

NORTHLAND REGIONAL COUNCIL

Agenda

For meeting to be held at the Northland Regional Council Chambers,
36 Water Street, Whangarei,
on Tuesday 18 March 2014, commencing at 1 pm

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

OPEN MEETING

| Item | | Page |
|-------------|---|-------------|
| 1.0 | APOLOGIES | - |
| | Malcolm Nicolson, Chief Executive Officer | |
| 2.0 | DECLARATIONS OF CONFLICTS OF INTEREST | - |
| 3.0 | PRESENTATIONS | |
| 3.1 | Presentation – Auckland Harbour Clean Up (Sir Bob Harvey, Auckland Waterfront Development Agency and Haydon Smith, SeaCleaners) | 1-2 |

OPERATIONAL REPORTS

| | | |
|------------|--|------|
| 4.0 | CHAIRMAN'S REPORT TO COUNCIL | 3-6 |
| 5.0 | CHIEF EXECUTIVE OFFICER'S REPORT TO COUNCIL | 7-62 |
| 5.1 | Cross Disciplinary Projects | 7 |
| 5.2 | Resource Management | 10 |
| 5.3 | River Management | 18 |
| 5.4 | Economic Development | 24 |
| 5.5 | Hazard Management | 25 |
| 5.6 | Transport | 26 |
| 5.7 | Support Services | 34 |

GOVERNANCE MATTERS

6.0 CONFIRMATION/RECEIPT OF MINUTES

| | | |
|-----|--|---------|
| 6.1 | Minutes of the Council Meeting – 28 January 2014 | 63-78 |
| 6.2 | Minutes of the Regional Transport Committee – 12 February 2014 | 79-86 |
| 6.3 | Minutes of the Audit and Risk Committee – 18 February 2014 | 87-100 |
| 6.4 | Minutes of the Extraordinary Council Meeting – 18 February 2014 | 101-104 |
| 6.5 | Minutes of the Environmental Management Committee – 24 February 2014 | 105-122 |
| 6.6 | Minutes of the Extraordinary Council Meeting – 24 February 2014 | 123-126 |
| 6.7 | Minutes of the Regional Policy Committee – 24 February 2014 | 127-132 |
| 6.8 | Minutes of the Civil Defence Emergency Management Committee – 4 March 2014 | 133-140 |

7.0 FINANCIAL REPORTS

| | | |
|-----|--|---------|
| 7.1 | Financial Report to 25 February 2014 | 141-152 |
| 7.2 | Northland Inc. Financial Report to 31 January 2014 | 153-160 |

8.0 DECISION MAKING MATTERS

| | | |
|-----|--|---------|
| 8.1 | Delegation to the Chief Executive Officer the Powers to Appoint Council Enforcement Officers (Local Government Act 2002, Resource Management Act 1991) | 161-164 |
| 8.2 | Evaluation of the Merits of Supporting a Northland Marine Park Proposal for Northland's East Coast | 165-206 |
| 8.3 | Appointment of NRC Representative to Joint Working Party on Council Priorities and Shared Services (Triennial Agreement) | 207-212 |
| 8.4 | Request for Confirmation of Council's Late Submissions Policy | 213-218 |
| 8.5 | Submission on the Proposed Auckland Unitary Plan | 219-228 |
| 8.6 | Regional Software Holdings Limited (RSHL) 2014/15 Draft Statement of Intent and Six Monthly Report to 31 December 2013 | 229-266 |

| | | |
|------------|---|----------------|
| 9.0 | BUSINESS WITH THE PUBLIC EXCLUDED | 267-268 |
| 9.1 | Request for Compensation of Costs | 269-272 |
| 9.2 | Confirmation/Receipt of Confidential Minutes | |
| 9.2.1 | Confidential Minutes of the Council Meeting – 28 January 2014 | 273-276 |
| 9.2.2 | Confirmation of the Audit and Risk Committee – 18 February 2014 | 277-282 |
| 9.3 | Kotuku Dam Land Acquisition Update | 283-289 |

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| <p>ACC - Accident Compensation Corporation</p> <p>AHB - Animal Health Board</p> <p>ALGIM - Association of Local Government Information Management</p> <p>AMA - Aquaculture Management Area</p> <p>BOI - Bay of Islands</p> <p>BOPRC - Bay of Plenty Regional Council</p> <p>CAPEX - Capital Expenditure (budget to purchase assets)</p> <p>CBEC - Community, Business and Environment Centre</p> <p>CDEM - Civil Defence Emergency Management</p> <p>CEG - Co-ordinating Executive Group – Northland Civil Defence management team</p> <p>CEO - Chief Executive Officer</p> <p>CIMS - Co-ordinated Incident Management System (emergency management structure)</p> <p>CMA - Coastal Marine Area</p> <p>CPCA - Community Pest Control Areas</p> <p>CRI - Crown Research Institute</p> <p>DHB - District Health Board</p> <p>DOC - Department of Conservation</p> <p>DOL - Department of Labour</p> <p>DPMC - Department of Prime Minister and Cabinet</p> <p>ECA - Environmental Curriculum Award</p> <p>ECAN - Environment Canterbury</p> <p>EE - Environmental Education</p> <p>EECA - Energy Efficiency Conservation Authority</p> <p>EEZ - Exclusive Economic Zone</p> <p>EF - Environment Fund</p> <p>EMA - Employers and Manufacturers Association</p> <p>EMC - Environmental Management Committee</p> <p>EOC - Emergency Operations Centre</p> <p>EPA - Environmental Protection Authority</p> <p>FDE - Farm Dairy Effluent</p> <p>FNDC - Far North District Council</p> <p>FNHL - Far North Holdings Limited</p> <p>FPP - First Past the Post – voting system for NRC elections</p> <p>GE - Genetic Engineering</p> <p>GIS - Geographic Information System</p> <p>GMO - Genetically Modified Organism</p> <p>HASNO - Hazardous Substances & New Organisms Act</p> <p>HBRC - Hawke's Bay Regional Council</p> <p>HEMP - Hapū Environmental Management Plan</p> <p>Horizons - Brand name of Manawatu-Wanganui Regional Council</p> <p>HR - Human Resources</p> <p>IEMP - Iwi Environmental Management Plan</p> <p>IPPC - Invited Private Plan Change: a process to allow Aquaculture Management Areas to be established</p> <p>IRIS - Integrated Regional Information System: new computer system being developed collaboratively with other Regional Councils</p> <p>KDC - Kaipara District Council</p> <p>KPI - Key Performance Indicator</p> <p>LATE - Local Authority Trading Enterprise</p> <p>LGA - Local Government Act 2002</p> <p>LGNZ - Local Government New Zealand</p> <p>LGOIMA - Local Government Official Information and Meetings Act 1987</p> <p>LGOL - Local Government Online</p> <p>LTP - Long Term Plan</p> <p>LTFS - Long Term Financial Strategy</p> <p>MCDEM - Ministry of Civil Defence & Emergency Mgmt</p> <p>MFE - Ministry for the Environment</p> <p>MHWS - Mean High Water Springs</p> <p>MNZ - Maritime New Zealand</p> <p>MOH - Ministry of Health</p> <p>MOT - Ministry of Transport</p> | <p>MPI – Ministry of Primary Industries</p> <p>MSD - Ministry of Social Development</p> <p>NCMC - National Crisis Management Centre</p> <p>NES – National Environmental Standards</p> <p>NDHB - Northland District Health Board</p> <p>NZRC - New Zealand Refining Company (Marsden Point)</p> <p>NGO - Non-Governmental Organisation</p> <p>NIF - Northland Intersectoral Forum</p> <p>NIWA - National Institute of Water and Atmosphere</p> <p>NORTEG - Northland Technical Advisory Group</p> <p>NPC - Northland Port Corporation</p> <p>NZCPS - New Zealand Coastal Policy Statement</p> <p>NZTA - New Zealand Transport Agency</p> <p>NZQA - New Zealand Qualifications Authority</p> <p>NZWWA - New Zealand Water and Wastes Association</p> <p>OFI - Opportunity for Improvement</p> <p>ORC - Otago Regional Council</p> <p>OSH - Occupational Safety & Health (now Ministry of Business, Innovation and Employment)</p> <p>PDF - Portable Document Format</p> <p>PPE - Personal Protective Equipment</p> <p>RAP - Response Action Plan</p> <p>RAQP - Regional Air Quality Plan</p> <p>RCP - Regional Coastal Plan</p> <p>RFI - Request for Information</p> <p>RFP - Request for Proposal</p> <p>RTC - Regional Transport Committee</p> <p>RLTS - Regional Land Transport Strategy</p> <p>RMA - Resource Management Act 1991</p> <p>RMG - Resource Managers Group (Regional Councils)</p> <p>RMZ - Riparian Management Zone</p> <p>ROI - Return on Investment</p> <p>RPMS - Regional Pest Management Strategy</p> <p>RPS - Regional Policy Statement</p> <p>RSG - Regional Sector Group</p> <p>RTO - Regional Tourism Organisation</p> <p>RWASP - Regional Water and Soil Plan</p> <p>SCAR - SmartStream Council Activity Reporting</p> <p>SITREP - Situation Report</p> <p>SMF - Sustainable Management Fund</p> <p>SOE - State of Environment (or) State Owned Enterprise</p> <p>SOLGM - Society of Local Government Managers</p> <p>SPARC - Sport & Recreation New Zealand</p> <p>SRC - Southland Regional Council (Environment Southland)</p> <p>STV - Single Transferable Vote</p> <p>SWAG - Surface Water Allocation Group</p> <p>SWPA - Sustainable Water Programme of Action</p> <p>TA - Territorial Authority: City & District Councils</p> <p>TAC - Technical Advisory Group</p> <p>Tier 1 - Site level plan or response for an oil spill</p> <p>Tier 2 - Regional level plan or response to an oil spill</p> <p>Tier 3 - National level plan or response to an oil spill</p> <p>TLA - Territorial Local Authority – City & District Councils</p> <p>TMP - Treasury Management Plan</p> <p>TOR - Terms of Reference</p> <p>TPK - Te Puni Kōkiri (Ministry of Maori Development)</p> <p>TRAION - Te Rūnanga a Iwi o Ngāpuhi</p> <p>TRC - Taranaki Regional Council</p> <p>TROTR - Te Rūnanga o Te Rarawa</p> <p>TUANZ - Telecommunications Users Association of NZ</p> <p>WCRC - West Coast Regional Council</p> <p>WDC - Whangarei District Council</p> <p>WHHIF - Whangarei Harbour Health Improvement Fund</p> <p>WRC - Waikato Regional Council</p> <p>WWTP - Wastewater Treatment Plant</p> |
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ITEM: 3.1

Page 1 of 1

ISSUE: Presentation - Auckland Harbour Clean Up**ID:** A622191**To:** Council Meeting, 18 March 2014**From:** Chris Taylor, Council Secretary**Date:** 11 March 2014

Summary The purpose of this report is to introduce a presentation about the work done to clean up Auckland Harbour and the possibility of extending that work into Northland by Sir Bob Harvey, Chairman, Auckland Waterfront Development Agency and Haydon Smith, SeaCleaners.

| | | | |
|----------------------|---|---|--|
| Report Type: | <input type="checkbox"/> Normal operations | <input checked="" type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> High | <input type="checkbox"/> Moderate | <input checked="" type="checkbox"/> Low |

Sir Bob Harvey, Chairman, Auckland Waterfront Development Agency and Haydon Smith, SeaCleaners, will be providing a presentation about the work done to clean up Auckland Harbour and the possibility of extending that work into Northland

Legal compliance:

No decisions are required.

ITEM: 4.0

Page 1 of 3

ISSUE: Chairman's Report to Council**ID:** A619952**To:** Council Meeting, 18 March 2014**From:** Bill Shepherd, Chairman**Date:** 6 March 2014

Summary The purpose of this report is to provide an update from the Chairman for January and February 2014. It concludes with the recommendation that the report be received.

| | | | |
|----------------------|---|---|--|
| Report Type: | <input type="checkbox"/> Normal operations | <input checked="" type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <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:
 - Telephone conference call with Patricia Kabel – Hokianga Harbour Developments Limited earthworks.
 - Peter Magee, Thomson Wilson, Councillors Brown and Sinclair and Commercial Property and Infrastructure Manager, Vaughan Cooper – Hannah Street lease issue.
 - David Clendon and Eugenie Sage, Green Party MPs – local government reform.
 - David Walker and Craig Rice, PricewaterhouseCoopers – local government reform.
 - Tony Davies-Colley – ship building industry developments.
 - Meet and greet with Dargaville and Ōpua office staff.
 - Local government reform public meetings at Ruakaka, Tutukaka, Parua Bay and Whāngārei.
 - Top Energy tour of Ngāwhā.
 - Kaeo site visit with Rivers Management Engineer, Neville Wilson.
 - Peter Jackson, Editor, Northland Age – NRC's position on local government reform.
 - New Zealand Petroleum and Minerals – Dave Binnie, General Manager; Pieri Munro, Manager Iwi Relationships and Jonathan Gibbard, Manager Regional Relationships.
 - Te Tiriti O Waitangi Commemorations 2014.
 - Northland Chamber of Commerce Business After 5 – local government reform information evening.
 - Hon Phil Heatley – local government reform.
 - Craig Cooper, Editor, Northern Advocate – NRC's position on local government reform.
 - New Zealand Trade and Enterprise representatives.

ITEM: 4.0

Page 2 of 3

- Kerikeri District Business Association monthly meeting.
 - Regional Sector Group meeting held in Christchurch.
 - Kaipara District Council Commissioners – relationship between the councils and shared services.
 - Northland Mayoral Forum hosted by Northland Regional Council.
 - Whāngārei District Council Mayor, Sheryl Mai and Councillor Greg Innes – local government reform.
 - Hon John Carter along with Operations Director/Deputy CEO, Tony Phipps and Lands/Rivers Senior Programme Manager, Bruce Howse – Northern drainage Waiharara, Kaikino and Motutangi.
 - Sid Anderson – compensation of costs and council approach to leases.
 - Northland Inc. SOI Working Party.
 - Fonterra - Blue Read, Chief Executive Officer; Philippa Fourie, Manager Local Government Relations and Anne Haira, Manager of Local Government and Community Relations – economic story and general catch up.
 - Northland Field Days.
 - Local Government New Zealand Zone One meeting in Auckland.
- Navy reception on board HMNZS Wellington at Ōpua.
 - Breakfast with the Prime Minister at Waitangi to celebrate Waitangi Day.
 - John Luisi – Pipiwai dust problem.
 - Peter Byers – council policy on leased land.
 - Mike Daniels – Northland Port Corporation.
 - Trevor Griffiths – potential developments in Whāngārei.
 - Local Government New Zealand conference call – Animal Health Board funding.

Correspondence:

During January and February I sent out the following correspondence:

| Date | Addressed To | Subject |
|----------|---|--|
| 28.01.14 | Sir Bob Harvey Chairman Auckland Waterfront Development Agency Ltd | Invitation to attend NRC council meeting to present SEA CLEANERS Project |
| 31.01.14 | Hon Phil Heatley MP for Whāngārei | Local boards for Northland |
| 04.02.14 | Chair Ngāti Kurī Trust Board Ngāti Manuhiri Settlement Trust Ngātiwai Trust Board Te Rūnanga Nui o Te Aupōuri Te Roroa Whātu Ora Trust Te Rūnanga a iwi o Ngāphui | Te Taitokerau Regional Māori Advisory Committee |

ITEM: 4.0

Page 3 of 3

| | | |
|-----------------------------|---|----------------------------|
| | Te Rūnanga a iwi o Ngāti Kahu Te Rūnanga o Ngāi Takoto Te Rūnanga o Ngāti Hine Te Rūnanga o Ngāti Whātua Te Rūnanga o Te Rarawa Te Rūnanga o Whaingaroa Te Uri o Hau Settlement Trust | |
| 14.02.14 and 26.02.14 | Leo Helleur | Local government reform |
| 19.02.14 | Mike Sabin MP for Northland | Local boards for Northland |
| 20.02.14 | David Clendon, MP Hon Shane Jones, MP | Local boards for Northland |
| 21.02.14 | Andrew Williams, MP Claudette Hauiti, MP Eugenie Sage, MP | Local boards for Northland |
| 21.02.14 | Nicky Wagner, Chairperson Gareth Hughes Jacqui Dean Maggie Barry Moana Mackey Paul Goldsmith Phil Twyford Su'a William Sio Local Government and Environment Select Committee | Local boards for Northland |

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:

That the Chairman's report dated 6 March 2014 be received.

ISSUE: Chief Executive's Report to Council**ID:** A618838**To:** Council Meeting, 18 March 2014**From:** Malcolm Nicolson, Chief Executive Officer**Date:** 6 March 2014

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.

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|----------------------|---|---|--|
| Report Type: | <input type="checkbox"/> Normal operations | <input checked="" type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> High | <input type="checkbox"/> Moderate | <input checked="" type="checkbox"/> Low |

5.1 CROSS DISCIPLINARY PROJECTS**Local Government Act 2002 Amendment Bill No. 3**

The council's submission on the Bill was approved at the 29 January 2014 council meeting and lodged thereafter. Hearings were held 7 March 2014.

Local government reform and reorganisation

During late January we conducted community engagement meetings in the following communities:

- Ruakaka, 30 January 2014
- Tutukākā, 31 January 2014
- Parua Bay, 3 February 2014
- Whāngārei, 10 February 2014

The council hosted a "Business After 5" event under the auspices of the Northland Chamber of Commerce on 5 February 2014. The Chairman and I also attended a meeting of the Kerikeri Business Association and other area service clubs to discuss local government reform.

The submissions period on the Local Government Commission's initial proposal for reorganisation of Northland's local government closed 21 February 2014. The council's submission was lodged on 18 February and is [available on the council's website](#)¹.

The Commission received approximately 1850 submissions on its draft proposal for reorganisation, released in November 2013. Public hearings in Northland will get underway in March for submitters who asked to be heard. These have been scheduled as follows:

- 5 March – Far North District Council Chambers, Kaikohe
- 6 March - Te Ahu Centre, Kaitiāia
- 7 March - Turner Centre, Kerikeri
- 13-14 March - Whāngārei District Council Chambers

¹ www.nrc.govt.nz/Your-Council/Council-Projects/Local-Government-Reform/Councils-position/

ITEM: 5.0

Page 2 of 34

- 18 March - Kaipara District Council offices, Dargaville
- 8 April – Northland Regional Council chambers, Whāngārei (to be confirmed)

Hearings will also be held in Russell/Paihia at a date to be confirmed.

Staff are currently preparing material to support the Chairman and myself at the council's hearing which has been scheduled for one hour at 9.30am on 13 March 2014.

The Commission has advised that an initial assessment shows submissions from people in the Whāngārei District Council area dominate the numbers in the final tally.

All local authorities except Far North District Council made a submission.

There were 165 submissions in favour of all or part of the proposal, or neutral on it. The remaining 1685 submissions, mostly from the Whāngārei District, were opposed.

The Commission's preliminary analysis has grouped submitters' comments under nine main themes:

1. The scale and geographical variation of the proposed district/region may be too large
2. The potential for lessened local input and access to councillors
3. Communities of interest and the difference between rural and urban concerns
4. Maori involvement in new structure – either not enough recognition or too much special treatment
5. Future levels of service – how much cross-subsidisation would be needed and would Whāngārei end up paying for poor areas
6. Future debt and debt management options – some councils may have deferred maintenance that will lead to debts in future, Whāngārei shouldn't pay the debts of others
7. Rates before and after - should rates be based on land value or capital value, low income people in Whāngārei are worried about rates going up to pay for other areas
8. The powers of community boards – how do community boards compare to local boards and district councils, how much responsibility and funding can they oversee
9. The process – timing, consultation, questions about the role of the Commission, whether there was enough time to make submissions.

Once hearings are complete, the Commission may carry out other investigations and inquiries so that it has enough information on which to make a decision. The Commission has four options:

1. Issue the draft proposal as a final proposal
2. Modify the draft proposal and issue it as a final proposal
3. Issue a new draft proposal based on a different preferred option
4. Decide not to issue a final proposal at all.

If the Commission issues a final proposal, residents can seek a poll (vote) if more than ten percent of eligible voters in a council area sign a petition. The poll would be held over the entire region.

If a proposal is supported by a poll or there is no poll, a reorganisation scheme is prepared and implemented by the Minister of Local Government through an Order in Council (no legislation is required).

Waiora Northland Water

During February, the Mangere Catchment Group attended a field trip to learn about water quality monitoring. Facilitated by Kim Jones from The Whitebait Connection, the group collected freshwater animals and tested the water at two separate sites along the Kokopu River for comparison.

The Whāngārei Harbour Catchment Group participated in a uses and values session in February facilitated by Dairy NZ's Helen Moodie. The group also received a presentation from NIWA a few days later about sediment in the Whāngārei Harbour.

The Doubtless Bay Working Party chose Dr Greg Blunden as their new Chair at their 29 January meeting. The group also held a field trip during February to investigate water management for farming and forestry.

Staff are now working on recruitment for membership of two new catchment subcommittees in Waitangi and Poutō, which were confirmed at the February EMC meeting.

Catchment groups have the following events scheduled for March:

- Whāngārei Harbour Catchment Group field trip: 25 March
- Doubtless Bay Catchment Group meeting: 26 March, 9am, Taipā Bay Resort

Further information about the project is available on the [NRC Waiora Northland Water website](#) pages. A full report on the activities of Waiora Northland Water was provided in the February 2014 EMC agenda.

Iwi Liaison***Treaty Settlements***

The Crown and Ngāti Kuri signed a Deed of Settlement at a ceremony at Waiora Marae, Ngataki, on 7 February.

The Deed of Settlement covers all outstanding historical claims by Ngāti Kuri based on the Crown's actions and omissions in relation to the Treaty of Waitangi.

The settlement package includes financial and commercial redress of \$21 million along with cultural redress which recognises the traditional, historical, cultural and spiritual associations of the iwi with several key sites.

The signing of this Deed of Settlement means that four (Ngāi Takoto, Te Rarawa, Te Aupouri and Ngāti Kuri) of the five northern iwi are at the same stage in the settlement process. Their Deeds of Settlement will be given effect through the Te Hiku Settlement Bill and includes their collective redress, including the co-governance arrangement with this council and Far North District Council over Te Oneroa-a-Tōhē / Ninety Mile Beach through a beach governance board.

Council was represented at this historical and important event by Councillor Dover Samuels and the Chief Executive Officer Malcolm Nicolson.

During 10 - 14 February 2014, week seven of the Waitangi Tribunals hearings into the Northern Claims District Te Paparahi o Te Raki with the Mahurangi Taiwhenua claimants (this includes the southern reaches of the Northland Region) occurred.

Te Taitokerau Māori Advisory Committee

The working party invited various groups to participate / consider their and hapū and whanau participation in the committee during February. To date one formal response has been received by council. The Chairman of the Working Party, Chairman and Chief Executive Officer are following up the letters during March.

5.2 RESOURCE MANAGEMENT

Proposed Regional Policy Statement

Sixteen appeals have been lodged with the Environment Court on the proposed Regional Policy Statement. Any person who has an interest greater than the general public can become a party to appeal proceedings under section 274 of the Resource Management Act 1991. Council has received notice from over 40 parties that they will be joining appeal proceedings (many of whom are party to multiple appeals). In response to a Court direction, council provided a report to the Court with proposed appeal topics in anticipation of Court directed mediation (7 February 2014). The Court has called a conference with all the parties in Paihia on 18 March 2014 to organise the appeal resolution process, including the mediation meetings.

Regional plans review project

At the 24 February 2014 Regional Policy Committee meeting, the committee approved the process for reviewing the Regional Air Quality Plan, Regional Water and Soil Plan, and Regional Coastal Plan in accordance with Section 79 of the Resource Management Act 1991. The approved process involves preparing an in-house draft, holding workshops with key stakeholders to test the draft, making amendments in response to workshop feedback, and then presenting the report to the Regional Policy Committee for adoption in August 2014.

An internal 1st draft was completed on 12 March 2014 and is currently being reviewed by relevant technical staff within council.

National Policy Statement for Freshwater Management

The Ministry for the Environment called for submissions on the proposed changes to the National Policy Statement for Freshwater Management (NPSFM) to be lodged by Tuesday 4 February 2014. Council's submission on the proposal was approved at the council meeting of 28 January 2014 and was lodged prior to the close of consultation. The submission has been acknowledged by the Ministry for the Environment.

Other resource management issues***Auckland Unitary Plan***

On 30 September 2013 Auckland Council notified its Proposed Auckland Unitary Plan. This is a combined regional and district planning document developed under the Resource Management Act 1991. It includes the regional policy statement, regional plan and district plan for the Auckland region. It replaces the existing regional policy statement and 13 existing district and regional plans. Council resolved to lodge a submission on the Proposed Auckland Unitary Plan with authority to approve the submission delegated to the Regional Policy Committee. The submission raised issues around infrastructure security, integrated management across boundaries and biosecurity. The submission has been acknowledged by Auckland Council.

Far North District Council Plan Changes 14 and 15

The Far North District Council notified two proposed changes to the Far North District Plan mid-2013 (Plan Change 14 proposed removal of the Air Chapter in the plan.

ITEM: 5.0

Page 5 of 34

Plan Change 15 refined provisions relating to incompatible land uses and cumulative effects in the rural environment). Council did not submit on Plan Change 15 as issues were addressed through the plan drafting process. Council did lodge submissions in support of Plan Change 14 on the grounds that the air provisions in the district plan:

- Duplicated processes already well managed under the Regional Air Quality Plan for Northland;
- Provided no additional resource management benefit;
- Created potential procedural costs and uncertainty.

The matter was heard by two independent commissioners on 24 and 25 February 2014. Staff attended on Tuesday 25 February and presented evidence in support of the submission.

Land use and subdivision applications

During January and February 2014, 34 consents were received from the district councils (3 notified and 31 non-notified). At the time of writing, no comments or submissions have been made on these applications.

Moorings and Marinas Strategy

Submissions on the Draft Moorings and Marinas Strategy (the Strategy) have now closed (Friday 28 February) with 135 submissions and one petition received.

During the 3 month notification period public meetings were held in Kerikeri (28 November) and Ōpua (2 December and 10 February) to inform the public on the proposal and encourage feedback.

In addition to the public meetings, hui were held at Paihia and Otiria Marae to discuss the draft with tangata whenua. Feedback from these meetings will be reported to the committee hearing submissions.

The next step in developing the Strategy is the hearing of submission which will be scheduled for mid-April 2014.

Consents***Consents in process***

During January and February 2014, a total of 79 Decisions were issued. A copy of these decisions is circulated under separate cover. These decisions comprised:

January 2014 (26)

| | |
|----|-------------------------|
| 0 | Moorings |
| 1 | Coastal Permits |
| 1 | Air Discharge Permits |
| 3 | Land Discharge Permits |
| 1 | Water Discharge Permits |
| 17 | Land Use Consents |
| 0 | Water Permits |
| 3 | Bore Consents |

February 2014 (53)

| | |
|----|-------------------------|
| 2 | Moorings |
| 19 | Coastal Permits |
| 1 | Air Discharge Permits |
| 7 | Land Discharge Permits |
| 1 | Water Discharge Permits |
| 8 | Land Use Consents |
| 6 | Water Permits |
| 9 | Bore Consents |

The processing timeframes for the January 2014 consents ranged from:

- 59 to 1 calendar days, with the median time being 42 days;
- 27 to 2 working days, with the median time being 17 days.

The processing timeframes for the February 2014 consents ranged from:

- 161 to 2 calendar days, with the median time being 49 days;
- 97 to 2 working days, with the median time being 21 days.

- 19 Applications were received in January 2014.
- 29 Applications were received in February 2014.

Of the 143 applications in progress at the end of February 2014:

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

Appointment of Hearing Commissioners

No commissioners were appointed in January and February 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 February 2014 is (by number):

| | |
|--|----|
| ▪ Applications Publicly/Limited Notified During Previous Month | 0 |
| ▪ Progress on Applications Previously Notified | 10 |
| ▪ Hearings and Decisions | 0 |
| ▪ Appeals/Objections | 4 |

A more detailed summary of the above activities can be found in **Attachment 1**.

Monitoring

Compliance monitoring

A summary of the results of compliance monitoring for the period 1 January – 28 February 2014 is discussed below.

Further details for period 1 – 31 January were reported to the Environmental Management Committee on 24 February. Further details for period 1 – 28 February are attached in the Environmental Monitoring Report (see **Attachment 2**).

Air discharges

A total of 21 (11 in January and 10 in February) compliance assessments for air discharge consents, including six industrial site visits, were made, with 19 assessments confirming consent compliance and two assessments revealing consent non-compliance. The consent holder responsible for one of those non-compliances agreed to improve its emission control system as requested and the consent holder responsible for the other non-compliance has provided a written explanation as requested, which was being considered at the time of writing this report.

A total of 40 (12 in January and 28 in February) air quality related environmental incidents were received during the period, which were predominantly burning and smoke nuisance complaints.

ITEM: 5.0

Page 7 of 34

Ambient air monitoring results for PM₁₀, sulphur dioxide and carbon monoxide at Robert Street, Whāngārei, showed compliance with the National Environmental Standard for Air Quality (NES) during December 2013 and January 2014. Monitoring results for PM₁₀ at the Bream Bay College, Ruakaka, also showed compliance with the NES during December 2013 and January 2014.

Coastal

A total of 111 (27 in January and 84 in February) consented activities were monitored during the reporting period, 99 of which were fully compliant and 12 non-compliant. There were no significantly non-compliant activities. The majority of monitoring carried out was in relation to coastal structure inspections or coastal discharges. The Doves Bay Marina was sampled five times during January in line with the “5 in 30 day” sampling regime required by its consent – the results are pending. The Whāngārei District Council cleared the Waipū Cove stream under its consent to help alleviate water quality and odour issues experienced as with last summer.

The Whāngārei, Bay of Islands and Kaipara Harbour water quality sampling runs were also undertaken in January. Results for Whāngārei and Bay of Islands are pending. The results for the Kaipara indicated good water quality at the time of sampling in terms of faecal indicator bacteria and physical parameters, however nutrient parameters generally exceeded the relevant guideline values. There were no obvious signs that the ‘elevated’ nutrient levels were having any significant adverse effects such as nuisance biological growths.

On-water patrols were undertaken in Tutukākā, Bay of Islands, and Whangaroa as part of council’s Marine Pollution Regulations campaign, “Draw the Line”. Overall, 108 boats were surveyed which some 43% of those being from overseas. Some 83% of boaties were aware of the marine pollution regulations, which is the same as that recorded last year. Some 69% of boats had a holding tank, 13% had a treated discharge and 7% of vessels had no means of containment. The operators of these vessels were advised that they must not discharge untreated sewage within harbour limits. Return visits to vessels were undertaken where possible.

Hazardous substances

- Chemicals were collected and stored, but none were sent for disposal.
- A total of eight (four in both January and February) hazardous substances incidents were investigated and resolved.
- A total of 11 (three in January and eight in February) enquiries regarding contaminated land were received and responded to. Discussions with district councils regarding the interpretation of aspects of the National Environmental Standard were held in regard to another four enquiries.
- The GIS interface with IRIS has been modified and offers improved functionality, particularly in storing the results of investigations where land is not contaminated, and for recording sites where enquiries have taken place.

