

AGENDA

Council

Wednesday 5 November 2025 at 10.00am

Northland Regional Council Agenda

Inaugural meeting to be held in the Council Chamber
36 Water Street, Whangārei
on Wednesday 5 November 2025, commencing at 10.00am

Recommendations contained in the council agenda are NOT council decisions. Please refer to council minutes for resolutions.

RĪMITI (Item) **Page**

1.0 NGĀ MAHI WHAKAPAI / HOUSEKEEPING

Key Health and Safety points to note:

- *If the fire alarm goes off – exit down the stairwell to the assembly point which is the visitor carpark.*
- *Earthquakes – drop, cover and hold*
- *Visitors please make sure you have signed in at reception, and that you sign out when you leave. Please wear your name sticker.*
- *The toilets are on the opposite side of the stairwell.*

Please note that the public section of this meeting will be recorded and livestreamed via Youtube to the NRC website. As a participant in the meeting or a member of the public gallery your presence may be recorded. By remaining present at the meeting it is understood your consent is given if your image or voice is broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of the Northland Regional Council. Council accepts no liability for any opinions or statements made during a meeting.

2.0 KARAKIA TIMATANGA – TAUĀKI Ā ROTO / OPENING KARAKIA

3.0 NGĀ WHAKAPĀHA / APOLOGIES

4.0 NGĀ WHAKAPUAKANGA / DECLARATIONS OF CONFLICTS OF INTEREST

5.0 NGĀ TAKE / DECISION MAKING MATTERS

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ACC - Accident Compensation Corporation ALGIM - Association of Local Government Information Management AMA - Aquaculture Management Area AMP - Asset Management Plan/Activity Management Plan AP - Annual Plan BCP – Business Continuity Planning CAPEX - Capital Expenditure (budget to purchase assets) CCO – Council Controlled Organisation CCTO – Council Controlled Trading Organisation CDEM - Civil Defence Emergency Management CEG - Co-ordinating Executive Group CEO - Chief Executive Officer CIMS - Co-ordinated Incident Management System (emergency management structure) CMA - Coastal Marine Area CPCA - Community Pest Control Areas DOC - Department of Conservation DP – District Plan ECAN - Environment Canterbury EECA - Energy Efficiency Conservation Authority EF - Environment Fund EMA - Employers and Manufacturers Association EOC - Emergency Operations Centre EPA - Environmental Protection Authority ETS - Emissions Trading Scheme FDE - Farm Dairy Effluent FNDC - Far North District Council FNHL - Far North Holdings Limited FPP - First Past the Post GIS - Geographic Information System HSWA - Health and Safety at Work Act 2015 IHEMP – Iwi/Hapū Environmental Management Plan ILGACE - Iwi and Local Government Chief Executives Forum IRIS - Integrated Regional Information System JREDC - Joint Regional Economic Development Committee KDC - Kaipara District Council KPI - Key Performance Indicator LAWA – Land, Air, Water Aotearoa LEA - Local Electoral Act 2001 LGA - Local Government Act 2002 LGNZ - Local Government New Zealand LGOIMA - Local Government Official Information & Meetings Act 1987 LIDAR – Light detection and ranging LTP - Long Term Plan LWDW – Local Waters Done Well MACC – Multi-Agency Co-ordination Centre MBIE – Ministry of Business, Innovation & Employment MFE - Ministry for the Environment MFL – Māori Freehold Land MHWS - Mean High Water Springs MMH - Marsden Maritime Holdings Limited MNZ - Maritime New Zealand MOU – Memorandum of Understanding MTAG - Māori Technical Advisory Group MWAR - Mana Whakahono Ā Rohe NCMC - National Crisis Management Centre NDHB - Northland District Health Board NEMA – National Emergency Management Agency NES - National Environmental Standards	NFT – Northland Forward Together NGL – Northport Group Limited NGO - Non-Governmental Organisation NIF - Northland Intersectoral Forum NINC - Northland Inc. Limited NIWA - National Institute of Water and Atmosphere NPS - National Policy Statement NPS-FM - National Policy Statement for Freshwater Management NZCPS - New Zealand Coastal Policy Statement NZTA –New Zealand Transport Agency NZTE - New Zealand Trade and Enterprise NZWWA - New Zealand Water and Wastes Association OFI - Opportunity for Improvement OPEX – Operating Expenditures OSH - Occupational Safety & Health OTS – Office of Treaty Settlements PCBU - Person Conducting Business or Undertaking PPE - Personal Protective Equipment RAP - Response Action Plan RBI - Regional Broadband Initiative RFI - Request for Information RFP - Request for Proposal RLTP - Regional Land Transport Plan RMA - Resource Management Act 1991 RMG - Resource Managers Group (Regional Councils) RMZ - Riparian Management Zone ROI - Return on Investment RP – Regional Plan RPMP - Regional Pest Management Plan RPMS - Regional Pest Management Strategy RPS - Regional Policy Statement RPTP – Regional Public Transport Plan RRSAP – Regional Road Safety Action Plan RSG – Regional Sector Group RSHL - Regional Software Holdings Ltd RTC - Regional Transport Committee RTO - Regional Tourism Organisation SIG – Special Interest Group SIPO - Statement of Investment Policy and Objectives SITREP - Situation Report SOE - State of Environment (or) State Owned Enterprise SOI – Statement of Intent STV - Single Transferable Vote TAG - Technical Advisory Group Te Ruarangi – Te Taitokerau Māori & Council Working Party TKoT - Te Kahu o Taonui Tier 1 - Site level plan or response for an oil spill Tier 2 - Regional level plan or response to an oil spill Tier 3 - National level plan or response to an oil spill TLA - Territorial Local Authority – City & District Councils TMP - Treasury Management Plan TMP - Treasury Management Plan TOATB – Te Oneroa-Ā-Tohe Board TOR - Terms of Reference TPK - Te Puni Kōkiri (Ministry of Māori Development) TTNEAP – Tai Tokerau Northland Economic Action Plan TWWAG – Tangata Whenua Water Advisory Group UNISA - Upper North Island Strategic Alliance WDC - Whangarei District Council WSMP - Workplace Safety Management Practices
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Tauāki ā roto

