

Northland Regional Council Minutes

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 23 August 2022, commencing at 10.30am

Tuhinga/Present:

Chairperson, Penny Smart
Councillors:
Terry Archer
Justin Blaikie
Jack Crow
Colin Kitchen
Amy Macdonald
Marty Robinson
Rick Stolwerk
Joce Yeoman (*via audio-visual link*)

I Tae Mai/In Attendance:

Full Meeting

Independent Financial Advisor
Pou Taumatua - GM Corporate Services
Pou Tiaki Taiao - GM Environmental Services
Pou Whakaritenga - GM Regulatory Services
Pou Tiaki Pūtaiao - GM Biosecurity-
Human Resources Manager
Governance Specialist

Part Meeting

Tumuaki - Chief Executive Officer
Pou Tiaki Hapori – GM Community Resilience
Finance Manager
Rivers and Natural Hazards Manager
Financial Accountant
Kai Whiri Iwituna – Rivers
Policy Specialist

The Chair declared the meeting open at 10.30am and proceedings commenced with the Tauāki ā roto by full council.

Ngā whakapahā/Apologies (Item 1.0)

Moved (Robinson/Macdonald)

That the apology for delayed arrival from the Tumuaki - Chief Executive Officer and the apology for non-attendance from the incoming Tumuaki - Chief Executive Officer be received.

Carried

Secretarial Note: The incoming Chief Executive Officer did join the meeting during business with the public excluded.

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.

Confirmation of Council Meeting Minutes 26 July 2022 and Emergency Council Meeting Minutes 3 August 2022. (Item 5.1)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Craw/Stolwerk)

That the minutes of the council meeting held on 26 July 2022 and the emergency council meeting held on 3 August 2022 be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

Report from Chris Taylor, Governance Specialist

Moved (Kitchen/Archer)

That the action sheet be received.

Carried

Secretarial Note: Prior to addressing the financial reports, it was acknowledged that it had been a disruptive year with unprecedented volatility. Appreciation was extended to staff, the Independent Financial Advisor and councillors for making sound decisions and retaining high standards of financial management.

Externally Managed Funds: 2021/22 Performance and Related Reserves (Item 6.1)

Report from Simon Crabb, Finance Manager

Moved (Blaikie/Stolwerk)

1. That the report 'Externally Managed Funds: 2021/22 Performance and Related Reserves' by Simon Crabb, Finance Manager and dated 1 August 2022, be received.
2. That \$1,439,389 of targeted river scheme rates collected in 2021/22 for future debt repayment, and \$212,911 of depreciation funding collected in 2021/22 are withdrawn from the Short-term investment fund and invested into the Long-Term Investment Fund in line with a EriksensGlobal recommendation.

Carried

Secretarial Note: Appreciation was again extended to staff for their work, given the number of variables, to produce 'an outstanding result'.

Request for Approval to Carry Forward Operational Budget from the 2021/22 Financial Year into the 2022/23 Financial Year (Item 6.2)

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Robinson)

1. That the report 'Request for Approval to Carry Forward Operational Budget from the 2021/22 Financial Year into the 2022/23 Financial Year' by Vincent McColl, Financial Accountant and dated 5 August 2022, be received.
2. That council approves the operational expenditure carry forwards from the 2021/22 financial year into the 2022/23 financial year of:
 - a. \$35,650 for the Freshwater Plan Change - 5 additional scenarios
 - b. \$73,650 for the Lakes Ecological Survey
 - c. \$75,000 for the Water Data Machine Learning Tool (Data Automation)
 - d. \$125,000 for wetland mapping
 - e. \$388,556 for unallocated Freshwater Quality Improvement Project Co-Funding to the land management reserve
 - f. \$29,346 for the Ecometric contract for haul out capability assessment in TON region (Marine Pest programme)
 - g. \$82,069 for the Trap and Trigger Sika DNA survey contract
 - h. \$330,846 for Community Pest Control and High Value Area (HVA) Biosecurity partnership activities
 - i. \$40,861 for the Te Tiriti Health Check
 - j. \$10,000 for the Te Tiriti implementation plan
 - k. \$9,000 for IHEMP Projects
 - l. \$122,000 for Māori Partnerships and Engagement
 - m. \$132,285 for IRIS next gen
 - n. \$25,000 for the Climate Risk and Māori literature review
 - o. \$167,451 for Climate Change - Adaptive pathways and zero carbon transition
 - p. \$90,000 for a final grant on the 2021/22 Water Resilience fund.