Land use monitoring

There were six (five in January and one in February) monitoring events during the reporting period, all of which were fully compliant with resource consent conditions.

Staff visited two forests in the Auckland Region during February with several foresters and the contractor responsible for monitoring the forests on behalf of the Auckland Council. This was an opportunity to discuss and observe differences in approaches between the regions.

Water quality and discharge monitoring

A total of 55 (31 in January and 24 in February) consented activities were monitored, 39 of which were found to be fully compliant with resource consent conditions and 16 non-compliant. There were no significant non-compliances for the period.

Staff met with Whāngārei District Council staff in February to discuss issues/improvements and future plans for the nine waste water treatment plants in the district.

Farm Dairy Effluent (FDE) monitoring

Staff attended an industry group meeting with Fonterra and DairyNZ in January. The group reviewed a draft of a new effluent management book, which will be a joint publication between all three organisations. Other matters discussed included the building of capability of effluent infrastructure providers/designers in Northland, reducing significant non-compliance and training of farm staff.

Staff were busy in February with follow-up visits to all farms rated as significantly non-compliant. In addition to addressing the reasons for non-compliance during these visits, staff also promoted the efficient use of water at the dairy in an attempt to reduce the volume of effluent produced. This included recommendations to divert all stormwater from buildings, yards and catchment. A display explaining the benefits of this was part of the council's exhibit at the Dargaville field days.

Environmental Incidents

A summary of environmental incidents for the period 1 – 31 January 2013 was reported to the Environmental Management Committee on 24 February. Further details for the period 1 – 28 February are attached in the Environmental Monitoring Report (see **Attachment 2**).

Enforcement**Abatement notices**

There was one abatement notice issued in January relating to the discharge of sewage and six in February, which were for:

- Discharge of sewage (3)
- Earthworks (3)

Infringement notices

There was one infringement notice issued in January relating to a discharge from a small communal sewerage system and two in February – one for a discharge of sewage from a campground and the other for a discharge of household rubbish to water.

Formal warning letters

There was one formal warning letter issued in February which related to the WDC Waipū wastewater treatment plant.

Water shortage direction

The following two water shortage directions were issued in February to:

- KDC for takes from the Kaihu River (Dargaville water supply).
- FNDC for takes from the Waiotemarama and Waiarohia Streams (Opononi and Ōmāpere water supplies).

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

Nothing new to report.

Kaimaumu Swamp (vegetation clearance and earthworks)

Sentencing took place in the Whāngārei District Court on 3 February 2014. The two companies involved, Sovereign Station Trustees and Mangōnui Development and Civil Construction, were fined \$50,000 each. The individuals involved, Raymond Bird and Gary Beckham, were each ordered to perform 200 hours community work and were imposed with community detention for three months (with a curfew from 8:00pm to 6:00am daily).

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

Memoranda on the matter were filed with the Court by the due date of 26 February 2014. The parties have agreed meet on 2 April to discuss the disputed facts relating to the prosecution to try to reach agreement on those facts before going to court.

Craig Roberts (FDE prosecution)

The conviction and sentence appeal was heard in the High Court at Whāngārei on 10 February 2014. Mr Roberts had appealed against conviction for two charges which he pleaded not guilty to, but was convicted for at the defended hearing. He also appealed against the sentence and costs order. Justice Andrews dismissed the appeals against convictions and fines, but ordered that the costs award to be made according to scale. The costs award had originally been for \$19,324.50.

Houhora Service Station

The Environment Court has been requested to rule on a final version of the enforcement order. There have been difficulties with the first and second respondents in regard to the manner in which water supply issues have been inadequately resolved.

Biosecurity***Biosecurity – enquiries***

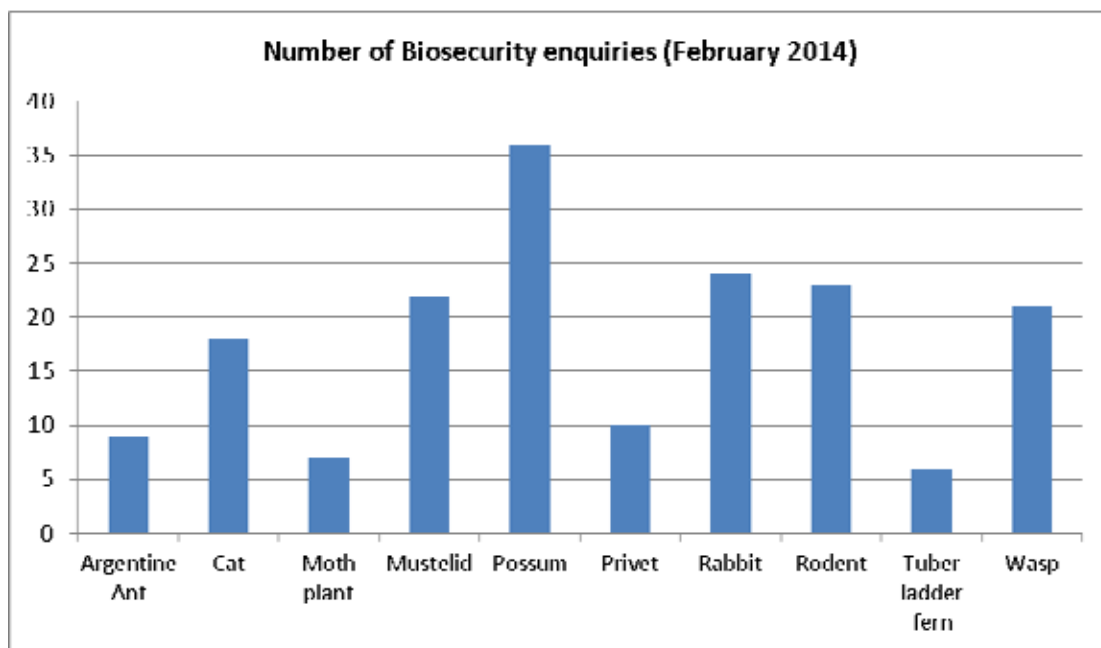
Biosecurity officers logged 262 enquiries in the IRIS database during February. Enquiries were logged for more than 50 different species, including more than 20 different animal species and 30 different plants. Many enquiries received by the biosecurity team involve multiple species, and as each species requires its own advice, each is counted a separate enquiry for the purposes of reporting.

| Subject | Number of enquiries (February 2014) |
|-----------------------------------|--|
| Animal | 182 |
| Freshwater | 3 |
| Marine | 3 |
| Plant | 70 |
| Public awareness/Education | 4 |
| Total | 262 |

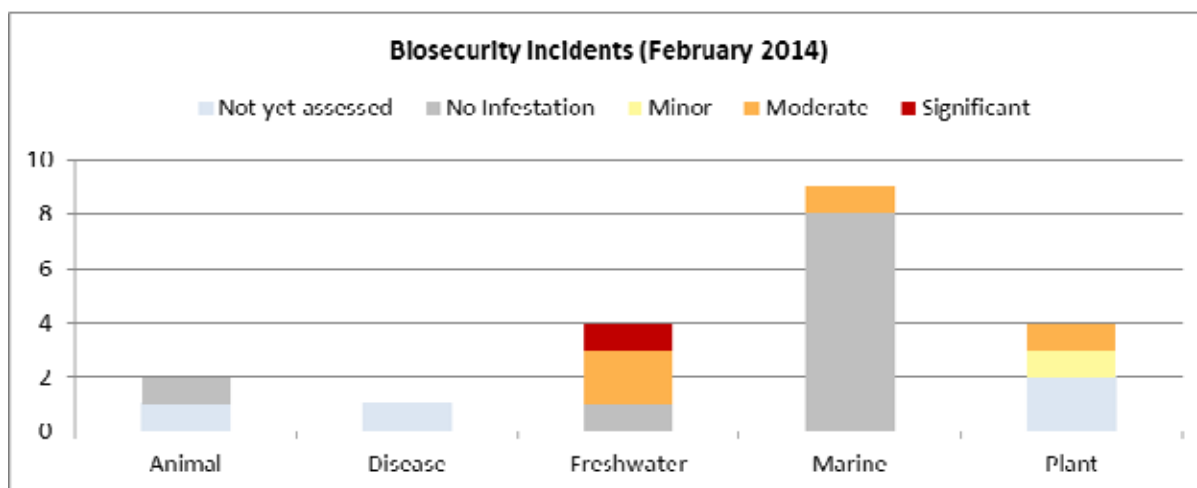
The species most common for enquiries during February are shown below. The number of possum enquiries remains consistently high, but there has been an increase in enquiries about argentine ants, rodents, rabbits and wasps during February.

ITEM: 5.0

Page 10 of 34

***Biosecurity incidents***

During the month of February, the Biosecurity team logged 19 incidents in the IRIS database, the majority of which were about the marine pest, fanworm and freshwater incidents regarding both pest plants and animals. NRC staff spent considerable time in January and February assisting the Ministry for Primary Industries with an investigation into a Queensland fruit fly incursion in Whāngārei. Fortunately no further fruit fly were found during the response.

**Land Management*****Environment Fund***

Twelve projects valued at \$40,791 were approved for funding in February. The year to date total allocation for land management projects is \$605,204.

Farm Water Quality Improvement Plans as of 13 January 2014

| Status of FWQIP | Far North | Kaipara | Whāngārei | Total |
|------------------------|------------------|----------------|------------------|--------------|
| Completed | 69 | 7 | 76 | 152 |
| In Progress | 23 | 16 | 22 | 61 |
| Total FWQIP's | 92 | 23 | 98 | 213 |

One plan in progress for Whāngārei has been withdrawn until the owner is able to undertake the site visit and discuss short and long term goals for the property.

Mangere Catchment Group

An interactive field trip was held on 25 February to allow the group to better understand the instream values of the Mangere Catchment.

Integrated Kaipara Harbour Management Group

Conservation volunteers have been working on the Aoroa farm and Poutō Topu Trust dairy flagship site. Work includes weed release of last year's plantings and water and soil quality monitoring.

The field day was held at Avoca Lime quarry on 19 February; unfortunately it rained on the day which impacted to some degree on the structure of the day and attendance.

A meeting is to be held with the trustees and managers of the Poutō Topu Trust A farms in mid-March to clarify fencing and work plans for the coming 12 months.

Poplar and Willow Nursery, Flyger Road

The fourth mowing of the nursery block has now been completed and site maintenance weed spraying will commence over the next month, with support from the NRC biosecurity team.

Staff are dealing with a new pest incursion at the nursery, namely the Giant Willow Aphid (*Tuberolachnus salignus*), which appeared firstly on Matsudana willow hybrids during the last three weeks of January 2014. Samples were collected and sent to Ministry of Primary Industries (MPI). The species identity was confirmed.

Since the aphid was first discovered in Auckland in late 2013 it has spread widely, turning up in most council operated nurseries throughout the North Island and has just recently been confirmed in the South Island.

To date, aside from an increase in numbers of the aphids, the willows are showing no terminal effects and currently no insecticide spraying has been scheduled.

In a recent update MPI have now removed this species from their 'unwanted organisms list'. From their assessment they have decided that there is now little that can be done to arrest the spread of the aphid.

Flyger Road Properties Tender: Stock Water Reticulation and Fencing

The stock drinking water reticulation has been completed by Arnold Franks Limited. A decision on the preferred tender for stock fencing will be made shortly.

Biodiversity

The council's Biodiversity Specialist recently attended the biennial National Wetlands Trust Symposium in Auckland. The Northland Regional Council helped sponsor the symposium so the council logo appeared on conference flyers and handouts.

Seven community group members from three groups working on wetland projects around the region also attended the conference as part of the sponsorship package. All groups advised that they found the conference and the networking opportunities very useful. At the symposium staff delivered two presentations on the Top Wetlands Project and also northern heathlands, including gumlands; both of which were well received.

CoastCare

CoastCare visits were made to Rarawa, Long Beach, Tāpeka, Teal Bay, Tokerau Beach, Rangiputa, Taipā, and Ruakaka to inspect dune restoration sites, and plan future planting and other works.

5.3 RIVER MANAGEMENT

Works

Awanui

The Awanui River maintenance works are well underway, with longreach digger work in the lower Awanui scheduled for completion early March. Longreach work will then move upstream to between Awanui township and Gills Road Bridge. Tarawhataroa Stream grade control survey and design has been completed with construction scheduled for early March.

Kaeo-Whangaroa Rivers

Maintenance works in the Kaeo River and Whangaroa Streams are largely complete, work in Tauranga Bay and mulching in Kaeo which are scheduled for late March.

Construction of the Kaeo Stage 1 flood deflection scheme works began 2 December 2013. Progress to date includes:

- Construction of timber floodwall on existing school stopbank (100% complete)
- Main Stopbank (90% complete)
- Deflection Bank (50% complete)

Once bulk earthworks for the deflection bank are complete the contractor will start shaping and final grading of stopbanks. Wet days and higher than optimum moisture content of the deflection bank fill have extended the programme by approximately 17 days.



Kaeo River main stopbank, school stopbank and river benching

Kerikeri-Waipapa River

The Kerikeri-Waipapa river maintenance works are underway with mulching nearing completion on the Whiriwhiritoa Stream, after this some bank stabilization and reshaping is scheduled before moving the digger to the Kerikeri River. River clearance work is scheduled for the Kerikeri River upstream and downstream approaches to the SH-10 Bridge as well as downstream tree removal.

Staff expect to receive the 50yr ARI (Average Recurrence Interval) and 100yr ARI climate change simulation results of the revised Kerikeri River spillway design during the second week of March. A meeting to present the results to the Kerikeri-Waipapa River Liaison Committee will be held during late April/early May.

Kaihu River

The Kaihu River longreach digger works are nearing completion, the operator will then move upstream to remove log-jams. The spray programme for rice grass and willow has been completed.

Whāngārei Urban Rivers

Whāngārei Urban Rivers maintenance works are largely completed.

The new Rust Avenue Bridge opened for traffic on 3 March.

***Kotuku Street Dam***

The services relocation contract was awarded to United Civil Contractors. A kick-off meeting was held on 28 February, with all major stakeholders in attendance (WDC, NRC, Northpower, Riley Consultants and Kennedy and Associates). Physical works are scheduled to start mid-March with completion by late May.

The three objections received to the notices of intention to take land have been formally withdrawn by the submitters. A proclamation to formalise the taking of the remaining land is being progressed, with compensation negotiations continuing with land owners where possible. Whāngārei District Council resolved to support recommendations relating to the exchange of land and stopping of roads in relation to the project at the February council meeting.

Ruakaka River Management Liaison Committee

Nominations for representatives of the proposed Ruakaka River Management Liaison Committee will be called during March.

ITEM: 5.0

Page 14 of 34

Minor River Works

The minor river works programme is approximately 35% complete.

| River | Description of Work Programmed for Current Season | Proposed Date for Physical Works |
|-------------------------------|--|--|
| Awanui - Bells Hill Drains | Clean Drains | Complete |
| Manganuiowae Stream Broadwood | Stream bank protection on corner | March 2014 |
| Pawarenga Streams | Clear vegetation and drains near Marae | Complete |
| Rotokakahi @ Pawarenga Bridge | Fence and plant river bank and provide erosion protection measures upstream of road bridge including Resource Consent. RC approved, quotes received. | Majority of work is completed, planting and fencing remaining |
| Mangamuka | Rock armour bend adjacent to Church and Marae. Contractor has been given the go ahead. | Completed |
| Waihou/Rahiri-Rangiahua | Continue to lower berm along Rahiri Settlement Road | April 2014 |
| Panguru and Lower Waihou | Gravel management around bridges | April 2014 |
| Waitangi | Haruru Falls RC Application & remove shingle island | Complete |
| | Gravel extraction at Top Energy | On hold |
| | Willow spraying/removal - underway | Complete |
| Waimā | Tree removal and channel clearance at Otatara Marae Bridge (RC required if we do bund around Marae) | Awaiting quotes |
| Whirinaki | Supply Rock for armouring near school | Complete |
| Awapokonui/Pakanae | Weed spray from SH14 Bridge upstream | 1 st round complete, 2 follow up sprays to be completed in spring |
| Waimamaku | Tree Removal | Awaiting quotes |
| Otiria | Spillway Resource Consent - (awaiting model result) | Ongoing |
| Otaika | Willow spraying/removal/mulch log clearance | March 2014 |
| Ruakaka | Mangrove removal at bridge | Complete |
| Waipū | Fallen tree removal at the Braigh | Complete |
| Contingency | Emergency/Flood Damage Response/Project Contingencies | N/A |

Natural Hazards

Staff have reviewed the methodology and data reports of the coastal erosion hazard zone assessment work. The proposed methodology is a significant advancement over that used in previous NRC assessments, incorporating an assessment of hindcast wave data to better predict potential shoreline response, with a greater emphasis on the assessment of the probability of shoreline response parameters. Assessments are scheduled for completion in June, and will provide new coastal erosion hazard zones for priority Northland sites.

Hydrology

MetService Northland Radar Project

The MetService has been providing the NRC and the FNDC with regular updates on the establishment of a rain radar in the Te Touwai area, east of Kaeo. The Māori Land Court, Kaikohe has approved the establishment of an Ahu Whenua Trust with authority to manage the Te Touwai B35M2 land block, east of Kaeo. With the management structure in place the MetService is now able to formalise an agreement with the landowners for access across the block to the radar site.

The radar tower has been fabricated and other civil works contracts are underway. Work on the tower foundation and the power line was to progress during late February and early March with the radar operational in May.

Rainfall, Ground Water and River Flows

Attachment 3 provides additional information on rainfall, soil moisture and river flows.

At the Environmental Management Committee meeting on 24 February 2014, it was reported that dry conditions had intensified in the western areas of Northland throughout January, particularly along the west coast areas from South Hokianga to Poutō Point and inland western Kaipara. The areas south of Dargaville, (including Ruāwai) to Poutō Point were extremely dry.

By late February dry conditions in these western areas had further declined and extended slightly further inland. Low rainfall amounts were recorded at Poutō Point 2.5mm, Paparoa 30mm, Ruāwai 8mm, Dargaville 8.5mm, South and North Hokianga 16.5mm to 21mm and Kaitiāia 21mm. In contrast, high rainfall amounts were recorded in the eastern areas from Coopers Beach to Whāngārei, varying from 60mm to 100mm inland and 100mm to 300mm in the high altitude areas east of Kaeo, Puhipuhi, Ngunguru and Glenbervie.

The rainfall gradient from high rainfall in eastern areas to low rainfall in western areas during February was very distinctive as shown in Fig 2 below.

Fig 1: Rainfall January 2014

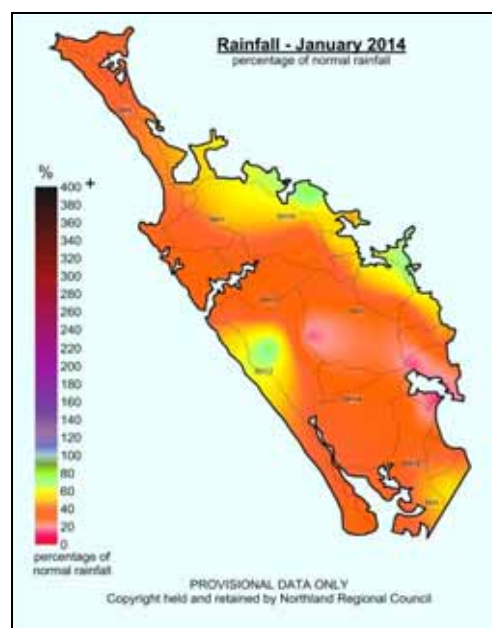
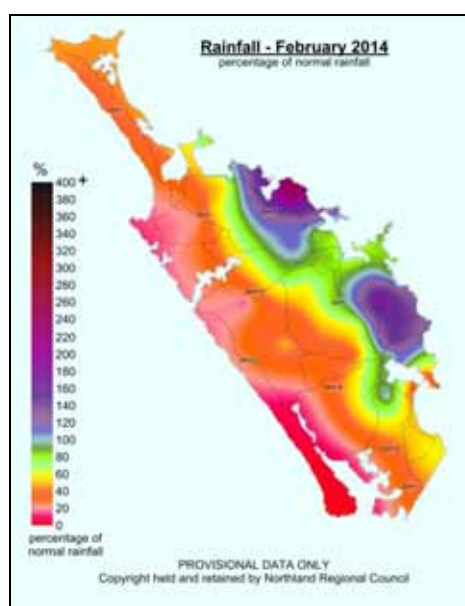


Fig 2: Rainfall February 2014



ITEM: 5.0

Page 16 of 34

Rainfall data from five stations were evaluated to establish a ranking of low rainfall amounts recorded over a five month period from October 2013 to February 2014, compared to the historical record and the recent drought periods of 2009/10 and 2012/13. The following table shows these rankings.

| Station | Rainfall mm | Expected Rainfall mm | % rainfall received | Ranking compared to previous dry periods | | | Years | Start Record |
|--------------|----------------|----------------------------|---------------------------|---|---------|---------|-------|-----------------|
| | | | | 2009/10 | 2012/13 | 2013/14 | | |
| Kaitāia | 262.9 | 465 | 56 | 2 | 16 | 8 | 120 | 1893 |
| Mamaranui | 196.9 | 416 | 38 | 20 | 1 | 2 | 63 | 1951 |
| Dargaville | 167 | 412 | 31 | 5 | 3 | 1 | 92 | 1922 |
| Ruāwai | 160 | 398 | 40 | 2 | 1 | 3 | 69 | 1946 |
| Maungaturoto | 285.5 | 487 | 58 | 2 | 6 | 7 | 62 | 1952 |

From October 2013 to February 2014, Dargaville had recorded only 167mm. The normal rainfall for this period is 412mm. This current period ranks first from when records began in 1922, recording less rainfall over the same months when compared to the 2009/10 and 2012/13 droughts. Similar patterns are found with those records from Ruāwai although the record length is much shorter at 69 years.

Long term rainfall records are not available from locations within the Poutō Peninsular; however 143 mm was recorded at Poutō Point for the same period indicating similar climate conditions experienced at Dargaville.

NIWA had indicated in the seasonal outlook February to April 2014 that rainfall probabilities were likely, but not certain, to be (40%) in the near normal or above normal range. Although these probabilities may be progressing in the eastern areas of Northland, the south western area of Northland has certainly been in the lower threshold of these probabilities for the last four months.

The recent NIWA seasonal forecast from March to May indicates rainfall likely (40%) to be near average to below average range and soil moisture and river flows most likely (55%) to be in the below average range.

| | Temperature | Rainfall | Soil Moisture | River Flows |
|---------------|-------------|----------|---------------|-------------|
| Above average | 30 | 20 | 15 | 15 |
| Near average | 45 | 40 | 30 | 30 |
| Below average | 25 | 40 | 55 | 55 |

The MetService outlook for New Zealand indicates that at the beginning of March, there will be a return to some active, windy and wet weather to the east of the country. The trend for the rest of the month is the return of large and dominating areas of high pressure. These large anticyclones look set to move from west to east across the country from the Tasman Sea. It will be generally drier than normal for the time of year, especially for the north of the country.

Soil Moisture deficits continue to recede at Dargaville and Kaitāia and are following similar trends to those during the 2012/2014 drought period. Deficits at other main Northland centres have recovered to normal or above normal levels for this time of year.

ITEM: 5.0

Page 17 of 34

Groundwater level monitoring indicates that northern aquifers of Northland are near or above average levels (Aupōuri, Taipā, Russell). Around Kaikohe and Whāngārei (Poroti and Maunu), groundwater levels declined further in February. The levels in the southern aquifers at Tara, Mangawhai and Ruāwai are 0.5m to 0.9m below their normal February levels.

Apart from catchments along eastern areas which have benefited from the early and mid-February rain, river flows in all western areas were less than 50% of the expected February flows; those in the drier parts of the region such as the Manganui, Kaihu had reached the one in 5 year drought flows but intermittently recover as showers and isolated rain persists in the upper catchments.

Given the current dry conditions in western areas, the MetService and NIWA's seasonal outlook from March to May, there is a high risk that low rainfall may continue over March and April with drier conditions extending further to areas in the far north, inland Whāngārei and southern Kaipara districts. The immediate forecast provides no long term relief for western areas which are confined to showers and moderate rainfall amounts.

Over the past month weather systems developing from the tropics and moving southward towards New Zealand have been blocked by these anticyclones and have moved more to the north east of the country. There is the moderate likelihood that one or two of these tropical depressions may 'slip' through these blocking highs and move onto Northland.

Water takes compliance monitoring**Far North district**

The FNDC had implemented water conservation strategies in the Opononi and Ōmāpere area as a result of significant reduction in flows in the Waitemarama and Waiarohia Streams. NRC was assisting FNDC to manage the public water supply takes from these sources and at the end of February these flows rapidly declined to the point where FNDC could no longer meet the residual flow requirement set by resource consents. A water shortage direction was issued to the FNDC in late February. FNDC and NRC are closely monitoring low flows in the Petaka Stream, a public water supply for the Rāwene community and the public water supply take in the Awanui River at Kaitāia.

Whāngārei district

Several major pasture irrigators were requested to cease taking water from rivers as flows reached resource consent flow requirement limits. Moderate rainfall and showers at times throughout February enable consent holders to continue when flows increased above the resource consent flow requirements. No issues have been reported by the WDC with regard to the public water supply takes.

Kaipara district

The KDC had implemented water conservation strategies for Dargaville as low flows impacted on the public water supply takes in the Waiparataniwha Stream and Kaihu River. NRC was also assisting with the management of the water takes throughout January and February eventually issuing a water shortage direction when KDC could no longer comply with the resource consent conditions.

Water metering regulations compliance update

A letter has been sent out to 16 resource consent holders who take water at a rate of 10 to 20 l/s informing them of the requirements and ensure compliance with the regulations is met by 10 November 2014. The majority of consent holders have now been contacted by phone as a follow up to ensure they understand the implications of the regulations.

5.4 ECONOMIC DEVELOPMENT

Northland Economic Quarterly

The third issue of the Northland Economic Quarterly (NEQ) newsletter was published on Friday 24 January and distributed to councillors by email. The current and past issues can be found on the NRC website at: www.nrc.govt.nz/economicquarterly.

In addition to the regular quarterly updates on economic activity, employment and household welfare, the annual statistics section of the third issue reported on the 2012/13 season results of four key primary sectors in Northland: dairy, forestry, kiwifruit and avocado. Economic growth over the past few years is often described as “lumpy” in recognition of the fact that growth has varied considerably from industry to industry. The results from the four primary industries demonstrate this, with the record harvest in the forest industry contrasting with a difficult year for avocado growers. The Spotlight section picked up four variables from the 2013 Census that are relevant for assessing economic development. Median personal income levels have increased but at a pace slower than the national rate and the cost of living. Fewer new migrants are choosing to live in Northland. On the positive side, education levels and internet access have improved. Further results from the 2013 Census will be included in forthcoming issues of the NEQ as they are released by Statistics New Zealand.

Annual Economic Profile of Northland

In previous years, NRC and the three district councils have jointly purchased hard copy Annual Economic Profiles of the region and districts from Infometrics. The joint purchase arrangement provides a group discount of up to 40%. This year, the four authorities have together purchased access to web-based annual economic profiles.

The online profiles provides an in-depth description of the region/districts economic structure and performance over the past year and previous years. It covers a wide range of economic information on the economy (GDP, exports and industrial diversity), employment, productivity, businesses, skills, etc. The tables and charts are dynamic enabling the user to drill down into an extensive regional database to analyse changes over time and at a various industry levels. It also allows the user to make comparisons with New Zealand and other regions and districts that have purchased access to the service.

The online economic profile for the Northland region has been made available to the public via the NRC website (www.nrc.govt.nz/economicdevelopment).

A demonstration of the online profile will be provided to councillors at the workshop on 18 March directly preceding the council meeting.

5.5 HAZARD MANAGEMENT

Civil Defence and Emergency Management

MetService warnings and activations

No weather related warnings or watches have been issued in the past month.

The Northland CDEM Facebook “likes” have continued to increase and now number 610, up from 587 in January.

CDEM and Coordinating Executive Group

The Northland CDEM Group and Coordinating Executive Group both meet on Tuesday 4 March 2014.

Monitoring and Evaluation

In a letter to the Northland CDEM Group in late November 2013 the Director of MCDEM indicated that in the 2014-15 financial year MCDEM officials will be repeating a Capability Assessment review of the Northland CDEM arrangements, similar to that carried out in late 2010. The MCDEM programme schedules the Northland assessment commencing in July 2014.

The Director has indicated that his expectation for Northland is to see the original assessment score increase from the 2010 assessment of 62.9% to at least 72% in 2014. It should be noted that during the first round of assessments Northland scored well inside the top third of the 16 regions assessed.

In anticipation of the MCDEM review Mr Alistair Wells, MWA Solutions has undertaken a focused review of the Northland CDEM arrangements to assist in preparing for the assessment.

Youth and Emergency Services

As reported in the January agenda the Kaikohe YES Workgroup was formed in December and has met on two occasions to organise and coordinate the orientation phase of the programme. The workgroup is made up of representatives from Red Cross, St John, NZ Fire Service, Rural Fire, Coastguard, the CDEM Group, FNDC, MSD and NZ Police. A Memorandum of Understanding has been developed and agreed on the delivery of the programme.

Orientation will be run over a 4-5 week period. Each agency will provide a 2-hour introduction/theory phase followed by a practical session giving the candidates hands-on experience in a working environment.

Budgets have been provided by each agency, most choosing to fund the bulk of the programme themselves. Extra funding is being applied for to cover gear costs and equipment hire for the exercise at the conclusion of the programme.

The selection of candidates for the programme is underway. It is expected that the majority will be sourced from local high schools.

Community Response Plans (CRPs)

The review of existing community response plans has reached a milestone with the final version of the eCRP for the Mangawhai community being adopted. The

ITEM: 5.0

Page 20 of 34

implementation of eCRPs is gradually being introduced to community groups as plans become due for renewal. Currently a further six plans are in the process of being changed over to the new format that uses “Get ready Get Thru” branding as the format for the plans. The new plan template is visually easier to read, contains a number of graphics and is constructed around the “Get ready Get Thru” messaging and branding.

Resilience fund

Applications from the Northland CDEM Group for the Resilience Fund for the 2014/15 year have been submitted to MCDEM for consideration. Since the fund’s inception in 2010, a total of \$362,000 has been granted from the fund to support 12 projects in Northland. The applications have been made under the following headings -

- EMIS implementation – \$85,000
- Tsunami Mapping and review - \$30,000
- Data Contact Management - \$27,000
- Far North District Resilience and Capability - \$30,000

Emergency Management Information System (EMIS)

Arrangements are being finalised for a week long block of training on the EMIS, focusing on Super Users, Welfare and Emergency Services. The training is to be delivered by the North Island EMIS trainer appointed by MCDEM. At this time there has been very good interest in the training with eight NZ Fire Service personnel registered to attend the Emergency Services training.

