

## Northland Regional Council Minutes

Meeting held in the Council Chamber  
36 Water Street, Whangārei  
on Tuesday 23 April 2024, commencing at 10.15am

### Tuhinga/Present:

Deputy Chairperson, Tui Shortland  
Councillors:

John Blackwell  
Joe Carr (*from 10.25am*)  
Jack Crow (*Via audio-visual link. Left at 11.44am*)  
Peter-Lucas Jones (*Via audio-visual link*)  
Amy Macdonald  
Rick Stolwerk  
Marty Robinson

### I Tae Mai/In Attendance:

#### Full Meeting

Independent Tangata Whenua Advisors (*x2. Via audio-visual link*)  
Independent Risk Advisor  
Deputy Chief Executive Officer  
Pou Whakaritenga - GM Regulatory Services  
Biosecurity Manager - Marine  
Executive Assistant to the Chair (*Via audio-visual link*)  
Governance Specialist

#### Part Meeting

TTMAC Representative Te Runanga o Whaingaroa  
Pou Manawhakahaere - GM Governance and Engagement  
Pou Tiaki Taiao - GM Environmental Services  
GM - Community Resilience  
Finance Manager  
Marketing and Engagement Manager (*Via audio-visual link*)  
Community Engagement Manager  
Communications Manager (*Via audio-visual link*)  
Natural Resources Monitoring Manager  
Manager – Māori Relationships  
Financial Accountant  
Policy and Planning Environmental Monitoring Officer - Māori Relationships  
Strategic Policy Specialist  
Kaiāwhina Kaupapa Māori (*x2*)  
Senior Māori Technical Advisor

*Secretarial Note: The Chair declared the meeting open at 10.16am and proceedings commenced with a karakia by the Pou Manawhakahaere - GM Governance and Engagement.*

## **Ngā whakapāha/Apologies (Item 1.0)**

### **Moved (Robinson/Blackwell)**

That the apologies from Councillor Crawford for non-attendance and Councillor Carr for delayed arrival be received.

### **Carried**

*Secretarial Note: The apology from the Chief Executive Officer for non-attendance was also noted during the meeting.*

## **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 Minutes - 26 March 2024 (Item 5.1)**

### **Report from Meloney Tupou, Māori Governance and Engagement Support Admin**

#### **Moved (Jones/Macdonald)**

That the minutes of the council meeting held on 26 March 2024 be confirmed as a true and correct record and that these be duly authenticated with the Deputy Chair's electronic signature.

### **Carried**

## **Receipt of Action Sheet (Item 5.2)**

### **Report from Chris Taylor, Governance Specialist**

#### **Moved (Shortland/Craw)**

That the action sheet be received.

### **Carried**

## **Financial Report to 31 March 2024 (Item 6.1)**

### **Report from Taka Skipwith, Financial Accountant**

#### **Moved (Robinson/Blackwell)**

That the report 'Financial Report to 31 March 2024' by Taka Skipwith, Financial Accountant and dated 9 April 2024, be received.

### **Carried**

#### *Secretarial Note:*

- *An update was provided on council's managed funds. Total fund gains received for the month of March 2024 were \$4.82 million which created a favourable variance of \$2.22 million. This in turn resulted in a net surplus after transfers from/to reserves of \$514,000.*
- *Despite the signals from central government regarding 'shrinking budgets and contributions to the regional council' it was stressed that council could not budget 'based on speculation'. In this manner it would need to respond at such time there was a clear direction of travel.*

- Council applied the principle of ‘cost matching’ (income in advance) so in some instances there were reports of lower than budgeted grants and subsidies given council was yet to complete the attributed work.
- Assurance was provided that the Otiria flood works were progressing as quickly as possible and expected to come in on budget.

## Policy Approvals and Regulatory Services Oversight (Item 7.1)

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

*Secretarial Note: In accordance with Standing Order 23.3 ‘Motions expressed in parts’ the motion expressed in parts to be decided part by part.*

#### Moved (Stolwerk/Robinson)

1. That the report ‘Policy Approvals and Regulatory Services Oversight’ by Bruce Howse, Pou Taumatua – Group Manager Corporate Services and dated 27 March 2024, be received.

