

## NORTHLAND REGIONAL COUNCIL

### Agenda

For meeting to be held in the Boardroom, Te Ahu Centre, Kaitiāia,  
on Tuesday 10 December 2013, commencing at 1 pm

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

#### OPEN MEETING

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<p><b>ACC</b> - Accident Compensation Corporation</p> <p><b>AHB</b> - Animal Health Board</p> <p><b>ALGIM</b> - Association of Local Government Information Management</p> <p><b>AMA</b> - Aquaculture Management Area</p> <p><b>BOI</b> - Bay of Islands</p> <p><b>BOPRC</b> - Bay of Plenty Regional Council</p> <p><b>CAPEX</b> - Capital Expenditure (budget to purchase assets)</p> <p><b>CBEC</b> - Community, Business and Environment Centre</p> <p><b>CDEM</b> - Civil Defence Emergency Management</p> <p><b>CEG</b> - Co-ordinating Executive Group – Northland Civil Defence management team</p> <p><b>CEO</b> - Chief Executive Officer</p> <p><b>CIMS</b> - Co-ordinated Incident Management System (emergency management structure)</p> <p><b>CMA</b> - Coastal Marine Area</p> <p><b>CPCA</b> - Community Pest Control Areas</p> <p><b>CRI</b> - Crown Research Institute</p> <p><b>DHB</b> - District Health Board</p> <p><b>DOC</b> - Department of Conservation</p> <p><b>DOL</b> - Department of Labour</p> <p><b>DPMC</b> - Department of Prime Minister and Cabinet</p> <p><b>ECA</b> - Environmental Curriculum Award</p> <p><b>ECAN</b> - Environment Canterbury</p> <p><b>EE</b> - Environmental Education</p> <p><b>EECA</b> - Energy Efficiency Conservation Authority</p> <p><b>EEZ</b> - Exclusive Economic Zone</p> <p><b>EF</b> - Environment Fund</p> <p><b>EMA</b> - Employers and Manufacturers Association</p> <p><b>EMC</b> - Environmental Management Committee</p> <p><b>EOC</b> - Emergency Operations Centre</p> <p><b>EPA</b> - Environmental Protection Authority</p> <p><b>FDE</b> - Farm Dairy Effluent</p> <p><b>FNDC</b> - Far North District Council</p> <p><b>FNHL</b> - Far North Holdings Limited</p> <p><b>FPP</b> - First Past the Post – voting system for NRC elections</p> <p><b>GE</b> - Genetic Engineering</p> <p><b>GIS</b> - Geographic Information System</p> <p><b>GMO</b> - Genetically Modified Organism</p> <p><b>HASNO</b> - Hazardous Substances &amp; New Organisms Act</p> <p><b>HBRC</b> - Hawke's Bay Regional Council</p> <p><b>HEMP</b> - Hapū Environmental Management Plan</p> <p><b>Horizons</b> - Brand name of Manawatu-Wanganui Regional Council</p> <p><b>HR</b> - Human Resources</p> <p><b>IEMP</b> - Iwi Environmental Management Plan</p> <p><b>IPPC</b> - Invited Private Plan Change: a process to allow Aquaculture Management Areas to be established</p> <p><b>IRIS</b> - Integrated Regional Information System: new computer system being developed collaboratively with other Regional Councils</p> <p><b>KDC</b> - Kaipara District Council</p> <p><b>KPI</b> - Key Performance Indicator</p> <p><b>LATE</b> - Local Authority Trading Enterprise</p> <p><b>LGA</b> - Local Government Act 2002</p> <p><b>LGNZ</b> - Local Government New Zealand</p> <p><b>LGOIMA</b> - Local Government Official Information and Meetings Act 1987</p> <p><b>LGOL</b> - Local Government Online</p> <p><b>LTP</b> - Long Term Plan</p> <p><b>LTFS</b> - Long Term Financial Strategy</p> <p><b>MCDEM</b> - Ministry of Civil Defence &amp; Emergency Mgmt</p> <p><b>MFE</b> - Ministry for the Environment</p> <p><b>MHWS</b> - Mean High Water Springs</p> <p><b>MNZ</b> - Maritime New Zealand</p> <p><b>MOH</b> - Ministry of Health</p> <p><b>MOT</b> - Ministry of Transport</p>	<p><b>MPI</b> – Ministry of Primary Industries</p> <p><b>MSD</b> - Ministry of Social Development</p> <p><b>NCMC</b> - National Crisis Management Centre</p> <p><b>NES</b> – National Environmental Standards</p> <p><b>NDHB</b> - Northland District Health Board</p> <p><b>NZRC</b> - New Zealand Refining Company (Marsden Point)</p> <p><b>NGO</b> - Non-Governmental Organisation</p> <p><b>NIF</b> - Northland Intersectoral Forum</p> <p><b>NIWA</b> - National Institute of Water and Atmosphere</p> <p><b>NORTEG</b> - Northland Technical Advisory Group</p> <p><b>NPC</b> - Northland Port Corporation</p> <p><b>NZCPS</b> - New Zealand Coastal Policy Statement</p> <p><b>NZTA</b> - New Zealand Transport Agency</p> <p><b>NZQA</b> - New Zealand Qualifications Authority</p> <p><b>NZWWA</b> - New Zealand Water and Wastes Association</p> <p><b>OFI</b> - Opportunity for Improvement</p> <p><b>ORC</b> - Otago Regional Council</p> <p><b>OSH</b> - Occupational Safety &amp; Health (now Ministry of Business, Innovation and Employment)</p> <p><b>PDF</b> - Portable Document Format</p> <p><b>PPE</b> - Personal Protective Equipment</p> <p><b>RAP</b> - Response Action Plan</p> <p><b>RAQP</b> - Regional Air Quality Plan</p> <p><b>RCP</b> - Regional Coastal Plan</p> <p><b>RFI</b> - Request for Information</p> <p><b>RFP</b> - Request for Proposal</p> <p><b>RTC</b> - Regional Transport Committee</p> <p><b>RLTS</b> - Regional Land Transport Strategy</p> <p><b>RMA</b> - Resource Management Act 1991</p> <p><b>RMG</b> - Resource Managers Group (Regional Councils)</p> <p><b>RMZ</b> - Riparian Management Zone</p> <p><b>ROI</b> - Return on Investment</p> <p><b>RPMS</b> - Regional Pest Management Strategy</p> <p><b>RPS</b> - Regional Policy Statement</p> <p><b>RSG</b> - Regional Sector Group</p> <p><b>RTO</b> - Regional Tourism Organisation</p> <p><b>RWASP</b> - Regional Water and Soil Plan</p> <p><b>SCAR</b> - SmartStream Council Activity Reporting</p> <p><b>SITREP</b> - Situation Report</p> <p><b>SMF</b> - Sustainable Management Fund</p> <p><b>SOE</b> - State of Environment (or) State Owned Enterprise</p> <p><b>SOLGM</b> - Society of Local Government Managers</p> <p><b>SPARC</b> - Sport &amp; Recreation New Zealand</p> <p><b>SRC</b> - Southland Regional Council (Environment Southland)</p> <p><b>STV</b> - Single Transferable Vote</p> <p><b>SWAG</b> - Surface Water Allocation Group</p> <p><b>SWPA</b> - Sustainable Water Programme of Action</p> <p><b>TA</b> - Territorial Authority: City &amp; District Councils</p> <p><b>TAC</b> - Technical Advisory Group</p> <p><b>Tier 1</b> - Site level plan or response for an oil spill</p> <p><b>Tier 2</b> - Regional level plan or response to an oil spill</p> <p><b>Tier 3</b> - National level plan or response to an oil spill</p> <p><b>TLA</b> - Territorial Local Authority – City &amp; District Councils</p> <p><b>TMP</b> - Treasury Management Plan</p> <p><b>TOR</b> - Terms of Reference</p> <p><b>TPK</b> - Te Puni Kōkiri (Ministry of Maori Development)</p> <p><b>TRAION</b> - Te Rūnanga a Iwi o Ngāpuhi</p> <p><b>TRC</b> - Taranaki Regional Council</p> <p><b>TROTR</b> - Te Rūnanga o Te Rarawa</p> <p><b>TUANZ</b> - Telecommunications Users Association of NZ</p> <p><b>WCRC</b> - West Coast Regional Council</p> <p><b>WDC</b> - Whangarei District Council</p> <p><b>WHHIF</b> - Whangarei Harbour Health Improvement Fund</p> <p><b>WRC</b> - Waikato Regional Council</p> <p><b>WWTP</b> - Wastewater Treatment Plant</p>
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**ISSUE: NRC Representative on the Northland Events Centre Board of Trustees****ID:** A599210**To:** Council Meeting, 10 December 2013**From:** Chris Taylor, Council Secretary**Date:** 27 November 2013

**Summary** The purpose of this report is to introduce a presentation from the Northland Regional Council's representative on the Northland Events Centre Board of Trustees.

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

At the 22 October 2013 council workshop it was suggested that the Northland Regional Council's representative on the Northland Events Centre Board of Trustees, Alastair Wells, should report back to council on a regular basis. Hence, Alastair will be in attendance at the council meeting to provide an update to council.

As background information, the end of year report from the Chairman of the Northland Events Centre Trust is included as **Attachment One**.

**Legal compliance and significance assessment:**

No decision is required of council.



**Northland Event Centre Trust**  
**Toll Stadium**  
**Trustee's Report**  
**For Year Ended 30 June 2013**

**Introduction**

The highlight for the third year of operation was the hosting of the inaugural Whangarei Fritter Festival. The festival was the bookend event for the Endless Summer Festival programme for Whangarei. The event at Toll Stadium was a Venues and Events initiative which was initiated and worked on from late October 2012. Through the Whangarei Events Strategy work undertaken, it was identified that Whangarei and our district needed to create iconic events not only for the social good of our community but to also attract visitors from out of town to provide economic benefit to our district. A high quality food and wine festival was identified as something that was missing from our district and the event was pitched at a demographic of people that would spend money and visit our district and assist in developing Whangarei's reputation as an events destination with quality events and entertainment on offer. This is also seen as making Whangarei an attractive destination for people to consider moving to and living in our community. A key strategy from this event was to also showcase Toll Stadium as a concert/ festival venue to promoters and to try and attract this type of business from external agencies.

The event attracted approximately 3,500 attendees with a considerable amount of people from outside of our region attending including 15% of people coming from the Auckland region. We surveyed patrons that attended the event and gathered information to be able to accurately report on the social and economic benefits the event created for our district with the economic benefit estimated at \$782,000. With this information we have been able to determine that this event should be retained on our calendar.

We received overwhelming support and congratulations from the public and businesses in attendance at the festival with over thirty pages of feedback, 95% positive, on our facebook page. The feedback from the survey was also extremely complimentary and positive with the same vein of suggestions for improvement.

During the past year the trust has also managed to secure four games as part of the FIFA U-20 World Cup in 2015. The trust combined with the Whangarei District Council as part of the bid process to FIFA and the city is one of seven cities nationally that will host this tournament. The tournament is the third largest sporting event in the world behind the Olympics and FIFA World Cup and will give the stadium, district and region significant exposure on the world stage. This tournament also further enhances Toll Stadium and the city's standing as a venue and district that can host events of significance to a very high standard.

In its third full year of operation, the Trust enjoyed a greater level of commercial event activity and financial performance on the back of a successful first two years of operation. This activity was gained through effective marketing and promotion of the facilities along with providing facilities and service of a high standard to our clientele. It must be remembered that the previous financial year included Rugby World Cup which as a significant one off event that exaggerated the revenue and expenditure accounts compared to the day to day activities of the trust.

**Operational**

Operationally the venue again focussed on the further development and imbedding of the system and structures required to effectively manage the venue to a very high standard. This focus has ensured the venue is operated efficiently in line with modern industry practices. The board and management have also focussed on the marketing and promotion of the venue to ensure ongoing visibility to the market locally and nationally and have steady bookings going into the future.

The Trust has a Management Agreement with the Whangarei District Council (WDC) for the provision of staff who are employed by the council within the Venues and Events department. Under this agreement finance, HR and IT support is also provided to the Trust by Council.

**Activity**

Over the course of this financial year, Toll Stadium has again catered for a wide range of activity across many sporting codes as well as commercial and community clientele. Emphasis has been on the utilisation of football and rugby league at the venue and this past year has seen North Force make Toll Stadium their home ground and rugby league hosting semi finals and finals as well as Northern Sword fixtures at the venue. This ensures a wide demographic of sport supporters and people within our community have the opportunity to visit and play at Toll Stadium. Utilisation of the stadium has again been pleasing and targets

for the future envisage a steady growth of events through the specific and dedicated strategic marketing approach. In the twelve months there were;

- 268 Individual bookings
- 190 commercial events/ 78 community events
- 71,522 Visitors
- Including 21 Sports events, 108 Meetings, 50 Functions/ Training, 15 Conferences, 5 Weddings, 5 Expo's, 8 Dinners, 5 Trade Shows, 6 Christmas Functions and numerous other activities including fireworks, festivals and music events.

There has once again been many major sporting events during the year that have brought tremendous exposure and credibility to the stadium on a national and international level and this will continue to assist in the development of future events for the city, region and stadium. These have included;

- Northland ITM Cup fixtures (5)- Rugby
- Northland Rugby Union Finals- Rugby
- Super Rugby Pre Season Blues V's Waratah's- Rugby
- Northern Swords National Championship games- Rugby League
- Northland Rugby League Semi Finals and Finals- Rugby League
- North Force National Football Competition home games- Football

Sports events aside, the Trust is continuing to work on bringing other types of events to Whangarei such as festivals and concerts and have formulated strategic and marketing plans to increase the utilisation of the function spaces with both local and national clientele. Again in December this year, the Whangarei District Council Christmas Festival was held at Toll Stadium and as mentioned above with the hosting of the Whangarei Fritter Festival this showcases the venue and it's suitability for concerts and festivals to potential promoters.

### **Commercial**

The stadium has a number of commercial properties available for sale to assist in the ongoing operational revenue of the business. These properties include naming rights, leasable office space, signage opportunities and all year suite licenses. A number of these properties were sold in the first year of operation and the second and third years has seen further sales activity which has greatly increased the associated commercial revenue. Revenue from these properties provides operational funding to assist in the day to day financial management. Properties sold include;

- 75% of available office space leased. **First Advantage and New Zealand Childcare Association.**
- Naming Rights for the Stadium. **Toll Stadium.**
- Naming Rights for the main Level 2 lounge. **Refining NZ Lounge.**
- Naming Rights for the East lounge on Level 2. **ARC Security Lounge.**
- All year suite licenses.
- Numerous signage agreements secured.

There are still a number of opportunities available for sale and it is a strategic objective of the Trust over the next 12-24 months to continue to leverage this opportunity as this revenue stream will assist greatly in the ability of the stadium to operate in a cost neutral position in the future. The Trust will also be looking to retain current sponsors who will be up for renewal in the next 12 months.

The Trust has a long term commercial arrangement with Absolute Caterers for the provision of catering services to the stadium. Absolute Caterers, a local business, conducts their operation from within the venue on a full time basis. This arrangement provides a consistent level of service and product to the venue as well as providing an important revenue stream.

Other arrangements entered into by the Trust are related to the maintenance and provision of services to the venue including field and ground maintenance and provision of utilities.

### **Financial**

The accounts to 30 June 2013 show income from operations and Whangarei District Council underwrite. There is no surplus or deficit in the accounts.

Income from operations comprises rentals and ticket sale commissions from hirers of the Events Centre and playing enclosure, rental from the first floor tenants, advertising properties of naming rights and signage and licence fees on catering and beverages.

No capital grants were received within the financial year these accounts relate to.

The facility is an asset of WDC and following construction in 2010, NRC approved the handover of the asset to WDC at their meeting on 21 June 2011.

In this financial year, no capital grant to the Event Centre Trust was provided from WDC. The NRC funding received in the first year was used, as per the agreement with NRC, on two commercially rented areas fit-out costs on level 1 of the facility. At balance date the sum of \$965 remains unspent.

The WDC underwrite (\$124,544) arises from a commitment made to NRC as a condition of their initial \$13m contribution. The NRC 2009-19 Community Plan stated "The WDC has agreed to be responsible (together with an independent Trust), for the centre's future maintenance and operation." Accordingly, the operational deficit for the year has been met by WDC. In this third year about 75% of the first floor rental space was tenanted, still leaving a significant gap in office rental potential income. Once the full area is tenanted the facility will approach breakeven or better financially.

The management fees shown in the accounts of \$125,784 are paid to WDC for the provision of services to manage the Event Centre. The Trustees and WDC recognised the synergies and best utilisation of personnel by WDC forming a "Venues and Events Department" to manage the Forum North facilities, Christmas Festival, Fritter Festival, Endless Summer Festival, and under a management contract, Toll Stadium. The best utilisation of staff labour is achieved as it is seldom that both venues have significant events at the same time. The Trustees are satisfied with this arrangement.

### ***Reporting on Statement of Intent***

The Statement of Intent for year ended 30 June 2013 included the following performance targets:

#### ***- Annual Report***

Within three months of the end of the financial year, the Board shall deliver audited financial accounts.

Accounts were prepared and completed prior to 30 September 2013,

#### ***- Financial Performance Targets***

##### ***- Operate within agreed budgets***

The Trustee's were very pleased with the financial results achieved against the 2012-2013 budget. The trust would have liked to achieve breakeven after the third year of operation and had set a challenging target but are very hopeful to achieve a breakeven result in the coming year.

##### ***- Maximise signage and naming rights income***

Signage and naming rights properties were sold over the past three years. Uptake around signage again has not been as strong as hoped due to the challenging financial environment however marketing of these properties has continued and a more positive result is anticipated in the next financial year.

##### ***- Achieving 100% occupancy of commercial rented space.***

This year 75% of the available commercial office space was tenanted. The Trust will continue to market the remaining space to try and maximise occupancy.

#### ***- Non-Financial Performance Targets***

##### ***- Measure and monitor monthly and annual occupancy and utilisation figures against previous years activity with a view to attaining a 5% annual growth. –Utilisation targets achieved for functions and events.***

##### ***- Compare product rates to competitors ensuring Events Centre's income is maximized – achieved.***

##### ***- Maximize Event Centre and stadium usage – achieved – Trustee's consider the bookings and visitor numbers above are acceptable and in line with expectations for a third year of operation.***

##### ***- Monitor discounted community usage – satisfied – Centre available and utilised for community usage. 29% community use in the 2012- 2013 year.***

##### ***- Monitor customer satisfaction – very pleased with the satisfaction surveys – reported regularly to the Trustee's.***

***Thank You***



The Trust is most appreciative of and thanks Toll as the Toll Stadium naming sponsor, Refining NZ as the main level 2 lounge sponsor and ARC Security as the last level 2 lounge sponsor. We also thank our many other signage advertisers for their support. Sponsorship support is an essential income stream for the Trust.

The Directors thank the WDC Venues and Events staff for the very competent and professional way they manage Toll Stadium and the many events. We are very lucky to have such experienced and tireless people managing the Trust operations.

WDC appointed Greg Gent who was welcomed to the Board in March 2013 as the replacement for Ken Rivers who retired in November 2012. WDC appointed Deborah Harding who was welcomed to the Board in July 2013 as the replacement for Clare Davies- Colley who retired in May 2013.

Warwick Syers was reappointed Chairman at the Board meeting on 29 October 2012 for a further one year term.

We thank the people of Northland for supporting Toll Stadium and we look forward to continuing to bring a wide variety of events to you.

We really have a state-of-the-arts facility of which Northland and Whangarei can be very proud.

### ***Statutory***

There have been no material changes in the activities of Northland Event Centre Trust and the nature of the Trust's business has not changed this year.

### ***Activities***

The Northland Event Centre Trust administers and manages Toll Stadium situated in Okara Drive, Whangarei. Toll Stadium is an events centre and sports stadium.

### ***Trustee's Interests***

These are detailed in Note 12 (Related Party Transactions) in the Annual Accounts.

### ***Use of Trust Information***

The Board received no notice during the year from Trustees requesting to use Trust information received in their capacity as Trustees which would not have been otherwise available to them.

### ***Employees***

Northland Event Centre Trust has no employees.

### ***Remuneration***

The Trustees received Nil remuneration from Northland Event Centre Trust.

### ***Donations***

The Trust made no donations during the year.

### ***Audit Fee***

The Audit Fee is shown in Note 3 (Expenditure) in the Annual Accounts.

W L Syers

Chairman

24 September 2013

**ISSUE: Northland Regional Marine Oil Spill Contingency Plan and National Review of Response Strategy - Three Yearly Review**

**ID:** A592174

**To:** Council Meeting, 10 December 2013

**From:** Jim Lyle, Regional Harbourmaster

**Date:** 28 November 2013

**Summary** The purpose of this report is to inform the council about a review of the Regional Marine Oil Spill Contingency Plan that is currently in progress as per legislative requirements. It concludes with the recommendation that the report be received.

<b>Report Type:</b>	<input type="checkbox"/>	Normal operations	<input checked="" type="checkbox"/>	Information	<input type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input checked="" type="checkbox"/>	Regulatory function
	<input type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Background:**

New Zealand operates a three tier response system to deal with marine oil spills. Tier 1 marine oil spills are those that can be dealt with at a site (local) level, Tier 2 spills are those that require a regional response and Tier 3 spills are those that require a national response. As per the requirements of the Maritime Transport Act 1994 (MTA), council maintains a Regional Marine Oil Spill Contingency Plan to deal with Tier 2 (regional) marine oil spills. The requirements of the plan are clearly set down in Maritime Rule part 130C: Regional Marine Oil Spill Contingency Plans.

The New Zealand Marine Oil Spill Response Strategy sets down the overall plan and system as described above, including the roles and functions of all relevant parties including the regional councils.

Council appointed the Regional Harbourmaster as the Regional On-Scene Commander (ROSC) for oil spill response, as required by the MTA. The ROSC is responsible for the implementation of the Regional Marine Oil Spill Contingency Plan in the event of a marine oil spill. Council has further appointed the Kaitiāia Area Manager, Peter Wiessing, as alternative ROSC to provide back-up cover. A third ROSC for Northland will be appointed once training is completed with Maritime NZ.

**The region's response team**

The region's trained oil spill response team comprises around 50 persons, many of whom are council staff with support from Refining NZ, Northport and North Tugz personnel. The number fluctuates with staff turnover.

A number of Northland's response team were seconded to the 2011 Rena response and clean-up in the Bay of Plenty, and over the last few years individuals have assisted overseas with spills in Australia and the Mexican Gulf. Some members of the regional team are also part of the national response team and regularly exercise and

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assist with regional training. Considerable experience has been gained in actual responses with beach clean-up, wildlife response and post spill assessments.

A substantial inventory of oil spill response equipment is maintained adjacent to the Refining NZ site at Marsden Point. Northland and Taranaki are the only two regions that have an onsite Ro-Boom, the largest oil spill boom available. Training and exercises for the regional responders, and the supply of most of the equipment is funded through the Oil Pollution Fund managed by Maritime New Zealand. The region typically carries out two exercises a year as well as regularly dealing with oil spill incidents.

In addition to the Maritime NZ response equipment, the maritime team also has at their disposal the regional council multi-purpose vessel the Waikare. This 16m aluminium catamaran is used as a pilot vessel, work boat and buoys and beacons maintenance vessel. However it was also designed with oil response in mind, and the large working deck and equipment are often utilised for oil spill response and training. Three smaller work boats can also be utilised where needed, with one vessel, a 6m catamaran, being specially designed for working close to reefs and use in emergencies.

On average we probably receive notification of a small spill (for example bilge pump-outs, or refuelling overflow) every few weeks. The more serious incidents involving a fishing boat or large launch running aground with a few thousand litres of diesel on-board occur around once a year. Response is normally by the regional council maritime team, and involves removing the diesel before salvage or disposal of the vessel. On about a three-yearly basis, a more difficult incident may involve an offshore reef and large fishing vessel. Notable responses in the last eight years include the complete removal of all fuels from a dolphin boat in the Bay of Islands, a fishing boat on Fair Way Reef, Doubtless Bay, and a fishing boat on 90 Mile Beach. All three wrecks were subsequently removed and environmental damage kept to a minimum.

The last black oil (or heavy oil) spill of substance was over a decade ago. These incidents typically involve large commercial ships, and accidental discharges or mistakes with bunkering. The Poor Knights Area to Be Avoided (an internationally recognised mandatory ships routing zone created around the Poor Knights Islands in 2004) has helped move such incidents offshore and away from our coastline and islands. National oil spill disasters are always a concern, the last two being the Jodi F Millennium (2002) at Gisborne, and the Rena (2011) on Astrolabe Reef. Any incident of that size is outside of regional response capabilities and would involve a national response.

**Regional risk profile**

Risk assessment underpins all preparation and planning for marine oil spill response in New Zealand. It includes the assessment of both the likelihood of a spill occurring and the consequences or effects of the spill.

The chart (refer **Attachment 1**) produced by Maritime NZ in 2009 illustrates the level of risk associated with spills of three sizes (a hundred tonnes, a thousand tonnes and five thousand tonnes). The key observation is that for all regions, total risk is driven strongly by the smaller sized spills. Note that contrary to popular belief, Northland is not deemed the highest risk for 1000 or 100 tonne spills, the more likely spills. Taranaki with its offshore industry is now the highest risk for these scale spills. The

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overall strategy for oil spill response in New Zealand is being reviewed at present by Maritime NZ, and Northland will take an active interest in the development of that strategy.

**Discussion**

As specified in section 290 of the MTA, council is required to review its regional marine oil spill contingency plan once every three years. The last regional review was completed in 2010. (In addition to the three yearly reviews, the council is also required to annually update the plan to keep the information current.)

Section 291 of the MTA further specifies that when reviewing marine oil spill contingency plans, a regional council shall consult:

- (a) The Department of Conservation;
- (b) Representatives of the tangata whenua within its region;
- (c) Such persons who use the coastal resources within its region as the regional council considers appropriate; and
- (d) Any other persons whom the regional council considers appropriate.

The review is presently well underway. The changes in the main are expected to be limited to updating internal and external contact information, updating administrative procedures and an overall review of the accuracy of information in the plan. Supplementary maps and improved presentation are planned to increase usability of the plan.

Maritime NZ has also just commenced a review of the national strategy document, with strong input presumably from results of the recent Rena response review (which has not as yet been publicly released.) The timeline for the national strategy review is as set out in the table below:

Date	Activity
October/November 2013	Project steering group in place and preliminary feedback and discussions with internal and external stakeholders
Late November 2013	Release of draft revised strategy for consultation and ongoing engagement with stakeholders
January/February 2014	Receipt and analysis of submissions on draft strategy
February/March 2014	Drafting of final revised strategy
April 2014	Approval by Director, Maritime NZ of the final revised Strategy

Staff were intending to complete the regional plan review by the end of November 2013, prior to carrying out consultation with the following stakeholder groups:

- (a) The Department of Conservation;
- (b) Representatives of the tangata whenua within the region as identified by the council's Iwi Liaison Officer;
- (c) The CDEM group, comprising Whāngārei, Kaipara and Far North District Councils, police and fire brigade;
- (d) Refining NZ, Northport, North Tugz, Golden Bay Cement (to be reviewed and discussed at the regular harbour safety meeting); and
- (e) Maritime NZ.

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However, as the national policy review is due to be completed in April 2014, it is now proposed that the updates to the regional plan are completed to ensure all details are up-to-date, but the consultation and final completion of the plan is held off until after April 2014. This will ensure that any updates or changes to the national strategy requiring extra work by regional councils will be able to be incorporated before any consultation. The consultation will also be able to be carried out in winter which is better timing for all parties. The up-to-date plan will continue to be used operationally; the delay will be purely a legislative one.

Once any final amendments are made to the plan, it will then be presented to council before final submission to Maritime New Zealand for approval. The proposed timetable is as follows:

Date	Activity
October 2013 - April 2014	Review and update plan, draft proposed changes
April 2014	Consider new national strategy document once approved by Maritime NZ and accordingly incorporate/draft any final proposed changes in the regional plan
May/June 2014	Consult with the stakeholders groups as proposed above
July 2014	<ul style="list-style-type: none"> <li>• Report to council on outcome of regional consultation and final revised regional plan</li> <li>• Submit regional plan to Maritime NZ</li> </ul>

**Legal compliance and significance assessment:**

In relation to section 79 of the Local Government Act 2002, this item is considered to be of low significance under council policy as it is being presented to council for information and no decision is sought from council. This activity is also provided for in the council's Long Term Plan.

**Recommendation:**


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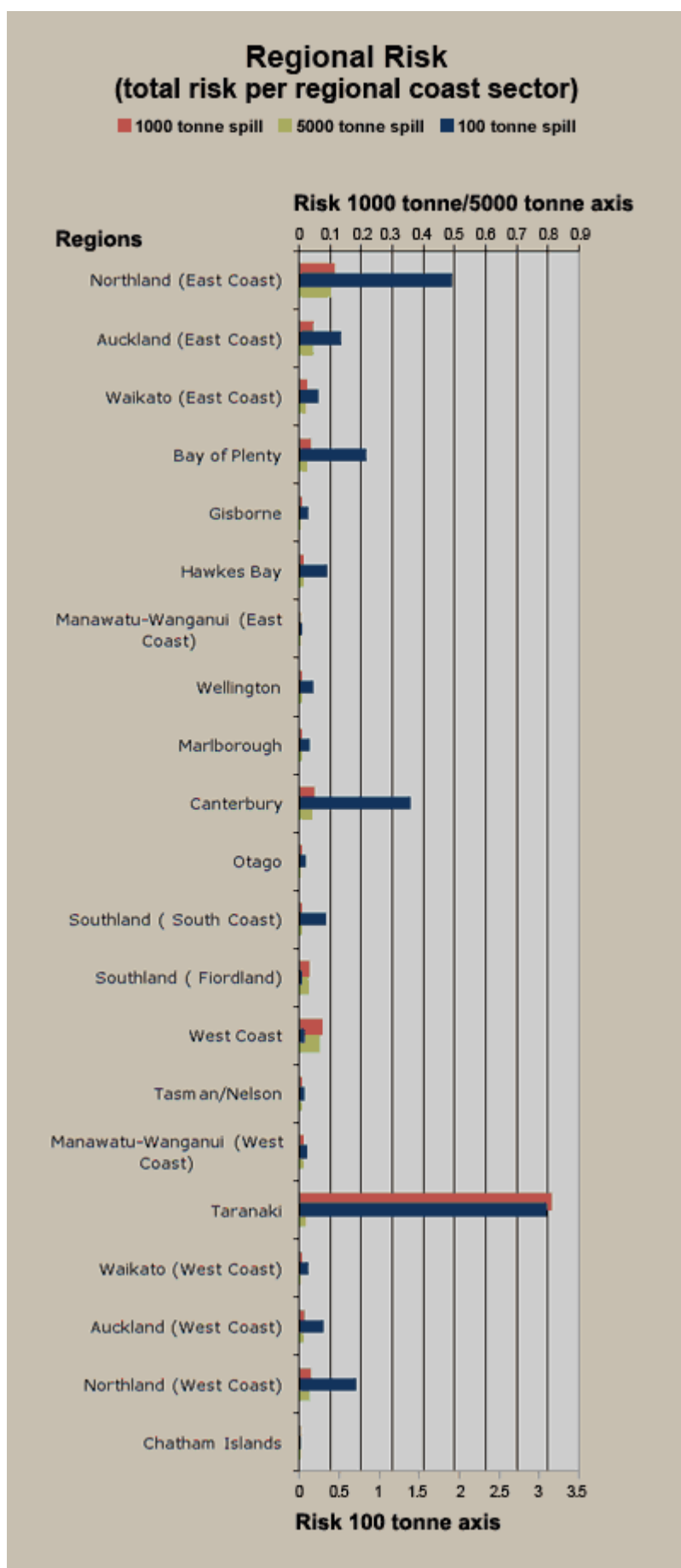
That the report "Northland Regional Marine Oil Spill Contingency Plan and National Review of Response Strategy - Three Yearly Review" by Jim Lyle, Regional Harbourmaster, dated 28 November 2013, be received.

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## Attachment 1: Level of risk associated with oil spills

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**ISSUE: Awanui River Scheme****ID:** A600592**To:** Council Meeting, 10 December 2013**From:** Chris Taylor, Council Secretary**Date:** 2 December 2013**Summary** The purpose of this report is to introduce a presentation on the Awanui River Scheme by Peter Wiessing, Area Manager Kaitāia.

<b>Report Type:</b>	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
<b>Purpose:</b>	<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Peter Wiessing, Area Manager Kaitāia, will be providing a presentation on the Awanui River Scheme.

**Legal compliance:**

No decisions are required.





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**ISSUE: Chairman's Report to Council****ID:** A599184**To:** Council Meeting, 10 December 2013**From:** Bill Shepherd, Chairman**Date:** 22 November 2013

**Summary** The purpose of this report is to provide an update from the Chairman for November 2013. It concludes with the recommendation that the report be received.

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Meetings/events attended:**

During the period I attended the following meetings/events/functions:

- Meetings attended with the council's CEO, Malcolm Nicolson:
  - Along with Councillors Brown, Bain, Dimery and Sinclair we attended a morning tea in the staff canteen to meet Whāngārei based staff.
  - UNISA Mayors/Chairs meeting held in Hamilton.
  - Along with Councillors Carr and Samuels we met with Ken Rintoul in Paihia – unauthorised structure in Paihia.
  - Northland Mayoral Forum held at Waitangi.
  - Announcement by Local Government Commission on local government reform in Northland.
  - Staff meeting on local government reform in Northland.
  - Northland Mayoral Forum Working Party to discuss response to local government reform.
  - Regional Sector Group meeting in Wellington.
- Training for newly elected members run by Local Government New Zealand Know How.
- David Wilson, CEO, Northland Inc. – catch up.
- Councillor Ramsey and I attended a meeting in Dargaville with the Commissioners and ratepayers – local government reform.
- Guest speaker at Whāngārei South Rotary Club.
- Rural Businesses Workshop.
- Mangere Catchment Workshop.

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- Training for new regional chairs run by Local Government New Zealand.
- New Zealand Rivers Awards.

**Correspondence:**

During November I sent out the following correspondence:

Date	Addressed To	Subject
21.11.13	Zelka Grammer GE Free Northland	GE issues

**Legal compliance:**

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan and as such are in accordance with the council's decision making process and sections 76 to 82 of the Local Government Act 2002.

