

Northland Regional Council Minutes

Meeting held remotely via video conference
on Tuesday 21 April 2020, commencing at 10.30am

Present:

Chairperson, Penny Smart

Councillors:

John Bain

Justin Blaikie

Jack Crow

Colin Kitchen (*from 10.38am*)

Amy Macdonald

Marty Robinson

Rick Stolwerk

Joce Yeoman

In Attendance:

Full or Part Meeting

Chief Executive Officer

GM - Corporate Excellence

GM – Strategy, Governance and Engagement

GM – Regulatory Services

GM – Environmental Services

Finance Manager

Strategic Projects Manager

Financial Accountant

Economist

Governance Support Manager

The Chair declared the meeting open at 10.30am. Proceedings commenced with a karakia by Councillor Yeoman.

Apologies (Ngā whakapahā) (Item 1.0)

There were no apologies.

Secretarial Note: After the meeting the apologies from the Independent Financial Advisor were noted.

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.

Receipt of Confidential Tabled Item: Rent Relief for Council's Investment Property Tenants (Item 2.0A)

ID: A1307177

Report from Phil Heatley, Strategic Projects Manager

Moved (Yeoman/Stolwerk)

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

- Rent Relief for Council's Investment Property Tenants

Carried

Secretarial Note: The meeting adjourned at 10.35am to allow the technical issues preventing Councillor Kitchen joining the meeting to be resolved. The meeting reconvened at 10.38am.

Health and Safety Report (Item 3.0)

ID: A1300579

Report from Beryl Steele, Human Resources Manager

Moved (Stolwerk/Macdonald)

That the report 'Health and Safety Report' by Beryl Steele, Human Resources Manager and dated 30 March 2020, be received.

Carried

Confirmation of Minutes - 17 March 2020 and 25 March 2020 (Item 4.1)

ID: A1301228

Report from Chris Taylor, Governance Support Manager

Receipt of Action Sheet (Item 4.2)

ID: A1301058

Report from Chris Taylor, Governance Support Manager

Working Party Updates and Chairpersons' Briefings (Item 4.3)

ID: A1300044

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

Moved (Craw/Bain)

1. That the minutes of the council meeting held on 17 March 2020, and the emergency council meeting held on 25 March 2020, be confirmed as a true and correct record.
2. That the action sheet be received.
3. That the report 'Working Party Updates and Chairpersons' Briefings' be received.

Carried

Matters arising from Items 4.1, 4.2 and 4.3

- Confirmation was provided that all but one of Te Taitokerau Māori and Council (TTMAC) Working Party members were capable of participating in zoom (videoconference) meetings. The remaining member would be able to participate via teleconference.

Hence TTMAC meetings and participation in working parties would be able to proceed as scheduled.

- Clarification was sought on the process going forward for hapū Mana Whakahono a Rohe agreements. It was advised that TTMAC's recommendations would be workshopped with council before a paper was prepared for formal consideration.

Financial Report to 31 March 2020 Update (Item 5.1)

ID: A1305549

Report from Simon Crabb, Finance Manager

Secretarial Note: The Finance Manager provided the presentation 'Financial Result March 2020 Update'. Key aspects included:

- *In January 2020 council's externally managed fund portfolio made \$3.2m in gains. \$1.2m of this was used to fund operating expenses and \$2m was reinvested back into the portfolio.*
- *In February 2020 council's externally managed funds experienced \$1m in losses so accumulated gains went down to \$2.2m at the end of February.*
- *In February 2020 council de-risked \$2.1m by moving it out of the portfolio and into term deposits.*
- *In March 2020 council's externally managed funds experienced \$3.6m in losses. Therefore for the year ending March 2020 there was a capital loss of \$1.4m, which was \$3m unfavourable compared to budget.*
- *Potential compensating actions included using the Operating Reserve (established to provide certainty when markets were volatile), historical gains or processing an accounting entry. No losses had been crystallised at this time.*
- *Advice had been sought from EriksensGlobal Limited regarding forecast scenarios for the remainder of the financial year and it was estimated council's portfolio would make positive gains of \$1.5m; resulting in total annual gains of \$100k (which was \$2m less than budget).*
- *Historically council's managed funds had performed well (producing \$15.2m in gains prior to the current financial year) which significantly eased the financial burden on the community.*
- *It was stressed that council's strategy of reprofiling its investment portfolio and key decisions over the past financial year had put council in a 'much more favourable position'.*
- *Based on the advice of EriksensGlobal council was no longer making payments into the managed funds. Any new money was being invested in term deposits; which was deemed a prudent and conservative approach.*
- *Appreciation was extended to the Investment and Property Subcommittee and staff for navigating council through such challenging times.*

