

Northland Regional Council Minutes

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 16 July 2019, commencing at 10.30am

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

Independent Financial Advisor
Chief Executive Officer
GM – Strategy, Governance and Engagement
GM - Corporate Excellence
GM - Regulatory Services
Governance Support Manager

Part Meeting

Forestry consultant
Northland Inc. Limited Acting Chief Executive
Natural Resources Policy Manager
Māori Relationship Manager
Biosecurity Manager
Strategic Projects Manager
Strategic Policy Specialist
Cultural Māori Advisor
Property Officer
Natural Hazards Advisor

The Chair declared the meeting open at 10.30am.

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.

Receipt of Confidential Supplementary Report (Item 2.0A)

ID: 1215703

Report from Chris Taylor, Governance Support Manager

Moved (Shepherd/Sinclair)

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

- Supplementary Item 8.5: Marsden Maritime Holdings Ltd – Appointment of Directors – Additional correspondence.

Carried

Health and Safety Report (Item 3.0)

ID: A1208421

Report from Beryl Steele, Human Resources Manager

Moved (Stolwerk/Smart)

That the report 'Health and Safety Report' by Beryl Steele, Human Resources Manager and dated 2 July 2019, be received.

Carried

Confirmation of Minutes - 18 June 2019 (Item 4.1)

ID: A1208454

Report from Chris Taylor, Governance Support Manager

Moved (Shepherd/Yeoman)

That the minutes of the council meeting held on 18 June 2019 be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 4.2)

ID: A1208400

Report from Chris Taylor, Governance Support Manager

Moved (Sinclair/Stolwerk)

That the action sheet be received.

Carried

Working Party Updates and Chairpersons' Briefings (Item 4.3)

ID: A1197719

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

Moved (Yeoman/Blaikie)

That the report 'Working Party Updates and Chairpersons' Briefings' be received with the correction that Councillor Dimery was Chair of the Planning Working Party.

Carried

Proposed Regional Plan - Decisions on Genetically Modified Organisms Submissions (Item 5.1)

ID: A1198905

Report from Ben Lee, Strategic Policy and Planning Manager and Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement

Moved (Shepherd/Sinclair)

1. That the report 'Proposed Regional Plan - Decisions on Genetically Modified Organisms Submissions' by Ben Lee, Strategic Policy and Planning Manager and Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement and dated 28 June 2019, be received.

Carried

(Councillor Smart abstained from voting on the grounds she did not participate in hearings)

It was further moved (Shepherd/Sinclair)

2. That council adopts Attachment 2 [*pertaining to Item 5.1 of the 16 July 2019 council meeting agenda*] as its decisions on the submissions on the addition of provisions for genetically modified organisms in the Proposed Regional Plan for Northland in accordance with Clause 10, Schedule 1, Resource Management Act 1991.

Carried

Secretarial Note: In putting the motion the Chair called for an expression of opinion by a show of hands, the result being Councillors Bain, Shepherd, Sinclair and Stolwerk in support and Councillors Blaikie, Dimery, Finlayson and Yeoman in opposition. Councillor Smart abstained.

Given an equality of votes the Chair exercised a casting vote (as per Standing Order 18.3) in support of the motion.

It was further moved (Shepherd/Sinclair)

3. That notification of the council decisions on submissions on the addition of provisions for genetically modified organisms in the Proposed Regional Plan for Northland be on or before 6 August 2019.

Carried

(Councillor Smart abstained from voting)

Secretarial Note: The meeting adjourned at 11.17am and reconvened at 11.25am.

Proposed Regional Plan - Appeals (Item 5.2)

ID: A1208110

Report from Michael Day, Natural Resources Policy Manager

Moved (Stolwerk/Dimery)

1. That the report 'Proposed Regional Plan - Appeals' by Michael Day, Natural Resources Policy Manager and dated 1 July 2019, be received.
2. That Councillor Yeoman and the Group Manager – Strategy, Governance and Engagement be delegated the ability to make decisions on council's behalf for resolving appeals on the Proposed Regional Plan for Northland that are generally aligned with the direction already set by council.

Carried

Enhanced Marine Protection for Mimiwhāngata (Item 5.3)

ID: A1205082

Report from Justin Murfitt, Strategic Policy Specialist and Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement

Moved (Stolwerk/Bain)

1. That the report 'Enhanced Marine Protection for Mimiwhāngata' by Justin Murfitt, Strategic Policy Specialist and Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement and dated 21 June 2019, be received.
2. That staff continue to work with Ngātiwai to discuss opportunities to further enhance marine protection at Mimiwhāngata.
3. That regular updates / progress reports are provided to the Natural Resources Working Party.