Tēnei au

Tēnei mātou

He kaikaunihera

He kawenga i ngā whakataunga

I ngā tikanga

Ki uta, ki tai

Kia rewa ai ngā iwi katoa o

Te Taitokerau

Haumie hui e

TĀIKI E!

Here I am

Here we are

Your councillors

The bearers of sound

decision making power

Reaching inland and coastal

To uplift all peoples of

Northland

Bring forth unity

Tis Done!



TITLE: Announcement of the results of Triennial Elections 2025

From: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Authorised by: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Executive summary/Whakarāpopototanga

The purpose of this report is to formally record the results of the 2025 triennial local body election for the Northland Regional Council.

Elections in the Bay of Islands-Whangaroa General, Coastal Central General, Coastal South General, Far North General, Kaipara General, Mid North General, Whangārei Central General, and Te Raki Māori constituencies were carried out by Independent Election Services Ltd, which had been appointed by the Northland councils to carry out the elections on its behalf. Independent Election Services Ltd confirmed the official results of the election on Saturday 11 October 2025, with the declaration by public notice on Saturday 18 October 2025.

Recommendation

That the report ‘Announcement of the results of Triennial Elections 2025’ by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 11 October 2025, be noted.

Background/Tuhinga

The official results of the elections were as follows:

Constituency:	Bay of Islands-Whangaroa General Constituency		
Number of vacancies	1		
Candidate Name	Affiliation	Votes Received	Rank
AYR, Lane		1,354	
BARKLEY, Karl	Independent	677	
HOSKING, Murray	Independent	1,243	
KITCHEN, Colin (Toss)		1,972	1
MANUEL, Nyze		998	
WRIGHT, Jane		1,264	
Informal		489	
Blank		713	
Constituency	Coastal Central General Constituency		
Number of vacancies	1		
Candidate Name	Affiliation	Votes Received	Rank
CHALMERS, Greg	Independent	2,906	
MACDONALD, Amy	Independent	4,480	1
Informal		118	
Blank		492	

