

## Northland Regional Council Minutes

Meeting held in the Council Chamber  
36 Water Street, Whangārei  
on Tuesday 24 April 2018, commencing at 10.30am

### Present:

Chairman, Bill Shepherd  
Deputy Chairman, David Sinclair (*arrived 10.36am*)  
Councillors:  
John Bain  
Paul Dimery  
Mike Finlayson (*by audio link*)  
Penny Smart  
Rick Stolwerk  
Joce Yeoman

### In Attendance:

#### Full Meeting

Independent Financial Advisor  
Chief Executive Officer  
GM – Corporate Excellence  
GM – Regulatory Services  
Financial Accountant  
Governance Support Manager

#### Part Meeting

GM - Governance and Engagement  
Finance Manager  
Transport Manager  
Policy Analyst (x2)  
Harbourmaster  
Transport Strategic Planning Officer  
Kaiarahi – Kaupapa Māori

*Secretarial Note: The Chair declared the meeting open at 10.30am.*

### Apologies (Item 1.0)

#### Moved (Stolwerk/Yeoman)

That the apologies from Councillor Blaikie for non-attendance and Councillor Sinclair for delayed arrival be received.

Carried

### Declarations of Conflicts of Interest (Item 2.0)

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

*Secretarial Note: As per Standing Order 9.9 the Chief Executive withdrew Confidential Item 9.6 'Consolidation of Council's Property Interests in Whangārei's CBD'.*

### **Health and Safety Report (Item 3.0)**

**ID: A1053336**

**Report from Tracey Warboys, Health and Safety Specialist**

**Moved (Dimery/Bain)**

That the 'Health and Safety Report' by Tracey Warboys, Health and Safety Specialist dated 9 April 2018, be received.

**Carried**

### **Confirmation of Minutes – 7 March 2018 and 20 March 2018 (Item 4.1)**

**ID: A1053090**

**Report from Christine Taylor, Governance Support Manager**

**Moved (Yeoman/Stolwerk)**

That the minutes of the extraordinary council meeting held on 7 March 2018, and the council meeting held on 20 March 2018 be confirmed as a true and correct record.

**Carried**

### **Receipt of Action Sheet (Item 4.2)**

**ID: A1051045**

**Report from Christine Taylor, Governance Support Manager**

**Moved (Bain/Smart)**

That the action sheet be received.

**Carried**

### **Council Working Party Updates and Chairpersons' Briefings (Item 4.3)**

**ID: A1050161**

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

**Moved (Bain/Sinclair)**

That the report 'Council Working Party Updates and Chairpersons' Briefings' be received.

**Carried**

### **Council Working Group Updates (Item 4.4)**

**ID: A1050219**

**Report from Nola Sooner, Land and Rivers Team Administrator/PA**

**Moved (Yeoman/Smart)**

That the report 'Council Working Group Updates' be received.

**Carried**

## **Financial Report to 31 March 2018 (Item 5.1)**

**ID: A1053181**

**Report from Vincent McColl, Financial Accountant**

**Moved (Sinclair/Smart)**

That the report 'Financial Report to 31 March 2018' by Vincent McColl, Financial Accountant and dated 10 April 2018, be received.

**Carried**

*Secretarial Note: Council's Independent Advisor provided an overview of council's financial status.*

## **Refinancing of External Debt (Item 5.2)**

**ID: A1053531**

**Report from Simon Crabb, Finance Manager**

**Moved (Sinclair/Bain)**

1. That the report 'Refinancing of External Debt' by Simon Crabb, Finance Manager and dated 3 April 2018, be received.
2. That council enter into a loan from the Local Government Funding Agency of up to \$2M (inclusive of 1.6% Borrower Notes) with an initial interest payment date of 13 August 2018 and semi-annually thereafter at a fixed borrowing cost in the range of 4.55% pa and 4.90% pa.
3. That the \$1.97M of loan funding (net of 1.6% Borrower Notes) is invested into the Infrastructure Investment Fund.