Carried

Draft Submission - Climate Change (Zero Carbon) Amendment Bill (Item 5.4)

ID: A1205566

Report from Justin Murfitt, Strategic Policy Specialist

Moved (Yeoman/Dimery)

1. That the report 'Draft Submission - Climate Change (Zero Carbon) Amendment Bill' by Justin Murfitt, Strategic Policy Specialist and dated 24 June 2019, be received.
2. That council approve the draft submission in Attachment 1 (pertaining to Item 5.4 of the 16 July 2019 council meeting agenda).
3. That the submission to be lodged with the Environment Select Committee.

Carried

Secretarial Note: Appreciation was extended to the Strategic Policy Specialist for drafting a submission of such calibre.

Amendments to Elected Members' Expenses and Allowances Policy (Item 5.5)

ID: A1206701

Report from Chris Taylor, Governance Support Manager

Moved (Smart/Bain)

1. That the report 'Amendments to Elected Members' Expenses and Allowances Policy' by Chris Taylor, Governance Support Manager and dated 26 June 2019, be received.

Carried

It was further moved (Bain/Sinclair)

2. That council declines the inclusion of childcare allowances in the 'Elected Members' Expenses and Allowances Policy'.

Lost

It was further moved (Yeoman/Finlayson)

- 2a. That council approves the inclusion of childcare allowances in the 'Elected Members' Expenses and Allowances Policy'.

Carried

It was further moved (Bain/Smart)

3. That section 7.1 'Vehicle Mileage Allowance' of the 'Elected Members' Expenses and Allowances Policy' be amended as detailed in **Appendix One** and a new section 9 'Childcare Allowance' be included as detailed in **Appendix Two** [pertaining to Item 5.5 of the 16 July 2019 council meeting agenda].

Carried

Secretarial Note: There was consensus that if an opportunity arose for council to submit on the vehicle mileage allowance it would stress the impact on elected members travelling long distances.

Regional Software Holdings Limited Statement of Intent 2020-2022 (Item 5.6)

ID: A1207021

Report from Dave Tams, Group Manager, Corporate Excellence

Moved (Bain/Dimery)

1. That the report 'Regional Software Holdings Limited Statement of Intent 2020-2022' by Dave Tams, Group Manager, Corporate Excellence and dated 27 June 2019, be received.

Carried

It was further moved (Dimery/Bain)

2. That council accept the Regional Software Holdings Limited Statement of Intent 2020-2022 as set out in **Attachment 1** (pertaining to Item 5.6 of the 16 July 2019 council meeting agenda).

Carried

It was further moved (Smart/Yeoman)

3. That the Chief Executive be instructed to write to the Board of Regional Software Holdings Limited (post a council workshop) expressing council's views on the Statement of Intent.

Carried

Inter-regional Marine Pest Management - Consultation Results and Next Steps (Item 5.7)

ID: A1207340

Report from Justin Murfitt, Strategic Policy Specialist and Don McKenzie, Biosecurity Manager

Moved (Finlayson/Stolwerk)

1. That the report 'Inter-regional Marine Pest Management - Consultation Results and Next Steps' by Justin Murfitt, Strategic Policy Specialist and Don McKenzie, Biosecurity Manager and dated 28 June 2019, be received.

Carried

It was further moved (Finlayson/Smart)

2. That council authorise staff in collaboration with the Top of the North Biosecurity Group partners to progress with the options analysis to identify a preferred option (and supporting evidence) for marine pest management.

Carried

(Councillor Yeoman voted against the motion)

It was further moved (Smart/Finlayson)

3. That a preferred option for the management of marine pests across the four partner regions and supporting evidence be presented to council for consideration in early 2020.

Carried

(Councillor Yeoman voted against the motion)

It was further moved (Stolwerk/Smart)

4. That council approve public release of the consultation results report, subject to formatting and other minor edits to improve 'readability'.

Carried

Secretarial Note: The meeting adjourned at 12.17pm and reconvened at 12.50pm.

NRC Appointment of Trustee onto Northland Events Centre Trust (Item 5.8)

ID: A1205024

Report from Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement

Moved (Stolwerk/Sinclair)

1. That the report 'NRC Appointment of Trustee onto Northland Events Centre Trust' by Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement and dated 20 June 2019, be received.
2. That the council agree that the Whangarei District Council and Northland Events Centre Trust Board (NECT) be asked to amend the NECT deed to remove council's power to appoint one trustee, as provided in cl 22.3(i), and that this be progressed prior to the end of the current NRC appointee, Mr Alistair Wells, being 31 December 2019.