Carried

Request for Approval to Carry Forward Capital Expenditure Budget from the 2021/22 Financial Year into the 2022/23 Financial Year (Item 6.3)

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Kitchen)

1. That the report 'Request for Approval to Carry Forward Capital Expenditure Budget from the 2021/22 Financial Year into the 2022/23 Financial Year' by Vincent McColl, Financial Accountant and dated 5 August 2022, be received.
2. That council approves the carry forward of \$1,410,058 capital expenditure budget from the 2021/22 financial year into the 2022/23 financial year.

Carried

Secretarial Note: The Tumuaki - Chief Executive Officer arrived at 10.51am.

Draft Financial Result to 30 June 2022 (Item 6.4)

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Craw)

1. That the report 'Draft Financial Result to 30 June 2022' by Vincent McColl, Financial Accountant and dated 8 August 2022, be received.
2. That \$305,602 of the 2021/22 year-end surplus is transferred to the Opex Reserve to set aside sufficient funding to cover any dividend funding shortfall in 2022/23 and is invested in New Zealand registered bank fixed rate term deposits, and that the Opex reserve policy is updated accordingly.
3. That \$250,000 of the 2021/22 year-end surplus is transferred to the equalisation reserve for the post local government elections council to later allocate.

Carried

Secretarial Note:

- *Clarification was provided that the \$305,602 of year end surplus would go into the Investment Growth Reserve (IGR) but would be held in the Opex Reserve .*
- *Assurance was provided that a robust process was in place to capture inflation changes for council assets.*

Special Reserves at 30 June 2022 (Item 6.5)

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Macdonald)

That the report 'Special Reserves at 30 June 2022' by Vincent McColl, Financial Accountant and dated 4 August 2022, be received.

Carried

Regional Rates Collection 2021/22 (Item 6.6)

Report from Simon Crabb, Finance Manager

Moved (Macdonald/Robinson)

That the report 'Regional Rates Collection 2021/22' by Simon Crabb, Finance Manager and dated 26 July 2022, be received.

Carried

Consideration and adoption of the policies on the Remission and Postponement of Rates on Māori Freehold Land pertaining to the Kaipara and Whangārei districts (Item 7.1)

Report from Kyla Carlier, Corporate Strategy Manager

Moved (Robinson/Macdonald)

1. That the report 'Consideration and adoption of the policies on the Remission and Postponement of Rates on Māori Freehold Land pertaining to the Kaipara and Whangārei districts' by Kyla Carlier, Corporate Strategy Manager and dated 8 August 2022, be received.
2. That council supports the changes to the policies on the Remission and Postponement of Rates on Māori Freehold Land pertaining to the Kaipara and Whangārei districts as consulted on, and makes no changes as a result of the submission received during consultation.
3. That having undertaken consultation in accordance with section 82 and pursuant to section 102 of the Local Government Act 2002 the council adopt the policies on the Remission and Postponement of Rates on Māori Freehold Land pertaining to the Kaipara and Whangārei districts, as they are relevant to the Northland Regional Council, effective from 1 September 2022.
4. That council authorise the Group Manager, Corporate Excellence, to make any necessary minor drafting, typographical, or presentation corrections to the rating policies prior to them being published on council's website.

Carried

Regional Software Holdings Limited Board (RSHL)Appointments (Item 7.2)

Report from Bruce Howse, Pou Taumatua – Group Manager Corporate Services

Moved (Craw/Kitchen)

1. That the report 'Regional Software Holdings Limited Board Appointments' by Bruce Howse, Pou Taumatua – Group Manager Corporate Services and dated 8 August 2022, be received.
2. That the council appointments to the RSHL Board, as approved by council in Item 6.3 of the July 2022 council meeting, are brought forward to be effective from 23 August 2022.
3. That council authorises the Chief Executive Officer to notify RSHL of the appointments.