Welfare Forum

A national two day Welfare Forum is being hosted in Auckland on 19-20 March to provide a workshop on changes to the manner in which Welfare Services are to be planned for and delivered. The changes are to be incorporated into the reviewed National Plan, due for release in early 2015. At this time Northland has nominated nine personnel from across the CDEM Welfare representatives to attend.

5.6 TRANSPORT

Regional Transport Management***Dust on Unsealed Roads***

The draft Regional Dust from Unsealed Roads Mitigation Strategy was tabled at the February 2014 Regional Transport Committee (RTC) meeting. The RTC approved the circulation of the draft to the Northland Technical Advisory Group and the Northland District Health Board for their final review and that the final draft be presented to the April 2014 RTC meeting for consideration. Once final approval by the RTC is received, the Regional Dust from Unsealed Roads Mitigation Strategy will be forwarded to the representatives of the Pīpīwai community for their comment prior to full public release.

On 10 February 2014, the Northland Regional Council Chairman and the Transport Operations Senior Programme Manager met with three of the Pīpīwai residents representatives and updated them on the progress of the draft Strategy.

“R” Funding

No further feedback has been received from the office of the Minister of Transport.

ITEM: 5.0

Page 21 of 34

Financial Assistance Rate Review

Briefing papers on the proposed Options for Future Funding Assistance Rates (FARs) were tabled at the January 2014 council meeting and the February 2014 RTC meeting.

At the council meeting, it was agreed that the NRC would make its own submission on the issue and would support Options 1; 3 and 5. These three options would allow for a 55% FAR (based on a 50% even split nationally) or 60% FAR (based on a 53% split being the present national average). Council further requested that the RTC makes its submission.

At the February 2014 RTC meeting it was agreed that a regional submission be made supporting the submissions of the individual approved authorities.

All submissions are to be lodged by 28 March 2014.

Regional Land Transport Plan – 2015-2018

A paper on this matter was tabled at the February 2014 RTC meeting. This paper served to brief the representatives on the legal requirements of a Regional Land Transport Plan and the process to be followed.

The RTC agreed that a separate workshop be convened for all RTC representatives in order to fully apprise them of all aspects of the Government Policy Statement, the National Land Transport Programme and the Regional Land Transport Plan process and content. The RTC approved that this workshop would follow on from the April 2014 meeting.

Regional Public Transport Plan

The present Regional Public Transport Plan 2012-2018 (RPTP) was compiled during the initial phase of the government's review of the Land Transport Management Act 2033 particularly in regard to Public Passenger Transport Plan and the Passenger Transport Operating Model. During the compilation of the present RPTP, a number of the then proposed requirements were included. Staff are now comparing the RPTP with the requirements of the Land Transport Management Act 2003 to ascertain what amendments, if any, are required and if in fact a full review of the document is required.

Passenger Transport Administration***Total Mobility***

Total Mobility figures are reported one month in arrears, as the information is not available in time to meet the agenda deadline.

| | Total clients | Monthly Actual Expend | Monthly Budget Expend | Variance | Year/Date Actual Expend | Year/Date Budgeted Expend | Variance |
|----------------------|---------------|-----------------------|-----------------------|-----------|-------------------------|---------------------------|-----------|
| December 2013 | 1018 | \$14,550 | \$16,666 | -\$2,116 | \$85,560 | \$99,996 | \$14,436 |
| January 2013 | 1020 | \$4,984* | \$16,666 | -\$11,682 | \$90,544 | \$116,662 | -\$26,118 |

* Due to staff illness, one company was unable to submit their dockets for January. These will be included in February 2014 totals.

ITEM: 5.0

Page 22 of 34

A1 Cabs have replaced their older hoist van with a 2008 Toyota Hi Ace, which was introduced in to service on 11 of February 2014. This investment by Co-op Taxis in Whāngārei is appreciated.

City Link Whāngārei

Please note figures include Gold Card and exclude GST. Budgeted revenue calculated on proposed fare increase which was not implemented.

| January 2014 | Month Actual | Budget | Variance | January 2013 |
|----------------------------|--------------|--------|----------|---------------|
| Passenger numbers | 22,475 | 24,429 | -1,954 | 21542 |
| Farebox revenue (GST excl) | 41,751 | 60,356 | -18,605 | 49,909 |
| | | | | |
| February 2014 | Month Actual | Budget | Variance | February 2013 |
| Passenger numbers | * | 26,797 | * | 25209 |
| Farebox revenue (GST excl) | * | 55,058 | * | 61,676 |

** These figures were unavailable from Ritchies at the time of agenda publication. An update will be available either at the council meeting, or reported in the March 2014 CEO Report.*

SuperGold Card Scheme

| | Month Actual | Monthly Budget | Variance | Average 2012/13 |
|---------------|--------------|----------------|----------|-----------------|
| January 2014 | 4,914 | 4,613 | +301 | 4,790 |
| February 2014 | * | 4,613 | * | 4,790 |

** These figures were unavailable from Ritchies at the time of agenda publication. An update will be available either at the council meeting, or reported in the March 2014 CEO Report.*

Service delays continue across all routes due to the amount of road works underway in Whāngārei, and drivers also reporting issues with the Bank Street lights “short-phasing”. Traffic has been constantly disrupted, particularly during peak periods. It is hoped this situation will improve when the Rust Ave is reopened.

There were four reported missed trips this month attributed to traffic flows, and 22 late runnings (departing Rose St more than five minutes late). Reporting is presently done by the driver radioing the depot when they are late. With the introduction of the smartcard, more accurate electronic data on late and missed trips will be provided.

The CityLink/Snapper contactless smartcard was rolled out on the 27th and 28th of February 2014. This replaces the current 10-trip paper concession tickets, sales of which will cease effective Monday 3 March 2014. The Transport Operations Team and Snapper staff from Wellington were at Rose St Bus terminus from 6.00am to 6.00pm both days giving customers holding a paper ten-trip concession ticket a free CityLink/Snapper smartcard.

Extensive advertising has taken place in the Advocate, the Leader and Report, posters and flyers were on the buses and at Rose Street. To date, the overall the reception has been positive, with no reported problems other than minor issues such as how to hold the card correctly when tagging on and off. There are five retailers in Whāngārei who have agreed to sell the cards and provide a top up service for

ITEM: 5.0

Page 23 of 34

passengers. There is an eft-pos only top up kiosk in the NRC reception and at Ritchies depot in Port Road.

Discussions regarding security and general public activity at Rose St were held on site with Cr Paul Dimery on Friday 28 February. Cr Dimery has asked to remain involved in future discussions.

**Front****Back**

An email received on 3 March from a CityLink passenger (permission was obtained to report this):

"I truly meant it when I said "I love Snapper".

I lived almost 5 years in Welly and used Snapper a lot. I am really happy we have it now in Whangarei too.

In Welly many shops are accepting Snapper for payment, like Subway. When more and more shops did that it really became easy to pay for lunch or a snack – fast, clean, lightweight (compared to cash).

I hope Snapper will be a big success story for Whangarei too."

The security guard returned to Rose Street at the end of January, and has already reported an attempt at lighting a fire in the toilets, and extra graffiti. The smoking of legal highs is becoming an issue, as the response most often given when asked to cease is often "its legal there's nothing you can do to us". Empty packets are commonly found on and under the seats.

The SmokeFree policy for bus shelters was approved by WDC last year. Signage has arrived, and this project will be progressed later in March 2014 once the smartcard has been implemented successfully. This policy is based on voluntary compliance only, and is not legally enforceable, however it is hoped that most people will abide by the new policy out of respect for non-smokers also waiting in the area.

Road Safety update

The **national** road toll for 2014 year to date is 34 road deaths compared to 38 for the same period in 2013.

The **Northland** road toll for year to date in 2014 is 3. This includes –

- two deaths in the Far North
- one death in the Whāngārei district and
- zero in the Kaipara district

ITEM: 5.0

Page 24 of 34

Fatigue Stops

Fatigue Stops have been held over the Christmas and New Year periods and have been well supported by the travelling public. There continues to be excellent support from many partners under the umbrella of the Northland Road Safety Association – this includes the Ruakaka 60's Up ladies who prepare and give out the food and fatigue related resources – Brain Injury Association who provide hot drinks through their Coffee Caravan – MeadowFresh supply the milk and Northland Hospitality and Altura the Coffee – Hire Equip and Downer ITS provide the portaloos at each of the Stops. Fulton Hogan has also been very supportive.



Fatigue Stop visitor numbers for this summer campaign have been–

- Labour Weekend – northbound – 317
- Labour Weekend – southbound – 1700 plus
- 24 December 2013 – 179
- 3 January 2014 - 250
- 10 January 2014 – 232
- 24 January 2014 – 295

There are two more fatigue stops that will be held over Easter Weekend at State Highway 1 Uretiti – northbound and southbound.

Navigation, Safety and Maritime Operations***Oil Spill Preparedness and Response***

Staff dealt with eight oil spill incidents during this period. The source of a slick that initially covered a large area in the Hātea River was investigated with inconclusive results, but is thought to have been associated with recent dredging in the area. Analysis of samples taken from the water did not indicate hazardous substances and the slick and the source dissipated naturally.

Staff responded to a report of a black oil slick spread over a large area off Russell, but clean-up was not necessary as the oil dispersed naturally. The other incidents were relatively minor and the oil slicks dispersed naturally.

The harbourmaster attended a National On-Scene Commander meeting in Auckland. Safety plans and response options in relation to deep sea drilling was a key topic. Maritime NZ will shortly be consulting on the national oil spill strategy in Northland.

Port and Harbour Safety

Five hot work permits were issued during this period.

Fifteen cruise ships, one super yacht and a small seasonal tour vessel were piloted safely into and out of the Bay of Islands. One cruise ship was additional to the scheduled shipping.

Whāngārei harbour safety meetings were held in January and February, and were fully attended by all stakeholders. The harbourmaster made a visit to Wareware Island with the local iwi representative prior to the planned installation of a light beacon. The light is being installed as an initiative by the Whāngārei Harbour Safety Group to enhance navigation safety of ships that transit the coastal passage between Bream Bay and the Hen and Chicken Islands.

The harbourmaster and deputy harbourmaster completed a pilotage on an inbound coastal tanker to Marsden point with the harbour pilot to progress a risk assessment in that regard. The harbourmaster also met with a complainant and representatives of a local shipping company to resolve some outstanding complaints regarding the shipping channel.

A presentation on liability coverage for council's maritime responsibilities was made to the council's Audit and Risk Committee.

The lead up to a powerboat race in the Bay of Islands (held on 1 March) received some concerned publicity in regard to dolphin safety. The organisers took extra precautions including the option to cancel at any time if dolphins approached, and employing an extra helicopter with a dolphin observer on-board. The event ran smoothly with no issues, and any future events will be planned taking into account the concerns raised.

The Hātea River Channel Working Group meeting was held during the month chaired by Cr Craig Brown. The annual dredging programme was discussed. The Memorandum of Understanding between the Northland Regional Council and the Whāngārei District Council on funding arrangements is to be reviewed. The group's financial reserves were also reviewed at the meeting. The minutes of the meeting are attached (**Attachment 4**)

Side scan sonar equipment was recently installed on the council work boat Karetu. Initial trials indicate that the equipment will be very useful for mapping mooring areas, locating sunken blocks and similar work in shallow depths. The vessel has already been contracted by Far North Holdings for some preliminary survey work. Existing sonar gear already owned by the council was trialled on the Waikare but further work is needed to prove if this equipment will be useful for maritime work.

A trans-Tasman tall ships race arrived in Ōpua in the first week of January, on the way to Auckland. A number of classic vessels participated including the Europa, the Lord Nelson, the Tecla as well as the Spirit of New Zealand. Advice was provided with coordination of the customs and anchorage arrangements and the event ran smoothly.

ITEM: 5.0

Page 26 of 34

The Ōpua sailing week regatta was also completed successfully without incident. Discussions are underway to bring the Millennium Cup to the Bay of Islands next year, which involves racing superyachts.

A work experience trainee was engaged for six months from January. The trainee mainly assisted with moorings related work and also job shared with Biosecurity when needed. He has since resigned to move to a new position, but appreciated the chance to gain some experience.

Harbour patrols were carried out in Mangawhai, Whāngārei, Whangaruru, Bay of Islands, Whangaroa and Mangōnui harbours. Reports from the patrols generally show good behaviour apart from a marked decline in the use of dive flags when appropriate. A number of other points were noted for future safety publicity.

The rubbish barge operated this summer season for the second year with a mobile manned service. The service successfully collected 53.5m³ of rubbish and 116 bins of recycling (also charged for at a token amount) operating from Boxing Day until the end of January. The service was well received, and ran according to budget plans. Final figures are to still be agreed between the joint parties and will be reported to council following the post season meeting.

Maritime Incidents, Enforcement and Safety

Staff dealt with 47 maritime incidents in January, and 28 in February. A collision between a yacht and a dinghy in Ōpua that resulted in one fatality is being investigated by police. A collision between a launch and a yacht was investigated and a warning letter was sent to the launch skipper. Staff also investigated two navigational near misses and issued one written warning and one verbal warning to the skippers found negligent in the two incidents. A yacht collided with a beacon in the Hātea River and damaged the beacon and light. A buoy was installed as a replacement. The owner/skipper of the yacht has been identified and will be invoiced for costs for the damage caused.

One of council's harbour wardens was allegedly threatened after he assisted Fisheries personnel taking action against a person obstructing a navigation channel with fishing nets. Police are investigating and council management have offered support to the harbour warden should it be required.

With the increase in seasonal boating activity, staff dealt with a number of incidents involving vessels that dragged anchor, grounded or were wrecked, as well as numerous incidents involving moorings.

Staff are also working on resolving issues involving vessels that appear abandoned. Recent changes to the Maritime Transport Act 1994 have tidied up the legal aspects of dealing with abandoned vessels. Legal advice has been obtained with regard to the associated council procedure.

Abatement notices have been issued to two vessels which have remained at anchor for longer than 14 days in contravention of the Regional Coastal Plan rules. Prosecution action is being taken against another vessel owner who has chosen to remain anchored in violation of the 14 day rule in Whāngārei harbour despite several previous infringement notices requiring him to desist.

A number of reports of speeding were followed up by staff, in particular a number of site visits made to Ruakaka.

Two verbal warnings were issued for a collision incident and a navigation obstruction incident, and another to a jet ski. Two written warnings were also issued for a speeding incident and another navigation obstruction incident

Aids to navigation

Lights were reported as extinguished in Rangaunu, Whangaruru and Houhora Harbours, a new light and batteries were installed respectively. Lights are now operational.

The top mark on the Island Point port hand beacon Kaipara Harbour was reported as missing and has been replaced. A new 5 knot buoy was laid in Kowharewa Bay, Tutukākā on the site of the old ski lane following a request from the local harbour warden.

A new port hand buoy was laid in the Hātea River, to replace the H4 beacon destroyed after it was established that it had been hit by a vessel. New lamps were installed in the Waitangi Sector Light.

Refurbishment of the South Channel port marker and the Isolated Danger Mark on the Brothers completes the maintenance programme for Kerikeri. Preparation for maintenance of Houhora and Rangaunu beacons has now commenced with the building of new top marks.

Moorings

Work on updating council records with information on swing mooring construction and licence lengths for vessels is nearing completion. Out of 2639 swing moorings we now have:

- Mooring weights for 2567
- Licence vessel lengths for 2246
- Recent position information for 1771 (the remainder will need to be mapped by NRC / updated as inspection reports are received from the contractors)

Around 300 moorings still need to be finalised with precise length and position details. The position data will soon be entered into the database to update current GIS information. The new side (structure) scan sonar fitted on the Karetu has proved to be extremely useful in locating and accurately mapping mooring blocks in a couple of recent trials. Mapping the mooring fields will begin in earnest once the recent position info has been entered into GIS. This information is crucial to the issue of an actual licence document to all mooring holders which will clearly spell out the licence requirements and restrictions.

In a similar vein the input of location co-ordinates for all moorings from inspection reports to update GIS mapping is progressing. Automatic recording of mooring inspection details is progressing and the mooring contractors have been working with the mooring officer to progress this.

Detailed mapping of the Ōpua / Kawakawa River mooring area has been ongoing, and in coordination with FNHL staff, in anticipation of the impact of the Ōpua Marina development and the need to re locate a significant number of moorings.

Other

Skipper assistance was provided to other departments for site visits to for marine pollution, water quality, Manchurian rice grass eradication and fan worm checks.

5.7 SUPPORT SERVICES

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:

- Whāngārei's turn for informal reform meetings
- Update for *Boating New Zealand* magazine on summer fanworm inspections (in response to letter in December issue)
- Major milestones for Enviroschools Northland
- Drop in day, hui on regional moorings rethink
- Pest watch and Land Management columns
- CityLink buses to move to smart cards
- Kaeo flood risk reduction works progressing well
- Mini possum burgers the latest field days treat
- Free workshops to help businesses get through, recover (*release on behalf of Northland CDEM Group*)
- Fresh local government reform draft needed; NRC

Additionally the Chairman provided a guest opinion piece on proposed Local Government reform for the Northern Advocate's February 'Rural Advocate' publication.

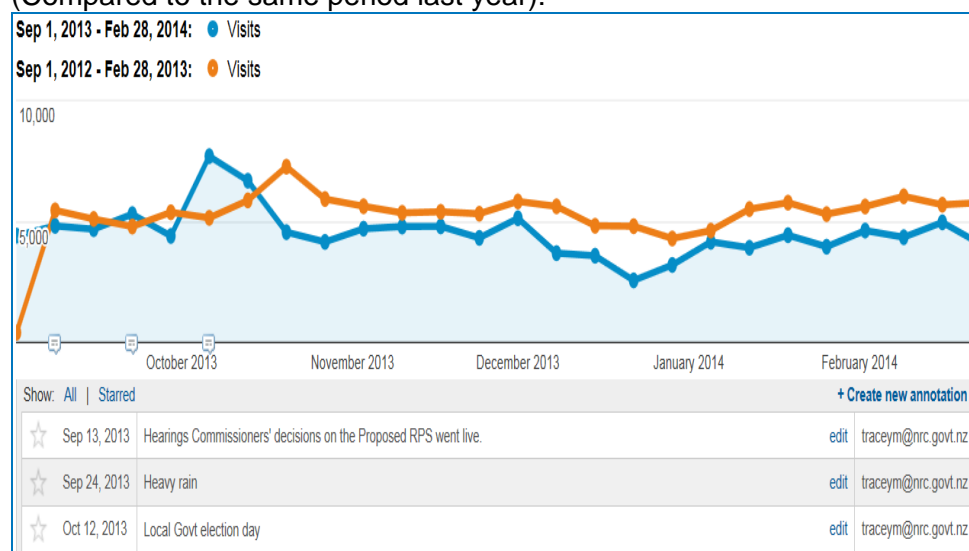
Publications completed during January and February:

- Updates/reprints of Aquatic pests – Freshwater fish and Aquatic pests – Freshwater weeds
- Farm Water Quality Improvement Plans (new brochure)
- Fish-friendly culverts (new brochure)
- Enviroschools newsletter for Term One

Online Channels

Visits to the NRC website

(Compared to the same period last year):

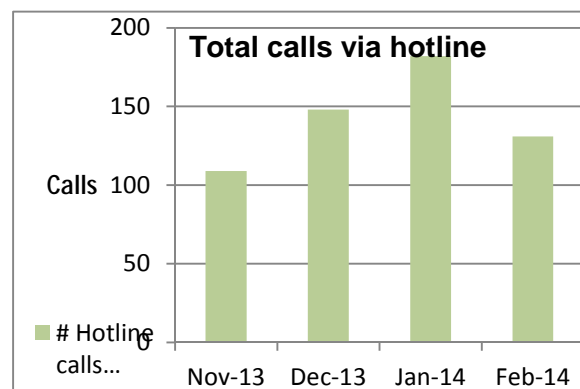
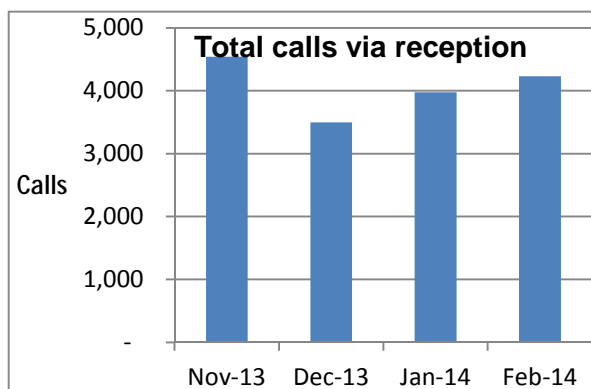


ITEM: 5.0

Page 29 of 34

| Key Performance Indicators | Nov-13 | Dec-13 | Jan-14 | Feb-13 |
|---|----------|---------|---------|----------|
| WEB | | | | |
| PDF documents downloaded (Transactions) | 2,395 | 1,636 | 1,685 | 2,122 |
| \$ Print value of documents downloaded | \$22,235 | \$9,685 | \$7,892 | \$10,391 |
| E-payments made | 25 | 26 | 12 | 7 |
| GIS Service - Number of unique visitors | 818 | 579 | 540 | 407 |
| GIS Service - Number of visits | 1,242 | 882 | 815 | 636 |
| # subscription customers (cumulative) | 873 | 884 | 893 | 909 |
| SOCIAL MEDIA (cumulative) | | | | |
| # Twitter followers | 607 | 616 | 625 | 641 |
| # NRC Facebook fans | 357 | 362 | 366 | 372 |
| # CDEM Facebook fans | 543 | 587 | 604 | 613 |
| # CoastCare Facebook fans | 108 | 112 | 115 | 116 |

* N/A = figures not available in time for this month's report.

Customer Services**Events****Recent Events****New Zealand Dairy Industry Awards sponsor's launch lunch - 22 January**

The Northland section of the New Zealand Dairy Industry Awards hosted a lunch to provide sponsor's information about the competition and an opportunity to network with the contestants. This year the Farm Dairy Effluent team put together an information pack for each of the contestants which included a copy of their farm's resource consent, monitoring report, the land application rules and a copy of the dairy farmer news.

North Kaipara A and P show - 1 February

We attended this show for the first time this year and received lots of positive feedback from the 200 people who visited our site. Our main enquiries were for pest animals and pest plants. Staff from biosecurity, land management and community relations attended the show.

Kaitiāia A and P show - 22 February

This year our display focused on Wairoa Northland Water, land management and pest plants and pest animals. We also had a number of traps on display and staff

ITEM: 5.0

Page 30 of 34

demonstrating how to use them. The main enquiries were about Farm Water Quality Improvement Plans and pest animals.

Northland Field Days - 27 February - 1 March

This year's field days theme was 'Taking Action', with displays providing practical advice and demonstrations on the actions the council wants people to take in their environment.

Displays included animal and plant pests, aquatic pests, farm dairy effluent, water quality (SHMAK) monitoring, CoastCare and land management. We also had a number of quizzes running and an informative land management video playing.

We gave away over 1400 mini possum burgers over the three day event which attracted an estimated 27,000 visitors. We received a lot of positive feedback about all of the displays especially the pest animals and the live aquatic display.

Upcoming Events

| Event | Date | Location | Description | Staff Contact |
|---|----------------------------|--|---|----------------------|
| March | | | | |
| NZ Dairy Industry Awards Dinner | 26-March | Paihia | Award dinner where the winners of the NZ Dairy Awards are announced. | N Stubbing |
| Doubtless Bay Catchment Group meeting | 26 March, 9am | Taipā Bay | Meeting to progress local implementation of NPS for Freshwater Management | P Weissing |
| Moorings and Marinas Strategy Presentation | 26 March | Kaikohe | Presentation to Far North District Councillors on the strategy | B Lee |
| April | | | | |
| Ballance Farm Environment Awards Dinner | 2-April | Paihia | Award dinner where the winners of the Ballance Farm Environment Awards are announced. | N Stubbing |
| Northland Road Safety Association Fatigue Stops | Easter – 17 & 21 April | Uretiti: <ul style="list-style-type: none"> • SH 1 North, 12.30 – 5.30pm • SH1 South, 9am to 6pm | <ul style="list-style-type: none"> • Northland Road Safety Association fatigue stop to provide rest break for driver and passengers over Easter Weekend • State Insurance Driver Reviver Stop | I Crayton-Brown |
| Civil Defence Forum | 30 April | Capitaine Bougainville Theatre, Forum North | Public showcase for developments in Civil Defence and emergency management | K Abbott |
| Kerikeri-Waipapa River Liaison Committee | Late April/early May (TBC) | TBC | To discuss impacts of recent studies on spillway design | J Camuso |

Environmental Education

Northland Regional Council School Visits

School visiting during this reporting period focussed on building water quality assessment skills using the NIWA Stream Health Monitoring and Assessment kit with students in Puketū Forest's Waipapa River - a high-quality Hokianga Harbour catchment waterway. Monitoring indicated excellent water quality. School visit support included providing resource material.

Enviroschools

Enviroschools Northland newsletter

The first newsletter for the year was produced. Copies are available online at: www.nrc.govt.nz/enviroschoolsnews

Enviroschools in the Early Years

On 21 February, a cluster meeting was organised by Kerikeri Kindergarten. Approximately 20 people participated in the professional development focused on exploring ways to connect with Papatūānuku, (earth mother/land).

World Wetland Day

World Wetland Day was celebrated on 27 and 28 February at Lake Ngatu near Kaitiāia. 128 students from the home schooling community and from the following schools took part: Awanui, Oturu, Paparore, Taipā, TKKM o Rangiawhia and Te Rangi Aniwaniwa. Julie Holt, Enviroschools Facilitator (create a wetland), and Lisa Forester, council's Biodiversity Specialist (rare lake plants and check, clean dry) led 2 of the 6 action stations.

Enviroschools regional co-ordinator hui

From 26 – 28 February, the biannual hui for Enviroschools regional co-ordinators from throughout New Zealand was held in Hamilton.

Human Resources

Staff Matters

Terminations

Neville Wilson, River Management Officer finished his employment with the Council on 1 February 2014. Neville left to take up a position with Richardson Stevens Consultants.

Fraser Cameron, Maritime Trainee Officer resigned at short notice and finished his temporary employment with the Council on 12 February 2014. Fraser left to take up a position with Asure Quality in Hamilton.

William Bowden and Izelda Mulder, Hydrology students finished their summer employment with the Council on 14 February 2014. Matthew Goodwin Brown, Scholarship student and Jack Hamilton, Biosecurity student finished their summer employment with the Council on 21 February 2014.

ITEM: 5.0

Page 32 of 34

Appointments

Nick Gordon commenced employment as River Management Engineer on 20 January 2014.

Diane Evans commenced temporary employment as Planning and Policy PA/Team Admin on 3 February 2014 covering for Parental Leave.

Fraser Cameron commenced temporary employment as Maritime Trainee Officer on 4 February 2014.

Heather Weber, Archivist has had her part time, fixed term employment extended until 28 March 2014 by which time the new EDRMS Programme Manager will have commenced employment.

Kaile Nahi Taihia, EDRMS Officer has had her part time fixed term employment extended until 26 June 2015 by which time a decision on local government reform will have been made.

Vacancies

The positions of Accounts Officer (fixed term), Payments Officer (fixed term), Commercial Property Manager (fixed term) and Corporate Planner are currently all being advertised internally and externally. Applications for the fixed term positions close on 13 March 2014 and the Corporate Planner role closes on 20 March 2014.

Interviews for the position of Independent Member of Audit and Risk Committee will be held on 12 March 2014 and interviews for the position of Director of Northland Inc Ltd will be held on 1 April 2014.

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.

Staff Establishment

| STATUS | Feb 2014 | Feb 2013 | Jan 2014 |
|---------------------------------|-----------------|-----------------|-----------------|
| Full Time Permanent | 131 | 130 | 132 |
| Part Time (FTE) | 10.4 | 11.4 | 10.2 |
| Fixed Term (incl Part Time FTE) | 7.9 | 6.4 | 7.9 |
| Students/TFG and Temps | 3 | 3 | 7 |
| Vacancies | 5 | 7 | 6 |
| TOTAL FTE | 157.3 | 157.8 | 163.1 |

Training

| Course | Venue | Dates | Employees |
|---------------------------------|--------------|--------------|------------------|
| Advanced CBSM Workshop | Wellington | 29-30.01.14 | N Stubbing |
| Amendments to LG Act | Whāngārei | 03.02.14 | K Ross |
| EXO Sonde Training | Auckland | 10.02.14 | R Tasker |
| Mobile IRIS Workshop | Auckland | 11-12.02.14 | C Cottam |
| Fostering Sustainable Behaviour | Auckland | 12-14.02.14 | S Botting |

ITEM: 5.0

Page 33 of 34

| | | | |
|---------------------------------|-----------|-------------|--|
| Wetland Restoration Symposium | Auckland | 12-14.02.14 | L Forrester |
| HIAB Crane on Vessel | Ōpua | 18.02.14 | C Surendran, C Gardner, F Cameron, P Thomas, C Blake |
| Technology Conference One | Australia | 19-21.02.14 | S Crabb |
| LG Chief Officers Group Meeting | Australia | 19-21.02.14 | M Nicolson |
| Internal Auditor Training | Auckland | 27-28.02.14 | D Norman |

Staff Turnover

Staff turnover as at the end of February 2014 for the past 12 months was 5.9%.

Health and Safety

During January and February there were three accidents, and three incidents (including one vehicle incident) reported during the month. One of the accidents resulted in a lost time injury when an employee fell down stairs and broke their ankle. The employee was hospitalized and off work for four weeks. An investigation into the accident has been concluded and a number of recommendations are in the process of being actioned to prevent a reoccurrence.

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

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

The Council Detailed Report for the year to date (YTD) shows a net operating surplus of \$3.877M against a budgeted net surplus of \$1.530M, resulting in an overall favourable variance for the year to date of \$2.446M before transfers (to) or from Special Reserves. This variance arises from the total expenditure for the eight months being behind budget by \$1.886M or 10%, and the total revenue being ahead of budget by \$560K or 3%.

IT***Aerial Photography***

A meeting was held to investigate interest in undertaking a shared initiative to capture updated photography of Northland in the 2014/15 financial year. All parties were keen to progress the initiative and a draft memorandum of understanding (MOU) between the councils, Northpower and LINZ to form a consortium and share the cost of aerial photography is being prepared.

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:

That the Chief Executive Officer's report dated 6 March 2014 be received.

ATTACHMENTS

1. Detailed information – Consents decisions and progress on notified applications in process, objections and appeals.
2. Environmental Monitoring for the period 1 to 28 February 2014
3. Climate and Water Resources Update
4. Hātea River Channel Working Group meeting minutes

ITEM: 6.1

Page 1 of 1

ISSUE: Confirmation of Minutes – 28 January 2014**ID:** A620906**To:** Council Meeting, 18 March 2014**From:** Chris Taylor, Council Secretary**Date:** 4 March 2014

Summary The purpose of this report is to present the unconfirmed minutes of the council meeting held on 28 January 2014. It concludes with the recommendation that council confirms the minutes as a true and correct record.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the council meeting held on 28 January 2014 be confirmed as a true and correct record.

NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council
held at the Mangawhai Club, Molesworth Drive, Mangawhai,
on Tuesday 28 January 2014,
commencing at 1.00 pm

Present:

Chairman, Bill Shepherd

Councillors:

Dennis Bowman (left meeting 3.08 pm)

Craig Brown

Joe Carr

Paul Dimery

Dover Samuels (left meeting 3.08 pm)

David Sinclair

In Attendance:**Full Meeting**

Chief Executive Officer, Malcolm Nicolson

General Manager – Planning and Policy

Communications Officer

Council Secretary

Part Meeting

Land/Rivers Senior Programme Manager

The Chairman declared the meeting open at 1.00 pm.

Apologies (Item 1.0)**Moved (Bowman/Carr)**

That the apologies from Councillors Graeme Ramsey and John Bain 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.

Presentations (Item 3.0)

There were no presentations.

Chairman's Report to Council (Item 4.0)

ID: A609150

Report from Chairman Bill Shepherd.

Moved (Brown/Dimery)

That the Chairman's report dated 17 January 2014 be received.

Carried

Chief Executive's Report to Council (Item 5.0)

ID: A606559

Report from Chief Executive Officer Malcolm Nicolson.

Moved (Samuels/Carr)

That the Chief Executive Officer's report dated 17 January 2014 be received.

Carried

Matters arising from Item 5.0:

There was general agreement that, given the current proposal for reorganisation of local government in Northland, there was no merit in undertaking a Māori representation review or electoral system review.

The Chief Executive Officer undertook to reinforce the requirement that councillors be notified of all public meetings, with council participation, that occurred within their constituency.

Audit and Risk Committee Minutes – 26 November 2013 (Item 6.1)

ID: A610255

Report from Council Secretary Chris Taylor.

Moved (Sinclair/Dimery)

That the minutes of the Audit and Risk Committee meeting held on 26 November 2013 be received.

Carried

Environmental Management Committee Minutes – 2 December 2013 (Item 6.2)

ID: A606441

Report from Committee Secretary Peternel McLean.

Moved (Carr/Brown)

That the minutes of the Environmental Management Committee meeting held on 2 December 2013 be received.

Carried

Regional Policy Committee – 2 December 2013 (Item 6.3)

ID: A610599

Report from Committee Secretary Evania Laybourn.

Moved (Sinclair/Carr)

That the minutes of the Regional Policy Committee meeting held on 2 December 2013 be received.

Carried

Northland Civil Defence Emergency Management Group Minutes – 3 December 2013 (Item 6.4)

ID: A606438

Report from CDEM Senior Programme Manager, Graeme MacDonald.

Moved (Dimery/Carr)

That the minutes of the Northland Civil Defence Emergency Management Group meeting held on 3 December 2013 be received.

Carried

Regional Transport Committee Minutes – 4 December 2013 (Item 6.5)

ID: A611233

Report from Council Secretary Chris Taylor.

Moved (Dimery/Carr)

That the minutes of the Regional Transport Committee meeting held on 4 December 2013 be received.

Carried

Confirmation of Minutes – 10 December 2013 (Item 6.6)

ID: A611228

Report from Council Secretary Chris Taylor.

Moved (Samuels/Brown)

That the minutes of the council meeting held on 10 December 2013 be confirmed as a true and correct record.

Carried

Matters arising from Item 6.6:

Confirmation was provided that a formal paper was being prepared for council's consideration regarding the Te Taitokerau Regional Māori Advisory Committee; incorporating the committee's ability to address issues affecting hapu and also to seek the advice of relevant hapu on pertinent issues.

Northland Inc. Limited Financial Report to 30 November 2013 (Item 7.1)

ID: A610179

Report from Finance Manager Simon Crabb.

Moved (Brown/Sinclair)

That the report "Northland Inc. Limited Financial Report to 30 November 2013" by Simon Crabb, Finance Manager, dated 14 January 2014, be received.

Carried

Matters arising from Item 7.1:

The Chief Executive Officer undertook to advise council the outcome of his meeting with Northland Inc. Limited's CEO and Financial Officer, regarding the forecast end of year surplus.

Draft Council Submission on the Local Government Act 2002 Amendment Bill No3 (Item 8.1)

ID: A610152

Report from General Manager – Planning and Policy Kathryn Ross.

Moved (Brown/Sinclair)

That the report "Draft Council Submission on the Local Government Act 2002 Amendment Bill No3" by Kathryn Ross, General Manager - Planning and Policy, dated 14 January 2014, be received.

Carried

It was further moved (Shepherd/Sinclair)

That council officers add a paragraph to section 2 specifically requesting a prohibition on local board members being elected to more than one local board and emphasises this point again in the section detailing election of local board chairpersons.

Carried

It was further moved (Sinclair/Dimery)

That the council requests clarification in clause 15 (proposed section 48M) that a local board can "set" a local targeted rate without further governing body approval where that local targeted rate is supported by the local board and its community, and is in accordance with the delegations/allocations of the local board and council policy.

Carried

It was further moved (Brown/Sinclair)

1. That the council formally requests that the Select Committee hold a hearing in Northland given the specific importance of the Bill to the region and the current local government reorganisation process.
2. That council officers incorporate the request for a Northland hearing on the Bill into the council's approved submission on the Bill and council's public information and communications on local government reorganisation.

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

That section 3 of the draft submission, regarding Māori representation, be amended by deleting the "highlighted" request to the Select Committee and the associated dialogue amended to reflect the deletion.

The motion was subsequently withdrawn with the consent of the majority of members present and voting (as per Standing Order 3.9.2).

It was further moved (Brown/Dimery)

That council approves section 3 of the draft submission, regarding Māori representation, as included in the **Attachment** to Item 8.1 of the 28 January 2014 council agenda.

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

That the council delegates to the Chief Executive Officer authority to lodge the submission with the Local Government and Environment Select Committee.

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

That the council authorises the Chairman, Cr Samuels and the Chief Executive Officer to present the council's submission on the Bill to the Local Government and Environment Select Committee hearings.

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

That the council authorises the Chairman and Chief Executive Officer to work with Northland's Zone 1 representative and Local Government New Zealand to ensure the council's views on the Bill are considered and incorporated into the Local Government New Zealand submission on the Bill.

Carried

Contestable Funding Policy Confirmation for Draft Annual Plan 2014/15 (Item 8.2)

ID: A610770

Report from General Manager – Planning and Policy Kathryn Ross.

Moved (Dimery/Brown)

That the report “Contestable Funding Policy Confirmation for Draft Annual Plan 2014/15” by Kathryn Ross, General Manager - Planning and Policy, dated 16 January 2014, be received.

Carried

It was further moved (Shepherd/Dimery)

That council will not establish a new contestable fund nor consult on the establishment of such a fund as part of the development of its Annual Plan 2014/15.

Carried

It was further moved (Shepherd/Dimery) *(the motion initially lapsed for lack of a seconder. Further clarification was provided on the implications of this decision and hence Councillor Dimery specifically requested the motion be re-proposed)*

That council will not consider applications for funding (that are not covered by an existing fund and application process) by external agencies, communities or individuals for projects, activities, events or other purposes for and during the 2014/15 financial year in recognition of:

- a) The current economic climate;
- b) The council's focus on core services and prudent financial stewardship; and
- c) The existing contestable funding programmes (e.g. Environment Fund) that deliver on council's key objectives.

Carried

Submission to Local Government Commission Draft Proposal for Reorganisation of Northland's Councils (Item 8.3)

ID: A609826

Report from General Manager – Planning and Policy Kathryn Ross, and Policy Advisor Vibeke Wright.

Moved (Brown/Sinclair)

That the report, “Submission to Local Government Commission - Draft Proposal for Reorganisation of Northland's Councils”, by Kathryn Ross, General Manager - Planning and Policy, and Vibeke Wright, Policy Advisor, dated 13 January 2014, be received.

Carried

It was further moved (Carr/Sinclair)

That the council requests that the Local Government Commission produce another draft proposal before moving to a final proposal if it considers a single Northland council made up of a governing body and local boards is the most suitable option for local government reorganisation in Northland.

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

That council approves the draft submission, attached to Item 8.3 of the 28 January 2014 council agenda, subject to:

- i. The inclusion of alterations detailed at the meeting.
- ii. The Chairman and Chief Executive Officer re-examining the content of the submission to ensure it is clear that the council will not support any proposal for reorganisation of local government in Northland without the statutory provision of local boards, and
- iii. The submission being circulated to councillors before being lodged with the Local Government Commission.

Carried*Secretarial Note:*

The following amendments were identified:

- i. *Section 3: Respective powers of the local boards and governing body be amended to include the bullet point:*
 - **Local place shaping consistent with the overarching policies of the Northland Council.**
- ii. *Section 3 be further amended to read; "As such the role of the governing body should be restricted to regional strategy, policy and planning, regional economic development, environmental protection, harbour management, significant regional infrastructure (such as water, wastewater, stormwater infrastructure **and roading**").*
- iii. *Section 4: Ward/Local Board Boundaries be amended by deleting the first issue, regarding the proposed splitting of higher populated constituencies, but retaining the suggested changes to the Kaiwaka boundaries.*
- iv. *The inclusion of additional information regarding debt and contingent liability, for example unsealed road networks.*

It was further moved (Shepherd/Sinclair)

That council approves up to \$60,000 plus GST of unbudgeted operational expenditure for informing Northland's communities and key stakeholders about the Local Government Commission's draft reorganisation proposal and council's position on it. This unbudgeted expenditure shall be funded firstly from any surplus available in the 2013/2014 financial year, and/or secondly from an appropriate council reserve as determined by the Chief Executive Officer.

Carried

Draft Submission on Proposed Changes to the National Policy Statement for Freshwater Management (Item 8.4)

ID: A609688

Report from Policy Programme Manager (Resource Management) Justin Murfitt.

Moved (Sinclair/Dimery)

That the report "Draft Submission on Proposed Changes to the National Policy Statement for Freshwater Management" by Justin Murfitt – Policy Programme Manager (Resource Management), dated 14 January 2014, be received.

Carried

It was further moved (Brown/Samuels)

That the draft submission attached to the report on the proposed changes to the NPSFM be approved by council and lodged with the Ministry for the Environment.

Carried

The meeting adjourned for afternoon tea at 3.08 pm (Councillors Samuels and Bowman left the meeting) and reconvened at 3.20 pm.

Proposed Auckland Plan (Item 8.5)

ID: A690191

Report from Policy Programme Manager (Resource Management) Justin Murfitt.

Moved (Brown/Sinclair)

That the report "Proposed Auckland Plan" by Justin Murfitt – Policy Programme Manager (Resource Management), dated 14 January 2014, be received.

Carried

It was further moved (Brown/Dimery)

That staff draft a submission on the Proposed Auckland Unitary Plan making the points outlined in the report.

Carried

It was further moved (Dimery/Carr)

That the Regional Policy Committee be delegated authority to approve the submission on the Proposed Auckland Unitary Plan; and hence the draft submission be submitted to the Regional Policy Committee meeting on 24 February 2014 for approval prior to being lodged.

Carried

Committee Terms of Reference (Item 8.6)**ID: A606345****Report from Council Secretary Chris Taylor.****Moved (Carr/Dimery)**

That the report "Committee Terms of Reference" by Chris Taylor, Council Secretary, dated 19 December 2013, be received.

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

That council approves the recommended changes to the Audit and Risk Committee Terms of Reference, as detailed in Attachment One to Item 8.6 of the 28 January 2014 council agenda.

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

That council approves the recommended changes to the Environmental Management Committee Terms of Reference, as detailed in Attachment Two to Item 8.6 of the 28 January 2014 council agenda.

Carried**Policy Review – Appointed Members' Allowances (Item 8.7)****ID: A596976****Report from Policy Advisor Vibeke Wright.****Moved (Brown/Carr)**

That the report "Policy Review – Appointed Members' Allowances" by Vibeke Wright, Policy Advisor, dated 16 December 2013, be received.

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

That the council adopts the updated "Appointed Members' Allowances Policy" as attached to Item 8.7 of the 28 January 2014 council agenda.

Carried

Northland Chamber of Commerce – Appointment of Council Representative (Item 8.8)

ID: A607108

Report from Policy Advisor Vibeke Wright.

Moved (Carr/Sinclair)

That the report “Northland Chamber of Commerce - Appointment of Council Representative” by Vibeke Wright, Policy Advisor, dated 24 December 2013, be received.

Carried

It was further moved (Shepherd/Sinclair)

That Councillor Dimery be appointed as the Northland Regional Council’s portfolio holder/liaison with the Northland Chamber of Commerce.

Carried

Kotuku Detention Dam Update (Item 8.9)

ID: A608464

Report from Land/Rivers Senior Programme Manager Bruce Howse.

Moved (Brown/Carr)

That the report “Kotuku Detention Dam Update” by Bruce Howse, Land/Rivers Senior Programme Manager, dated 10 January 2014, be received.

Carried

It was further moved (Brown/Carr)

That council approves, subject to Whāngārei District Council approval, the proposed transfer of NRC and WDC land, and the acquirement of easements, as detailed in Attachment 3 (Table 2) to Item 8.9 of the 28 January 2014 council agenda.

Carried

Matters arising from Item 8.9:

It was stressed that the public should be made aware of the Northland Regional Council’s leadership role with regard to the Kotuku Detention Dam and the Rust Avenue Bridge projects.

Kotuku Detention Dam – Budget Update and Recommendation for Draft Annual Plan 2014/15 (Item 8.10)

ID: A607292

Report from General Manager – Planning and Policy Kathryn Ross, and Land/Rivers Senior Programme Manager Bruce Howse.

Moved (Carr/Sinclair)

1. That the report “Kotuku Detention Dam – Budget Update and Recommendation for Draft Annual Plan 2014/15” by Kathryn Ross, General Manager – Planning and Policy, and Bruce Howse, Land/Rivers Senior Programme Manager, dated 15 January 2014, be received.
2. That for the Draft Annual Plan 2014/15 the Year 3 LTP 2012-2022 targeted rate is maintained, and the internal cost of borrowing for the project is adjusted to 6.15%.
3. That the Draft Annual Plan 2014/15 provides an update on progress with the dam project, the revised budget estimate, and signals the potential targeted rate increase for the LTP 2015-2025.

Carried

Commercial Property and Fees and Charges – Draft Annual Plan Delegation to Audit and Risk (Item 8.11)

ID: A611390

Report from General Manager – Planning and Policy Kathryn Ross.

Moved (Sinclair/Dimery)

That the report “Commercial Property and Fees and Charges – Draft Annual Plan Delegation to Audit and Risk”, dated 21 January 2014, be received.

Carried

It was further moved (Sinclair/Dimery)

That council confirms that the Audit and Risk Committee has delegated authority (or specifically delegates to it the authority) to decide whether or not to consult on:

- the potential sale of its properties that are subject to five and seven year leasehold interests; and
- whether it should change/apply CPI to council fees and charges (staff will recommend applying CPI and the key issue will be the rate to be applied).

Carried

Organisational Performance Committee (Item: 8.12)**ID: A607339****Report from Chief Executive Malcolm Nicolson.****Moved (Sinclair/Carr)**

That the report, "Organisational Performance Committee", by Chief Executive Malcolm Nicolson, dated 6 January 2014, be received.

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

That the council establishes an Organisational Performance Committee, with terms of reference as attached to the report, subject however to the requirement that the committee maintain minutes of its meetings and these be reported to council.

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

That the Chairman, Deputy Chairman, and Councillor Sinclair be appointed to the committee.

Carried**Funding Assistance Rates (FAR) Review – Options Discussion Document (Item 8.13)****ID: A609322****Report from Transport Operations Senior Programme Manager Chris Powell.****Moved (Carr/Brown)**

That the report, "Funding Assistance Rates (FAR) Review – Options Discussion Document" by Chris Powell, Transport Operations Senior Programme Manager, dated 8 January 2014, be received.

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

That the council approves the compilation of a draft regional submission supporting Option 1; Option 3 and Option 5 as contained in the NZ Transport Agency document entitled "Funding Assistance Rates (FAR) Review – Options Discussion Document" and requests the Regional Transport Committee makes its own submission supporting a single option.

Carried

It was further moved (Shepherd/Brown)

That council delegates authority to the Chief Executive Officer to approve and sign the final submission prior to its release.

Carried**Matters arising from Item 8.13:**

The matrix "Council's indicative funding assistance rate under each of the 5 options using the current modeling approaches" was tabled at the meeting.

Maritime Department: Issue of Updated Warrants (Item 8.14)

ID: A608352

Report from Operations Director Tony Phipps, Regional Harbourmaster Jim Lyle and Deputy Harbourmaster Chidambaram Surendran.

Moved (Carr/Brown)

1. That the report "Maritime Department: Issue of Updated Warrants" by Tony Phipps, Operations Director, Jim Lyle, Regional Harbourmaster and Chidambaram Surendran, Deputy Harbourmaster, dated 14 January 2014, be received.
2. That the council approves the delegation of powers under sections 33J and 33L of the Maritime Transport Act 1994 to Jim Lyle, Regional Harbourmaster and Chidambaram Surendran, Deputy Harbourmaster.
3. That the council approves the issue of fresh warrants with powers under Sections 33F, 33J, 33L, 33P, 423 and 33H of the Maritime Transport Act 1994 as proposed to Jim Lyle, Regional Harbourmaster and Chidambaram Surendran, Deputy Harbourmaster.
4. That the council approves the issue of new warrants with powers under Sections 33F(1)(a), 33F(1)(b), 33F(1)(g), 33F(1)(h), 33F(1)(i) and 33H of the Maritime Transport Act 1994 as proposed to five Maritime Officers, namely, Blake Cameron, Peter Dodds, Craig Gardner, Peter Thomas and Ross Watters.
5. That the council revokes all existing warrants for Maritime department staff authorised under the Local Government Act 1974.

Carried

Business with the Public Excluded (Item 9.0)**ID: A611745****Report from Council Secretary Chris Taylor.****Moved (Brown/Carr)**

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 |
|----------|---|--|
| 9.1.1 | Confidential Minutes of the Audit and Risk Committee – 26 November 2013 | The reasons for excluding the public are as stated in the minutes of the open section of that meeting. |
| 9.1.2 | Confidential Minutes of the Council Meeting – 10 December 2013 | The reasons for excluding the public are as stated in the minutes of the open section of that meeting. |
| 9.2 | Request for Compensation of Costs | 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)). |

Carried**CONCLUSION**

The meeting concluded at 4.11 pm.

ITEM: 6.2

Page 1 of 1

**ISSUE: Regional Transport Committee Minutes –
12 February 2014****ID:** A621270**To:** Council Meeting, 18 March 2014**From:** Chris Taylor, Council Secretary**Date:** 5 March 2014

Summary The purpose of this report is to receive the minutes of the Regional Transport Committee meeting held on 12 February 2014. It concludes with the recommendation that the minutes be received.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the Regional Transport Committee meeting held on 12 February 2014 be received.

NORTHLAND REGIONAL COUNCIL REGIONAL TRANSPORT COMMITTEE

Minutes of the meeting held in the Council Chamber,
36 Water Street, Whāngārei, on Wednesday 12 February 2014
commencing at 10.00 am

Present:**Northland Regional Council**

Cr J Bain, Chairman

Cr P Dimery

Kaipara District Council

Mr P Winder (from 10.06 am)

Far North District Council

Cr A Court

Whāngārei District Council

Cr G Martin

New Zealand Transport Agency

Mr C Gasson

In Attendance:**Full Meeting**

NRC Transport Operations SPM – Chris Powell

NRC Transport Projects Officer – Ian Crayton-Brown

NRC Public Passenger Transport Officer - Sharlene Selkirk

WDC Roding Manager – Jeff Divine

KDC Roding Manager – Henri Van Zyl

FNDC Asset Engineer – Roding and Infrastructure

- Derek Bonn

NZTA Senior Investment Advisor Auckland/Northland

- Martin Taylor

NRC Council Secretary – Chris Taylor

Part Meeting

NRC CEO – Malcolm Nicolson (from 10.07 am, left meeting 11.36 am)

NRC Chairman – Bill Shepherd (from 10.34 am, left meeting 11.47 am)

WDC CEO – Mark Simpson (left meeting 11.18 am)

The Chairman declared the meeting open at 10.04 am.

Apologies (Item 1.0)

There were no apologies.

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.

Confirmation of Minutes – 4 December 2013 (Item 3.1)

ID: A614860

Report from Council Secretary Chris Taylor.

Moved (Dimery/Martin)

That the minutes of the Regional Transport Committee meeting held on 4 December 2013 be confirmed as a true and correct record.

Carried

Northland Regional Land Transport Programme 2013-2015 – Funding Uptake (Item 4.1)

ID: A596670

Report from Transport Operations Senior Programme Manager Chris Powell.

Moved (Bain/Winder)

That the report, "Northland Regional Land Transport Programme 2012-2015 - Funding Uptake" by Chris Powell, Transport Operations Senior Programme Manager, dated 14 January 2014, be received.

Carried

Regional Road Safety Update (Item 4.2)

ID: A612250

Report from Transport Projects Officer Ian Crayton-Brown.

Moved (Dimery/Court)

That the report "Regional Road Safety Update" by Ian Crayton-Brown, Transport Projects Officer, dated 23 January 2014, be received.

Carried

Matters arising from Item 4.2:

NRC Transport Operations Senior Programme Manager, Chris Powell, and Councillor Ann Court undertook to raise both drug testing of drivers and an education programme regarding the lowering of blood alcohol limits for drivers at the next Road Safety Council meeting.

One Network Road Classification (Item 4.3)

ID: A614368

Report from NZTA Acting Regional Director Auckland/Northland Chris Gasson.

Moved (Bain/Winder)

That the report "One Road Network Classification" by Chris Gasson, NZTA Acting Regional Director Auckland/Northland, dated 28 January 2014, be received.

Carried

Matters arising from Item 4.3:

NZTA Acting Regional Director Auckland/Northland, Chris Gasson, recommended that future reporting on the One Network Classification should be done conjointly by the collaborative partners.

**Northland Forestry Route Management Strategy – NZTA
Presentation (Item 4.4)**

ID: A612531

Report from Transport Operations Senior Programme Manager Chris Powell.

Moved (Bain/Dimery)

That the presentation, “Northland Forestry Route Management Strategy” by Martin Taylor, NZTA Senior Investment Advisor, be received.

Carried**Matters arising from Item 4.4:**

NZTA Senior Investment Advisor, Martin Taylor, provided the presentation “Northland Forestry Route Management Strategy” covering the following key points:

- The strategy was “work in progress” and aimed to develop a common approach to managing forestry routes;
- The need for improved operations, collaboration and a clear strategic approach;
- The motivation for a one network approach;
- Key principles and expected outcomes; and
- A further update to be provided at the April 2014 RTC meeting.

In addition, a report would be prepared for the April RTC meeting providing recommendations as to the best manner in which to lobby for both increased Regional Development Funding and management/maintenance funding for forestry roads. To strengthen this argument, NRC CEO, Malcolm Nicolson, welcomed any additional information regarding specific roads that contributed to economic development.

**Dust Related Problems on Unsealed Roads of Northland - Update
(Item 4.5)**

ID: A614505

Report from Transport Operations Senior Programme Manager Chris Powell.

Moved (Dimery/Martin)

1. That the report “Dust Related Problems on Unsealed Roads of Northland – Update” by Chris Powell, Transport Operations Senior Programme Manager, dated 21 January 2014, be received.
2. That the Regional Transport Committee approve circulation of the draft “Regional Dust from Unsealed Roads Mitigation Strategy” to the Northland Technical Advisory Group and the Northland District Health Board representatives for review.

3. That the final draft “Regional Dust from Unsealed Roads Mitigation Strategy” (including any changes recommended) be presented to the April 2014 Regional Transport Committee meeting for consideration.

Carried

Matters arising from Item 4.5:

It was stressed that enforced speed restrictions were the most cost effective option for priority dust mitigation sites. However, such restrictions must be supported by an education programme explaining why they were in place.

Financial Assistance Rates Review – Options Discussion Document – NZTA Presentation (Item 4.6)

ID: A612346

Report from Transport Operations Senior Programme Manager Chris Powell.

Moved (Bain/Dimery)

That the presentation “Financial Assistance Rates Review – Options Discussion Document” by Chris Gasson, NZTA Acting Regional Director Auckland/Northland, be received.

Carried

Matters arising from Item 4.6:

NZTA Action Regional Director Auckland/Northland, Chris Glasson, provided the presentation, “Funding Assistance Rates Review – Options Discussion Document” covering the following key points:

- Why undertake a review;
- Key principles in the provisional framework;
- Overall cost split;
- Councils requiring more assistance;
- The five options developed to inform the conversation;
- Elevated emergency works rates; and
- The closing date for submissions extended to 28 March 2014.

Financial Assistance Rates (FAR) Review – Options Discussion Document (Item 5.1)

ID: A610329

Report from Transport Operations Senior Programme Manager Chris Powell.

Moved (Winder/Martin)

1. That the report “Funding Assistance Rates (FAR) Review – Options Discussion Document” by Chris Powell, Transport Operations Senior Programme Manager, dated 8 January 2014, be received.
2. That the Regional Transport Committee approve the compilation of a draft regional submission supporting the individual approved authorities submissions.

3. That the Regional Transport Committee members be delegated authority to agree on the content of the final submission.

Carried

Matters arising from Item 5.1:

It was stressed that the preparation of a regional submission was to lend support to (in no way dilute or supersede) those lodged by the individual councils.

Draft Northland Regional Land Transport Plan 2015-18 (Item 5.2)

ID: A610327

Report from Transport Operations Senior Programme Manager Chris Powell.

Moved (Winder/Court)

1. That the report, "Draft Northland Regional Land Transport Plan 2015-2018" by Chris Powell, Transport Operations Senior Programme Manager, dated 8 January 2014, be received.
2. That the NZ Transport Agency be formally approached to convene a separate workshop for all Regional Transport Committee members in order to fully appraise them of all aspects of the Government Policy Statement, the National Land Transport Programme and the Regional Land Transport Plan process and content.
3. That the approval be given to the Northland Technical Advisory Group (NORTEG) assisting in the provision of recommendations on the compilation and content of the Regional Land Transport Plan 2015-2018.
4. That a progress report be submitted to the April 2014 Regional Transport Committee meeting.

Carried

Matters arising from Item 5.2:

There was general agreement that the April RTC meeting was the ideal opportunity to additionally host a workshop with the NZTA (as per resolution 2).

It was stressed that the progress report (as per resolution 3) must be clear as to how the consultation processes, and related timelines, would align between the Regional Land Transport Plan and the respective Long Term Plans.

CONCLUSION

The meeting concluded at 11.53 am.

ITEM: 6.3

Page 1 of 1

**ISSUE: Audit and Risk Committee Minutes –
18 February 2014****ID:** A621309**To:** Council Meeting, 18 March 2014**From:** Chris Taylor, Council Secretary**Date:** 5 March 2014

Summary The purpose of this report is to receive the minutes of the Audit and Risk Committee meeting held on 18 February 2014. It concludes with the recommendation that the minutes be received.

| | | | |
|----------------------|--|--|--|
| Report Type: | <input checked="" type="checkbox"/> Normal operations | <input type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the Audit and Risk Committee meeting held on 18 February 2014 be received.

NORTHLAND REGIONAL COUNCIL AUDIT AND RISK COMMITTEE

Minutes of the meeting of the Audit and Risk Committee
held in the Council Chamber, 36 Water Street, Whāngārei,
on Tuesday 18 February 2014 commencing at 10 am

Present:

Cr David Sinclair (Chairman)
Cr Paul Dimery (Deputy Chairman)
Cr John Bain
Cr Dennis Bowman
Cr Craig Brown
Cr Joe Carr
Cr Dover Samuels
Cr Bill Shepherd

In Attendance:**Full Meeting**

Malcolm Nicolson, Chief Executive Officer
GM - Planning and Policy (Acting GM Finance)
Council Secretary

Part Meeting

Finance Manager
Creative Northland Regional Arts Development Manager
Ernst and Young Senior Audit Manager
Northland Inc. Limited Chief Executive Officer
FNDC Revenue and Collections Manager
NEST Chief Executive Officer
NEST Chairman
NEST Financial Accountant
Economist
Maritime Senior Programme Manager
Commercial Property and Infrastructure Manager
Land/Rivers Senior Programme Manager

The Chairman declared the meeting open at 10.05 am.

Apologies (Item 1.0)**Moved (Bowman/Dimery)**

That the apology from Councillor Graeme Ramsey for non-attendance be received.

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

Councillor Shepherd advised that the Northland Emergency Service Trust (NEST) independent financial accountant, Tony Morris, was his son in law but confirmed that there were no other overlapping interests with NEST and hence no conflicts of roles.

Councillor Bain noted that he was currently a retiring trustee of NEST.

ID:A617078

Audit and Risk Committee Meeting
18 February 2014

Supplementary/Tabled Items for the Audit and Risk Committee Meeting – 18 February 2014 (Item 4.0A)

ID: A617289

Report from Finance Manager Simon Crabb.

Moved (Brown/Bain)

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

- 4.3: Attachment: Offers to Purchase Kensington Site (Appendix Three); and
- 4.4: Kotuku Dam Services Relocation Tender

be received.

Carried

Confirmation of Minutes of the Audit and Risk Committee Meeting – 26 November 2013 (Item 3.1)

ID: A604300

Report from Finance Manager Simon Crabb.

Moved (Brown/Samuels)

That the minutes of the Audit and Risk Committee held on 26 November 2013 be confirmed as a true and correct record.

Carried

Matters Arising from the 26 November 2013 Audit and Risk Committee Meeting (Item 3.2)

ID: A615915

Report from Council Secretary Chris Taylor.

Moved (Carr/Shepherd)

That the report "Matters Arising from the 26 November 2013 Audit and Risk Committee Meeting" by Chris Taylor, Council Secretary, and dated 10 February 2014, be received.

Carried

Culture Heritage Arts Resource Trust (CHART) Key Performance Indicators (KPIs) and Six Monthly Report (Item 3.3)

ID: A615323

Report from General Manager Planning and Policy Kathryn Ross.

Moved (Brown/Shepherd)

That the report "Culture Heritage Arts Resource Trust (CHART) Key Performance Indicators (KPIs) and Six Monthly Report" from Kathryn Ross, General Manager Planning and Policy, and dated 5 February 2014 be received.

Carried

Matters arising from Item 3.3:

Creative Northland Regional Manager, Laura Burns, was in attendance to address the report and noted the request that budget variances must be reported to the Board more frequently than bi-monthly.

It was reaffirmed that Creative Northland existed under the "umbrella" of CHART North. However, work was underway to develop an independent reporting programme for Creative Northland to ensure the distinction between the two organisations was clear.

Ernst and Young Audit Report on Council's Payroll Processes (Item 3.4)

ID: A614282

Report from Finance Manager Simon Crabb.

Moved (Bain/Carr)

That the report "Ernst and Young Audit Report on Council's Payroll Processes", by Simon Crabb, Finance Manager, and dated 30 January 2014, be received.

