

Northland Regional Council Minutes

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 21 August 2018, commencing at 10.30am

Present:

Deputy Chairman, David Sinclair

Councillors:

John Bain

Justin Blaikie

Paul Dimery

Mike Finlayson (*left meeting 11.40 – 11.45am*)

Penny Smart

Rick Stolwerk

Joce Yeoman

In Attendance:

Full Meeting

Deputy Chief Executive Officer

GM - Governance and Engagement

GM - Regulatory Services

Governance Support Manager

Part Meeting

Te Roroa Science Advisor

Northland Inc. Limited Chief Executive Officer

Northland Inc. Director/Independent Financial Advisor

Chief Executive Officer

GM – Corporate Excellence

GM – Customer Service/Community Resilience

Communications Manager

Biosecurity Manager

Biosecurity Manager – Marine and Strategy

Biosecurity Manager – Partnerships and Strategy

Finance Manager

Customer Services Manager

Compliance Monitoring Manager

Land Manager

Information Services and Technology Manager

Strategic Projects Manager

Financial Accountant

Economist

Communications Officer

Property Officer

Policy Analyst

The Chair declared the meeting open at 10.32am.

Apologies (Item 1.0)

Moved (Dimery/Bain)

That the apologies from Chairman Shepherd for non-attendance and from the Chief Executive Officer for a temporary leave of absence 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.

Receipt of Supplementary Item for Council Meeting – 21 August 2018 (Item 2.0A)

ID: A1099194

Report from Chris Taylor, Governance Support Manager

Moved (Stolwerk/Smart)

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

- ITEM 7.7: Representation Review 2018 Final Proposal

Carried

Presentations (Item 3.0)

ID: A1094908

Report from Chris Taylor, Governance Support Manager

Te Roroa Science Advisor, Taoho Patuawa, was in attendance and provided the presentation 'Tāne Mahuta Kauri Dieback Response Plan'. It was stressed that the Response Plan was currently in draft and confidential form subject to agreement of details from major contributing partners. Key points of the presentation included:

- Context for the Response Plan;
- Response Plan Actions – immediate and short term;
- Response Plan workstreams and projects;
- Waipoua Forest Kauri Dieback management options;
- Stand alone project – organisational structure; and
- Te Roroa links with current research projects.

Secretarial Note: The Chief Executive Officer left the meeting at 10.59am, therefore the introduction of the new executive team was withdrawn.

Health and Safety Report (Item 4.0)

ID: A1094593

Report from Tracey Warboys, Health and Safety Specialist

Moved (Stolwerk/Yeoman)

That the report 'Health and Safety Report' by Tracey Warboys, Health and Safety Specialist and dated 6 August 2018, be received.

Carried

Confirmation of Minutes - 16 May 2018, 10 July 2018, and 24 July 2018 (Item 5.1)

ID: A1091048

Report from Chris Taylor, Governance Support Manager

Moved (Stolwerk/Smart)

That the minutes of the Long Term Plan deliberations meeting held on 16 May 2018, the extraordinary council meeting held on 10 July 2018, and the council meeting held on 24 July 2018, be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

ID: A1095594

Report from Chris Taylor, Governance Support Manager

Moved (Bain/Dimery)

That the action sheet be received.

Carried

Council Working Party Updates and Chairpersons' Briefings (Item 5.3)

ID: A1086407

Report from Chris Taylor, Governance Support Manager

Moved (Blaikie/Smart)

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

Carried

Council Working Group Updates (Item 5.4)

ID: A1092341

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

Moved (Bain/Yeoman)

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

Carried

Request for Approval to Carry Forward Operational Budget from the 2017/18 Financial Year into the 2018/19 Financial Year (Item 6.1)

ID: A1094558

Report from Vincent McColl, Financial Accountant and Simon Crabb, Finance Manager

Moved (Smart/Stolwerk)