**Recommendation:**

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That the Chairman's report dated 22 November 2013 be received.

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**ISSUE: Chief Executive's Report to Council****ID:** A596600**To:** Council Meeting, 10 December 2013**From:** Malcolm Nicolson, Chief Executive Officer**Date:** 29 November 2013

**Summary:** The purpose of this report is to provide an overview of recent council organisation activity. It concludes with the recommendation that the report be received.

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Report:****5.1 CROSS DISCIPLINARY PROJECTS****Local government reform and reorganisation**

The Local Government Commission announced on 12 November 2013 a [draft proposal for the reorganisation of Northland's councils](#) into a single unitary authority and seven Community Boards. The commission has highlighted key features of the proposal as follows:

- There would be one council and one mayor to speak with a region-wide voice for Northland.
- A second tier of boards would represent diverse local communities.
- The new local authority would be known as Northland Council.
- It would replace the Far North District Council, Whāngārei District Council, Kaipara District Council and Northland Regional Council. The new council would be a unitary authority, combining the functions of the district councils and the regional council.
- Northland Council would have nine councillors elected from seven wards. The mayor would be elected by all Northland voters.
- Northland Council would have seven community boards with 42 elected members. The seven council wards and seven community boards would share the same boundaries.
- The proposed names of the wards and community boards would be: Te Hiku (far north), Hokianga-Kaikohe (north-west), Coastal North (north-east), Coastal Central (east), Whāngārei (south-east), Coastal South (south-east), and Kaipara (south-west). These names are open to public submission.

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- Northland Council would have a standing committee to ensure the views of the large Māori population are heard. The Māori Board would include elected members of council and representatives of all local iwi. There would also be a Māori Advisory Committee to advise the council committee responsible for issues under the Resource Management Act.
- Northland Council administrative headquarters would be in the current Whāngārei District. The council would also have offices in a further nine towns: Kaitiāia, Rawene, Kaeo, Kerikeri, Kaikohe, Kawakawa, Ruakaka, Mangawhai and Dargaville.
- Existing council debt, rates and other financial arrangements would be ring-fenced to the communities which incurred them or benefit from them.
- Existing services at each service centre must be maintained for at least five years.

The proposal also notes the potential for law change in coming months which would enable the Commission to consider amending the proposal to allow for local boards in place of community boards, subject also to the weight of public opinion during the submissions process, which closes 21 February 2013<sup>1</sup>.

Staff are carefully reviewing the proposal and a draft submission is being prepared for the council's consideration. With submissions period extending over the height of the holiday season, opportunities for community engagement may be limited, but efforts will be made to ensure stakeholders are kept informed of the process and provided with access to information.

The likely process and timeframes over coming months are illustrated in the diagram included as **Attachment A**. It should be noted the timeframes are indicative only.

**Local Government Act 2002 Amendment Bill (No 3)**

Last month I reported that staff would provide a fuller briefing on the Bill on 10 December 2013. Council has a briefing on the proposal in the Bill to make local boards available outside of Northland as part of its 10 December workshop. Subsequent to that a fuller briefing on the other elements of the Bill will be made to council at a January or February 2014 council workshop or meeting. (The dates of these are not yet confirmed.)

The Bill has not yet been referred to the select committee.

**Waiora Northland Water**

Four catchment group events, one field trip and three workshops, were held during November for Waiora Northland Water; council's key programme for freshwater management in Northland.

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<sup>1</sup> Originally the draft proposal was open for submissions until 14 February 2014, but the Commission has subsequently extended the period for one week.

Scheduled catchment group events include:

- Whāngārei Catchment Group workshop scheduled for 12 December at 6.30pm.
- Doubtless Bay catchment group workshop scheduled for 29 January at 10am.

Further information about the project is available on the [NRC Waioira Northland Water website](#) pages. A full report on the activities of Waioira Northland Water was provided in the December EMC agenda.

## **5.2 RESOURCE MANAGEMENT**

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### **Plan Change 4 (Aquaculture) to the Regional Coastal Plan**

No change from last month's report. We are still awaiting the Court's decision on the main aspects of the plan.

### **Moorings and Marinas Strategy**

The role of the strategy is to set out how council will provide for the future demand of moorings and marinas. A draft of the strategy was released for public feedback earlier this month. The feedback period finishes 16 December 2013.

### **Developing a new Regional Policy Statement (RPS)**

Council adopted the Hearing Commissioners' recommendations at its September 2013 meeting. Submitters were notified of the decisions and the period for lodging appeals to the Environment Court finished on 15 November. Fifteen appeals were lodged, with genetic engineering (GE), water management, mapping, and regionally significant infrastructure being the most significant appeal matters.

For more information, refer to a paper included in the 2 December 2013 Regional Policy Committee agenda which details the appeals and the appeal resolution process.

### **Land use and subdivision applications**

During November 2013, 23 resource consent applications were received from the district councils (1 notified and 22 non-notified). No comments or submissions have yet been made on these applications.

## **Consents**

### ***Consents in Process***

From 1 to 26 November 2013, a total of 46 Decisions were issued. A copy of these decisions is circulated under separate cover. These decisions comprised:

2	Moorings
9	Coastal Permits
0	Air Discharge Permits
2	Land Discharge Permits
2	Water Discharge Permits
21	Land Use Consents
2	Water Permits
8	Bore Consents

The processing timeframes for the above consents ranged from:

- 298 to 3 calendar days, with the median time being 31 days;
- 71 to 2 working days, with the median time being 20 days.

22 Applications were received in November 2013.

Of the 93 applications in progress at the end of November 2013:

- 39 were received more than 12 months ago (most awaiting further information);
- 15 were received between 6 and 12 months ago (most awaiting further information);
- 39 less than 6 months.

### ***Appointment of Hearing Commissioners***

The following commissioners were appointed for one consent hearing in November 2013:

- Mr Rob van Voorthuysen and Mr Shane Kelly for consents associated with marine farming (fish and shellfish) at Owhanga Bay, Whangaroa Harbour. This is a joint hearing with FNDC acting as lead agency. The hearing is scheduled for 17 March 2014.

### ***Consents Decisions and Progress on Notified Applications in Process, Objections and Appeals***

The current level of notified application processing activities at the end of November 2013 is (by number):

- |  |    |
|--|----|
| ▪ Applications Publicly/Limited Notified During Previous Month | 0  |
| ▪ Progress on Applications Previously Notified                 | 11 |
| ▪ Hearings and Decisions                                       | 0  |
| ▪ Appeals/Objections   | 5  |

A more detailed summary of the above activities can be found in **Attachment B**.

### ***Judicial Review – Hikurangi Swamp Scheme Consents***

M and R Collins, P Richards, N Thorne and M and H Gurr (“the applicants”) sought a judicial review relating to the council’s decision to grant replacement resource consents for the Hikurangi Swamp Scheme. The matter was heard by Judge Asher in the High Court in Whāngārei on 16 and 17 October 2013.

The core issue was whether the amendments made by the Whāngārei District Council to its application for resource consents were within the scope of the original application. If they were within the scope then the Northland Regional Council was not required to re-notify the application and the applicants’ case failed. If the changes were outside the scope of the original application then the Northland Regional Council ought to have treated the amendment as a new application and made a decision on notification.

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N Thorn and M and H Gurr abandoned their claim during the course of submissions in the final day of hearing.

Judge Asher issued his judgement on 15 November 2013 and ruled the following:

**Conclusion**

*[88] I am satisfied that the question of notification was considered by Council officers. They made a decision that notification was unnecessary, and that decision has not been shown by the applicants to have been incorrect. The officers' decision against re-notifying was fair and justified in terms of the expectations of affected parties as the original modification was a matter of tuning to achieve a stated and unchanged objective. It has not been shown that if the applicants had known of the change they would have done anything different. The applicants have not established any prejudice.*

*[89] The modifications to the Te Mata pocket spillway dimensions in the 2009 application process to better achieve the end goal of a 20 per cent spill fell within what could be expected in this resource management process.*

**Result**

*[90] The application for judicial review is dismissed and judgment is entered for the respondents.*

**Costs**

*[91] It could be expected that the respondents would be entitled to costs on a 2B basis, but I have had no submissions on the point. The parties should endeavour to reach an agreement on the question of costs. If they fail the respondents are to file submissions within 14 days and the applicants within a further seven days.*

Following correspondence between the council's and the applicants' solicitors, settlement has been reached on costs and the applicants have agreed to pay \$42,864 towards the council's costs in this matter.

**MONITORING****COMPLIANCE MONITORING**

A summary of the results of compliance monitoring for the period 1 November – 22 November 2013 is provided in the Environmental Monitoring Report (see **Attachment C**).

**Air discharges**

Thirteen compliance assessments for air discharge consents, including four industrial site visits, were made during the reporting period, with 12 assessments confirming that the consent holders were complying with the conditions of their resource consents and the remaining one assessment revealing consent non-compliance. The non-compliance was due to incomplete provision of self-monitoring data due to instrument failure. The consent holder has agreed to repair the instrument as soon as possible.

Twenty-two air quality related environmental incidents were received during the period, 16 of which related to burning and smoke nuisance.

Ambient air monitoring results for PM<sub>10</sub>, sulphur dioxide and carbon monoxide at Robert Street, Whāngārei, showed compliance with the National Environmental Standard for Air Quality (NES) during October 2013. Monitoring results for PM<sub>10</sub> at



the Bream Bay College, Ruakaka, also showed compliance with the NES during October 2013.

Our Envirolink funded research project to analyse PM<sub>10</sub> filters from Water Street, Whāngārei, has been extended for six months until June 2014 as requested by the research provider GNS Science. This will allow our samples to be analysed by the new x-ray fluorescence analyser at GNS Science, which is highly accurate and has a wide concentration range for elemental analysis. GNS Science is also keen to extend this project to analyse polycyclic aromatic hydrocarbons, heavy metals and sulphur isotopes on those filters. This research would help us to better understand sources of PM<sub>10</sub> in the Whāngārei airshed.

### **Coastal**

A total of 18 consented activities (mainly coastal structures) were monitored during the reporting period, 14 of which were fully compliant and four non-compliant. However, there were no significantly non-compliant activities.

The Bay of Islands, Whāngārei, and Kaipara Harbour water quality runs were undertaken, the results of which have not yet been received.

The annual marine pollution campaign, “Draw the Line” has commenced for the summer period, with on-water patrols being undertaken in Whangaroa Harbour and the Bay of Islands. This involves council staff talking to yachties with a focus on education on how to comply with sewage discharge regulations and why it’s important to properly contain or treat sewage. Draw the Line also involves radio campaigns, posters and pamphlets, merchandise, and providing promotional information to Northland and Auckland marinas and boating clubs for their own publications. Yachties are also being made aware of the new rules in regard to overnight stays within mooring areas, which now require a means of containing or treating sewage if people stay aboard their vessels.

### **Hazardous Substances**

The chemical collection programme has continued to collect, sort and package waste hazardous substances. The Kaitāia chemical storage shed at PGG Wrightsons has been cleared in preparation for moving the shed to another location for use by the council.

One hazardous substances incident was reported during the reporting period. A vehicle filled with the incorrect fuel was drained on the sidewalk, releasing a small amount of diesel/petrol mixture, which did not enter any waterways.

Eleven enquiries regarding contaminated land were received and responded to during this reporting period. Discussions regarding the National Environmental Standard were held with district councils in relation to a further four enquiries.

### **Land use monitoring**

A total of six consented activities were monitored during the reporting period, five of which were found to be fully compliant and one non-compliant. However, there were no significantly non-compliant activities.

### **Water quality and discharge monitoring**

There were 24 inspections made during the reporting period, 18 of which were fully compliant with resource consent conditions and four were non-compliant. There was one significant non-compliant site, which was the FNDC Kaitāia wastewater treatment

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plant. The discharge complied with the water quality conditions of its consent but was graded significantly non-compliant due to its upgrade not being completed as per the consent requirements. FNDC has indicated it will apply for a change to the consent to remove the requirement for UV disinfection of the discharge given that the discharge is complying with the water quality conditions of its consent.

During the month staff attended:

- The Ngawha Community Liaison Committee meeting, at which there were no issues raised that required action from the council.
- A Resource Management Law Association seminar, which covered enforcement instruments and changes to the Criminal Procedure Act 2011.

**Farm Dairy Effluent (FDE) Monitoring**

To date about 75% of the planned 1,009 FDE inspections have been visited and reported on. The results for consented and permitted activity farms are tabled below. At this stage, the compliance rates for consented farms look very similar to last year. However, the most notable change is the drop in full compliance rate for non-consented farms from 59% (this time last year) to 49% this year.

**Consented FDE discharges**

A total of 531 consented farms have been visited and reported on. This is about 72% of the total consented farms to be visited.

Full Compliance		Non-Compliance		Significant Non-Compliance	
This Year	Last year	This Year	Last Year	This Year	Last Year
321	437	121	130	89	133
60%	62%	23%	19%	17%	19%

**Non Consented FDE discharges**

A total of 223 non-consented farms have been visited and reported on. This is about 83% of the total non-consented farms to be visited.

Full Compliance		Non-Compliance		Significant Non-Compliance	
This Year	Last year	This Year	Last Year	This Year	Last Year
110	144	47	35	66	65
49%	59%	21%	14%	30%	27%

Summary tables have been added to the EMR report (see **Attachment C**) for the main reasons for significant non-compliance.

## **ENVIRONMENTAL INCIDENTS**

A summary of environmental incidents for the period 1 November – 22 November 2013 is provided in the Environmental Monitoring Report (see **Attachment C**).

## **ENVIRONMENTAL HOTLINE**

The council's 24/7 Environmental Hotline began operating in November 1993 and has been in continual operation for 20 years. The Hotline allows the public to report environmental pollution and activities that have actual or potential adverse environmental effects at any time. The service has a free phone number (0800 504 639) which is widely publicised. A (now) small team of specialised staff are rostered on the Hotline on a weekly basis so that the council can respond after normal working hours to reports of environmental pollution that require urgent attention.

Calls received after normal working hours are initially recorded and screened by a call centre that contacts the rostered council officer if the reported issue (incident) needs urgent attention.

Each incident reported is recorded on a database, together the details and outcome of the investigation and/or our response to the incident.

Some 17,800 incidents have been recorded on the Hotline since its inception, which equates to an average of 890 incidents per year or 17 per week.

The service has proved invaluable in extending the council's "eyes and ears" in Northland facilitating the identification of environmental pollution that may have escaped the attention of the council, particularly in weekends and after normal working hours. It provides useful information on environmental issues and trends that can help form council response, policy and regulation on those matters.

Some interesting statistics from the operation of the Hotline are as follows:

- The number of incidents recorded per calendar year (excluding the current year) has ranged from 706 (1994) to 1,105 (2007).
- The five most often types of incident recorded are "Burning & Smoke Nuisance", "Odour", "Earthworks & Vegetation Clearance", "Sewage" and "Oil, Diesel & Other Fuel Spills".
- Air and water quality related incidents account for some 65% of the total number of incidents recorded.

Finally, the most important benefit of the Hotline is that it has helped the council reduce environmental pollution throughout Northland

## **ENFORCEMENT**

### **Abatement Notices**

There were 18 abatement notices issued during the reporting period. These were for:

- FDE (16)
- Illegal activity in CMA (2)

**Infringement Notices**

There were 19 infringement notices issued during the reporting period. These are detailed below:

- Illegal activity in CMA (2)
- Sewage discharge (1)
- Contaminant discharge (1)

Farm dairy effluent infringements were as follows:

- Non-compliance with an abatement notice (6)
- Unauthorised discharge from ponds (4)
- Discharges from irrigators (1)
- Discharge from silage area (1)
- Discharge from wintering barn (1)
- Discharges from race/high traffic areas (1)
- Discharge via stormwater diversion (1)

**Other Enforcement****Waitangi River (illegal diversion and earthworks)**

Nothing new to report.

**Kaimaumau Swamp (vegetation clearance and earthworks)**

Charges were laid in 2011 against three parties who were involved in the vegetation clearance and drainage operation. A sentence indication hearing was held on 13 November 2013. On 20 November 2013, the four defendants entered guilty pleas to all counts (37) in the indictment and were remanded for sentence on 10 February 2014 in the Whāngārei District Court.

**Manganui River, Okahu (wetland clearance, earthworks and river diversion)**

Charges were laid against a dairy farmer and his company in Okahu for vegetation clearance in several wetlands, earthworks in the riparian management zone, diversion of a watercourse and deposition of soil. The charges relate to offences which occurred between April 2011 and October 2012. A judicial hearing was held in Auckland on 26 November 2013 in order for the judge to assign weight to the remaining disputed facts.

**Craig Douglas Roberts (FDE prosecution)**

Craig Douglas Roberts has appealed the sentence which was imposed on him by the Court on 6 November 2013. He was fined a total of \$157,074.50 for offences which occurred in 2011. The matter has been before the court which has set the following timetable for Mr Roberts to appeal against conviction and sentence charges:

- Submissions from counsel for Mr Roberts, in support of both the application for leave to appeal out of time and the substantive appeals against conviction and sentence shall be filed and served on or before 13 December 2013.
- Submissions from counsel for the council in opposition shall be filed and served on or before 24 January 2014.

A case management conference will take place on 3 February 2014.

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**Houhora Service Station (land and water contamination)**

The Environment Court has issued an enforcement order relating to remediation and ongoing management of the contaminated site.

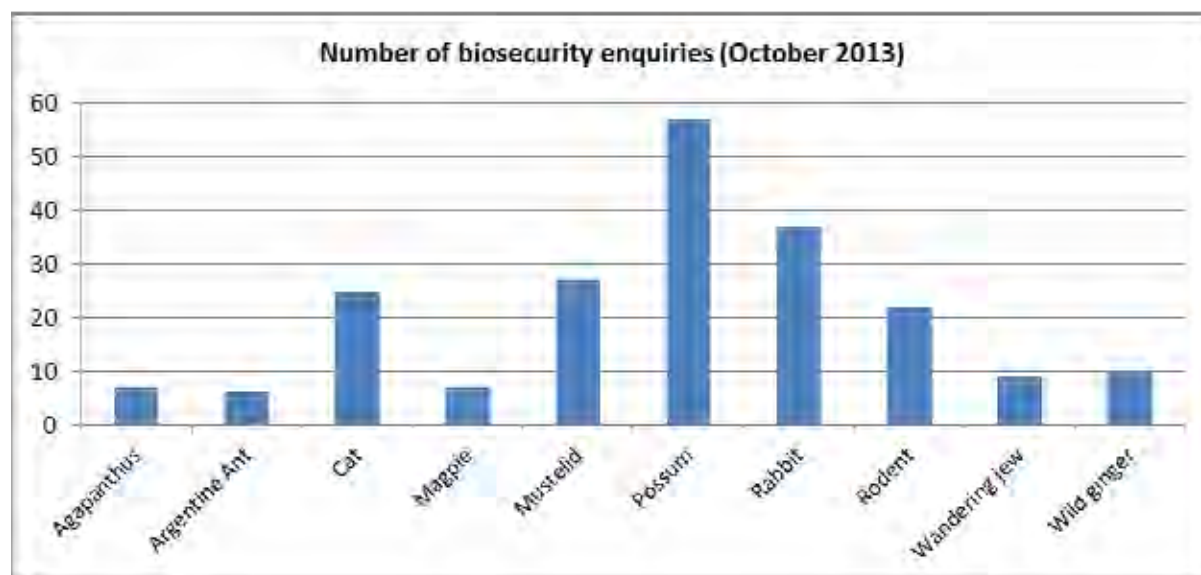
**BIOSECURITY****Biosecurity – Enquiries**

Biosecurity officers logged 287 enquiries in the IRIS database during November and 1258 enquiries have been logged for the year to date (July-November 2013).

Enquiries were logged for more than 50 different species. Many enquiries received by the biosecurity team involve multiple species, and as each species requires its own advice, each is counted a separate enquiry for the purposes of reporting.

	Jul	Aug	Sep	Oct	Nov	Year to date
Animal	215	173	160	213	169	930
Disease					1	1
Freshwater		4	3		6	13
Marine	1		2	9	5	17
Plant	22	52	50	47	98	269
Public awareness/ Education		4	9	3	6	22
Site-led/Community work			4		2	6
Grand Total	238	233	228	272	287	1258

The ten species most common for enquiries during November and the year to date are shown below and predictably, the number of enquiries is starting to increase leading into summer. The number of possum enquiries remains consistently high, and there has been an increase in enquiries logged about a variety of weeds.

**Biosecurity Incidents**

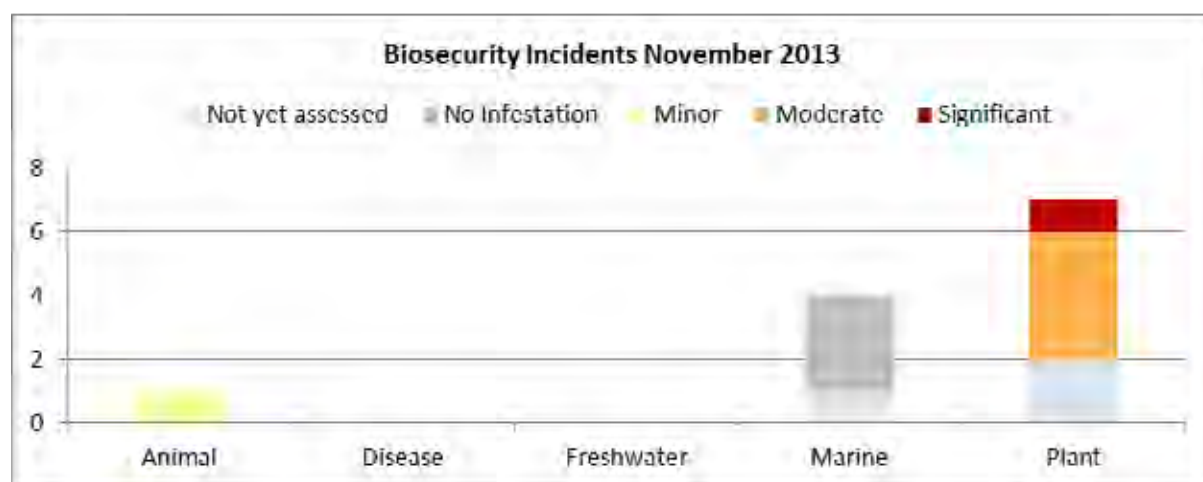
Biosecurity incidents include:

- Potential breaches of Regional Pest Management Strategy (RPMS) rules;
- Potential new incursions of RPMS exclusion or eradication species; and
- Potential incursions of pest species not currently known in Northland, and not in the RPMS, but which may pose significant risk to Northland.

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During November the Biosecurity team logged 12 incidents in the IRIS database, the majority of which were plant incidents.



Seventy three incidents have been logged by the Biosecurity team for the year to date, with the majority being marine or plant incidents.

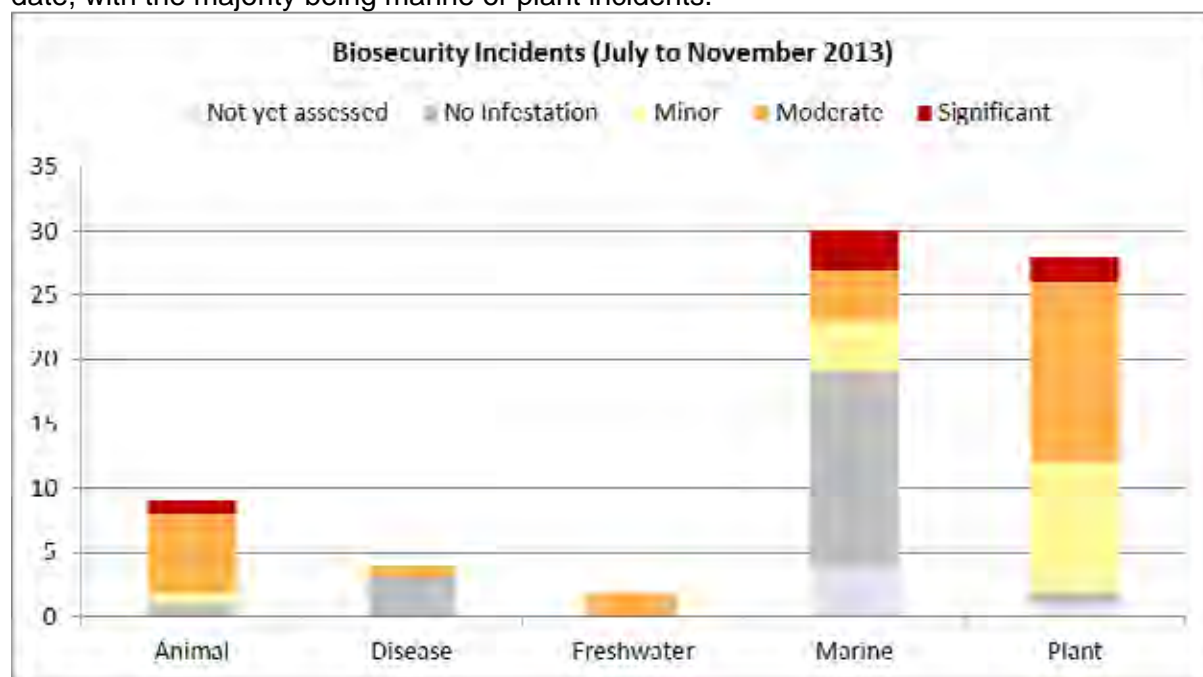


Table 1: Moderate and Significant Biosecurity Incidents (November 2013)

Date	Species	Description	Significance	Notes
15/11/13	Yellow flag iris	Suspected yellow flag iris site reported in Kerikeri	Moderate	Species confirmed as yellow flag iris, which is an eradication species in Northland. Plants removed, and site logged for ongoing follow up.
15/11/13	Chinese privet	Privet on boundary in Ngunguru causing medical issue	Moderate	Medical certificate received from affected party, allowing privet boundary control rules to be enforced.

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19/11/13	Chinese privet	Privet on boundary in Tikipunga causing medical issue	Moderate	Medical certificate received from affected party, allowing privet boundary control rules to be enforced.
20/11/13	Mickey mouse plant	Suspected mickey mouse plant site reported in Whau Valley	Moderate	Species confirmed as mickey mouse plant, which is an eradication species in Northland. Treatment in progress, site logged for ongoing follow up.
25/11/13	Evergreen buckthorn	Several trees found in area after seedlings discovered under a totara tree in Morningside Rd.	Significant	Species confirmed as evergreen buckthorn, which is an eradication species in Northland. Treatment in progress, site logged for ongoing follow up.

**Pest Plants****Nassella Tussock**

Nassella tussock, otherwise known as Mexican Feather grass is one of most invasive pasture grasses in New Zealand and is listed as an eradication plant under the Northland Regional Pest Strategy. Work to eliminate Nassella from Northland began more than 20 years ago and unlike many other regions we are fortunate that populations are now very low and annual survey provides a valuable check on any regrowth at historic sites and any new populations.

Survey undertaken in Taupo Bay during November revealed 25 Nassella plants across two new sites. The two new populations are on stock trails and near another known site. Two further plants were found at historic sites making a total of 27 plants found so far this season. Three of the active sites at Taupo Bay are within a fenced off area of coastal pohutukawa forest and manuka shrubland. Discussion with the manager indicated that the owners may be willing to fence this area off which would prevent the risk of stock spreading the seed.

**Manchurian Wild Rice**

A large area of Manchurian wild rice has been sprayed in preparation for burning at Te Wharo, Dargaville. Trials have shown burning promotes emergence of fresh shoots which are then vulnerable to treatment with herbicide and a selection of sites will be managed in this way over the coming months.

The NRC undertakes work to eradicate Manchurian wild rice as part of a nationwide project funded by the Ministry for Primary Industries. During November staff met with MPI officials to discuss the future of the Manchurian wild rice project and as a result will be drafting up a plan and proposal to continue the project beyond 2014 when the current contract ends.

**Marine pests**

NIWA divers completed another round of high risk survey at Ōpua during November and no Mediterranean fanworm or other high risk marine pests were detected.

Samples of Mediterranean fanworm were collected from Marsden Cove marina last month and analysed. None were found to be gravid (pregnant females). Divers have begun another round of fanworm elimination in Marsden Cove, Port Nikau and Ship

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Repair before this population can spawn. A full report on the results is expected to be available during December.

The design for the vessel containment facility has been confirmed and the device is expected to be completed mid- December. Practice at deploying and retrieving the portable pontoon is expected to occur prior to January when the majority of recreational vessels visit Northland.

While numbers continue to decline as a result of the current approach a portion of Marsden Cove is proving it will be another two years before the eradication attempt can be fully evaluated.

**LAND MANAGEMENT****Environment Fund, Farm Water Quality Improvement Plans (FWQIPs) and CoastCare**

Reports covering these activities are provided in the December meeting agenda of the Environmental Management Committee.

**Integrated Kaipara Harbour Management Group**

The IKHMG quarterly hui was held at the Ngati Whatua offices in Helensville on 7 November. A presentation was given by DOC and Fonterra on the 'Living Waters' programme outlining the overall aims of the programme. The Kaipara catchment is one of five catchments selected throughout the country to be part of the programme, with the initial work focus on Hikurangi swamp.

The programme is to promote actions that would be seen as above and beyond what would be expected as "business as usual" for dairy farmers. Initial discussions have been carried out with a stakeholder group of dairy farmers in the Hikurangi swamp area. Identified themes are facilitating farmer to farmer exchange of ideas and getting a better understanding of the science and current knowledge of the Kaipara catchment. NRC staff have been working with DOC to provide details of the existing monitoring information available.

Living Waters aims to support both short and longer term (3-5 year) projects and have asked IKHMG to supply suggestions. One of the reasons that the Kaipara catchment was selected for the programme was that there was already an existing integrated catchment group. The IKHMG flagship site sub-committee has been given the role of developing project suggestions and presenting them to Living Waters.

IKHMG will be holding a field day at Ben and Edwin Smith's Hikurangi property on 7 December. The theme for the day is 'Farming in the Face of Change - Farming, Floods and Kiwi'. NRC will be involved in hosting discussions on both farm plans and community pest control areas.

**Soil Conservation – Poplar and Willow Nursery, Flyger Road**

The poplar and willow nursery has had its third mow and mulch of the grass at the ends of the rows and the service lanes. Growth has slowed recently with minimal rain; this follows the prolific growth experienced during early spring.

Steps are underway to ensure the nursery irrigation is installed as soon as possible. Once installed this will eliminate the risk of stools not surviving through the drier months and should enable a two year turn around to harvest.



**Poplar and Willow Supply 2014**

Cambridge Nursery (current supplier) was contacted in regard to supplying poplar poles for the 2014 planting season. They have indicated that they have 8,000 poles available to purchase. A supply contract will be drafted to secure the order.

**NRC Flyger Road Properties Stock Water Reticulation and Fencing**

Tenders have been released inviting proposals for the installation of a farm water reticulation system and fencing to exclude stock from bush, wetlands and waterways. Site walkovers with parties interested in submitting a proposal were held on 21 and 22 November. Tenders close 29 November 2013.

**Biodiversity**

Biodiversity Northland, the regional biodiversity forum, met this month and held a field trip to the Maungatapere Mountain Community Pest Control Area. This forum is an inter-agency group made up of councils, government agencies, trusts and other organisations which have biodiversity responsibilities in Northland.

The forum is undertaking several new initiatives over the next few months, including producing a pamphlet about Biodiversity Northland for landowners. This resource will be used at up and coming A&P shows which the group will attend. The group will be assisting Fish and Game with a proposed series of workshops on wetland restoration and creation scheduled for next year.

**5.3 RIVER MANAGEMENT**

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A comprehensive report covering River Management activities is provided in the December meeting agenda of the Environmental Management Committee (EMC). This report provides an update of activities subsequent to compilation of the EMC report.

**Awanui**

The tender for the Awanui River Maintenance works has been awarded to KCL Limited and the contractor is expected to start works during the first week of December.

**Kaeo-Whangaroa Rivers**

Stage 1 Kaeo Flood Risk Reduction Works are scheduled to start 2 December, Transfield Services Ltd are the contractor. A report covering the works is provided in the December meeting agenda of the EMC.

The yearly maintenance in the Whangaroa Streams has started, this is typically broken up into small works scattered between Taupo Bay and Te Ngaere Bay.

**Kerikeri-Waipapa River**

The tender for the Kerikeri-Waipapa River and Waitangi River Maintenance Works was awarded to KCL Limited and the contractor is expected to start the works during mid-December.

The flood maps for the Kerikeri-Waipapa catchment were released on 19 November. Approximately 50 enquiries were received from land owners in the first week of release, and many of these calls relate to predicted flooding from stormwater networks which are represented in the model. Kerikeri-Waipapa is the only priority rivers catchment where stormwater network overflow is included in the flood mapping, and these flow paths are not distinguished from river flooding in the flood maps. Staff are

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investigating the enquiries and will be reporting back to land owners on outcomes of investigations.

**Waitangi River**

The contract for 'drill and kill' herbicide application of selected willow trees on the Waitangi River was awarded to Fenwick Contractors. Works are expected to start in the first week of December.

The flood maps for Waitangi catchment were released in October, and very few calls have been received from the public in relation to letters sent to all landowners.

**Kaihū River**

A tender evaluation report for the Kaihū River maintenance works tender been prepared for the tender committee. Pending the tender committee outcome, works are anticipated to commence during December.

**Whāngārei Urban Rivers**

The flood maps for Waiarohia-Raumanga and Hātea Rivers were released on 19 November. Approximately 35 enquiries were received in the first week of release, from landowners. Staff are investigating the enquiries and will be reporting back to land owners on outcomes of investigations.

The tender opening for the Whāngārei maintenance works is scheduled for 2 December.

An update on the Kotuku dam project and Rust Avenue bridge replacement is provided in the December EMC report.

**HYDROLOGY****MetService Northland Radar Update**

Resource consent for this project has been issued, along with approval for access across on adjacent piece of DOC land. The MetService is now awarding civil works contracts for establishing the radar on Te Huia Hill, east of Kaeo.

The MetService is awaiting a Māori Land Court hearing to formalise the access rights across the Te Touwai land block. In the meantime, contractors are fabricating the radar tower and its equipment shelters and arrangements are being made for establishing the mains power and telecommunication services. The MetService expect to have the radar operational around April 2014.