Carried

Otiria-Moerewa Flood Mitigation Spillway and Bridge for 1.5M Funding Shortfall (Item 7.3)

Report from Joseph Camuso, Rivers & Natural Hazards Manager; Kyla Carlier, Corporate Strategy Manager and Chantez Connor-Kingi, Kai Whiri Iwituna - Rivers

Moved (Stolwerk/Blaikie)

1. That the report 'Otiria-Moerewa Flood Mitigation Spillway and Bridge for 1.5M Funding Shortfall' by Joseph Camuso, Rivers & Natural Hazards Manager; Kyla Carlier, Corporate Strategy Manager and Chantez Connor-Kingi, Kai Whiri Iwituna - Rivers and dated 5 August 2022, be received.
2. That council agrees that this is an urgent matter with criticality in terms of protection of life and property.
3. That council approves the continuation of this project with current funding, under council's pre-election guidance.
4. That staff continue to determine the most appropriate source of funding for completion of the project.
5. That staff prepare communications to appropriately inform the community of the increased cost of the works, and council's planned approach.

Carried

Secretarial Note:

- *The recent severe weather events affecting Northland had highlighted the importance of this flood mitigation project.*
- *Appreciation was extended to staff for their engagement with the Otiria-Moerewa community.*
- *The Chair of the Regional Transport Committee (RTC) undertook to raise the design change and funding shortfall with the RTC.*

Chair's Report to Council (Item 8.1)

Report from Penny Smart, Chair

Moved (Smart/Archer)

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 9 August 2022, be received.

Carried

Chief Executive's Report to Council (Item 8.2)

Report from Malcolm Nicolson, Tumuaki - Chief Executive Officer

Moved (Stolwerk/Macdonald)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Tumuaki - Chief Executive Officer and dated 5 August 2022, be received.

Carried

Secretarial Note: Appreciation was extended to the Kaitāia Area Manager who had been invaluable 'on the ground' during the recent severe weather event which had put the Kaitāia flood scheme to the test.

Reporting on Long Term Plan 2021-2031 Performance Measures for the year ended 30 June 2022 (Item 8.3)

Report from Robyn Broadhurst, Policy Specialist

Moved (Macdonald/Stolwerk)

That the report 'Reporting on Long Term Plan 2021-2031 Performance Measures for the year ended 30 June 2022' by Robyn Broadhurst, Policy Specialist and dated 6 July 2022, be received.

Carried

Secretarial Note:

- *Appreciation was extended to the entire organisation, acknowledging the 'huge effort' that had been made to achieve the key performance indicators despite a challenging year.*
- *Staff to compare the results with previous years to ascertain whether there were any reoccurring themes.*

Legislative Compliance 1 January 2022 to 30 June 2022 (Item 8.4)

Report from Nicola Hartwell, Corporate Planner

Moved (Yeoman/Stolwerk)

That the report 'Legislative Compliance 1 January 2022 to 30 June 2022' by Nicola Hartwell, Corporate Planner dated 25 July 2022, be received.

Carried

Secretarial Note: Council's compliance with the Health and Safety at Work Act 2015 and the Public Records Act 2005 to be addressed at the Audit and Risk Subcommittee meeting in September to ensure there was continued vigilance in these areas with the incoming council.

Receipt of Committee Minutes (Item 9.1)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Stolwerk/Kitchen)

That the unconfirmed minutes of the:

- Te Oneroa-A-Tōhē Board – 1 July 2022.
- Joint Regional Economic Development Committee – 29 July 2022.
- Regional Transport Committee – 2 August 2022.

be received.

Carried

Secretarial Note: Representatives of each of the committees provided a verbal update on priorities and key projects.

Working Party Updates and Chairpersons' Briefings (Item 9.2)

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

Moved (Macdonald/Robinson)

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

Carried

Secretarial Note:

- Representatives of each of the working parties provided a verbal update on key areas of focus.
- Appreciation was extended to Councillor Yeoman (who was finishing her tenure with council) for her expertise and input, particularly in relation to the planning and regulatory responsibilities of the organisation.

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

Moved (Smart/Stolwerk)

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
7.1	Confirmation of Confidential Minutes 26 July 2022 and Extraordinary Confidential Council Minutes 3 August 2022.	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting -.
7.2	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 -.
10.3	Human Resources Report - July 2022	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).
10.4	Regional Projects Reserve: Investment proposal for Marsden Maritime Holdings	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 Advisor be permitted to stay during business with the public excluded.

Carried

Secretarial Note: The meeting adjourned at 11.53am and reconvened at 12.03pm to address business with the public excluded.

Whakamutunga (Conclusion)

The meeting concluded at 1.12pm.