1. That the report 'Request for Approval to Carry Forward Operational Budget from the 2017/18 Financial Year into the 2018/19 Financial Year' by Vincent McColl, Financial Accountant and Simon Crabb, Finance Manager and dated 8 August 2018, be received.
2. That council approves the operational expenditure carry forwards from the 2017/18 financial year into the 2018/19 financial year of:
 - a. \$50,000 for Regional plan hearings; and
 - b. \$6,382 for removal of the Stanaway marine vessel
 - c. \$7,587 for the Ecosystem prioritisation project.
3. That council notes \$66,146 of unspent operational budget, approved under Schedule 3 of the Delegations Manual in 2017/18, has been carried forward into the 2018/19 financial year to fund:
 - a. \$37,756 for the Flyger Road nursery expansion; and
 - b. \$28,390 for the Tutukaka beacon replacement project.

Carried

Request for Approval to Carry Forward Capital Expenditure Budget from the 2017/18 Financial Year into the 2018/19 Financial Year (Item 6.2)

ID: A1093840

Report from Vincent McColl, Financial Accountant and Simon Crabb, Finance Manager

Moved (Bain/Dimery)

1. That the report 'Request for Approval to Carry Forward Capital Expenditure Budget from the 2017/18 Financial Year into the 2018/19 Financial Year' by Vincent McColl, Financial Accountant and Simon Crabb, Finance Manager and dated 3 August 2018, be received.
2. That council approves the carry forward of \$605,605 general capital expenditure budget from the 2017/18 financial year into the 2018/19 financial year, noting that \$66,146 will be funded from unspent 2017/18 operational budgets.

Carried

Special Reserves at 30 June 2018 (Item 6.3)

ID: A1095483

Report from Simon Crabb, Finance Manager and Vincent McColl, Financial Accountant

Moved (Finlayson/Bain)

That the report 'Special Reserves at 30 June 2018' by Simon Crabb, Finance Manager and Vincent McColl, Financial Accountant and dated 8 August 2018, be received.

Carried

Regional Rates Collection for 2017/18 (Item 6.4)

ID: A1094292

Report from Simon Crabb, Finance Manager

Moved (Stolwerk/Dimery)

That the report 'Regional Rates Collection for 2017/18' by Simon Crabb, Finance Manager and dated 6 August 2018, be received.

Carried

Reinvestment of Gains Earned on Council's Externally Managed Funds (Item 6.5)

ID: A1093948

Report from Simon Crabb, Finance Manager

Moved (Smart/Blaikie)

1. That the report 'Reinvestment of Gains Earned on Council's Externally Managed Funds' by Simon Crabb, Finance Manager and dated 3 August 2018, be received.
2. That \$1,158,124 of Community Investment Fund gains earned in 2017/18 is reinvested into the Community Investment Fund.
3. That \$453,130 of Property Reinvestment Fund gains earned in 2017/18 is reinvested into the Property Reinvestment Fund.
4. That \$272,826 of the Infrastructure Investment Fund gains earned in 2017/18 is reinvested into the Infrastructure Investment Fund, and that \$106,614 of net depreciation funding and \$1,068,841 of accumulated debt repayment funding are transferred into the Infrastructure Investment Fund.

Carried

Secretarial Note: NINC director/Independent Financial Advisor, Geoff Copstick, left the table prior to Item 7.1.

Investment and Growth Reserve: Changes to the Criteria and Procedures for the Allocation of Funding (Item 7.1)

ID: A1084450

Report from Darryl Jones, Economist

Moved (Stolwerk/Bain)

1. That the report 'Investment and Growth Reserve: Changes to the Criteria and Procedures for the Allocation of Funding' by Darryl Jones, Economist and dated 9 August 2018, be received.
2. That council approve the new criteria and procedures for the allocation of funding from the Investment and Growth Reserve contained in Attachment 2 pertaining to Item 7.1 of the 21 August 2018 council agenda.
3. That the changes to the Investment and Growth Reserve criteria and the procedures for the allocation of funding be further discussed at the Northland Inc. Limited workshop on 12 September 2018.