**Hydrometric Network Telemetry and Maintenance**

After numerous delays, an automatic rain station has been installed in the South Hokianga (Waimā) at a location on the eastern catchment boundary of the Waimā River Valley and the Taheke River. This station was installed primarily to capture accurate rainfall intensity information for the Priority Rivers Project (Waimā River). The station is also important strategically for the wider council hydrometric rainfall network in capturing rainfall amounts during significant rain events in the South Hokianga area. Many thanks to the Waimā Topu B Trust for providing support, advice with site establishment on their land block and ensuring council have on going access to the site.

The council's cell phone telemetry operations rely on internet communication links between NRC, NIWA and Vodafone. These links provide quick communication and data transfer to and from the remote hydrometric stations to the council's databases.

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Issues arose during late October with the NIWA firewall and had taken some resourcing from IT and hydrology staff to resolve. Although the cause of the failure was not identified, staff now have good processes in place should this issue reoccur.

Maintenance carried out at various hydrometric stations during November included;

- Coopers Beach Groundwater - conductivity meter added to Coopers Beach monitoring bore.
- Tara rain station – relocated rainfall station at the request of the property owner.
- Taheke water level station – cell phone communication issues, now changed to radio.

**Rainfall, Ground Water and River Flows**

Rainfall amounts for October were well below average and similarly for November apart from some isolated areas in the far north and the east coast from the Bay of Islands south.

- Dry conditions prevailed throughout both months resulting high soil moisture deficits and lower than normal river flows.
- In early November and over a period of a week, a series of active fronts produced intense rainfall amounts in some areas of Northland; generally the rainfall distribution over the region was patchy. Rainfall amounts during this period varied from 25mm to 60mm.
- Further rain fell over the region in late November resulting from a low pressure system of tropical origin moving onto the region from the north Tasman Sea. Western areas from North Hokianga to Pouto Peninsular were sheltered from the north easterly driven rain bands receiving only 2.5mm to 15mm.
- Groundwater levels for the most of the region are near average for the month of November, with the exception of Mangawhai, Tara and Kaikohe Hill.
- River flows were well below average over the entire region.

As a result of the very windy, dry October and a long period of settled, dry weather during mid to late November concerns were raised by the primary industry sectors that Northland may be potentially heading towards a similar weather conditions as experienced during last summer.

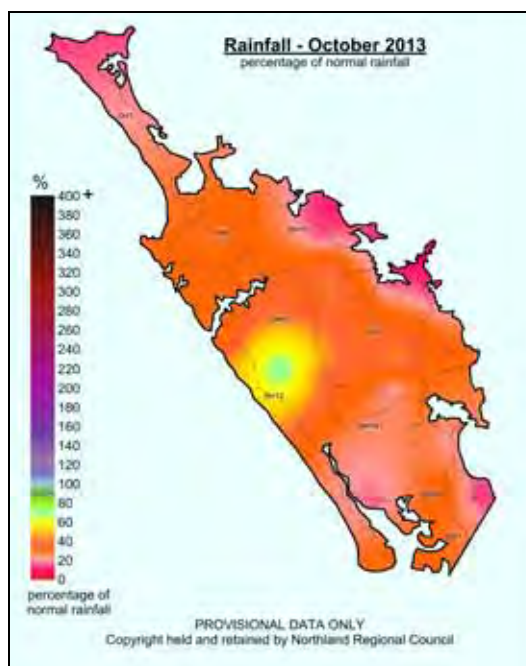
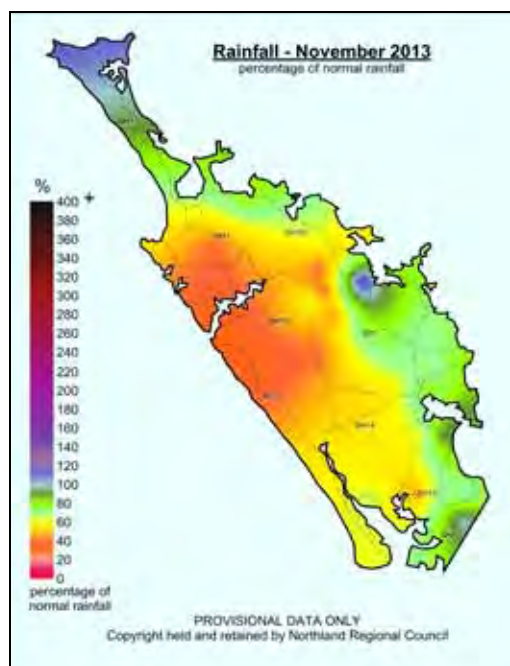
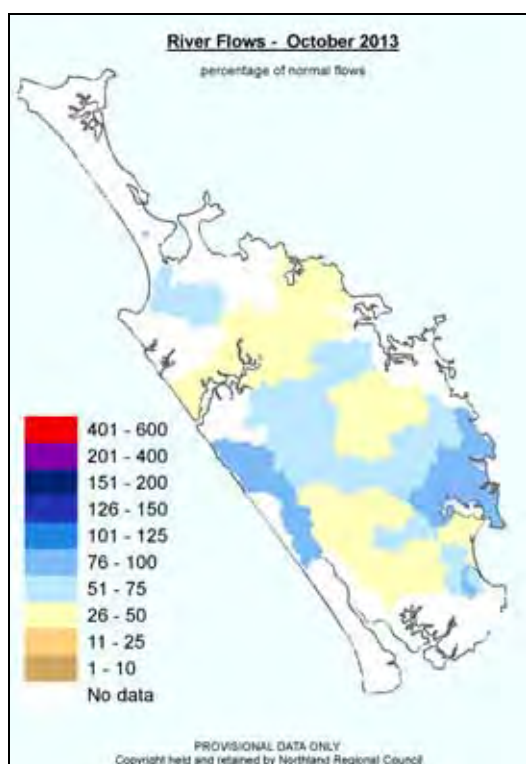
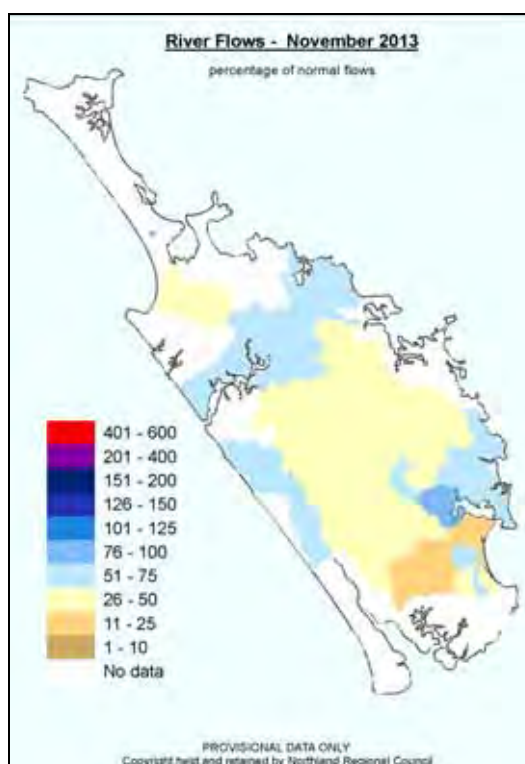
A detailed report on the current and forecasted climate conditions including NIWA's seasonal climate outlook for November 2013 to January 2014 was submitted to the Environmental Monitoring Committee meeting on 2 December. The monitoring and response plan as stated in the report has been implemented.

In previous drought events the Northland Civil Defence Emergency Management Group (CDEMG) has supported the coordinated inter agency response. The CDEMG is again active in coordinating, disseminating technical information on climate and water resources and distributing these assessments to the relevant organisations. Forecasted climate conditions, groundwater levels and river flows are being closely monitored, to enable appropriate information to be disseminated and actioned in a timely manner.

The Regional Support Trust, Northland (RST) are actively monitoring the situation and liaising with the primary industry sectors to evaluate the impact.

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**Rainfall October 2013****Rainfall November 2013****River Flows October 2013****River Flows November 2013**

## **5.4 ECONOMIC DEVELOPMENT**

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I met with MPI on 13 November to gain a better understanding of their “Potential for Primary Industry Growth” proposal including their communication strategy, and previous and planned events. As a consequence, a further meeting has been organised for 12 December (10am) to allow MPI staff to brief available senior staff, councillors and committee representatives on this initiative, and to include a presentation on the ‘Maori Agribusiness Programme’. Another briefing by MPI is being organised for early in the New Year to formally brief the council.

Refer to Items 7.1 to 7.5 of the agenda for matters regarding Northland Inc.; NRC’s economic development agency.

## **5.5 HAZARD MANAGEMENT**

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### **CIVIL DEFENCE EMERGENCY MANAGEMENT**

#### **MetService warnings and activations**

A single weather watch was issued on 26 November and a Severe Thunderstorm watch was issued on 27 November. These events were monitored by Civil Defence personnel and no activation was required by the CDEM sector.

Social media, Facebook, continues to be utilised for the distribution of warnings. Over the past months all warnings have been added to the Civil Defence Northland Facebook page. The page now has 500 “likes” up from 400 in October.

A full test of the National Warning System (NWS) was conducted at 1015 hours on 4 November 2013. The test message was sent as per the requirements under Section 19.3.5 of the Guide to the National Civil Defence Emergency Management Plan 2006. This is the first full test of the NWS to be carried out since the contact list was rationalised and restricted to only one or two generic email addresses per agency. The test was considered a success in the Northland region.

#### **Coordinating Executive Group Forum**

The 2013 CEG Chairs’ Forum was held in Wellington on 9 November. The following topics were on the agenda:

- Resilience Fund
- Controller’s training
- Rapid Impact Assessment
- EMIS
- CDEM Group capability assessment

The Northland CEG Chair Tony Phipps attended.

#### **CIMS Review**

The CIMS (Coordinated Incident Management System) National Working Group has released its third version of the CIMS review. The earlier review and draft, which was a more extensive version, has been extensively modified and the high level of detail has been removed. The latest draft focuses on updating the original blue book “The New Zealand Coordinated Incident Management Systems, Teamwork in Incident Management.” The Northland CDEM Group had made a full submission on the earlier version. This latest draft is more in line with what is operationally required and feedback has been provided to the steering group.

**Ministry of Civil Defence and Emergency Management (MCDEM)**

On 19 November the State Services Minister Jonathan Coleman and Civil Defence Minister Nikki Kaye announced that the MCDEM was to shift from the Department of Internal Affairs to the Department of Prime Minister and Cabinet (DPMC). The transfer will strengthen co-ordination across the national security and intelligence sector and provide closer alignment of civil defence emergency management with national security directions. It will enhance the ability for MCDEM to take a greater role working with other departments in whole-of-government planning and resiliency issues. It will strengthen the capacity to plan and manage, across government, large-scale emergencies such as the Canterbury earthquakes. DPMC will work with MCDEM and DIA on a plan for the transition. The transfer of responsibilities and staff will begin on 1 April 2014.

**Rapid Impact Assessment guide**

MCDEM have been working on developing a Rapid Impact assessment guideline and the first draft of the document has been released for consultation. The document provides guidance on the processes for rapid impact assessments and is being developed in consultation with the NZ Fire and Rescue Service.

**Lifelines Group**

The annual National Lifelines Utility forum was being hosted in Auckland in early November and representatives of the Northland group attended.

The full report on the outcomes of the Lifelines exercise has now been finalised and the areas for action have been identified and will be included into future work programmes.

**Professional development**

A three-day Coordinated Incident Management Course (Level 4) was scheduled for 4, 5 and 6 November with 24 registrations attending.

**Emergency Management Information System**

The National Governance Group for the EMIS meeting Wellington in mid-November and the Northland CDEM Group representative Ms Victoria Randall attended. A number of enhancements to the EMIS were approved and are to be actioned. Whilst in Wellington she also attended the EMIS Training meeting for the North Island.

**Tsunami readiness and response**

The National Tsunami Road show is to be held in Whāngārei on 3 December with attendees from across the CDEM sector and including key stakeholders. The workshop will provide information about the new GNS report and Review of Tsunami Hazard in New Zealand which was commissioned by MCDEM.

The Northland CDEM Group work programme for the coming year will include reviewing and updating inundation mapping for the Northland coastline with new maps being incorporated into Community Response Plans, Visitor Action Plans and into Lifelines Utility Group readiness and response arrangements and protocols.

## **5.6 TRANSPORT**

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### **REGIONAL TRANSPORT MANAGEMENT**

#### **“R” Funding**

On 5 November 2012, the Northland Technical Advisory Group (NORTEG) met to compile a list of recommended projects along with their regional priority in support of the continuation of “R” Funding post June 2015. This list of recommended projects was tabled at an extraordinary meeting of the Regional Transport Committee (RTC) held on 10 November 2013. The RTC approved the recommendation that the list be approved and forwarded to the Taranaki Regional Council, who was coordinating the submission on behalf of all participating approved authorities. This was undertaken on 12 November 2013.

The combined submission to the Minister of Transport was forwarded to the Minister of Transport on 18 November 2013. No feedback has yet been received from the Minister.

#### **Community Transport Fund – “T” Funding**

In October 2013, I wrote to the NZ Transport Agency (NZTA) requesting a review of their policy relating to the eligibility criteria for the allocation of “T” Funds to include long-standing single residential dwellings in areas of high socio-economic deprivation that are close to unsealed roads utilised by a large number of heavy vehicles.

A reply was received from NZTA on 20 November 2013 declining the request. In their reply, they state that “The criteria included in the policy is clearly focused on established communities and not isolated properties, and that NZ Transport Agency does not believe that a policy review of the Community Transport fund is warranted or appropriate”.

#### **Financial Assistance Rate Review**

No official feedback has been received from the NZ Transport Agency on the national review of Financial Assistance rates.

#### **Regional Land Transport Plan (RLTP)**

The NZ Transport Agency (NZTA) has recently started to release draft dates and guidelines on the compilation of the 2015/2018 Regional Land Transport Plan.

Until such time as NZTA release the finalised dates and guidelines on the content and compilation of the RLTP, all work will be of an indicative nature only.

However, staff have commenced working with NZTA on the indicative time frames and how the RLTP and the councils Long Term Plan can be aligned.

#### **Procurement Strategy**

In order to be eligible for national funding assistance through the NZ Transport Agency (NZTA), an approved authority must have a NZTA endorsed Procurement Strategy.

The NRC Procurement Strategy was compiled and endorsed by both council and NZTA in 2010 and had a three year life span. When the government made changes to the Land Transport Management Act 2003, it became apparent that these changes would affect both the compilation of Regional Public Transport Plans and the procurement of passenger services.

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As the NZTA guidelines on the compilation of the Regional Public Transport Plans and Procurement Strategies have yet to be released, the NRC applied for and has been granted a two year extension to the existing Procurement Strategy up to 31 August 2015.

**PASSENGER TRANSPORT ADMINISTRATION**

Delays to the Maunu service due to the work at the intersection of SH1 and SH14 continued during the month. Staff have continued to work with the WDC and the bus company in an attempt to mitigate the effects of these delays where possible.

A physical audit of the multi trip ticket stock held by the operator at the depot was undertaken on Friday 22 November 2013. No major discrepancies were found.

The presence of a security guard at the Rose Street terminus continues to bring positive feedback from passengers using the terminus.

Due to this report being compiled prior to the end of the month, there is no statistical information available.

**Mangawhai Summer Service**

The publicity promotion for this service for the peak holiday period continued during November.

**Bus About Kaitiāia**

Due to this report being compiled prior to the end of the month, there is no statistical information available.

**Additional Operational Information**

In response to queries raised at the October 2013 council meeting, background information pertaining to the Total Mobility Scheme and the CityLink bus service is provided below.

**Total Mobility:** The Total Mobility Scheme is a nation-wide scheme introduced by the government in the late 1980's to help people with disabilities move around their community. Assistance is in the form of 50% discount on taxi travel within the Whāngārei Urban Boundary for eligible scheme members. Potential members must be assessed by one of the 13 trained agencies, and must obtain a photo identification card issued by NRC. The Ministry of Transport and NZTA are responsible for setting the rules and regulations on the Scheme, not the NRC. Further information can be obtained from: [www.transport.govt.nz/ourwork/land/the-total-mobility-scheme](http://www.transport.govt.nz/ourwork/land/the-total-mobility-scheme)

When the scheme was introduced, there was some concern about imposing a regional rate when most of the region did not have access to a taxi service. Of the three district councils, only Whāngārei District Council agreed to fund the necessary 50% discount portion (local share), provided the NRC administered the scheme.

NZTA contribution is currently \$77,000 and WDC contribution is \$123,000 per annum. NRC is subsidised at 50% for the administrative functions.

The Government also funds a payment to the owners of taxi vans fitted with wheelchair hoists. The operator may claim a flat rate payment of \$10.00 each time the hoist is used to convey a registered Total Mobility Scheme member.



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Uptake of the scheme varies greatly. The main reasons for these variances are wet weather, economic difficulties felt by clients (having to combine multiple tasks in one trip, or cutting down on trips to the supermarket); the availability of a hoist capable vehicle (there can be a delay in peak hours); funding given to families by ACC to WINZ for a specialised vehicle, therefore reducing the need for taxi travel; and scheme members passing away.

The introduction of the low-floor CityLink bus fleet with ramp access, combined with the off-peak Supergold Card free travel has also encouraged some of the more agile clients to try the bus service.

More detailed information on the scheme can be provided on request.

**CityLink Whāngārei:** After an absence of over 10 years, the City of Whāngārei Bus Service was re-introduced in its subsidised form in 2001. The government of the time introduced incentives for public transport operators to provide services, and regional councils were tasked with tendering, contracting and administering these services.

From 2001 to June 2008, the service was operated for the most part by Whāngārei Bus Services. In 2007, the contract was released for open tender and was awarded to NZ Bus Ltd.

In July 2008 the CityLink service was launched. Whāngārei saw a fleet of ten brand new, low floor, low emission buses introduced to the service, with CCTV on board, news and weather highlights, and an electronic ticketing system. Along with the introduction of the new operation, fares were increased by up to \$1 per trip.

The table below provides a snapshot of patronage from date of inception to the end of the 2012/2013 financial year:

	YE June 2001	YE June 2008	YE 2012	YE June 2013
Passengers carried	79,972	247,954	297,315	305,737
Farebox revenue	\$155,854	\$347,856	\$646,623	\$670,062

In order to align with the then NZTA 2012/2015 Regional Land Transport Programme timing requirements, budgets were compiled and approved nearly two years ago. The passenger budget was based on the extension of the previous three years, which had shown a continued upward trend. Over the past two years however, this trend has started to flatten out. Recognising that patronage growth has now slowed, staff have been working on a number of operational and marketing initiatives to stimulate growth. These initiatives were reported October 2013. Staff would be happy to respond to any queries for further information in this regard.

Farebox revenue budgets were set on the basis that a fare increase would be implemented on 1 July 2013. However in recognition of the depressed economic environment, this was not introduced. In 2011 the CityLink service was rationalised with poorly patronised trips being removed. This resulted in a reduction to the contract price.

The original contract signed with NZ Bus was for a “five plus three year term”. In late 2012, in accordance with the provisions of the original contract and based on the performance of the existing operator, the NRC approved the extension of the contract for the remaining three years. A new contract price was negotiated and formalised

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which included provision for the NZTA calculated passenger transport inflation indices. The new contract price came into effect on 1 July 2013.

This contract expires on 30 June 2016, and will be required to go out to tender. Staff will begin the tender process in late 2014/early 2015.

**Subsidisation of Public Transport Services:** In response to a question raised at the October 2013 council meeting as to how passenger transport subsidies are secured, please find below a brief overview. More detail detailed information can be provided if required.

**Attachment D** "Process for National Funding Assistance Allocation" provides a more detailed description on how the government allocates the available funding to land transport activities which includes public passenger transport.

Under each Regional Land Transport Plan (RLTP) council applies for funding for public passenger transport related activities in Northland. For contracted bus services, national subsidies are presently only approved for the CityLink Service in Whāngārei.

For the 2012/2015 period, there has been no increase in the level of subsidy received for this service. NZTA have indicated that due to funding restrictions, existing services must continue to operate under their present funding allocations and it is anticipated that this trend will continue into the 2015/2018 funding period.

For any new applications for national funding support, the approved authority must apply to the NZTA and in doing so must prove that the service/services to be provided meets the government's outcomes and priorities as detailed in the relevant Government Policy Statement (GPS).

As the GPS presently acknowledges new service eligible for national funding are those that assist in alleviating congestion in the large urban areas, there is very little if any chance of the smaller regions receiving additional funding.

A good example of this is the council's applications to NZTA to provide national funding assistance for the Kaitāia bus service. All applications to date have been turned down as the service does not meet the government's objectives as set out in the GPS.

In addition to the above; where an existing operator is seeking national funding assistance, NZTA requires that a business case is provided with a funding application and that the approved authority provides detailed information pertaining to the rationale and cost efficiencies gained by not putting the service out to tender.

**Road Safety Update**

There have been 225 road fatalities recorded nationally year to date (to 25 November). At the same time last year there were 266. The Northland road toll stands at 18 fatalities: Far North (8), Whāngārei district (7) and Kaipara district (3). There were 15 road fatalities for the same period last year for Northland.

The NRC continues to work closely with road safety partners across the region. Various safety projects are being planned for the summer and extended holiday period. Some of these projects involve enforcement, education activities and events targeting speed, alcohol, and vehicles on beaches issues, fatigue stops, and pedestrian related projects.

Coffee Brake a project targeting fatigued drivers is soon to be relaunched with various changes made to it. It will be restricted to a maximum of 12 cafés participating and located mainly on the state highway network on or near high volume rural roads where the greatest risks of fatigue related crashes have been occurring. This will also allow better promotion of the participating cafés and the generous sponsors and suppliers of milk and coffee that make this project possible.

Three staff have now completed both the Traffic Controllers (TC) and the Site Traffic Management Supervisor (STMS) training courses. These qualifications and knowledge are required when managing sites such as 'Fatigue Stops' on state highways or when staff are involved in road side inspections. These situations require strict processes to be in place and adhered to for both personal safety and employer legal and health and safety responsibilities. The comprehensive courses also give a better understanding of the risks at road works sites and the knowledge to develop and submit traffic management plans for approval to local traffic management co-ordinators.

## **NAVIGATION, SAFETY AND MARITIME OPERATIONS**

### **Oil Spill Preparedness and Response**

An abatement notice that had been issued earlier to a Tier 1 fuel site operating on Pukenui Wharf in Houhora was withdrawn after the site operator complied with requirements.

The harbourmaster attended a two day workshop organised by Maritime New Zealand on international oil pollution funds and liabilities.

One maritime officer attended an oil spill response supervisory training course conducted by Maritime New Zealand in Auckland.

### **Port and Harbour Safety**

Three hot work permits were issued during this period.

Two ships were piloted safely in and out of the Bay of Islands.

The six-monthly Bay of Islands harbour safety meeting was held during this month.

Staff from Maritime New Zealand provided a presentation on a vessel certification and audit system called 'Maritime Operator Safety System' which is to be implemented in mid-2014, replacing the existing 'Safe Ship Management' system.

The annual harbour wardens' meeting and training seminar was held at the Bay of Islands Yacht Club. The wardens were briefed on safety and moorings issues and were also given a presentation by biosecurity officers on the current problem with fan worm and what to look for.

The harbourmaster provided navigational advice regarding a resource consent for mussel farms.

Formal enforcement was carried out against a "kayak for hire" provider operating against advice in the Bay of Islands.

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**Maritime Incidents, Enforcement and Safety**

Staff dealt with 11 maritime incidents during this period. Two verbal warnings were issued to skippers involved in separate navigational near miss incidents. A vessel that appeared to be abandoned and in danger of sinking on its mooring was recovered and secured ashore by staff; the owner is yet to be identified. An incident involving two sailing vessels reportedly passing dangerously close to each other is being investigated by staff and Maritime New Zealand. All incidents were dealt with in accordance with maritime incident procedures.

**Aids to Navigation**

Kerikeri beacon refurbishment is underway with the replacement of old piles, and with the fabrication of new top marks. A new aluminium top mark was installed on the port hand beacon on Motupapa Island (Cocked Hat) Kerikeri with a new Vega light.

The number of swimmers participating in the annual Ocean Swim series prompted a request by supporters for the installation of buoys to aid them in their preparation. New marker buoys were laid for this purpose.

The Ripiripi port light in the Houhora harbour was reported as extinguished, a new battery was installed and the light is now operational.

**Moorings**

A new licence agreement between council and the mooring contractors has been finalised based on recent legal advice.

Improvements have been made to the 'Moorings for sale/rent' section of the council website.

A recent site inspection of Whangaroa harbour was carried out as part of the 'clean-up' of moorings that are well overdue for service (possibly leading to cancellation and removal if the moorings remain non-compliant with the service requirements). A similar inspection is scheduled for Mangonui harbour in December.

An appeal for assistance from mooring owners in the recent moorings newsletter has resulted in several offers from owners willing to allow vessels to be placed on their moorings at the harbourmaster's request. This gives staff more options when dealing with cases of damage to moorings/vessels or when there are problems with moored vessels colliding into each other.

**Other**

Skipper assistance was provided to other departments for site visits to the Bay of Islands, Whāngārei and Kaipara harbours and to the Pouto Lakes for marine pollution, water quality and fanworm checks.

## 5.7 COMMUNITY REPRESENTATION AND ENGAGEMENT

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### **Te Taitokerau Regional Māori Advisory Committee**

Council resolved set up a working party<sup>[1]</sup> to scope the development of Te Taitokerau Regional Māori Advisory Committee, initially proposed to be a standing committee of council. An initial meeting between Cr Samuels and staff (GM Planning and Policy, SPM Tangata whenua and Iwi Liaison Officer) has occurred. The output from that meeting (a draft structure and scope of the committee with questions to be answered through further engagement with Māori and council) is the subject of agenda item 8.4 at this meeting of council.

### **Review of Late Submissions Policy**

In June 2012 the council adopted a policy to help guide decision-making about the treatment of [late submissions](#)<sup>2</sup> received as part of a Local Government Act 2002 or elective consultation process. The need for a policy arose from concerns about the increasing number of late submissions, and the effect these can have on efficient council administration and costs, consultation programme management, and decision-making processes. The focus of the policy is to provide greater certainty, clarity and common understanding for submitters, elected members and council staff in the treatment of late submissions.

At the time of policy adoption, the council directed the policy be reviewed in 15 months' time. Staff have now reviewed the policy and do not recommend any changes. The policy was relevant in two consultation processes during the past 15 months:

- Draft Annual Plan 2012-2013: No late submissions were received.
- Representation Review Initial Proposal: Late submissions were received, but none triggered restrictions set out in the policy, so were treated as timely submissions.

The Moorings & Marinas Strategy is currently the subject of a consultation process and submissions must be received by 16 December 2013. Staff will assess and treat any late submissions in line with the policy.

### **Appointments to LGNZ National Council**

Local Government New Zealand announced on 18 November 2013 that there were two nominations for the two positions of Zone 1 representatives on its National Council. Councillor Penny Walker of Auckland Council and Mayor John Carter of the Far North District Council have been declared elected to the National Council. The appointments took effect from 7 December 2013 and will be effective until their successors assume office.

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<sup>[1]</sup> "That Councillor Samuels be appointed the Chairman of a working party to prepare a brief (including budgets) for council regarding the development of a Māori liaison/advisory committee."

<sup>2</sup> See [www.nrc.govt.nz/Resource-Library-Summary/Plans-and-Policies/Annual-plan-and-policies/Late-Submissions-Policy/](http://www.nrc.govt.nz/Resource-Library-Summary/Plans-and-Policies/Annual-plan-and-policies/Late-Submissions-Policy/)

## 5.8 SUPPORT SERVICES

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### PUBLIC COMMUNICATIONS

#### Media and Publications

Northland's media was monitored for items of interest to the council. Media releases were sent to appropriate media concerning the following:

- Bay of Islands rubbish barge back for summer
- Summer swim spot surveying soon
- Public input sought on regional moorings rethink
- Northland shares in software excellence award
- Kerikeri, Whāngārei latest flood maps released
- Down on the farm' latest Enviroschools annual expo
- Joint media statement on behalf of Far North, Kaipara and Whāngārei District and Northland Regional Councils (*Northland local government reform proposal announcement*)
- Expanded tsunami siren network for Mangawhai (*Media release issued on behalf of the Northland Civil Defence Emergency Management Group*)
- Monthly pest watch column in Whāngārei Leader: Mexican devil
- Monthly land management column in Rural Advocate and Northern Farming Lifestyles: Poisonous pasture weed invading Northland.

#### Publications completed during November:

- Update of two management fact sheets (*Poplars and willows* and *Building and maintaining farm tracks*)

During November work commenced on the next Regional Report (due out in December). The eight-page edition includes three pages on the Local Government Commission's draft reorganisation proposal for Northland. There are also two pages related to summer boating, plus stories on a range of topics including an RPS update, Enviroschools Green-Gold achievements, a Waiora Northland Water update, and possum traps being made by offenders in Ngawha correctional facility.

### ONLINE CHANNELS

#### Website monthly usage – [www.nrc.govt.nz](http://www.nrc.govt.nz):

#### Highlights

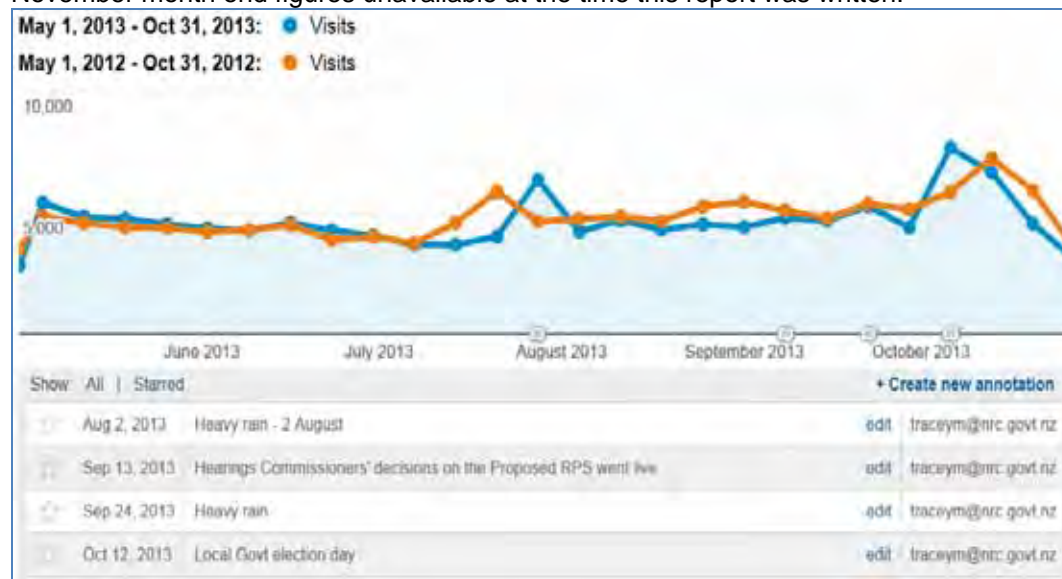
- Mobile friendly website – Changes have been made to the website to enable an optimal viewing experience on a range of mobile devices (e.g. smartphones and tablets). The changes make navigation easier on these devices with a minimum of resizing, panning, and scrolling. The site will detect what device is being used to view it and will choose the best layout that best fits that screen size.
- Civil Defence branding changes – The civil defence section of the website has been rebranded using the national blue and yellow civil defence brand.

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**# Visits to the NRC website (compared to the same period last year):**

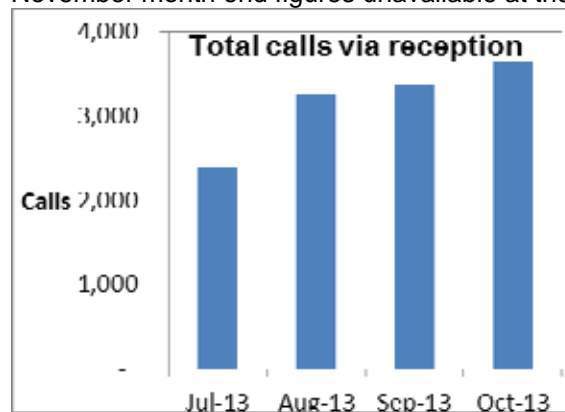
November month end figures unavailable at the time this report was written.



Key Performance Indicators	Jul-13	Aug-13	Sept-13	Oct-13
<b>WEB</b>				
PDF documents downloaded (Transactions)	2,287	2,018	2,877	3,214
\$ Print value of documents downloaded	\$4,101	\$4,358	\$29,984	\$30,648
E-payments made	2	7	4	7
GIS Service - Number of unique visitors	319	309	308	368
GIS Service - Number of visits	596	522	520	645
# subscription customers (cumulative)	786	815	826	861
<b>SOCIAL MEDIA (cumulative)</b>				
# Twitter followers	557	572	585	596
# NRC Facebook fans	309	319	339	347
# CDEM Facebook fans	399	406	476	487
# CoastCare Facebook fans	98	101	105	107

**CUSTOMER SERVICES**

November month end figures unavailable at the time this report was written.



**EVENTS****Kerikeri New World Rotary Garden Safari**

The biosecurity team had a display at one of the gardeners in the annual Kerikeri Garden Safari held on 2-3 November. The display focused on pest plants, primarily eradication and exclusion plants and the 'Plant Me Instead' booklet. Staff from Whāngārei and Kaitāia interacted with lots of keen gardeners wanting to learn how to remove pest plants from their garden. The communications team assisted with developing new display material.

**Bay of Islands A and P Show**

Council exhibited at the Bay of Islands A and P Show in Waimate North on 2 November. The display focused on biosecurity pest animals and pest plants and land management topics, including an interactive map showing farmers water quality improvement plans. The event was well-attended and council received a number of enquiries and positive feedback from visitors. Biosecurity staff from Kaitāia, land management and communication staff from Whāngārei were kept busy answering questions throughout the day.

**Upcoming Events**

Councillors have requested a combined calendar of upcoming public events that the council is involved in. We are currently developing a system so that a complete list can be co-ordinated and published in advance in this report in future.