**Carried**

## **Deliberations Report on Proposed Amendments to the Kai Iwi Lakes Navigation Safety Bylaw 2017 (Item 6.1)**

**ID: A1053157**

**Report from Laurence Walkinshaw, Deputy Harbourmaster**

**Moved (Stolwerk/Smart)**

1. That the report 'Deliberations Report on Proposed Amendments to the Kai Iwi Lakes Navigation Safety Bylaw 2017' by Laurence Walkinshaw, Deputy Harbourmaster and dated 9 April 2018, be received.

**Carried**

**It was further moved (Stolwerk/Finlayson)**

2. That the council approves the Deliberations Panel recommendation to alter clause 3.3 of the Bylaw (as worded in Attachment A) to restrict the speed of vessels on Lake Taharoa to 5-knots between the shoreline and '5-knot buoys' set approximately 200m from the annual high water mark.

**Carried**

*Secretarial Note: Clarification was provided that council had consulted on a 5 knot speed area within 100m and 200m of the shoreline. 150m had been raised as an alternative during deliberations.*

**It was further moved (Stolwerk/Bain)**

3. That the council delegates to the General Manager – Customer Service/Community Resilience the authority to make any necessary minor formatting, typographical, and administrative changes to the Bylaw prior to formal notification.

**Carried**

**Representative on Te Au Mārie 1769 Sestercentennial Charitable Trust (Item 6.2)**

**ID: A1053817**

**Report from Christine Taylor, Governance Support Manager**

**Moved (Smart/Dimery)**

1. That the report 'Representative on Te Au Mārie 1769 Sestercentennial Charitable Trust' by Chris Taylor, Governance Support Manager and dated 11 April 2018, be received.
2. That Councillor Yeoman be appointed as the Northland Regional Council representative on Te Au Mārie 1769 Sestercentennial Charitable Trust (replacing Councillor Stolwerk).
3. That, for the avoidance of doubt, Councillor Yeoman be eligible for vehicle mileage and travel allowances to attend meetings of the Trust.

**Carried**

**Regional Land Transport Plan 2015-2021 - Three Year Review (Item 6.3)**

**ID: A1054559**

**Report from Chris Powell, Transport Manager and Jon Trewin, Policy Analyst**

**Moved (Bain/Dimery)**

1. That the report 'Regional Land Transport Plan 2015-2021 - Three Year Review' by Chris Powell, Transport Manager; and Jon Trewin, Policy Analyst and dated 13 April 2018, be received.

**Carried**

**It was further moved (Bain/Dimery)**

2. That the Northland Regional Council approves the Regional Land Transport Plan 2015-2021 – Three Year Review, compiled by the Regional Transport Committee.

**Carried**

**It was further moved (Bain/Finlayson)**

3. That the Northland Regional Council approves the submission of the Regional Land Transport Plan 2015-2021 – Three Year Review to the New Zealand Transport Agency by 30 April 2018.

**Carried**

**It was further moved (Shepherd/Bain)**

4. That the council delegates to the Chief Executive Officer the authority to make any necessary minor formatting, typographical, and administrative changes to the Regional Land Transport Plan 2015-2021 prior to submission.

**Carried**

## **Submissions to District Councils' 2018-28 Long Term Plan Consultation Documents (Item 6.4)**

**ID: A1055377**

**Report from Bree Torkington, Assistant Management Accountant and Kyla Carlier, Strategy Specialist**

**Moved (Yeoman/Stolwerk)**

1. That the report 'Submissions to District Councils' 2018-28 Long Term Plan Consultation Documents' by Bree Torkington, Assistant Management Accountant and Kyla Carlier, Strategy Specialist and dated 17 April 2018, be received.
2. That council retrospectively approves the submissions lodged to Far North, Kaipara and Whangarei District Councils.