Moved (Stolwerk/Bain)

That the Financial Report to 31 March 2020 by Finance Manager, Simon Crabb, be received.

Carried

Rivers Request for Approval of Unbudgeted Expenditure Panguru (Item 6.1)

ID: A1300982

Report from Joseph Camuso, Rivers & Natural Hazards Manager

Moved (Blaikie/Robinson)

1. That the report 'Rivers Request for Approval of Unbudgeted Expenditure Panguru' by Joseph Camuso, Rivers & Natural Hazards Manager and dated 31 March 2020, be received.
2. That council approve the unbudgeted expenditure of \$185,000 for the Panguru flood mitigation work funded from the Flood Infrastructure Rate Reserve.

Carried

Matters arising from Item 6.1

- The variation in the cost for the Panguru flood mitigation works was due to the fact that once bulk earthworks commenced, additional scour protection was required. Compensation was also provided to landowners where the works negatively impacted on their property. This increase in budget had been offset by savings on the Woods Road flood wall due to the negotiation of an easement.
- The overall result was 'pleasing' but concern was raised at the percentage increase in the cost of the Panguru project and it was stressed that council must ensure sufficient contingency was built into budgets for projects such as this.
- Appreciation was extended to the previous council for progressing the Panguru project and ultimately providing essential flood infrastructure for a community that could not afford it.
- It was advised that an application had been made to government (as a 'shovel ready project') to ensure the Far North District Council had sufficient funding to complete its portion of the Panguru works.

Northland Inc. Limited: Draft Statement of Intent 2020–2023 (Item 6.2)

ID: A1302349

Report from Darryl Jones, Economist

Moved (Robinson/Stolwerk)

1. That the report 'Northland Inc. Limited: Draft Statement of Intent 2020–2023' by Darryl Jones, Economist and dated 6 April 2020, be received.
2. That the 'Northland Inc. Limited Draft Statement of Intent 2020–2023' be received.
3. That the Chief Executive Officer, in consultation with council Chair and Deputy Chair, be delegated authority to provide feedback to Northland Inc. Limited by 30 April 2020 on its draft SOI 2020–2023, in line with the recommendation detailed in this report.

Carried

Matters arising from Item 6.2

- The March quarterly workshop with Northland Inc. Limited had been cancelled due to the COVID-19 response. As a result the next quarterly workshop had been brought forward to 2 June 2020 to allow both parties to clarify any points on the draft Statement of Intent.
- It was noted that new matters may emerge regarding Northland's post COVID-19 recovery that may need to be emphasised in the Statement of Intent.
- Concern was raised regarding the proposal to drop the Tai Tokerau Northland Economic Action Plan from Northland Inc. Limited's objectives and activities given the recent

comments by Managing Director at Cities and Regions Ltd, David Wilson, who emphasised the importance of regions having an action plan when attracting Crown investment.

- Attention was drawn to the significant impact COVID-19 was having on tourism. However, Northland was well positioned compared to other regions that relied on a higher proportion of international tourists.
- The letter of response to note the discrepancy in NZTE and Callaghan grant funding for 'Maori businesses assisted' compared to 'unique businesses assisted'.

