

Northland Regional Council Minutes

Meeting held remotely via audio-visual link
on Tuesday 22 February 2022, commencing at 10.30am

Tuhinga/Present:

Chairperson, Penny Smart

Councillors:

Terry Archer

Justin Blaikie

Jack Craw

Colin Kitchen

Amy Macdonald

Marty Robinson

Rick Stolwerk

Joce Yeoman (*left at 12.40pm due to illness during business with the public excluded*)

I Tae Mai/In Attendance:

Full or Part Meeting

Individual Financial Advisor

Tumuaki - Chief Executive Officer

Pou Taumatua - GM Corporate Services

Pou Tiaki Taiao - GM Environmental Services

Pou Whakaritenga - GM Regulatory Services

Pou Manawhakahaere – GM Governance & Engagement

Pou Tiaki Pūtaiao - GM Biosecurity

Pou Tiaki Hapori - GM Community Resilience

Finance Manager

Strategic Projects and Facilities Manager

Resource Management Strategic Policy Specialist

Financial Accountant

Contracted Advisor

Governance Specialist

Secretarial Note: The Chair declared the meeting open at 10.34am and proceedings commenced with the Tauāki ā roto by full council.

Ngā whakapahā/Apologies (Item 1.0)

There were no apologies tendered.

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.

Acknowledgement of those who have passed

A minute's silence was observed to honour the passing of the two Te Taitokerau Māori and Council Working Party (TTMAC) hapu representatives Victor Hollaway, Ngāti Tara, and Hoki Tua, Whāingaroa.

Confirmation of Minutes - Council Meeting 14 December 2021 (Item 5.1)

Report from Chris Taylor, Governance Specialist

Moved (Stolwerk/Kitchen)

That the minutes of the meeting held on 14 December 2021, confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

Report from Chris Taylor, Governance Specialist

Moved (Macdonald/Robinson)

That the action sheet be received.

Carried

Financial Report to 31 January 2021 (Item 6.1)

Report from Vincent McColl, Financial Accountant

Moved (Stolwerk/Craw)

That the report 'Financial Report to 31 January 2021' by Vincent McColl, Financial Accountant and dated 9 February 2022, be received.

Carried

Secretarial Note: It was advised that council's overall managed fund portfolio had experienced a negative return during January. This was a non-realised monthly loss which reflected a decrease in the value of the Short-Term and Long-Term investment funds.

However, despite the investment performance during January, the investment portfolio had generated positive gains in the seven months of the current financial year.

Update to Delegations (Item 6.2)

Report from Vincent McColl, Financial Accountant

Moved (Macdonald/Blaikie)

1. That the report 'Update to Delegations' by Vincent McColl, Financial Accountant and dated 21 January 2022, be received.

Carried

It was further moved (Stolwerk/Blaikie)

2. That council approve the updated bank and cheque signatory delegations, as outlined in Attachment 1 pertaining to Item 6.2 of the 22 February 2022 council agenda.

Carried

Northland Regional Council and Department of Conservation Memorandum of Understanding (Item 7.1)

Report from Jonathan Gibbard, Pou Tiaki Taiao – Group Manager Environmental Services

Moved (Blaikie/Craw)

1. That the report 'Northland Regional Council and Department of Conservation Memorandum of Understanding' by Jonathan Gibbard, Pou Tiaki Taiao – Group Manager Environmental Services and dated 9 February 2022, be received.
2. That the council approves the Memorandum of Understanding and delegation of authority to the NRC Chairperson to sign the memorandum on behalf of council.

Carried

Secretarial Note: The Memorandum of Understanding would be reviewed annually with quarterly reports to council and the Conservation Board.

Te Pae Tawhiti: Our vision (Item 7.2)

Report from Ben Lee, Planning and Policy Manager

Moved (Craw/Kitchen)

1. That the report 'Te Pae Tawhiti: Our vision' by Ben Lee, Policy and Planning Manager and dated 17 November 2021, be received.
2. That council approves the adoption of *Te Pae Tawhiti: Our vision*.
3. That the Pou Tiaki Taiao - Group Manager Environmental Services be delegated ability to make any necessary minor changes to *Te Pae Tawhiti: Our vision*, such as formatting, grammar, and spelling.