**Carried**

*Secretarial Note: Appreciation was extended to staff for compiling the three submissions and also to the councillors that represented NRC at each of the hearings.*

## **Chair's Report to Council (Item 7.1)**

**ID: A1053106**

**Report from Bill Shepherd, Chairman**

**Moved (Shepherd/Sinclair)**

That the report 'Chair's Report to Council' by Bill Shepherd, Chairman, and dated 9 April 2018, be received.

**Carried**

## **Chief Executive's Report to Council (Item 7.2)**

**ID: A1049372**

**Report from Malcolm Nicolson, CEO**

**Moved (Shepherd/Sinclair)**

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, CEO and dated 28 March 2018, be received.

**Carried**

*Secretarial Note:*

- *Appreciation was extended to staff for the successful eradication of oxygen weed from Lake Ngakapua.*
- *The IT Steering Group was requested to consider the security of client data and report back to council in due course.*
- *The Kaiarahi – Kaupapa Māori was in attendance to provide background on the 'Best Practice Non-Statutory Planning' award received by the Northland Regional Council in conjunction with the three district councils for the development of a papakāinga toolkit.*

## Receipt of Committee Minutes (Item 8.0)

ID: A1051545

Report from Christine Taylor, Governance Support Manager

Moved (Stolwerk/Sinclair)

That the unconfirmed minutes of the:

- Civil Defence Emergency Management – 6 March 2018;
- Property Subcommittee – 7 March 2018, 13 March 2018 and 4 April 2018;
- Investment Subcommittee – 23 March 2018; and
- Regional Transport Committee - 4 April 2018

be received.

Carried

## Business with Public Excluded (Item 9.0)

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	Reasons/Grounds
9.1	Confirmation of Confidential Minutes – 20 March 2018	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting -.
9.2	Receipt of Confidential Committee Minutes	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting -.
9.3	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 s7(2)(a).
9.4	Sale of Council's Lessor Interest in Order to Freehold a CBD Property	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h) and the withholding of which is necessary to enable council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).
9.5	Purchase of Tarewa Freehold Property	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h) and the withholding of which is necessary to enable council to carry on, without prejudice or

		disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).
9.6	Consolidation of Council's Property Interests in Whangarei's CBD	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h) and the withholding of which is necessary to enable council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).

3. That the Independent Financial Advisor be permitted to remain during business with the public excluded.

**Carried**

## **Open Meeting**

**Moved (Shepherd/Sinclair)**

That the council resumes in open meeting.

**Carried**

## **Tabled Item: Northland Inc. Appointment Committee (Item 2.0A)**

**ID: A1059221**

**Report from Chris Taylor, Governance Support Manager**

**Moved (Shepherd/Sinclair)**

That as permitted under Section 46(A) of the Local Government Official Information and Meetings Act 1987 the following tabled report be received:

- Item 6.5: Northland Inc Appointment Committee

**Carried**

## **Northland Inc Appointment Committee (Tabled Item 6.5)**

**ID: A1059201**

**Report from Malcolm Nicolson, Chief Executive Officer**

**Moved (Sinclair/Smart)**

1. That the report 'Northland Inc Appointment Committee' by Malcolm Nicolson, Chief Executive Officer, and dated 24 April 2018, be received.

**Carried**

**It was further moved (Yeoman/Bain)**

2. That, consistent with council's Policy on the Appointment of Directors to Council Organisations, council establishes a committee comprising of Chairman Bill Shepherd, Deputy Chair David Sinclair and Councillor Penny Smart to consider applications and conduct interviews, with responsibility to make a recommendation on preferred candidates to council.

3. That council requests that the Chief Executive Officer identify an appropriately qualified and experienced independent advisor to provide advice and support to the committee during the recruitment process (for the avoidance of doubt this is not a voting member of the committee).

**Carried**

**It was further moved (Bain/Dimery)**

4. In the event there is no appropriately qualified, experienced and independent advisor available then an additional councillor be appointed to the committee.

**Carried**

**Moved (Bain/Stolwerk)**

5. That in the event of recommendation four (above) Councillor Dimery be the councillor appointed to the committee.

**Carried**

## **Conclusion**

The meeting concluded at 12.58pm.