

Northland Regional Council Minutes

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 20 October 2020, commencing at 10.30am

Present:

Chairperson, Penny Smart

Councillors:

John Bain (*left meeting at 11.28am*)

Justin Blaikie

Jack Crow

Colin Kitchen

Amy Macdonald

Marty Robinson

Rick Stolwerk

Joce Yeoman

In Attendance:

Full Meeting

Independent Financial Advisor

Independent Audit & Risk Advisor

Chief Executive Officer

GM - Corporate Excellence

GM – Environmental Services

GM – Regulatory Services

Governance Support Manager

Part Meeting

Northland Inc. Limited GM Investment and Infrastructure

Northland Inc. Limited Corporate Services Manager

GM - Strategy, Governance and Engagement

Finance Manager

Strategic Projects and Facilities Manager

Financial Accountant

Media Specialist

Policy Specialist

Māori Relationships Manager

Māori Cultural Advisor

Economist

The Chair declared the meeting open at 10.31am and proceedings commenced with a karakia by Councillor Blaikie.

Apologies (Ngā whakapahā) (Item 2.0)

There were no apologies.

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 1.0)

It was advised that councillors should make declarations item-by-item as the meeting progressed.

Secretarial Note: Due to an administrative error, the minutes of the extraordinary meeting held on 24 September 2020 were omitted from the council agenda. The minutes were circulated to elected members prior to the meeting for consideration.

Confirmation of Minutes - 15 September 2020 and 24 September 2020 (Item 4.1)

ID: A1370843

Report from Chris Taylor, Governance Support Manager

Moved (Blaikie/Macdonald)

That the minutes of the council meeting held on 15 September 2020, and the extraordinary council meeting held on 24 September 2020 be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 4.2)

ID: A1369954

Report from Chris Taylor, Governance Support Manager

Moved (Yeoman/Craw)

That the action sheet be received.

Carried

Adoption of the 2019/20 Annual Report (Item 5.1)

ID: A1369859

Report from Simon Crabb, Finance Manager

Moved (Kitchen/Stolwerk)

1. That the report 'Adoption of the 2019/20 Annual Report' by Simon Crabb, Finance Manager and dated 1 October 2020, be received.
2. That the council's audited Annual Report and financial statements for the year ended 30 June 2020 be adopted pursuant to section 98(3) of the Local Government Act 2002.
3. That the Chief Executive Officer and the Chair be authorised to sign the 2019/20 Annual Report compliance statement and letter of representation, and the letters of representation in relation to the; 2019/20 debenture trust deed, 2019/20 stock register report, and the 2019/20 Summary Annual Report.
4. That the Chief Executive Officer be authorised to make any minor editorial and presentation changes to the 2019/20 Annual Report and Summary Annual Report if required.
5. That the Chief Executive Officer be authorised to approve the release of the 2019/20 Summary Annual Report pursuant to section 98(4) of the Local Government Act 2002.

Carried

Financial Report to 30 September 2020 (Item 5.2)

ID: A1371755

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Macdonald)

That the report 'Financial Report to 30 September 2020' by Vincent McColl, Financial Accountant and dated 6 October 2020, be received.

Carried

Regional Rates Collection - Update to 30 September 2020 (Item 5.3)

ID: A1372734

Report from Simon Crabb, Finance Manager

Moved (Blaikie/Stolwerk)

That the report 'Regional Rates Collection - Update to 30 September 2020' by Simon Crabb, Finance Manager and dated 8 October 2020, be received.

Carried

Secretarial Note: The Kaipara District Council to be requested to provide rates revenue and collections report (similar to the Far North District Council).

Health and Safety Report (Item 6.1)

ID: A1369631

Report from Kelcie Mills, Health and Safety Advisor

Moved (Robinson/Kitchen)

That the report 'Health and Safety Report' by Kelcie Mills, Health and Safety Advisor and dated 1 October 2020, be received.