Constituency	Coastal South General Constituency		
Number of vacancies	1		
Candidate Name	Affiliation	Votes Received	Rank
GOODHUE, Robert		1,655	
HUNT, John	Independent	3,197	1
STOLWERK, Rick		2,656	
Informal		185	
Blank		607	
Constituency	Far North General Constituency		
Number of vacancies	1		
Candidate Name	Affiliation	Votes Received	Rank
CARR, Joe	Independent	3,660	1
TUAI PENNEY, Reina		1,279	
YURETICH, Marty	Independent	2,012	
Informal		627	
Blank		407	
Constituency	Kaipara General Constituency		
Number of vacancies	1		
Candidate Name	Affiliation	Votes Received	Rank
BLACKWELL, John		5,579	1
NORRIS, Lorraine (Nossi)	Independent	1,779	
Informal		44	
Blank		537	
Constituency	Te Raki Māori Constituency		
Number of vacancies	2		
Candidate Name	Affiliation	Votes Received	Rank
JONES, Peter-Lucas		3,882	
MORUNGA, Arama	Te Pati Māori	5,297	2
SHORTLAND, Tui		3,655	
TIPENE, Pita		6,515	1
Informal		582	
Blank		315	

Constituency	Whangārei Central General Constituency		
Number of vacancies	1		
Candidate Name	Affiliation	Votes Received	Rank
CRAW, Jack	Independent	2,982	1
DAVIS, Caroline		2,755	
Informal		78	
Blank		504	
Issue	Māori Constituencies Poll		
		Votes Received	Rank
I vote to KEEP Māori constituencies		30,878	
I vote to REMOVE Māori constituencies		31,539	1
Informal		38	
Blank		3,226	

Note: As the number of candidates did not exceed the number of vacancies, Geoff Crawford was duly declared as the elected member of the Northland Regional Council for the Mid North General Constituency (one vacancy).

In accordance with section 86 of the Local Electoral Act 2001 and section 62 of the Local Regulations 2001, a public notice declaring the official result of the election was uploaded to the Northland Regional Council website on Saturday 18 October 2025.

Attachments/Ngā tapirihanga

Nil

TITLE: Declaration by councillors

From: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Authorised by: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Executive summary/Whakarāpopototanga

Elected candidates took up office on 19 October 2025; the day after the official result was declared by public notice. However, they cannot act in their capacity as a councillor until such time as they have sworn the oath of office at the first meeting of council.

This report facilitates the formal declarations to be made by elected members at the inaugural council meeting.

Recommendation

That the report 'Declaration by councillors' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 11 October 2025, be received.

Background/Tuhinga

Each elected member will be invited to make and sign a declaration to enable them to carry out their duties as councillors, as required by law.

Section 14 of Schedule 7 to the Local Government Act 2002 provides as follows:

"14. Declaration by a member –

- 1. A person may not act as a member of a local authority until –*
 - (a) That person has, at a meeting of the local authority following the election of that person, made an oral declaration in the form set out in subclause (3); and*
 - (b) A written version of the declaration has been attested as provided under subclause (2).*
- 2. The written declaration must be signed by the member and witnessed by –*
 - (a) The Chairperson; or*
 - (b) The Mayor; or*
 - (c) A member of the local authority; or*
 - (d) The Chief Executive of the local authority; or*
 - (e) In the absence of the Chief Executive, some other officer appointed by the Chief Executive."*

The form of the declaration must consist of the following elements:

Declaration by member

"I, [state full name], declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Northland region, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Northland Regional Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act"

Dated at Whangārei this 5th day of November 2025

[Signature]

Signed in the presence of
Jonathan Gibbard
Chief Executive Officer
Tāhūhū Rangapū

Elected members must make their declaration in English but may also choose to make their declaration also in Te Reo and sign language (given they are also the official languages of New Zealand). The Te Reo translation is as follows:

“Ko ahau tēnei, ko, e whakapuaki atu nei i taku oati i roto i te pono me te tika, e ai ki ōku pūkenga me ōku whakaaro, kia whakatutukingia, kia hāpaitia hoki, hei painga mō te rohe o Te Taitokerau, ngā mana kaunihera me ngā mahi, kei roto tonu, ka utaina rānei ki runga i a āu e tū nei, hei mema o te Kaunihera ā-rohe o Te Taitokerau i raro i te maru o te Ture Kāwanatanga ā-Rohe 2002, me te Ture Kāwanatanga ā-Rohe mō te Pārongo Ōkawa me ngā Hui 1987, i raro rānei i tētahi atu ture.”

The Chief Executive will ask each councillor-elect (in alphabetical order by surname) to step forward, read the declaration out loud and sign the declaration document. The Chief Executive will then witness the declaration with his signature.

