

Northland Regional Council Minutes

Meeting held in the Waipu Surf Club, Cove Road, Waipu
on Tuesday 22 April 2025, commencing at 10.15am

Tuhinga/Present:

Chairperson, Geoff Crawford

Councillors:

John Blackwell

Joe Carr

Jack Craw

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

Amy Macdonald

Marty Robinson

Tui Shortland

Rick Stolwerk

I Tae Mai/In Attendance:

Full Meeting

Independent Risk Advisor

Independent Tangata Whenua Advisor

Tāhūhū Rangapū - Chief Executive Officer (*Via audio-visual link*)

Deputy Chief Executive Officer

Pou Manawhakahaere - GM Governance and Engagement

Pou Whakaritenga - GM Regulatory Services

GM - Community Resilience

Pou Tiaki Taiao - GM Environmental Services

Pou Tiaki Pūtaiao - GM Biosecurity

Finance Manager

Financial Planning Manager

Financial Accountant

Kaitātari Kaupapa Wai Māori (*Via audio-visual link*)

Translator (*Via audio-visual link*)

Māori Engagement and Governance Support Administration

Digital Experience Support

Governance Specialist

Part Meeting

Cameron Partners Partner (*Via audio-visual link*)

Rivers and Natural Hazards Manager (*Via audio-visual link*)

Harbourmaster (*Via audio-visual link*)

Rivers Project Manager (*Via audio-visual link*)

Corporate Planning Specialist

Policy Specialist (*Via audio-visual link*)

Kaiārahi Tikanga Māori

Secretarial Note: Proceedings commenced at 10.12am with a karakia and mihi from Patuharakeke representatives followed by waiata. The NRC Kaiārahi Tikanga Māori responded and acknowledged the mihi on behalf of council; also followed by waiata.

Ngā Mahi Whakapai/Housekeeping (Item 1.0)

Coastal South General Constituency Councillor Stolwerk outlined the housekeeping proceedings.

Ngā whakapāha/Apologies (Item 2.0)

There were no apologies.

Nga whakapuakanga/Declarations of Conflicts of Interest (Item 3.0)

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

Secretarial Note: Item 5.2 was addressed prior to Item 5.1.

Petition - No Sand Mining (Item 5.1)

On behalf of 'Concerned Communities of Bream Bay against Marine Sand Mining' and 'The Endangered Species Foundation', Brenda Leeuwenberg was in attendance to present a petition against the granting of any marine sand mining consents to McCallum Bros Limited under the Fast Track process of the Environmental Protection Authority for Bream Bay.

Secretarial Note: Item 5.2 was addressed prior to Item 5.1.

Public Forum - Presentation by the Bream Bay Guardians Society (Item 5.2)

On behalf of the Bream Bay Guardians Society, Malcom Morrison and Pamela Tindall were in attendance to formally oppose the McCallum Brothers application to withdraw sand from Bream Bay. The Society sought the Regional Council's support 'as the monitoring agency' to 'help in any way'.

Public Forum - Presentation by Maureen Bell (Item 5.3)

Maureen Bell was in attendance to address drain clearance/mangrove removal in the drain passing through the Waipu Cove Campground and adjacent downstream land administered by the Department of Conservation. The NRC GM – Regulatory Services undertook to provide further information on the matter and clarification on the resource consent status.

Public Forum - Presentation Surf Life Saving (Item 5.4)

Surf Lifesaving Northern Region Lifesaving Manager, Chase Cahalane, was in attendance and provided a presentation summarising the 2024/2025 Summer Delivery Programme. Appreciation was extended to the Regional Council for its ongoing support.

Secretarial Note: The meeting adjourned at 11.03am for morning tea and reconvened at 11.22am.

Receipt of Tabled Reports (Item 4.0A)

Report from Chris Taylor, Governance Specialist

Moved (Stolwerk/Robinson)

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

- 7.10 Proposed Environmental Wastewater Standards – Draft NRC submission
- 7.11 Kaeo Stage Two Flood Mitigation Works

Carried

Confirmation of Minutes 3 April and 25 March 2025 (Item 5.5)

Report from Chris Taylor, Governance Specialist

Moved (Blackwell/Macdonald)

That the minutes of the ordinary council meeting held on 25 March 2025 and the Long Term Plan Amendment Hearings held on 3 April 2025 be confirmed as a true and correct record and that these be duly authenticated with the Chair's electronic signature.

Carried

Receipt of Action Sheet (Item 5.6)

Report from Chris Taylor, Governance Specialist

Moved (Craw/Macdonald)

That the action sheet be received.

