

Northland Regional Council Minutes

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 22 August 2023, commencing at 10.15am

Tuhinga/Present:

Chairperson, Tui Shortland

Councillors:

John Blackwell

Joe Carr *(Via audio-visual link)*

Jack Craw

Geoff Crawford

Peter-Lucas Jones *(Via audio-visual link)*

Amy Macdonald

Marty Robinson

Rick Stolwerk

I Tae Mai/In Attendance:

Full Meeting

Independent Financial Advisor

Independent Audit and Risk Advisor

Tāhūhū Rangapū - Chief Executive Officer

Pou Taumatua - GM Corporate Services

Pou Manawhakahaere - GM Governance and Engagement

Pou Tiaki Hapori - Group Manager - Community Resilience

Pou Tiaki Taiao - GM Environmental Services

Pou Tiaki Pūtaiao - GM Biosecurity

Human Resources Manager

Translator

Governance Specialist

Part Meeting

Deputy GM – Regulatory Services

Finance Manager

Corporate Strategy Manager

Management Accountant

Financial Accountant

Policy Specialist

Policy Specialist *(Via audio-visual link)*

Māori Cultural Technical Advisor

Secretarial Note: The Chair declared the meeting open at 10.21am and commenced proceedings with a karakia.

Ngā whakapāha/Apologies (Item 1.0)

There were no apologies.

Nga whakapuakanga/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 Supplementary/Confidential Tabled Items (Item 4.0A)

Report from Chris Taylor, Governance Specialist

Moved (Stolwerk/Macdonald)

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

- Supplementary Item 6.4: 2022/2023 Provisional Financial Year End Report
- Confidential Tabled Item 10.4: Project Decision
- Updated Confidential Tabled Item 10.5: Funding Decision

Carried

Confirmation of Minutes - 31 July 2023 (Item 5.1)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Stolwerk/Blackwell)

That the minutes of the council meeting held on 31 July 2023, be confirmed as a true and correct record and that these be duly authenticated with the Chair's electronic signature.

Carried

Externally Managed Funds: 2022/23 Performance, Allocation of Gains and Related Reserves (Item 6.1)

Report from Simon Crabb, Finance Manager

Moved (Craw/Stolwerk)

1. That the report 'Externally Managed Funds: 2022/23 Performance, Allocation of Gains and Related Reserves' by Simon Crabb, Finance Manager and dated 3 August 2023, be received.
2. That \$895,766 is withdrawn from the Property reinvestment reserve (PRR) portion of the Long-Term Investment Fund, invested into the Short-Term Investment Fund, and represented as funding for future strategic projects in the Equalisation reserve.
3. That \$530,739 is withdrawn from the Regional projects reserve (RPR) portion of the Long-Term Investment Fund and invested into the Short-Term Investment Fund being the annual RPR contribution to councils general operational funding,
4. That \$837,695 is withdrawn from the Economic development reserve (EDR) portion of the Long-Term Investment Fund and invested into the Short-Term Investment Fund, being the budgeted annual EDR contribution to the Investment and Growth Reserve.
5. That \$833,751 of targeted river scheme rates collected for future debt repayment, \$230,560 of river scheme depreciation funding, and the \$1,600,000 contribution to

repay the maritime vessel loan are withdrawn from the Short-term investment fund and invested into the Long-Term Investment Fund.

6. That the excess funding requirement held in the Opex Reserve term deposits of \$892,492 is invested into the Economic Development reserve (EDR) portion of the Long-Term Investment Fund, and held as funding for any future strategic projects that are aligned with the purpose of the EDR.
7. That \$119,027 is withdrawn from the Long-Term Investment Fund and invested into the Short-Term Investment Fund to reimburse council's working capital for the 2022/23 managed fund advisor fees and other administration costs.