Public events currently registered with the Events Co-ordinator (where the council has a role) as at 25 November are:

Event	Date	Department represented	NRC Role	Description
<b>JANUARY</b>				
No events currently registered.				
<b>FEBRUARY</b>				
Kaitāia A & P Show	22 Feb	Biosecurity & Land	Exhibitor	Display on pests, weeds and any other topical issues for the area.
Northland Field Days	27 Feb-1 Mar	Community, Land, Biosecurity, Coastal	Exhibitor	Large 3 day event, themed, covers many aspects of what we do rurally
World Wetland Day (Kaitāia)	27-28 Feb	Biosecurity, Land, EnviroSchools	Exhibitor	Assist with display items and promotional material.
<b>MARCH</b>				
NZ Dairy Industry Awards Dinner	26-Mar	Land	Sponsor	Award dinner where the winners of the NZ Dairy Awards are announced.



**ENVIRONMENTAL EDUCATION****Northland Regional Council Environmental Curriculum Awards**

Twenty-three Northland Regional Council 2013 Environmental Curriculum Award-winning schools reported back on their Environmental Education projects recognised and funded through this year's awards.

**Northland Regional Council School Visits**

School visiting this month covered Kaipara Harbour water quality, issues and what students could do to contribute to improving this. Environmental Education and Land Management staff were involved.

**ENVIROCHOOLS****Enviroschools Expo held – Down on the Farm**

On 5 November, the 2013 Whāngārei Enviroschools Expo was held at the Kokopu property of award-winning brother and sister farmers Charmaine and Shayne O'Shea. (A second expo, planned for Taupo Bay on Thursday 7 November, had to be cancelled due to bad weather.)

This year's theme was 'Down on the Farm' and covered agricultural issues including looking at sustainable farming practices, the roles wetlands play, pest management, effluent treatment and supplementary feeding. More than 100 students, teachers and whānau (family) from the wider Whāngārei area, (including Parua Bay across to Tangowahine and Ruakaka), participated in the event.

Staff from the community relations, land management and biosecurity teams joined with Mr O'Shea and his staff to run the hands-on action stations.

**Enviroschools WaiRestoration Teacher Leadership Group meets**

A meeting of the WaiRestoration Teacher Leadership Group was held on 14 November in Taheke. Agenda topics included: growing and planting out native plants (WaiNurseries component), preparing plans for teaching and learning, data collection for the WaiMonitoring component, steps to embedding WaiRestoration in schools, funding, working with iwi and ways to involve the community.

**Ruakaka School strikes Enviroschools Green-Gold**

The Enviroschools Programme provides a structure and a set of tools for acknowledging progress and celebrating student-led action and learning. This framework, beginning with Bronze, then Silver, through to Green-Gold, is also a way to inspire and engage the wider community.

On 18 November, a Green-Gold in-school reflection session took place at Ruakaka School involving the principal, teachers, board of trustee chairman, caretaker, librarian, whānau (family), students and a representative from Enviroschools Auckland. The evidence presented at the reflection session proved that Ruakaka School is indeed at the Green-Gold level.

The school feels like a living eco-system, Māori perspectives are enriching their journey, students have a strong connection to the environment and they know that they can effect change for a sustainable world. Among Ruakaka's various sustainability initiatives are the student 'power police' who have saved the school hundreds of dollars by auditing its electricity use. Other students fill a similar role auditing waste and the school has its own beehive, chickens, edible gardens and orchard.

**Facilitation of Enviroschools communities**

In addition to the above actions, Enviroschools facilitators have worked in the following school communities during November: Bay of Islands Academy, Hurupaki, Kaitaia College, Kamo Intermediate, Kamo Primary, Kura o Kaikohe, Northland College, Onerahi, Oromahoe, Otaika Valley, Ruakaka, Taipa Area School, Te Rangi Aniwanuiwa and Whāngārei Heads.

**IWI LIAISON****Environmental Management Plan Fund**

A contract with the Patuharakeke Trust Board was signed in June to review their existing Hapu Management Plan.

The first milestone *“Desktop review of existing plans and gaps analysis”* was completed with a report submitted to council.

Milestone two and three were due to be completed by the end of December, however, due to heavy commitment to the Waitangi Tribunal hearings into the Whāngārei hapū collective, the Trust Board has sought an extension to the contract.

Discussions are currently taking place to extend the contract deadline by one month, thereby extending the deadline of milestones two and three out till February.

**Joint Iwi Monitoring Fund**

The Puhipuhi/Whakapara project to test for the presence of heavy metals in water commenced in August this year and is due to run over a 12 month period. Concurrently to this, two sediment sampling events will also happen during the summer period.

To date preliminary water sampling results indicate that the heavy metal results are currently within the guideline limits, apart from zinc at one site which was slightly over the guideline limits on two sampling occasions.

However these results are not conclusive. The full year's sampling results will need to be analysed in conjunction with the two sediment sampling events and weather conditions to gain a full picture of the presence and rate of, heavy metals in the river systems.

**Treaty Settlements**

Stage two, week six of the Waitangi Tribunals hearings into the Northern Claims District; Te Paparahi o Te Raki will be held in Whāngārei during December. The December hearings will be held at Korokota Marae in Mangakahia and will cover the evidence of the Mangakahia Taiwhenua collective.

**Meetings**

The Iwi Liaison Officer along with council staff attended a community meeting in Poutō to discuss the council's Waiora Northland project and the possibility of establishing a catchment group in this area. The meeting was well attended with consensus that a local catchment group would be well supported.

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**Treaty of Waitangi – Staff Training**

Robert Consedine of Waitangi Associates ran a Treaty of Waitangi Workshop at the end of November. Thirteen council staff attended with six Kaipara District Council staff members also attending. This workshop follows on from a workshop held earlier in the year which was also well attended.

**Nga Kaitiaki O Nga Wai**

Very positive feedback was received regarding council officers and funding of Nga Kaitiaki O Nga Wai as follows:

“On behalf of Nga Kaitiaki O Nga Wai Maori, I wish to acknowledge and thank NRC for providing funding to support the launch of our Tuna Report and also for the attendance of Katrina Hansen and Bruce Griffin on the day. We also appreciate the on-going support the NRC provided via Rachel, Katrina and Bruce.

Thanks also to Bruce for bringing NRC's Waiora Northland signs as these messages all help in educating our communities which supports the wider kaupapa of water conservation and projects being led by our hapu which reflect those aspirations of Nga Kaitiaki O Nga Wai Maori.”

**LGOIMA's****Local Government Official Information and Meetings Act requests November 2013**

Name	Parent
Caesar B LGOIMA request for information on exploration permit 54783	Consents
Dr S Girardet LGOIMA request for information relating to boundaries of environmental risk factors at Whirinaki and Koutu Point	Rivers
Dr S Girardet LGOIMA request for planning information relating to a new school development at Koutu Point	Planning and Policy

## **HUMAN RESOURCES**

### ***Health and Safety***

No accidents/incidents (including motor vehicle related ones) were reported during the month.

Applicable staff have attended the relevant training to complete a Dangerous Goods endorsement as per the HSNO Act requirements when transporting more than 50 litres of chemicals.

The annual mole and skin examinations for field staff have been completed.

On-going health and safety related training and education is continuing.

### ***Terminations:***

Leonie Eruera, EDRMS Programme Manager finished her employment with the Council on 22 November 2013. Leonie left to take up a position with Ashburton District Council.

Paula Munn, Catering/Canteen Officer finished her employment with the Council on 29 November 2013. Paula leaves due to medical issues.

### ***Appointments:***

Michelle Grant commenced employment as Consents/Monitoring Officer – Water and Waste on 18 November 2013.

Murray Soljak commenced fixed term employment as Communications Officer on 25 November 2013.

Nick Banford, student commenced summer employment on 22 November and will be based in SOE working 3 days per week. Additionally William Bowden and Izelder Mulder commenced employment on 25 November 2013 and will be based in Hydrology. More students start on 2 December 2013. All students are employed for a 12 week period through until February 2014.

### ***Vacancies:***

The positions of River Engineering Technician and EDRMS Programme Manager are currently being advertised internally and externally with applications closing on 5 December 2013.

### ***Employment Relations:***

Consultation on further changes to both the Collective Employment Agreement and the Individual Employment Agreement is currently underway. Changes are in relation to police criminal checks and medical terminations.

## **FINANCE AND IT**

### ***Fraud declaration***

Fraud is an intentional act by one or more individuals among management, those charged with governance, employees, or third parties, involving the use of deception to obtain an unjust or illegal advantage. I am not aware of any fraud nor am I investigating any incidence or suspected incidence of fraud at this time.

### ***Finance***

Due to the early nature of the 10 December Council Meeting, the November financial report will be distributed to councillors by Thursday, 12 December 2013.

Eriksen and Associates have advised that following their presentation to the 19 November Council Meeting, the alternative assets in the Community Investment Fund (CIF) were reviewed in more depth and their value reduced by \$152K to \$149K. As a result of this revision the overall value of the CIF as at 30 September 2013 was reduced from the \$11.2M originally presented to \$11.08M.

### ***IRIS***

The Integrated Regional Information System (IRIS) is one of the largest local government shared-services projects ever undertaken in New Zealand. The project has won two awards during November - the 'Joined Up Local Government' Excellence Award at the Society of Local Government Managers annual meeting and the 'Collaboration' Award at the Association of Local Government Information Managers annual conference.

The Northland Regional Council's role in a large-scale IT success story has been recognised with national awards for excellence in collaboration. The award is shared by six regional councils who have worked together to develop and share specialist technical software needed for their core functions.

The IRIS application continues to operate as expected and knowledge of the application continues to increase.

Taranaki Regional Council went live with their implementation of IRIS during November as planned. Environment Southland is the next council scheduled to go-live with the IRIS application in early December.

### ***Infrastructure***

The installation of the generator that will provide an emergency supply of electricity has now been completed and it was commissioned on 24 November. Disaster Recovery (DR) testing has also been successfully completed.

A proposal has been prepared to replace our backup tape system with a new disk to disk snapshot based system, and also we are in the final stages of preparing a proposal to trial Microsoft Lync as a Telephony/PABX replacement.

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**Compliance with decision making processes:**

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan, and as such are in accordance with the council's decision making process and sections 76 to 82 of the Local Government Act 2002.

**Recommendation:**

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That the Chief Executive Officer's report dated 29 November 2013 be received.

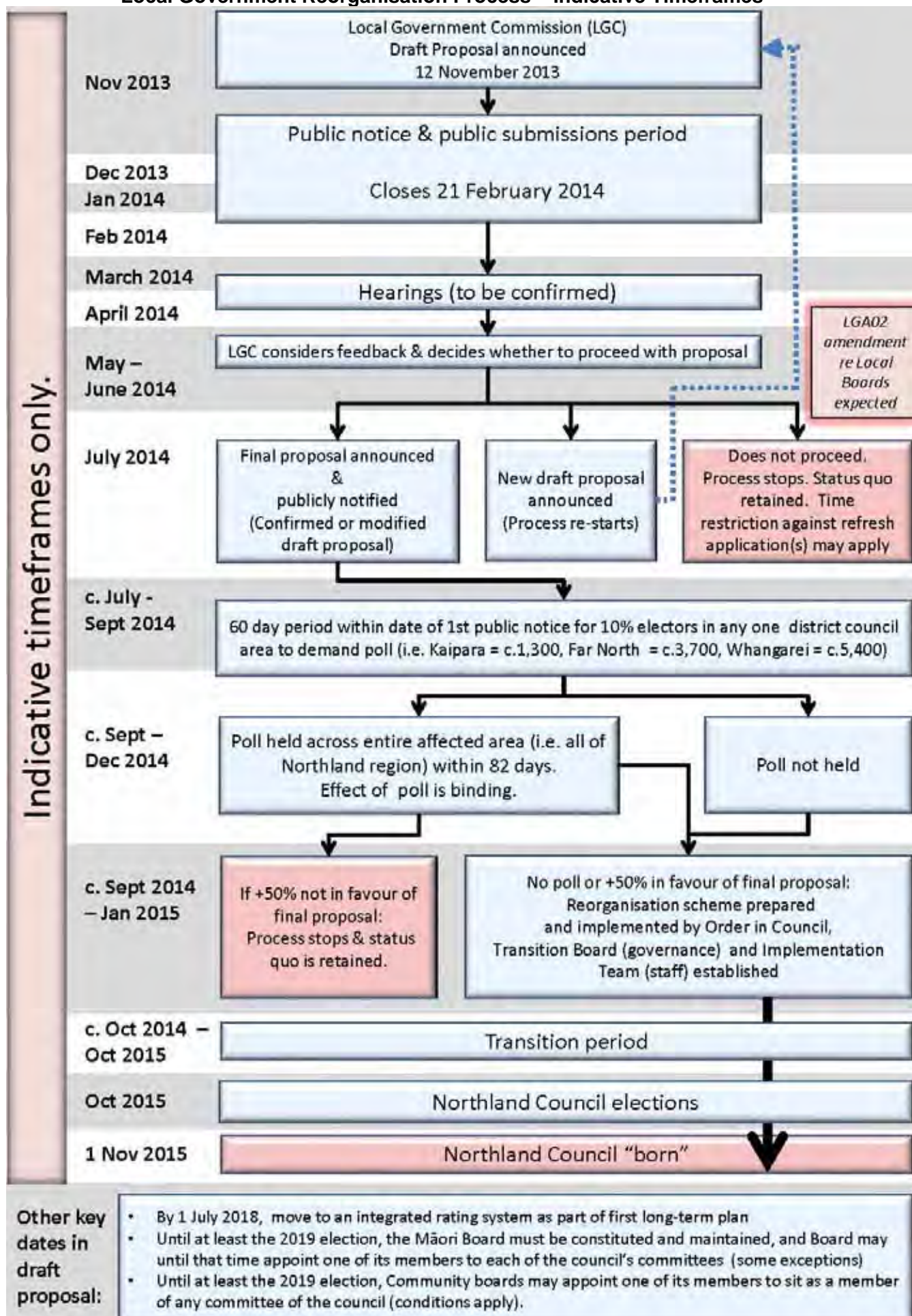
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**ATTACHMENTS**

- A.** Local government Reorganisation Process – Indicative Timeframes.
- B.** Detailed information – Consents decisions and progress on notified applications in process, objections and appeals.
- C.** Environmental Monitoring for the period 1 – 22 November 2013
- D.** Process for National Funding Assistance Allocation



## Local Government Reorganisation Process – Indicative Timeframes







## ATTACHMENT B

## CONSENTS DECISIONS AND PROGRESS ON NOTIFIED APPLICATIONS IN PROCESS, OBJECTIONS AND APPEALS

The Consents/Monitoring Senior Programme Manager's report on resource consent decisions issued under delegated authority since 1 November 2013 is circulated to councillors under separate cover.

Progress on notified applications, objections, and appeals is as set out in the following tables:

### NOTIFIED APPLICATIONS

#### Progress on Applications Previously Notified

Applicant	Proposal	Progress
Far North Holdings Limited APP.008385.30.01	Various consents associated with a proposed pile berth extension of the Ōpua Marina	Forty submissions received, 23 in opposition, 13 in support, three neutral and one partial support/oppose submission. Fifteen submitters wish to be heard at a hearing with six submitters not indicating whether they wish to be heard or not. Processing timeframes have been extended at the applicant's request. Discussions with the applicant indicate that it will have determined the way forward for its application by the end of December 2013.
Kaipara District Council APP.009888.01.01 ( <i>"Boar Hill"</i> ) APP.009889.01.01 ( <i>"Cattlemount"</i> and <i>"Cattlemount Spring"</i> ) APP.003815.01.03 ( <i>Brynderwyn Stream</i> ) APP.007582.01.02 ( <i>Piroa Stream</i> )	To authorise existing water takes for the public water supply of Maungaturoto. In addition, new consents are also being sought for a proposed stream flow monitoring weir	<b>Boar Hill/Cattlemount:</b> Four submissions received on each set of applications, one in opposition, one in support and two neutral. Two submitters wish to be heard. <b>Brynderwyn/Piroa:</b> Five submissions received, one in opposition wishing to be heard, and four has been in support not wishing to be heard.  Agreement reached with the applicant on draft conditions. Discussion with submitters being undertaken in attempt to resolve issues. Council should be able to determine whether a formal hearing is required by 20 December 2013.
Far North District Council APP.004007.01.03	East Coast Bays Wastewater Treatment Plant (Taipā) replacement discharge consents	Fifty-four submissions received, 24 wishing to be heard and 30 not wishing to be heard. Most of those oppose the current operation of WWTP. The applicant has allocated budget for an upgrade to the existing WWTP and has undertaken an investigation into potential upgrade options. The applicant is proposing to reopen discussions with submitters in late November 2013 on a way forward with this application. It is very likely though that a formal hearing will be required. Depending on the results of discussions with submitters, the Council will discuss tentative dates for a hearing with the applicant in February 2014.

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<b>Applicant</b>	<b>Proposal</b>	<b>Progress</b>
Li Liangren Family Trust APP.024253.01.01	Earthworks and stormwater consents for 118 lot subdivision at Tinopai	Six submissions received (one late) with five being in opposition and one neutral. Four submitters wish to be heard. Joint applications for subdivision with the Kaipara District Council (KDC) as lead authority. Hearing delayed pending receipt of further information sought by KDC. Hearing date delayed at request of applicant for it to carry out further investigation of a number of ecological matters. The deadline for provision of this information is currently under discussion with the applicant.
B C Taylor APP.015366.01.02	Use of a coastal structure (building) for accommodation and community hall at Whakapirau	Nine submissions received, two in support and seven in opposition. Six submitters wish to be heard. Issues between the applicant and the Kaipara District Council (KDC) associated with the designation of the land have been resolved. The applicant is still resolving issues over ownership of the building with the KDC and has been granted an extension of time under section 37 to enable this. The applicant is hopeful that this will be concluded by the end of November 2013.
Millpara Avocados Limited APP.014520.01.02 APP.014520.02.01	Increase in existing groundwater take for avocado irrigation purposes, Paparore, Far North	Twelve submissions received within time, with one submitter wishing to be heard. Nine are in opposition, one in support and two neutral. One further (late) submission in opposition received. With the approval of the applicant, the council has placed the application on hold to determine the additional information requirements required to assess the adverse effects on other groundwater users that were raised in submissions. As a result of the council's assessment of possible options regarding additional information, the applicant has requested that the council proceed with processing the application to take water from its existing bore while leaving the other application to take water from a new bore on hold until the reassessment of the Aupouri groundwater resource being undertaken by council is complete. The Council has circulated this proposal along with draft conditions to submitters with a request to respond by 25 November 2013.
Whaingaroa Fisheries Company Limited APP.008120.01.01	Marine farm (fish and shellfish) at Owhanga Bay, Whangaroa Harbour	A total of 310 submissions received (two late) all in opposition, with 107 submitters wishing to be heard. Some have requested independent commissioners under section 100A to hear the proposal. A hearing date of 17 March 2014 has been set and the 4 November 2013 deadline for provision of information sought from the applicant under section 92 has been extended.

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<b>Applicant</b>	<b>Proposal</b>	<b>Progress</b>
New Zealand Refining Company Limited APP.008319.16.01	Proposed stormwater basin overflow spillway and discharge of treated stormwater	One submission received, not wishing to be heard and in support of the application. To be decided under delegated authority. Discussions are currently being conducted with the applicant to finalise conditions of consent prior to the council issuing consent, with a decision expected to be issued by the end of 2013.
Far North District Council APP.036327.01.01	Browns Road bridge, south-east of Kaikohe, replacement	Decision issued under delegated authority on 21 November 2013.
Robinia Investments Limited APP.036304.01.01	Beach replenishment and groyne at Clendon Cove, Bay of Islands	No submission received. Application to be decided under delegated authority. Decision anticipated to be issued by 29 November 2013.
New Zealand Transport Agency APP.030711.01.01	State Highway 1 realignment at Akerama, Hukerenui	Five submissions received, with one in opposition and wishing to be heard. Discussions are being held between the applicant and this submitter toward resolving the outstanding issues. A Cultural Impact Assessment is being sought on the impact of iwi.

**APPEALS/OBJECTIONS**

<b>Applicant</b>	<b>Proposal</b>	<b>Progress</b>
Poutō Farms Limited APP.021258.01.01	Flood protection works at Kaihū River	Objection to decision to return application documents as incomplete, but the applicant is still seeking stay of hearing, pending receipt of flood model data to enable completion of application detail.
Mangawhai Harbour Restoration Society APP.026844.01.01	Removal of 87 hectares of mangroves from Mangawhai Harbour and channel dredging	Appeal lodged by the applicant. Thirteen section 274 parties. Environment Court assisted mediation was held on 14 September 2011. There was no resolution and the appeal hearing commenced 30 April 2012. An interim decision has been issued by the Court declining the consent sought for dredging and indicating that consent might be forthcoming for three, possibly four, mangrove removal sites subject to satisfactory responses from the parties on conditions, mapping in one area and a jurisdictional question posed by the Court. Upon provision of these responses, the Court then directed the applicant to make a number of amendments to conditions. This has been done and it is anticipated that the Court will now issue its final decision in due course.

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<b>Applicant</b>	<b>Proposal</b>	<b>Progress</b>
Westpac Mussels Distributors Limited APP.029371.01.01	94.05 ha marine farm (mussels, mussel spat catching, and oyster depuration and growing) west of Stephenson Island, near Whangaroa Harbour	Appeals lodged by Yachting New Zealand and Whangaroa Maritime Recreational Park Steering Group (WMRPSG). A number of section 274 parties have attached to the WMRPSG appeal. Environment Court hearing set for 9 December 2013.
J K Upperton APP.008867.01.02	Earthworks in the Riparian Management Zone relating to a construction of a proposed dwelling and access	Appeal lodged by A Hamilton relating to notification decision, significance of site to Maori and cultural values and effects on kai moana. A mediation conference has been scheduled for 12 December 2013 by the Environment Court.
Whāngārei District Council, Parks Division APP.030692.01.01	Proposed boatramp and reclamation at Pātau North estuary	Appeal lodged by Te Waiariki Ngati Korora, Ngati Taka Pari Hapu. The Environment Court has directed a full report on progress be provided to it by the parties by 13 December 2013.

## ATTACHMENT C

## Environmental Monitoring for the period 1 – 22 November 2013

## ABBREVIATIONS KEY

<b>WDC</b>	Whāngārei District Council	<b>FNDC</b>	Far North District Council	<b>KDC</b>	Kaipara District Council	<b>DOC</b>	Department of Conservation
<b>NPC</b>	Northland Port Corporation	<b>NZRC</b>	NZ Refining Company	<b>NRC</b>	Northland Regional Council	<b>FNHL</b>	Far North Holdings Ltd
<b>CH</b>	Consent Holder	<b>STS</b>	Sewage Treatment System	<b>POD</b>	Point of Discharge	<b>PA</b>	Permitted Activity
<b>ESCP</b>	Erosion and Sediment Control Plan	<b>RAQP</b>	Regional Air Quality Plan	<b>RWSPN</b>	Regional Water and Soil Plan for Northland		
<b>RC</b>	Resource Consent	<b>CMA</b>	Coastal Marine Area	<b>RCPN</b>	Regional Coastal Plan for Northland		

**COASTAL ACTIVITIES** – No significant non-compliant events were recorded during the period 1 – 22 November 2013.

**DISCHARGES TO AIR** – No significant non-compliant events were recorded during the period 1 – 22 November 2013.

**DISCHARGES TO WATER OR LAND** – No significant non-compliant events were recorded during the period 1 – 22 November 2013.

**LAND USE ACTIVITIES** – No significant non-compliant events were recorded during the period 1 – 22 November 2013.

**WATER TAKES** – No significant non-compliant events were recorded during the period 1 – 22 November 2013.

## ADMINISTRATIVE NON-COMPLIANCES

Date	Consent Reference No.	Name	Description	Notes	Environmental Impact
30/10/2013	REG.000932.01	FNDC - Kaitāia STS	Discharge treated municipal sewage @ Kaitāia Sewage Treatment System	<ul style="list-style-type: none"> <li>The water samples taken from the receiving river environment did not indicate elevated contaminant levels.</li> <li>The upgrade of the treatment system has not been fully completed as required by the RC.</li> </ul>	Minor

**FARM DAIRY EFFLUENT DISCHARGES – CONSENTED**  
**Routine inspections of consented farms**

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Date	Consent Reference No.	Name	Description	Notes	Environmental Impact
15/10/2013	REG.009718.01	Mortlock P L & L M	FDE 2734 @ State Highway 1, Mata	<ul style="list-style-type: none"> <li>Water quality test results outside RC limits.</li> </ul>	Significant
16/10/2013	REG.009232.01	Hanerau Farms Ltd	FDE 1517 @ Paparoa-Oakleigh Road, Taipuha	<ul style="list-style-type: none"> <li>Untreated effluent from a sump discharged overland to water.</li> </ul>	Unknown
17/10/2013	REG.010840.01	Robinson D L & P E Ltd	FDE 7051 @ Heaton Road, Hikurangi	<ul style="list-style-type: none"> <li>Untreated effluent from a sump discharged overland to water.</li> <li>Effluent from feedpad pond leaked to land.</li> </ul>	Unknown
21/10/2013	REG.011613.01	Tuupari Farms Ltd	FDE 4234 @ State Highway 12, Ruāwai	<ul style="list-style-type: none"> <li>Inadequate management: stormwater, maintenance, baffle/t-piece, fencing.</li> </ul>	Unknown
21/10/2013	REG.013111.01	Tony Brcich Ltd	FDE 4329 @ Hodgson Road, Ruāwai	<ul style="list-style-type: none"> <li>Inadequate management: ditches overgrown with weeds, system upgrade not complete.</li> </ul>	Unknown
22/10/2013	REG.011534.01	Wood & Lawrie Ltd	FDE 4316 @ Tramline Road, Ruāwai	<ul style="list-style-type: none"> <li>Inadequate management: ponds, reticulation of effluent, t-piece.</li> </ul>	Unknown
23/10/2013	REG.009488.01	Inishbulfin Farm Limited	FDE 4438 @ Rehia Road, Rehia	<ul style="list-style-type: none"> <li>Water quality test results outside RC limits.</li> </ul>	Unknown
24/10/2013	REG.010536.01	Webb R R & S J	FDE 3040 @ Kokopu Road, Kokopu	<ul style="list-style-type: none"> <li>Water quality test results outside RC limits.</li> </ul>	Significant
24/10/2013	REG.009257.01	Kokich B M & C A	FDE 3042 @ Kokopu Road, Whāngārei	<ul style="list-style-type: none"> <li>Inadequate maintenance.</li> <li>Unauthorised discharge to old system.</li> </ul>	Unknown
25/10/2013	REG.009581.01	Fernhill Trust	FDE 4441 @ Tokatoka Road, Rehia	<ul style="list-style-type: none"> <li>Inadequate management.</li> <li>Treated effluent discharged to water in a manner not covered by RC.</li> </ul>	Moderate
29/10/2013	REG.012763.01	Mayflower Farms Ltd	FDE 1309 @ State Highway 12, Maungaturoto	<ul style="list-style-type: none"> <li>Water quality test results outside RC limits.</li> </ul>	Moderate
30/10/2013	REG.009618.01	Bickers D C & A M	FDE 4442 @ Tokatoka Road, Rehia	<ul style="list-style-type: none"> <li>Untreated effluent discharged to water down stormwater bypass.</li> </ul>	Significant

<b>Reasons for Significant Non-Compliance:</b>	Jul	Aug	Sep	Oct	Nov	Total
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Water quality test results outside consent limits	0	3	7	8	1	<b>19</b>
Untreated effluent discharged to water (e.g. feedpad; underpass; entry/exit race; stormwater bypass)	0	20	9	8	0	<b>37</b>
Discharge from irrigator to water	0	0	0	0	1	<b>1</b>
Excessive ponding; overland flow; discharge from irrigator into setback distances	0	3	2	2	1	<b>8</b>
Inadequate management (e.g. broken pipes, sump overflow)	0	2	3	7	1	<b>13</b>
High risk of adverse environmental effects (but no discharge to water at time of inspection)	0	0	3	0	0	<b>3</b>
Required upgrade not completed by due date	0	2	0	2	1	<b>5</b>
<b>Total</b>	<b>0</b>	<b>30</b>	<b>24</b>	<b>27</b>	<b>5</b>	<b>86</b>

**FARM DAIRY EFFLUENT DISCHARGES – NON-CONSENTED****Routine inspections of permitted activity (non-consented) farms**

Date	Consent Reference No.	Name	Description	Notes	Environmental Impact
04/10/2013	REG.802736.01	Rockelkaym Farms Ltd	FDE 7324 @ Gibbs Road, Puhipuhi	<ul style="list-style-type: none"> <li>Contingency storage was inadequate.</li> </ul>	None
11/10/2013	REG.800444.01	Wiremu Farm Ltd	FDE 2767 @ State Highway 1, Mata	<ul style="list-style-type: none"> <li>Untreated effluent from irrigator discharged via sub-surface drains to water.</li> </ul>	Unknown
17/10/2013	REG.800718.01	Rosslar Farms	FDE 7048 @ Heaton Road, Hikurangi	<ul style="list-style-type: none"> <li>Discharge from pond to water without RC.</li> <li>Breach of abatement notice.</li> </ul>	Unknown
18/10/2013	REG.864674.01	Bellamy J & J	FDE 4255 @ Simpson Rd, Ruāwai	<ul style="list-style-type: none"> <li>Untreated effluent discharged to land.</li> <li>Excessive ponding and overland flow due to pump failure.</li> </ul>	Unknown
23/10/2013	REG.864761.01	Dill M G	FDE 4450 @ Inch Road, Ruāwai	<ul style="list-style-type: none"> <li>System was discharging.</li> <li>RC expired in 2010.</li> </ul>	Unknown
25/10/2013	REG.801006.01	Tarnhowe Farms Ltd	FDE 8633 @ Inch Road, Tokatoka	<ul style="list-style-type: none"> <li>Pond leaked.</li> </ul>	Unknown
25/10/2013	REG.804561.01	Mathews E A	FDE 8628 @ Mititai Road, Dargaville	<ul style="list-style-type: none"> <li>Pipe to pond leaked effluent to drain.</li> <li>Pond leaked.</li> </ul>	Unknown



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				<ul style="list-style-type: none"> <li>New feedpad had no treatment.</li> </ul>	
30/10/2013	REG.801023.01	Donaghue M B & D B	FDE 8674 @ Hoyles Road, Arapohue	<ul style="list-style-type: none"> <li>Effluent from storage pond flowed overland to water.</li> </ul>	Unknown

Reason for Significant Non-Compliance:	Jul	Aug	Sep	Oct	Nov	Total
Untreated effluent discharged to water (e.g. feedpad; underpass; entry/exit race; discharge via stormwater bypass)	1	9	6	3	0	<b>19</b>
Unauthorised discharge of treated effluent to water	0	5	3	6	1	<b>15</b>
Discharge from irrigator to water	0	0	2	1	0	<b>3</b>
Excessive ponding; overland flow; discharge from irrigator into setback distances	0	6	9	2	0	<b>17</b>
No (or inadequate) contingency storage	0	2	0	1	0	<b>3</b>
Inadequate management (e.g. broken or blocked pipes; sump overflow; irrigator/pump maintenance)	0	1	1	4	0	<b>6</b>
High risk of adverse environmental effects (but no discharge to water at time of inspection)	0	1	1	0	0	<b>2</b>
<b>Total</b>	<b>1</b>	<b>24</b>	<b>22</b>	<b>17</b>	<b>1</b>	<b>65</b>

**SOE MONITORING – AIR, LAKES AND WATER**

Classification	Date	Project	Notes
<b>Air Quality</b>	7/11/2013	Whāngārei Airshed - Ambient Air Monitoring	<ul style="list-style-type: none"> <li>Continuous ambient air monitoring results for PM<sub>10</sub>, carbon monoxide and sulphur dioxide at the Robert Street site, Whāngārei, indicated compliance with the National Environmental Standard in October 2013.</li> </ul>
	12/11/2013	Marsden Point Airshed - Ambient Air Monitoring.	<ul style="list-style-type: none"> <li>Continuous ambient air monitoring results for PM<sub>10</sub> at the Bream Bay College site, Ruakaka, indicated compliance with the National Environmental Standard in October 2013.</li> </ul>
<b>Estuarine Monitoring</b>	14/11/2013	Estuarine Monitoring Programme - (Kerikeri Inlet)	<ul style="list-style-type: none"> <li>Quarterly monitoring of sediment plates was conducted at NRC's estuary monitoring sites in the Kerikeri Inlet.</li> </ul>
<b>Local Water Quality Monitoring Network (LWQMN)</b>	13/11/2013	Poutō Lakes	<ul style="list-style-type: none"> <li>Routine monthly water quality monitoring of Lakes Mokeno, Karaka, Wainui, Kahuparere, Kanono, Rotokawau, Humuhumu, Swan and Rototuna.</li> </ul>