Carried

Northland Inc. Limited: Statement of Intent 2019-2022 (Item 5.9)

ID: A1208405

Report from Darryl Jones, Economist

Moved (Yeoman/Sinclair)

1. That the report 'Northland Inc. Limited: Statement of Intent 2019-2022' by Darryl Jones, Economist and dated 2 July 2019, be received.

Carried

It was further moved (Yeoman/Dimery)

2. That council agree to Northland Inc. Limited's Statement of Intent 2019-2022 as set out in Attachment 2 (pertaining to Item 5.9 of the 16 July 2019 council agenda).

Carried

Policy on Hazardous and Controlled Substances for Pest Control (Item 5.10)

ID: A1209127

Report from Bruce Howse, Group Manager - Environmental Services

Moved (Finlayson/Sinclair)

1. That the report 'Policy on Hazardous and Controlled Substances for Pest Control' by Bruce Howse, Group Manager - Environmental Services and dated 3 July 2019, be received.
2. That council adopts the 'Northland Regional Council Policy on Hazardous and Controlled Substances for Pest Control'.

Carried

Rates Resolution - Typographical Error (Item 5.11)

ID: A1209216

Report from Dave Tams, Group Manager, Corporate Excellence

Moved (Sinclair/Yeoman)

1. That the report 'Rates Resolution – Typographical Error' by GM -Corporate Excellence, Dave Tams, and dated 5 July 2019, be received.
2. That council resolves to correct an error in the rates resolution by altering the amount of the targeted land management rate for the Whangārei district as set on 4 June 2019 from \$0.000991 per dollar of land value to \$0.0000991 per dollar of land value.
3. That the matters in section 24 of the Local Government (Rating) Act 2002 (the financial year to which the rate applies and the due dates of each instalment) as resolved on 4 June 2019 continue to apply in respect of the amended targeted land management rate for the Whangārei district.

Carried

Manea Footprints of Kupe - Confirmation of Definitions (Item 5.12)

ID: A1209718

Report from Darryl Jones, Economist

Moved (Blaikie/Stolwerk)

1. That the report 'Manea Footprints of Kupe - Confirmation of Definitions' by Darryl Jones, Economist and dated 4 July 2019, be received.
2. That council confirm that the Manea Footprints of Kupe project consists of the land, buildings and improvements that occur on it.
3. That council confirms that Te Hua o te Kawariki Trust and Far North Holdings Limited are considered to be public ownership for the purposes of the funding agreement.

Carried

Mt Tiger Harvest Results - 1991 Stand (Item 5.13)

ID: A1210817

Report from Nicole Inger, Property Officer

Moved (Dimery/Bain)

1. That the report 'Mt Tiger Harvest Results - 1991 Stand' by Nicole Inger, Property Officer and dated 9 July 2019, be received.
2. That the harvest's net revenue be deposited into the Equalisation Reserve.

Carried

Secretarial Note: Appreciation was extended to the Forestry Consultant for his sage advice regarding harvest.

Chair's Report to Council (Item 6.1)

ID: A1207935

Report from Bill Shepherd, Chairman

Moved (Shepherd/Sinclair)

That the report 'Chair's Report to Council' by Bill Shepherd, Chairman and dated 1 July 2019, be received.

Carried

Chief Executive's Report to Council (Item 6.2)

ID: A1205970

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Shepherd/Sinclair)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 30 June 2019, be received.

Carried

Secretarial Note: The Independent Financial Advisor provided a positive update on the audit process.

Receipt of Committee Minutes (Item 7.0)

ID: A1208169

Report from Chris Taylor, Governance Support Manager

Moved (Bain/Finlayson)

That the unconfirmed minutes of the:

- Regional Transport Committee – 5 June 2019;
- Civil Defence Emergency Management – 17 June 2019;
- Civil Defence Emergency Management Coordinating Executive Group – 17 June 2019;
- Property Subcommittee – 2 July 2019;

be received.

Carried

Business with Public Excluded (Item 8.0)

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
8.1	Confirmation of Confidential Minutes - 18 June 2019	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting -.
8.2	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 -.
8.3	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).
8.4	The Kensington Redevelopment Project	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which 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 s7(2)(b)(ii), 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).
8.5	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).

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

Carried

Conclusion

The meeting concluded at 2.21pm.