**Carried**

#### It was further moved (Shortland/Stolwerk)

2. That council approves the following text be added to the delegations manual:

Delegation	Delegated to
Authority to approve policies (including amendments to policies).	<ol style="list-style-type: none"><li>a) The Chief Executive Officer has authority to approve policies that apply solely to council staff.</li><li>b) The Chief Executive Officer has the authority to approve operational policies that apply to both staff and elected members, noting that the CEO can consult with the Chair prior to policy approval.</li><li>c) Resolution by council is required to approve policies that:<ol style="list-style-type: none"><li>i. apply to elected members only, or,</li><li>ii. those policies that are required by legislation to be approved by council, or,</li><li>iii. The following key policies:<ul style="list-style-type: none"><li>• SIPO</li><li>• Risk Management Policy</li><li>• Compliance, Monitoring &amp; Enforcement Policy</li><li>• Submissions Policy</li><li>• Procurement Policy</li></ul>And other key policies that may be identified from time to time by council and added to this list by resolution.</li></ol></li></ol>

*Secretarial Note:*

- Debate focussed on the approval of the Chief Executive’s Delegated Financial Authority (DFA).

- *Current practise was for council to approve the Chief Executive Officer's DFA as recorded in council's Delegations Manual.*
- *For the purpose of efficiency, the Chief Executive had authority to sub-delegate to staff; noting that any delegation must be in accordance with Long Term Plan Budgets.*
- *While the recommendations contained within the report related specifically to policy it was suggested that a specific reference should be made to council's approval of the Chief Executive Officer's DFA.*

**An amendment was moved (Craw/Jones)**

2. That council approves the following text be added to the delegations manual:

Delegation	Delegated to
Authority to approve policies (including amendments to policies).	<p>a) The Chief Executive Officer has authority to approve policies that apply solely to council staff.</p> <p>b) The Chief Executive Officer has the authority to approve operational policies that apply to both staff and elected members, noting that the CEO can consult with the Chair prior to policy approval.</p> <p>c) Resolution by council is required to approve:</p> <ul style="list-style-type: none"> <li>i. Policies that apply to elected members only, or,</li> <li>ii. Those policies that are required by legislation to be approved by council, or,</li> <li>iii. The following key policies: <ul style="list-style-type: none"> <li>• SIPO</li> <li>• Risk Management Policy</li> <li>• Compliance, Monitoring &amp; Enforcement Policy</li> <li>• Submissions Policy</li> <li>• Procurement Policy</li> </ul> <p>And other key policies that may be identified from time to time by council and added to this list by resolution.</p> </li> <li>iv. The Chief Executive Officer's Delegated Financial Authority (DFA) as contained in the Delegations Manual (<i>noting that the Chief Executive Officer has authority to sub-delegate financial authority to staff</i>).</li> </ul>

**Carried**

*Secretarial Note:*

- *In putting the motion the Deputy Chairperson called for an expression of opinion by a show of hands, the result being Councillors Carr, Craw, Jones and Shortland in favour of the motion and Councillors Blackwell, Macdonald, Robinson and Stolwerk against the motion.*
- *In accordance with Standing Order 19.3 'Chairperson has a casting vote' the Deputy Chairperson presiding over the meeting cast a deliberative vote in favour of the motion.*
- *With no further amendments forthcoming, the Deputy Chairperson put the substantive motion and called for an expression of opinion by a show of hands. The result being, Councillors Carr, Craw, Jones, Macdonald, Robinson and Shortland in favour of the substantive motion and Councillor Stolwerk against. Councillor Blackwell abstained.*

### **It was further moved (Stolwerk/Shortland)**

3. That council approves increased governance oversight of council's regulatory services via the Audit, Risk and Finance Committee, and approves the following additions to the Audit, Risk and Finance Committee terms of reference:

*Regulatory services oversight:*

- Review and recommend to council for approval Regulatory Services guiding policies.
- Review and recommend to council a hearing commissioner appointment policy.
- Quarterly reporting of consent application.
- Quarterly reporting of compliance monitoring activities.
- Quarterly reporting of formal enforcement activities (e.g. infringement notices, enforcement orders, prosecution cases).

