

## Northland Regional Council Minutes

Meeting held in the Council Chamber  
36 Water Street, Whangārei  
on Tuesday 17 March 2020, commencing at 10.30am

### Present:

Chairperson, Penny Smart

Councillors:

John Bain

Justin Blaikie

Jack Crow

Amy Macdonald

Marty Robinson

Rick Stolwerk

Joce Yeoman (*by video conference*)

### In Attendance:

#### Full Meeting

Chief Executive Officer

GM – Environmental Services

GM – Corporate Excellence

Governance Support Manager

#### Part Meeting

GM – Strategy, Governance and Engagement

GM – Regulatory Services

Organisational Project Manager

Finance Manager

Biosecurity Manager

Biosecurity Manager – Marine

Strategic Projects Manager

Economist

The Chair declared the meeting open at 10.36am. Proceedings commenced with a karakia by Councillor Blaikie.

### Apologies (Ngā whakapahā) (Item 1.0)

#### Moved (Robinson /Macdonald)

That the apologies from Councillor Kitchen and the Independent Advisor, Geoff Copstick, for non-attendance be received.

Carried

## **Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)**

It was advised that councillors should make declarations item-by-item as the meeting progressed. Councillors were also asked to confirm any pecuniary or non-pecuniary interests in the ports issue and the wider Supply Chain issues. There were no conflicts to declare at this time.

## **Health and Safety Report February 2020 (Item 3.0)**

**ID: A1291458**

**Report from Andree James, Health and Safety and Human Resources Advisor and Beryl Steele, Human Resources Manager**

**Moved (Stolwerk/Blaikie)**

That the report 'Health and Safety Report February 2020' by Andree James, Health and Safety and Human Resources Advisor and Beryl Steele, Human Resources Manager and dated 28 February 2020, be received.

**Carried**

## **Confirmation of Minutes - 18 February 2020 (Item 4.1)**

**ID: A1292071**

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

**Moved (Stolwerk/Blaikie)**

That the minutes of the council meeting held on 18 February 2020 be confirmed as a true and correct record.

**Carried**

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

**ID: A1294098**

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

**Moved (Robinson/Craw)**

That the action sheet be received.

**Carried**

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

**ID: A1287953**

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

**Moved (Macdonald/Yeoman)**

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

**Carried**

*Secretarial Note: The Chair of the Planning Regulatory Working Party, Councillor Yeoman, and the Chair of the Biosecurity and Biodiversity Working Party, Councillor Craw, provided a verbal update of the work programmes being undertaken by their respective working parties.*

## **Working Group Updates and Chairperson's Briefings (Item 4.4)**

**ID: A1293116**

**Report from Leah Porter, PA/Administrator Environmental Services**

**Moved (Craw/Bain)**

That the report 'Working Group Updates and Chairperson's Briefings' be received.

**Carried**

*Secretarial Note: Prior to Item 5.1: The Financial Report, the Finance Manager provided the presentation 'Externally Managed Funds – Proposed treatment for any shortfall in contribution to general funding' which outlined different scenarios; given the current volatility of the markets.*

## **Financial Report to 29 February 2020 (Item 5.1)**

**ID: A1292571**

**Report from Vincent McColl, Financial Accountant**

**Moved (Stolwerk/Macdonald)**

That the report 'Financial Report to 29 February 2020' by Vincent McColl, Financial Accountant and dated 3 March 2020, be received.

**Carried**

## **Regional Rates Collection - Update to 31 December 2019 (Item 5.2)**

**ID: A1292873**

**Report from Simon Crabb, Finance Manager**

**Moved (Blaikie/Craw)**

That the report 'Regional Rates Collection - Update to 31 December 2019' by Simon Crabb, Finance Manager and dated 4 March 2020, be received.

**Carried**

*Secretarial Note: The format of the Regional Rates Collection report was under review to ensure it was user-friendly.*

## **Local Body Election Matters (Item 6.1)**

**ID: A1288315**

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

**Moved (Stolwerk/Macdonald)**

1. That the report 'Local Body Election Matters' by Chris Taylor, Governance Support Manager and dated 19 February 2020, and the report '2019 Triennial Elections' by Elections Services and dated 17 February 2020, be received.
2. That pursuant to Section 27 of the Local Electoral Act 2001, the council resolves to retain the First Past the Post (FPP) electoral system for the 2022 triennial election, and

no later than 19 September 2020 give public notice of the right of electors to demand a poll on the electoral system to be used by the council.

**Carried**

## **Māori Representation (Item 6.2)**

**ID: A1290120**

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

**Moved (Bain/Macdonald)**

1. That the report 'Māori Representation' by Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement and dated 25 February 2020, be received.

**Carried**

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

2. That staff undertake further investigation into the establishment of Māori constituencies, for and against, including the provision for a referendum for all of Northland, for a formal decision at the May 2020 council meeting.

**Carried**

*Secretarial Note:*

- *For the avoidance of doubt the investigation to incorporate a suite of options for Māori representation (not just Māori constituencies).*
- *The meeting adjourned at 12.05pm and reconvened at 1.11pm.*

## **Authority to Develop a Proposal for an Inter-regional Marine Pest Pathway Plan (Item 6.3)**

**ID: A1291665**

**Report from Justin Murfitt, Strategic Policy Specialist; Don McKenzie, Biosecurity Manager and Kathryn Lister, Biosecurity Officer – Marine**

**Moved (Stolwerk/Macdonald)**

1. That the report 'Authority to Develop a Proposal for an Inter-regional Marine Pest Pathway Plan' by Justin Murfitt, Strategic Policy Specialist; Don McKenzie, Biosecurity Manager and Kathryn Lister, Biosecurity Officer - Marine and dated 28 February 2020, be received.
2. That council authorises staff to develop a formal proposal for an inter-regional marine pest pathway plan under the Biosecurity Act 1993 in conjunction with project partners.
3. That council authorises staff to engage with Māori and key stakeholders in developing the proposal.
4. That staff bring the proposal back to council for consideration later in 2020, including the supporting information required under the Biosecurity Act 1993 and the results of further consultation with Māori and key stakeholders.

