

Northland Regional Council Minutes

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 15 September 2020, commencing at 10.30am

Present:

Chairperson, Penny Smart

Councillors:

John Bain (*from 10.37am*)

Justin Blaikie

Jack Crow

Colin Kitchen

Amy Macdonald

Marty Robinson

Rick Stolwerk

Joce Yeoman

In Attendance:

Full Meeting

Independent Financial Advisor (*via audio visual link*)

Independent Audit & Risk Advisor (*via audio visual link*)

Chief Executive Officer

GM - Corporate Excellence

GM - Strategy, Governance and Engagement

GM – Environmental Services

Governance Support Manager

Part Meeting

Northland Inc. Director

Northland Inc. Chief Executive

Northland Inc. GM Investment and Infrastructure

Northland Inc. Business Analyst

GM – Regulatory Services

GM – Customer Service/Community Resilience

Natural Resources Monitoring Manager

Compliance Monitoring Manager

Strategic Projects Manager

Resource Scientist – Water Resources

Financial Accountant

Economist

The Chair declared the meeting open at 10.35am and proceedings commenced with a karakia by Councillor Crow.

Apologies (Ngā whakapahā) (Item 1.0)

There were no apologies.

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 Tabled Confidential Report: Ngāwhā Innovation and Enterprise Park: Northland Inc. proposal (Item 2.0A)

ID: A1362915

Report from Chris Taylor

Moved (Kitchen/Stolwerk)

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

- Ngāwhā Innovation and Enterprise Park: Northland Inc. proposal

Carried

Health and Safety Report (Item 3.0)

ID: A1356991

Report from Kelcie Mills, Health and Safety Advisor

Moved (Stolwerk/Yeoman)

That the report 'Health and Safety Report' by Kelcie Mills, Health and Safety Advisor and dated 26 August 2020, be received.

Carried

Matters arising from Item 3.0

- *Consideration to be given to establishing a dedicated inwards goods area; away from key exits.*
- *Staff to consider whether there would be merit commissioning a recycling provider to dispose of hazardous substances on council's behalf.*

Confirmation of Minutes - 18 August 2020 (Item 4.1)

ID: A1357505

Report from Chris Taylor, Governance Support Manager

Moved (Stolwerk/Macdonald)

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

Carried

Working Party Updates and Chairpersons' Briefings (Item 4.2)

ID: A1358892

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

Moved (Yeoman/Robinson)

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

Carried

Secretarial Note: The Chairs of the Planning and Regulatory Working Party and the Biosecurity and Biodiversity Working Party provided a verbal update on the current priorities and work programmes for these subordinate bodies.

Financial Report to 31 August 2020 (Item 5.1)

ID: A1360026

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Blaikie)

That the report 'Financial Report to 31 August 2020' by Vincent McColl, Financial Accountant and dated 3 September 2020, be received.

Carried

Secretarial Note:

- *The Finance Manager and finance team were acknowledged for 'a remarkable job in trying circumstances' to progress audit.*
- *The Independent Advisors provided commentary on council's financial performance and the need to remain vigilant and financially prudent during such uncertain times.*

Governance Omnibus (Item 6.1)

ID: A1352308

Report from Chris Taylor, Governance Support Manager and Kym Ace, Corporate Systems Champion

Moved (Yeoman/Craw)

1. That the report 'Governance Omnibus' by Chris Taylor, Governance Support Manager and Kym Ace, Corporate Systems Champion and dated 1 September 2020, be received.

Carried

It was further moved (Craw/Bain)

2. That council approve the amendments to Standing Orders in relation to the process for receiving petitions, non-financial conflicts of interest and definitions (as detailed in **Attachment One** pertaining to Item 6.1 of the 15 September 2020 council meeting agenda); noting that any amendment requires a vote of not less than 75% of the members present.

Carried

It was further moved (Blaikie/Stolwerk)

3. That council approve the amendments to the Elected Members' Code of Conduct in relation to Conflicts of Interest and the Protected Disclosures Act 2000, (as detailed in **Attachment Two** pertaining to Item 6.1 of the 15 September 2020 council meeting agenda); noting that any amendment requires a vote of not less than 75% of the members present.

Carried

Northland Inc. Director Resignation (Item 6.2)

ID: A1354607

Report from Bruce Howse, Group Manager - Corporate Excellence

Moved (Bain/Blaikie)

1. That the report 'Northland Inc. Director Resignation' by Bruce Howse, Group Manager - Corporate Excellence and dated 20 August 2020, be received.
2. That council does not recruit for a replacement director for Northland Inc. and that the board remains with six directors.

Carried

Secretarial Note: Confirmation was provided that a letter had been sent acknowledging the service of the retiring director.

Establishment of the Regional Economic Development Service Delivery Working Party (Item 6.3)

ID: A1357591

Report from Darryl Jones, Economist

Moved (Stolwerk/Blaikie)

1. That the report 'Establishment of the Regional Economic Development Service Delivery Working Party' by Darryl Jones, Economist and dated 27 August 2020, be received.
2. That council agrees to continue proceeding with the proposal of a joint delivery model for regional economic development as set out in the Mayoral Forum proposal with the participation of Kaipara District Council and Far North District Council.
3. That council authorises the establishment of the Regional Economic Development Service Delivery Working Party.
4. That council adopts the Terms of Reference for the Regional Economic Development Service Delivery Working Party set out as Attachment One pertaining to Item 6.3 of the 15 September 2020 council meeting.
5. That council authorises the Regional Economic Development Service Delivery Working Party to serve as the ad hoc committee to recommend to council the appointment of three Northland Inc. directors for the term to commence 1 July 2021.
6. That council appoint Cr Bain as Chair of the Regional Economic Development Service Delivery Working Party and Councillor Kitchen as the second council representative.
7. That the Council Chairperson not be appointed as ex-officio to the Regional Economic Development Service Delivery Working Party.
8. That council invites Kaipara District Council and Far North District Council to each nominate two elected members to be representatives on the Regional Economic Development Service Delivery Working Party.
9. That council delegates authority to the Chief Executive Officer to update the Terms of Reference for the Regional Economic Development Service Delivery Working Party with

the names of the elected members nominated by Kaipara District Council and Far North District Council, along with any other minor amendments that may be necessary.