Carried

Request for Approval to Carry Forward Operational Budget from the 2022/23 Financial Year into the 2023/24 Financial Year (Item 6.2)

Report from Taka Skipwith, Financial Accountant

Moved (Stolwerk/Craw)

1. That the report 'Request for Approval to Carry Forward Operational Budget from the 2022/23 Financial Year into the 2023/24 Financial Year' by Taka Skipwith, Financial Accountant and dated 4 August 2023, be received.
2. That council approves the operational expenditure carry forwards from the 2022/23 financial year into the 2023/24 financial year of:
 - a. \$94,515 for Wetland Mapping project
 - b. \$11,900 for Monitoring data automation tool
 - c. \$12,161 for Plant control Pouto dunes
 - d. \$60,000 for Silka deer eradication
 - e. \$19,141 for GIS Mapping for plant programmes
 - f. \$108,725 for Iwi Hapu environment monitoring funding
 - g. \$11,305 for Research and Study in relation to Understanding Māori communities
 - h. \$18,449 for councillor training
 - i. \$57,881 for flood adaptation strategy
 - j. \$50,000 for iwi, hapu environmental management plans
 - k. \$29,028 for climate programme reporting
 - l. \$79,106 for transport regional programme preparation

Carried

Request for Approval to Carry Forward Capital Expenditure Budget from the 2022/23 Financial Year into the 2023/24 Financial Year (Item 6.3)

Report from Taka Skipwith, Financial Accountant

Moved (Stolwerk/Macdonald)

1. That the report 'Request for Approval to Carry Forward Capital Expenditure Budget from the 2022/23 Financial Year into the 2023/24 Financial Year' by Taka Skipwith, Financial Accountant and dated 4 August 2023, be received.
2. That council approves the carry forward of \$1,668,723 capital expenditure budget from the 2022/23 financial year into the 2023/24 financial year.

Carried

Secretarial Note: Staff were commended on what was described as an 'impressive result' given the level of disruption during the financial year.

2022/23 Provisional Financial Year End Result

(Item 6.4 and Supplementary Item 6.4)

Report from Taka Skipwith, Financial Accountant

Moved (Stolwerk/Craw)

1. That the report '2022/23 Provisional Financial Year End Result' by Taka Skipwith, Financial Accountant and dated 4 August 2023, be received.
2. That \$406,676 of the 2022/23 operating surplus is attributed to the Equalisation reserve and held as funding for additional tree removal as part of the councils response to Cyclone Gabrielle.
3. That \$350,000 of the 2022/23 operating surplus is transferred to the Equalisation reserve and held as funding for fishing control measures.
4. That \$400,000 of the 2022/23 operating surplus is transferred to the Equalisation reserve and held as funding for strategic projects.
5. That \$232,075 of the 2022/23 operating surplus is transferred to the Equalisation reserve and held as funding for projects to be identified by councillors.
6. That \$150,000 of the 2022/23 operating surplus is transferred to the Equalisation reserve and held as funding for Health and Safety strategy and resourcing.
7. That \$726,000 of the 2022/23 operating surplus is transferred to the Equalisation reserve and held as funding for the Enterprise project.

Carried

Special Reserves at 30 June 2023 (Item 6.5)

Report from Taka Skipwith, Financial Accountant

Moved (Stolwerk/Jones)

That the report 'Special Reserves at 30 June 2023' by Taka Skipwith, Financial Accountant and dated 8 August 2023, be received.

Carried

Regional Rates Collection 2022/23 (Item 6.6)

Report from Simon Crabb, Finance Manager

Moved (Stolwerk/Macdonald)

That the report 'Regional Rates Collection 2022/23' by Simon Crabb, Finance Manager and dated 19 July 2023, be received.

Carried

Secretarial Note: Appreciation was extended to the Finance Team and the Independent Advisors for their expertise guiding council with its finances during the year.

Electoral Decisions (Item 7.1)

Report from Chris Taylor, Governance Specialist

Moved (Carr/Jones)

1. That the report 'Electoral Decisions' by Chris Taylor, Governance Specialist and dated 11 July 2023, be received.
2. That pursuant to sections 27 and 28 of the Local Electoral Act 2001, council resolves for the 2025 Northland Regional Council triennial elections to retain the First Past the Post electoral system and no later than 19 September 2023 give public notice of the right of electors to demand a poll on the electoral system to be used by council.
3. That council does not undertake a further representation arrangements review or make any minor boundary alterations in 2024 for the 2025 triennial elections (under sections 19I and 19JB of the Local Electoral Act 2001).