**Carried**

## **Draft Council Submission on Proposed NES Outdoor Storage of Tyres (Item 6.4)**

**ID: A1292030**

**Report from Justin Murfitt, Strategic Policy Specialist**

**Moved (Craw/Yeoman)**

1. That the report 'Draft Council Submission on Proposed NES Outdoor Storage of Tyres' by Justin Murfitt, Strategic Policy Specialist and dated 2 March 2020, be received.
2. That council approves the submission and that it be lodged with the Ministry for the Environment before 25 March 2020 (*subject to assurance there were no inconsistencies*).
3. That council authorise the Chief Executive Officer to make minor typographical, formatting or grammatical changes prior to it being lodged with the Ministry for the Environment.

**Carried**

## **Northland Water Storage and Use Project: Additional Project Funding (Item 6.5)**

**ID: A1292235**

**Report from Darryl Jones, Economist and Andrew Carvell, Project Development Manager**

**Moved (Stolwerk/Craw)**

1. That the report 'Northland Water Storage and Use Project: Additional Project Funding' by Darryl Jones, Economist and Andrew Carvell, Project Development Manager and dated 3 March 2020, be received.
2. That council gives retrospective approval to the Chief Executive Officer to sign the Funding Variation Agreement with MBIE to secure the additional \$12 million in funding from the Provincial Growth Fund for the Northland Water Storage and Use Project.

**Carried**

## **LGNZ Remits (Item 6.6)**

**ID: A1292387**

**Report from Linda Harrison, Organisational Project Manager**

**Moved (Bain/Blaikie)**

1. That the report 'LGNZ Remits' by Linda Harrison, Organisational Project Manager and dated 3 March 2020, be received.
2. That council support the submission of the remit to extend the electoral cycle from three to four years to the next Zone 1 and Regional Sector meetings and subsequently the LGNZ AGM (*including feedback from the council meeting*).
3. That council support the submission of the remit to request LGNZ provide video conferencing capability to the next Zone 1 and Regional Sector meetings and subsequently the LGNZ AGM (*including feedback from the council meeting*).

**Carried**

## **Regional Software Holdings Limited - Six Month Report to 31 December 2019 (Item 6.7)**

**ID: A1292399**

**Report from Dave Tams, Group Manager, Corporate Excellence**

**Moved (Stolwerk/Bain)**

That the report 'Regional Software Holdings Limited - Six Month Report to 31 December 2019' by Dave Tams, Group Manager, Corporate Excellence and dated 3 March 2020, be received.

**Carried**

## **Regional Software Holdings Limited Draft Statement of Intent for 2020-2022 (Item 6.8)**

**ID: A1292456**

**Report from Dave Tams, Group Manager, Corporate Excellence**

**Moved (Stolwerk/Bain)**

That the report 'Regional Software Holdings Limited Draft Statement of Intent for 2020-2022' by Dave Tams, Group Manager, Corporate Excellence and dated 3 March 2020, be received.

**Carried**

*Secretarial Note: Any council commentary on the Statement of Intent to suggest the inclusion of a value that RSHL be dynamic and future orientated.*

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

**ID: A1290994**

**Report from Penny Smart, Chair**

**Moved (Bain/Stolwerk)**

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 28 February 2020, be received.

**Carried**

*Secretarial Note: A correction was highlighted that it was Northland Inc. CEO, Murray Reade, and Extension 350 Project Lead, Luke Beehre, that attended the Extension 350 meeting along with Councillors Smart, Blaikie and Craw.*

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

**ID: A1277003**

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

**Moved (Macdonald/Craw)**

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 29 February 2020, be received.

**Carried**

*Secretarial Note: The Chief Executive advised there was a current fraud investigation into a staff credit card being hacked.*

### **Northland Inc. Limited: Second Quarter 2019/20 Reporting Against Statement of Intent 2019-2022 (Item 7.3)**

**ID: A1290452**

**Report from Darryl Jones, Economist and Simon Crabb, Finance Manager**

**Moved (Robinson/Macdonald)**

That the report 'Northland Inc. Limited: Second Quarter 2019/20 Reporting Against Statement of Intent 2019-2022' by Darryl Jones, Economist and Simon Crabb, Finance Manager and dated 26 February 2020, be received.

**Carried**

### **Legislative Compliance for the Period 1 July - 31 December 2019 (Item 7.4)**

**ID: A1292263**

**Report from Kyla Carlier, Corporate Planning Manager**

**Moved (Yeoman/Macdonald)**

That the report 'Legislative Compliance for the Period 1 July - 31 December 2019' by Kyla Carlier, Corporate Planning Manager and dated 3 March 2020, be received.

**Carried**

### **Receipt of Committee Minutes (Item 8.0)**

**ID: A1292539**

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

**Moved (Bain/Stolwerk)**

That the unconfirmed minutes of the:

- Investment and Property Subcommittee – 26 February 2020  
be received.

**Carried**



## Business with Public Excluded (Item 9.0)

### Moved (Bain/Craw)

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 - 18 February 2020 | 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      | Appointment of Northland Inc. 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).   |
| 9.5      | Freeholding Industrial Area Ground Leases               | 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      | Natural Hazards Request for Budget Carry Forward        | 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). |

**Carried**

*Secretarial Note: The meeting adjourned at 1.08pm and reconvened at 1.35pm (in public excluded).*

## Conclusion

**The meeting concluded at 2.10pm.**