Attachments/Ngā tapirihanga

Nil

TITLE: Election of Chairperson

From: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Authorised by: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Executive summary/Whakarāpopototanga

Clause 21(5)(b) of Schedule 7 of the Local Government Act 2002 stipulates that the election of the Chairperson, and the making and attesting of the declaration required of the Chairperson, is business that must be conducted at the first meeting of a local authority following triennial general elections.

This report facilitates the election of the Chairperson.

Recommendations

1. That the report 'Election of Chairperson' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 11 October 2025, be received.
2. That in the event more than one nomination for Chairperson is received, "System A" as specified in Clause 25 of Schedule 7 to the Local Government Act be used for the election of the Chairperson.
3. That _____ be elected Chairperson of the Northland Regional Council.

Background/Tuhinga

The Chief Executive Officer will call for nominations for election to the office of Chairperson. A mover and seconder will be required for each nomination. Any nomination that is moved but not seconded, will be deemed to have lapsed.

If only one nomination is received, that person will be declared to be elected. Should more than one nomination be received, the council will be called upon to decide which of the two systems of voting (as specified in Clause 25 of Schedule 7 to the Local Government Act) is to be used to make the appointment. The two systems are as follows:

System A

- (a) Requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- (b) Has the following characteristics:
 - (i) There is a first round of voting for all candidates; and
 - (ii) If no candidate is successful in that round there is a second round of voting from which the candidate with the least votes in the first round is excluded; and
 - (iii) If no candidate is successful in the second round there is a third; and if necessary a subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) In any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B

- (a) Requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- (b) Has the following characteristics:
 - (i) There is only one round of voting; and
 - (ii) If two or more candidates tie for the most votes, the tie is resolved by lot.

It should be noted that resolving by lot will be conducted by putting each person's name on the same size piece of paper and put in a box from which the name is drawn by the Chief Executive.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	System A	Carries a lesser likelihood that the Chairperson of council could be determined by lot.	More complex.
2	System B	Simple system	Carries a higher likelihood that the Chairperson of council could be determined by lot.

The staff's recommended option is that, in the event more than one nomination be received for Chairperson, System A be applied.

2. Significance and engagement

Regional councils must elect a Chairperson and therefore in relation to Section 79 of the Local Government Act 2002 and council policy, this issue is considered to be of low significance.

3. Policy, risk management and legislative compliance

This report is submitted for consideration by council pursuant to the statutory requirements of Schedule 7 of the Local Government Act 2002.

Being a purely administrative matter, Climate Impact, Environmental Impact, Community Views, Māori Impact Statement, Financial Implications and Implementation Issues are not applicable.

Attachments/Ngā tapirihanga

Nil

TITLE: Declaration by Chairperson

From: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Authorised by: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Executive summary/Whakarāpopototanga

Clause 21(5)(b) of Schedule 7 to the Local Government Act stipulates that the election of the Chairperson, and the making and attesting of the declaration required of the Chairperson, is business that must be conducted at the first meeting of a local authority following the triennial general elections.

This report facilitates the formal declaration to be made by the Chairperson.

Recommendation

That the report 'Declaration by Chairperson' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 11 October 2025, be received.

Background/Tuhinga

The newly elected Chairperson will be invited to make and sign a declaration to enable them to carry out their duties as Chairperson; as required by law. The Chief Executive Officer will then witness the declaration with his signature. After making their declaration the Chairperson will assume the chair from the Chief Executive and preside over the remainder of the council meeting.

Section 14 of Schedule 7 to the Local Government Act stipulates that the form of the declaration must consist of the following elements:

Declaration by Chairperson

"I, [state full name], declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the Northland region, the powers, authorities and duties vested in, or imposed upon, me as Chairperson of the Northland Regional Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act."

Dated at Whangārei this 5th day of November 2025.