Carried

Alternate Co-Chair for Te Taitokerau Māori and Council Working Party (Item 7.2)

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

Moved (Robinson/Macdonald)

1. That the report 'Alternate Co-Chair for Te Taitokerau Māori and Council Working Party' by Sally Bowron, Strategy, Governance and Engagement Team Admin/PA and dated 9 August 2023, be received.
2. That Georgina Curtis-Connelly be appointed Te Taitokerau Māori and Council Working Party's alternate iwi and hapū Co-Chair on the working party.

Carried

Joint Future Development Strategy Working Group (Item 7.3)

Report from Michael Payne, Policy Specialist

Moved (Carr/Jones)

1. That the report 'Joint Future Development Strategy Working Group' by Michael Payne, Policy Specialist and dated 4 August 2023, be received.
2. That council receive the invitation from Whangarei District Council to participate in the Future Development Strategy Working Group.

Carried

It was further moved (Blackwell/Craw)

3. That Councillors MacDonald and Stolwerk be appointed to the Future Development Strategy Working Group to serve on behalf of Northland Regional Council (NRC) and Councillor Crawford be appointed the alternate NRC member.
4. That Northland Regional Council endorse the nominations of Mira Norris and Ripeka Reed to serve on the Future Development Strategy Working Group on behalf of Te Taitokerau Māori and Council Working Party (TTMAC) and Pita Tipene and Nyze Manuel be endorsed the alternate TTMAC members.
5. That the Chief Executive Officer request that staff report the council decision in respect of resolution 4 above to the Te Taitokerau Māori and Council Working Party by October 2023 to enable the Working Party to review its nominations to the Future Development Strategy Working Group.
6. That council endorse the Future Development Strategy Working Group Terms of Reference (*included as Attachment 1 to Item 7.3 of the 22 August 2023 council meeting agenda*), subject to minor changes being adopted that are generally in accordance with those changes identified in track change format to Attachment 1 relating the quorum of the working group in addition to including reference to iwi representation.
7. That the council notes that Whangarei District Council and Northland Regional Council will each need to formally adopt the Future Development Strategy.

Carried

Secretarial Note:

- *It was stressed that whilst the Joint Future Development Strategy was 'Whangārei-centric' everything that happened in Whangārei impacted on the whole region. Therefore there was merit in having broader representation.*
- *While the Future Development Strategy Working Group was the forum for governance representation there would be the opportunity for all parties that had interest to provide feedback on the Strategy.*

Freshwater Farm Plan Regulations Implementation (Item 7.4)

Report from Penny Pirrit, Northland Regional Council Management Representative

Moved (Craw/Macdonald)

1. That the report 'Freshwater Farm Plan Regulations Implementation' by Penny Pirrit, Northland Regional Council Management Representative and dated 8 August 2023, be received.

2. That the implementation of the Freshwater Farm Plan Regulations be phased spatially throughout Te Taitokerau/Northland using the existing 13 Freshwater Management Units and following the below timetable.

Month	2024	2025
January		
February		Bream Bay, Whangārei
March		
April		
May		Bay of Islands, Whananāki Coast
June		
July		
August	Northern Wairoa, Poutō	Aupōuri, Awanui, Hokianga
September		
October		
November	Doubtless Bay, Whangaroa	Herekino-Whangapē, Waipoua
December		

3. That the Chief Executive and the General Manager Environmental Services be delegated the authority to appoint Freshwater Farm Plan certifiers and auditors for the Te Taitokerau/Northland region and to undertake the performance appraisal process of those certifiers and auditors as required by the Regulations.