Carried

Councillor Smart voted against the motion

Te Taitokerau Māori and Council Working Party (TTMAC) - Proposed Amendment to Ngā Kupu Pānga | Terms of Reference (Item 7.2)

ID: A1097831

Report from Rachel Ropiha, Kaiarahi - Kaupapa Māori

Moved (Dimery/Blaikie)

1. That the report 'Te Taitokerau Māori and Council Working Party (TTMAC) - Proposed Amendment to Ngā Kupu Pānga | Terms of Reference' by Rachel Ropiha, Kaiarahi - Kaupapa Māori and dated 13 August 2018, be received.
2. That council supports the Te Taitokerau Māori and Council Working Party (TTMAC) - Proposed Amendment to Ngā Kupu Pānga | Terms of Reference.

Carried

Amendment to Delegations (Item 7.3)

ID: A1092309

Report from Chris Taylor, Governance Support Manager

Moved (Smart/Blaikie)

1. That the report 'Amendment to Delegations' by Chris Taylor, Governance Support Manager and dated 30 July 2018, be received.
2. That the 'Miscellaneous Delegation' section of the Northland Regional Council Delegations Manual be amended as follows:

Miscellaneous Delegations

Section	Summary of function delegated	Delegate	Terms, conditions and notes
N/A	To make submissions on behalf of council.	The Executive Leadership Team	<ul style="list-style-type: none">• The Executive Leadership Team is delegated authority to lodge submissions on behalf of the Northland Regional Council provided the subject of the submission is deemed to have low political significance and/or is of an operational nature. The submission must be circulated to elected members prior to lodging. The submission also to be listed in the next Chief Executive's Report to council.• Full (formal) council approval is required for all submissions that are deemed to be politically significant. However, in the event timeframes are such that formal approval cannot be sought then the Executive Leadership Team may lodge a submission on behalf of council provided a draft is circulated to elected members for comment and the submission is retrospectively approved by council at the next council meeting.• For the avoidance of doubt this does not supercede existing delegations for specific council officers to lodge submissions under explicit sections of the Resource Management Act 1991, the Building Act 2004 and the Crown Minerals Act 1991.

3. That council retrospectively approve the submission (included as Attachment 1 pertaining to Item 7.3 of the 21 August 2018 council agenda) on the draft National Planning Standards issued by the Ministry for the Environment.

Carried

Amendment to Elected Members' Expenses and Allowances Policy (Item 7.4)

ID: A1093600

Report from Chris Taylor, Governance Support Manager

Moved (Smart/Bain)

1. That the report 'Amendment to Elected Members' Expenses and Allowances Policy' by Chris Taylor, Governance Support Manager and dated 2 August 2018, be received.
2. That council notes the revised Elected Members' Expenses and Allowances Policy (included as Attachment 1 pertaining to Item 7.4 of the 21 August 2018 council agenda).

Carried

Environment Fund Overallocation (Item 7.5)

ID: A1093651

Report from Duncan Kervell, Land Manager

Moved (Stolwerk/Blaikie)

1. That the report 'Environment Fund Overallocation' by Duncan Kervell, Land Manager and dated 2 August 2018, be received.
2. That for 2018/19 council approves an overallocation of the Land/Biodiversity component of the Environment Fund budget (\$1.032M) by up to 20% (\$207K).
3. That council delegates authority to the Farm Plan Manager to co-approve Environment Fund applications of up to \$20K in conjunction with the NRC Chairman's (or nominated replacement) co-approval of projects.