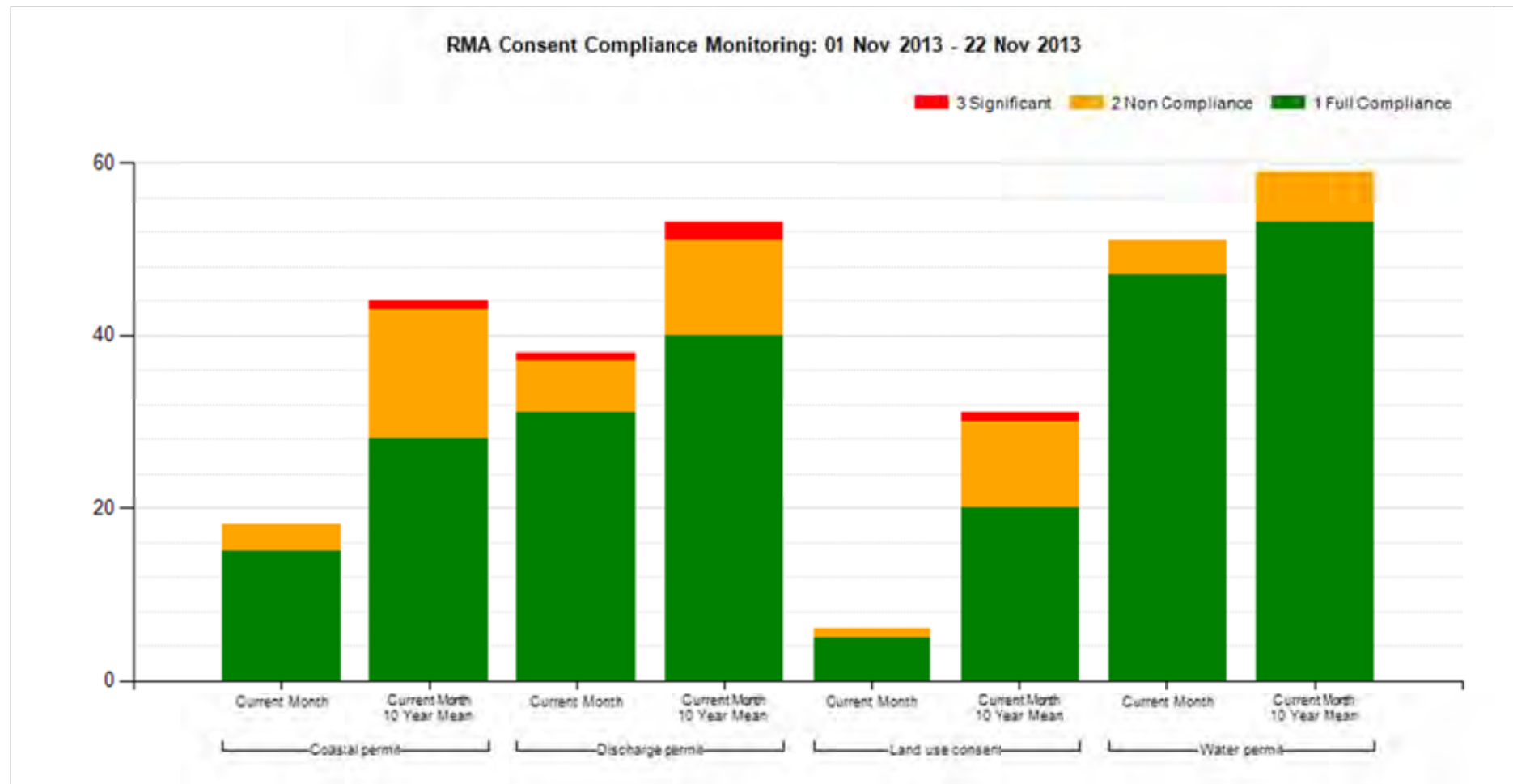
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<b>Regional Water Quality Monitoring Network (RWQMN)</b>	20/11/2013	Regional Water Quality Monitoring Network - Western	<ul style="list-style-type: none"> <li>• Routine monthly water quality monitoring of Kaihu, Waipoua, Waimamaku, Punakitere, Utakura, Mangakahia and Opouteke Rivers.</li> <li>• River levels were low and therefore clarity was good in all rivers except for the Utakura River.</li> </ul>
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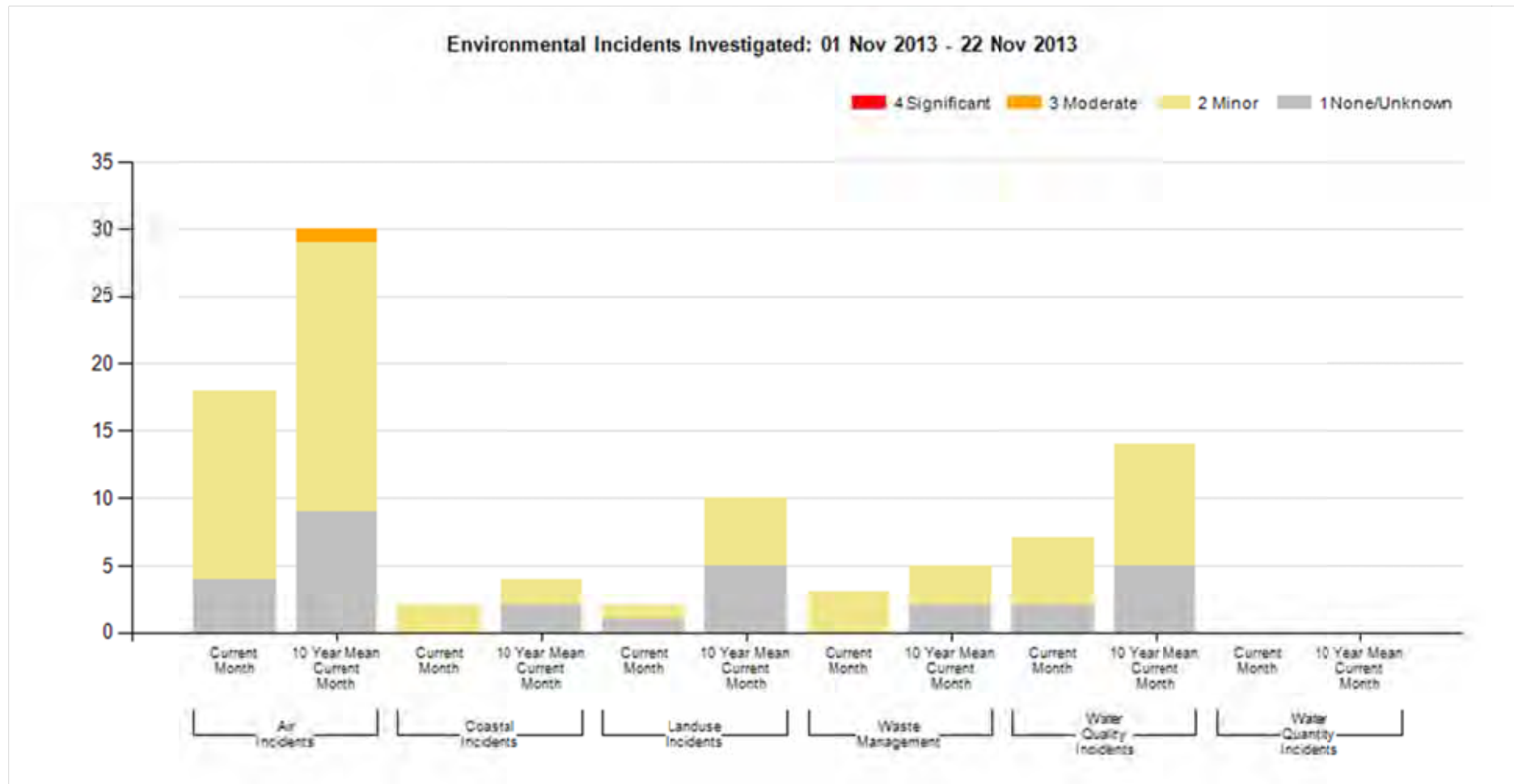
**MARITIME INCIDENTS**

Date	Reference No.	Area	Description	Notes
2/11/2013	REQ.571786	Whangaruru/Whananaki Coast	Up-turned vessel near Rimariki Islands.	<ul style="list-style-type: none"> <li>• Capsized vessel recovered.</li> <li>• Occupants safe.</li> </ul>
8/11/2013	REQ.571883	Bay of Islands Harbour	Jetski speeding toward Waitangi.	<ul style="list-style-type: none"> <li>• Insufficient information received to follow up on this incident.</li> </ul>
9/11/2013	REQ.571898	Bay of Islands Harbour	Vessels on two moorings swinging close to each other.	<ul style="list-style-type: none"> <li>• Owners of both vessels were contacted and informed of potential problem with swinging room.</li> </ul>
11/11/2013	REQ.571876	Bay of Islands Harbour	Near miss between two vessels.	<ul style="list-style-type: none"> <li>• Skipper located and given verbal warning.</li> </ul>
11/11/2013	REQ.571884	Bay of Islands Harbour	Vessel anchored in mooring area.	<ul style="list-style-type: none"> <li>• Offender moved vessel on request of maritime staff.</li> </ul>
13/11/2013	REQ.571928	Whāngārei Harbour	Vessel broke down in Harbour.	<ul style="list-style-type: none"> <li>• Vessel's skipper called a local contact who arrived to assist vessel to safety.</li> </ul>
13/11/2013	REQ.571906	Whāngārei Harbour	Collision between two vessels on swing moorings.	<ul style="list-style-type: none"> <li>• One vessel moved to temporary mooring until repositioning of one or both moorings can be carried out.</li> </ul>
14/11/2013	REQ.571996	Bay of Islands Harbour	Near miss between two vessels.	<ul style="list-style-type: none"> <li>• Offending skipper given verbal warning.</li> </ul>
14/11/2013	REQ.571921	Bay of Islands Harbour	Sinking trailer sailer in Kawakawa River.	<ul style="list-style-type: none"> <li>• Vessel has been removed but unable to locate owner.</li> </ul>
18/11/2013	REQ.571967	Houhora Harbour	Ripiripi port light reported extinguished.	<ul style="list-style-type: none"> <li>• New battery installed.</li> </ul>
18/11/2013	REQ.572074	Bay of Islands Harbour	Near miss between two vessels.	<ul style="list-style-type: none"> <li>• Possible failure to keep clear at safe distance during navigation being investigated.</li> </ul>
20/11/2013	REQ.572007	Whāngārei Harbour	Diesel spill in Marsden Cove Marina.	<ul style="list-style-type: none"> <li>• Source of spill unknown and no recurrence.</li> </ul>

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**ITEM 5.0: Attachment D****Process for National Funding Assistance Allocation**

The following process is used by the government when allocating available funding to land transport activities.

**Government Policy Statement**

The Government Policy Statement on Land Transport Funding (GPS) sets out the governments outcomes and priorities for the land transport sector. The GPS describes:

- What the government expects to be achieved from its investment in land transport through the National Land Transport Fund;
- How the government will achieve this through investment in certain areas known as activity classes (for example , State highway maintenance, road policing , and walking and cycling)
- How much revenue will be provided, and;
- How the revenue will be raised ( a majority is presently raised through fuel excise tax and road user charges) .

In this way the GPS influences decisions on how funding from the national Land Transport Fund invested. It also provides broad direction to local government and the NZ Transport Agency on the type of activities that should be included in Regional Land Transport Programmes and National Land Transport Plans.

For the 2012/2015 period, the main land transport priorities for the government were:-

- Investing in the state highway network;
- Progression of Roads of National Significance;
- Rebuilding the land transport system in Christchurch; and
- Relieving traffic congestion in the larger areas (Auckland, Wellington etc.)

**National Land Transport Programme**

The National Land Transport Programme (NLTP) is a planning and investment partnership between local authorities and the NZ Transport Agency.

The NLTP is a forecast of activities and expenditure for a three year period. Actual delivery relies on the revenue generated over that period – in particular from road user charges and fuel excise duties. Revenue received can vary from forecast for various reasons. During the period of the NLTP these variations may impact on investment levels.

Based on the outcomes and priorities as set out in the GPS, the NLTP sets out the national upper, middle and lower funding ranges per activity class. Therefore the greater the importance of the activity, the higher the funding levels. Depending on the revenue available, this can adversely impact on other activity classes. An example of this is where for the 2012/2015 NLTP, increased levels of funding were directed toward Roads of National Significance to the detriment of new projects in smaller regions and a reduction in Financial Assistance Rates.

These funding ranges are used by NZTA when working with local authorities on the compilation of their Regional Land Transport Plans

### Regional Land Transport Plans

The Regional Land Transport Plan (RLTP) is essentially a programme of works through which the NZTA and approved authorities bid for funding assistance from the NLTP.

The Regional Land Transport Plan is compiled by the Regional Transport Committee and approved by the regional council. Once approved, the RLTP is submitted to NZTA as an application for funding for approved activity classes.

On receipt of all RLTP's, NZTA decides what projects within each activity class can be funded. These decisions are driven very much by the content of the GPS and the revenue available. Once completed, NZTA will release its NLTP and allocate approved funding.

Important:-

- The inclusion of a project within an approved activity class into a RLTP does not guarantee funding assistance approval.
- Prior to any funding assistance approval being given by NZTA, they require confirmation of local share funding.
- The funding assistance levels requests may, at the discretion of NZTA be granted at a lower level;
- As the RLTP is essentially a three year programme, NZTA allows for the flow of funding across the three year period.

### Financial Assistance Rates

Funding assistance Rates (FAR) apply to the land transport activities of local councils (district and regional). If the NZTA approves a land transport activity, the FAR determines the proportion of the approved costs for that activity that will be met from the NLTF.

An example of the above, is where the NLTF will provide funding a FAR of 50% for contracted public passenger transport services.

Important: –

- Because an activity complies with the activities as listed in the NLTP, this does not mean that a project within that activity class will automatically be receive NLTP financial assistance. Each new project put forward must meet strict NZTA economic evaluation criteria.
- As indicated under the section entitled National Land Transport Plans, the funding of any activity depends on available revenue. Due to financial restrictions, NZTA can and have adjusted FAR rates and stopped all funding during the period of a RLTP. An example of this being the 2011/2015 NLTP, where funding for all new projects was stopped two thirds into the programme funding period.
- The NZTA have commenced a review of all FAR levels. It is planned for changes to be implemented into the 2015/2018 NLTP. This will obviously affect available funding assistance levels to activity classes.

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**ISSUE: Confirmation of Minutes – 6 November 2013****ID:** A599630**To:** Council Meeting, 10 December 2013**From:** Chris Taylor, Council Secretary**Date:** 28 November 2013

**Summary** The purpose of this report is to present the unconfirmed minutes of the council meeting held on 6 November 2013. It concludes with the recommendation that council confirms the minutes as a true and correct record.

<b>Report Type:</b>	<input checked="" type="checkbox"/>	Normal operations	<input type="checkbox"/>	Information	<input type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input type="checkbox"/>	Regulatory function
	<input checked="" type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Report:**

The minutes are **attached**.

**Legal compliance:**

Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002.

**Recommendation:**


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That the minutes of the council meeting held on 6 November 2013 be confirmed as a true and correct record.

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## NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council  
held in the council chamber, Northland Regional Council, 36 Water Street,  
Whāngārei, on Wednesday 6 November 2013,  
commencing at 10.00 am

### **Present:**

Chairman, Bill Shepherd

Councillors:

John Bain

Dennis Bowman

Craig Brown

Joe Carr

Paul Dimery

Dover Samuels

David Sinclair

*Secretarial Note: Councillor Graeme Ramsey joined the meeting via video conference  
11.08 am – 12.02 pm.*

### **In Attendance:**

#### **Full Meeting**

Chief Executive Officer, Malcolm Nicolson

GM – Planning and Policy

Finance Manager

Consents/Monitoring SPM

Council Secretary

#### **Part Meeting**

Land/Rivers SPM

Online/Customer Service SPM

Land Management Advisor

The Chairman declared the meeting open at 10.00 am.

### **Apologies (Item 1.0)**

#### **Moved (Samuels/Dimery)**

That the apologies from Deputy Chairman Graeme Ramsey for non-attendance be received.

#### **Carried**

**Declarations of Conflicts of Interest (Item 2.0)**

It was advised that councillors should make declarations item-by-item as the meeting progressed. There were no declarations of conflict at this point.

**Tabled Item for the Council Meeting – 6 November 2013 (Item 2.0A)**

ID: A593632

Report from Council Secretary Chris Taylor.

**Moved (Carr/Bowman)**

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987, the tabled item:

- Item 7.1: Councillor appointments, council committees and delegations
- be received.

**Carried**

**Tabled Item for the Council Meeting – 6 November 2013 (Item 2.0B)**

ID: A593801

Report from Council Secretary Chris Taylor.

**Moved (Carr/Bowman)**

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987, the tabled item:

- Item 7.3: Authorisation to Sign UNISA Agreement
- be received.

**Carried**

**Presentations (Item 3.0)**

There were no presentations.

**Chief Executive's Report to Council (Item 4.0)**

ID: A587350

Report from Chief Executive Officer Malcolm Nicolson.

**Moved (Brown/Sinclair)**

That the Chief Executive Officer's report dated 4 October 2013 be received.

**Carried**

**Matters arising from Item 4.0:**

Clarification was requested as to when the internal health and safety audit would be completed. *Secretarial Note: It was later confirmed during the meeting that the audit would be completed by the following day; Thursday 7 November.*

The Chairman and Chief Executive Officer undertook to stress council's dissatisfaction that the Ministry of Primary Industries (MPI) was making public announcements on matters that affected Northland without keeping the regional council fully informed and involved, at their meeting with MPI the following week.

**Receipt of Minutes of the Extraordinary Council Meeting –  
8 October 2013 (Item 5.1)****ID: A591658****Report from Council Secretary Chris Taylor.****Moved (Brown/Carr)**

That the minutes of the extraordinary council meeting held on 8 October 2013 be received.

**Carried****Financial Report to 25 September 2013 (Item 6.1)****ID: A587966****Report from Financial Accountant Angela Hobden.****Moved (Brown/Bain)**

That the report "Financial Report to 25 September 2013" by Financial Accountant, Angela Hobden, dated 8 October 2013, be received.

**Carried****Matters arising from Item 6.1:**

Chief Executive Officer, Malcolm Nicolson, undertook to provide council with the criteria for a bus service to qualify for central government subsidisation.

**Schedule of Credit Notes for Approval (Item 6.2)****ID: A589591****Report from Accounts Receivable Officer, Trish Wells.****Moved (Carr/Brown)**

1. That the report "Schedule of Credit Notes for Approval" from the Accounts Receivable Officer, Trish Wells, dated 15 October 2013, be received.
2. That the issue of credit notes as detailed in the report from the Accounts Receivable Officer, Trish Wells, dated 15 October 2013, be ratified.

**Carried**

## **Councillor Appointments, Council Committees and Delegations (Tabled Item 7.1)**

**ID: A591399**

**Report from Council Secretary Chris Taylor and GM Planning and Policy Kathryn Ross.**

### **Moved (Bain/Brown)**

That the report, "Councillor Appointments, Council Committees and Delegations", by Council Secretary, Chris Taylor, and GM Planning and Policy, Kathryn Ross, dated 1 November 2013, be received.

**Carried**

### **It was further moved (Brown/Sinclair)**

That council appoints Councillor Bain as Chairperson of the Regional Transport Committee.

**Carried**

### **It was further moved (Brown/Dimery)**

That council confirms the nomination of Councillor Ann Court to the Regional Transport Committee by the Far North District Council, subject to written confirmation of the appointment.

**Carried**

### **It was further moved (Samuels/Bain)**

That council adopts the Terms of Reference for the Regional Transport Committee; as outlined in Attachment 2, of Tabled Item 7.2 of the 6 November 2013 council meeting agenda.

**Carried**

### **It was further moved (Bain/Carr)**

That council directs the Regional Transport Committee to appoint a committee member as portfolio holder responsible for the liaison role with Northland's Road Safety Forum and to consider the appropriateness of that member becoming a member of the Road Safety Forum.

**Carried**

**It was further moved (Carr/Samuels)**

That Chairman Shepherd be appointed as the Northland Regional Council's representative on Local Government New Zealand's Zone 1 group for the 2013-2016 triennium.

**Carried**

**It was further moved (Bain/Brown)**

That council appoints Chairman Shepherd to the Mangere Catchment Group.

**Carried**

**It was further moved (Samuels/Sinclair)**

That council appoints Councillor Bowman to the Doubtless Bay Working Group.

**Carried**

**It was further moved (Bain/Bowman)**

That council appoints Councillor Dimery to the Civil Defence Emergency Management Group Joint Committee.

**Carried**

**It was further moved (Bain/Carr)**

That council adopts the Terms of Reference for the Hearings Committee as outlined in Attachment 4, of Tabled Item 7.2 of the 6 November 2013 council meeting agenda, with the minor amendments as identified at the meeting.

**Carried**

*Secretarial Note: Function 4 was amended to read "To identify potential candidates for the Regional Plan Hearings Panels, invite applications, evaluate and recommend panel members in accordance with criteria resolved by council" and an additional note to clarify the delegations to the Deputy Chair were in the absence of the Chair.*

**It was further moved (Samuels/Bowman)**

That council appoints Councillor Brown as Chairperson of the Hearings Committee.

**Carried**

**It was further moved (Brown/Sinclair)**

That council appoints Councillor Samuels as Deputy Chairperson of the Hearings Committee.

**Carried**

**It was further moved (Samuels/Carr)**

That council appoints Councillor Sinclair as the Chairperson of the Audit and Risk Committee.

**Carried**

**It was further moved (Sinclair/Bowman)**

That council appoints Councillor Dimery as the Deputy Chairperson of the Audit and Risk Committee and Risk portfolio holder.

**Carried**

**It was further moved (Bain/Brown)**

That council appoints Cr Shepherd the council's shareholder representative for Regional Software Holdings Limited and delegates all necessary authority to him to represent the council's interests including but not limited to exercising the council's vote at Annual General Meetings, nominating directors for appointment and giving effect to council's shareholder resolutions.

**Carried**

**It was further moved (Carr/Samuels)**

That council delegates to the Chairperson of Council, the Chairperson of the Audit and Risk Committee (Cr Sinclair) and the Chief Executive Officer authority to design and implement a transparent process to shortlist potential independent members (to the Audit and Risk Committee) possessing relevant financial and investment skills and experience for council's (or the committee's) future consideration.

**Carried**

**It was further moved (Samuels/Brown)**

That council delegates to the Chairperson of Council, the Chairperson of the Audit and Risk Committee (Cr Sinclair) and the Chief Executive Officer authority to design and implement a transparent process for the shortlisting and appointment of potential independent directors to Northland Inc. on behalf of council.

**Carried**

**It was further moved (Brown/Samuels)**

That council appoints Councillor Carr as the Chairperson of the Environmental Management Committee.

**Carried**

*Councillor Graeme Ramsey joined the meeting via video conference at 11.08 am.*

**It was further moved (Shepherd/Brown)**

That council appoints Councillor Ramsey as the interim Chairperson of the Regional Policy Committee to oversee the RPS and to recommend the process for other policy reviews.

**Carried**

*Secretarial Note: This resolution regarding the Chairperson of the Regional Policy Committee was altered later in the meeting; according to Standing Order 3.9.17.*

**It was further moved (Samuels/Bain)**

That council appoints Councillors Bain, Sinclair, Brown and Carr, and the Chairman Bill Shepherd (in an ex-officio capacity), to the Regional Policy Committee.

**Carried****It was further moved (Bain/Carr)**

That the Regional Policy Committee considers the desirability of external appointments to the committee in line with its Terms of Reference.

**Carried****It was further moved (Carr/Bain)**

That council delegates to Councillors Brown and Samuels authority to resolve appeals on Plan Change 4 to the Regional Coastal Plan for Northland in a manner consistent with council's decisions on the Plan Change.

**Carried****It was further moved (Brown/Samuels)**

That council appoints Councillor Ramsey to the Kaipara Harbour Joint Political Committee.

**Carried**



**It was further moved (Carr/Samuels)**

That council appoints Councillor Sinclair to the Creative Northland/CHART Board.

**Carried**

**It was further moved (Samuels/Carr)**

That council appoints Councillor Brown to the Hātea Dredging portfolio and delegates authority to him for governance matters for Hātea River Maintenance including participation in the Hātea River Channel Liaison Group.

**Carried**

**It was further moved (Brown/Dimery)**

That council confirms its continued participation in the Upper North Island Strategic Alliance (UNISA).

**Carried**

**It was further moved (Samuels/Sinclair)**

That the Chairperson and Deputy Chairperson of council both hold the media and communications portfolio.

**Carried**

**It was further moved (Bain/Carr)**

That the Environmental Management Committee be delegated to appoint a suitably qualified representative to the TBfree Northland Committee.

**Carried**

**It was further moved (Shepherd/Brown)**

That Councillor Samuels be appointed the Chairman of a working party to prepare a brief (including budgets) for council regarding the development of a Māori liaison/advisory committee.

**Carried**

**It was further moved (Brown/Bain)**

That Councillor Samuels be nominated by council for membership on the Māori Committee – Te Maruata to LGNZ's National Council.

**Carried**

*Councillor Graeme Ramsey ended his video conference connection to the meeting 12.02 pm.*

## **Request for Advance Capital Expenditure for Poplar and Willow Nursery Irrigation (Item 7.2)**

**ID: A591525**

**Report from Land Management Advisor Wayne Teal.**

**Moved (Carr/Brown)**

1. That the report "Approval to Advance Capital Expenditure for Poplar and Willow Nursery Irrigation", from Wayne Teal, Land Management Advisor, dated 23 October 2013, be received.
2. That approval is given to advance \$25,000 funding from the 2014/2015 financial year for capital expenditure for irrigation of the council poplar and willow nursery from the targeted land management rate reserve, and that the advanced funds are repaid to the targeted land management rate reserve at the start of the 2014/15 financial year from the land management budget.

**Carried**

## **Authorisation to Sign UNISA Agreement (Tabled Item 7.3)**

**ID: A579287**

**Report from Policy Advisor Vibeke Wright.**

**Moved (Bain/Brown)**

That the Chairman and Chief Executive be authorised to sign the Upper North Island Strategic Alliance agreement on behalf of the Northland Regional Council.

**Carried**

## **Business with the Public Excluded (Item 8.0)**

**ID: A592262**

**Report from Council Secretary Chris Taylor.**

**Moved (Carr/Brown)**

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:

<b>Item No.</b>	<b>Item Issue</b>	<b>Reason\Grounds</b>
8.1	Receipt of Confidential Minutes of the Extraordinary Council Meeting - 8 October 2013	The reasons for excluding the public are as stated in the minutes of the open section of that meeting.

**Carried**

*The meeting was adjourned at 12.05 pm to allow council to workshop the appointments that could not be easily resolved. The meeting reconvened at 3.30 pm.*

**Moved (Bain/Brown)**

That council appoints Councillor Dimery as Deputy Chairperson of the Regional Transport Committee.

**Carried****It was further moved (Dimery/Bowman)**

That Chairman Shepherd be authorised, on behalf of the Northland Regional Council, to support His Worship the Mayor John Carter (of FNDC) for election to LGNZ National Council (by way of nomination, seconder or other support) prior to the 18 November 2013 deadline.

**Carried** (*Councillors Dimery, Samuels, Bowman and Carr voted in favour of the motion. Councillors Brown and Bain voted against the motion*)

**It was further moved (Bain/Brown)**

That Chairman Shepherd be authorised to vote on behalf of the Northland Regional Council (should an election occur) in favour of His Worship the Mayor John Carter (of FNDC) for the Zone 1 representatives on the LGNZ National Council, prior to the 29 November 2013 deadline.

**Carried****It was further moved (Carr/Brown)**

That council appoints Councillor Sinclair to the Whāngārei Harbour Catchment Advisory Group.

**Carried****It was further moved (Brown/Sinclair)**

1. That council adopts the Terms of Reference for the Audit and Risk Committee as outlined in Attachment 5, of Tabled Item 7.2 of the 6 November council meeting agenda, and all councillors are members of the committee.
2. That the Audit and Risk Committee review the Terms of Reference as a first order of business and recommend any changes back to council.

**Carried**

**It was further moved (Dimery/Samuels)**

That council appoints the working party, consisting of Councillors Sinclair (Chairman), Brown and Carr, to the economic development portfolio and authorises it to be the council's shareholder representative for Northland Inc. delegating all necessary authority to it to represent the council's interests including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions.

**Carried**

**It was further moved (Bain/Carr)**

1. That council adopts the Terms of Reference for the Environmental Management Committee as outlined in Attachment 6, of Tabled Item 7.2 of the 6 November 2013 council meeting agenda, and including the minor amendments to "Functions" 4b and 4c as identified at the meeting.
2. That the Environmental Management Committee review the Terms of Reference as a first order of business and recommend any changes back to council.

**Carried**

*Secretarial Note: Function 4b was amended to read "Identifying key issues and making relevant comments for the Regional Policy Committee to investigate during the review of plans" and Function 4c was amended to read "Advancing the recommendations from catchment groups (subcommittees of the committee) set up for priority water bodies are included in the policy development process for the new Northland Regional Plan(s)".*

**It was further moved (Sinclair/Bain)**

That council appoints Councillor Brown as the Deputy Chairperson of the Environmental Management Committee.

**Carried**

**It was further moved (Samuels/Brown)**

That council appoints Councillors Dimery and Bowman and the Chairman Bill Shepherd (in an ex-officio capacity) to the Environmental Management Committee.

**Carried**

**It was further moved (Brown/Sinclair)**

That the Chairman of the Environmental Management Committee and Deputy Chief Executive confirm the external representation on the Environmental Management Committee with the nominating bodies as per the Terms of Reference for the committee.

**Carried**

**It was further moved (Shepherd/Brown)**

That council appoints the following councillors to the River Liaison subcommittees of the Environmental Management Committee:

Awanui River Liaison	Chairperson - Cr Bowman and Cr Carr (ex officio EMC Chairperson)
Kaihū River Liaison	Chairperson - Cr Bain and Cr Carr (ex officio)
Kaeo-Whangaroa River Liaison	Chairperson - Cr Brown and Cr Carr (ex officio) and Cr Samuels (member)
Kerikeri-Waipapa River Liaison	Chairperson - Cr Carr (ex officio) and Cr Samuels (member)
Waitangi River Liaison	Chairperson - Cr Carr (ex officio) and Cr Samuels (member) and Cr Bowman (member)
Urban Whāngārei Rivers Flood Management Liaison	Chairperson - Cr Brown and Cr Carr (ex officio) and Cr Sinclair (member)

**Carried**

*Secretarial Note: As per Standing Orders 3.9.17 the previous resolution of council regarding the appointment of the Chairperson of the Regional Policy Committee was altered as follows:*

**Moved (Brown/Carr)**

That council appoints Councillor Ramsey as the Chairperson of the Regional Policy Committee.

**Carried****It was further moved (Brown/Bain)**

1. That council adopts the Terms of Reference for the Regional Policy Committee as outlined in Attachment 7, of Tabled Item 7.2 of the 6 November 2013 council meeting agenda.
2. That the Regional Policy Committee review the Terms of Reference as a first order of business and recommend any changes back to council.

**Carried****It was further moved (Bain/Carr)**

That council appoints Councillor Brown as the Deputy Chairman of the Regional Policy Committee.

**Carried**

**It was further moved (Bain/Sinclair)**

That council appoints Councillor Dimery to Sport Northland's project control group overseeing the development of the Northland Sports Facilities Plan.

**Carried**

**CONCLUSION**

The meeting concluded at 4.19 pm.



**ITEM: 6.2**

Page 1 of 1

**ISSUE: Extraordinary Regional Transport Committee Minutes – 11 November 2013****ID:** A599709**To:** Council Meeting, 10 December 2013**From:** Chris Taylor, Council Secretary**Date:** 28 November 2013

**Summary** The purpose of this report is to receive the minutes of the extraordinary Regional Transport Committee meeting held on 11 November 2013. It concludes with the recommendation that the minutes be received.

<b>Report Type:</b>	<input checked="" type="checkbox"/>	Normal operations	<input type="checkbox"/>	Information	<input type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input type="checkbox"/>	Regulatory function
	<input checked="" type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Report:**

The minutes are **attached**.

**Legal compliance:**

Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002.

**Recommendation:**


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That the minutes of the extraordinary Regional Transport Committee meeting held on 11 November 2013 be received.

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## **NORTHLAND REGIONAL COUNCIL REGIONAL TRANSPORT COMMITTEE**

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Minutes of the extraordinary meeting held in the Council Chamber,  
36 Water Street, Whāngārei, on Monday 11 November 2013  
commencing at 10.00 am

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### **Present:**

#### **Northland Regional Council**

Cr J Bain, Chairman

Cr P Dimery

#### **Kaipara District Council**

Mr P Winder

#### **Far North District Council**

Cr A Court

#### **Whāngārei District Council**

Cr G Martin

### **In Attendance:**

#### **Full Meeting**

NRC Chairman – Bill Shepherd

NRC CEO – Malcolm Nicolson

NRC Transport Operations SPM – Chris Powell

NRC Transport Projects Officer – Ian Crayton-Brown

WDC CEO – Mark Simpson

WDC Roading Manager – Jeff Divine

NRC Council Secretary – Chris Taylor

#### **Part Meeting**

FNDC GM Infrastructure and Asset Management – David Penny

KDC Roading Manager – Henri Van Zyl

The Chairman declared the meeting open at 10.00 am.

### **Apologies (Item 1.0)**

#### **Moved (Martin/Winder)**

That the apologies from Mr Stephen Town and Mr David Penny for non-attendance be received.

#### **Carried**

*Secretarial Note: FNDC General Manager Infrastructure and Asset Management, David Penny, arrived later in the meeting (10.17 am).*

## **Declaration of Conflicts of Interest (Item 2.0)**

The Chairman invited members to make declarations item-by-item as the meeting progressed. There were no declarations of conflict at this point.

## **Receipt of Minutes of the Regional Transport Committee Meeting – 9 October 2013 (Item 3.1)**

**ID: A593816**

**Report from Council Secretary Chris Taylor.**

### **Moved (Martin/Winder)**

That the minutes of the Regional Transport Committee meeting held on 9 October 2013 be received.

**Carried**

## **Request for the Continuation of Regional (“R”) Funding Post June 2015 (Item 4.1)**

**ID: A585373**

**Report from Transport Operations Senior Programme Manager Chris Powell.**

### **Moved (Winder/Martin)**

1. That the report “Request for the Continuation of “R” Funding Post June 2015” by Chris Powell, Transport Operations Senior Programme Manager, dated 31 October 2013, be received.
2. That the Regional Transport Committee receive the list of currently identified significant projects that may be suitable for “R” Funding and unlikely to be funded by “N” Funding.
3. That the Regional Transport Committee agree to use the list of regionally significant projects as part of a submission to the Minister in support of retaining “R” Funding.
4. That the Regional Transport Committee approve the inclusion of a covering letter, signed by the Chair of the Regional Transport Committee, highlighting the importance of the continuation of the “R” Funding for the Northland region.

**Carried**

### **Matters arising from Item 4.1:**

The list of proposed projects for “R” Funding, prepared by the Northland Technical Executive Group (NORTEG) was tabled at the meeting. It was stressed that NORTEG had deliberately not prioritised projects. Clarification was provided that the high/medium/low gradings were based on New Zealand Transport Agency (NZTA) classifications and all projects were classed as improvement works (not maintenance).

NRC Transport Operations Senior Programme Manager, Chris Powell, undertook to source accurate figures regarding the proportion of Northland transport related to exports.

RTC Chairman, John Bain, undertook to liaise with his counterparts to ensure the “R” Funding information was consistent and in an accurate format, and to consider the best manner to present it to the Minister of Transport. This matter would be addressed again at the next RTC meeting on 4 December 2013.

The meeting concluded at 11.05 am.



**ITEM: 6.3**

Page 1 of 1

**ISSUE: Confirmation of Minutes – 19 November 2013****ID:** A599645**To:** Council Meeting, 10 December 2013**From:** Chris Taylor, Council Secretary**Date:** 28 November 2013

**Summary** The purpose of this report is to present the unconfirmed minutes of the council meeting held on 19 November 2013. It concludes with the recommendation that council confirms the minutes as a true and correct record.