Tai Tokerau Māori and Council Working Party Meeting Schedule and Amendment to Council's Appointed Members' Allowance Policy (Item 6.3)

ID: A1302783

Report from Sheila Taylor, Kaiarahi - Kaupapa Māori and Auriole Ruka, Kaiwhakahaere Hononga Māori

Moved (Craw/Yeoman)

1. That the report 'Tai Tokerau Māori and Council Working Party Meeting Schedule and Amendment to Council's Appointed Members' Allowance Policy' by Sheila Taylor, Kaiarahi - Kaupapa Māori and Auriole Ruka, Kaiwhakahaere Hononga Māori and dated 6 April 2020, be received.
2. That council approve the amendments to the Appointed Members' Allowance Policy, for the purpose of endorsing the payment of an allowance to non-elected TTMAC Māori members who attend regional marae-based workshops.
3. That council approve the bimonthly schedule of formal meetings and regional marae-based workshops as below:

Date	Venue
Thursday, 9 April	Regional marae-based workshops (cancelled)
Thursday, 14 May	Council Chambers
Thursday, 11 June	Regional marae-based workshops
Thursday, 9 July	Council Chambers
Thursday, 13 August	Regional marae-based workshops
Thursday, 10 September	Council Chambers
Thursday, 8 October	Regional marae-based workshops
Thursday, 12 November	Council Chambers
Thursday, 10 December	Regional marae-based hui

Carried

Matters arising from Item 6.3

- A correction was noted to the report that the attached Appointed Members' Allowance Policy did not correctly display the deletion of clause 4(c)(1).
- Clarification was provided that the remuneration for Tai Tokerau Māori and Council Working Party members to attend marae based workshops did not extend to proxy members.
- It was generally agreed that it would be beneficial to have as many members attend the marae based workshops as possible.

Te Taitokerau Māori and Council Working Party appointments (Item 6.4)

ID: A1302903

Report from Auriole Ruka, Kaiwhakahaere Hononga Māori and Sheila Taylor, Kaiarahi - Kaupapa Māori

Moved (Yeoman/Robinson)

1. That the report 'Te Taitokerau Māori and Council Working Party appointments' by Auriole Ruka, Kaiwhakahaere Hononga Māori and Sheila Taylor, Kaiarahi - Kaupapa Māori and dated 6 April 2020, be received.
2. That council approves the TTMAC Māori members' nomination of Rudy Taylor, Te Whakaminenga O Te Hikutu Hapu-Whanau as Co-Chair with Pita Tipene, Te Rūnanga o Ngāti Hine, as proxy Co-Chair, of TTMAC.
3. That council approves the following nominations of TTMAC non-elected Māori members onto working parties:

Water and Land Working Party:

- Victor Holloway, Ngāti Tara
- Georgina Connelly, Te Uri o Hau Settlement Trust
- Antony Thompson (proxy for Alan Riwaka), Te Rūnanga o Ngāti Whātua
- Janelle Beazley, Te Rūnanga-Ā-Iwi-O-Ngāpuhi
- Mira Norris, Te Parawhau Hapū Authority Charitable Trust.

Climate Change Working Party:

- Toa Faneva, Te Rūnanga o Whāingaroa
- Hadyn Edmonds, Ngātiwai Trust Board
- Thomas Hohaia, Te Roroa
- Rowan Tautari, Te Whakapiko Hapū.

Biosecurity and Biodiversity Working Party:

- Georgina Connelly, Te Uri o Hau Settlement Trust
- Juliane Chetham, Patuharakeke Te Iwi Trust Board
- Barb (Michelle) Elboz, Ngāti Kuta, Patukeha
- Nora Rameka, Te Rūnanga o Ngāti Rehia.

Planning and Regulatory Working Party:

- Mira Norris, Te Parawhau Hapū Authority Charitable Trust
- Pita Tipene, Te Rūnanga o Ngāti Hine
- Juliane Chetham, Patuharakeke Te Iwi Trust Board
- Rowan Tautari, Te Whakapiko Hapū.