Carried

Inter-regional Marine Pest Pathway Plan – Discussion Document (Item 7.6)

ID: A1094333

Report from Don McKenzie, Biosecurity Manager

Moved (Finlayson/Stolwerk)

1. That the report 'Inter-regional Marine Pest Pathway Plan – Discussion Document' by Don McKenzie, Biosecurity Manager and dated 6 August 2018, be received.
2. That council approves the development of a draft discussion document outlining the threat of marine pests and potential responses and associated supporting information.
3. That the draft discussion document, supporting information and outline of the consultation programme be brought to council for consideration and approval prior to being released for feedback.
4. That council approves engagement of the Māori Technical Advisory Group to assist staff with the development of the discussion document and associated consultation programme.

Carried

Representation Review 2018 Final Proposal (Item 7.7)

ID: A1092406

Report from Chris Taylor, Governance Support Manager

Moved (Dimery/Stolwerk)

1. That the report 'Representation Review 2018 Final Proposal' by Chris Taylor, Governance Support Manager and dated 14 August 2018, be received.
2. That pursuant to section 19N(1)(a) of the Local Electoral Act 2001, the Northland Regional Council resolves that, after the consideration of all submissions received, the Initial Representation Arrangements Proposal of 21 June 2018 be adopted as the Northland Regional Council's Final Representation Arrangements Proposal as follows:
 - a) That the Northland Regional Council be divided into seven (7) constituencies (as shown in **Appendix One**).
 - b) That the names and descriptions of the seven (7) constituencies be as follows:
 - i. **Te Hiku Constituency** – Comprising the area that extends on the west coast from near the northern side of the Whāngāpē Harbour northwards to Cape Rēinga. On the east coast it includes the Karikari Peninsula and south to Taipā, Mangonui Harbour, Hihi and Taemaro. Moving inland it includes the settlements of Oruaiti, Kenana, Fern Flat, Mangataiore, and Takahue. The proposed constituency includes the towns of Kaitāia, Ahipara, Awanui and Mangonui (as shown in **Appendix Two**).
 - ii. **Hokianga-Kaikōhe Constituency** – Comprising the area whose south-west boundary matches the Far North District Council boundary at Waipoua Forest and extends north to include all of the Hokianga and Whāngāpē Harbours. Extending eastwards, the constituency includes Mangamuka, Rangiahua, Waihou Valley, Ōkaihau and Oromahoe. Extending southwards, the settlements of Pakaraka, Matawaia, Kaikou, Pīpīwai, Moengawahine and Opouteke are included. The towns of Opononi and Kaikōhe are situated in this constituency (as shown in **Appendix Two**).
 - iii. **Coastal North Constituency** – Comprising the area that begins south of Doubtless Bay and extends south along the east coast to include the coastal settlements at Taupo Bay through to Matauri Bay, Takou Bay and Taronui Bay. It includes the town of Kerikeri and all of the Bay of Islands including Paihia, Ōpua and Russell. Continuing down the east coast, it includes the coastal settlements of Oakura, Helena Bay down to Whananaki South. To the west it includes Marua and Hikurangi. Further south around the western side of Whangārei it includes Gumtown, Maungatapere, Wharekohe, Poroti and Kokopu. Northwards from there it includes Matarau and Purua and northwards to include Motatau, Otiria, Waimate North, Mangapa, Otangaroa and Akatere. The towns of Moerewa and Kawakawa are also included in this constituency (as shown in **Appendix Two**).
 - iv. **Whangārei Urban Constituency** – Comprising the area that includes the northern Whangārei suburbs of Kamō, Whau Valley, Tikipunga and Otangarei. It extends through Kensington to Riverside and westwards to Woodhill through to Maunu ending before Barge Park. The southern border of this constituency is just north

of Toetoe Road and it also includes the area known as Port Whangārei (as shown in **Appendix Two**).