Carried

Secretarial Note: Confirmation was provided that council was scheduled to workshop the 'Private Share Revenue Increase on Contracted Bus Services' on 13 May 2025.

Financial Report to 31 March 2025 (Item 6.1)

Report from Taka Skipwith, Financial Accountant

Moved (Stolwerk/Crawford)

That the report 'Financial Report to 31 March 2025' by Taka Skipwith, Financial Accountant and dated 8 April 2025, be received.

Carried

Council deliberations on the proposed amendments to Long Term Plan 2024-2034 (Item 7.1)

Report from Robyn Broadhurst, Corporate Planning Specialist and Kyla Carlier, Corporate Strategy Manager

Moved (Stolwerk/Shortland)

1. That the report 'Council deliberations on the proposed amendments to Long Term Plan 2024-2034' by Robyn Broadhurst, Corporate Planning Specialist and Kyla Carlier, Corporate Strategy Manager and dated 15 April 2025, be received.

Carried

It was further moved (Craw/Shortland)

2. That council acknowledges that it received 42 submissions on the proposed amendments to the Long Term Plan 2024-2034.
3. That council supports proposed amendments to the Long Term Plan 2024-2034 required to support the change in the structure of its interests in Marsden Maritime Holding and Northport, as proposed in the Amended Long Term Plan 2024-2034 Consultation Document and Supporting Information Document.

Carried (Unanimously)

Secretarial Note: Appreciation was extended to all who had submitted on the proposal; which informed council's decision making process.

Adoption of the amended Long Term Plan 2024-2034, Significance and Engagement Policy, and Treasury Risk Management Policy. (Item 7.2)

Report from Kyla Carlier, Corporate Strategy Manager and Robyn Broadhurst, Corporate Planning Specialist

Moved (Macdonald/Blackwell)

1. That the report 'Adoption of the amended Long Term Plan 2024-2034, Significance and Engagement Policy, and Treasury Risk Management Policy.' by Kyla Carlier, Corporate Strategy Manager and Robyn Broadhurst, Corporate Planning Specialist and dated 12 March 2025, be received.

Carried

It was further moved (Stolwerk/Shortland)

2. That having undertaken consultation in accordance with sections 82 and 82A, by way of the Special Consultative Procedure (Section 83) in accordance with section 87, and pursuant to section 76AA of the Local Government Act 2002, council adopts the Significance and Engagement Policy with updates as required to reflect the change in the strategic asset, as included in the final amended Long Term Plan 2024-2034 (attachment 1 to this agenda item).
3. That council in accordance sections 102, 104, and 105 of the Local Government Act 2002 adopt the attached Treasury Risk Management Policy including Liability Management and Investment Policies (attachment 2 to this agenda item).

4. That council transfer the strategic objectives that were agreed for MMH/Northport to Northport Group Limited and adopt them as set out in the Financial Strategy as follows:
The objectives for holding shares in Northport Group Limited are to:
 - *Maximise the development and competitive position of Northport Group Limited ;*
 - *Maximise total shareholder returns from its investment in Northport Group Limited ;*
and
 - *Ensure Northport Group Limited achieves its statutory objective as a port company operating as a successful business.*
5. That in accordance with the requirements of section 101A of the Local Government Act 2002, council adopts the Financial Strategy, with updates as required to reflect the change in the strategic asset including the resulting funding changes in undertaking the transaction, as included in the final amended Long Term Plan 2024-2034 (attachment 1 to this agenda item).
6. That having undertaken consultation in accordance with the Special Consultative Procedure (Section 83), and pursuant to sections 93 and 97 of the Local Government Act 2002, council adopts its Amended Long Term Plan 2024-2034 (attachment 1 to this agenda item), to replace the Long Term Plan 2024-2034 from the date of this adoption.
7. That council agree to proceed with the proposal as consulted on and in accordance with its Amended Long Term Plan 2024-2034 including:
 - a. Creating a new joint-venture company 'Northport Group Limited' by way of buying out shares in Marsden Maritime Holding through a scheme of arrangement and delisting Marsden Maritime Holdings from the NZX.
 - b. Working with investment partners Port of Tauranga and Tupu Tonu, with share capital of this new company held as:
 - i. Port of Tauranga 50%
 - ii. Northland Regional Council 43%
 - iii. Tupu Tonu 7%
 - c. To fund the transaction by way of borrowing, cash and the sale of property assets.
8. That council delegate to the Group Manager – Corporate Services the authority to approve any minor accuracy, grammatical, typographical or formatting amendments to the Amended Long Term Plan 2024-2034 prior to it being published.