4. That council confirms the nominations of TTMAC non-elected Māori members onto the following groups:

Māori Technical Advisory Group (MTAG):

- Rowan Tautari, Te Whakapiko Hapū
- Haydn Edmonds, Ngātiwai Trust Board
- Mira Norris, Te Parawhau Hapū Authority Charitable Trust
- Juliane Chetham, Patuharakeke Te Iwi Trust Board
- Georgina Connelly, Te Uri o Hau Settlement Trust
- Nora Rameka, Te Rūnanga o Ngāti Rehia

Joint Climate Change Adaptation Governance Committee:

- Toa Faneva, Te Rūnanga o Whāingaroa
- Thomas Hohaia, Te Roroa (proxy)

Tū i te Ora Scholarship Māori representative:

- Georgina Connelly, Te Uri o Hau Settlement Trust

Whakamānawa ā Taiao – Environmental Awards 2020:

- Janelle Beazley, Te Rūnanga-Ā-Iwi-O-Ngāpuhi.

Te Maruata (a sub-committee for Māori of the National Council of LGNZ):

- Rowan Tautari, Te Whakapiko Hapū
- Juliane Chetham, Patuharakeke Te Iwi Trust Board

Carried

Matters arising from Item 6.4

It was agreed that a letter be sent from the Chair to formally acknowledge that council had ratified the Tai Tokerau Māori and Council Working Party appointments. The Chairs of the respective working parties also to be provided the relevant contact details so that they could make contact via email.

Chair's Report to Council (Item 7.1)

ID: A1300961

Report from Penny Smart, Chair

Moved (Smart/Kitchen)

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 1 April 2020, be received.

Carried

Chief Executive's Report to Council (Item 7.2)

ID: A1277000

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Yeoman/Macdonald)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 31 March 2020, be received.

Carried

Matters arising from Item 7.2

- Appreciation was extended to the Chief Executive for his leadership 'under trying conditions'.
- Attention was drawn to the 'good news story' that the Paihia wastewater treatment plant had been commissioned.
- Confirmation was provided that the Chief Executive had signed off three contractors as essential services to address incursions of wild deer.

- Concern was raised regarding the Resource Management Amendment Bill and the potential implications for council. Councillors were keen to understand how this process aligned with the Annual Plan and Long Term Plan processes given it could have a significant impact on resourcing.
- Confirmation was provided that the maps of marine ecology could be made public and the new methodology to undertake shellfish surveys could be shared with interested parties.
- There was general agreement that it would be beneficial if the ecological integrity threshold study (in relation to the drought) provided practical recommendations for going forward. It was advised that staff would have the opportunity to make comment before its release.
- Assurance was provided that despite the current pandemic event and social distancing the community groups and partnerships were well supported and continuing to progress their work.
- The council was working closely with the Department of Conservation to improve alignment post COVID-19 and looking at how to get 'green projects' off the ground.

Receipt of Committee Minutes (Item 8.0)

ID: A1301721

Report from Chris Taylor, Governance Support Manager

Moved (Bain/Stolwerk)

That the confirmed minutes of the Regional Transport Committee of 12 February 2020, and the unconfirmed minutes of the Regional Transport Committee of 8 April 2020, be received.

Carried

Matters arising from Item 8.0

Consideration was given to drafting a letter to the Crown regarding the acceleration of the four lane highway between Whangārei and the port and linking this to the Te Hana extension of the northern motorway. However it was agreed this matter required further discussion by council and that the Regional Transport Committee was the lead in this domain.

Business with Public Excluded (Item 9.0)

Moved (Stolwerk/Kitchen)

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 - 17 March 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	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).

9.3	Leaseholder Surrender of Ground Lease	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).
9.4	Independent Risk Advisor	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 (tabled)	Rent Relief for Council's Investment Property Tenants	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

Open Meeting

Moved (Smart/Stolwerk)

That the council resumes in open meeting.

Carried

Secretarial Note: Council proceeded to confirm the resolutions pertaining to confidential item 9.4 in open meeting.

Independent Risk Advisor (Item 9.4)

ID: A1303922

Report from Dave Tams, Group Manager, Corporate Excellence

Moved (Kitchen/Yeoman)

1. That the report 'Independent Risk Advisor' by Dave Tams, Group Manager, Corporate Excellence and dated 8 April 2020, be received.
2. That Danny Tuato'o be appointed as the Independent Advisor to the Audit and Risk Subcommittee.

Carried

Conclusion

The meeting concluded at 12.40pm.