Carried

Secretarial Note: Appreciation was extended to all involved in the development of Te Pae Tawhiti.

Water Resilience Fund - Criteria, Process and LTP Year 1 Allocation (Item 7.3)

Report from Tony Phipps, Contracted Advisor

Moved (Blaikie/Stolwerk)

1. That the report 'Water Resilience Fund - Criteria, Process and LTP Year 1 Allocation' by Tony Phipps, Contracted Advisor and dated 10 February 2022, be received.
2. That the council adopt the criteria and process for making Water Resilience Fund grant allocations as set out and recommended in this report.

3. That the council make the following Water Resilience Fund grants for the 2021-22 financial year:
 - Te Rūnanga o Whaingaroa: up to \$330,000 for Tūtū Te Wai.
 - Te Kotahitanga E Mahi Kaha Trust: up to \$150,000 for Waikotihe Puna and Te Kotahitanga Marae and Community Water Proposal.

Carried

Secretarial Note: Appreciation was extended to the Contracted Advisor for championing this project.

Draft NRC feedback - Discussion document on resource management system reform (Item 7.4)

Report from Justin Murfitt, Strategic Policy Specialist

Moved (Yeoman/Craw)

1. That the report 'Draft NRC feedback - Discussion document on resource management system reform' by Justin Murfitt, Strategic Policy Specialist and dated 2 February 2022, be received.
2. That council authorise the draft submission and that it be lodged on or before 28 February 2022.
3. That the GM – Environmental Services be authorised to make minor changes for readability and formatting prior to lodgement.
4. That the submission be signed by Chair Penny Smart on behalf of council.

Carried

Proposed changes to the NES Drinking water - Council submission (Item 7.5)

Report from Justin Murfitt, Strategic Policy Specialist

Moved (Yeoman/Craw)

1. That the report 'Proposed changes to the NES Drinking water - Council submission' by Justin Murfitt, Strategic Policy Specialist and dated 3 February 2022, be received.
2. That a draft submission be circulated to councillors and Te Taitokerau Māori and Council Working Party members for comment prior to the draft being finalised.
3. That council authorise the draft submission to be approved, under delegated authority to Chair Penny Smart, prior to being lodged with the Ministry for the Environment on or before 6 March 2022.

Carried

Secretarial Note: Appreciation was extended to the Resource Management Strategic Policy Specialist for the 'well penned' submissions in relation to Items 7.4 and 7.5.

Maritime Safety Management System (SMS) (Item 7.6)

Report from Jim Lyle, Regional Harbourmaster

Moved (Stolwerk/Kitchen)

1. That the report 'Maritime Safety Management System (SMS)' by Jim Lyle, Regional Harbourmaster and dated 11 January 2022, be received.
2. That the council note the risks posed by shipping, and the management of these risks by Safety Management Systems under the Port and Harbour Safety Code.
3. That the council fully support the Port and Harbour Safety Code.

Carried

Secretarial Note: The Port and Harbour Safety Code can be accessed using the following link:

<https://www.maritimenz.govt.nz/commercial/ports-and-harbours/port-and-harbour-safety-code.asp>

Solar Energy Expansion at Water Street Whangārei (Item 7.7)

Report from Phil Heatley, Strategic Projects and Facilities Manager

Moved (Macdonald/Archer)

1. That the report 'Solar Energy Expansion at Water Street Whangārei' by Phil Heatley, Strategic Projects and Facilities Manager and dated 8 February 2022, be received.
2. That up to \$40,000 + GST in funds be drawn the Equalisation Reserve for further provision of solar power generation at 36 Water Street, Whangārei.

Carried

Budget approval for CEO recruitment (Item 7.8)

Report from Beryl Steele, Human Resources Manager

Moved (Yeoman/Robinson)

1. That the report 'Budget approval for CEO recruitment' by Beryl Steele, Human Resources Manager and dated 17 January 2022, be received.
2. That council approve budget of \$100,000 to pay for recruitment expenses associated with the recruitment of the new Chief Executive Officer.
3. That this budget comes from the Equalisation Reserve.