Carried *(Unanimously with acclamation)*

Secretarial Note: Appreciation was extended to all involved in progressing the matter to this point, which was described as a 'huge undertaking' over a lengthy period.

Approval to borrow \$41.8 Million to fund investment into Northport Group Limited (Item 7.3)

Report from Casey Mitchell, Financial Planning Manager and Simon Crabb, Finance Manager

Moved (Macdonald/Blackwell)

1. That the report 'Approval to borrow \$41.8 Million to fund investment into Northport Group Limited' by Casey Mitchell, Financial Planning Manager and Simon Crabb, Finance Manager and dated 13 March 2025, be received.

Carried

It was further moved (Craw/Shortland)

2. That council enters a loan with the Local Government Funding Agency of \$41,800,000 (inclusive of 5% Borrower notes) under the following terms:
 - i. \$7,100,000 taken at a fixed term borrowing cost in the vicinity of 3.508% per annum for a term of 1 year.
 - ii. \$1,600,000 taken at a fixed term borrowing cost in the vicinity of 4.00% per annum for a term of 2 years.
 - iii. \$3,400,000 taken at a fixed term borrowing cost in the vicinity of 4.32% per annum for a term of 3 years.
 - iv. \$29,700,000 taken at a fixed term borrowing cost in the vicinity of 5.98% per annum for a term of 12 years.

Carried (Unanimously)

It was further moved (Stolwerk/Shortland)

3. That any returns not required for general funding, received as dividend and interest from Northport Group Limited be dedicated to repaying the borrowings of \$41,800,000. Also, that these are invested, and tracked separately, in the Long- Term Investment fund, and that after 12 years the \$41.8M loan will be partially repaid and refinanced, with the balance scheduled to be fully repaid after a further 12 years.
4. That \$1,075,361 from the sale of the carbon credits is withdrawn from the Long-Term Investment Fund, in line with a EriksensGlobal recommendation, to contribute funding for the investment in Northport Group Limited.

Carried (Unanimously)

Elected Members' Expenses and Allowances Policy Amendment (Item 7.4)

Report from Chris Taylor, Governance Specialist

Moved (Carr/Robinson)

1. That the report 'Elected Members' Expenses and Allowances Policy Amendment' by Chris Taylor, Governance Specialist and dated 4 April 2025, be received.
2. That council approve the amendments to the Elected Members' Expenses and Allowances Policy as detailed in the report.

Carried

2025 Local Body Triennial Elections (Item 7.5)

Report from Chris Taylor, Governance Specialist

Moved (Blackwell/Stolwerk)

1. That the report '2025 Local Body Triennial Elections' by Chris Taylor, Governance Specialist and dated 1 April 2025, be received.
2. That the report '2025 Triennial Election' by Dale Ofoske, NRC Electoral Officer, (included as **Attachment One** to the report) and dated 11 February 2025, be received.
3. That council resolves for the 2025 triennial election to adopt the alphabetical order of candidate names on voting documents (*in accordance with Regulation 31 of the Local Electoral Regulations 2001*).
4. That the 'Local Body Triennial Elections 2025 – Election Protocols for Elected Members' (included as **Attachment Two** to the report) be noted.

Carried

Continuity over council recess (Item 7.6)

Report from Chris Taylor, Governance Specialist

Moved (Robinson/Blackwell)

1. That the report 'Continuity over council recess' by Chris Taylor, Governance Specialist and dated 1 April 2025, be received.
2. That in the period between the day following the Electoral Officer's declaration until the new council is sworn in for the 2025-2028 triennium, the council delegates to the Chief Executive Officer the authority to make decisions over and above the Chief Executive's normal delegations in respect of urgent matters, except those responsibilities, duties and powers specifically excluded in terms of clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002.
3. That any instances where the Chief Executive Officer exercises powers, in accordance with 2 above, shall be presented to the first ordinary meeting of the incoming council for ratification.
4. That, for the avoidance of doubt the following governance bodies be deemed not to be discharged on the coming into office of the council elected at the October 2025 triennial elections.
 - i. The Civil Defence Emergency Management Group (in accordance with section 12(2) of the Civil Defence Emergency Management Act 2002);
 - ii. Te Oneroa-a-Tōhe Beach Board (in accordance with section 62(2)(b) of the Te Hiku Claims Settlement Bill); and
 - iii. The Kaipara Harbour Remediation Committee, the Joint Regional Economic Development Committee and the Joint Climate Change Adaptation Committee (in accordance with their Terms of Reference adopted by all founding members).
5. That the Te Ruarangi Working Party be deemed not to be discharged on the coming into the office of the council elected at the October 2025 triennial elections.