[Signature]

Signed in the presence of:

Jonathan Gibbard
Chief Executive Officer
Tāhūhū Rangapū

As with the declaration by councillors, the Chair must make their declaration in English and may also choose to make their declaration in Te Reo and sign language. The Te Reo translation is as follows:

“Ko ahau tēnei, ko, e whakapuaki atu nei i taku oati i roto i te pono me te tika, e ai ki ōku pūkenga me ōku whakaaro, kia whakatutukingia, kia hāpaitia hoki, hei painga mō te rohe o Te Taitokerau, ngā mana kaunihera me ngā mahi, kei roto tonu, ka utaina rānei ki runga i a āu e tū nei, te Heamana o te Kaunihera ā-rohe o Te Taitokerau i raro i te maru o te Ture Kāwanatanga ā-Rohe 2002, me te Ture Kāwanatanga ā-Rohe mō te Pārongo Ōkawa me ngā Hui 1987, i raro rānei i tētahi atu ture.”

Attachments/Ngā tapirihanga

Nil

TITLE: Election of Deputy Chairperson

From: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Authorised by: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Executive summary/Whakarāpopototanga

Clause 21(5)(e) of Schedule 7 to the Local Government Act 2002 stipulates that the election of the Deputy Chairperson is business that must be conducted at the first meeting of a local authority following triennial general elections.

This report facilitates the election of the Deputy Chairperson.

Recommendations

1. That the report 'Election of Deputy Chairperson' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 11 October 2025, be received.
2. That in the event more than one nomination for the Deputy Chairperson is received, System A as specified in Clause 25 of Schedule 7 to the Local Government Act be used for the election of the Deputy Chairperson.
3. That _____ be elected Deputy Chairperson of the Northland Regional Council.

Background/Tuhinga

Section 17(2) of Schedule 7 to the Local Government Act requires that every Regional Council shall elect one of its members to be its Deputy Chairperson.

The functions of the office of Deputy Chairperson are set out in section 17(3) as follows:

“(3) The Deputy Mayor or Deputy Chairperson must perform all the responsibilities and duties, and may exercise all the powers, of the Mayor or Chairperson, -

- (a) With the consent of the Mayor or Chairperson, at any time during the temporary absence of the Mayor or Chairperson:*
- (b) Without that consent, at any time while the Mayor or Chairperson is prevented by illness or other cause from performing the responsibilities and duties, or exercising the powers, of his or her office:*
- (c) While there is a vacancy in the office of the Mayor or Chairperson.*

(4) In the absence of proof to the contrary, a Deputy Mayor or Deputy Chairperson acting as Mayor or Chairperson is presumed to have the authority to do so.

(5) A Deputy Mayor or Deputy Chairperson continues to hold his or her office as Deputy Mayor or Deputy Chairperson, so long as he or she continues to be a member of the territorial authority or regional council, until the election of his or her successor.”

The procedure for electing the Deputy Chairperson is the same as detailed in Item 5.3 for the election of the Chairperson. Again, it is proposed that “System A” be used as the method of voting.

Considerations

1. Options

The options are either “System A” or “System B” and the advantages and disadvantages are the same as detailed in Item 5.3 for the election of the Chairperson. The staff’s recommendation is that, in the event more than one nomination be received for Deputy Chairperson, “System A” be applied.

2. Significance and engagement

Regional councils must elect a Deputy Chairperson and therefore in relation to Section 79 of the Local Government Act 2002 and council policy, this issue is considered to be of low significance.

3. Policy, risk management and legislative compliance

This item is submitted for consideration by council pursuant to the statutory requirements of Schedule 7 of the Local Government Act 2002.

Being a purely procedural matter: Climate Impact, Environmental Impact, Community Views, Māori Impact Statement, Financial Implications and Implementation Issues are not applicable.

Attachments/Ngā tapirihanga

Nil

TITLE: Legislation affecting councillors

From: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Authorised by: Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer

Executive summary/Whakarāpopototanga

This report is in accordance with Clause 21 of Schedule 7 to the Local Government Act 2002 which requires the Chief Executive Officer to provide councillors, at the first meeting following elections, with a general explanation of specified legislation which directly affects them.

The implications of these laws, and best practice in dealing with them will be covered in a workshop on 4 November 2025 facilitated by Simpson Grierson Consultant, Jonathan Salter.

Recommendation

That the report 'Legislation affecting councillors' by Jonathan Gibbard, Tāhūhū Rangapū - Chief Executive Officer and dated 11 October 2025, be received.