<b>Report Type:</b>	<input checked="" type="checkbox"/>	Normal operations	<input type="checkbox"/>	Information	<input type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input type="checkbox"/>	Regulatory function
	<input checked="" type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Report:**

The minutes are **attached**.

**Legal compliance:**

Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002.

**Recommendation:**


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That the minutes of the council meeting held on 19 November 2013 be confirmed as a true and correct record.

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## NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council  
held in the council chamber, Northland Regional Council, 36 Water Street,  
Whāngārei, on Tuesday 19 November 2013,  
commencing at 1.00 pm

**Present:**

Chairman, Bill Shepherd

Councillors:

John Bain

Dennis Bowman

Craig Brown

Joe Carr

Paul Dimery

Graeme Ramsey

Dover Samuels

David Sinclair

**In Attendance:****Full Meeting**

Chief Executive Officer, Malcolm Nicolson

Operations Director

GM – Planning and Policy

Finance Manager

Online/Customer Service SPM

Communications Officer

Council Secretary

**Part Meeting**

Land/Rivers SPM

Rivers Programme Manager

Consents Programme Manager - Coastal

Natural Hazard/Rivers Officer

Water and Wastes Programme Manager

The Chairman declared the meeting open at 1.00 pm.

**Apologies (Item 1.0)**

There were no apologies.

**Declarations of Conflicts of Interest (Item 2.0)**

It was advised that councillors should make declarations item-by-item as the meeting progressed. There were no declarations of conflict at this point.



*Item 3.1 was addressed when the meeting reconvened at 2.30pm.*

### **Audit New Zealand – Draft Management Report for the Year Ending 30 June 2013 (Item 3.1)**

**ID: A591172**

**Report from Finance Manager Simon Crabb.**

**Moved (Ramsey/Sinclair)**

1. That the report “Audit New Zealand – Draft Management Report for the Year Ending 30 June 2013”, by Simon Crabb, Finance Manager, dated 22 October 2013, be received.
2. That the Draft Audit New Zealand Management Report for the year ended 30 June 2013 be approved for finalisation.

**Carried**

#### **Matters arising from Item 3.1:**

Audit Director, Francis Caetano, was in attendance and provided an overview of the Draft Management Report for the year ended 30 June 2013. It was confirmed that Audit New Zealand was satisfied that the financial statements fairly reflected the regional council's activity and financial position and hence had issued an unmodified audit opinion.

*Item 3.2 was addressed following Item 1.0 to allow for the attendance of Eriksen and Associates Limited Managing Director, Jonathan Eriksen.*

### **Community Investment Fund – Review of Investment Managers' Performance to 30 September 2013 (Item 3.2)**

**ID: A593380**

**Report from Finance Manager Simon Crabb.**

**Moved (Carr/Bain)**

That the report “Community Investment Fund – Review of Investment Managers' Performance to 30 September 2013”, by Simon Crabb, Finance Manager, dated 1 November 2013, be received.

**Carried**

**It was further moved (Ramsey/Brown)**

That the Audit and Risk Committee be delegated authority to make a formal decision on Eriksen and Associates Limited's recommendations regarding the Community Investment Fund (as included in the report tabled at the 19 November 2013 council meeting).

**Carried**

**Matters arising from Item 3.2:**

Eriksen and Associates Limited Managing Director, Jonathan Eriksen, was in attendance and provided an overview of the tabled report "Northland Regional Council Community Investment Fund". Jonathan undertook to provide further information to assist the Audit and Risk Committee make a formal decision on the recommendations presented in the report.

**Chairman's Report to Council (Item 4.0)**

ID: A595008

Report from Former Chairman Craig Brown.

**Moved (Brown/Bain)**

That the former Chairman's report dated 11 November 2013 be received.

**Carried**

**Chief Executive's Report to Council (Item 5.0)**

ID: A587366

Report from Chief Executive Officer Malcolm Nicolson.

**Moved (Ramsey/Brown)**

That the Chief Executive Officer's report dated 8 November 2013 be received.

**Carried**

**Matters arising from Item 5.0:**

NRC Natural Hazard/Rivers Officer, Toby Kay, was in attendance and provided the presentation "Priority Rivers Flood Map Release" covering the following key points:

- Priority river catchments in Northland;
- Information available;
- The flood map roll out 2013; and
- Related projects.

A briefing document was tabled providing an overview of the flood map release, including frequently asked questions.

**Confirmation of Minutes – 30 October 2013 (Item 6.1)**

ID: A594854

Report from Council Secretary Chris Taylor.

**Moved (Bowman/Dimery)**

That the minutes of the inaugural council meeting held on 30 October 2013 be confirmed as a true and correct record.

**Carried**

## **Investment Schedule and Performance - Financial Report to 25 September 2013 (Item 7.1)**

**ID: A595016**

**Report from Financial Systems Administrator Kym Ace.**

### **Moved (Brown/Sinclair)**

That the report "Investment Schedule and Performance - Financial Report to 25 September 2013" by Financial Systems Administrator, Kym Ace, dated 14 October 2013, be received.

**Carried**

## **Moorings and Marinas Strategy – Hearing Committee (Item 8.1)**

**ID: A593180**

**Report from Policy Analyst Michael Payne.**

### **Moved (Brown/Carr)**

1. That the report "Moorings and Marinas Strategy – Hearing Committee" by Michael Payne, Policy Analyst, dated 5 November 2013, be received.
2. That council delegates the hearing of feedback on the draft Moorings and Marinas Strategy to the hearing committee for the Moorings and Marinas Strategy made up of Councillor Brown, Councillor Samuels and Councillor Sinclair.
3. That the hearing committee be chaired by Councillor Brown.
4. That the hearing committee will make recommendations to council on the final Moorings and Marina Strategy.

**Carried**

## **Appointment of a Representative to the Sport Northland Board of Trustees (Item 8.2)**

**ID: A594784**

**Report from Council Secretary Chris Taylor.**

### **Moved (Brown/Sinclair)**

1. That the report "Appointment of a Representative to the Sport Northland Board of Trustees" by Chris Taylor, Council Secretary, dated 8 November 2013, be received.
2. That Councillor Bain be appointed as the Northland Regional Council representative on the Sport Northland Board of Trustees.

**Carried**

## **Appointment of a Representative to the Steering Group for Review of Taharoa Domain Reserve Management Plan (Item 8.3)**

ID: A595187

**Report from Policy Advisor Vibeke Wright.**

**Moved (Sinclair/Samuels)**

1. That the report "Appointment of a Representative to the Steering Group for Review of Taharoa Domain Reserve Management Plan" by Vibeke Wright, Policy Advisor, dated 12 November 2013, be received.
2. That Deputy Chairman Ramsey be appointed as the Northland Regional Council representative to the Steering Group for Review of Taharoa Domain Reserve Management Plan.

**Carried**

*The meeting was adjourned at 1.53 pm to allow for the arrival of Audit Director, Francis Caetano, who was to present the remaining Item 3.1. The meeting reconvened at 2.30 pm.*

## **CONCLUSION**

The meeting concluded at 2.47 pm.



**ISSUE: Northland Inc. Limited Annual Report for the Year Ended 30 June 2013**

**ID:** A598849

**To:** Council Meeting, 10 December 2013

**From:** Malcolm Nicolson, Chief Executive Officer

**Date:** 26 November 2013

**Summary** The purpose of this report is to provide council with Northland Inc. Limited's Annual Report for the year ended 30 June 2013. It concludes with the recommendation that this report be received and that council adopt the Northland Inc. Limited Annual Report for the year ended 30 June 2013 and waive the requirement to hold the Northland Inc. Limited Annual General Meeting.

<b>Report Type:</b>	<input type="checkbox"/>	Normal operations	<input checked="" type="checkbox"/>	Information	<input checked="" type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input type="checkbox"/>	Regulatory function
	<input checked="" type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input checked="" type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Background:**

**Attached** are the following reports supplied by Northland Inc. Limited:

- Brief commentary explaining the Annual Financial Statements for the year ending 30 June 2013 (**attachment one**).
- Northland Inc. Limited - Audited Annual Report for the year ended 30 June 2013 inclusive of the Report on the Statement of Intent (**attachment two**).

**Northland Inc. Limited Annual Report for the year ended 30 June 2013**

Northland Inc. Limited made a net loss of \$172,617 in the 2012/13 financial year and had a closing negative equity position as at 30 June 2013 of negative \$186,957.

The factors contributing to the 2012/13 annual loss are summarised in the commentary supplied by Northland Inc. Limited in attachment one. A representative from Northland Inc. Limited will attend the Council Meeting to answer any questions.

The Northland Inc. Limited Annual General Meeting has been scheduled for 23 January 2014, however if council has no further business to conduct at the Annual General Meeting it is recommended that council adopt the Annual Report for the year ended 30 June 2013 and resolve as the shareholder not to hold an annual general meeting.

**Legal compliance and significance assessment:**

The decisions requested in this item flow from the Long Term Plan 2012-2022 and previous decisions of council to set up Northland Inc. Limited as its council controlled organisation. They are part of council's normal operations and are not regarded as significant under council policy.

**ITEM: 7.1**

Page 2 of 2

**Recommendations:**

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1. That the report “Northland Inc. Limited Annual Report for the Year Ended 30 June 2013” by Malcolm Nicolson, Chief Executive Officer, dated 26 November 2013, be received.
  2. That the Northland Regional Council, as the holder of all the shares of Northland Inc. Limited (the Company), hereby resolves by special resolution in accordance with clause 13.1 of the Constitution of the Company to adopt the Company’s Annual Report for the year ended 30 June 2013 and waive the requirement to hold the Annual General Meeting.
-



## Report to NRC

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**Report By:**

Colin Mitten/David Wilson

**Dated:**

26/11/2013

**Subject:**

## Annual Financial Statements

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**Attached** is the following report;

**Financial Statements to June 2013 inclusive of the Report on the Statement of Intent**

Financial Report Summary;

It has been already been discussed at length with the Northland Regional Council the financial position at the 30<sup>th</sup> June 2013, along with contributing factors relating to the deficit \$172,617 at year end.

Income:

The increase of income from the Northland Regional Council versus the previous year 2012 reflects the changes that occurred within the entity at 1 July 2012.

The income from operations is inclusive of the Oyster Shell project funding \$1,054,833 which is offset against expenses of the same.

The entity struggled to match previous year's targets for the Visitor Guide & Trade Guide publications (\$50,234 below expected income though offset against a savings in expense of \$17,853).

Expenditure:

The increase in expenditure across all items versus 2012, again reflects the changes that occurred within in the entity at 1 July 2012.

The Other Expense item is inclusive of the Oyster Shell project expense \$1,054,833, the balance \$964,221 of which \$626,150 was spent within the following areas:

- \$142,197 in Sectors (Minerals, Aquaculture, Wood Processing, Digital) & Cross Sector (Hundertwasser, Fibre Optics, Marsden City)
- \$435,411 in Tourism (Media & Trade, Domestic Campaign, International



Campaign, Publications, Website Development)

- \$48,542 in Sundry areas (Business Grow, Statistic NZ)

Other extraordinary costs were incurred during the financial year being:

- Legal Costs \$58,888
- Increased Audit Costs \$7,000
- Economic Summit costs \$15,000
- Audit costs relating to Oyster Shell Project \$15,000 (unable to claim against MfE project criteria)
- Over budget spending in Tourism \$19,000 & Sectors \$50,600
- Accrual for FBT \$14,000 (tax status still to be determined)

Overall Summary;

The financial year proved challenging, the budget was set without consideration to the transitional costs that would impact on the budget. The current budget year 13/14 reflects the undertaking by the Board to rectify the deficit across a two year time frame. This measure does however impact on the performance of the entity and its ability to move forward in the focus areas.

#### Recommendation

- The Financial Statements for June 2013 are accepted.



**ITEM: 7.2**

Page 1 of 2

**ISSUE: Northland Inc. Limited Financial Report to 31 October 2013****ID:** A598847**To:** Council Meeting, 10 December 2013**From:** Simon Crabb, Finance Manager**Date:** 26 November 2013

**Summary** The purpose of this report is to present Northland Inc. Limited's financial statements for the four months ending 31 October 2013. It concludes with the recommendation that this report be received.

<b>Report Type:</b>	<input checked="" type="checkbox"/>	Normal operations	<input type="checkbox"/>	Information	<input type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input type="checkbox"/>	Regulatory function
	<input type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input checked="" type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Background:**

**Attached** are the following financial reports supplied by Northland Inc. Limited:

- Brief commentary explaining the year to date financial results to 31 October 2013 (**appendix one**).
- Northland Inc. Limited - Profit and Loss Budget Performance Report to 31 October 2013 (**appendix two**).
- Northland Inc. Limited - Balance Sheet Statement as at 31 October 2013 (**appendix three**).
- Northland Inc. Limited – Cashflow for 2013-2014 (**appendix four**).

In the 2013-2014 Annual Plan council agreed to provide Northland Inc. Limited up to \$1M funding from the Investment and Growth Reserve and a further \$100K funding from rates.

Council provides Northland Inc. Limited their funding in quarterly instalments paid in advance. At the end of October 2013 council had paid its first and second quarter payments totalling \$500 thousand from the Investment and Growth Reserve and \$50 thousand funded from rates. The third quarter instalments of \$250 thousand from the Investment and Growth Reserve and \$25 thousand from rates were paid to Northland Inc. Limited in November 2013.

The Northland Inc. Limited financial report for the four months to 31 October 2013 presents a net operating surplus of \$65 thousand against a budgeted year to date surplus of \$68 thousand. The forecasted year end operating result is in line with budget.

The actual October closing cash balance is well behind the forecasted October closing balance. This shortfall places significant pressure on the organisation's cashflow management for the remainder of the financial year.

**ITEM: 7.2**

Page 2 of 2

**Legal compliance and significance assessment:**

The activities detailed in this report are part of council's routine operations and oversight of its Council Controlled Organisation. They are consistent with council decisions made during deliberations of the Long Term Plan 2012-22, and as part of the Annual Report and receipt and modification of Northland Inc. Limited's SOI and as such are in accordance with council's decision making process and sections 76-82 of the Local Government Act 2002 and are of low significance.

**Recommendation:**

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That the report "Northland Inc. Limited Financial Report to 31 October 2013" by Simon Crabb, Finance Manager, dated 26 November 2013, be received.

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## Report to NRC

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**Report By:**

David Wilson

**Dated:**

26/11/2013

**Subject:**

## Financial

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**Attached** are the following reports;

### **Financial Reports**

#### **Profit & Loss Budget Performance to 31 October 2013**

Report Summary; (notes also on spread sheet)

Revenue is tracking against budget.

Expenditure is over budget by \$2,473 due to;

- Wages:
  - Business Grow wage actual surplus is a timing issue
  - Sectors wage actual is due to staff wash up
  - Tourism wage actual is due to contractors rate being higher than budgeted salaries and extra cover for Paihia office also there were 3 pay runs within October, the over spend against budget will be offset by savings due in last quarter.
  - Corporate wage actual is due to 3 pay runs within October and is running \$3,000 over yd. budget (will monitor).
- Overheads are under budget by \$12,483  
The surplus in Subscriptions and Legal Fees are timing issues.  
Over budget items of note;
  - Audit extra costs relating to June 2013
  - Vehicle Costs – Includes Interim CEO travel charge and \$855 in repairs to owned vehicle

- Project Expenses are under budget \$9,653 which is due to timing.  
Over budget items of note;  
Consultant – mileage for contractor was not included in the budget

Overall Summary;

Revenue is tracking against budget, expenditure is tracking slightly over budget.

### **Profit & Loss Budget Performance Year End Forecast 2013**

Report Summary; (notes also on spread sheet)

Revenue is expected to track against budget.

Expenditure is forecasted to track under budget by \$4,046.

Overall Summary;

Pressure on expenditure has come from the following areas:

- Project direct cost area \$17,895 over budget, adjustments have been made to offset \$14,895 of those costs by reducing the budget in the Investment wage area.
- Premises costs area \$4,100 to cover expenses at the new Paihia office from 1 January.

### **Balance Sheet as of October 31, 2013**

Notes are detailed on the report.

### **Cash flow to June 2014**

This cash flow has been updated to reflect the early Quarter 3 funding received in November.

### **Recommendation**

- The Profit & Loss Budget Performance to 31 October 2013 & Year End Forecast are accepted.
- The Balance Sheet as of October 31, 2013 is accepted.
- The Cash Flow to June 2014 is accepted.

**Northland Inc Ltd**  
**Profit & Loss Budget Performance**  
July 2013 through October 2013

Ordinary Income/Expense

Income

Project Income

	Jul '13 - Oct 13	YTD Budget	Variance	Year End Forecast Est	Annual Budget	Variance	Notes
Callaghan Innovations	19,167	19,167	0	57,500	57,500	0	
Far North Holdings	27,500	27,500	0	55,000	55,000	0	
MSD	6,000	5,000	1,000	5,000	5,000	0	
Kaipara District Council	0	0	0	10,000	10,000	0	
Far North District Council	5,158	5,000	158	5,158	5,000	158	
Industry	287		287	73,000	73,000	0	
NRC	555,000	555,000	0	1,105,000	1,105,000	0	1
NZTE	57,500	57,500	0	172,500	172,500	0	
Tourism NZ	7,700	10,000	-2,301	30,000	30,000	0	2
Whangarei District Council	45,000	45,000	0	110,000	110,000	0	
<b>Total Project Income</b>	<b>723,311</b>	<b>724,167</b>	<b>-856</b>	<b>1,623,158</b>	<b>1,623,000</b>	<b>158</b>	

**Total Income**

723,311      724,167      -856      1,623,158      1,623,000      158

Expense

Depreciation	4,920	6,943	-2,023	14,720	20,828	-6,108	3
Wages							
Investment	9,500	9,500	-0	42,105	57,000	-14,895	
Business Grow	57,892	60,004	-2,112	180,008	180,008	0	4
Sectors	25,345	24,782	563	25,345	24,782	563	
Tourism	91,423	78,705	12,719	229,678	236,114	-6,436	5
Corporate	80,159	65,101	15,058	238,304	238,304	0	6
Interim CEO	21,574	21,500	74	21,574	21,500	74	
<b>Total Wages</b>	<b>285,893</b>	<b>259,592</b>	<b>26,301</b>	<b>737,014</b>	<b>757,708</b>	<b>-20,694</b>	

Overheads

General Administrative

Kiwisaver	5,053	6,965	-1,912	18,982	20,894	-1,912	7
FBT	0	0	0	9,000	9,000	0	
ACC	2,664	4,179	-1,515	2,664	4,179	-1,515	8
Accounting	0	0	0	3,675	3,675	0	
Audit Fees	3,188	0	3,188	28,188	25,000	3,188	9
Bank Charges	247	300	-53	900	900	0	
Insurance	0	0	0	10,621	10,621	0	
IT Support	6,759	6,296	463	17,291	17,291	0	
Legal Fees	52,133	55,000	-2,867	56,000	55,000	1,000	10
Meeting Expenses	1,222	1,000	222	3,000	3,000	0	
Subscription/Publications	11,835	14,113	-2,278	14,113	14,113	0	11
Sundry	2,133	2,701	-568	8,138	8,138	0	
Telephone & Fax	7,073	6,923	150	19,178	19,178	0	
Travel Costs	2,090	2,751	-661	8,253	8,253	0	
Vehicle Costs	9,014	8,133	881	24,400	24,400	0	12
<b>Total General Administrative</b>	<b>103,410</b>	<b>108,361</b>	<b>-4,951</b>	<b>224,403</b>	<b>223,642</b>	<b>761</b>	

Leases

Operating Leases	5,463	7,498	-2,035	21,243	21,243	0	13
Vehicle Leases	4,427	5,601	-1,174	16,804	16,804	0	14
<b>Total Leases</b>	<b>9,890</b>	<b>13,099</b>	<b>-3,209</b>	<b>38,047</b>	<b>38,047</b>	<b>0</b>	

Marketing

Communications	2,703	4,000	-1,297	10,000	10,000	0	15
<b>Total Marketing</b>	<b>2,703</b>	<b>4,000</b>	<b>-1,297</b>	<b>10,000</b>	<b>10,000</b>	<b>0</b>	

Office Supplies

Postage	331	733	-402	2,200	2,200	0	
Stationery	2,103	2,167	-64	6,501	6,501	0	
<b>Total Office Supplies</b>	<b>2,434</b>	<b>2,900</b>	<b>-466</b>	<b>8,701</b>	<b>8,701</b>	<b>0</b>	

Premises costs

Cleaning	2,367	2,367	0	5,771	5,471	300	16
Electricity	2,854	3,704	-850	9,792	8,592	1,200	17
Rates	1,376	3,084	-1,707	7,876	7,876	0	18
Rent	19,200	19,202	-2	51,505	48,905	2,600	19
<b>Total Premises costs</b>	<b>25,797</b>	<b>28,356</b>	<b>-2,559</b>	<b>74,944</b>	<b>70,844</b>	<b>4,100</b>	

**Total Overheads**

144,234      156,717      -12,483      356,095      351,234      4,861

Director Expenses

Fees	16,167	16,167	0	48,500	48,500	0	
Meeting Expenses	1,245	800	445	3,000	3,000	0	

**Northland Inc Ltd**  
**Profit & Loss Budget Performance**  
July 2013 through October 2013

	Jul '13 - Oct 13	YTD Budget	Variance	Year End Forecast Est	Annual Budget	Variance	Notes
Travel Costs	6,886	7,000	-114	21,000	21,000	0	
<b>Total Director Expenses</b>	<b>24,297</b>	<b>23,967</b>	<b>331</b>	<b>72,500</b>	<b>72,500</b>	<b>0</b>	
<b>Project Direct Costs</b>							
Consultants	20,016	18,000	2,016	74,000	66,000	8,000	20
Activity Costs	182,031	193,700	-11,669	271,595	261,700	9,895	21
<b>Total Project Direct Costs</b>	<b>202,047</b>	<b>211,700</b>	<b>-9,653</b>	<b>345,595</b>	<b>327,700</b>	<b>17,895</b>	
<b>Total Expense</b>	<b>661,391</b>	<b>658,918</b>	<b>2,473</b>	<b>1,525,924</b>	<b>1,529,970</b>	<b>-4,046</b>	
<b>Net Ordinary Income</b>	<b>61,919</b>	<b>65,249</b>	<b>-3,329</b>	<b>97,234</b>	<b>93,030</b>	<b>4,204</b>	
<b>Other Income/Expense</b>							
<b>Other Income</b>							
Interest Received	2	0	2	2	0	2	
FBT contribution	2,617	2,617	0	11,448	11,448	0	22
Oyster Shell Project Income	31,613	0	31,613	31,613	0	31,613	
<b>Total Other Income</b>	<b>34,232</b>	<b>2,617</b>	<b>31,614</b>	<b>43,063</b>	<b>11,448</b>	<b>31,615</b>	
<b>Other Expense</b>							
<b>Oyster Shell Project</b>							
Oyster Project Expense	31,613	0	31,613	31,613	0	31,613	
<b>Total Other Expense</b>	<b>31,613</b>	<b>0</b>	<b>31,613</b>	<b>31,613</b>	<b>0</b>	<b>31,613</b>	
<b>Net Other Income</b>	<b>2,619</b>	<b>2,617</b>	<b>2</b>	<b>11,450</b>	<b>11,448</b>	<b>2</b>	
<b>Net Income</b>	<b>64,538</b>	<b>67,866</b>	<b>-3,327</b>	<b>108,684</b>	<b>104,478</b>	<b>4,206</b>	

**Notes**

1 Forecast	includes NIF
2 YTD	timing
3	sale of oldest vehicle
4 YTD	timing monthly budget includes portion of bonus
4 Forecast	reduced investment salary bud to offset Activities overspend in Investment project area
5 YTD	3 payruns included the overspend \$6k in year end forecast
Forecast	savings frm BR contract less mileage less budget overspend to date \$6k
6 YTD	three pay runs in month, running about \$3k over budget - will watch but should pan out over year
7	due to employees being paid on contract
8	payment to ACC actual
9	dispersment charges not budgeted
10 Forecast	allowed extra \$1k for legal fees over budget
11 YTD	timing
12 YTD	maintenance on older vehicles
13	purchase of equip instead of re-leasing
14	CEO veh leased via NRC possible costs to NRC for CEO veh
15 YTD	timing
16 Forecast	est increase for Paihia office
17 YTD	timing
Forecast	est increase for Paihia office
18 YTD	timing
19 Forecast	est increase for Paihia office
20 Forecast	travel component not budgeted
21 YTD	ytd tourism \$37k & sector \$5508 not yet realised, is off set by overspend of \$30895 in investment
Forecast	less \$5k tourism spend + \$14895 over spend in investment area
22	offset against wages



**Northland Inc Ltd**  
**Balance Sheet**  
 As of October 31, 2013

	Oct,31 13	Closing Balance Jun 30,13	Movement	notes
<b>ASSETS</b>				
<b>Current Assets</b>				
Accelerater Account	377	1,358	-981	
Project Account	14	14	0	
Cheque Account	40,465	26,990	13,475	
Petty Cash	200	200	0	
Total Chequing/Savings	41,056	28,562	12,494	
Accounts Receivable				
Accounts Receivable	60,747	135,800	-75,054	1
Total Accounts Receivable	60,747	135,800	-75,054	
<b>Other Current Assets</b>				
Accounts Receivable -yearend adj	0	22,725	-22,725	
Prepayments	0	522	-522	
Total Other Current Assets	0	23,247	-23,247	
Total Current Assets	101,803	187,609	-85,806	
<b>Fixed Assets</b>				
Leased Equipment at Cost	49,105	49,105	0	
Accumulated Deprec Lease Eq	-45,891	-44,455	-1,436	
Total Leased Equipment	3,214	4,650	-1,436	
Office Equipmet				
Office Equipment at Cost	71,932	71,932	0	
Accumulated Deprec OE	-37,999	-36,191	-1,808	
Total Office Equipmet	33,933	35,741	-1,808	
Vehicles				
Vehicles at Cost	24,986	28,043	-3,057	2
Accumulated Deprec	-9,228	-7,552	-1,676	
Total Vehicles	15,758	20,491	-4,733	
Total Fixed Assets	52,905	60,882	-7,977	
<b>TOTAL ASSETS</b>	<b>154,708</b>	<b>248,491</b>	<b>-93,783</b>	
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
NRC Oyster Commitment	36,355	0	36,355	3
Accounts Payable	133,944	220,982	-87,038	4
Total Accounts Payable	170,298	220,982	-50,683	
<b>Other Current Liabilities</b>				
Accuonts Payable - Year End adj	0	75,719	-75,719	
Accruals	18,923	41,954	-23,031	4
Income in Advance	49,917	82,688	-32,771	5
Current Portion of Leases	2,502	5,465	-2,963	
GST	2,457	-46,060	48,517	
Holiday Pay Accrued	36,332	58,004	-21,672	
Total Other Current Liabilities	110,132	217,770	-107,639	
Total Liabilities	280,430	438,752	-158,322	
<b>Equity</b>				
Contributed Capital	100	100	0	
Equity	-148,612	28,004	-176,616	
Retained Surplus/Deficit	-41,749	-41,749	0	
Net Income	64,539	-176,616	241,154	
Total Equity	-125,722	-190,261	64,539	
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>154,708</b>	<b>248,491</b>	<b>-93,783</b>	

**notes**

- 1 Recievables are mainly made up of NZTE\$33k/Callaghan\$11k/TNZ \$9k balance in sundry NIF and tourism project income
- 2 Sale of oldest vehicle
- 3 Amount payable to NRC for Oyster Project
- 3 Payables are made up of some July/Aug invoices, being Welcon \$33k/Audit NZ \$13k, the rest are Oct invoices
- 4 Accruals are made up of Director fees , \$14k fbt liability 2013 & sundry admin
- 5 Income in advance is made up of NIF \$44k/Far North Brox \$6k

Northland INC																													
Cash Flow 2013/14																													
	July		August		Sept		October		November		December		January		February		March		April		May		June		Jul 13 - Jun14				
	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast	actual	Forecast YTD	actual YTD	Variance YTD	Annual Budget	notes
Income																													
Corporate	293,250	293,250	5,750	5,750	5,750	5,750	293,250	293,250	287,500										287,500						598,000	598,000	-	1,173,000	
Bus Grow Income	-		16,431	16,531	27,649	27,552	-		44,084		22,042		22,042		22,042		22,042		22,042		22,042		44,084		44,080	44,083	3	264,500	
Tourism Income	31,625	28,750	25,875	24,259	27,299	31,788	61,826	54,505	31,625		7,000		53,375		2,875		21,850		69,000		17,250		10,350		146,625	139,302	(7,324)	359,950	timing
Investment Income																			40,250						-	-	-	40,250	
Sector Income													28,750												-	-	-	28,750	
Interest				1																					-	1	1	-	
extraordinary Income						3,515																			-	3,515	3,515	-	sale of veh
Total Income	324,875	322,000	48,056	46,541	60,698	68,605	355,076	347,755	363,209	-	29,042	-	104,167	-	24,917	-	43,892	-	418,792	-	39,292	-	54,434	-	788,705	784,901	(3,805)	1,866,450	
Expenses																													
Corporate																													
Salaries	12,414	12,414	12,205	12,205	19,728	19,728	42,253	45,441	34,852		19,000		19,000		19,000		19,000		24,351		19,000		19,000		86,601	89,788	3,187	259,804	timing
Specific Costs	15,669	15,669	1,506	1,506	1,442	1,442	29,485	30,612	6,891		7,581		26,891		6,891		6,891		6,887		6,890		6,890		48,102	49,229	1,127	123,913	timing
Share of Overheads	7,812	8,166	10,428	9,959	5,866	5,866	14,859	14,974	8,213		10,778		6,997		6,983		8,609		6,983		7,891		21,261		38,965	38,965	(0)	116,679	
Bus Grow																													
Salaries	9,913	9,913	12,067	12,067	12,067	12,067	19,804	19,473	12,304		12,304		12,304		12,304		12,304		18,456		12,304		33,869		53,851	53,520	(331)	180,008	
Specific Costs	1,917	1,917	1,917	1,917	1,917	1,917	1,917	1,917	1,917		1,917		1,917		1,917		1,917		1,917		1,912		1,917		7,668	7,668	(0)	23,000	
Share of Overheads	5,434	5,628	7,237	6,864	3,863	4,042	10,320	10,320	5,710		7,478		4,871		4,862		5,983		4,862		5,488		14,901		26,854	26,854	0	81,009	
Tourism																													
Salaries	19,676	11,095	19,676	20,678	15,890	23,470	23,462	27,496	19,676		19,676		19,676		19,676		19,676		19,676		19,676		19,676		78,705	82,739	4,034	236,114	timing
Specific Costs	7,920	1,107	16,960	23,774	1,878	1,878	22,785	18,265	6,995		6,995		45,330		5,080		5,080		5,080		5,080		5,080		49,545	45,024	(4,521)	134,263	timing
Share of Overheads	7,130	7,386	9,498	9,007	5,070	5,305	13,542	13,543	7,493		9,814		6,394		6,380		7,852		6,380		7,201		19,556		35,241	35,241	0	106,312	
I & G																													
Salaries									10,550										9,443		9,443		9,443		-	-	-	57,000	
Specific Costs							49,935	49,935	0				48,685						0		0		-		49,935	49,935	-	80,500	
Share of Overheads	1,755	1,817	2,326	2,216	1,257	1,305	3,334	3,335	1,843		2,415		1,573		1,570		1,932		1,570		1,772		4,799		8,673	8,673	(0)	26,148	
Sector																													
Salaries	12,391	7,885	12,391	16,896																					24,782	24,781	(1)	24,782	
Specific Costs	18,055	18,055	32,775	25,433	21,725	29,067	15,539	15,169	15,189		7,590		12,991		7,590		7,590		7,590		7,590		7,581		88,094	87,724	(370)	161,805	
Share of Overheads	691	790	944	961	685	567	1,221	1,448	730		979		613		611		768		611		699		1,960		3,542	3,766	224	10,513	
total expenses	120,777	101,842	139,931	143,483	91,390	106,654	248,458	251,928	132,365	-	106,527	-	207,242	-	92,863	-	97,602	-	113,805	-	104,947	-	165,933	-	600,556	603,907	3,351	1,621,849	
GST estimate				(24,183)	29,526	20,155			27,278				36,746				(9,008)				48,806				29,526	(4,028)	(33,554)	130,736	
FBT contribution	954		954		954		954		954		954		954		954		954		954		954		954		3,816				
Extraordinary items								48																					
SUB TOTAL OPERATING CASHFLOWS	205,052	220,158	(90,921)	(72,759)	(59,264)	(58,204)	107,572	95,779	204,520	-	(76,531)	-	(138,867)	-	(66,992)	-	(43,748)	-	305,941	-	(113,507)	-	(110,545)	-	162,438	185,022	26,399	113,865	
Prior year debtors		(75,540)		(52,945)	(5,510)	(5,510)			(551)																				
Prior year creditors		209,263		33,252			63,940	63,940	18,208		5,000		7,500		5,000		5,000		41,353		7,500		5,000						
total prior year		133,723	-	(19,693)	(5,510)	(5,510)	63,940	63,940	17,657	-	5,000	-	7,500	-	5,000	-	5,000	-	41,353	-	7,500	-	5,000	-					
TOTAL OPERATING CASHFLOWS	205,052	86,435	(90,921)	(53,066)	(53,754)	(52,694)	43,632	31,839	186,863	-	(81,531)	-	(146,367)	-	(71,992)	-	(48,748)	-	264,588	-	(121,007)	-	(115,545)	-					
OPENING BALANCE	28,348	28,362	233,400	114,797	142,478	61,731	88,725	9,037	132,357	40,876	319,220	40,876	237,689	40,876	91,321	40,876	19,329	40,876	(29,419)	40,876	235,168	40,876	114,162	40,876					
Operating surplus/(deficit)	205,052	86,435	(90,921)	(53,066)	(53,754)	(52,694)	43,632	31,839	186,863	-	(81,531)	-	(146,367)	-	(71,992)	-	(48,748)	-	264,588	-	(121,007)	-	(115,545)	-					
Non operating surplus/(deficit)																													
CLOSING BALANCE	233,400	114,797	142,478	61,731	88,724	9,037	132,357	40,876	319,220	40,876	237,689	40,876	91,321	40,876	19,329	40,876	(29,419)	40,876	235,168	40,876	114,162	40,876	(1,384)	40,876					
this cash flow includes GST on all expenses (except salaries) although some like Kiwisaver do not have GST attached. As these are minor they do not have an impact on the result but this has been done in favour of presenting a conservative approach.																													
Expenses and income from previous years are recorded as Creditors & Debtors																													

**ISSUE: Northland Inc. Limited Constitution - Proposed Alteration for Appointing the Chairperson**

**ID:** A599043

**To:** Council Meeting, 10 December 2013

**From:** Malcolm Nicolson, Chief Executive Officer

**Date:** 26 November 2013

**Summary** The purpose of this report is to recommend that the constitution of Northland Inc. Limited be changed to allow the directors of Northland Inc. Limited to choose their own chairperson from their midst.