Carried

Matters arising from Item 3.4:

Ernst and Young Senior Auditor, Elizabeth Richards, was in attendance to provide high level comments on the work undertaken and the findings as detailed in the report.

Northland Emergency Services Trust (NEST) Six Monthly Reporting to 31 December 2013 and Approval for Quarter Two and Three Payments (Item 3.5)

ID: A614895

Report from Finance Manager Simon Crabb.

Councillors Shepherd and Bain declared a conflict of interest .

Moved (Brown/Bowman)

1. That the report "Northland Emergency Services Trust (NEST) Six Monthly Reporting to 31 December 2013 and Approval for Quarter Two and Three Payments", by Simon Crabb, Finance Manager, and dated 3 February 2014, be received.
2. That the second and third quarter payments of \$150,000 plus GST (each) for the 2013/14 financial year be approved for payment.

Carried

Matters arising from Item 3.5:

NEST Chief Executive Officer, Pete Turnbull, Chairman, Paul Ahlers, and independent Financial Accountant, Tony Morris, were in attendance to summarise the content of the report.

The three representatives were commended for NEST's contribution to Northland.

Far North District Council Collection of Regional Council Rates and Rate Arrears – Quarterly Update to 31 December 2013 (Item 3.6)

ID: A614535

Report from Finance Manager Simon Crabb.

Moved (Bain/Carr)

That the Far North District rates collection and remissions process/formulae be reviewed internally to ensure that council's concerns regarding the quantum of outstanding Far North district rate arrears are addressed.

Carried

It was further moved (Carr/Brown)

That the report "Far North District Council Collection of Regional Council Rates and Rate Arrears – Quarterly Update to 31 December 2013" by Simon Crabb, Finance Manager, and dated 3 February 2013, be received.

Carried

Matters arising from Item 3.6:

FNDC Revenue and Collections Manager, Cheryl Gavin-Young, was in attendance to address the report.

It was requested that future Revenue and Collection Reports detail:

- i. The percentage of general title rates that have exceeded six years arrears and hence statute barred.
- ii. The percentage of Far North rates in general title compared to Māori freehold title.
- iii. The percentage of general title land transferred to Māori freehold land and outstanding rates on land subject to such a status change.

Chairman Shepherd advised that the Mayoral Forum had agreed to establish a working party to give in-depth consideration to shared services and undertook to ensure that rates collection be deemed a priority.

Northland Inc. Limited Financial Six Monthly Report to 31 December 2013 and Quarterly Reporting Against Statement of Intent 2013/14 (Item 3.7)

ID: A614562

Report from General Manager Planning and Policy, Kathryn Ross, and Financial Manager, Simon Crabb.

Moved (Samuels/Bain)

That the report "Northland Inc. Limited Financial Six Monthly Report to 31 December 2013 and Quarterly Reporting Against Statement of Intent 2013/14" by Kathryn Ross, General Manager Planning and Policy, and Simon Crabb, Finance Manager, and dated 3 February 2014, be received.

Carried**Matters arising from Item 3.7:**

Northland Inc. Chief Executive Officer, David Wilson, was in attendance to address the report.

Schedule of Credit Notes for Approval (Item 3.8)

ID: A611933

Report from Accounts Receivable Officer, Trish Wells.

Moved (Bain/Bowman)

1. That the report "Schedule of Credit Notes for Approval" by Trish Wells, Accounts Receivable Officer, and dated 22 January 2014, be received.
2. That the issue of credit notes as detailed in the report from the Accounts Receivable Officer, Trish Wells, dated 22 January 2014, be approved.

3. That further credit notes for approval relating to council staff time spent on Northland Inc. Limited activities will be provided to council for approval at the end of each quarter (March 2014 and June 2014).

Carried

Financial Report to 27 January 2014 (Item 3.9)

ID: A614532

Report from Financial Accountant Angela Hobden.

Moved (Bain/Brown)

That the report "Financial Report to 27 January 2014" by Angela Hobden, Financial Accountant, and dated 3 February 2014, be received.

Carried

Matters arising from Item 3.9:

Councillor Carr highlighted the risk relating to the lack of a workable model for the Awanui River and undertook, in conjunction with the Land/Rivers Senior Programme Manager, to ensure the Environmental Management Committee formalised a recommendation to council as to the best manner to proceed.

Land/Rivers Senior Programme Manager, Bruce Howse, also undertook to provide councillors with relevant background information regarding the Awanui River.

Community Investment Fund – Review of Investment Managers' Performance to 31 December 2013 (Item 3.10)

ID: A614516

Report from Finance Manager, Simon Crabb, and Financial Systems Administrator, Kym Ace.

Moved (Bain/Brown)

1. That the report "Community Investment Fund – Review of Investment Managers' Performance to 31 December 2013", by Simon Crabb, Financial Manager, and Kym Ace, Financial Systems Administrator, and dated 10 February 2014, be received.
2. That council approves the current SIPO breach of counter party credit limit capped at 20% of investments invested with one issuer by allowing the current investments with ASB Limited (63.69%) until the deposits were made into the AMP Managed Fund and Schrodgers Real Return Fund in February 2014.

Carried

Community Investment Fund (CIF) – Investment in the Brook Income Fund (Item 3.11)

ID: A615336

Report from Finance Manager Simon Crabb.

Moved (Carr/Brown)

1. That the report “Community Investment Fund (CIF) – Investment in the Brook Income Fund”, by Simon Crabb, Finance Manager and dated 4 February 2014, be received.
2. That council open an account with Brook Asset Management Limited and up to \$500 thousand of CIF Income Assets is transferred into the Brook Income Fund.
3. That the Audit and Risk Committee delegate to the Chairman of Council, Chairman of Audit and Risk and the Chief Executive Officer, as a collective, the authority to move CIF capital between investment fund managers.

Carried

Insurance Policy Update for the 2013/14 Financial Year (Item 3.12)

ID: A615264

Report from Financial Accountant, Angela Hobden.

Councillor Carr declared a conflict of interest and did not participate in discussion or voting on the matter.

Moved (Sinclair/Brown)

That the report “Insurance Policy Update for the 2013/14 Financial Year” from Angela Hobden, Financial Accountant, and dated 4 February 2014, be received.

Carried

Councillor Carr abstained from voting

Matters arising from Item 3.12:

It was advised that LGNZ were currently undertaking a major review of insurance in local government; hence the matter would be an on-going debate at both a national and regional level.

2013/14 Quarters One and Two Levels of Service Report (Item 3.13)

ID: A614513

Report from General Manager Planning and Policy Kathryn Ross.

Moved (Shepherd/Bowman)

That the report “2013/14 Quarters One and Two Levels of Service Report” by Kathryn Ross, General Manager Planning and Policy, and dated 5 February 2014, be received.

Carried

Matters arising from Item 3.13:

There was general agreement to retain the current table format rather than “exception reports”.

General Manager Planning and Policy, Kathryn Ross, undertook to liaise with the Regional Transport Committee regarding the appropriate level of reporting on fatal/serious crashes.

Legislative Compliance – Second Quarter 2013/14 (Item 3.14)

ID: A614643

Report from Policy Advisor Vibeke Wright.

Moved (Brown/Shepherd)

That the report “Legislative Compliance – Second Quarter 2013/14” by Vibeke Wright, Policy Advisor, and dated 3 February 2014, be received.

Carried

International Liability and Compensation Regime (Item 3.15)

ID: A614857

Report from Maritime Senior Programme Manager Jim Lyle.

Moved (Shepherd/Brown)

1. That the report “International Liability and Compensation Regime” by Jim Lyle, Maritime Senior Programme Manager, Jim Lyle, and dated 4 February 2014, be received.
2. That a sub-committee be formed to more fully assess the risk and insurance cover, in order to report back to the Audit and Risk Committee with a recommendation.

Carried

It was further moved (Shepherd/Bain)

That council appoints Councillors Dimery and Sinclair to the sub-committee (to more fully assess the risk and insurance cover as per recommendation 2).

Carried**Matters arising from Item 3.15:**

Maritime Senior Programme Manager, Jim Lyle, was in attendance and provided the presentation "Harbourmaster's Liability; the aim of which was to raise council's awareness of the liability issues versus the level of insurance carried. The presentation covered the following key points:

- Requirements of the Maritime Transport Act and powers delegated to the Harbourmaster;
- The international regime to cover the costs and liabilities;
- Funds and insurance regimes;
- Liability convention;
- Five types of damage claims as a result of an oil spill;
- NRC systems and maritime operations; and
- NRC current levels of insurance.

Investment and Growth Reserve Criteria (Item 3.16)

ID: A614030

Report from Economist Darryl Jones.

Moved (Bain/Bowman)

1. That the report "Investment and Growth Reserve Criteria" by Darryl Jones, Economist, and dated 5 February 2014, be received.

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

2. That the following amendments be made to the IGR criteria:
 - (a) That the final bullet point of the Management of reserve section be replaced with the following:

Funding for organisational operating expenditure (for the new council-controlled organisation and council-controlled trading organisation) from the reserve is capped at \$1.15 million per annum (2014/15) and adjusted annually by the BERL OPEX LGCI adjuster.
 - (b) That the following additional bullet be included at the end of the Management of reserve section:

An additional \$200,000 per annum may be requested by the new council-controlled organisation to carry out feasibility assessment and business case development.

- (c) That an additional bullet point be added to the Types of funding allocations section:
Impact investment funding for projects that have the potential to lift the economic performance of Northland.
 - (d) That a new bullet point be added to the Management of reserve section:
Funding for impact investment funding is capped at \$1 million from any one year's investment income transferred into the IGR, with the possibility of carrying forward a cumulative maximum of \$1 million in unused impact investment funding from previous years.
3. That council agree to make the revised criteria available on the NRC and Northland Inc. Limited websites.

Carried

Matters arising from Item 3.16

There was general agreement that Northland Inc. Limited's Statement of Intent 2014/15 must include the need to consider the geographic spread of economic development across Northland.

The meeting adjourned at 1.04 pm for lunch and reconvened at 1.33 pm

4.0 Business with the Public Excluded

Moved (Bain/Dimery)

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matter 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 |
|----------|---|--|
| 4.1 | Confirmation of Confidential Minutes of the Audit and Risk Committee Meeting – 26 November 2013 | The reasons for excluding the public are as stated in the minutes of the open section of that meeting. |

| | | |
|--|---|--|
| 4.2 | Sale of Leasehold Land Subject to 5 and 7 Year Rent Reviews | 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)). |
| 4.3 (including tabled attachment) | Offers to Purchase Kensington Site | 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)). |
| 4.4 (tabled item) | Kotuku Dam Services Relocation Tender | 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)). |

Carried

Conclusion

The meeting concluded at 2.32 pm.

ITEM: 6.4

Page 1 of 1

ISSUE: Confirmation of Minutes – Extraordinary Council Meeting 18 February 2014**ID:** A620985**To:** Council Meeting, 18 March 2014**From:** Chris Taylor, Council Secretary**Date:** 4 March 2014

Summary The purpose of this report is to present the unconfirmed minutes of the extraordinary council meeting held on 18 February 2014. It concludes with the recommendation that council confirms the minutes as a true and correct record.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the extraordinary council meeting held on 18 February 2014 be confirmed as a true and correct record.

NORTHLAND REGIONAL COUNCIL

Minutes of the extraordinary meeting of the council
held in the Council Chamber, 36 Water Street, Whāngārei,
on Tuesday 18 February 2014,
commencing at 3.20 pm (following the Audit and Risk Committee meeting)

Present: Chairman, Bill Shepherd

Councillors:

John Bain
Dennis Bowman
Craig Brown
Joe Carr
Paul Dimery
Dover Samuels
David Sinclair

In Attendance:

Full Meeting

Chief Executive Officer, Malcolm Nicolson
General Manager – Planning and Policy
Council Secretary

Apologies: Councillor Ramsey

The Chairman declared the meeting open at 3.20 pm.

Notice of motion and submission to Local Government Commission – Draft Proposal for Reorganisation of Northland's Councils – final submission

(Item 1.0)

ID: A617796

Report from Chief Executive Officer Malcolm Nicolson.

Moved (Brown/Sinclair)

That the report "Notice of motion and Submission to Local Government Commission - Draft Proposal for Reorganisation of Northland's Councils – Final submission" by Malcolm Nicolson, Chief Executive Officer, and dated 18 February 2014, be received.

Carried

It was further moved (Brown/Sinclair)

That the councillors agree to waive notice requirements (to members) and hold an extraordinary meeting on 18 February 2014 to discuss this report.

Carried

(Councillor Bain abstained from voting)

It was further moved (Brown/Dimery)

That the council approves the draft final submission as attached to the report.

Matters arising:

Councillor Brown raised a point of order (according to Standing Orders 3.13.4c) that the discussion was “of a question not before the local authority” based on the fact that the Local Government Commission’s preferred option for reorganisation of local government in Northland was for a Unitary Authority with a second tier of empowered boards; and as such this was the only option for consideration by council. Chairman Shepherd ruled the point of order was valid.

An amendment was moved (Carr/Bowman)

That the council approves the draft final submission as attached to the report with the inclusion of a concluding statement that the submission was a majority view of council. However, three councillors held an alternate view that the option for the enhanced status quo must be retained in the event of a poll. Furthermore, an enhanced status quo, subject to supporting legislation, should include the following:

- i. The Regional Chairman to be elected at large;
- ii. The Regional Chairman, or nominated councillor, be ex-officio on all Northland councils;
- iii. Shared services be established for all Northland councils including, but not limited to:
 - A common rating system
 - Council controlled organisations (asset management, civil defence, consents).

A division was called; the result being Councillors Carr, Samuels and Bowman in favour of the motion and Councillors Brown, Dimery, Bain, Sinclair and Shepherd opposed to the motion.

Lost

The original motion was put and a further division was called; the result being Councillors Brown, Dimery, Bain, Sinclair and Shepherd in favour of the motion and Councillors Carr, Samuels and Bowman opposed to the motion.

Carried

It was further moved (Brown/Carr)

That the Chief Executive Officer publicly notifies the resolutions made at the 18 February 2014 extraordinary council meeting.

Carried

CONCLUSION

The meeting concluded at 3.58 pm.

ITEM: 6.5

Page 1 of 1

ISSUE: Environmental Management Committee Minutes – 24 February 2014**ID:** A620665**To:** Council Meeting, 18 March 2014**From:** Peternel McLean, Committee Secretary**Date:** 3 March 2014

Summary The purpose of this report is to receive the minutes of the Environmental Management Committee meeting held on 24 February 2014.

| | | | |
|----------------------|--|---|--|
| Report Type: | <input checked="" type="checkbox"/> Normal operations | <input checked="" type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> High | <input type="checkbox"/> Moderate | <input checked="" type="checkbox"/> Low |

Report:

The minutes are **attached**.

Council's attention is drawn to the following items:

Item 4.0 – Resolution 3: Cr Samuels is invited to be the council representative to the Waitangi Catchment Subcommittee (alternative Cr Carr).

Item 4.0 – Resolution 5: Cr Ramsey is invited to be the council representative to the Poutō Catchment Subcommittee.

Item 9.0 – Resolution 2: the committee recommends that council approve changes to the Northland Regional Pest Management Strategies 2010-2015. The agenda item detailing the changes sought is **attached** for ease of reference.

Legal compliance:

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

Recommendations:

-
1. That the minutes of the Environmental Management Committee meeting held on 24 February 2014 be received.
 2. That council approves the changes to the Northland Regional Pest Management Strategies 2010-2015 as proposed.
-

**NORTHLAND REGIONAL COUNCIL
ENVIRONMENTAL MANAGEMENT COMMITTEE**

Minutes of the Environmental Management Committee Meeting
held in the Council Chambers,
Northland Regional Council, 36 Water Street, Whāngārei, on
Monday 24 February 2014, commencing at 9.30 am

Present:**Northland Regional Council**

Cr Joe Carr (Chairman)
Cr Craig Brown (Deputy Chairman) (from 9.53 am)
Cr Bill Shepherd (ex officio) (from 10.00 am)
Cr Paul Dimery
Cr Dennis Bowman

Whāngārei District Council

Cr Tricia Cutforth

Far North District Council

Cr Ann Court

Kaipara District Council

Commissioner Richard Booth

Department of Conservation

Ms Sue Reed-Thomas

Environmental Interest Groups

Dr Greg Blunden

Farming Community

Mr Alan Clarkson

Forest Industry

Mr Geoff Gover

Māori Interests

Mr Keir Volkerling

In Attendance:

Ms Helen Moodie (DairyNZ)
Ms Ruth Marsh (Vision Kerikeri)
Mr Andrew Swales, Dr Max Gibbs (NIWA) (part)
Mr Mike Camm, (Tutukaka CPCA) (part)

NRC Staff:

Chief Executive Officer (from 9.53 am)
Operations Director
General Manager – Policy and Planning
Consents/Monitoring Senior Programme Manager
Biosecurity Senior Programme Manager
Land/Rivers Senior Programme Manager
Policy Programme Managers
Environmental Monitoring Programme Manager - SOE
Policy Specialist - Water
Committee Secretary
Policy Analyst
Economist

Part Attendance: Iwi Liaison Officer, Land Management Advisor, Rivers Programme Manager, Natural Hazards/Rivers Officer, Marine Research Specialist, Policy Analysts, Biosecurity Officer.

The Chairman declared the meeting open at 9.32 am.

Apologies

Moved (Gover/Clarkson)

That the apologies for lateness from Crs C Brown and B Shepherd, and from the CEO Mr M Nicolson, be received.

Carried

Declaration of Conflict of Interest

There were no declarations of conflict made at the commencement of the meeting.

Confirmation of Minutes: Environmental Management Committee meeting 2 December 2013 (Item 1.0)

Report from Peternel McLean, Committee Secretary, dated 11 February 2014. A616265

Moved (Gover/Clarkson)

That the minutes of the Environmental Management Committee meeting held on 2 December 2013 be confirmed.

Carried

Matters arising from 1.0:

- (1) With reference to Resolution 2 Item 8 (Northland – Potential for Primary Industry Growth), it was noted that as no convenor had been appointed to the informal email working group, this didn't get under way. Mr Geoff Gover had attended the MPI meeting on 12 December 2013 and advised the committee that it was generally an information session to advise those attending on MPI's proposed strategy.
- (2) With reference to Resolution 3 Item 11 (Recreational Swimming Water Quality Programme), the committee were advised that staff intended to report back to the committee as requested as part of an end-of-season report at the next scheduled committee meeting.

Tabled Item for Environmental Management Committee meeting – 24 February 2014 (Item 1A)

**Report from Peternel McLean Committee Secretary.
A618360**

Moved (Carr/Gover)

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

- (1B) Awanui Flood Model Update
- (1C) Poutō Liaison Committee – updated terms of reference.

Carried

Waioira Northland Water Progress – December 2013 – January 2014 (Item 2.0)

**Report from Natalie Glover, Water Policy Specialist, dated 12 February 2014.
A615754**

Cr Craig Brown and the CEO Mr Malcolm Nicolson joined the meeting during discussion of this item.

Moved (Blunden/Clarkson)

That the report Waioira Northland Water progress by Natalie Glover, Water Policy Specialist, and dated 7 February 2014, be received.

Carried

Matters arising from 2.0:

Following a request for further information regarding Farm Water Quality Improvement Plans, it was agreed that a paper be provided at the next committee meeting to provide detail on the programme including resourcing, KPIs, etc.

National Policy Statement for Freshwater Management (Item 3.0)

**Report from Justin Murfitt – Programme Manager Resource Policy, dated 11 February 2014.
A616326**

Moved (Brown/Dimery)

That the report National Policy Statement for Freshwater Management by Justin Murfitt, Programme Manager (Resource Policy), and dated 11 February 2014 be received.

Carried

Matters arising from 3.0:

It was requested that the committee be provided (by email) with some explanation of the “Macro-invertebrate Communities Index and “Trophic Level Index” as referenced in the NRC submission (page 8 of submission; page 25 of agenda).

Proposed establishment of Waitangi and Poutō catchment subcommittees (Item 4.0)

**Report from Natalie Glover, Water Policy Specialist, dated 12 February 2014.
A615752**

The tabled updated Terms of Reference for Poutō Lakes Catchment Group (Item 1C) was considered as part of this item.

Moved (Brown/Dimery)

1. That the report “Proposed establishment of Waitangi Catchment and Poutō subcommittees” by Natalie Glover, Water Policy Specialist, and dated 12 February 2014, be received.
2. That the “Waitangi Catchment Subcommittee – Draft Terms of Reference” be further reviewed along with nominations for membership at the next committee meeting.
3. That the committee invite Cr Samuels (alternative Cr Joe Carr) to act as council representative to the Waitangi Catchment Subcommittee.
4. That the “Poutō Catchment Subcommittee – Draft Terms of Reference” be further reviewed along with nominations for membership at the next committee meeting.
5. That the committee invite Cr Ramsey to act as council representative to the Poutō Catchment Subcommittee.
6. That an amendment to the phraseology in both the Waitangi and Poutō catchment groups and any future catchment group terms of reference be made, to allow membership by **“those iwi with an interest in the area”**.

Carried

Matters arising from 4.0:

The Committee Chairman noted that there were a number of existing community groups in the Waitangi catchment, among them a landcare group as well as the NRC river liaison committee, and voiced a desire for a holistic approach to be taken when advocating further community liaison groups in catchments. Staff offered to specifically invite existing groups to provide nominations to the proposed subcommittee, and would report back at the next committee meeting on efforts to coordinate the various interest groups in the catchment.

2014 Northland Lakes State and Trends (Item 5.0)

Report from Emma Simpson, Environmental Monitoring Officer - SOE, dated 12 February 2014.

A610250

Moved (Brown/Blunden)

That the report 2014 Lakes State and Trends by Emma Simpson, Environmental Monitoring Officer – SOE, and dated 24 February 2014, be received.

Carried

Sedimentation in Whāngārei Harbour (Item 6.0)

Report from Richard Griffiths, Marine Research Specialist and Ben Tait, Policy Analyst, dated 3 February 2014.

A615921

Moved (Clarkson/Reed-Thomas)

1. That the report “Sedimentation in Whāngārei Harbour” by Richard Griffiths, Marine Research Specialist and Ben Tait, Policy Analyst, and dated 3 February 2014, be received.
2. That the presentation from Andrew Swales and Dr Max Gibbs (NIWA) on sedimentation in Whāngārei Harbour be received.

Carried

Matters arising from 6.0:

The Committee Chairman thanked Mr Andrew Swales and Dr Max Gibbs for providing their presentation and noted the importance of this in informing decision making.

Environment Fund Update (Item 7.0)

Report from Dean Evans, Land Programme Manager, dated 4 February 2014.

A608429

Moved (Court/Brown)

1. That the report Environment Fund Projects Funding Update by Dean Evans, Land Programme Manager, and dated 4 February 2014, be received.
2. That \$40,792.00 of funding is transferred from the Land Management Reserve to fund the land management projects seeking funding approval in February 2014.
3. That NRC Chair Bill Shepherd be appointed to approve Environment Fund funding applications.

Carried

Matters arising from 7.0:

Staff agreed to provide further information at the next committee meeting regarding criteria followed in awarding grants from the Environment Fund.

Kai Iwi Lakes Pest Control (Item 8.0)

Report from Don Mckenzie, Biosecurity Senior Programme Manager, dated 11 February 2014.

A616574

Moved (Blunden/Brown)

That the report Kai Iwi Lakes Pest Control by Don Mckenzie, Biosecurity Senior Programme Manager, dated 11 February 2014, be received.

Carried

Amendments to the Northland Regional Pest Management Strategies 2010-2015 (Item 9.0)

Report from Don Mckenzie, Biosecurity Senior Programme Manager, dated 11 February 2014.

A610412

Moved (Carr/Clarkson)

1. That the report Amendments to the Northland Regional Pest Management Strategies 2010-2015 by Don Mckenzie, Biosecurity Senior Programme Manager, and dated 11 February 2014 be received.
2. That the committee recommends to council that it approve the changes to the Northland Regional Pest Management Strategies 2010-2015 as proposed.

Carried

Community Pest Control Update (Item 10.0)

Report from Don Mckenzie, Biosecurity Senior Programme Manager, dated 11 February 2014.

A616499

Moved (Cutforth/Dimery)

That the report Community Pest Control Update by Don Mckenzie, Biosecurity Senior Programme Manager, dated 10 February 2014, be received.

Carried

Matters arising from 10.0:

Mr Mike Camm from the Tutukaka CPCA addressed the committee and noted the importance of funding relationships for community groups such as the Tutukaka CPCA. Currently NRC is providing financial assistance through the CPCA funding scheme over a five year period.

The Committee Chair voiced his thanks to Mr Camm, both for his presentation and for the contribution he was making to the community. He noted a concern regarding funding maintenance into the future for projects such as this and asked staff to provide additional information, to include financial commitments over coming years and expected outcomes. The Operations Director advised the committee that it was intended that later this year the committee be provided with the opportunity for workshops on the review of the Regional Pest Management Strategies, including CPCAs, and the funding of biosecurity projects.

Update on Biosecurity responses: Queensland fruit fly, Kiwifruit Psyllid, Mediterranean fanworm, Kauri dieback (Item 11.0)

**Report from Don Mckenzie, Biosecurity Senior Programme Manager, dated 13 February 2014.
A616556**

Moved (Shepherd/Blunden)

That the report, Update on Biosecurity Responses: Queensland fruit fly, Kiwifruit Psyllid, Mediterranean fanworm, Kauri dieback, by Don Mckenzie, Biosecurity Senior Programme Manager, dated 3 February 2014, be received.

Carried**Matters arising from 11.0:**

The NRC Chair Bill Shepherd noted that the Minister of Primary Industries, the Hon Nathan Guy, had complimented the NRC staff on their work during the recent Queensland fruit fly biosecurity incident response.

River Management Update (Item 12.0)

**Report from Joseph Camuso, Rivers Programme Manager, dated 12 February 2014.
A615589**

The tabled item Awanui Flood Model Update (Item 1B) was considered as part of this item.

Moved (Brown/Carr)

1. That the report River Management Update by Joseph Camuso, Rivers Programme Manager, dated 24 February 2014, be received.

2. That the draft minutes of the Kaeo River Whangaroa Catchment Liaison Committee held on 5 December 2013 and Whāngārei Urban Rivers Liaison Committee meeting held on 9 December 2013 be received.

Carried

It was further moved (Brown/Carr) – Item 1C:

1. That the report Awanui Flood Model Update by Toby Kay, Natural Hazards Advisor, dated 24 February 2014, be received.
2. That GHD is commissioned to progress the identified scope of works to improve the Awanui flood model.
3. Following consultation with the Awanui River Management Liaison Committee over the outcomes from the Tonkin and Taylor preliminary design, that GHD is commissioned to simulate the preliminary scheme design options utilising the Awanui flood model.

Carried

Matters arising from 1C:

The Committee Chair voiced his frustration on behalf of the Awanui Liaison Committee in relation to the flood modelling and the delays being experienced.

Establishment of a Ruakaka River Liaison Committee (Item 13.0)
Report from Joseph Camuso, Rivers Programme Manager, dated 12 February 2014.
A613992

Moved (Carr/Gover)

1. That the report Establishment of a Ruakaka River Liaison Committee prepared by Bruce Howse, Land/Rivers Senior Programme Manager, dated 29 January 2014, be received.
2. That the Ruakaka River Liaison Committee is established and nominations for representatives called for, to be confirmed by council.
3. That Councillor Brown is nominated as Chair of the Ruakaka River Liaison Committee.

Carried

Climate and Water Resources Update (Item 14.0)

Report by Dale Hansen, Water Resources/Hydrology Programme Manager, dated 14 February 2014.

A617257

Moved (Brown/Clarkson)

That the report Climate and Water Resources – update by Dale Hansen, Water Resources/Hydrology Programmer Manager dated 14 February be received.

Carried

Environmental Monitoring for the period 1 – 31 January 2014 (Item 15.0)

Report by Colin Dall, Consents/Monitoring Senior Programme Manager, dated 11 February 2014.

A614292

Moved (Gover/Booth)

That the Environmental Monitoring report for the period 1 – 31 January 2014 from Colin Dall, Consents/Monitoring Senior Programme Manager, dated 11 February 2014, be received.

Carried

Shellfish Decline at Mair Bank (Item 15.0)

Report by Ricky Eyre, Monitoring Programme Manager – Coastal, dated 12 February 2014.

A615925

Moved (Volkerling/Clarkson)

That the report “Shellfish Decline at Mair Bank” by Ricky Eyre, Monitoring Programme Manager – Coastal, dated 12 February 2014 be received.

Carried

Conclusion

The meeting closed at 12.26 pm.

ISSUE: Amendments to the Northland Regional Pest Management Strategies 2010-2015**ID:** A610412**To:** Environmental Management Committee, 24 February 2014**From:** Don Mckenzie, Biosecurity Senior Programme Manager**Date:** 11 February 2014

Summary The purpose of this report is to propose minor changes to the Northland Regional Pest Management Strategies to provide for legislative amendments. The report concludes by recommending that the committee refer the matter to council to approve the changes to the Strategies.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|-------------------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input checked="" type="checkbox"/> | Information | <input checked="" type="checkbox"/> | Decision |
| Purpose: | <input type="checkbox"/> | Infrastructure | <input checked="" 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 |
| Significance: | <input type="checkbox"/> | High | <input type="checkbox"/> | Moderate | <input checked="" type="checkbox"/> | Low |

Background:

The Northland Regional Pest Management Strategies 2010-2015 (RPMS) came into force on July 2010 and amendments to the Biosecurity Act came into effect in October 2012. These changes provide for minor amendments to be made to the RPMS to ensure they are fully compliant with the amendments to the Act, and to remove ambiguity where rules can be applied.

Legal advice has been sought on the administrative provisions of the RPMS and the changes required are further described as **attached**.

Amendments required**Section 7.1 - Explanation**

Amendments are required to Section 7.1 as some of the powers listed are incorrect and some powers in the Biosecurity Act are not listed because:

1. The Biosecurity Act was amended prior to 20 July 2010 and some of these amendments were not noted when Section 7.1 was drafted.
2. The administrative powers under the Biosecurity Act were amended by the Biosecurity Law Reform Act 2012 after the Strategies became operative and therefore amendments are required to Section 7.1 of the Strategies.

Section 7.5 - Explanation

The first heading and first paragraph of Section 7.5 refers to section 122 of the Biosecurity Act. Some of these references are not correct because:

1. The Biosecurity Act was amended prior to 20 July 2010 and some of these amendments were not noted when Section 7.5 was drafted.

2. Section 122 of the Biosecurity Act was amended by the Biosecurity Law Reform Act 2012 after the Strategies became operative and therefore amendments are required to Section 7.5 of the Strategies.

Section 154(r) references - Explanation

There are references to offences under section 154(r) of the Biosecurity Act in the Strategies in Plant Pests – Section 4, Animal Pests - Section 5 and Marine Pests, Section 6. The wording is:

“A breach of these rules, without reasonable excuse, is an offence under Section 154(r) of the Act.”