Background/Tuhinga

Clause 21 of Schedule 7 of the Local Government Act 2002 (LGA) requires that, at the first meeting of a local authority following a triennial general election, the Chief Executive must provide or arrange for the provision of a general explanation of:

- The Local Government Official Information and Meetings Act 1987 (LGOIMA)
- The Local Authorities (Members' Interests) Act 1968
- Sections 99, 105, and 105A of the Crimes Act 1961 (relating to bribery and corruption)
- The Secret Commissions Act 1910
- The Financial Markets Conduct Act 2013 (insofar as it relates to members' duties)

This requirement ensures that all elected members are aware of their legal obligations and the standards of conduct expected of them in public office.

Local Government Official Information and Meetings Act 1987 (LGOIMA)

LGOIMA governs how council will hold and release official information, as well as access to, and information about, council meetings.

The fundamental principle of LGOIMA is that information held by a local authority is publicly available unless there is a good reason, as set out in LGOIMA, for withholding it. The reasons specified for the withholding of information also apply to the exclusion of members of the public from meetings of the council and its committees (with one exception, being free and frank discussion).

The relevant extracts from Sections 6 and 7 of the Act are as follows:

“6. Conclusive reasons for withholding official information –

Good reason for withholding official information exists, if the making available of that information would be likely –

- a. To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or*
- b. To endanger the safety of any person.*

7. Other reasons for withholding official information –

1. Where this section applies, good reason for withholding official information exists, for the purpose of section 5, unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.

2. Subject to sections 6, 8 and 17 of this Act, this section applies if, and only if, the withholding of information is necessary to –

- a. Protect the privacy of natural persons, including that of deceased natural persons; or*
- b. Protect information where the making available of the information –*
 - i. Would disclose a trade secret; or*
 - ii. Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or*
- ba. In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or*
- c. Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information –*
 - i. Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or*
 - ii. Would be likely otherwise to damage the public interest; or*
- d. Avoid prejudice to measures protecting the health or safety of members of the public; or*
- e. Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or*
- f. Maintain the effective conduct of public affairs through –*
 - i. The free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) of this Act applies, in the course of their duty; or*
 - ii. The protection of such members, officers, employees, and persons from improper pressure or harassment; or*
- g. Maintain legal professional privilege; or*

- h. Enable any local authority holding the information to carry out without prejudice or disadvantage, commercial activities; or*
- i. Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or*
- j. Prevent the disclosure or use of official information for improper gain or improper advantage.”*

Section 17 gives some other grounds for refusing to disclose information including that disclosure would be in breach of another law, the information will soon be public anyway, it cannot be made available without substantial work and the information requested is not held by the local authority.

Section 13(5) of the Act requires that decisions on information requests be made by the Chief Executive Officer (or an officer or employee authorised by that Chief Executive). If you receive a request personally, you should send it promptly to the Chief Executive to ensure it is processed appropriately; and you may tell the requester you are doing that. Please do not give the requester any informal assurances that the information exists or will be provided. It is quite likely that at the point the request is made, you may not be aware of all the relevant circumstances.

Be aware that:

- (1) Your copies of council papers, including your own annotations on them, are official information, and may be requested.
- (2) Exclusion of the public from a meeting or workshop does not mean that the papers for or generated at the meeting or workshop are automatically able to be withheld. The Act still applies; often the reason for confidentiality may have passed.
- (3) Some draft documents are official information. There is no special exemption for draft documents.

Public excluded meetings

Unless one or more of the grounds in Sections 6 or 7 apply, then the council cannot exclude the public from a meeting. Every resolution to exclude the public from a meeting is required to state:

- a. The general subject of each matter to be considered;
- b. The reason why the matter is considered to be confidential; and
- c. The grounds in the Act under which the resolution is based.

Any items deemed by the Chief Executive Officer to be confidential are included at the back of the council agenda and are excluded from copies provided to the public. A suggested resolution to comply with the above requirements is also provided in the non-confidential part of the agenda.

Workshops are routinely open to the public, unless there are grounds under LGOIMA for the discussion to be held in public excluded.

Meeting procedures

LGOIMA also regulates and sets out the procedural requirements for meetings of local authorities; including the notification of meetings, the publication of agendas and access by the public to the minutes of meetings.

Of particular importance for the roles and conduct of elected members is the fact that the Chair has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- create a disturbance or a distraction while another councillor is speaking
- be disrespectful when they refer to each other or other people
- use offensive language about the council, other councillors, any employee of the council or any member of the public.