- v. **Coastal Central Constituency** – Comprising the area north of the Whangārei Urban constituency, east to Glenbervie and further south adjacent to Riverside and extending to Onerahi. The boundary then follows the northern side of Whangārei Harbour out to the east coast. It includes Ocean Beach, and extends north to include Pataua, and the Tutukaka Coast settlements of Ngunguru, Tutukaka, Matapouri, Woolleys Bay and Sandy Bay (as shown in **Appendix Two**).
 - vi. **Coastal South Constituency** – Comprising the area that includes the southern fringes of Whangārei from Toetoe extending westwards to the Otaika Valley, Otuhi, Tangihua and Maungakaramea. It extends south to include the settlements of Waipū, Brynderwyn and Kaiwaka before extending eastwards to just south of Mangawhai Heads. This constituency also includes the towns of Mangawhai, Kaiwaka and Ruakākā (as shown in **Appendix Two**).
 - vii. **Kaipara Constituency** – Comprising the area that includes Poutō Peninsula and the northern area of the Kaipara Harbour and extends northwards to meet the Far North District Council boundary at Waipoua Forest. It extends eastwards to include Waimatenui, Kaihu, Titoki and southwards to include the settlements of Waiotama, Omana, Parahaka and south to Maungaturoto. This constituency also includes the towns of Ruāwai and Dargaville (as shown in **Appendix Two**).
- c) That the council comprise nine (9) councillors – the constituencies, number of councillors per constituency, the constituency populations (estimated at June 2017) and the population ration per councillor is as follows:

Constituency	2017 population estimate *	Number of councillors	Population per councillor **	Fits +/- 10% rule
Te Hiku	19,860	1	19,860	Yes (+1.86%)
Hokianga-Kaikohē***	16,120	1	16,120	No (-17.32%)
Coastal North	42,160	2	21,080	Yes (+8.12%)
Whangārei Urban	41,440	2	20,720	Yes (+6.27%)
Coastal Central	20,070	1	20,070	Yes (+2.94%)
Coastal South	17,760	1	17,760	Yes (-8.91%)
Kaipara	18,060	1	18,060	Yes (-7.37%)
	175,470	9		

* Based on Stats NZ population estimates only as at 30 June 2017.

** In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each councillor represents must be within the population range of 19,497 plus or minus 10% (17,547 to 21,446).

***For the Hokianga-Kaikohē Constituency the population that the councillor represents falls outside of the range and therefore does not comply with section 19V(2) of the Local Electoral Act 2001. Accordingly, under legislation, this must be treated as if it were an appeal and forwarded to the Local Government Commission for determination.

3. That pursuant to section 19N(1)(a) of the Local Electoral Act 2001, the Northland Regional Council resolves that, after the consideration of all submissions, the following recommendations be confirmed:
 - i. Include the Oneriri Peninsula in the Coastal South constituency: the submission of Wendy Howard is not supported. The reasons for not supporting this submission are that it results in non-compliance of the fair representation criteria (+/- 10% rule), it fails to 'future proof' the Coastal South constituency (which has experienced the largest growth rates in the region) and it fails to acknowledge the link the Oneriri Peninsula has with the Kaipara Harbour.
 - ii. Transfer Mangawhai and Kaiwaka into the Kaipara constituency: the submissions of Margaret Hicks and Joe Carr are not supported. The reasons for not supporting these submissions are that they result in significant non-compliance of the fair representation criteria and it would be inconsistent with identified regional communities of interest.
 - iii. That the status quo be retained: the submission of Joe Carr is not supported. The reasons for not supporting this submission are that it does not comply with the fair representation criteria and misses an opportunity to refine the representation arrangements for Northland.
 - iv. That constituencies align with tribal areas of Te Tai Tokerau: the submission of Ms Merehora Taurua is not supported. The reasons for not supporting this submission is that the issue of Māori constituencies has already been considered (24 October 2017) as one of the first statutory steps required in the Representation Review and further consideration would result in council not meeting the statutory timeframes of the Local Electoral Act 2001.
 - v. General support for the Initial Proposal: the submission of Federated Farmers (Richard Gardner) is supported. The reason for supporting this submission is that it endorsed the 'fine tuning' of representation arrangements in Northland.
4. That the Chief Executive Officer be authorised to make any editorial changes arising from the adoption of this proposal.