Carried

Regional Software Holdings Limited Statement Of Intent (Item 7.7)

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

Moved (Crawford/Stolwerk)

1. That the report 'Regional Software Holdings Limited Statement Of Intent' by Bruce Howse, Pou Taumatua – Group Manager Corporate Services and dated 19 March 2025, be received.
2. That council endorse the Draft RSHL SOI 2025-2026 *(included as **Attachment 1** pertaining to Item 7,7 of the 22 April 2025 council agenda).*

Carried

Navigation Safety Bylaw Review 2022 - 2025 (Item 7.8)

Report from Jim Lyle, Harbour Master and Maritime Manager

Moved (Stolwerk/Craw)

1. That the report 'Navigation Safety Bylaw Review 2022 - 2025' by Jim Lyle, Harbour Master and Maritime Manager and dated 27 March 2025, be received.
2. That council determines under section 155(1) of the LGA that a Bylaw is the most appropriate way of addressing problems relating to the maritime safety in the region.
4. That council determines under section 155(2)(b) of the LGA that the Northland Regional Council Navigation Safety Bylaw 2017 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
5. That council adopts the following documents for the purposes of consultation pursuant to section 156 of the Local Government Act 2002.
 - a. the Statement of Proposal, and
 - b. the Draft Navigation Safety Bylaw.
6. That the public notification of the 'Draft Navigation Safety Bylaw be on or before 5 May 2025.

Carried

It was further moved (Macdonald/Shortland)

7. That council:
 - a. nominates Councillors Blackwell, Robinson and Stolwerk to sit on a Hearing Panel, and
 - b. delegate authority to the Hearing Panel to hear submissions on the Draft Navigation Safety Bylaw, deliberate and make recommendations in response to submissions.
8. That council delegate to the Pou Tiaki Hapori | Group Manager Community Resilience the authority to make any necessary minor formatting, typographical, and administrative changes to the Statement of Proposal prior to formal public consultation.

Secretarial Note:

- *Councillor Robinson advised he was withdrawing his name from consideration. Subsequently Councillor Stolwerk nominated Councillor Craw to the Hearing Panel; which was accepted by the councillor.*
- *In accordance with Standing Order 23.4 'Substitute Motion', the original mover and seconder agreed to the substituted motion as follows.*

Moved (Macdonald/Shortland)

7. That council:
 - a. nominates Councillors Blackwell, Craw and Stolwerk to sit on a Hearing Panel, and
 - b. delegate authority to the Hearing Panel to hear submissions on the Draft Navigation Safety Bylaw, deliberate and make recommendations in response to submissions.
8. That council delegate to the Pou Tiaki Hapori | Group Manager Community Resilience the authority to make any necessary minor formatting, typographical, and administrative changes to the Statement of Proposal prior to formal public consultation.

Carried

Adoption of the Future Development Strategy for Whangārei District (Item 7.9)

Report from Ingrid Kuindersma, Policy Planner and Michael Payne, Policy Specialist

The procedural motion was moved (Macdonald/Crawford)

That the item of business 'Adoption of the Future Development Strategy for Whangārei District' by Ingrid Kuindersma, Policy Planner and Michael Payne, Policy Specialist and dated 26 March 2025, should lie on the table and not be further discussed at this meeting.

Carried

Secretarial Note:

- *Whangarei District Council had requested additional time to hold a further council briefing to discuss the Future Development Strategy.*
- *Representatives on the Joint WDC and NRC Working Group undertook to keep abreast of discussions and provided a level of confidence the Strategy would be ready to sign off in May.*

**Proposed Environmental Wastewater Standards - Draft NRC submission
(Tabled Item 7.10)**

Report from Justin Murfitt, Strategic Policy Specialist; April Nordstrom, Kaitātari Kaupapa Wai Māori and Tami Woods, Policy and Planning Manager

Moved (Craw/Shortland)

1. That the report 'Proposed Environmental Wastewater Standards - Draft NRC submission' by Justin Murfitt, Strategic Policy Specialist; April Nordstrom, Kaitātari Kaupapa Wai Māori and Tami Woods, Policy and Planning Manager and dated 16 April 2025, be received.
2. That the draft submission be approved and lodged with Taumata Arowai on or before 5pm 24 April 2025.
3. That the submission be signed on behalf of council by the Chair.