Unlike MPs, elected members of councils do not have absolute privilege for what they say at council meetings. There is a form of qualified privilege, but it is lost if you are proved to have been predominantly motivated by ill will, or took improper advantage of the situation; sections 52 and 53 LGOIMA.

Think of the defences as being available if you make a mistake. Attacking someone in the belief that the defences will protect you is a very high risk strategy.

Things you should not do

As well as not attempting to deal with official information requests (discussed above), as elected members you should not:

- become engaged in employment issues, other than the employment of the Chief Executive. You appoint the Chief Executive. The Chief Executive hires, fires, disciplines, and promotes the other employees; and is accountable to you for how this is done.
- become engaged in prosecution decisions. Elected members should set prosecution guidelines. Individual decisions on whether or not to prosecute should be made by officers at the appropriate level, implementing your guidelines.

Generally, avoid statements that suggest you have predetermined an issue. In most cases, significant council decisions have to be made by following a process that includes consultation and allowing people to tell you their views. Predetermination can mean you cannot participate in a decision process on something you feel strongly about. There is a world of difference between:

“I will never require boaties to pay for fan worm control”

AND

“I understand fan worm spreads in various ways. I’m not convinced that boaties should be charged for its control, but we need to assess the options”.

The Local Authorities (Members' Interests) Act 1968 (LAMIA)

The Local Authorities (Members' Interests) Act 1968 (the LAMIA) has two main aspects:

- (a) An elected member must not hold interests in council contracts with a separate or combined value greater than \$25,000¹ (GST inclusive) in any financial year, unless this holding has prior approval from the Office of the Auditor-General (section 3(1)). This Act includes contracts made by council directly with the elected member, and those contracts in which the elected member is concerned or interested. Special provisions deal with companies in which an elected member (or their spouse or partner) is interested either as a shareholder, or as a member of the company, or by virtue of certain management positions.
- (b) Elected Members must not vote or take part in a council or committee discussion if they have a direct or indirect pecuniary (financial) interest in the discussion (section 6(1)). Again, there are special provisions dealing with a pecuniary interest in the context of the interest of the elected member or their spouse/partner in a company.

There are exceptions and exemptions, however they should be sought in advance. If there is any doubt, an elected member should refer the matter to the Office of the Auditor-General or seek independent legal advice.

Elected Members are urged to advise the Chief Executive Officer of their financial interest in any entity or in any contract subject to LAMIA so that the appropriate exemption can be sought, if possible. Elected Members must also complete the Declaration of Interests form to ensure the transparency of an elected members' interests outside of council.

The penalties for breach through a disqualifying contract (under section 3) include immediate loss of office (section 4) and the possibility of a fine not exceeding \$200 (section 5). The penalties for breach by discussing or voting when there is a pecuniary interest (section 6) are a fine not exceeding \$100 and loss of office upon conviction of an offence (section 7).

Related to these statutory provisions is the common law principle of natural justice, which includes obligations to listen to both sides and not to be a judge in one's own cause.

The Office of the Auditor General has produced the following useful guides to assist elected members with LAMIA and conflicts of interest in general: ;

- "Guidance for Members of local authorities about the Local Authorities (Members' Interests) Act 1968" <https://oag.parliament.nz/2020/lamia>
- "Managing conflicts of interest: Guidance for public entities":
<http://www.oag.govt.nz/2007/conflicts-public-entities>

¹ This is the current limit. It is subject to change to \$100,000 (excluding GST) should the Regulatory Systems (Internal Affairs) Amendment Bill be passed.

The Crimes Act 1961

Sections 99, 105 and 105A of the Crimes Act 1961 relate to acceptance of bribes by “officials”.

The definition of an “official” in Section 99 of the Act includes any member or employee of a local authority. A ‘bribe’ means *“any money, valuable consideration, office or employment, or any benefit whether direct or indirect.”*

Section 105 creates an offence of accepting or trying to obtain a bribe in respect of your official capacity; penalty up to 7 years jail.

Section 105A creates an offence with the same penalty for corruptly using or disclosing information obtained in an official capacity to obtain advantage or gain for yourself or anyone else.

Secret Commissions Act 1910

This Act makes it an offence for any officer or member of a local authority to offer or receive gifts, favours or inducement in relation to the affairs of the local authority including the granting of contracts. The same applies to their agents and offers to them.