### **Carried**

*(In putting the motion the Deputy Chair called for an expression of opinion by a show of hands, the result being Councillors Blackwell, Carr, Jones, Macdonald and Shortland in favour of the motion and Councillors Craw, Robinson and Stolwerk against).*

*Secretarial Note: The debate on recommendation 3 focussed on the pros and cons of the proposed delegations to the Audit Risk and Finance Committee as opposed to being retained by full council.*

### **It was further moved (Jones/Shortland)**

4. That the Terms of Reference of the Natural Resources Working Party are updated to remove reference to council's regulatory services as per the tracked changes in **Attachment 1** (pertaining to Item 7.1 of the 23 April 2024 council agenda).

### **Carried**

*(Councillor Robinson abstained from voting)*

## **Community Engagement Strategy (Item 7.2)**

**Report from Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement; Cathy Erstich, Community Engagement Manager and Natasha Stubbing, Marketing and Engagement Manager**

### **Moved (Robinson/Stolwerk)**

1. That the report 'Community Engagement Strategy' by Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement; Cathy Erstich, Community Engagement Manager and Natasha Stubbing, Marketing and Engagement Manager and dated 3 April 2024, be received.
2. That council adopts the Community Engagement Strategy (included as **Attachment 1** pertaining to Item 7.2 of the 23 April 2024 council agenda).

### **Carried**

*Secretarial Note:*

- Appreciation was extended to the Communications Team for the Community Engagement Strategy which was described as a 'comprehensive document' and an 'exciting piece of work'.
- It was suggested that the suite of KPIs should be expanded to measure performance.

## **Tāiki ē NRC/TTMAC Te Tiriti Strategic Intent and Implementation Plan (Item 7.3)**

**Report from Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement**

**Moved (Stolwerk/Robinson)**

1. That the report 'Tāiki ē NRC/TTMAC Te Tiriti Strategic Intent and Implementation Plan' by Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement and dated 2 April 2024, be received.
2. That Tāiki ē, (NRC and TTMAC Te Tiriti Strategic Intent and Implementation Plan) be adopted by council (subject to any final minor, graphic, structural or grammatical changes or amendments recommended by the Chief Executive Officer).

**Carried**

*(Unanimously)*

*Secretarial Note: Appreciation was extended to all involved in the development of the Tāiki ē NRC/TTMAC Te Tiriti Strategic Intent and Implementation Plan which was described as a 'beautiful document' and set a clear list of prioritised actions to progress.*

## **Amendment to Local Government Electoral Legislation (Māori Wards and Constituencies) (Item 7.4)**

**Report from Justin Murfitt, Strategic Policy Specialist; Julian Hansen, Kaiārahi Kaupapa Māori - Senior Māori Technical Advisor; Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement and Ruben Wylie, Pou Tiaki Taiao**

**Moved (Macdonald/Jones)**

1. That the report 'Amendment to Local Government Electoral Legislation (Māori Wards and Constituencies)' by Justin Murfitt, Strategic Policy Specialist; Julian Hansen, Kaiārahi Kaupapa Māori - Senior Māori Technical Advisor; Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement and Ruben Wylie, Pou Tiaki Taiao and dated 16 April 2024, be received.
2. That council endorse the position and submission points in this report on intended changes to the Local Electoral Act 2001 signalled by Government.
3. That council note that once the Bill is introduced, further analysis by staff will likely result in further submission points being developed and that the final submission will either be brought to a future council meeting for approval, or if timeframes do not permit that approach, the submission will be authorised via the process outlined in Council's Delegation Manual.