<b>Report Type:</b>	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

In June 2012, after the Long Term Plan decision to wind up the Northland Regional Council Community Trust and turn Destination Northland Limited (now registered as Northland Inc. Limited) into its economic development council controlled organisation (CCO), council resolved to appoint the CCO's first director, Colin Mitten, as both Chairperson and Chief Executive Officer (i.e. Executive Chairperson).

In December 2012, the constitution<sup>1</sup> of the company was changed by special resolution of the shareholder (i.e. council) to ensure the company was under the control of the council by removing all references to the Northland Regional Council Community Trust, recognising the status of the company as a CCO (and not a charitable trust) and addressing distributions to shareholders on liquidation.

Council has not delegated the responsibility for making shareholder resolutions. Therefore any further resolutions by the shareholder (including those to amend the constitution) need to be made by council as the shareholder.

**Discussion:**

Northland Inc. Limited's constitution states:

- That the chairperson of the board "shall be appointed by the shareholders notifying the board in writing of its choice of an existing director to be a chairperson (clause 24).
- That the chairperson will chair all meetings ..."If no chairperson of the board is elected, or if at a meeting of the board the chairperson of the board is not present within 5 minutes from the time appointed for the meeting, then the directors present may elect one of their number to chair the meeting".

<sup>1</sup> A constitution sets out the rights, powers and duties of the company, the board, each director and each shareholder. The constitution allows the shareholder (council) to alter the constitution by special resolution.

**ITEM: 7.3**

Page 2 of 3

I would like the council to consider whether it is appropriate for the constitution to be altered to allow the directors to elect their own chairperson from amongst their midst, much like the Northland Port Corporation constitution. A change is in line with most companies where chairs are elected by the boards, often on an annual basis (in line with their own constitutions). However councils can and do retain the power to appoint the chairperson of their council controlled organisations.<sup>2</sup>

I recommend that the council as the shareholder passes the shareholder resolution drafted in recommendation 2 below to allow the directors to choose their own chairperson because I consider that the need for the council to have control over the appointment of the chairperson has reduced from the early days of transitioning the organisation from Destination Northland Ltd to the present. I also consider it will allow the board to operate as a team and to critically evaluate its performance both as a team and of the individual directors in the team, including any positions such as chair or portfolios they may hold. (I expect that the shareholder would be invited to give its input into this evaluation and this can be agreed by council with the board through a variety of mechanisms such as the Statement of Intent or a statement of the shareholders' expectations.)

I note in proposing the change that council will want to have a high degree of confidence in the chair's ability to govern and that (as Alan Bickers notes) there are a number of specific obligations and responsibilities under the Local Government Act 2002 and in meeting council's objectives and the concerns of the wider community that influence this governance role.<sup>3</sup> This confidence can be achieved by appointing suitably qualified directors in line with council's existing policy on appointments and maintaining an appropriate governance relationship with the board through regular reporting and the statement of intent. The council should therefore satisfy itself that my proposal to adopt a more conventional election from within model is a good fit with the governance responsibilities of both the council, the chairperson of the company and the wider board.

I am also cognisant of the council's resolution to delegate responsibility for the appointment of two more directors to the board to an adhoc subcommittee comprised of the Chairman of the Audit and Risk Committee, the Chairman of council, the Mayors of the Far North and Whāngārei District Councils and the Chairman of Kaipara District Council. The council may therefore want to wait until this process and the appointments are made before deciding that a change to the constitution is desirable.

If the council would like to maintain the right but not the obligation to appoint the chairperson (as the shareholder) it may prefer to resolve that the constitution be amended to provide that the shareholder may from time to time appoint a director to be chairperson of the company (and the term of his or her office) but if it does not make this appointment, that the directors should elect a director to be chairperson.

If council preferred this approach an alternative recommendation and draft shareholder resolution might read:

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<sup>2</sup> Alan Bickers (Management and Governance consultant, Tauranga) noted that this is "very common" in his April 2012 SOLGM CCO Conference presentation and paper "Governance of CCOs".

<sup>3</sup> Ibid.

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“The chairperson may from time to time be appointed by the shareholders notifying the board in writing of its choice of an existing director to be the chairperson and may specify the term of his or her office; but if there is no such appointment, the directors shall elect a director to be chairperson.”

Clause 25 could consequently be amended as follows:

“The chairperson of the board holds that office until he or she dies, vacates that office, resigns or he or she is removed from office under *clause 18* or until the directors elect or the shareholder appoints a chairperson in his or her place.”

**Conclusion**

The council as shareholder can pass a resolution to amend the constitution of Northland Inc. Limited. I recommend that the council passes a shareholder resolution to allow the directors to elect their own chairperson from amongst their midst because I consider that the need for the council to have control over the appointment of the chairperson is no longer necessary, the appointment process for directors is robust and that the directors can and should evaluate their own performance and exercise their judgement to elect the appropriately qualified person from their midst to perform the additional responsibilities of the chairperson role.

**Legal compliance and significance assessment:**

The activities detailed in this report comply with Northland Inc. Limited's constitution and the Companies Act 1993. The item and recommendations are not considered significant under the Significance Policy; and comply with the council's decision making process including assessments of options and sections 76-82 of the Local Government Act 2002.

**Recommendations:**

- 
1. That the report “Northland Inc. Limited Constitution - Proposed Alteration for Appointing the Chairperson” by Malcolm Nicolson, Chief Executive Officer, dated 26 November 2013 be received.
  2. That the Northland Regional Council, as the holder of all the shares of **NORTHLAND INC LIMITED** (the **Company**) hereby resolves, by special resolution in accordance with section 32(2) of the Companies Act 1993 and clause 7.2 of the constitution of the Company to alter the constitution as follows:

By omitting clause 24 and its heading and substituting the following:

**Directors to elect chairperson of the board**

The directors may elect one of their number as chairperson of the board to hold office.

By omitting clause 25 and substituting the following:

The chairperson of the board holds that office until he or she dies, vacates that office, resigns or he or she is removed from office under *clause 18* or until the directors elect a chairperson in his or her place.

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**ISSUE: Request to Approve “Contractual Arrangement”  
Between Northland Inc. Limited and Council – For  
the Sale of ex-Chairman’s Car**

**ID:** A599381

**To:** Council Meeting, 10 December 2013

**From:** Malcolm Nicolson, Chief Executive Officer

**Date:** 28 November 2013

**Summary** The purpose of this report is to request council's approval for Northland Inc. Limited to enter a multi-year arrangement for a vehicle. It concludes with the recommendation that council approve the request and delegate to the Chief Executive Officer authority to give effect to this approval.

<b>Report Type:</b>	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

As part of council's agreement to meet the ongoing financial obligations and commitments arising from Northland Inc. Limited's (NIC) implementation of the 2013/2014 Statement of Intent, council required NIC to seek specific approval from council prior to becoming contractually liable to any financial commitments or obligations that extend beyond 30 June 2014. This includes any multi-year contracts, finance and operating leases.

Under council policy, council provides a vehicle to its Chairman at the beginning of each triennium. The previous council Chairman's car which would normally be sold at this point in the electoral cycle is a 2012 Holden SV6, purchased in July last year and has approximately 43,000 km on the clock. It is still in immaculate condition. It has an estimate market value of \$25,000. (The estimate based on enquiries of local car dealers and an auction house.)

**Discussion:**

NIC has a contractual obligation to provide a vehicle to its recently appointed Chief Executive Officer. NIC has not yet purchased or leased a vehicle to fulfil this obligation. A vehicle lease would typically attract an interest rate of between 10% and 15%. Council is concerned that NIC operate in a more efficient manner.

I consider that this creates an opportunity that would achieve a very cost effective win-win solution for both council and NIC. My staff have run some scenarios for the transfer of the vehicle and have concluded that the outright sale of the vehicle at the current market value (\$25,000) is the best one for both parties. (Future on-going maintenance, insurance and depreciation costs will be for NIC's account).

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I think that an arrangement where council provides a vendor financed loan of the purchase price to NIC and they repay the purchase price plus interest (which I propose should be 6% per annum being council's current opportunity cost) over a period of 36 months, is a cost effective option for the consolidated group. This arrangement would give council assurance over NIC's liabilities as they are internalised within the group, does not aggravate their current cash flow difficulties, has minimal transaction costs associated with disposal of council's asset, and ensures that council is financially no worse off.

Council's approval is required for both NIC to enter into this arrangement, as it is a multi-year arrangement with payments spread over the next 36 months, as well as the extending of the loan to its council controlled organisation (CCO).

**Conclusion**

I recommend that the council gives its approval to the provision of the loan, the approval to purchase and that staff, upon receipt of this approval, under delegated authority complete appropriate documentation as outlined (effectively a council loan to NIC for \$25,000 repayable over 36 months with interest charged at 6% per annum on any outstanding balance).

**Legal compliance and significance assessment:**

The decisions requested in this item flow from the Long Term Plan 2012-2022, previous decisions of council to set up Northland Inc. Limited as its CCO, and its subsequent requirement to approve all multi-year contracts. Entering into contracts with third parties for the sale of vehicles is part of council's normal operations which is delegated to staff, however this situation is more like a loan. This is not regarded as significant (despite this being a contract with our CCO) under council policy.

**Recommendations:**

- 
1. That the report "Request to Approve "Contractual Arrangement" Between Northland Inc. Limited and Council – for the sale of ex-chairman's car", dated 28 November 2013, be received.
  2. That council approves both council and Northland Inc. Limited entering into a multi-year arrangement to the sale of the ex-Chairman's 2012 Holden SV6 to Northland Inc. Limited based on a market value of \$25,000 and that the arrangement provides that Northland Inc. Limited repays \$25,000 to council over 36 months with interest at 6% per annum payable on the outstanding balance and delegates all necessary authority to give effect to this resolution to the Chief Executive Officer.
-



**ISSUE: Northland Inc. Limited Request for Additional Operational Funding from Investment and Growth Reserve**

**ID:** A599805

**To:** Council Meeting, 10 December 2013

**From:** Malcolm Nicolson, Chief Executive Officer

**Date:** 28 November 2013

**Summary** The purpose of this report is to present to council Northland Inc. Limited's request for additional extraordinary operational funding from the Investment and Growth Reserve. It concludes with the recommendation that the request be granted.

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

Council consulted in the draft Long Term Plan 2012-2022 on establishing new council controlled organisations for economic development. Included in the proposal were acknowledgements that:

- The funding arrangements for Enterprise Northland Trust (the existing economic development agency) were not sufficient to “carry out economic development activities”.
- There would be transition costs (dependent on the structure adopted of approximately \$60k).
- It would take time to make the transition (to appoint directors, develop statements of intent, including performance measures, and appoint management and staff).
- Council would ensure funding was “sufficient to deliver the current activities and meet contractual arrangements”.

Council also discussed its concerns and aspirations with the trustees, directors and management of the existing entities, sought further legal and tax advice on the best structure to deliver council's economic development activities and aspirations at arm's length, and concluded at the end of the consultation period that winding up the Northland Regional Council Community Trust, and merging Enterprise Northland Trust activities with those in Destination Northland Limited (now NIC) was the most appropriate option.

The council set a three month timeframe for completing the transition and this was not achieved. Council resolved to appoint new directors in September 2012 and a draft Statement of Intent was presented to council in December 2012. There has been significant to-ing and fro-ing over the Statement of Intent during 2013. Staff matters were not resolved until recently. For example, NIC's Chief Executive Officer took up the role in September 2013.

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**Discussion:****Northland Inc. Limited funding and cash flow**

Council now provides Northland Inc. Limited (NIC) with up to \$1.1M in operational funding, \$1M of which comes from the Investment and Growth Reserve in line with council's own criteria for the use of that reserve and the Long Term Plan 2012-2022. In September 2013 council was advised that NIC was technically insolvent. Their monthly report is included in this council agenda (item 7.2) as is the NIC Annual Report 2012/13 (item 7.1) which shows that NIC made a net loss of \$172,617 in the 2012/13 financial year and had a closing negative equity position as at 30 June 2013 of negative \$186,957.

Council has required NIC to seek specific approval from council prior to becoming contractually liable to any financial commitments or obligations that extend beyond 30 June 2014 and provide monthly financial reports to council to enable council to monitor its financial status. NIC's cash flow situation is not sustainable - it was advanced quarter three (January–March 2014) funding at the end of November 2013.

**Northland Inc. Limited request for extraordinary funding of \$159,652**

NIC has requested that council provide it with extraordinary funding of \$159,652 to "enable the entity to be solvent at the end of the financial year, June 2014. It will also enable the entity to function successfully against its SOI targets and regain the confidence of its creditors". The amount requested is driven by costs associated with the transition including legacy projects. The request is attached (**Attachment 1**).

**Recommendation to approve and pay from the Investment and Growth Reserve**

The council and NIC both have responsibilities for the current financial position of NIC. The amount requested by NIC is attributed to costs associated with the transition, including legacy projects and the unanticipated delay in completing the transition of staff (and higher than anticipated costs in completing this transition) and the delay in appointing the Chief Executive Officer.

Both council and NIC have spent considerable time on establishing a Statement of Intent (SOI) and business plan that could deliver outcomes within available funding. An internal restructure has been completed to better align NIC and its activities to deliver on the objectives set out in the 2013/14 SOI and to ensure NIC is able to operate within budget.

With the recent appointment of NIC's Chief Executive Officer, there is now a dedicated specialist in economic development leading operations and advising the board. I was involved in that appointment and consider that the organisation is in a better position now to move forward to deliver council's objectives than it has been since 1 July 2012. Council also has the additional assurance of monthly financial reporting now and final approval of multiyear contracts. I therefore recommend that the extraordinary funding request is approved for the full \$159,652 and paid from the Investment and Growth Reserve.

I have considered the options of council not approving the request or only approving a lesser amount and consider that given NIC's reliance on council providing operational funding that without the full amount NIC would most likely cease to operate and would not be capable of delivering value to council even if it could continue to operate. Neither is an effective or efficient use of council (ratepayer) money. (We have stated we need to be satisfied with their business plan and have provided a letter of comfort

**ITEM: 7.5**

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to NIC that we will pay the full \$1M to them for 2013/14 once we are.) Without an economic development agency (or a functioning solvent economic development agency) council is not likely to achieve its objectives for economic development without incurring additional costs (on top of the already sunk costs) such as those for winding up the council controlled organisation and transitioning activities to another entity (such as council). Experience suggests these costs can be considerable (as demonstrated in the request from NIC).

If council accepts my recommendation then the decision to use the Investment and Growth Reserve as the funding source is inconsistent with the criteria for the Investment and Growth Reserve. I do not consider however that this decision is significantly inconsistent. It was always anticipated that the Investment and Growth Reserve would be used to fund operational expenditure and that there would be transition costs. I also do not consider that the effect of this decision will be a significant inconsistency. Using rates, however, to fund the request would be a significant inconsistency given the rationale behind and content of the Long Term Plan 2012-2022 and the economic development activity.

I do, however, recommend that council reviews the criteria for the Investment and Growth Reserve to ensure they are fit for purpose (considering specifically council objectives and the direction of NIC's draft SOI and business plan 2014/15).

**Legal compliance and significance assessment:**

Council may make a decision that is inconsistent with its own policies. If it does then it should decide whether the inconsistency is significant and if so note the reasons for the inconsistent decision and whether it intends to review the policy. If the recommendation is adopted this does not result in a significant inconsistency and the decision is of low significance.

**Recommendations:**

- 
1. That the report "Northland Inc. Limited Request for Additional Operational Funding from Investment and Growth Reserve" by Malcolm Nicolson, Chief Executive Officer, dated 28 November 2013, be received.
  2. That the extraordinary funding request for \$159,652 plus GST is approved and paid from the Northland Regional Council Investment and Growth Reserve against an invoice raised as soon as practical.
  3. That council directs staff to review the criteria for the Investment and Growth Reserve and present it with options prior to council adopting its 2014/15 Annual Plan.
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## Report to NRC

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**Report By:**

Colin Mitten

**Dated:**

26/11/2013

**Subject:**

## Funding Request

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### **Request for funding to cover Non Recurring Costs incurred by Northland Inc**

At the November NRC meeting Northland Inc presented slides highlighting the Non Recurring Costs incurred by Northland Inc mainly resulting from the restructure, or discontinued activities, of which Northland Inc requests consideration for funding of a portion of those costs as follows:

- HR Specialists \$51,593
- Lawyers \$71,137
- Notice Pay \$14,925
- Audit Increase \$7,000
- Oyster Project Audit \$15,000
- Total \$159,652

The effect of receiving this funding will enable the entity to be solvent at the end of the financial year, June 2014. It will also enable the entity to function successfully against its SOI targets and regain the confidence of its creditors.

**Attached** is the following report;

### **Cash Flow to June 2013**

The attached Cash Flow has been amended to include the extraordinary funding and highlights the move from a negative to a positive cash flow position.

### **Recommendation**

- The extraordinary funding of \$159,652 be approved.



**ITEM: 8.1**

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**ISSUE: Meetings Calendar 2014****To:** Council Meeting, 10 December 2013**From:** Chris Taylor, Council Secretary**Date:** 27 November 2013

**Summary:** The purpose of this report is to present for council consideration and approval a schedule of meetings for 2014. It concludes with the recommendation that council resolve to hold meetings as detailed in the report.

<b>Report Type:</b>	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

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.

Previously council has found that setting an annual [calendar year] schedule of proposed meetings has been an efficient way to plan for meetings listed for that period. Hence, the **attached** calendar for 2014 has been drafted based on the governance structure resolved by council at the 6 November council meeting:

Forum	Frequency
Council	To occur on the third Tuesday of each month when there is no Audit and Risk Committee meeting. January and December being the exceptions; to allow for the Christmas/New Year period. These meetings will be held in various locations based on the Northland constituencies.
Audit & Risk Committee	To occur quarterly on the third Tuesday of the month, commencing in February 2014.
Environmental Management Committee	To occur bi-monthly on the last Wednesday of the month, commencing in February 2014. December being the exception; to allow for the Christmas period.
Regional Transport Committee	To occur bi-monthly on the first Wednesday of the month, commencing in February 2014.

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Regional Policy Committee	To occur on the last Tuesday of February, June and September. At the September meeting the committee will need to give consideration as to whether a further meeting is required during the year.
Civil Defence & Emergency Management Committee	To occur on the 1 <sup>st</sup> Tuesday every quarter, beginning March 2014. Also to note the CDEM Annual Forum will be held 9am – 1pm on Wednesday 30 April at Forum North.
Council only workshops	Will be scheduled as work streams require council's consideration. All efforts will be made to run these in conjunction with existing meeting commitments.

Note that the meetings schedule is a fluid document, with the flexibility to change, add and delete meetings as required to ensure maximum efficiency.

Councillors will be informed in advance of changes to the calendar, with as much notice as is possible.

**Legal compliance and significance assessment:**

The Local Government Act 2002, Schedule 7, Clause 19 refers to the calling of meetings, and requires that a “local authority must hold the meetings that are necessary for the good government of its region or district.”

This matter is considered to be of low significance because it is part of the normal day to day operations of council.

**Recommendations:**

- 
1. That the report, “Meetings Calender 2014” by the Council Secretary, Chris Taylor, dated 27 November 2013, be received.
  2. That the programme of meetings for 2014, as recommended, be adopted.
-



	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Saturday		1	1								1	
Sunday		2	2			1					2	
Monday		3	3			2	Public Holiday		1		3	1
Tuesday		4	4	CDEM	1	3	CDEM	1	2	CDEM	4	2
Wednesday	1	Public Holiday	5	RTC	5	Marinas/Moorings Strategy Hearings	2	RTC	3	1	RTC	5
Thursday	2	Public Holiday	6	Public Holiday	6	Marinas/Moorings Strategy Hearings	3		4	2	6	4
Friday	3		7		7	4		2	6	4	1	5
Saturday	4		8		8	5		3	7	5	2	6
Sunday	5		9		9	6		4	8	6	3	7
Monday	6		10	Leadership Team Meeting (NRC)	10	7		5	9	7	4	8
Tuesday	7		11		11	8		6	10	8	5	9
Wednesday	8		12		12	9		7	11	9	6	10
Thursday	9		13		13	10		8	12	10	7	11
Friday	10		14		14	11		9	13	11	8	12
Saturday	11		15		15	12		10	14	12	9	13
Sunday	12		16		16	13		11	15	13	10	14
Monday	13		17	Mayoral Forum (NRC)	17	14		12	16	14	11	15
Tuesday	14		18	A & R (NRC)	18	Council Meeting (Coastal North)	15	Council Meeting (Whangarei)	17	Council meeting (Coastal Central)	15	Council Meeting (Kaipara)
Wednesday	15		19		19	16		14	18		16	17
Thursday	16		20		20	17		15	19		17	18
Friday	17		21		21	18	Public Holiday	16	20		18	19
Saturday	18		22		22	19		17	21		19	20
Sunday	19		23		23	20		18	22		20	21
Monday	20	Council Workshop (Northland Inc. SOI) TBC	24		24	21	Public Holiday	19	23	21	LGNZ Conference Nelson	18
Tuesday	21	Council Workshop (Northland Inc. SOI) TBC	25	RP	25	22	Mayoral Forum (WDC)	20	A & R (NRC)	24	RP	22
Wednesday	22		26	EnviroMngt	26	23		21	25	EnviroMngt	23	20
Thursday	23		27		27	24		22	26		24	21
Friday	24		28		28	25	Public Holiday	23	27		25	24
Saturday	25				29	26		24	28		26	25
Sunday	26				30	27		25	29		27	26
Monday	27	Public Holiday			31	28		26	30		28	27
Tuesday	28	Council Meeting (Hokianga)				29		27			29	28
Wednesday	29					30	EnviroMngt	CDEM Annual Forum (Forum North)	28		30	29
Thursday	30								31			
Friday	31											
Saturday												
Sunday												



**ISSUE: Selection Committee for the Northland Sailor of the Year 2013****ID:** A595292**To:** Council Meeting, 10 December 2013**From:** Jim Lyle, Regional Harbourmaster**Date:** 15 November 2013

**Summary** The purpose of this report is to commence the process for selecting a recipient for the Northland Sailor of the Year 2013 award. It concludes with the recommendation that the council nominates a councillor to the selection panel to assist with the final decision.

<b>Report Type:</b>	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

As a means of encouraging excellence in yachting activities within the Northland community, council presents a trophy and an award annually to a person chosen as Northland Sailor of the Year.

The award may be made for all or any acts or services, which either directly or indirectly have the effect of promotion, advancement or betterment of the sport of yachting. In particular, but without in any way restricting the generality of the above named purpose, the following shall apply:

- Design and building of boats;
- Administrative services to the sport on a regular basis;
- Outstanding examples of seamanship or sailing ability in both competitive and non-competitive spheres;
- Outstanding examples of sportsmanship; and
- Services in the promotion and encouragement of active participation in the sport of yachting.

**Discussion:**

A condition of the award is that the selection panel comprises two representatives from the Northland Yachting Association, an elected representative from the Northland Regional Council and the Regional Harbourmaster.

Nominations for potential recipients are received from the Northland Yachting Association each year. Council is accordingly requested to nominate one councillor as its representative for the 2013 selection panel to assist the Regional Harbourmaster with the final decision.

**ITEM: 8.2**

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**Legal compliance and significance assessment:**

With reference to section 79 of the Local Government Act 2002, this item is considered to be of low significance under council policy as it is part of the normal day-to-day operations of the council.

**Recommendations:**

- 
1. That the report "Selection Committee for the Northland Sailor of the Year 2013" by Jim Lyle, Regional Harbourmaster, dated 15 November 2013, be received.
  2. That council appoints one councillor as the Northland Regional Council's representative on the selection panel to choose the recipient of the Northland Sailor of the Year trophy and award for 2013.
-

**ISSUE: Proposed Changes to the NPS Freshwater Management****ID:** A599168**To:** Council Meeting, 10 December 2013**From:** Justin Murfitt, Programme Manager (Resource Management)**Date:** 27 November 2013

**Summary** The purpose of this report is to advise council of the proposed changes to National Policy Statement for Freshwater Management. It concludes with the recommendation that council lodge a submission on the proposal. It also recommends that authority to approve the draft submission be delegated in the event council does not meet again prior to close of the consultation period on 4 February 2014.

<b>Report Type:</b>	<input checked="" type="checkbox"/>	Normal operations	<input type="checkbox"/>	Information	<input checked="" type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input type="checkbox"/>	Regulatory function
	<input type="checkbox"/>	Legislative function	<input type="checkbox"/>	Annual\Long Term Plan	<input checked="" type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Background:**

In May 2011 the government released the National Policy Statement for Freshwater Management (NPSFM). The NPSFM sets out how councils (primarily regional councils) must manage freshwater resources. Key aims of the NPSFM are that overall water quality is maintained or improved within a region and that the life supporting capacity of freshwater and associated ecosystems are safeguarded. Council has developed the Waiora Northland Water programme to implement the NPSFM using both collaborative processes in specified high priority catchments and a more generic region wide approach elsewhere.

On 7 November 2013, the government announced proposed changes to the NPSFM. The proposals are set out in a discussion document: Proposed amendments to the National Policy Statement for Freshwater Management 2011. It is available in electronic format from the Ministry for the Environment's website:

<http://www.mfe.govt.nz/publications/water/proposed-amendments-nps-freshwater-management/proposed-amendments-nps-freshwater-management.pdf>

These proposals are intended to provide more direction and guidance in implementation of the NPSFM and in particular to address:

- A lack of clarity on how to manage water to protect community/iwi values.
- Duplication of scientific effort.
- Debate over the science impeding discussion on values.
- A lack of consistency in defining minimum acceptable states for water quality.

The proposed changes to the NPSFM do not alter the overall intent. They clarify matters and aid implementation particularly for water quality.

**ITEM: 8.3**

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The changes are summarised as follows:

- More emphasis on the connections between fresh and coastal waters.
- A menu of national values of water with more explicit descriptions.
- A national objectives framework to assist in setting objectives for water quality and associated policy.
- Compulsory requirement to set objectives for ecosystem health and human health (secondary contact), including mandatory 'bottom-lines' for these values.
- Clearer articulation of tangata whenua values for freshwater in the policy.
- A requirement to monitor progress toward achieving objectives.
- A requirement to account for water takes and contaminant sources.

The most significant amendment is the addition of the National Objectives Framework (NOF). This framework is intended to provide a nationally consistent structural basis for setting objectives, primarily in relation to water quality (this being the more challenging for most councils). The NOF uses a table format to define four water quality states or bands for nationally held values of water in lakes and rivers. The values include ecosystem health, human health (secondary contact) and contact recreation.

For each of these values the NOF applies a series of water quality indicators called attributes. For example, the attributes for the ecosystem health value of lakes are chlorophyll-a, total nitrogen, total phosphorous, toxicity (nitrate and ammonia), which are contaminants that impact freshwater ecosystems. Each of these attributes is described in four states or bands from very good (A), good (B), fair (C) and very poor (D). These attribute states/bands are described numerically and in narrative terms. So attribute states are essentially a series of thresholds that describe four water quality conditions for a number of water quality indicators. Both ecosystem and human health (secondary contact) values are compulsory under the proposed changes, meaning objectives must be set for all the associated attributes.

Significantly, the NOF applies national "bottom lines" – a minimum acceptable state for the specified attributes. The bottom lines are set at the break-point between the fair (C) and very poor (D) attribute states/bands. A rank of D is below the bottom line and unacceptable – councils need to try and improve water quality where attribute states are below national bottom lines (although there are some exceptions).

**Discussion:**

The proposed amendments to the NPSFM (and the NOF) are open for submissions until 4 February 2014. Initial staff assessment suggests the proposed changes to the NPSFM are on the whole beneficial and that the NOF is workable in Northland. However, staff consider there are opportunities for improvement and it is recommended that council lodge a submission on the proposal making the following points:

- The NOF provides a useful starting point and structure for debating the values of water and associated objectives with communities of interest and is therefore supported.
- Greater emphasis on the integration of fresh and coastal waters in managing freshwater resources is also supported (this is of particular importance in Northland).
- That further voluntary attributes for ecosystem health in both rivers and lakes be considered for inclusion in the NOF, namely Macro-invertebrate Communities

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Index and Trophic Level Index (for rivers and lakes respectively) and total nitrogen and total phosphorous attributes for rivers.

- That there be greater flexibility in the manner that attributes are measured to allow for regional differences. For example, our method for measuring dissolved oxygen differs from that set out in the NOF. (We measure dissolved oxygen as spot samples, whereas the NOF uses a number measured against a seven day mean minimum (summer period) which will need continuous monitoring, i.e. using SONDES that we do not currently do and consequently do not budget for).
- There are significant concerns using suitability for recreation grade (SFRG) as an attribute for the Contact Recreation Value, particularly if a national bottom line is applied. The SFRG is very conservative – a number of Northland's reference sites (those sites in a relatively natural state, such as the Waipoua and Waipapa Rivers) rank poorly against the SFRG for natural reasons.
- Clarification that requirements for water quality and quantity accounting need only relate to the information needed to establish objectives and any associated limits (e.g. it may not be necessary to "account" for all permitted takes or all contaminants).

Staff have yet to fully assess the implications for council and Northland generally and at this stage a draft submission on the above is not available. The Ministry for the Environment is also holding a workshop on 12 December 2013 where further information/clarification of the proposed changes will be provided. It is recommended that staff develop a draft submission on the proposed changes as outlined above. There may be an opportunity to present the draft submission to council if a January 2014 meeting is held. However, as this meeting is not yet confirmed, given the timing of the consultation period, it is recommended that council delegate authority to approve the submission in the event council does not meet prior to 4 February 2014.

### **Conclusion**

The proposed NOF framework will assist council in implementing the NPSFM in collaboration with communities of interest. The attributes listed in the NOF are reasonably well aligned with council's monitoring programme and initial impressions are that the changes to the NPSFM (and the NOF) can be incorporated into Waiora Northland Water without significant revision of the programme. However, there are opportunities for improvement and it is recommended that a submission be drafted highlighting these while indicating overall support for the changes.

The proposed amendments to the NPSFM and the NOF are open to submissions until 4 February 2014. It is recommended that staff develop a draft submission on the proposal and present it to a council meeting in January 2014 (if one is held). It is also recommended that council delegate authority to approve the submission in the event council does not meet prior to 4 February 2014.

### **Legal compliance and significance assessment:**

The activities detailed in this report are part of the council's day to day operations and as such are provided for in the council's 2012-2022 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. The submission itself and if our submission is accepted, the proposed changes to the NPSFM, are not considered significant.

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**Recommendations:**

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1. That the report "Proposed Changes to the NPS Freshwater Management" by Justin Murfitt, Programme Manager (Resource Management), dated 27 November 2013, be received.
  2. That staff prepare a draft submission on the proposed changes to the National Policy Statement for Freshwater Management as outlined.
  3. That staff present the draft submission to a council meeting in January 2014 (if one is held).
  4. That authority to approve the draft submission on behalf of council be delegated to Councillor \_\_\_\_\_ and the CEO.
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**ISSUE: Māori Advisory Committee (provisionally called Te Taitokerau Regional Māori Advisory Committee)**

**ID:** A599366

**To:** Council Meeting, 10 December 2013

**From:** Chris Taylor, Council Secretary and Kathryn Ross, General Manager - Planning and Policy

**Date:** 28 November 2013

**Summary** The purpose of this report is to facilitate the appointment of a Māori Advisory Committee (the Committee). It concludes with the recommendations that council continues to work through a working party of councillors with Māori on the draft terms of reference (including purpose, functions and responsibilities) for and the most appropriate Māori representation on the committee.

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

While there are specific legislative obligations for council to take “appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision making processes” (Section 4 of the Local Government Act 2002), council has expressed a desire to increase its capacity and commitment to this role.

At the 6 November 2013 council meeting it was resolved:

“That Councillor Samuels be appointed Chairman of a working party to prepare a brief (including budgets) for council regarding the development of a Māori liaison advisory committee.”

Councillor Samuels and specialist staff met to discuss and subsequently drafted a memorandum on the structure and scope for such a committee and key questions to be resolved through further engagement with Māori and council. The memorandum detailing this information is included as **Attachment 1**.

This memorandum was provided to councillors on 19 November 2013 and discussed at the 26 November workshop. Key points from that discussion included:

- The suggested name for the committee was “Te Taitokerau Regional Māori Advisory Committee” based on the fact that Te Taitokerau was the region represented by the Northland Regional Council.
- As a standing committee of council, the committee would be subject to the delegations of council and also discharged at the end of the triennium, unless council resolved otherwise. However there was potential with the Local

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Government Act Amendment Bill (No. 5) for other mechanisms such as statutory boards and dedicated seats to be available in the future.

- That the councillor appointments to the committee should be Councillor Samuels (Chairman of the Committee), two councillors (to geographically represent the north and south of the region), the council chairman (ex-officio) and a member of Northland Inc. (to ensure the entities were aligned with regard to economic development).
- The council's representatives on the committee must provide recommendations back to council regarding its draft terms of reference (including its purpose, functions and responsibilities), as well as the most appropriate representation structure to engage all Māori in Te Taitokerau.
- The terms of reference must be very explicit to ensure there is no misinterpretation as to the purpose of the committee.
- The committee must come from and operate on genuine engagement and participation principles.

Picking up this last point, while clause 32 of schedule 7 of the Local Government Act 2002 empowers the council to set up committees and delegate functions (with some exceptions) to them, there is a unique opportunity in establishing this committee to start from first principles and to not establish the committee until consultation and engagement has occurred, and the purpose and the full membership is determined in partnership with Māori. This is the approach outlined in the memorandum. It has the advantage of demonstrating a genuine partnership with Māori that could enable lasting and meaningful relationships between Māori and council and create a commitment to the success of the committee. The purpose, scope and membership of the committee would be co-produced, co-owned and co-delivered. The councillors identified by council could in effect be the working party of council's original resolution demonstrating that the purpose of the committee needs to be confirmed between Māori and council. The disadvantage is that this process will take time. But this time may eventually save time and encourage fuller participation and commitment.