Section 154(r) of the Biosecurity Act provided:

“Without reasonable excuse, fails to comply with a strategy rule included in a regional pest management strategy where that rule specifies that a breach of the rule creates an offence under this paragraph.”

Section 154(r) was repealed by the Biosecurity Law Reform Act 2012 and section 154N(19) was added after the Strategies became operative. Therefore amendments are required to delete the references in the Strategies to section 154(r) and replace this with references to section 154N(19).

Section 154N(19) of the Biosecurity Act provides:

“A person commits an offence against this Act who fails to comply with a rule in a regional pest management plan or a regional pathway management plan that specifies that a contravention of the rule creates an offence against this Act.”

All the above amendments come within section 100G(4) of the Biosecurity Act which allows minor changes to plans by a council by resolution without a review under section 100D. The amendments do not have a significant effect on any person's rights and obligations; and are not inconsistent with the national policy direction. All approved amendments will be advertised on our website.

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 to be of moderate to low significance under council policy, because it is in keeping with the council's overarching programmes for pest management as detailed in the 2012-2022 Long Term Plan.

Recommendations:

-
1. That the report Amendments to the Northland Regional Pest Management Strategies 2010-2015 by Don McKenzie, Biosecurity Senior Programme Manager and dated 11 February 2014 be received.
 2. That the committee recommends to council that it approve the changes to the Northland Regional Pest Management Strategies 2010-2015 as proposed.
-

Attachment to Item: 9

Page 3 of 6

This attachment sets out the existing RPMS text followed by the amended wording to:

- Section 7.1
- Part of Section 7.5
- References to section 154(r) of the Biosecurity Act.

7.1 Biosecurity Act Powers- Current wording

| 7.1 Biosecurity Act Powers | | |
|--|----------------------------------|---|
| The powers conferred on the NRC by the Biosecurity Act for the purposes of implementing the Regional Pest Management Strategies are outlined below. Authorised persons will exercise many of these powers on behalf of the Principal Officer (Chief Executive Officer) of the NRC. The Principal Officer shall appoint authorised persons and may delegate powers to any authorised person, subject to sections 103 and 105 of the Biosecurity Act. When carrying out their duties, an authorised person shall be limited to using those powers specified in their warrant of appointment, based on those powers listed. | | |
| Administrative Powers | Reference in the Biosecurity Act | Level of Delegation |
| Making of rules. | section 80B | NRC in Regional Pest Management Strategies. |
| The appointment of authorised and accredited persons. | section 103(3) and (7) | Principal Officer of the NRC. |
| Delegation to authorised persons. | section 105 | |
| Power to request a warrant to inspect a dwelling or marae. | section 111 | |
| Duty to provide information. | section 112 | An "authorised person" appointed by the Principal Officer of the NRC shall have authority to exercise such powers and functions contained within these sections, as defined in the Regional Pest Management Strategies, on the authorised persons warrant of appointment, and the NRC Deed of Delegation. |
| Power to require assistance. | section 113 | |
| Power of inspection. | sections 109 and 112 | |
| Power to record information. | section 113 | |
| General powers. | section 114 | |
| Use of dogs and devices. | section 115 | |
| Power to seize abandoned goods. | section 119 | |
| Power to examine organisms. | section 121 | |
| Other powers in respect of "risk goods" | section 122 | |
| Power to vaccinate. | section 123 | |
| Enforcement of area controls. | section 134 | |

7.1 Biosecurity Act Powers- amended wording

"To achieve the purpose of the strategies, and to give effect to its objective, NRC will use the statutory powers provided in the Biosecurity Act as listed in the Table below.

"The Principal Officer of NRC (Chief Executive Officer) will appoint authorised and accredited persons for the purpose of exercising functions, powers and duties under the Act. Most of these functions, powers and duties relate to the implementation of the Strategies.

"When carrying out his or her duties, an authorised person will be limited to using those powers specified in his or her instrument of appointment. The powers specified in an authorised person's instrument of appointment are based upon those powers identified in the Table below and reflect the officer's experience, technical competence and qualifications relevant to his or her responsibilities."

Attachment to Item: 9

Page 4 of 6

Table: Administrative powers under the Biosecurity Act

| Administrative powers | Reference in the Biosecurity Act 1993 |
|---|---------------------------------------|
| Grant exemption from plan rules. | Section 78 |
| Declare small-scale management programme for unwanted organism. | Section 100V |
| Appointment of authorised and accredited persons. | Section 103 |
| Authorised persons to comply with instructions. | Section 104 |
| Delegation to authorised persons. | Section 105 |
| Power to act on default (undertake necessary work on failure of section 122 notice to be adhered to and recover costs from occupier). | Section 128 |
| Liens (statutory land charge may be placed on property if section 128 costs not paid, or prosecution is an option). | Section 129 |
| Declaration of controlled area. | Section 131 |
| Duration of place and area declarations. | Section 133 |
| Options for cost recovery. | Section 135 |
| Failure to pay. | Section 136 |
| Offences. | Sections 154M, 154N, 154O |
| Powers of an authorised person | |
| Power to request information from land occupiers. | Section 43 |
| Power to require assistance (any person can be asked to help). | Section 106 |
| Power of inspection (entry to land). | Sections 109, 110, 112 |
| Entry in respect of offences. | Section 111 |
| Power to record information. | Section 113 |
| General powers. | Section 114 |
| Use of dogs and devices (such as traps and bait stations). | Section 115 |
| Power to seize evidence. | Section 118 |
| Power to seize abandoned goods. | Section 119 |
| Power to intercept risk goods. | Section 120 |
| Power to examine organisms. | Section 121 |
| Power to apply articles or substances to places. | Section 121A |
| Power to give directions (serve notices on occupiers to remove pests). | Section 122 |
| Power to vaccinate. | Section 123 |
| Power to declare restricted places. | Section 130 |

7.5 Policy Enforcement- *current wording*

Issue of Legal Directions by Authorised Persons

An authorised person may issue a legal direction to any occupier to carry out specified works or measures for the purposes of eradicating or preventing the spread of any pest in accordance with a Pest Management Strategy. The legal direction shall be issued under section 122(a) of the Biosecurity Act and specify the following matters:

- a. The land in respect of which works or measures is required to be undertaken;
- b. The pest for which the works or measures are required;
- c. Works or measures to be undertaken to meet the occupier's obligations;
- d. The time within which the works or measures are to be undertaken;
- e. Action that may be undertaken by the management agency if the occupier or occupiers fail to comply with any part of the direction; and
- f. The name, address, telephone number and fax number of the management agency and the name of the authorised person issuing the legal direction.

7.5 Policy Enforcement- *amended wording*

Issue of Directions by Authorised Persons under section 122 of the Biosecurity Act

Section 122 of the Biosecurity Act provides:

“122 Power to give directions

- (1) An inspector or authorised person may, whenever that inspector or authorised person considers it to be necessary, direct the occupier of any place or the owner or person in charge of any organism or risk goods—*
 - (a) To treat any goods, water, place, equipment, fitting, or other thing that may be contaminated with pests or unwanted organisms; or*
 - (b) To destroy any pest or unwanted organism or any organism or organic material or thing that there are reasonable grounds to believe harbours a pest or unwanted organism; or*
 - (c) To take steps to prevent the spread of any pest or unwanted organism.*
- (2) An inspector or authorised person may, by notice in writing, direct any person who has failed to comply with a rule included in a pest management strategy to comply with that rule.*
- (3) An inspector or authorised person may direct the owner or person in charge of risk goods or a craft to take steps to avoid, remedy, or mitigate an effect of non-compliance with a pathway management plan.”*

References in the Strategies to offences under section 154(r) of the Biosecurity Act

Amendments

The sentences with references to section 154(r) of the Biosecurity Act should be deleted and replaced with:

“A breach of these rules will create an offence under section 154N(19) of the Biosecurity Act, or may result in default work under section 128 and section 129 of the Act, or both.”

EMC agenda item

ITEM: 6.6

Page 1 of 1

ISSUE: Confirmation of Minutes – Extraordinary Council Meeting 24 February 2014**ID:** A621256**To:** Council Meeting, 18 March 2014**From:** Chris Taylor, Council Secretary**Date:** 4 March 2014

Summary The purpose of this report is to present the unconfirmed minutes of the extraordinary council meeting held on 24 February 2014. It concludes with the recommendation that council confirms the minutes as a true and correct record.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the extraordinary council meeting held on 24 February 2014 be confirmed as a true and correct record.

NORTHLAND REGIONAL COUNCIL

Minutes of the extraordinary meeting of the council
held in the Council Chamber, 36 Water Street, Whāngārei,
on Monday 24 February 2014,
commencing at 12.30 pm

Present:

Chairman, Bill Shepherd
Deputy Chairman, Graeme Ramsey
Councillors:
Dennis Bowman
Craig Brown
Joe Carr
Paul Dimery
Dover Samuels
David Sinclair

In Attendance:

Full Meeting

Chief Executive Officer, Malcolm Nicolson
Council Secretary

Part Meeting

General Manager – Planning and Policy

The Chairman declared the meeting open at 12.40 pm.

Apologies (Item 1.0)

Moved (Samuels/Brown)

That the apologies from Councillor Bain for non-attendance be received.

Carried

Declarations of Conflicts of Interest (Item 2.0)

There were no declarations of conflict at this point.

Triennial Agreement 2013-16 (Item 3.1)

A618241

Report from Council Secretary, Chris Taylor.

Moved (Brown/Sinclair)

That the report “Triennial Agreement 2013-16” by Chris Taylor, Council Secretary, and dated 20 February 2014, be received.

Carried

It was further moved (Ramsey/Brown)

That council approve the draft Triennial Agreement, as **attached** to Item 3.1 of the 24 February 2014 extraordinary council meeting agenda, and the Chairman be authorised to sign the agreement on behalf of the Northland Regional Council.

Carried**Matters arising from Item 3.1:**

Chairman Shepherd and Chief Executive Officer, Malcolm Nicolson, undertook to raise concerns regarding the inconsistency of the Building Act across Northland through the Mayoral Forum working party; established to develop a list of common council priorities.

CONCLUSION

The meeting concluded at 12.55 pm.

ITEM: 6.7

Page 1 of 1

ISSUE: Regional Policy Committee Minutes – 24 February 2014**ID:** A621682**To:** Council Meeting, 18 March 2014**From:** Diane Evans, Committee Secretary**Date:** 7 March 2014

Summary The purpose of this report is to receive the minutes of the Regional Policy Committee meeting held on 24 February 2014. It concludes with the recommendation that the minutes be received.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the Regional Policy Committee meeting held on 24 February 2014 be received.

**NORTHLAND REGIONAL COUNCIL
REGIONAL POLICY COMMITTEE**

Minutes of the Regional Policy Committee Meeting
held in the Council Chamber,
Northland Regional Council, 36 Water Street, Whāngārei, on
Monday 24 February 2014, commencing at 1.00 pm

Present:

Northland Regional Council
Cr Graeme Ramsey (Chairman)
Cr Craig Brown
Cr David Sinclair
Cr Joe Carr

In Attendance:

Programme Manager – Policy Specialist
Policy Specialist – Coastal
Committee Secretary x 2

The Chairman declared the meeting open at 1.10pm.

Apologies (Item 1.0)

Moved (Cr Brown / Cr Sinclair)

That the apology from Cr John Bain for non-attendance be received.

Carried

Declaration of Conflict of Interest (Item 2.0)

The Chairman gave members the opportunity to declare an interest on any item of business on the agenda for the meeting.

There were no conflicts of interest declared at this point.

Confirmation of Minutes – 2 December 2013 (Item 3.1)**Report from Evania Laybourn, Committee Secretary dated 3 February 2014.**

ID: A610831

Moved (Cr Brown / Cr Sinclair)

1. That the report “Confirmation of Minutes – 2 December 2013” by Evania Laybourn, Committee Secretary, dated 3 February 2014, be received.
2. That the minutes of the Regional Policy Committee Meeting held on 2 December 2013 be confirmed as a true and correct record.

Carried**Regional Plans Review Process (Item 3.2)****Report from Ben Lee, Policy Specialist – Coastal dated 12 February 2014.**

ID: A614977

Moved (Cr Ramsey / Cr Brown)

1. That the report “Regional Plans Review Process” by Ben Lee Policy Specialist – Coastal, dated 12 February 2014, be received.
2. That the Regional Policy Committee approve the process for the review of the Regional Air Quality Plan, Regional Water and Soil Plan, and Regional Coastal Plan in accordance with section 79 of the Resource Management Act 1991 as outlined in this paper.

Carried**Matters arising from Item 3.2:**

There was general agreement of the following action points:

1. Staff to circulate list of stakeholder groups for each work stream to all committee members prior to workshop invitations being sent.
2. Committee members to be informed of dates for key stakeholder workshops and where possible at least one committee member will attend each workshop.
3. In undertaking the review consideration should be given to:
 - a. the use of natural and physical resources (past/present/future), and
 - b. lessons learnt from within council and external key stakeholders.

Proposed Auckland Unitary Plan (Item 3.3)

**Report from Justin Murfitt, Policy Programme Manager (Resource Management)
dated 12 February 2014.**

ID: A616705

Moved (Cr Brown / Cr Sinclair)

1. That the report "Proposed Auckland Plan" by Justin Murfitt – Policy Programme Manager (Resource Management), dated 12 February 2014, be received.
2. That the Regional Policy Committee approves the draft submission (including any amendments as directed by the committee) and that this be lodged with Auckland Council prior to close of submissions on 28 February 2014.

Carried

Conclusion

The meeting concluded at 1.50 pm.

ITEM: 6.8

Page 1 of 1

ISSUE: Northland Civil Defence Emergency Management Group Minutes – 4 March 2014**ID:** A621495**To:** Council Meeting, 18 March 2014**From:** Graeme MacDonald, CDEM Senior Programme Manager**Date:** 6 March 2014

Summary The purpose of this report is to present the minutes of the Northland Civil Defence Emergency Management Group meeting held on 4 March 2014. It concludes with the recommendation that the minutes be received.

| | | | |
|----------------------|--|---|--|
| Report Type: | <input type="checkbox"/> Normal operations | <input checked="" type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <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:

That the minutes of the Northland Civil Defence Emergency Management Group meeting held on 4 March 2014 be received.

Northland Civil Defence Emergency Management Group

Minutes of the Northland Civil Defence Emergency Management Group Meeting,
held in the Council Chamber, Northland Regional Council,
36 Water Street, Whāngārei, on
Tuesday 4 March 2014 commencing at 11 am

File A619428

Present:

Cr J Williamson, Acting Chairman
Cr P Dimery
Mr P Winder
Cr D Collard
Inspector M Ruth/Supt. J Price, NZ Police
Mr B Butt, NZ Fire Service

Observer:

Mr G Gallop, MCDEM

In Attendance:

Mr T Phipps, NRC
Mr G MacDonald, NRC
Mr D Alderton, NRC

Also Present:

Mr D Penny, FNDC
Mr S Weston, WDC
Ms V Randall, WDC
Mr B Hutchinson, FNDC
Mr T Andrews, KDC
Mr J Burt, KDC
Mr A Wells
Mr A Kerrisk, NZ Fire Service
Sgt W Kelman, NZ Police
Mr M Going, St John Ambulance
Ms R MacKenzie, Northland Health
Mr M Taylor, Northland Region Rural Fire Authority
Mr M Nicolson, NRC
Mr R Watson, Northland Lifelines

Apologies

Moved (Winder/Dimery)

That the apologies from Supt Le Prou and Cr Kitchen for non-attendance be received.

Carried

Declaration of Conflict of Interest

There were no declarations of conflicts of interest in any items of business.

1. Confirmation of Minutes – 3 December 2013

A618386

Moved (Dimery/Winder)

That the minutes of the Northland Civil Defence Emergency Management Group Meeting held on 3 December 2013 be confirmed.

Carried

2. Review of Northland CDEM Arrangements

A618717

Report from Graeme MacDonald, CDEM Senior Programme Manager dated 18 February 2014.

Moved (Winder/Williamson)

1. That the report "Review of Northland CDEM Arrangements", by Graeme MacDonald, CDEM Senior Programme Manager, dated 18 February 2014, be received.
2. That the outcomes of the review be noted and that the Coordinating Executive Group incorporates the findings into the current year's work programme.
3. That the report be conveyed to the respective councils for consideration for inclusion in their annual plan processes.

Carried

3. Ministry of Civil Defence and Emergency Management Work Programme

A618389

Report from Greg Gallop, MCDEM Regional Emergency Management Advisor dated 18 February 2014.

Moved (Winder/Butt)

That the report "Ministry of Civil Defence and Emergency Management Work Programme", by Greg Gallop, MCDEM Regional Emergency Management Advisor and the attachments, dated 18 February 2014, be received.

Carried

4. Resilience Fund 2014

A618402

Report from Graeme MacDonald, CDEM Senior Programme Manager dated 17 February 2014.

Moved (Williamson/Dimery)

1. That the report "Resilience Fund 2014", from Graeme MacDonald, CDEM Senior Programme Manager, dated 17 February 2014, be received.
2. That the Resilience Fund applications for 2014 be noted and endorsed.
3. That the level of support from MCDEM to the Northland CDEM Group be acknowledged.

Carried

5. 2014 Work Programme

A618467

Report from Graeme MacDonald, CDEM Senior Programme Manager dated 17 February 2014.

Moved (Dimery/Williamson)

That the report "2014 Work Programme" by Graeme MacDonald, CDEM Senior Programme Manager, dated 18 February 2014, be received.

Carried

6. Coordinating Executive Group - Chair's Report

A618511

Report from Tony Phipps, CEG Chair and Group Controller, dated 17 February 2014.

Moved (Williamson/Dimery)

That the report "Coordinating Executive Group – Chair's Report" by Tony Phipps, CEG Chair and Group Controller, dated 17 February 2014, be received.

Carried

7. Welfare Advisory Group Update

A618557

Report from Claire Nyberg, Welfare Advisory Group Chair, dated 19 February 2014.

Moved (Ruth/Winder)

1. That the report "Welfare Advisory Group Update" by Claire Nyberg, Civil Defence Officer, dated 19 February 2014, be received.
2. That the appointment of an interim Welfare Advisory Group chair from within the CDEM Group be approved.
3. That the appointment of Ms Claire Nyberg is confirmed as the Northland Welfare Advisory Group chair.
4. That the 2014 Welfare Advisory Group Work Plan be endorsed.

Carried

8. Emergency Management Information System (EMIS) Update

A618581

Report from Victoria Randall, CDEM Officer, Whāngārei District Council, dated 18 February 2014.

Moved (Ruth/Dimery)

That the report "EMIS Update" by Victoria Randall, CDEM Officer, Whāngārei District Council, dated 18 February 2014, be received.

Carried

9. Far North District Update

A618592

Report from Bill Hutchinson, Civil Defence Coordinator, Far North District Council, dated 17 February 2014.

Moved (Collard/Butt)

That the "Far North District Update" from Bill Hutchinson, FNDC Civil Defence Coordinator, dated 17 February 2014, be received.

Carried

10. Whāngārei District Update

A618596

Report from Victoria Randall, Emergency Management Officer, Whāngārei District Council, dated 18 February 2014.

Moved (Williamson/Winder)

That the report "Whangarei District Update" by Victoria Randall, CDEM Officer, Whāngārei District Council, dated 18 February 2014, be received.

Carried

11. Kaipara District Update

A618609

Report from Trevor Andrews, Civil Defence Officer, Kaipara District Council, dated 20 February 2014.

Moved (Winder/Ruth)

That the report "Kaipara District Update" by Trevor Andrews, CDEM Officer, Kaipara District Council, dated 20 February 2014, be received.

Carried

12. Youth in Emergency Services (YES) Update

A618612

Report from Shona Morgan, CDEM Officer – Community Resilience, dated 19 February 2014.

Moved (Ruth/Butt)

That the report "Youth in Emergency Services (YES)" Update by Shona Morgan, CDEM Officer - Community Resilience, dated 19 February 2014, be received.

Carried

13. Vulnerable Groups Project Update

A618619

Report from Shona Morgan, CDEM Officer – Community Resilience, dated 19 February 2014.

Moved (Dimery/Williamson)

That the report "Vulnerable Groups Project Update" by Shona Morgan, CDEM Officer - Community Resilience, dated 19 February 2014, be received.

Carried

Next Meeting

The next meeting of the Northland Civil Defence Emergency Management Group is to be held at the Northland Regional Council, 36 Water Street, Whāngārei on Tuesday 3 June 2014 commencing at 11.00 am.

Conclusion

The meeting closed at 12.15 pm.

unconfirmed

ITEM: 7.1

Page 1 of 8

ISSUE: Financial Report to 25 February 2014**ID:** A614532**To:** Council Meeting, 18 March 2014**From:** Angela Hobden, Financial Accountant**Date:** 5 March 2014

Summary The purpose of this report is to present the **Detailed Council Cost of Services Statement** and the **Cost of Service Statements by Activity** for the eight months ended 25 February 2014 for councillors' information. It concludes with the recommendation that this report be received.

| | | | |
|----------------------|---|---|--|
| Report Type: | <input type="checkbox"/> Normal operations | <input checked="" type="checkbox"/> Information | <input type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> High | <input type="checkbox"/> Moderate | <input checked="" type="checkbox"/> Low |

Report:**Overview**

This report presents the operating results for council for the eight months ended 25 February 2014.

For the total council Financial Results refer to **Attachment A**, for the Financial Dashboard refer to **Attachment B**, and for the Balance Sheet refer to **Attachment C**.

Operating Results:

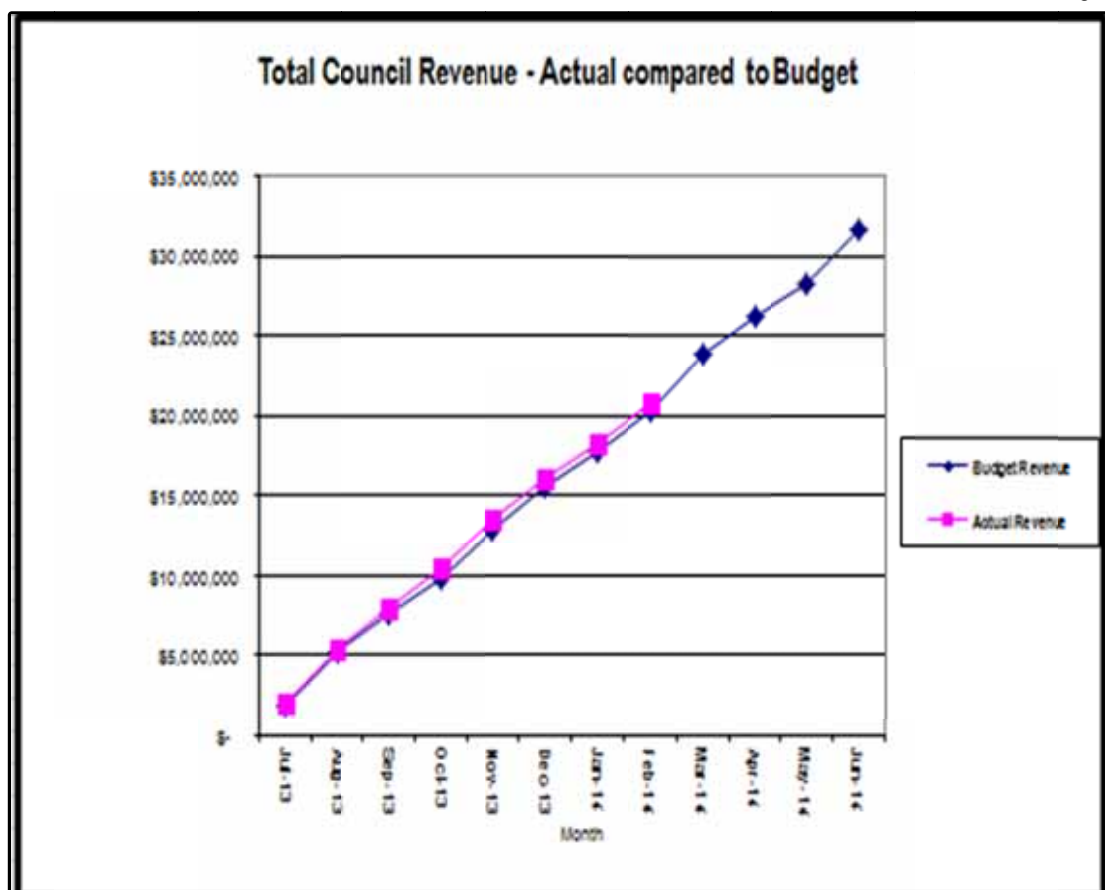
The Council Detailed Report for the year to date (YTD) shows a net operating surplus of \$3.877M against a budgeted net surplus of \$1.530M, resulting in an overall favourable variance for the year to date of \$2.446M before transfers (to) or from Special Reserves. This variance arises from the total expenditure for the eight months being behind budget by \$1.886M or 10%, and the total revenue being ahead of budget by \$560K or 3%.

Revenue:

Year to date revenue is \$20.852M which is \$560K or 3% above budget. This is illustrated by the following line graph.

ITEM: 7.1

Page 2 of 8



The material differences that make up the \$560K year to date favourable revenue variance are:

- **Rates – has a favourable variance/is greater than budget by YTD \$118K or 1%**
 - This relates to rates penalties received which were unbudgeted as it is difficult to determine the response we have to collection strategies throughout the year.
- **Grants and Subsidies – has a favourable variance/is greater than budget by YTD \$271K or 35%**
 - This includes the funding from the Ministry of Primary Industries for the Oyster Shell project of \$108K.
 - There is also a subsidy received of \$38K from the Department of Internal Affairs and Far North District Council for a Kaeo home that is offset by matching expenditure.
 - River management subsidies relating to the Kaeo capital flood works are \$242K ahead of budget as we have transferred all of the subsidy received from the Department of Internal Affairs in December 2011 from Revenue in Advance. This was unbudgeted but will transfer to the Kaeo River reserve to fund these capital works.
 - Regional transport management subsidies are behind budget by \$98K. Please note that with the lower negotiated contract for bus services the share of subsidy is correspondingly lower.
 - Passenger transport administration is also behind budget by \$30K as the local authority share of costs is less than anticipated.

ITEM: 7.1

Page 3 of 8

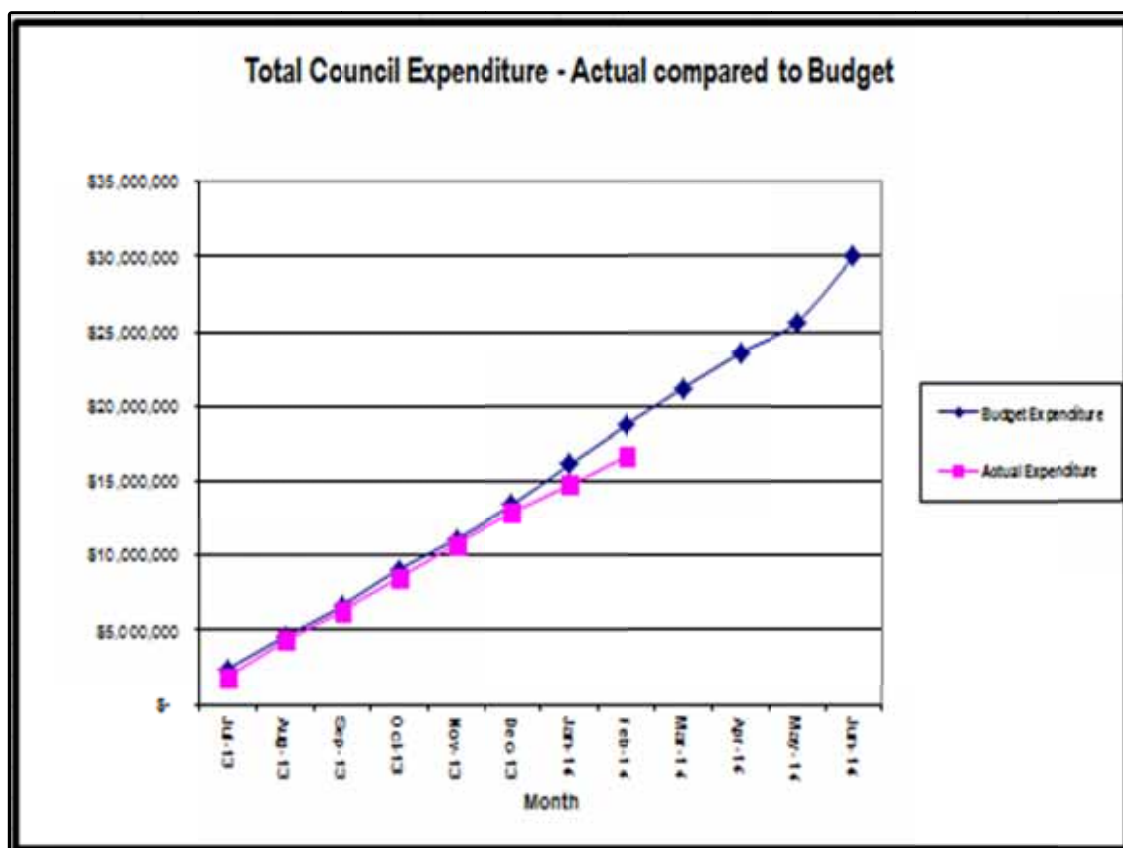
- **Investment Interest Income – has a favourable variance/is greater than budget by YTD \$64K or 7%**
 - Our average weighted interest rate is now 5.18% against a budget of 5% which results in more interest revenue than budgeted.
- **Investment Property Income – has a favourable variance/is greater than budget by YTD \$124K or 6%**
 - Rental income from investment properties is \$79K higher than budget as a result of the higher than anticipated arbitration settlements for rentals.
 - Rents received for the Kotuku Street properties were unbudgeted and contribute \$45K to this surplus.
- **Dividend Income – has a favourable variance/is greater than budget by YTD \$55K or 5%**
 - Northland Port Corporation dividends received so far this year were higher than budgeted by 0.25 cents per share.
- **Community Investment Fund Income – has a favourable variance/is greater than budget by YTD \$127K or 28%**
 - The average weighted return from these investments is 8.39% compared to our budgeted average of 6.52%. (This rate of return does not include the \$101K foreign exchange currency gain included in this total.)
- **User Fees and Sundry – has an unfavourable variance/is under budget by \$200K or 6%**
 - Fewer consent applications \$276K, biosecurity fieldwork subsidies \$107K and compliance monitoring \$66K account for the majority of this unfavourable variance. There is in excess of \$100K of interim consent billing which will be done in March.
 - This is partly offset by maritime invoicing which is \$89K ahead of budget and Sundry Income which is \$188K ahead of budget. The major items contributing to this are the recovery of costs for the Queensland Fruit Fly project \$64K, CDEM shared services \$13K, and recovery of shortfall on CityLink concession tickets \$50K.

ITEM: 7.1

Page 4 of 8

Expenditure

Year to date expenditure is \$16.876M which is \$1.886M or 10% less than budget before transfers to or from Reserves, as shown in the following line graph.