Carried

Hokianga Navigator Role - Request for Funding Contribution (Item 6.4)

ID: A1357630

Report from Darryl Jones, Economist

Moved (Stolwerk/Blaikie)

1. That the report 'Hokianga Navigator Role - Request for Funding Contribution' by Darryl Jones, Economist and dated 28 August 2020, be received.
2. That council agrees to provide a one-off funding contribution of \$10,000 (plus GST if any) in 2020/21 to the Hokianga Reference Group as a contribution towards the cost of establishing the "Hokianga Navigator" position.
3. That council delegates authority to the Chief Executive Officer to allocate this funding from existing budgets and to determine an appropriate payment schedule in consultation with the Hokianga Reference Group.
4. That council agrees that payment of this funding contribution will only occur once all the necessary funding for the cost of the "Hokianga Navigator" position has been confirmed by the Hokianga Reference Group.
5. That council agrees as a condition of funding that a monthly report on the work done by the Hokianga Navigator role be provided to council and Northland Inc. from the Hokianga Reference Group.

Carried

Northland Regional Pest and Marine Pathway Operational Plan 2020–2021 (Item 6.5)

ID: A1358991

Report from Don McKenzie, Biosecurity Manager

Moved (Craw/Bain)

1. That the report 'Northland Regional Pest and Marine Pathway Operational Plan 2020–2021' by Don McKenzie, Biosecurity Manager and dated 1 September 2020, be received.
2. That council approve the Northland Regional Pest and Marine Pathway Operational Plan 2020–2021.
3. That council authorises the GM Environmental Services to make any necessary minor drafting, typographical, rounding, or presentation corrections to the Northland Regional Pest and Marine Pathway Operational Plan 2020–2021.

Carried

Request for Approval of Unbudgeted Expenditure for Otiria-Moerewa Flood Modelling and Pre-feasibility Study (Item 6.6)

ID: A1359241

Report from Joseph Camuso, Rivers & Natural Hazards Manager

Moved (Smart/Bain)

That, for the avoidance of doubt, the resolutions pertaining to Item 6.6: 'Request for Approval of Unbudgeted Expenditure for Otiria-Moerewa Flood Modelling and Pre-feasibility Study' and Item 6.7: 'Request for Approval of Unbudgeted Expenditure for Upgrading the NRC Water Allocation Tool' be amended to specify that the source of funding was the Covid-19 Reinstatement Reserve.

Carried

It was further moved (Blaikie/Stolwerk)

1. That the report 'Request for Approval of Unbudgeted Expenditure for Otiria-Moerewa Flood Modelling and Pre-feasibility Study' by Joseph Camuso, Rivers & Natural Hazards Manager and dated 2 September 2020, be received.
2. That council approve the \$80,000 advance to progress the Otiria- Moerewa Modelling and Pre-feasibility study; funded from the Covid-19 Reinstatement Reserve.

Carried

Key issues arising from Item 6.6:

- *Clarification was provided that the requests to fund the Otiria-Moerewa Flood Modelling and Pre-feasibility Study and the upgrade of the water allocation tool were additional and potentially diverting money from the original priority list of ten initiatives to be funded from the Covid-19 Reinstatement Reserve.*

Request for Approval of Unbudgeted Expenditure for Upgrading the NRC Water Allocation Tool (Item 6.7)

ID: A1360659

Report from Jason Donaghy, Natural Resources Monitoring Manager

Moved (Smart/Stolwerk)

1. That the report 'Request for Approval of Unbudgeted Expenditure for Upgrading the NRC Water Allocation Tool' by Jason Donaghy, Natural Resources Monitoring Manager and dated 7 September 2020, be received.
2. That council approve the \$40,000 advance to progress the upgrade of the Water Allocation Tool; funded from the Covid-19 Reinstatement Reserve.

Carried

Chair's Report to Council (Item 7.1)

ID: A1356974

Report from Penny Smart, Chair

Moved (Smart/Blaikie)

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 26 August 2020, be received.

Carried

Secretarial Note: Councillors to be advised the timeline relating to the Three Waters Review.

Chief Executive's Report to Council (Item 7.2)

ID: A1358459

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Blaikie/Stolwerk)

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

Carried

Key matters arising from Item 7.2:

- *Councillors to be notified when the mapping of Northland historic shorelines and erosion risk by the Auckland University was complete.*
- *Appreciation was extended to the Māori Relationships Team which was embedding te reo Māori and tikanga throughout the organisation.*

Receipt of Committee Minutes (Item 8.0)

ID: A1358807

Report from Chris Taylor, Governance Support Manager

Moved (Stolwerk/Blaikie)

That the unconfirmed minutes of the Investment and Property Subcommittee held on 26 August 2020 be received.

Carried

Business with Public Excluded (Item 9.0)

Moved (Smart/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
9.1	Confirmation of Confidential Minutes - 18 August 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	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 enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h).
9.5	Commercial Agreement with NIWA	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 (tabled)	Ngawha Innovation and Enterprise Park: Northland Inc. proposal	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 Advisors be permitted to remain during business with the public excluded and Northland Inc. representatives be permitted to stay during Item 9.6 only.

Carried

Conclusion

The meeting concluded at 1.01pm.