer, Malcolm Nicolson

Moved (Shepherd/Sinclair)

That the report 'Chief Executive's Report to Council' and dated 10 November 2017, be received.

Carried

Secretarial Note: Item 8.3 was addressed prior to Items 8.4 and 8.2 to allow for the attendance of Northland Inc. Limited representatives.

Northland Inc. Limited: Interim Report Against Statement of Intent (SOI) – Quarter One of 2017/18 (Item 8.3)

ID: A1000164

Report from Economist, Darryl Jones

Moved (Bain/Sinclair)

That the report 'Northland Inc. Limited: Interim Report Against Statement of Intent (SOI) – Quarter One of 2017/18' by Darryl Jones, Economist, and dated 6 November 2017, be received.

Carried

Secretarial Note: Item 8.4 was addressed prior to Item 8.2 to allow for the attendance of Creative Northland GM Hinurewa te Hau. Hinu briefed council on Creative Northland's background, the organisation's aim to build capability and capacity of arts in Northland and the importance of NRC's funding in doing so.

Creative Northland – KPI Reporting for 2016/17 (Item 8.4)

ID: A1000303

Report from Policy Analyst, Jon Trewin

Moved (Sinclair/Stolwerk)

That the report 'Creative Northland – KPI Reporting for 2016/17' by Jon Trewin, Policy Analyst, and dated 6 November 2017, be received.

Carried

Receipt of Committee Minutes (Item 9.0)

ID: A999542

Report from Governance Support Manager, Chris Taylor

Moved (Bain/Blaikie)

That the unconfirmed minutes of:

- Extraordinary Investment Subcommittee – 24 October 2017

be received.

Carried

Business with the Public Excluded (Item 10.0)

ID: A1000264

Report from Governance Support Manager, Chris Taylor

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 Council Minutes – 24 October 2017 Council Meeting and 31 October 2017 Extraordinary Council Meeting	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.2	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).
10.3	Māori Values Commissioner for Proposed Regional Plan	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	Purchase of a Commercial Property in Kaipara	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h).

Carried

Secretarial note: The resolutions pertaining to confidential Item 10.3 to be confirmed in open meeting as follows:

Māori Values Commissioner for Proposed Regional Plan Hearings (Item 10.3)

ID: A998067

Report from Policy Development Manager, Ben Lee

Moved (Yeoman/Stolwerk)

1. That the report 'Māori Values Commissioner for Proposed Regional Plan Hearings' by Ben Lee, Policy Development Manager, and dated 3 November 2017, be received.
2. That Miria Pomare be appointed as the independent Māori values commissioner on the hearings panel to hear submissions and make recommendations on submissions to council on the Proposed Regional Plan.
3. That the council decision, on the appointment of the independent Māori values commissioner on the hearings panel to hear submissions and make recommendations on submissions to council on the Proposed Regional Plan, be made public.

Carried

CONCLUSION

The meeting concluded at 1.50 pm.