Carried

Secretarial Note:

- *Appreciation was extended to staff for being 'extremely nimble' and formalising the council workshop discussion into a submission under tight timeframes.*
- *It was advised there was no requirement to conduct hearings under the Water Services Act 2021.*

Kaeo Stage Two Flood Mitigation Works (Tabled Item 7.11)

Report from Joseph Camuso, Rivers & Natural Hazards Manager and Meg Tyler, Rivers Project Manager

Moved (Shortland/Carr)

1. That the report 'Kaeo Stage Two Flood Mitigation Works' by Joseph Camuso, Rivers & Natural Hazards Manager and Meg Tyler, Rivers Project Manager and dated 16 April 2025, be received.
2. That council approves the Kaeo Stage 2 Flood Risk Mitigation infrastructure project to proceed, as outlined within this report, including the proposed property acquisition and notes the budgeted expenditure of \$1,535,000.

Carried

Quarterly Health and Safety report for third quarter of 2024-2025 year (Item 8.1)

Report from Tamsin Sutherland, Health and Safety Advisor

Moved (Crawford/Stolwerk)

That the report 'Quarterly Health and Safety report for third quarter of 2024-2025 year' by Tamsin Sutherland, Health and Safety Advisor and dated 2 April 2025, be received.

Carried

Secretarial Note: Attention was drawn to the aggressive incidents faced by both staff and elected members and the need for the organisation to ensure their safety.

Chair's Report to Council (Item 8.2)

Report from Rae Hetaraka, Executive Assistant to the Chair

Moved (Crawford/Carr)

That the report 'Chair's Report to Council' by Rae Hetaraka, Executive Assistant to the Chair and dated 7 April 2025, be received.

Carried

Chief Executive's Report to Council (Item 8.3)

Report from Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Moved (Stolwerk/Blackwell)

That the report 'Chief Executive's Report to Council' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 28 March 2025, be received.

Carried

Secretarial Note:

- *Attention was drawn to the improved compliance of Northland's municipal wastewater treatment plants.*
- *The leadership shown by hapū members in the Caulerpa clean up following Cyclone Tam over the Easter weekend was acknowledged.*
- *Appreciation was extended to the Coastcare Team for the coastal workshops conducted during Seaweed which were described as an 'amazing learning experience'.*
- *Further information was requested regarding the impact of the heavy rain event early April on the Northland Flood Prone Marae.*
- *The successful recipients of the Māori Business, the Balance Farm Environment and Whakamānawa ā Taiao – Environmental Awards were acknowledged.*

People and Culture Quarterly Report (Item 8.4)

Report from Jessica Matson, Human Resources Advisor

Moved (Stolwerk/Crawford)

That the report 'People and Culture Quarterly Report' by Jessica Matson, Human Resources Advisor and dated 3 April 2025, be received.

Carried

Receipt of Committee Minutes (Item 9.1)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Macdonald/Robinson)

That the unconfirmed minutes of the:

- Te Oneroa-a-Tōhe Board - 21 February 2025
- Joint Regional Economic Development Committee - 7 March 2025 and
- Joint Climate Change Adaptation Committee – 20 March 2025

be received.

Carried

Secretarial Note: The Kaitiāia Aero Club Beach Landings report presented to Te Oneroa-a-Tohe Board to be circulated to councillors.

Working Party Updates Report (Item 9.2)

Report from Meloney Tupou, Māori Governance and Engagement Support Admin

Moved (Carr/Jones)

That the report 'Working Party Updates Report' be received.

Carried

Secretarial Note: Mr Peter Hunt, representing the Piroa Conservation Trust, provided a presentation outlining the charitable Trust's community engagement, kiwi conservation, pest and plant control, youth education, water quality monitoring and its strategy 2024 – 2025 prior to the councillors' field trip following the formal council meeting. The team was described as 'environmental warriors'.

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

Moved (Blackwell/Shortland)

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	MMH proposal - transition to Northport Group Limited	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).
10.2	MMH proposal - policy and process for 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) 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).
10.3	Confirmation of Confidential Council Minutes - 25 March 2025	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting .
10.4	Confidential Receipt of 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 .
10.5	Proposal for a Small-scale Property Redevelopment	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(b)(ii), 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).
10.6	Leaseholder's Termination of Lease and Remediation of Premises Agreement	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person

		who supplied or who is the subject of the information s7(2)(b)(ii) 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).
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3. That the Independent Advisors be permitted to stay during business with the public excluded.

Carried

Secretarial Note: The meeting adjourned at 12.19pm and reconvened at 12.24pm to address business with the public excluded.

Whakamutunga (Conclusion)

The meeting concluded at 12.55pm with a karakia by the Independent Tangata Whenua Advisor.