Carried

Health and Safety Report (Item 8.1)

Report from Kelcie Mills, Health and Safety Advisor

Moved (Kitchen/Macdonald)

That the report 'Health and Safety Report' by Kelcie Mills, Health and Safety Advisor and dated 28 January 2022, be received.

Carried

Secretarial Note: Council was entering a period of elevated risk with the resignation of the senior Health and Safety Officer. Measures were being put in place to ensure the council's health and safety commitments were met until a new officer was recruited.

Chair's Report to Council (Item 8.2)

Report from Penny Smart, Chair

Moved (Smart/Robinson)

That the report 'Chair's Report to Council' by Penny Smart, Chair, and dated 10 February 2022, be received.

Carried

Secretarial Note: The following corrections were noted to the Chair's Report to Council:

- *The LGNZ Regional Sector meeting and the Northland Mayoral Forum had taken place in November 2021 and had been reported in the December 2021 Chair's Report to Council.*
- *The 'Regular meetings with Mayor Jason Smith' to read 'Regular meetings with Te Taitokerau/Northland Mayors'.*
- *In addition to the meetings reported, the Chair met with the Northland Forestry Environmental Working Group which was also attended by the Pou Tiaki Taiao - GM Environmental Services.*

Chief Executive's Report to Council (Item 8.3)

Report from Malcolm Nicolson, Tumuaki - Chief Executive Officer

Moved (Smart/Stolwerk)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Tumuaki - Chief Executive Officer and dated 20 January 2022, be received.

Carried

Emergency Services Fund 2020-2021 Report (Item 8.4)

Report from Victoria Harwood, Pou Tiaki Hapori - GM Community Resilience

Moved (Stolwerk/Macdonald)

That the report 'Emergency Services Fund 2020-2021 Report' by Victoria Harwood, Pou Tiaki Hapori - GM Community Resilience and dated 10 January 2022, be received.

Carried

Reporting on Long Term Plan 2021-2031 performance measures for quarters one and two of the 2021/22 year (Item 8.5)

Report from Robyn Broadhurst, Policy Specialist

Moved (Yeoman/Kitchen)

That the report 'Reporting on Long Term Plan 2021-2031 performance measures for quarters one and two of the 2021/22 year' by Robyn Broadhurst, Policy Specialist and dated 10 February 2022, be received.

Carried

Receipt of Committee Minutes (Item 9.1)

Report from Chris Taylor, Governance Specialist

Moved (Robinson/Stolwerk)

That the minutes of the:

- Civil Defence Emergency Management Group - 10 November 2021
- Kaipara Moana Remediation Joint Committee - 15 November 2021
- Joint Climate Change Adaptation Committee – 29 November 2021
- Regional Transport Committee – 8 December 2021
- Kaipara Moana Remediation Joint Committee – 13 December 2021
- Te Oneroa-A-Tōhē Board – 17 December 2021

be received.

Carried

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

Working Party Updates and Chairpersons' Briefings (Item 9.2)

Report from Chris Taylor, Governance Specialist

Moved (Blaikie/Yeoman)

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

Carried

Secretarial Note: The update from the Planning and Regulatory Working Party meeting on 8 December 2021 would be included in the March 2022 council agenda.

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

Moved (Smart/Rick)

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
	Confirmation of Confidential Minutes - Council Meeting 14 December 2021	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting.

	Human Resources Report	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(a).
	Strategic Review	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to prevent the disclosure or use of official information for improper gain or improper advantage s7(2)(j).
	Introduction of Continuity Capital Private Equity No. 7 Fund into the Long Term Investment Fund	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to prevent the disclosure or use of official information for improper gain or improper advantage s7(2)(j).

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

Carried

Secretarial Note: The meeting adjourned at 11.50am and reconvened at 11.56am to address business with the public excluded.

Whakamutunga (Conclusion)

The meeting concluded at 12.47pm.