Carried

Secretarial Note:

- The timetable, as adopted by council, would be forwarded to the Ministry for the Environment to be included in the final Order of Regulations.*
- It was stressed that this work needed to be supported by a strong comms campaign to ensure the community was aware of the changes afoot.*

Chair's Report to Council (Item 8.1)

Report from Rae Heteraka, Executive Assistant to the Chair

Moved (Shortland/Stolwerk)

That the report 'Chair's Report to Council' by Rae Heteraka, Executive Assistant to the Chair and dated 7 August 2023, be received.

Carried

Secretarial Note: Appreciation was extended to the Chair for her work supporting council by networking with all of the Northland councils and across the community.

Chief Executive's Report to Council (Item 8.2)

Report from Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Moved (Stolwerk/Macdonald)

That the report 'Chief Executive's Report to Council' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 27 July 2023, be received.

Carried

Secretarial Note:

- *It was advised that the delay in the Ahipara Municipal Wastewater Treatment Plant achieving compliance was due to a new inversion system (with higher specifications than a standard UV system) being on order.*
- *The Chief Executive undertook to send a follow up letter of expectation to the district councils highlighting compliance status of their respective three waters infrastructure/services.*
- *Concern was raised regarding the number of kiwi fatalities due to dogs. Legal advice to be sought as to whether council could impose rules that were stricter than the Dog Control Act 1996 to address dogs straying on private land.*
- *Further detail to be provided to elected members and the Independent Advisors regarding the abatement notice issued to Northport.*

Legislative compliance reporting for period 1 January - 30 June 2023 (Item 8.3)

Report from Kyla Carlier, Corporate Strategy Manager

Moved (Macdonald/Stolwerk)

That the report 'Legislative compliance reporting for period 1 January - 30 June 2023' by Kyla Carlier, Corporate Strategy Manager and dated 10 July 2023, be received.

Carried

Secretarial Note: Appreciation was extended to staff for their diligence monitoring council's legislative compliance.

Reporting on Long Term Plan 2021-2023 Performance Measures for the year ended 30 June 2023 (Item 8.4)

Report from Robyn Broadhurst, Corporate Planning Specialist

Moved (Stolwerk/Craw)

That the report 'Reporting on Long Term Plan 2021-2023 Performance Measures for the year ended 30 June 2023' by Robyn Broadhurst, Corporate Planning Specialist and dated 20 July 2023, be received.

Carried

Secretarial Note: Of the 31 measures, 17 had been achieved, which was described as an 'amazing result' given the level of disruption during the year. It was important that council was transparent and as such clear reasoning was provided for all measures that had not been achieved.

Receipt of Committee Minutes (Item 9.1)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Carr/Jones)

That the unconfirmed minutes of the:

- Joint Regional Economic Development Committee - 20 July 2023
- Kaipara Moana Remediation Joint Committee – 24 July 2023 and
- Regional Transport Committee - 1 August 2023.

be received.

Carried

Working Party Updates and Chairpersons' Briefing (Item 9.2)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Blackwell/Macdonald)

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

Carried

Kaupapa ā Roto/Business with Public Excluded (Item 10.0)

Moved (Stolwerk/Blackwell)

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
10.1	Confirmation of Confidential Minutes - 31 July 2023	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting.
10.2	HR 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).
10.3	Enterprise Update	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 on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).
10.4 (Tabled)	Project decision	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).
10.5 (Updated Tabled)	Funding decision	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).

3. That the Independent Advisors be permitted to stay during business with the public excluded.
4. That the Legal Counsel and Cameron Partners Limited Consultant be permitted to stay during business excluded for Tabled Items 10.4 and 10.5 only.

Secretarial Note: The Legal Counsel and Cameron Partners Limited Consultant only stayed for Tabled Item 10.4.

Carried

Secretarial Note: The meeting adjourned at 11.37am and reconvened at 11.46am to address business with the public excluded.

Whakamutunga (Conclusion)

The Chair closed the meeting at 12.33pm with a karakia.

Confirmed as a true and correct record 26 September 2023

A handwritten signature in black ink, appearing to read 'T Shortland', written in a cursive style.

Chair Tui Shortland