The material differences that make up the year to date favourable expenditure variance of \$1.886M are:

- **Resource Management Group** has an underspend of \$1.125M or 12% for the year to date. This variance is split over a number of cost centres within the resource management activity as follows:
 - **Biosecurity – has a favourable variance/is under budget by \$217K or 12%**
 - Pest control activities are underspent by \$190K. This was reflected by subsidies being less than expected in the revenue commentary. Manchurian Wild Rice and other pest control projects are planned for the next few months which should see this on track by year end.
 - Poisons and field work are \$87K behind budget because of the slower than anticipated uptake for the environment fund activities which are fully allocated.
 - Work was delayed by the response to the Queensland Fruit Fly alert. Up to 14 staff were involved at the peak of activity and this delayed other biosecurity work including projects with other biosecurity responses such as pest fish, pest control as part of the environment fund and responding to customer enquiries. This backlog is expected to be caught up over the following two months.

ITEM: 7.1

Page 5 of 8

- **Consents Applications – has a favourable variance/is under budget by \$306K or 42%**
 - This variance is driven by the lower than anticipated number of consent applications and consequent lower staff costs. The salaries expenditure YTD is also lower than budget due to the continued staff vacancy and internal secondment. Consultant expenditure is underspent by \$62K. In addition, expenditure such as advertising, photocopying and hearing committee fees are also under budget. This reflects the lower than anticipated revenue as mentioned in the fees and charges section.
- **Compliance Monitoring, Environmental Incidents response – has an unfavourable variance/is more than budget by \$42K or 2%**
 - Predominantly this is due to legal fees being \$64K ahead of budget because of the number and difficulty of prosecutions. Some of this expenditure will be recoverable as judgements re costs/fines come in.
 - Consultant fees are also above budget by \$25K. This relates to more farm assessments being required than anticipated. To date 703 MCO farm assessments, 254 MNC farm assessments and 53 MNC extras have been completed. Budget for the year to date was for 359 MCO farm assessments, 218 MNC assessments and 99 MNC Extras.
 - This expenditure is partly offset by less expenditure on contract staff \$39K as more monitoring work is being done in house.
- **State of the Environment Monitoring – has a favourable variance/is less than budget by \$309K or 28%**
Predominantly driven by:
 - Personnel charges are \$169K less than budget due to staff time being coded to council activities other than those originally budgeted and less use of contract staff.
 - Consultant expenditure is less than budget by \$50K and commercial testing is \$80K underspent. This variance is driven by timing and is expected to be on target by year end.
- **Planning and Policy – has a favourable variance/is under budget by \$268K or 17%**
 - Council decided to fund hearing committee costs and legal fees (currently at \$122K) for the RPS from the Forest Income Equalisation Reserve. Council will have the option at the end of the year whether to use the reserve or any surplus for this expenditure.
 - RPS appeal resolution is anticipated to incur further consultancy expenditure.
 - NPS Freshwater consultant expenditure is under budget by \$181K but this is a timing issue and contracts let in 2014 (to date these total \$110K-\$130K) should bring expenditure on budget by year end.
 - Staff time charged to this department is under budget by \$180K due to a corporate planner vacancy and staff time being charged to Local Government Reform and other community representation and engagement compared with the original budget.

ITEM: 7.1

Page 6 of 8

- **River Management Group – favourable variance/is under budget by \$378K or 21%**
 - This is predominantly driven by the timing of stopbank and river work which is under budget by \$156K and river clearance which is under budget by \$105K. This is due to be spent in the next few months.
 - Consultant expenditure is also under budget by \$133K. There is expected to be a year-end surplus of \$118K for Awanui River works and \$150K for the Kerikeri-Waipapa River works due to delays caused by technical issues and further work required. These savings will be transferred to reserves at year end.
 - Offsetting the favourable costs is legal fees which are \$88K over budget and predominantly to do with the purchase of Kotuku Street properties and consenting and designation costs.
 - There is also expenditure of \$33K on a Kaeo property which has been covered by a subsidy as reported earlier.
- **Economic Development Group – unfavourable variance/is over budget by \$66K or 4%**
 - Costs incurred with the Oyster Shell project \$46K were unbudgeted but are offset by the subsidies received which were mentioned earlier.
 - Labour charges \$43K which were unbudgeted also contribute to the unfavourable variance. These have been offset against a gain arising from a vacancy in another area.
 - Legal fees are underspent by \$20K which partially offsets the above.
- **Hazard Management Group – favourable variance/is under budget by \$233K or 22%**
 - **Natural Hazard Management** has an underspend of \$212K or 34% predominantly due to an underspend in consultancy \$189K (originally programmed to occur evenly throughout the year). The Coastal Erosion Hazard Zone review is now underway and the LiDAR tender has been awarded. **Oil pollution response** has an underspend of \$15K or 18% due to less staff time and less oil spill controls due to fewer than anticipated incidents.
- **Transport Group – favourable variance/is under budget by \$267K or 9%**
 - **Harbour Safety and Navigation** has an underspend of \$56K or 5% of which \$30K relates to expenditure on buoys and beacons. Vessel running, maintenance, mooring and pilotage are also underspent. Pilotage is down because of a cancelled visit by a cruise ship. These savings are offset by \$51K overspend on Hātea River dredging which is reimbursed from the Hātea River Reserve (as shown in the movements to/from Reserves section of the financial report).
 - **Passenger Transport Administration** has an underspend of \$158K or 11% due to the contract for the CityLink services being negotiated at a better price than anticipated \$19K, continued lower use of the Total Mobility Scheme \$48K and no invoices being received from Whāngārei District Council for bus shelter maintenance \$24K. Expenditure on promotions, advertising and photocopying is also \$22K under budget but is expected to be on track by the end of the year. Snapper cards are now available and in use.
 - **Regional Transport Management** has an underspend of \$54K or 19% predominantly due to an underspend in advertising \$25K associated with the vehicles on beaches campaign and consulting. Expenditure for this is

ITEM: 7.1

Page 7 of 8

committed to occur in March. There is also an underspend of \$11K on consultants which is partially offset by labour charges after a reassignment of duties in house. Photocopying and sundry supplies are also underspent.

- **Community Representation and Engagement – unfavourable variance/is over budget by \$86K or 5%**
 - **Community Representation and Engagement** has an overspend of \$111K partly due to the increase in members' remuneration \$37K following the determination by the Remuneration Authority.
 - Local Government reform costs of \$45K and additional printing costs of \$11K also contribute to the overspend.
 - There is also additional labour charge in this area for Local Government Reform.
 - **Environmental Education** has an underspend of \$25K or 8% due to savings in staff costs from part of a now vacant position having been budgeted here.
- **Support Services and Commercial Investments – favourable variance/is under budget by \$35K or 15%**
 - Costs for Communications, Finance and Information and Technology, Information Management and Administration and Human Resources are internally transferred to operating areas and therefore do not affect this variance. However, overhead expenditure is \$223K less than budgeted.
 - There is an underspend of \$30K in computer consumables as there are less cartridges and failures happening. A budgeted amount of \$80K for software maintenance is no longer needed and this will be a saving for year end. There have also been labour savings with a staff vacancy which has only partially been covered with contract labour.
 - Legal fees and consulting costs in the Finance area have also not been spent as anticipated.
 - Commercial activities have an underspend of \$35K with rates, legal fees, insurance and forestry costs contributing to this.
- **Transfers from/(to) Special Reserves**
 - These show the amounts required from reserves to bring the activity balance to zero. The reserves with the biggest variations reflect the current situation.
 - Awanui River Reserve shows that a surplus of \$117K could be transferred to the reserve (compared to a budget of \$90K needed from the reserve). This shows that the programmed works have not yet been completed to the anticipated stage as explained in River Management.
 - The Waipapa Kerikeri Reserve shows that expenditure is \$75K behind budget.
 - Kaeo River Reserve shows that a surplus of \$444K could be transferred to the reserve where we had budgeted \$187K. This reflects the subsidy received which has now been transferred from income in advance.
 - The Hātea River Reserve shows that more work has been done than anticipated (\$51K).
- **Capital Expenditure**

Capital expenditure for the year to date is \$2.501M against a year to date budget of \$4.101M. Expenditure on harbour navigation systems, the biosecurity floating dock, monitoring equipment and information systems are behind budget

ITEM: 7.1

Page 8 of 8

but expected to catch up during the year. River Management is Kotuku Street properties and the first stages of work on the Kaeo Flood Management Scheme. The purchase of further land for the rail corridor which was budgeted for in December 2013 has not yet occurred. Support is ahead of budget as this month we have purchased the new electric vehicle, started the photo voltaic cell project and done some seismic strengthening of the Water Street building.

| Capex Reporting Year to Date Report to 25 February 2014 | | | | |
|--|------------------|------------------|------------------|------------------|
| Activity | YEAR TO DATE | | | Revised Budget |
| | YTD Actual | YTD Budget | YTD Variance | |
| Monitoring | 72,699 | 88,024 | 15,325 | 118,669 |
| Biosecurity | 5,626 | 55,000 | 49,374 | 55,000 |
| Emergency Management | 1,000 | 1,250 | 250 | 1,250 |
| Land and Biodiversity | 5,361 | 4,512 | -849 | 29,512 |
| Harbour Safety and Navigation | 72,190 | 221,951 | 149,761 | 242,451 |
| Oil Pollution Response | 2,050 | 5,000 | 2,950 | 5,000 |
| River Management | 1,587,649 | 2,689,324 | 1,101,675 | 4,012,237 |
| Commercial Investments | 37,297 | 145,953 | 108,656 | 222,501 |
| Information Systems | 277,720 | 492,425 | 214,705 | 717,772 |
| Community Representation and Engagement | 0 | 18,927 | 18,927 | 18,927 |
| Support | 439,481 | 378,911 | -60,570 | 565,991 |
| GRAND TOTAL FOR COUNCIL | 2,501,073 | 4,101,276 | 1,600,203 | 5,989,310 |

Balance Sheet

Other investments, cash and cash equivalents have a variance against budget which results from the timing of maturities.

Legal compliance and significance assessment:

The activities detailed in this report are provided for in the council's Long Term Plan 2012-22 and 2013/2014 Annual Plan, and as such are in accordance with the council's decision making process and sections 76-82 of the local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under council policy because it is part of normal day to day operations of council, and it does not require a council decision but is for information purposes only.

Recommendation:

That the report "Financial Report to 25 February 2014" by Angela Hobden, Financial Accountant, dated 5 March 2014, be received.

Council Detailed Report**Year to Date Report to 25 February 2014**

| | | | | | Full Year Revised Budget |
|---|-------------------|-------------------|------------------|-------------------|---------------------------------|
| Total Council | YTD Actual | YTD Budget | Variance | Variance % | |
| Revenue | | | | | |
| Rates | 11,793,268 | 11,674,783 | 118,485 | 1% | 17,512,172 |
| User Fees and Sundry | 2,953,835 | 3,153,415 | (199,580) | -6% | 4,355,313 |
| Grants and Subsidies | 1,041,535 | 770,748 | 270,787 | 35% | 1,115,385 |
| Investment Interest Income | 983,324 | 919,347 | 63,977 | 7% | 2,199,106 |
| Investment Property Income | 2,287,859 | 2,163,555 | 124,304 | 6% | 3,636,608 |
| Forestry Income | - | - | - | - | - |
| Dividend Income | 1,217,860 | 1,162,503 | 55,357 | 5% | 2,103,577 |
| Community Investment Fund Income | 574,884 | 448,237 | 126,647 | 28% | 672,355 |
| Total Revenue | 20,852,565 | 20,292,588 | 559,978 | 3% | 31,594,517 |
| Expenditure | | | | | |
| Resource Management | | | | | |
| Biosecurity | 1,648,415 | 1,865,623 | 217,208 | 12% | 2,721,618 |
| Consents advice and information | 552,466 | 561,051 | 8,585 | 2% | 843,191 |
| Consents applications | 428,482 | 734,921 | 306,439 | 42% | 1,098,190 |
| Land and Biodiversity | 1,343,371 | 1,402,377 | 59,006 | 4% | 2,413,110 |
| Compliance Monitoring, Environmental incidents response, wa | 1,979,918 | 1,937,444 | (42,474) | -2% | 2,899,652 |
| State of the environment monitoring | 812,570 | 1,121,079 | 308,509 | 28% | 1,652,430 |
| Planning and policy | 1,336,773 | 1,604,573 | 267,799 | 17% | 2,614,141 |
| Total Resource Management | 8,101,995 | 9,227,067 | 1,125,072 | 12% | 14,242,332 |
| River Management | | | | | |
| River Management | 1,427,003 | 1,805,023 | 378,020 | 21% | 3,448,353 |
| Total River Management | 1,427,003 | 1,805,023 | 378,020 | 21% | 3,448,353 |
| Economic Development | | | | | |
| Economic development activities | 1,255,409 | 1,193,589 | (61,820) | -5% | 1,573,243 |
| Economic development projects | 618,420 | 613,812 | (4,608) | -1% | 1,505,747 |
| Total Economic Development | 1,873,829 | 1,807,401 | (66,428) | -4% | 3,078,990 |
| Hazard Management | | | | | |
| Civil defence and emergency | 362,884 | 368,671 | 5,786 | 2% | 546,519 |
| Natural hazard management | 409,991 | 622,444 | 212,453 | 34% | 930,473 |
| Oil pollution response | 68,706 | 83,371 | 14,665 | 18% | 127,311 |
| Total Hazard Management | 841,581 | 1,074,486 | 232,905 | 22% | 1,604,303 |
| Transport | | | | | |
| Harbour safety and navigation | 1,118,129 | 1,173,756 | 55,628 | 5% | 1,692,030 |
| Passenger transport administration | 1,342,921 | 1,500,845 | 157,924 | 11% | 2,316,330 |
| Regional transport management | 231,205 | 284,760 | 53,555 | 19% | 424,180 |
| Total Transport | 2,692,255 | 2,959,362 | 267,106 | 9% | 4,432,539 |
| Community Representation and Engagement | | | | | |
| Environmental education | 298,328 | 323,617 | 25,289 | 8% | 505,237 |
| Community Representation and Engagement | 1,435,380 | 1,324,082 | (111,297) | -8% | 1,890,390 |
| Total Community Representation and Engagement | 1,733,708 | 1,647,700 | (86,008) | -5% | 2,395,626 |
| Support Services and Commercial Investments | | | | | |
| Commercial | 205,894 | 241,410 | 35,516 | 15% | 364,403 |
| Communications | 670,888 | 672,495 | 1,607 | 0% | 1,079,431 |
| Finance and Information Technology | 2,033,891 | 2,150,646 | 116,755 | 5% | 3,904,591 |
| Information Management and Administration | 532,400 | 624,238 | 91,838 | 15% | 820,854 |
| Human Resources | 197,659 | 210,418 | 12,759 | 6% | 314,501 |
| Internal Transfers | (3,434,803) | (3,657,797) | (222,993) | 6% | (5,708,111) |

Council Detailed Report

Year to Date Report to 25 February 2014

| | | | | | Full Year Revised Budget |
|---|-------------------|-------------------|-----------------|-------------------|--------------------------|
| Total Council | YTD Actual | YTD Budget | Variance | Variance % | |
| Total Support Services and Commercial Investments | 205,929 | 241,410 | 35,482 | 15% | 775,670 |
| Total Expenditure | 16,876,301 | 18,762,449 | 1,886,148 | 10% | 29,977,813 |
| Net (Cost)/Surplus of Services | 3,976,265 | 1,530,139 | 2,446,126 | 160% | 1,616,703 |
| Other Gains | | | | | |
| Forestry Revaluation | - | - | - | - | 147,447 |
| (Loss)/Gain on Disposal of Financial Investments | (41,651) | | | | |
| Revaluation - Fair value of Financial Investments | (56,856) | | | | |
| Emissions Trading Scheme | - | - | - | - | 30,686 |
| Total Gains | (98,506) | - | - | - | 178,133 |
| Net (Cost)/Surplus of Service before transfer from/(to) Special Reserves | 3,877,758 | 1,530,139 | 2,446,126 | 160% | 1,794,836 |
| Transfers from/(to) Special Reserves | | | | | |
| Transfers from/(to) Land Management | - | 230,505 | 230,505 | 100% | 245,505 |
| Transfers from/(to) Awanui River | (117,108) | 89,920 | 207,029 | 230% | 211,774 |
| Transfers from/(to) Kaihu River | - | 22,029 | 22,029 | 100% | 2,295 |
| Transfers from/(to) Kaeo River Reserve | (444,259) | (186,663) | 257,597 | -138% | (191,374) |
| Transfers from/(to) Whangarei Urban River Reserve | (338,024) | (413,062) | (75,038) | 18% | 29,596 |
| Transfers from/(to) Priority Rivers Reserve | 58,802 | - | (58,802) | - | (20,553) |
| Transfers from/(to) Infrastructure Facilities Reserve | - | - | - | - | (132,895) |
| Transfers from/(to) Recreational Facilities Reserve | (536,500) | (631,979) | (95,479) | 15% | (814,721) |
| Transfers from/(to) Investment Fund Reserve | - | - | - | - | - |
| Transfers from/(to) Forest Income Equalisation Reserve | 159,279 | 218,791 | 59,512 | 27% | 596,848 |
| Transfers from/(to) Hatea River Reserve | 15,228 | (35,612) | (50,840) | 143% | (48,540) |
| Transfers from/(to) Environment Fund Reserve | - | - | - | - | 3,139 |
| Transfers from/(to) Investment and Growth Reserve | 393,937 | 461,415 | 67,478 | 15% | (1,661,087) |
| Transfers from/(to) Approved Carry Forwards General Fund | 21,217 | 78,084 | 56,867 | 73% | 398,000 |
| Transfers from/(to) Waipapa/Kerikeri River Reserve | (98,814) | (23,241) | 75,573 | -325% | 107,166 |
| Transfers from/(to) Community Investment Reserve | - | - | - | - | (245,114) |
| Net (Cost)/Surplus of Service after transfer from/(to) Special Reserves | 2,991,515 | 1,340,327 | 1,651,188 | 123% | 274,876 |

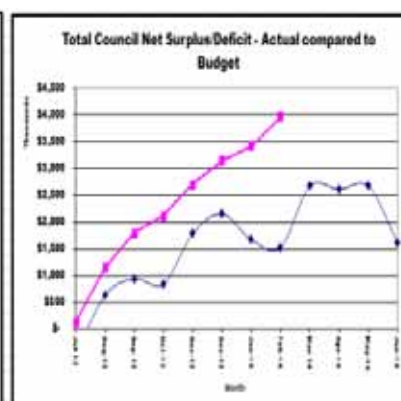
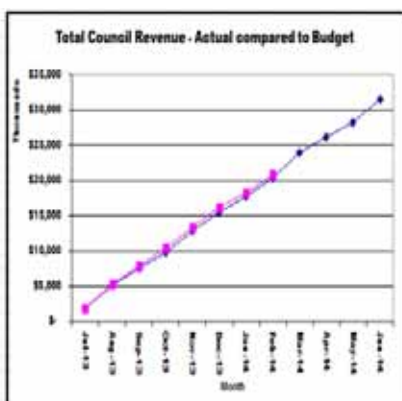
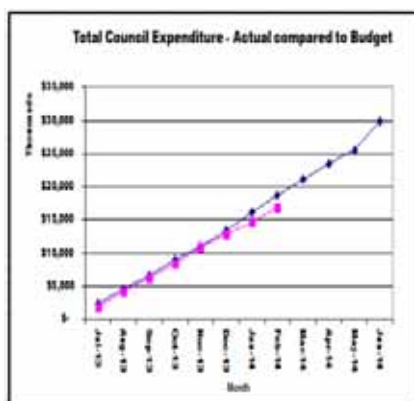
| | | | | | Full Year Revised Budget |
|--|-------------------|-------------------|-----------------|-------------------|--------------------------|
| Note 1: Total Expenditure by Type | YTD Actual | YTD Budget | Variance | Variance % | |
| Expenditure | | | | | |
| Labour Costs | 7,326,859 | 7,570,581 | 243,722 | 3% | 10,938,560 |
| Operations | 8,409,565 | 10,080,308 | 1,670,744 | 17% | 17,371,901 |
| Member Expenses | 385,064 | 357,042 | (28,022) | -8% | 535,562 |
| Depreciation | 754,610 | 754,524 | (86) | 0% | 1,131,791 |
| Finance Overheads | 3,435,006 | 3,657,791 | 222,785 | 6% | 5,708,109 |
| Internal Recharges | (3,434,803) | (3,657,797) | (222,993) | 6% | (5,708,111) |
| Total Expenditure | 16,876,301 | 18,762,449 | 1,886,148 | 10% | 29,977,813 |

Northland Regional Council FINANCIAL DASHBOARD

Year to Date Report to 25 February 2014

SUMMARY OPERATING RESULTS

| | 000's ACTUAL YTD | 000's BUDGET YTD | 000's VARIANCE YTD |
|---|------------------------|------------------------|--------------------------|
| Revenue (including other gains) | \$ 20,853 | \$ 20,293 | \$ 560 |
| Expenditure | \$ 16,877 | \$ 18,763 | \$ 1,886 |
| NET (COST)/SURPLUS BEFORE TRANSFERS FROM/(TO) RESERVES | \$ 3,976 | \$ 1,530 | \$ 2,446 |



KEY: Budget Actual

YTD EXPENDITURE VARIANCE INDICATORS BY COUNCIL ACTIVITY

| = negative (unfavourable) variance over 10% = negative (unfavourable) variance under 10% = positive (favourable) variance | FAV / UNFAV | | FAV / UNFAV |
|---|----------------|---|----------------|
| Resource Management | | Transport | |
| River Management | | Community Representation and Engagement | |
| Economic Development | | Support Services and Commercial | |
| Hazard Management | | | |

YTD CAPITAL EXPENDITURE BY COUNCIL ACTIVITY

| | \$000's | Brief Description of Major Items Purchased |
|---|-----------------|--|
| Monitoring | \$ 73 | Analysis Eq \$48K Instruments \$6K telemetry GPS \$4K Probes 15K |
| Biosecurity | \$ 6 | Optical equipment \$5K, Floating Dock \$1K |
| Emergency Management | \$ 1 | 42" TV and bracket |
| Land & Biodiversity | \$ 5 | Geovane & brushcutter |
| River Management | \$ 1,588 | Kotuku St properties and Public Works Act land, Kaeo Stopbanks |
| Commercial Investments | \$ 37 | Water reticulation Flyger Rd |
| Harbour Safety & Navigation | \$ 72 | Beacons \$42K, Salvage Pump \$1K, Vessel elec \$28K, Scan Kit \$1 |
| Oil Pollution response | \$ 2 | Canvas Cover, load straps & signwriting |
| Information Systems | \$ 278 | IRIS \$77K, Hware \$81K, Generator \$93K, T1 Packs \$8K, Sware \$19 |
| Support Services and Commercial | \$ 439 | 8 new vehicles, s/writing etc, shelving, air con, solar power, seismic |
| TOTAL CAPITAL EXPENDITURE YEAR TO DATE | \$ 2,501 | |

INVESTMENT PORTFOLIO YEAR TO DATE PERFORMANCE

At 25 February 2014 the investment portfolio has made a return of \$5.063M against a budgeted return of \$4.693M.

Consolidated Statement of Financial Position

| | Council As at 25 February 2014 \$ | Annual Plan 30-Jun-14 \$ | Council 30-Jun-13 \$ |
|---|---|--------------------------------|----------------------------|
| EQUITY | | | |
| Retained earnings | 115,982,262 | 107,269,799 | 112,990,747 |
| Other reserves | 9,311,829 | 18,143,888 | 8,425,585 |
| Total equity attributable to Northland Regional Council | 125,294,091 | 125,413,687 | 121,416,333 |
| Non-controlling interest in subsidiary companies | | | |
| TOTAL EQUITY | 125,294,091 | 125,413,687 | 121,416,333 |
| ASSETS | | | |
| Current assets | | | |
| Cash and cash equivalents | 20,692,893 | 7,000,725 | 15,889,952 |
| Trade and other receivables | 6,006,246 | 4,893,100 | 4,896,707 |
| Inventories | 3,127,987 | 3,165,500 | 3,127,987 |
| Other Investments | 480,000 | 11,190,362 | 9,222,258 |
| Total current assets | 30,307,126 | 26,249,687 | 33,136,903 |
| Non-Current Assets | | | |
| Other receivables | 5,419,817 | 5,256,299 | 5,395,453 |
| Investment property | 48,296,001 | 47,674,256 | 48,296,001 |
| Investments in subsidiaries and associates | 8,581,513 | 7,840,467 | 8,581,513 |
| Other investments | 12,437,175 | 14,247,205 | 9,859,589 |
| Property, plant and equipment | 19,434,659 | 27,226,723 | 20,186,617 |
| Intangible assets | 1,057,832 | 1,443,845 | 1,110,168 |
| Biological assets | 1,731,775 | 1,798,149 | 1,731,775 |
| Capital projects in progress | 2,528,152 | - | 56,420 |
| Total non-current assets | 99,486,925 | 105,486,945 | 95,217,537 |
| Total Assets | 129,794,051 | 131,736,632 | 128,354,440 |
| LIABILITIES | | | |
| Current liabilities | | | |
| Trade and other payables | 2,830,886 | 4,617,350 | 5,114,869 |
| Employee benefit liabilities | 1,633,026 | 1,656,126 | 1,787,191 |
| Total current liabilities | 4,463,911 | 6,273,475 | 6,902,059 |
| Non-Current Liabilities | | | |
| Employee benefit liabilities | 36,048 | 49,470 | 36,048 |
| Total non-current liabilities | 36,048 | 49,470 | 36,048 |
| Total Liabilities | 4,499,959 | 6,322,945 | 6,938,107 |
| NET ASSETS | 125,294,091 | 125,413,687 | 121,416,333 |

ITEM: 7.2

Page 1 of 2

ISSUE: Northland Inc. Limited Financial Report to 31 January 2014**ID:** A621276**To:** Council Meeting, 18 March 2014**From:** Simon Crabb, Finance Manager**Date:** 5 March 2014

Summary The purpose of this report is to present Northland Inc. Limited's financial statements for the seven months ending 31 January 2014. It concludes with the recommendation that this report be received.

| | | | | | | |
|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <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 January 2014 (**Appendix one**).
- Northland Inc. Limited - Profit and Loss Budget Performance Report to 31 January 2014 (**Appendix two**).
- Northland Inc. Limited - Balance Sheet Statement as at 31 January 2014 (**Appendix three**).
- Northland Inc. Limited – Cash flow for 2013-2014 (**Appendix four**).

In the 2013/14 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.

At the end of January 2014 council had paid its first, second and third quarter instalments totalling \$750 thousand from the Investment and Growth Reserve and \$75 thousand funded from rates. Council also paid \$159,652 plus GST to Northland Inc. Limited in December 2013 to reimburse extraordinary costs incurred on their transition and the audit of the Oyster Shell project.

The Northland Inc. Limited year to date result at 31 January 2014 and their forecasted year end operating result are both ahead of (better than) budget predominantly due to the \$159,652 plus GST received from council for the reimbursement of extraordinary costs. Furthermore, the cash-flow now appears to be manageable through to the end of the financial year.

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 2012-2022, and as part of

ITEM: 7.2

Page 2 of 2

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:

That the report "Northland Inc. Limited Financial Report to 31 January 2014" by Simon Crabb, Finance Manager, dated 5 March 2014, be received.



Report to NRC

Report By:

David Wilson

Dated:

28/02/2014

Subject:

Financial

Attached are the following reports;

Financial Reports

Profit & Loss Budget Performance to 31 January 2014

Report Summary; (notes also on spread sheet)

Revenue is tracking over budget by \$173,831 due to the reimbursement of costs from NRC and \$5,000 from KDC for the NIF project and the early invoicing out of the website priority listings, offset by the non funding expected from KDC \$10,000.

Expenditure is over budget by \$1,379 due to increased activity in the project area \$21,730 offset by savings in wages and overhead totals.

- Wages:
 - Tourism wage actual is due to contractors rate being higher than budgeted salaries and extra cover for Paihia office, the over spend against budget will be offset by savings due in last quarter.
 - Overheads are under budget by \$6,275
The surplus in the overhead areas, are mainly timing issues.
- Over budget items of note;
- Audit extra costs relating to June 2013
 - Vehicle Costs – Includes Interim CEO travel charge and ongoing repairs to owned vehicle
 - Communications is a timing issue.

- Project Expenses are over budget \$21,730
Over budget items;
Consultant – mileage for contractor was not included in the budget.
Activities – over spend in Investment and Sector areas.

Overall Summary;

The extra funding from NRC is evident in the variance \$172,455.

Profit & Loss Budget Performance Year End Forecast 2014

Report Summary; (notes also on spread sheet)

Revenue is expected to track above budget due to the reimbursement of extraordinary costs from NRC \$159,652 but is offset against expected non funding from KDC \$10,000 & uncertain funding from the Hewlett Street project \$35,000.

Expenditure is forecasted to track over budget by \$36,812 The additional reimbursement from NRC has allowed further possible expenditure in project areas, primarily Digital.

Overall Summary;

The yearend forecast surplus of \$190,478 will bring the organisation back to positive equity with a buffer of \$3,521.

Investment salary area includes a new position for Apr-June. Corporate salary area includes cover for front desk Apr – June.

The extra funding from NRC has been assigned to the shortfall in income = \$36,842 to extra expenses of \$36,812 leaving a variance of \$86,000 to offset against inherited deficit.

Balance Sheet as of January 31, 2014

Notes are detailed on the report.

Recommendation

- The Profit & Loss Budget Performance to 31 January 2014 is accepted.
- The Balance Sheet as of January 31, 2014 be accepted

Cash Flow forecast

- The cash flow reflects actuals against forecast to 31 January 2014.
- Note the creditors and debtors have been added to the forecast column to compare forecast against actual more accurately.
- With the addition of the reimbursement from NRC the actuals shows positive cash flow position to year end. March will need to be managed carefully.