Carried

Northland Walking and Cycling Strategy (Item 7.8)

ID: A1096093

Report from Darryl Jones, Economist and Jon Trewin, Policy Analyst

Moved (Stolwerk/Blaikie)

1. That the report 'Northland Walking and Cycling Strategy' by Darryl Jones, Economist, and Jon Trewin, Policy Analyst and dated 8 August 2018, be received.
2. That council adopts the final version of the Northland Walking and Cycling Strategy 2018 as set out in Attachment 1 pertaining to Item 7.8 of the 21 August 2018 council agenda.

Carried

Treatment of Whangārei Harbour Board Land (Item 7.9)

ID: A1093537

Report from Alicia Jurisich, Property Officer

Moved (Bain/Smart)

1. That the report 'Treatment of Whangārei Harbour Board Land' by Alicia Jurisich, Property Officer and dated 2 August 2018, be received.
2. That the Chief Executive Officer have delegated authority to advise the Whangārei District Council of the following:
 - a. That full council approve the subject land being, Lot 3 DP 27781 and Lots 46 and 64 DP 18256 of NA978/260 and NA603/162, be vested in the Whangārei District Council;
 - b. That Whangārei District Council cover all of council's legal as well as any other related costs to the transfer; and
 - c. That a discussion be held with Whangārei District Council's Chief Executive Officer to negotiate an appropriate level of benefit to council.

Carried

Biosecurity Operational Plan 2017-2027 - Sustained Control Diseases (Kauri Dieback) Update (Item 7.10)

ID: A1098442

Report from Don McKenzie, Biosecurity Manager

Moved (Stolwerk/Smart)

1. That the report 'Biosecurity Operational Plan 2017-2027 - Sustained Control Diseases (Kauri Dieback) Update ' by Don McKenzie, Biosecurity Manager and dated 14 August 2018, be received.
2. That council approve the Biosecurity Operational Plan 2017-2027 – Sustained Control Diseases (Kauri Dieback).

Carried

Chair's Report to Council (Item 8.1)

ID: A1093067

Report from Bill Shepherd, Chairman

Moved (Sinclair/Yeoman)

That the report 'Chair's Report to Council' by Bill Shepherd, Chairman and dated 8 August 2018, be received.

Carried

Chief Executive's Report to Council (Item 8.2)

ID: A1092549

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Stolwerk/Yeoman)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 21 August 2018, be received.

Carried

Secretarial Note:

- Congratulations were extended to the newly appointed Deputy Chief Executive and Deputy Group Managers.
- The Chief Executive returned at 12.44pm.

Receipt of Committee Minutes (Item 9.0)

ID: A1091672

Report from Chris Taylor, Governance Support Manager

Moved (Stolwerk/Finlayson)

That the unconfirmed minutes of the:

- Investment Subcommittee – 31 July 2018.

be received.

Carried

Business with Public Excluded (Item 10.0)

Moved (Dimery/Bain)

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
10.1	Confirmation of Confidential Minutes - 24 July 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.
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 s7(2)(a).
10.3	Chief Executive Officer's Salary Increase	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).

10.4	Acquire Interests in Land for Awanui Flood Scheme Upgrade	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 on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).
10.5	Marsden Maritime Holdings Ltd - Appointment of Directors	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) and the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h).

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

Carried

Open Meeting

Moved (Shepherd/Smart)

That the council resumes in open meeting.

Carried

Secretarial Note: As per Standing Order 17.5 council confirmed the resolutions pertaining to confidential Item 10.3 in open meeting.

Chief Executive Officer's Salary Increase (Item 10.3)

ID: A1094645

Report from Bill Shepherd, Chairman

Moved (Smart/Stolwerk)

1. That the report 'Chief Executive Officer's Salary Increase' by Bill Shepherd, Chairman and dated 7 August 2018, be received.
2. That the Chief Executive Officer's salary be increased to \$288,354 gross per annum.

Carried

Conclusion

The meeting concluded at 1.05pm.