Carried

Independent Financial Advisor Recruitment (Item 6.2)

ID: A1366308

Report from Bruce Howse, Group Manager - Corporate Excellence

Moved (Stolwerk/Craw)

1. That the report 'Independent Financial Advisor Recruitment' by Bruce Howse, Group Manager - Corporate Excellence and dated 22 September 2020, be received.

Carried

It was further moved (Yeoman/Macdonald)

2. That council commences a recruitment process for an Independent Financial Advisor.
3. That Councillors Stolwerk, Kitchen and Chair Smart be appointed to shortlist and interview applications for the Independent Financial Advisor role.

Carried

Secretarial Note: The current Independent Financial Advisor was acknowledged for his valuable contribution to council's financial processes.

Māori Representation: Māori Constituencies (Item 6.3)

ID: A1367147

Report from Linda Harrison, Organisational Project Manager; Auriole Ruka, Kaiwhakahaere Hononga Māori and Jonathan Gibbard, Group Manager - Environmental Services

Secretarial Note: Councillor Kitchen acknowledged a potential conflict of interest, given his Māori wife had been employed by a Māori health provider for the past twenty years. The Chair confirmed this did not exclude the Councillor from participating in the discussion or decision making on this matter.

Moved (Smart/Yeoman)

1. That the report 'Māori Representation: Māori Constituencies' by Linda Harrison, Organisational Project Manager; Auriole Ruka, Kaiwhakahaere Hononga Māori and Jonathan Gibbard, Group Manager - Environmental Services and dated 24 September 2020, be received.

Carried

It was further moved (Smart/Yeoman)

2. That pursuant to section 19Z of the Local Electoral Act 2001, council resolves to establish Māori constituencies for the 2022 and 2025 local body elections.

An amendment was moved (Bain/Blaikie)

2. That council instigates a poll to determine the community's view on the establishment of Maori constituencies.

Secretarial Note: Following clarification of the proposed amendment, the wording was refined as follows (with the agreement of the mover and seconder as per Standing Order 22.3):

2. That pursuant to section 19Z of the Local Electoral Act 2001, council resolves to establish Māori constituencies for the 2022 and 2025 local body elections and that council instigates a poll to determine the community's view on the establishment of Māori constituencies.

Lost

(Councillors Bain, Blaikie, Kitchen and Stolwerk voted in favour of the motion and Councillors Craw, Macdonald, Robinson, Smart and Yeoman voted against the motion.)

Secretarial Note:

- *At this time Councillor Bain announced his resignation and formally tabled a letter with the Chair confirming his departure from council. The Chair acknowledged Councillor Bain's immense contribution to Northland and advised the matter should lie on the table for two weeks to allow further discussion.*
- *Councillor Bain left the meeting at 11.28am and the meeting resumed debate on the original motion:*

Moved (Smart/Yeoman)

2. That pursuant to section 19Z of the Local Electoral Act 2001, council resolves to establish Māori constituencies for the 2022 and 2025 local body elections.

Carried

(Councillors Craw, Kitchen, Macdonald, Robinson, Smart, Stolwerk and Yeoman voted in favour of the motion and Councillor Blaikie voted against.)

Secretarial Note: The meeting adjourned at 11.46am and reconvened at 12.02pm.

It was further moved (Stolwerk/Craw)

3. That staff be directed to undertake the required statutory process to establish Māori constituencies including notification of the public's right to demand a poll and development of an Initial Representation Arrangements Proposal by 31 August 2021. This will be followed by public consultation, development of a Final Representation Arrangements Proposal and subsequent appeals / objections process.

Carried

2021 Meetings Calendar (Item 6.4)

ID: A1367521

Report from Chris Taylor, Governance Support Manager

Moved (Kitchen/Yeoman)

1. That the report '2021 Meetings Calendar' by Chris Taylor, Governance Support Manager and dated 25 September 2020, be received.
2. That the programme of meetings for 2021, as detailed in **Attachment One** pertaining to Item 6.4 of the 20 October 2020 council meeting agenda, be adopted.