An alternative approach is to set up Te Taitokerau Regional Māori Advisory Committee now with the council's representatives as members (and/or other council invited members – such as the representative of Northland Inc., suggested in the council workshop).

There are a number of purposes and delegations that the committee could have, which are outlined in the memorandum. The question that would need to be asked is "which of them can be fulfilled by a committee made up of only councillors and a representative of its economic development agency?" If council wishes to proceed to set up Te Taitokerau Regional Māori Advisory Committee now without Māori on it at the outset, staff recommend that council should consider the following terms of reference rather than those in the memorandum:

- To engage with Māori in Te Taitokerau and provide recommendations back to council regarding suitable terms of reference (including its purpose, functions and responsibilities), as well as the most appropriate representation structure for Te Taitokerau Regional Māori Advisory Committee.

If the council wishes to set up the committee rather than a working party it would move alternative motions than those provided by the staff recommendations 2 and 3:

- That council approves the appointment of the "Te Taitokerau Regional Māori Advisory Committee" as a standing committee of the Northland Regional Council.

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- That council appoints Councillor Samuels as the Chairman of the Te Taitokerau Regional Māori Advisory Committee.
- That council appoints Councillors Bowman and Dimery (to geographically represent the north and south respectively) and the NRC Chairman, Bill Shepherd (in ex-officio capacity), to the Te Taitokerau Regional Māori Advisory Committee.
- That council appoints the Northland Inc. Chief Executive Officer, David Wilson, to the Te Taitokerau Regional Māori Advisory Committee, subject to written acceptance of the appointment.

The council is now asked to give formal consideration to this matter including the questions and proposals in the memorandum.

**Legal compliance and significance assessment:**

The activities detailed in this report are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002.

This matter has been assessed according to the council's Significance Policy and is deemed to be of low significance.

**Recommendations:**

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1. That the report "Māori Advisory Committee (provisionally called Te Taitokerau Regional Māori Advisory Committee)" by Chris Taylor, Council Secretary, and Kathryn Ross, General Manager – Planning and Policy, dated 28 November 2013, be received.
  2. That council appoints, in addition to Councillor Samuels as the Chairman, Councillors Bowman and Dimery (to geographically represent the north and south respectively) and the council Chairman, Bill Shepherd (in ex-officio capacity), to the working party preparing a brief (including budgets) for council regarding the development of a Māori liaison advisory committee.
  3. That the working party's terms of reference include that it engages with Māori in Te Taitokerau and provides recommendations to council on the terms of reference (including its purpose, functions and roles) for and Māori representation on the Māori liaison advisory committee (provisionally called Te Taitokerau Regional Māori Advisory Committee).
  4. That the memorandum attached to this report is used as the starting point for this engagement and the development of recommendations to council on the terms of reference (including purpose, functions and responsibilities) and Māori representation on the Te Taitokerau Regional Māori Advisory Committee.
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# MEMO



Te Kaunihera a rohe o te Tai Tokerau

**Date:** 15 November 2013

**To:** Cr Samuels

**From:** Kathryn Ross, GM Planning and Policy,  
Abraham Witana, SPM Tangata whenua  
Specialist, and Rachel Ropiha, Iwi Liaison  
Officer

**Subject:** Te Taitokerau Regional Māori Advisory  
Committee: Meeting notes 13 November 2013

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Council resolved set up a working party<sup>1</sup> to scope the development of Te Taitokerau Regional Māori Advisory Committee, initially proposed to be a standing committee of council. An initial meeting between Cr Samuels and staff has occurred. The meeting has established the following draft structure and scope of the committee and questions to be answered through further engagement with Māori and council.

## Legislative obligations

Both the Resource Management (RMA) and Local Government (LGA) Acts require council to take into account the principles of Treaty of Waitangi.

Section 81 of the LGA prescribes the following

- (a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of council; and
- (b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the council; and
- (c) provide relevant information to Māori for the above purposes.

While the RMA provisions include recognising and having regard for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other toanga.

## Possible purpose of Te Taitokerau Regional Māori Advisory Committee:

The purpose of the committee is yet to be defined however the following key points were discussed:

- The committee could have an assurance function, similar to the purpose of the Audit and Risk Committee, ensuring council meets its legal obligations to Māori.

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<sup>1</sup> "That Councillor Samuels be appointed the Chairman of a working party to prepare a brief (including budgets) for council regarding the development of a Māori liaison/advisory committee."

- The committee could have functions that support a wider purpose that is one that goes beyond monitoring and compliance functions.
- The committee should have input into the framework i.e. the purpose, and responsibilities and functions of the committee.

### **Draft purpose(s) for discussion**

The purpose of the committee needs to be confirmed between Māori and council.<sup>2</sup>  
The following draft purpose(s) represent a starting point for this discussion.

- To develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council.
- To promote the issues of significance for all Māori in Te Taitokerau.
- To ensure the views of Māori are taken into account in the exercise of council functions.
- To set the operational direction for council's legislative obligations to Māori and to monitor how these are implemented.

### **Responsibilities and functions of a Te Taitokerau Regional Māori Advisory Committee**

The following draft responsibilities and functions have been developed for discussion.

#### **Draft functions and responsibilities for discussion**

- Assist the council to foster the development of Māori capacity to contribute to council's decision-making processes and recommend / approve actions to enhance Māori capacity for inclusion in the development of the Long Term Plan and council programmes.
- Develop and recommend to council effective Māori consultation and engagement tools and processes.
- Identify, prioritise and promote cultural, economic, environmental and social issues of significance for Māori to guide council and the committee in carrying out its responsibilities.
- Identify emerging issues for Te Taitokerau region relating to the principles of the Te Tiriti o Waitangi, council's obligations to Māori under different statutes, and programmes to build the capability of Māori.
- Facilitate tangata whenua input into council objectives, council policy development and implementation programmes.
- Ensure Māori values and views are represented in council.

<sup>2</sup> Māori in this context are people who affiliate to whānau, hapū or iwi of Taitokerau. (Mātāwaka living in Northland is yet to be addressed)

- Recommend to council submissions and advise the council generally on matters affecting Māori.
- Monitor council's compliance to its obligations to Māori under the Local Government Act 2002 and the Resource Management Act 1991. (Assurance and compliance function.)

Other things to consider:

- What delegated authority is the council prepared to give to the committee to ensure it is effective?
- Budgets for functioning (secretariat, members meeting allowances, etc) and for funding programmes of work.
- What is the relationship between this committee and other committees of council? Can the committee appoint members onto other committee?
- What is the relationship between this committee and statutory boards such as the Te Oneroa a Tohe Beach Management Board?
- What role does the committee have in settlement processes?
- What action can the committee lead?
- Should the committee formally receive iwi/hapū management plans?
- Can the committee establish subcommittees and delegate to them any authorities that have been delegated by council to the committee? Can the committee appoint members to subcommittee that are not members of the committee?
- Can the committee recommend to council the establishment of advisory groups to represent sub-region or constituency areas and to consider specific issues?

## **Membership of Te Taitokerau Regional Māori Advisory Committee**

The initial meeting discussed options for ensuring across the board (whānau, hapū, iwi) representation on the committee and who should mandate Māori representatives. The following points were discussed:

- Large number of whānau and hapū in the region.
- Treaty Settlements with hapū – recognising and providing for this.
- Nine Mandated Iwi Authorities (Fisheries Settlement 1992).
- Thirteen Iwi Authorities as identified by the Local Government Commission.

The issue of Māori representation is an issue for Māori. The meeting considered whether it was possible to work through the Iwi authorities to facilitate representation on the committee from whānau and hapū.

Another option considered was whether there could be Māori constituencies for the committee following the current council constituency boundaries, natural Iwi collective groupings (i.e. Te Hiku) or some other boundary.

### **Draft membership for discussion**

Cr Samuels noted that council had initially proposed that two possibly three councillors, with Cr Samuels as Chair<sup>3</sup>, would sit alongside Māori representatives as the possible membership for the committee (no conclusion was reached as to the number of Māori representatives).

However, as an example if a constituency based (Māori representation) model was adopted this might mean seven (using the council constituency boundary). Or, if an Iwi based model was adopted this would mean up to thirteen (using the LGC proposal as a base) or nine (using the fisheries settlement). A hapū based approach would be in excess of one hundred.

Another point of discussion was the opportunity to form a Māori Forum to underpin those representatives on the Te Taitokerau Regional Māori Advisory Committee. The forum would include representation from all iwi (be that nine or thirteen) and could appoint members to the Te Taitokerau Regional Māori Advisory.

The forum would facilitate the collective to discuss and debate issues presented to the Te Taitokerau Regional Māori Advisory Committee and ensure those appointed to it had a regional perspective and voice.

### **Meetings of Te Taitokerau Regional Māori Advisory Committee**

Meetings of the committee could occur across the region at either Marae or council facilities. Any reporting back to constituent members or consultation with Māori could be on Marae.

There were discussions around ways of ensuring the inclusion of whānau and hapū. Having formalised reporting mechanisms back to marae could address this issue.

### **Possible structure**

A Te Taitokerau Regional Māori Advisory Committee would be a committee of council. Council would need to confirm it each triennium. Legislation is the only way of guaranteeing the longevity of Māori representation, such as the special legislation to create the Māori Wards in Bay of Plenty (i.e. not through Local Electoral Act) or a Statutory Board should this become available via the changes to the LGA.

Under existing legislation the committee would report directly to council (as below).

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<sup>3</sup> Note as the committee matures it may be that other options for chairing the committee might be explored such as co-chairing.





As noted above, the relationship between this committee and other committees of council needs further discussion once the committee's purpose has been identified and agreed. For example, while the audit and risk committee and the Māori committees are shown as sitting "under" the council a more accurate graphical presentation might be that they sit to the side providing an independent compliance and assurance role.

## Next steps

The discussions around the purpose and make up of this committee are at an early stage. Cr Samuels asked staff to record the key points from the initial meeting (this note) for discussion by himself with others of his choosing.

While the meeting discussed the inclusion of other councillors on the working party to examine, debate and pursue the matters in this note, the timing for this has not been set.



**ISSUE: Submission on Ara Tūhono – Pūhoi to Wellsford Road of National Significance**

**ID:** A599451

**To:** Council Meeting, 10 December 2013

**From:** Chris Powell, Transport Operations Senior Programme Manager

**Date:** 28 November 2013

**Summary** The purpose of this report is to seek council's approval for a Northland Regional Council Submission on the Ara Tūhono – Pūhoi to Wellsford Road of National Significance.

It concludes with the recommendations that the report be received, that council approve the content of the Northland Regional Council submission and that council approve that the submission be forwarded to the Environmental Protection Authority.

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Low

**Background:**

On 19 November 2013, the Northland Regional Council (NRC) received a letter (**Attachment 1**) from the NZ Transport Agency (NZTA) advising that it had lodged with the Environmental Protection Authority two notices of requirement and an application for 15 resource consents for the construction, operation and maintenance of the proposed Pūhoi to Wellsford section of the Ara Tūhono – Pūhoi to Wellsford Road of National Significance.

The NZTA has advised that submissions can be made to the Environmental Protection Authority on this matter and that the closing date for submissions is 13 December 2013.

**Submission**

Council staff have compiled a draft submission (**Attachment 2**) strongly supporting the project as part of Northland's strategic plan to improve the state highway network connecting Northland and Auckland. The submission also identifies the economic importance of this project to the region.

Based on the regional significance of the project and that the identified benefits will potentially impact on Northland as a whole, this draft submission has been tabled at the Regional Transport Committee (RTC) meeting to be held on 4 December 2013.

Due to the very short timeframe provided, staff have requested that the RTC reviews the content of this draft submission and provides any feedback and comments it considers appropriate prior to council lodging the submission to the Environmental Protection Authority within the required timeframe.

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The RTC has also been requested to consider whether it wishes to join the NRC submission and/or prepare a submission in its own right. Given the very tight timeframes for lodging submissions, it has been recommended that this would need to be delegated to the RTC Chair and one or more members to complete.

In addition, council has urged that the road controlling authorities represented at the RTC make their own submission in support of the Pūhoi to Wellsford project in order that its importance to the Northland region can be highlighted.

**Legal compliance and significance assessment:**

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan, and as such are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002.

This issue is considered under council policy to be potentially significant because the outcome decision will affect:

1. All or a large proportion of the community and have a substantial affect on them; and
2. The decision is potentially controversial.

**Recommendations:**

- 
1. That the report "Submission on Ara Tūhono – Pūhoi to Wellsford Road of National significance" by Chris Powell, Transport Operations Senior Programme Manager, dated 28 November 2013, be received.
  2. That the Northland Regional Council approve the content of the submission on Ara Tūhono – Pūhoi to Wellsford Road of National Significance and approve that the submission be forwarded to the Environmental Protection Authority.
-

## Submission

**By the: Northland Regional Council**

On

**Ara Tūhono - Pūhoi to Wellsford Road of National Significance:  
Pūhoi to Warkworth section**

**To the: Environmental Protection Authority**

1. The Northland Regional Council ("Council") thanks the Environmental Protection Authority (EPA) for the opportunity to make a submission on the Ara Tūhono - Pūhoi to Wellsford Road of National Significance: Pūhoi to Warkworth section.
2. In preparing this submission, the Council has appreciated the presentations and engagement from the New Zealand Transport Agency project team.
3. Northland is focused on improving the opportunities for economic development and growth within the region. The success of this growth will depend on the efficient and cost effective movement of product on state highways to markets outside of the region. These markets are situated either within Auckland or further south and any developments to assist the smooth transportation of these products will be of benefit to the region.
4. The Council wishes to express its strong support for the project as part of a strategic plan to improve the state highway network connecting Northland and Auckland. Whilst outside of the Council's boundary, this project is clearly viewed as a Northland project.
5. The project is proposed by NZTA and the Government based on its economic development benefits to Northland and therefore one of the leading drivers of the project is the connection and travel time between Northland and Auckland.

These benefits are critical to Northland and must continually be remembered and reinforced throughout the course of this project.

6. This submission will outline the strategic context to the project in relation to Northland, how the project fits within key strategic documents at both regional and upper north island scale as well as the implications of the project on the Northland economy. Each of these matters is addressed further below.

### **Strategic Context**

7. The project is proposed by NZTA and the Government based on its economic development benefits to Northland. The Council understands that significant work has been done in terms of investigating and quantifying these benefits, such as the economic benefits from tourists who would remain in New Zealand and travel north rather than south, and the benefits from increased inter-regional movement of goods and services. It is therefore somewhat disappointing to see the level of information provided within the application to support the strategic context of the project and its economic benefits.
8. Therefore it is worthwhile reminding ourselves of the strategic context to the project, which can be summarised in one simple sentence – this project is the first step in a better connection of the Northland economy to the rest of NZ.
9. This is clearly reflected in the initial strategic context report for the project which identified the area of influence being the Auckland and Northland economies. It is further supported by the NZTA's state highway classification project which clearly shows the state highway connection right into Northland (not ending at Warkworth, Wellsford or even Whangarei).
10. Further information regarding the Northland economy and the importance of an efficient and reliable transport connection to NZ is provided later in this submission.

### **Upper North Island Strategic Approach**

11. The four regions of the upper north island, Northland, Auckland, Waikato and Bay of Plenty, have formed the Upper North Island Strategic Alliance (UNISA). UNISA has prioritised four first order issues which are: economic development

linkages, transport (including rail roads and freight), ports (including inland ports), and tourism.

12. In terms of the transport issue, UNISA has developed an Upper North Island Freight Story which focuses on the opportunities to reduce the cost of doing business through a freight lens. Additionally, UNISA has commissioned a review of the trends in demand for ports and port related infrastructure within the upper north island.
13. The Upper North Island Freight Story is about stakeholders and partners identifying those critical freight related issues within the upper north island and then developing a shared evidence base to support future discussions and decision making. A collective partnership approach was taken to develop the story which comprised of the ten partner organisations within UNISA, Auckland Transport, KiwiRail and NZTA.
14. The freight story identifies the key industry strengths and key infrastructure strengths for each region. Upper north island scale criteria are then used to identify the key critical issues that are limiting economic productivity and the ability to reduce the costs to do business. The road transport connection between Northland and Auckland is identified as a corridor constraint that could benefit from a collective partner focus on 'reducing the cost to do business' in the upper north island. Note: the freight story does not attempt to identify a priority order or timing for investment.
15. The Upper North Island Ports Study was commissioned by UNISA to examine the future freight demand and infrastructure capacity of key ports within the upper north island. The report concludes that the upper north island port network has the capacity to meet the freight task over the next 30 years but this will require substantial operational efficiencies as well as investment in supporting infrastructure.
16. For Northland, the opportunity is for Northport to undertake a larger role in the future. This requires ensuring the flexibility and resilience of Northport into the future. A key part of this is ensuring the port has the necessary land based infrastructure and efficient and effective land based transport connections (both road and rail). The Puhoi to Wellsford RoNS is imperative to this approach.

17. Following the completion of the freight story and the port demand study, UNISA is focusing on two projects identified during the preparation of the freight story. The first is to understand the availability of and demand for industrial land within the upper north island (including growth patterns), and the second is the development of a land use and transport investment inventory. Both of these projects are supporting and leveraging the connection of Northland's economy to Auckland and the rest of NZ.

### **Regional Strategic Documents – 30 Year Transport Strategy**

18. The project and the resulting economic and transport connection benefits have been specifically identified in the 30 Year Transport Strategy for Northland (this document incorporates the legal requirements of the Regional Land Transport Strategy for Northland).
19. The 30 Year Transport Strategy identifies eight key outcomes in order for Northland's future vision for transport to be achieved. The eight outcomes are as follows:
  1. *A sustainable transport system that supports the growth and existing economic development of Northland and New Zealand*
  2. *All road users are safe on Northland's roads*
  3. *Northland is well connected to Auckland and to the rest of New Zealand*
  4. *Northland's roading network is developed and maintained so that it is fit for purpose*
  5. *Efficient and integrated multi-modal movement of freight with less impact on the roading network and the environment*
  6. *Our people have transport choices to access jobs, recreation and community facilities*
  7. *The transport system enhances the environmental and cultural values of Northland*
  8. *Effective ports servicing Northland and New Zealand*
20. The vision of the transport strategy and the outcomes are captured with a conceptual map of Northland which is included as **Appendix A**.



21. Supporting these key outcomes are both a strategic freight route and a strategic tourism route within Northland (included as **Appendix B**). Significantly, both of these routes rely on the strategic connection to Auckland via State Highway One. Further detail is then provided on initiatives (including specific projects) that are designed to drive the achievement of the outcomes. Of key note here is the outcome to deliver infrastructure improvements on the connection between Northland and Auckland. This is identified as a future expressway between Puhoi and the Bay of Islands which includes the Puhoi to Wellsford project.
22. The 30 Year Transport Strategy for Northland is a key supporting document for the Puhoi to Wellsford application and the success of the transport vision within Northland is predicated on Northland being well connected to Auckland and the rest of New Zealand.

### **Regional Strategic Documents – Regional Policy Statement**

23. Under the Resource Management Act 1991, the Regional Council is required to have in place a Regional Policy Statement providing high level direction on resource management matters. The operative Regional Policy Statement dates to 2002 and is now in the process of being replaced. In September 2013 after four years of preparatory work and three consultation processes, the Regional Council adopted the Proposed Regional Policy Statement for Northland.
24. This document is more holistic than its predecessor. As well as including environmental resource issues, it also recognises the key economic and social challenges that face the region, one of which being the lack of good quality infrastructure. Although unable to influence funding and investment decisions directly, the provisions in the document have a key role in setting a more streamlined approach.
25. There is now clear direction for district and regional planning processes to take into account the benefits of, and constraints on, proposals for developing significant infrastructure. This is to be considered alongside the need to avoid, remedy or mitigate effects on the environment. The state highway network is identified as a key component of Northland's regionally significant infrastructure and as such will benefit from this more streamlined approach.

26. The upgrade of Puhoi to Warkworth (and further upgrading of the state highway network north in the longer term) would likely gain support from the policy framework outlined for infrastructure development / improvement in the new Regional Policy Statement and does not present any cross boundary or inter-regional strategic conflicts.

### **Economic Benefits to Northland**

27. The NZTA Strategic Context report for the overall project (completed in early 2011) makes a useful starting point for comparisons of economic benefits. Within this report there is a section addressing the economic benefits. The report suggests economic benefits of \$35-\$45M per annum.
28. Obviously there are different methodologies used to calculate the benefits of the project and the NZTA report focuses on estimating the value of increased economic activity that might result from improvements to the corridor (with a particular focus on forestry and tourism).
29. Council has prepared an alternative way of looking at the benefits of the project for Northland. Council estimates that around \$800 million or 15% of Northland's GDP (totalling \$5.2 billion in 2011) is generated via exports out of the region by road via SH1.
30. This value takes into account both the value of goods and services moving south and the impact of visitors travelling north. It does not include the value of inputs used in production that travel into the region via SH1. Neither does it take into account any multiplier effects, i.e. the indirect impact of this output exported on the Northland economy in terms of the purchase of inputs to produce this output and the induced effects associated with household spending associated with wages and salaries earned by this activity. A brief outline of the methodology used is attached as **Appendix C**.
31. Following a sharp reduction in visitor numbers following the global financial crises, tourist numbers are again showing a progressive increase. A majority of these tourists travel by road either from or through Auckland. Improved roading infrastructure will further stimulate the growth of the tourism industry.

32. Northland's poor socio-economic profile is well documented and therefore does not require repeating in this submission. Less well known is Northland's history of resilience and responsiveness to social and economic stimulus. The positive benefits of this infrastructure investment will therefore not only provide a high return but one that is targeted at some of our more socially and economically deprived communities in New Zealand.
33. Clearly, the Northland economy is much more diverse than just forestry and tourism. Sectors such as agriculture, horticulture and manufacturing are examples of the many sectors that make a significant contribution to the regional economy and will be directly affected by an improved connection to Auckland the rest of NZ. These are also sectors that exist throughout Northland which reinforces the view that this project is the first step in improving the connection to all of Northland.
34. Overall it is the Council's view that the economic benefits of the state highway connection to the Northland economy have been significantly under represented within the project.

## **Conclusion**

35. As noted at the start, whilst the project is clearly outside the Council's boundary, given the benefits of the project to Northland, this project is clearly viewed as a Northland project.
36. The Council strongly supports the Puhoi to Wellsford project and is encouraged by the progress that has been made in identifying the Puhoi to Warkworth section. The Council firmly believes the project will have nationally significant benefits to Northland's economy and its connection with Auckland and the rest of New Zealand. The Council's closing comment is the best outcome for Northland is to ensure the project is approved and constructed as soon as possible.
37. The Council wishes to be heard in support of its submission.

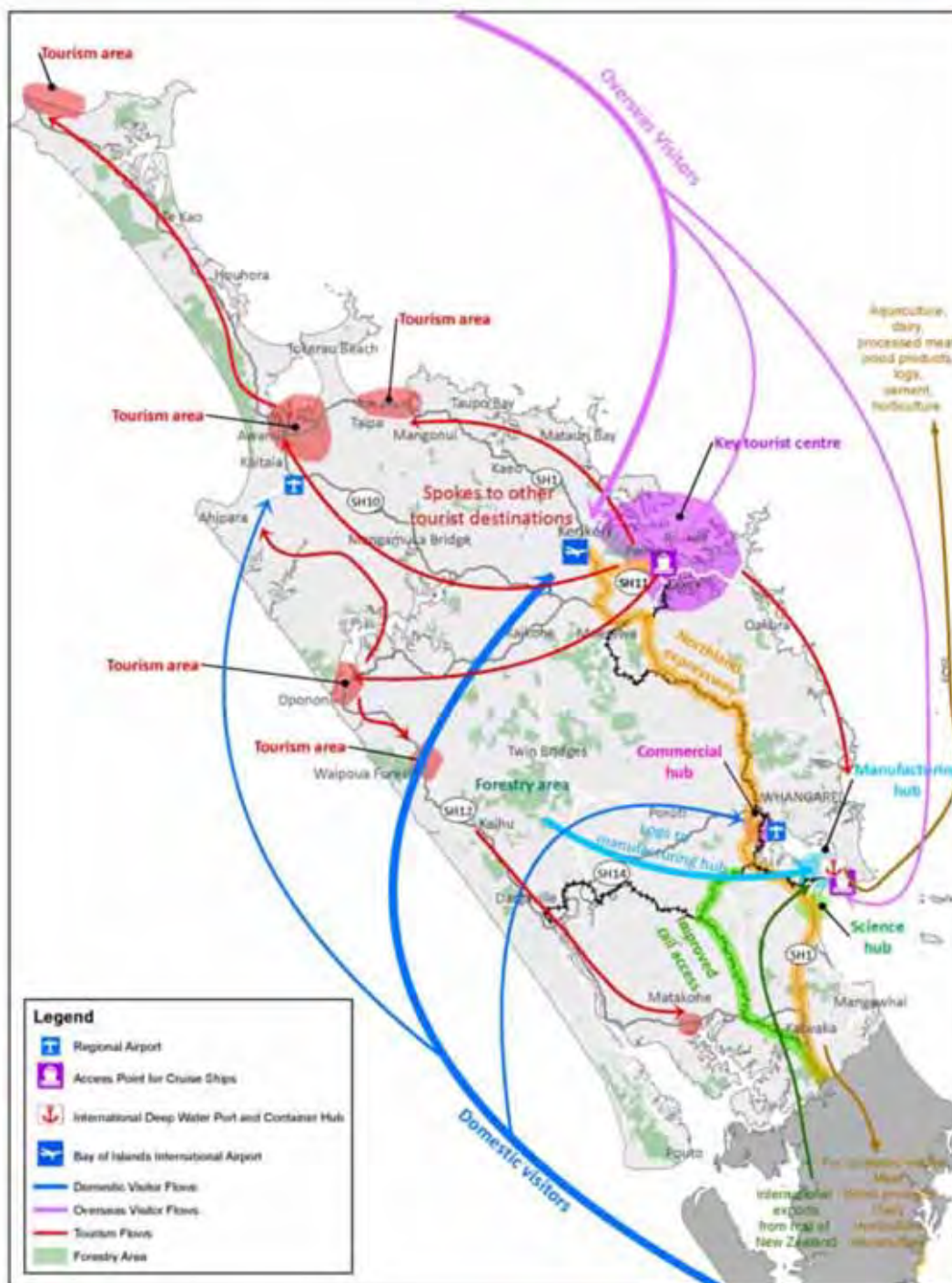
Bill Shepard  
Chairman  
Northland Regional Council

Dated: XX December 2013

DRAFT

## Appendix A: 30 Year Transport Strategy for Northland – Map of Indicative Economic Vision for Northland

### Transport Strategy (Indicative Future) - 2040



## Appendix B: 30 Year Transport Strategy for Northland – Map of Strategic Tourist Route and Strategic Freight Route



**NORTHLAND REGIONAL COUNCIL**



## **Appendix C: Alternative assessment of economic benefits**

For the purposes of this assessment the economic benefits are estimated using the following method.

1. Calculated current GDP values for 55 industry sectors based on the Infometrics Regional Database;
2. Assessed the portion of output from these 55 industries that is exported out of the region - this was based on local knowledge and an input-output model of the Northland economy;
3. Assigned the portion exported across four possible transport options: road, rail, port and air - based on local knowledge;
4. Calculated the road share by multiplying the GDP value x portion exported x portion exported by road; and
5. Added this value up for the 55 industries



**ISSUE: Appointment of Honorary Enforcement Officers 2013****ID:** A596832**To:** Council Meeting, 10 December 2013**From:** Chidambaram Surendran, Deputy Harbourmaster**Date:** 21 November 2013

**Summary** The purpose of this report is to seek the council's approval for the warrant renewals of 18 honorary enforcement officers for Northland harbours. It concludes with the recommendation that the council approve the proposed warrant renewals.

<b>Report Type:</b>	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

**Background:**

The council maintains a network of honorary enforcement officers (harbour wardens) around the Northland coast. The harbour wardens are persons of good standing in their local communities; many of them experienced seafarers, who provide local maritime advice to harbour users throughout Northland. The harbour wardens are the council's eyes and ears in their respective harbours and regularly provide assistance and advice when council's maritime staff respond to incidents.

Fifteen of our eighteen harbour wardens are paid an annual honorarium. The two harbour wardens for Kerikeri share one honorarium as they share the annual duties. The harbour warden for Pataua is paid a part honorarium for his seasonal services in this harbour.

**Discussion:**

There is an ongoing requirement to maintain this network of harbour wardens to oversee local maritime activities and to carry out necessary enforcement to manage the increasing growth in maritime activities in our harbours. The harbour wardens are called upon all year round to carry out preliminary investigations of potential breaches of the navigation safety bylaw and oil spills. They also keep an eye on local moorings and aids to navigation and deal with some of the related enquiries locally. The network of harbour wardens provides a cost-effective service to the council, freeing valuable council staff resources by handling numerous local issues every year.

In December 2011, the previous council resolved to renew the warrants for our network of harbour wardens for a period of two years. The council's approval is now sought to renew the warrants of the active harbour wardens for a two-year period until 10 December 2015.

**ITEM: 8.6**

Page 2 of 2

Harbour wardens were accorded certain enforcement powers under the Local Government Act 1974. Recently government passed an amendment to the Maritime Transport Act 1994, transferring a number of maritime functions and powers to the latter Act. Accordingly, the renewal of the warrants is now sought under the relevant provisions of the Maritime Transport Act 1994.

It may be noted that more than one harbour warden has been appointed in some harbours due to the size of those harbours or due to higher levels of maritime activity within them.

**Legal compliance and significance assessment:**

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under council policy as it is part of the normal day-to-day operations of the council. The activities detailed in this report are in accordance with council's 2012-2022 Long Term Plan approved in accordance with council's decision making requirements of sections 76-82 of the Local Government Act 2002.

**Recommendations:**

- 
1. That the report "Appointment of Honorary Enforcement Officers 2013" by Chidambaram Surendran, Deputy Harbourmaster, dated 21 November 2013, be received.
  2. That the council approves the renewal of the warrants of the persons listed below as Honorary Enforcement Officers, under section 33F(1) (g) and (h) of the Maritime Transport Act 1994 for a period until 10 December 2015:

Murray Rae	-	Houhora
Tommy Walker	-	Rangaunu
Steve Smith	-	Mangōnui / Doubtless Bay
Roly Linstrom	-	Whangaroa
Rex Mundy	-	Kerikeri
Peter Lord	-	Kerikeri
Walter Murray	-	Whangaruru
Doug Adams	-	Whananaki
Percy Ginders	-	Tutukākā / Ngunguru / Wellingtons Bay
Hamish McKenzie	-	Pataua
Blair Dempsey	-	Whangarei
Marc Sands	-	Bream Bay
Francie Crawford	-	Mangawhai and Langs Beach
Trevor Downey	-	Mangawhai
Ron Matich	-	Kaipara
Des Subritzky	-	Kaipara and West Coast
Peter Clark	-	Lower Hokianga
Craig Joiner	-	Upper Hokianga

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**ISSUE: Warrants of Appointment: Resource Management Act 1991**

**ID:** A599463

**To:** Council Meeting, 10 December 2013

**From:** Tony Phipps, Operations Director

**Date:** 28 November 2013

**Summary** The purpose of this report is to recommend the delegation of authority and to authorise the issue of a warrant of appointment pursuant to section 38 of the Resource Management Act 1991.

<b>Report Type:</b>	<input checked="" type="checkbox"/>	Normal operations	<input type="checkbox"/>	Information	<input checked="" type="checkbox"/>	Decision
<b>Purpose:</b>	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>	Public service	<input checked="" type="checkbox"/>	Regulatory function
	<input checked="" type="checkbox"/>	Legislative function	<input checked="" type="checkbox"/>	Annual\Long Term Plan	<input type="checkbox"/>	Other
<b>Significance:</b>	<input type="checkbox"/>	High	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>	Low

**Report:**

This report recommends that council delegates powers and functions and issues appropriate warrants. Recommendations are in accordance with council policy and the delegations manual.

The newly appointed officer within the operational area of the council who requires delegated authority to enable her to perform the duties and responsibilities of her positions is:

**Michelle Grant**

**Consents Officer – Water and Waste**

Powers to be delegated and warrants to be issued under sections of the **Resource Management Act 1991** are as follows:

- 22 Power to seek information, including the names and addresses of persons believed to have breached the Act.
- 332 Power of entry onto private property (except dwelling house) for inspection and to take samples for example of water, air, soil or organic matter, contaminants, etc.
- 333 Power to enter property to carry out surveys in certain circumstances including investigations, tests or measurements.

**Legal compliance and significance assessment:**

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan and as such are in accordance with the council's decision making process and sections 76 to 82 of the Local Government Act 2002.

In relation to section 79 of the Act and the council's significance policy, the delegation of authority and the authorising of warranted functions and powers are not considered to require any additional process prior to the council making a decision.

**ITEM: 8.7**

Page 2 of 2

**Recommendations:**

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1. That the report Warrants of Appointment: Resource Management Act 1991, from Tony Phipps, Operations Director, dated 28 November 2013, be received.
  2. That pursuant to section 38 of the Resource Management Act 1991, **Michelle Grant** is authorised to exercise and carry out the functions and powers as set out in sections 22, 332, and 333 of that Act, and a warrant of authority issued.
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**ISSUE: Business with the Public Excluded****ID:** A600626**TO:** Council Meeting, 10 December 2013**FROM:** Chris Taylor, Council Secretary**SUMMARY:** The purpose of this report is to recommend that the public be excluded from the proceedings of this meeting to consider the confidential matters detailed below for the reasons given.

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**Recommendations:**

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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	Reason\Grounds
9.1	Confidential Minutes of the Council Meeting - 6 November 2013	The reasons for excluding the public are as stated in the minutes of the open section of that meeting.
9.2	Confidentiality Agreement – Delegation to the Chief Executive Officer	To protect information where the making available of the information would disclose a trade secret and to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (sections 7(2)(b)(i) and 7(2)(h)).
9.3	Hewlett Street Wharf Proposal	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to allow the council to carry on, without prejudice or disadvantage, negotiations, including commercial and industrial negotiations (section 7(2)(i)).

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