**Carried**

*(Unanimously)*

## **Health and Safety Report for January to March 2024 quarter (Item 8.1)**

**Report from Tamsin Sutherland, Health and Safety Advisor**

**Moved (Robinson/Shortland)**

That the report 'Health and Safety Report for January to March 2024 quarter' by Tamsin Sutherland, Health and Safety Advisor and dated 8 April 2024, be received.

**Carried**

*Secretarial Note:*

- *Staff to confirm the driver behind the increase in incident investigations.*
- *Attention was drawn to the need to test for allergies and to ensure field staff were suitably equipped to mitigate the danger associated with wasp stings.*

## **Chair's Report to Council (Item 8.2)**

**Report from Rae Hetaraka, Executive Assistant to the Chair**

**Moved (Shortland/Blackwell)**

That the report 'Chair's Report to Council' by Rae Hetaraka, Executive Assistant to the Chair and dated 9 April 2024, be received.

**Carried**

## **Chief Executive's Report to Council (Item 8.3)**

**Report from Christy Weightman, Executive Personal Assistant to the CEO**

**Moved (Blackwell/Shortland)**

That the report 'Chief Executive's Report to Council' by Christy Weightman, Executive Personal Assistant to the CEO and dated 2 April 2024, be received.

**Carried**

*Secretarial Note: The Deputy Chief Executive Officer was acknowledged for his role in the absence of the Chief Executive Officer.*

## **People and Culture Quarterly Report (Item 8.4)**

**Report from Kayla Ludlow, Human Resources Advisor; Jessica Matson, Human Resources Advisor and Beryl Steele, Human Resources Manager**

**Moved (Carr/Jones)**

That the report 'People and Culture Quarterly Report' by Kayla Ludlow, Human Resources Advisor; Jessica Matson, Human Resources Advisor and Beryl Steele, Human Resources Manager and dated 9 April 2024, be received.

**Carried**

*Secretarial Note: Assurance was provided that the current rate of staff turnover was within acceptable levels.*

## **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:

- Civil Defence Emergency Management Group – 5 December 2023 (incorrect minutes attached to February agenda).
- Extraordinary Audit Risk and Finance Committee – 13 March 2024

be received.

**Carried**

## **Working Party Updates (Item 9.2)**

**Report from Meloney Tupou, Māori Governance and Engagement Support Admin**

**Moved (Stolwerk/Blackwell)**

That the report 'Working Party Updates' be received.

**Carried**

*Secretarial Note: A verbal update was provided regarding council's Caulerpa response which had secured significant central government funding to progress.*

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

**Moved (Robinson/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
10.1	Confirmation of Confidential Minutes - 26 March 2024	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	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 -.

3. That the Independent Advisors be permitted to stay during business with the public excluded.

**Carried**

*Secretarial Note: The meeting adjourned at 12.05pm and reconvened at 12.12pm for business with the public excluded.*

## **Open Meeting**

**Moved (Carr/Blackwell)**

That the council resumes in open meeting.

**Carried**



## **Confirmation of confidential resolutions in open meeting**

The confidential resolutions confirmed in open meeting were as follows:

### **Confirmation of Confidential Minutes - 26 March 2024 (Item 10.1)**

**Report from Chris Taylor, Governance Specialist**

**Moved (Stolwerk/Blackwell)**

1. That the confidential minutes of the council meeting held on 26 March 2024 be confirmed as a true and correct record and that these be duly authenticated with the Deputy Chair's electronic signature.

**Carried**

### **Receipt of Confidential Committee Minutes (Item 10.2)**

**Report from Meloney Tupou, Māori Governance and Engagement Support Admin**

**Moved (Blackwell/Jones)**


1. That the unconfirmed confidential minutes of the Extraordinary Audit Risk and Finance Committee – 13 March 2024 be received.

**Carried**

## **Whakamutunga (Conclusion)**

**The meeting concluded at 12.16pm with a karakia by the Pou Manawhakahaere - GM Governance and Engagement.**

Confirmed as a true and correct record 28 May 2024



Chair Geoff Crawford