Carried

Request for approval of unbudgeted expenditure to be funded from the Covid-19 Reinstatement Reserve (Item 6.5)

ID: A1369199

Report from Matt De Boer, Natural Hazards Advisor and Phil Heatley, Strategic Projects and Facilities Manager

Moved (Stolwerk/Macdonald)

1. That the report 'Request for approval of unbudgeted expenditure to be funded from the Covid-19 Reinstatement Reserve' by Matt De Boer, Natural Hazards Advisor and Phil Heatley, Strategic Projects and Facilities Manager and dated 29 September 2020, be received.
2. That \$85,000 of unbudgeted expenditure from the Covid-19 Reinstatement Reserve be allocated to support the hiring of a full-time Climate Change Advisor position.
3. That \$65,000 of unbudgeted expenditure from the Covid-19 Reinstatement Reserve be allocated to construct a security fence at council's Union East Street storage facility.

Carried

Secretarial Note:

- *Council supported the inclusion of CCTV security cameras at the Union Street storage facility; which could be achieved within existing budgets.*
- *Going forward, any reports seeking council support for the funding of new initiatives from the Covid-19 Reinstatement Reserve to include not only the remaining balance of the reserve but also a reconciliation with the original suite of projects to be funded.*

Kaimahi for Nature (Item 6.6)

ID: A1370531

Report from Jonathan Gibbard, Group Manager - Environmental Services

Moved (Robinson/Macdonald)

1. That the report 'Kaimahi for Nature' by Jonathan Gibbard, Group Manager - Environmental Services and dated 2 October 2020, be received.
2. That the Chief Executive Officer is authorised to negotiate and approve further amendments to the draft Memorandum of Understanding provided the amendments do not materially change council's obligations and the Regional Alliance partnership approach.
3. That council support Northland Regional Council becoming a partner to the Kaimahi for Nature Regional Alliance and authorise the Chairperson and/or Chief Executive Officer to sign the Memorandum of Understanding on behalf of council.

Carried

Compliance Monitoring & Enforcement Strategy (Item 6.7)

ID: A1371764

Report from Colin Dall, Group Manager - Regulatory Services

Moved (Yeoman/Stolwerk)

1. That the report 'Compliance Monitoring & Enforcement Strategy' by Colin Dall, Group Manager - Regulatory Services and dated 6 October 2020, be received.
2. That council approves the Compliance Monitoring & Enforcement Strategy set out in Attachment 1 pertaining to Item 6.7 of the 20 October 2020 council meeting.

Carried

Chair's Report to Council (Item 7.1)

ID: A1368934

Report from Penny Smart, Chair

Moved (Smart/Kitchen)

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

Carried

Chief Executive's Report to Council (Item 7.2)

ID: A1368303

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Yeoman/Kitchen)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 30 September 2020, be received.

Carried

Northland Inc. Limited: Annual Report for the Year Ending 30 June 2020 (Item 7.3)

ID: A1368943

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

Moved (Yeoman/Stolwerk)

That the report 'Northland Inc. Limited: Annual Report for the Year Ending 30 June 2020' by Darryl Jones, Economist and Simon Crabb, Finance Manager and dated 29 September 2020, be received.

Carried

Working Party Updates and Chairpersons' Briefings (Item 8.1)

ID: A1371144

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

Moved (Robinson/Yeoman)

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

Carried

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

Council River Working Group Updates (Item 8.2)

ID: A1372742

Report from Leah Porter, PA/Administrator Environmental Services

Moved (Macdonald/Kitchen)

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

Carried

Secretarial Note:

- *The Chairs of the Whangārei Urban Rivers Working Group and the Awanui River Working Group provided a verbal update on current workstreams and priorities.*
- *The Area Manager – Kaitāia was acknowledged for thirty years' service with the regional council.*

Business with Public Excluded (Item 9.0)

Moved (Smart/Macdonald)

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 - 15 September 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	Commercial Tenant Rent Relief	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 stay during business with the public excluded.

Carried

Conclusion

The meeting concluded at 1.00pm.