Any gift or other consideration given or offered to any parent, husband, wife, child, partner, “clerk or servant” of the councillor or staff member is also caught within the provisions of this Act. The receipt of gifts is also prohibited.

Penalties for conviction or indictment includes fines of up to \$1,000 and imprisonment for up to two years.

The Act is old but is very much alive, and there have been some high profile convictions in recent years.

Financial Markets Conduct Act 2013

This Act prohibits trading in listed securities (broadly shares or bonds) by an information insider. Typically this is called insider trading, and the prohibitions include not trading (buying or selling) by the insider, no disclosing to others likely to trade, and no encouraging of trading by others (even if the information itself is not disclosed).

Inside information is not just information about listed securities held by the council or council’s listed company investments. It can include information about companies with which council is dealing (for example, advance notice of an application for a consent that suggests a big development is planned).

Inside information is material information not generally available to the market; and which the person knows or ought reasonably to know was material information not generally available and would have a material effect on the price of the quoted stock.

The source of information, the motive of the councillor, and whether he or she makes no profit is irrelevant.

The rules are enforced by the Financial Markets Authority and it is assiduous about protecting the integrity of the stock market. Enforcement is most likely to be against an individual councillor or councillors, not the council.

There are some technical exceptions. One that can be relevant is for redemption of managed investment products in managed investment schemes.

There are some defences, for example the use of blind trusts, but generally councillors should avoid any conduct that means they are likely to need to rely on the exceptions or defences. Councillors

are encouraged to take expert advice personally at an early stage if they suspect an insider trading situation may arise.

Attachments/Ngā tapirihanga

Nil

TITLE: Fixing the date of the first ordinary meeting of council

From: Chris Taylor, Governance Specialist

Approved by: Jonathan Gibbard, Tāhūhū Rangapū – Chief Executive Officer

Executive summary/Whakarāpopototanga

This report gives effect to Schedule 7, Clause 21(d) of the Local Government Act 2002, which stipulates that *‘the fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings’* is business that must be conducted at the inaugural meeting.

Recommendations

1. That the report ‘Fixing the date of the first ordinary meeting of council’ by Chris Taylor, Governance Specialist and dated 21 October 2025, be received.
 2. That the ordinary meetings of the Northland Regional Council for the remainder of the 2025 be held at the council offices, 36 Water Street, Whangārei on Tuesday 25 November 2025 and Wednesday 17 December 2025 commencing at 10.00am.
 3. That a full meeting schedule (including the meeting dates of council’s subordinate bodies) be presented to council for its consideration once the governance structure has been confirmed.
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Background/Tuhinga

The Local Government Act 2002, Schedule 7, Clause 19 contains general provisions for the calling of meetings. In particular there is provision [Clause 19(6)] for the local authority to adopt a schedule of meetings that:

- May cover any future period that the local authority considers appropriate; and
- May be amended.

Furthermore, council has previously found that setting a schedule has been an efficient way to plan for meetings listed for that period, noting that there will be amendments required to meet changing circumstances.

It is anticipated that council will give consideration to preferred meeting days and its governance structure as a matter of priority. Based on the outcome of these discussions, staff will develop a meeting schedule for both council and its subordinate bodies.

The meeting dates proposed in this report are based on the previous council’s preference, being the fourth Tuesday of the month with the exception being December when the meeting is brought forward to account for the Christmas period. However it is noted that the new council may set a different meeting day/frequency.

Considerations

Options

No.	Option	Advantages	Disadvantages
1	Approve the proposed dates.	This meets council's obligations under the Local Government Act and provides certainty until such time council has confirmed its preferred meeting dates and governance structure. The dates have been selected to avoid clashes with other induction or cross council commitments.	None apparent
2	Approve alternate meeting dates.	The alternate dates may be better aligned with councillors' commitments.	There is the potential for clashes with other induction or cross council commitments. The current dates have been selected to avoid this.

The staff's recommended option is 1.

2. Significance and engagement

This is a procedural matter required by law. Hence when assessed against council policy is deemed to be of low significance.

3. Policy, risk management and legislative compliance

This item is submitted for consideration by council pursuant to the statutory requirements of Schedule 7 of the Local Government Act 2002.

Being a purely procedural matter; Climate Impact, Environmental Impact, Community Views, Māori Impact Statement, Financial Implications and Implementation Issues are not applicable.

Attachments/Ngā tapirihanga

Nil