Recommendation

- The Cash Flow forecast to June, 2014 be accepted

Northland Inc Ltd
Profit & Loss Budget Performance
July 2013 through January 2014

| | | | | Year End | | | Notes |
|-------------------------------------|------------------|------------------|----------------|------------------|------------------|----------------|-------|
| | Jul '13 - Jan14 | YTD Budget | Variance | Forecast Est | Annual Budget | Variance | |
| Ordinary Income/Expense | | | | | | | |
| Income | | | | | | | |
| Project Income | | | | | | | |
| Callaghan Innovations | 33,542 | 33,542 | 0 | 57,500 | 57,500 | 0 | |
| Far North Holdings | 55,000 | 55,000 | 0 | 55,000 | 55,000 | 0 | |
| MSD | 5,000 | 5,000 | 0 | 5,000 | 5,000 | 0 | |
| Kaipara District Council | 5,000 | 10,000 | -5,000 | 5,000 | 10,000 | -5,000 | 1 |
| Far North District Council | 5,000 | 5,000 | 0 | 5,158 | 5,000 | 158 | |
| Industry | 21,617 | 0 | 21,617 | 26,000 | 73,000 | -47,000 | 2 |
| NRC | 989,652 | 830,000 | 159,652 | 1,264,652 | 1,105,000 | 159,652 | 3 |
| NZTE | 100,625 | 100,625 | 0 | 172,500 | 172,500 | 0 | |
| Tourism NZ | 15,062 | 17,500 | -2,438 | 30,000 | 30,000 | 0 | 4 |
| Whangarei District Council | 90,000 | 90,000 | 0 | 125,000 | 110,000 | 15,000 | 5 |
| Total Project Income | 1,320,498 | 1,146,667 | 173,831 | 1,745,810 | 1,623,000 | 122,810 | |
| Total Income | 1,320,498 | 1,146,667 | 173,831 | 1,745,810 | 1,623,000 | 122,810 | |
| Expense | | | | | | | |
| Depreciation | 8,490 | 12,150 | -3,660 | 20,828 | 20,828 | 0 | |
| Wages | | | | | | | |
| Investment | 9,500 | 17,417 | -7,917 | 37,093 | 57,000 | -19,907 | 6 |
| Business Grow | 98,285 | 105,007 | -6,722 | 180,008 | 180,008 | 0 | 7 |
| Sectors | 25,345 | 24,782 | 563 | 25,345 | 24,782 | 563 | |
| Tourism | 149,053 | 137,733 | 11,320 | 231,786 | 236,114 | -4,328 | 8 |
| Corporate | 125,593 | 130,052 | -4,459 | 239,870 | 238,304 | 1,566 | 9 |
| Interim CEO | 21,574 | 21,500 | 74 | 21,574 | 21,500 | 74 | |
| Total Wages | 429,349 | 436,491 | -7,141 | 735,676 | 757,708 | -22,032 | |
| Overheads | | | | | | | |
| General Administrative | | | | | | | |
| Kiwisaver | 8,800 | 12,188 | -3,388 | 18,067 | 20,894 | -2,827 | 10 |
| FBT | 0 | 0 | 0 | 9,000 | 9,000 | 0 | |
| ACC | 2,664 | 4,179 | -1,515 | 2,664 | 4,179 | -1,515 | 11 |
| Accounting | 0 | 0 | 0 | 3,675 | 3,675 | 0 | |
| Audit Fees | 3,188 | 0 | 3,188 | 51,368 | 25,000 | 26,368 | 12 |
| Bank Charges | 576 | 525 | 51 | 900 | 900 | 0 | |
| Insurance | 5,585 | 6,500 | -915 | 10,621 | 10,621 | 0 | |
| IT Support | 10,958 | 10,752 | 206 | 17,291 | 17,291 | 0 | |
| Legal Fees | 55,000 | 55,000 | 0 | 56,000 | 55,000 | 1,000 | 13 |
| Meeting Expenses | 2,038 | 1,750 | 288 | 3,000 | 3,000 | 0 | |
| Subscription/Publications | 11,610 | 14,113 | -2,503 | 14,113 | 14,113 | 0 | 14 |
| Sundry | 5,099 | 4,740 | 359 | 8,138 | 8,138 | 0 | |
| Telephone & Fax | 12,335 | 11,851 | 484 | 19,178 | 19,178 | 0 | |
| Travel Costs | 4,570 | 4,814 | -244 | 8,253 | 8,253 | 0 | |
| Vehicle Costs | 19,118 | 14,233 | 4,884 | 31,281 | 24,400 | 6,881 | 15 |
| Total General Administrative | 141,541 | 140,645 | 896 | 253,549 | 223,642 | 29,907 | |
| Leases | | | | | | | |
| Operating Leases | 8,739 | 12,913 | -4,173 | 21,243 | 21,243 | 0 | 16 |
| Vehicle Leases | 6,584 | 9,802 | -3,219 | 10,919 | 16,804 | -5,885 | 17 |
| Total Leases | 15,323 | 22,715 | -7,392 | 32,162 | 38,047 | -5,885 | |
| Marketing | | | | | | 0 | |
| Communications | 9,875 | 6,000 | 3,875 | 9,875 | 10,000 | -125 | 18 |
| Total Marketing | 9,875 | 6,000 | 3,875 | 9,875 | 10,000 | -125 | |
| Office Supplies | | | | | | 0 | |
| Postage | 342 | 1,283 | -942 | 684 | 2,200 | -1,516 | |
| Stationery | 3,297 | 3,792 | -495 | 5,652 | 6,501 | -849 | |
| Total Office Supplies | 3,639 | 5,076 | -1,437 | 6,336 | 8,701 | -2,365 | |
| Premises costs | | | | | | 0 | |
| Cleaning | 3,587 | 3,871 | -283 | 4,587 | 5,471 | -884 | 19 |
| Electricity | 3,576 | 6,092 | -2,516 | 6,576 | 8,592 | -2,016 | 20 |
| Rates | 1,376 | 5,167 | -3,791 | 1,376 | 7,876 | -6,500 | 21 |
| Rent | 33,176 | 28,802 | 4,374 | 55,120 | 48,905 | 6,215 | 22 |
| Total Premises costs | 41,715 | 43,932 | -2,217 | 67,659 | 70,844 | -3,185 | |
| Total Overheads | 212,093 | 218,367 | -6,275 | 369,581 | 351,234 | 18,347 | |
| Director Expenses | | | | | | | |
| Fees | 28,143 | 28,292 | -149 | 55,062 | 48,500 | 6,562 | 23 |
| Meeting Expenses | 2,105 | 2,000 | 105 | 3,000 | 3,000 | 0 | |

Northland Inc Ltd
Profit & Loss Budget Performance
 July 2013 through January 2014

| | | | Year End | | | Notes |
|-----------------------------------|---|----------------|----------------|------------------|------------------|---------------|
| | Jul '13 - Jan14 | YTD Budget | Variance | Forecast Est | Annual Budget | |
| Travel Costs | 9,019 | 12,250 | -3,231 | 14,438 | 21,000 | 24 |
| Total Director Expenses | 39,267 | 42,542 | -3,275 | 72,500 | 72,500 | |
| Project Direct Costs | | | | | | |
| Consultants | 39,024 | 36,000 | 3,024 | 71,275 | 66,000 | 25 |
| Activity Costs | 249,989 | 231,283 | 18,706 | 296,922 | 261,700 | 26 |
| Total Project Direct Costs | 289,013 | 267,283 | 21,730 | 368,197 | 327,700 | |
| Total Expense | 978,212 | 976,833 | 1,379 | 1,566,782 | 1,529,970 | 36,812 |
| Net Ordinary Income | 342,286 | 169,834 | 172,453 | 179,028 | 93,030 | 85,998 |
| Other Income/Expense | | | | | | |
| Other Income | | | | | | |
| Interest Received | 3 | 0 | 3 | 2 | 0 | 2 |
| FBT contribution | 4,580 | 4,580 | -0 | 11,448 | 11,448 | 0 |
| Oyster Shell Project Income | 31,613 | 0 | 31,613 | 31,613 | 0 | 31,613 |
| Total Other Income | 36,196 | 4,580 | 31,616 | 43,063 | 11,448 | 31,615 |
| Other Expense | | | | | | |
| Oyster Shell Project | | | | | | |
| Oyster Project Expense | 31,613 | 0 | 31,613 | 31,613 | 0 | 31,613 |
| Total Other Expense | 31,613 | 0 | 31,613 | 31,613 | 0 | 31,613 |
| Net Other Income | 4,583 | 4,580 | 3 | 11,450 | 11,448 | 2 |
| Net Income | 346,869 | 174,414 | 172,455 | 190,478 | 104,478 | 86,000 |
| Notes | | | | | | |
| 1 Forecast | budgetted amount not expected, \$5k for NIF | | | | | |
| 2 Forecast | \$35k budgeted for Hewlett Street work - uncertain | | | | | |
| 3 Forecast | extraordinary costs recovered from NRC | | | | | |
| 4 YTD | timing | | | | | |
| 5 Forecast | extra funding for digital project | | | | | |
| 6 Forecast | inclusive of new position Mar - June | | | | | |
| 7 YTD | timing monthly budget includes portion of bonus | | | | | |
| 8 YTD | incorporates tracking overspend and current staff, | | | | | |
| 9 Forecast | incorporates new ea position starting Apri | | | | | |
| 10 YTD | due to employees being paid on contract for first six months now on employment contracts | | | | | |
| 11 YTD | payment to ACC actual | | | | | |
| 12 YTD | dispersment charges not budgeted, | | | | | |
| 12 Forecast | includes extra audit fee as advised by ANZ \$23k | | | | | |
| 13 Forecast | allowed extra \$1k for legal fees over budget | | | | | |
| 14 YTD | timing | | | | | |
| 15 YTD | damage repairs and maintenance on older vehicles, return of a leased car - costs for wear and tear, | | | | | |
| 16 YTD | timing | | | | | |
| 17 Forecast | allowed for Interest on NRC leased vehicle in Feb-June + existing leased car | | | | | |
| 18 YTD | timing | | | | | |
| 19 Forecast | Staff undertaking cleaning of office in Paihia | | | | | |
| 20 YTD | timing | | | | | |
| Forecast | electricity in Paihia part of rent | | | | | |
| 21 Forecast | savings on premise in Paihia, whg cost in rent budget | | | | | |
| 22 Forecast | increase for Paihia office & whg office rent increase from 1 Feb | | | | | |
| 23 Forecast | includes two new directors Apr-Jun | | | | | |
| 24 Forecast | est savings in travel | | | | | |
| 25 Forecast | travel component not budgeted | | | | | |
| 26 Forecast | savings in tourism offset against additional spend in investment and digital | | | | | |
| 27 | offset against wages | | | | | |
| 28 YTD | due to extra funding from NRC | | | | | |
| Forecast | ahead of budget surplus needed of \$186957 | | | | | |
| Summary | | | | | | |
| NRC extra funding covers | less income | 36,842 | | | | |
| | increase in exp | 36,812 | | | | |
| | variance | <u>86,000</u> | | | | |
| | | 159,654 | | | | |

Northland Inc Ltd
Balance Sheet
As of January 31, 2014

| | Jan,31 14 | Closing Balance Jun 30,13 | Movement | notes |
|--|----------------|---------------------------|-----------------|-------|
| ASSETS | | | | |
| Current Assets | | | | |
| Accelerater Account | 1,672 | 1,358 | 314 | |
| Project Account | 15 | 14 | 1 | |
| Cheque Account | 82,315 | 26,990 | 55,325 | |
| Petty Cash | 200 | 200 | 0 | |
| Total Chequing/Savings | 84,202 | 28,562 | 55,640 | |
| Accounts Receivable | | | | |
| Accounts Receivable | 152,191 | 135,800 | 16,390 | 1 |
| Total Accounts Receivable | 152,191 | 135,800 | 16,390 | |
| Other Current Assets | | | | |
| Accounts Receivable -yearend adj | 0 | 22,725 | -22,725 | |
| Prepayments | 0 | 3,800 | -3,800 | |
| Total Other Current Assets | 0 | 26,525 | -26,525 | |
| Total Current Assets | 236,392 | 190,887 | 45,505 | |
| Fixed Assets | | | | |
| Leased Equipment at Cost | 49,105 | 49,105 | 0 | |
| Accumulated Deprec Lease Eq | -47,061 | -44,455 | -2,606 | |
| Total Leased Equipment | 2,044 | 4,650 | -2,606 | |
| Office Equipmet | | | | |
| Office Equipment at Cost | 71,182 | 71,958 | -776 | |
| Accumulated Deprec OE | -39,262 | -36,191 | -3,071 | |
| Total Office Equipmet | 31,920 | 35,767 | -3,847 | |
| Vehicles | | | | |
| Vehicles at Cost | 24,986 | 28,043 | -3,057 | 2 |
| Accumulated Deprec | -10,365 | -7,552 | -2,813 | |
| Total Vehicles | 14,621 | 20,491 | -5,870 | |
| Total Fixed Assets | 48,585 | 60,908 | -12,323 | |
| TOTAL ASSETS | 284,978 | 251,795 | 33,183 | |
| LIABILITIES & EQUITY | | | | |
| Liabilities | | | | |
| Current Liabilities | | | | |
| NRC Oyster Commitment | 0 | 0 | 0 | |
| Accounts Payable | 53,227 | 220,982 | -167,754 | 3 |
| Total Accounts Payable | 53,227 | 220,982 | -167,754 | |
| Other Current Liabilities | | | | |
| Accuonts Payable - Year End adj | 0 | 75,719 | -75,719 | |
| Accruals | 18,900 | 41,954 | -23,054 | 4 |
| Income in Advance | 26,357 | 82,688 | -56,331 | 5 |
| Current Portion of Leases | 1,310 | 5,465 | -4,155 | |
| GST | 10,073 | -46,060 | 56,133 | |
| Holiday Pay Accrued | 18,502 | 58,004 | -39,502 | |
| Total Other Current Liabilities | 75,142 | 217,770 | -142,629 | |
| Total Liabilities | 128,369 | 438,752 | -310,383 | |
| Equity | | | | |
| Contributed Capital | 100 | 100 | 0 | |
| Equity | -148,612 | 28,004 | -176,616 | |
| Retained Surplus/Deficit | -41,749 | -38,445 | -3,304 | |
| Net Income | 346,869 | -176,616 | 523,485 | |
| Total Equity | 156,609 | -186,957 | 343,565 | |
| TOTAL LIABILITIES & EQUITY | 284,978 | 251,795 | 33,183 | |

notes

- 1 Recievables are mainly made up of NZTE\$16.5k/Callaghan\$5.5k/TNZ \$5k/FNHL \$34945/KDC \$8970/WDC \$51750 and website income \$21k
- 2 Sale of oldest vehicle
- 3 Payables are made up of, Infomtrics \$16k and rest Jan invoices
- 4 Accruals are made up of \$15k fbt liability 2013 & \$3900 digital exp not yet realised
- 5 Income in advance is made up of NIF \$21k/Far North Brox \$5k,

7/03/2014

ISSUE: Delegation to the Chief Executive Officer the Powers to Appoint Council Enforcement Officers (Local Government Act 2002, Resource Management Act 1991)

ID: A618372

To: Council Meeting, 18 March 2014

From: Tony Phipps Operations Director

Date: 20 February 2014

Summary The purpose of this report is to recommend to council that it provide the CEO the necessary delegation to enable him to appoint enforcement officers on behalf of the council.

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

Report:

In previous years, council has been asked to approve the delegation and the issuing of warrants (under the Resource Management Act 1991 and/or the Local Government Act 2002) to council employees to enable them to carry out their responsibilities as council enforcement officers.

However, under sections 32A (7th Schedule) of the Local Government Act 2002 and 38 of the Resource Management Act 1991, councils are provided with the power to delegate this responsibility to its Chief Executive Officer. The relevant sections of the LGA and RMA are **attached** to this report for reference.

To provide a streamlined process for this particular administrative function, it is proposed that council provide its Chief Executive Officer with the appropriate powers of delegation under section 32A of the Local Government Act 2002 and section 38 of the Resource Management Act 1991, to enable him in turn to approve council officer delegations and the issue of warrants of authority to council enforcement officers.

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: 8.1

Page 2 of 3

Recommendations:

1. That the report “Delegation to the Chief Executive Officer the Powers to Appoint Council Enforcement Officers (Local Government Act 2002, Resource Management Act 1991)” by Tony Phipps, Operations Director, dated 20 February 2014, be received.
 2. That council delegate to the Chief Executive Officer the power to authorise delegations and issue warrants to council enforcement officers under section 32A of the Local Government Act 2002 and section 38 of the Resource Management Act 1991.
-

Local Government Act 2002 – relevant section:**32A Delegation of power to issue warrants to enforcement officers**

- (1) A local authority may delegate to a committee or member or officer of the local authority the power to issue warrants to enforcement officers.
 - (2) A delegation under subclause (1) may—
 - (a) limit or restrict the exercise of the power; or
 - (b) impose conditions on the exercise of the power; or
 - (c) prohibit, in specified circumstances, the exercise of the power.
 - (3) The local authority must determine the matters in subclause (2) before acting under subclause (1).
 - (4) [Clause 32\(2\) to \(8\)](#), with all necessary modifications, applies to a delegation made under this clause.
- Schedule 7 clause 32A: inserted, on 7 July 2004, by [section 26\(14\)](#) of the Local Government Act 2002 Amendment Act 2004 (2004 No 63).

Resource Management Act 1991 – relevant sections:**34A Delegation of powers and functions to employees and other persons**

- (1) A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:
 - (a) the approval of a proposed policy statement or plan under [clause 17](#) of Schedule 1;
 - (b) this power of delegation.
- (2) A local authority may delegate to any other person any functions, powers, or duties under this Act except the following:
 - (a) the powers in subsection (1)(a) and (b);
 - (b) the decision on an application for a resource consent;
 - (c) the making of a recommendation on a requirement for a designation.

38 Authorisation and responsibilities of enforcement officers

- (1) A local authority may authorise—
 - (a) any of its officers; or
 - (b) any of the officers of any other local authority, or of the new Ministry, or the Department of Conservation, or Maritime New Zealand, subject to such terms and conditions as to payment of salary and expenses and as to appointment of his or her duties as may be agreed upon between the relevant authorities—
 to carry out all or any of the functions and powers as an enforcement officer under this Act.
- (2) A local authority may authorise any person who is—
 - (a) the holder of a licence as a property guard issued under [section 34](#) of the Private Security Personnel and Private Investigators Act 2010; or
 - (b) employed by a person authorised under paragraph (a) and who is—
 - (i) the holder of a certificate of approval issued under [section 40](#) of that Act; or
 - (ii) a person in respect of whom permission granted under [section 37](#) of that Act is in force—
 to exercise or carry out all or any of the functions and powers of an enforcement officer under [sections 327](#) and [328](#) (which relate to excessive noise).

ITEM 8.2

Page 1 of 4

ISSUE: Evaluation of the Merits of Supporting a National Marine Park Proposal for Northland's East Coast**ID:** A593862**To:** Council Meeting, 18 March 2014**From:** Justin Murfitt, Programme Manager - Resource Management and Michael Day, Policy Analyst**Date:** 20 February 2014

Summary The purpose of this report is to provide council with a suite of options to determine what extent, if any, council should continue to support the "National Marine Park for Northland" proposal. It concludes with the recommendation that the report be received and that council does not pursue a full business case assessment of the proposal.

| | | | |
|----------------------|---|--|--|
| Report Type: | <input checked="" type="checkbox"/> Normal operations | <input type="checkbox"/> Information | <input checked="" type="checkbox"/> Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> High | <input type="checkbox"/> Moderate | <input checked="" type="checkbox"/> Low |

Background:

In 2010, council received a proposal requesting support to establish a "national marine park" extending from Whāngārei Heads in the south to Cape Brett in the north, and extending out to sea to include the Poor Knights Islands (an area of approximately 1800 square km). The proponents of the park envisage it will increase fish stocks and enhance marine biodiversity and, in doing so, boost the recreational and tourism component of the Northland economy. The proponents seek to restrict commercial fishing, reduce recreational fishing catch and establish some "no-take" marine reserves (5% gross is suggested).

Based on the initial merits of the park proposal as a concept, council established a "working group". A key recommendation of the working group was for the council to fund a more detailed investigation of the proposed marine park to see if a "business case" can be developed. The council sought expressions of interest from consultants to undertake further investigation of the proposal.

In July 2013, a consortium comprising of Market Economics Ltd (M.E), Vince Kerr & Associates, Poynter & Associates Environmental Ltd, Andrew Stewart Ltd and Robert Makgill (Barrister) were awarded the contract to conduct initial scoping and review of the proposal and to provide preliminary recommendations on viability and how a "business case" could be developed.

The consortium finalised the scoping report in September 2013¹ (see **Attachment 1** for a copy of the scoping report). The scoping report recommends that council

¹ This paper was prepared for the November 2013 council meeting but the CEO and Chairman decided to defer it until the March 2014 council meeting, based on an assessment of the project relative to other council priorities, which includes local government reform and providing feedback to the Local Government Commission on their Draft Proposal for Reorganisation of Local Government in Northland.

ITEM 8.2

Page 2 of 4

proceed with a full business case assessment of the proposal. The key points raised in this report can be summarised as follows:

- Economic and recreational benefits are directly related to biodiversity gains, which in turn rely on meaningful marine protection in the form of a reserve network and/or commercial fishery restrictions.
- While there is no specific legislative mechanism to create a marine park, there are ways to achieve marine protection as proposed through the Marine Reserves Act 1971, amendment to fisheries legislation and the Resource Management Act 1991, or special purpose legislation (like the Hauraki Gulf Marine Park Act 2000 for example).
- Formation of a business case relies on an evidence base which clearly defines the current uses and values of the park area and identifies what uses are adversely impacting on the ecological health of the marine environment, including the scale of those impacts and where they are apparent.
- A business case should not necessarily be confined to the current proposal and boundary changes should be contemplated, particularly adjoining the coast. The extent of the park, including whether it should include significant coastal reserves and other protected land areas warrants more detailed consideration.
- The business case would identify a “recipe” to maximise ecological, economic and recreational benefits at least cost in terms of opportunity, administration and process costs. Assuming the results were positive, this “recipe” would then form the basis of consultation with iwi, stakeholders and the public generally.

Development of a business case is expected to take approximately one year at an estimated cost of around \$400,000².

The report also identifies potential procedural steps towards establishing the marine park, the key recommendation being that the concept be promoted initially through a Resource Management Act 1991 (RMA) spatial planning approach (i.e. zoning or overlays in the Regional Coastal Plan). The authors consider this would enable local interests to promote marine protection to reflect local interests (e.g. scientific, scenic, recreational or cultural).

They are also of the view that this bottom up approach is more in line with council roles and functions, whereas the top-down approach relies on a number of “fisheries management” changes (i.e. legislative change to fisheries regulations or use of the Marine Reserves Act) that are not within the ambit of council functions. (Please note that council has no ability to manage fisheries or promulgate marine reserves.) They also consider sustained economic benefits to the region could also be realised if the “new” smaller marine protected areas are strategically located with tourism and other economic potential in mind.

² The consortium who undertook the scoping report (led by Market Economics Ltd) have provided staff with a lower estimate of \$358,000 and a higher estimate of \$438,000 to undertake the full business case assessment for the marine park proposal

ITEM 8.2

Page 3 of 4

Discussion:

Staff agree that the marine park concept would create a number of benefits, provided it is founded on meaningful marine protection and subsequent biodiversity gains. This requires limits on fisheries harvest in the form of a network of “no-take” reserves and/or restrictions on commercial and possibly recreational catches. This level of marine protection requires legislative change beyond the functions of council and the scope of the RMA. While the RMA spatial planning approach can limit some activities (such as dredging, structures and point source discharges), it is not able to achieve the level of restriction on fisheries harvest and the biodiversity gains sought and costs are significant (potentially around \$300,000 for a straight forward plan change).

Staff agree that there is potential for a reserve network to bring ecological, economic, recreation and cultural benefits, particularly if smaller marine protected areas are strategically located with tourism and other economic potential in mind. Staff consider that this is best achieved under the Marine Reserves Act 1971, in consultation with the communities of interest. This would be a logical first step that would secure the marine protection elements that are vital to the concept and any complimentary RMA measures could follow.

Pursuing a marine park as proposed and attempting to change fishery legislation in the first instance is likely to be very contentious and difficult to argue (fisheries science is very complex and specialised and we do not have a lot of the necessary information). It is also likely to require an individual act of parliament (special purpose legislation), rather than utilising existing law. Special legislation will cost and will need significant political support at the national level.

There is no specific budget for this in the 2013/14 Annual Plan.

There are however opportunities to consider marine spatial planning and the identification of potential high value areas of our coastal environment as part of the regional plan review. This would complement the approach council has taken to marine spatial planning as part of its submission on the Auckland Unitary Plan.

Recommendation:

Given the difficulties with establishing a marine park that restricted commercial fishing, reduced recreational fishing catch and had some “no-take” marine reserves, staff do not recommend pursuing a full business case assessment of the marine park concept.

Instead, it is considered that efforts are best directed toward identifying potential reserve sites based on ecological values, with an additional consideration of maximising economic benefit through recreational use. It is the staff view that the Marine Reserves Act and the Department of Conservation/Ministry of Fisheries Marine Protected Areas Implementation Plan processes are the best means to achieve this. This is not something council can promulgate directly, however we can participate in any forum established to assess opportunities for marine protection in the Northland region (marine protection planning forums are tool identified in the Marine Protected Areas Implementation Plan). Council can also assist in providing information and in the strategic assessment of potential reserve sites on a case by case basis where merited.

Given the marine park concept relies on meaningful marine protection, the development of a network of smaller marine protected areas under the Marine Reserves Act would also be a logical first step in achieving a marine park in the future.

ITEM 8.2

Page 4 of 4

The network of smaller marine protected areas could form the backbone of the marine park concept, which could evolve progressively in any number of ways, either by way of special legislation and/or amendment to fisheries legislation. The regional plan review provides a golden opportunity to establish the base information on marine values and to test these with key stakeholders.

Council will be aware that there are other community groups in the region looking to progress marine park/reserve proposals (Bay of Islands and Whangaroa for example), which individually may have more chance of success than the larger marine park concept (i.e. these proposals might have a higher chance of success on ecological grounds which is the primary driver behind the Marine Reserves Act). It is considered that we do not have enough evidence that this marine park proposal is better than others in the region to justify exclusively pursuing this one over others. In addition the development of a network of smaller marine protected areas under the Marine Reserves Act could encompass the community aspirations of these other groups.

Conclusion:

The report by ME recommends council proceed with development of a business case for the marine park. It also recommends that a community of interest – led approach be used to establish protection through an RMA spatial planning framework as an initial step in creating the park. Staff consider there is merit in using the regional plan review process to explore whether an RMA approach is appropriate or could provide the platform for further complementary management.

The identification and establishment of a strategic network of no-take reserves under the Marine Reserves Act 1971 may follow.

It is therefore recommended that a full business case not be pursued as proposed in the report and the plan review process is used to test the concepts.

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.

With reference to section 79 of the Local Government Act 2002, this matter is considered to be of low significance under council policy as it is a matter of day to day operations provided for in the council's Long Term Plan.

Recommendations:

-
1. That the report "Evaluation of the Merits of Supporting a National Marine Park Proposal for Northland's East Coast" by Justin Murfitt, Programme Manager - Resource Management and Michael Day, Policy Analyst, dated 20 February 2014, be received.
 2. That council does not proceed with undertaking a full business case assessment of the national marine park proposal.
 3. That the Regional Policy Committee includes marine spatial planning with the process for the plan review.
-

ISSUE: Appointment of NRC Representative to Joint Working Party on Council Priorities and Shared Services (Triennial Agreement)

ID: A621007

To: Council Meeting, 18 March 2014

From: Vibeke Wright, Policy Advisor

Date: 4 March 2014

Summary The purpose of this report is to seek the council's appointment of a representative to the joint working party established as part of the recently approved Triennial Agreement between the constituent local authorities in Northland.

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|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input checked="" type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> | High | <input type="checkbox"/> | Moderate | <input checked="" type="checkbox"/> | Low |

Background:

The constituent authorities of Northland signed a triennial agreement (**Attachment A**) on 28 February this year as required by the Local Government Act 2002.

One of the new initiatives agreed as part of the agreement is to establish a joint working party whose role it will be to:

- Develop a list of common council priorities and present this back to the Mayoral Forum for approval within six months of entering into the agreement.
- Investigate the establishment of shared services that would provide efficiencies to the benefit of the ratepayers of Northland and present recommendations back to the Mayoral Forum for approval at each meeting of the Forum.

Each of the territorial authorities party to the agreement have been asked to put forward the names of a councillor and a senior staff member to act as their representatives on the working group. The regional council should make similar appointments to participate in the joint working party.

It is envisaged that a workshop will be held with the full council to develop its view on priorities and shared services, to be presented to the working party.

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 appointment of a representative to the joint working party is considered to be of low significance in terms of council's significance policy.

Recommendations:

1. That the report "Appointment of NRC Representative to Joint Working Party on Council Priorities and Shared Services (Triennial Agreement)" by Vibeke Wright, Policy Advisor, dated 4 March 2014, be received.
 2. That the Chairman Bill Shepherd and the Chief Executive Officer be appointed as the Northland Regional Council's representatives on the Joint Working Party on Council Priorities and Shared Services.
-

TRIENNIAL AGREEMENT

**Far North District Council, Whāngārei District Council, Kaipara District Council, and
Northland Regional Council**

Purpose of the Triennial Agreement

The parties to this agreement commit to working for the good governance of their district or region by acting collaboratively and ensuring that issues in common occurring within or impacting on the region are discussed openly and unnecessary duplication avoided. A Triennial Agreement is required by, and is made pursuant to, Section 15 of the Local Government Act 2002.

Responsibilities

Parties agree to communicate and co-ordinate their activities and be responsible for:

- Notification of major policy discussions which may have implications beyond the boundaries of the decision-making authority;
- Application of a “no surprises” policy whereby early notification is given between local authorities concerning significant policy or programmes before public announcements are made;
- Progressing issues agreed to by the Mayoral Forum;
- Resources are shared wherever possible to gain improved efficiency, effectiveness and increased levels of customer service;
- Abiding by group decisions, subject to the relevant authorities decision making processes; and
- Working together in the best interests of the people of Northland. Emphasis is to be placed on building credible and enduring relationships with all Northland local authorities, the neighboring authority of Auckland and central government.

RMA Regional Policy Statement

Under Section 3A of the First Schedule of the Resource Management Act, a Triennial Agreement must include agreement on the consultation process to review or change a policy statement. This part of the Agreement applies to the Regional Council preparing or varying a proposed regional policy statement or regional plan and also applies to changing or reviewing an operative regional policy statement or regional plan under the Resource Management Act (RMA). It also applies to territorial authorities / Districts preparing or varying a proposed district plan and changing or reviewing an operative district plan under the RMA. (Where this agreement refers to ‘Plan’, read also plan or policy statement change and variation.)

It is based on the principle of ‘no surprises’ - whereby early notice will be given over disagreements between councils concerning policy or programmes, before critical public announcements are made. The party promoting the plan shall initiate and manage the agreement actions, and four stages of interaction and consultation, outlined in **Appendix 1**. This Agreement encourages early and meaningful consultation across all stages.

The Regional Policy Statement (RPS) has already been approved and is proceeding to Stage 4 as set out in **Appendix 1**.

In this Agreement, the parties reaffirm their councils’ 26 August 2013 commitment to working collaboratively to -

- Seek representation on the national working party for RMA planning review
- Allocate staff resources to support political representations at a national level

- with a view to the development of a single plan for Northland

Furthermore the parties agree that staff who represent the region on any national working groups will report directly or indirectly to the Mayoral Forum on the activities and decisions of those groups.

New Regional Council Activities

Under Section 15(2) of the Local Government Act, a Triennial Agreement must include a statement of the process for consultation on proposals for new regional council activities. The Northland Regional Council will follow the process outlined in Section 16 of the Local Government Act 2002.

Common Council Priorities/Shared Services

The Mayoral Forum undertakes to establish a list of common council priorities, including their rationale, and agree criteria, priorities and resourcing for their implementation.

The Parties agree to establish a joint working party tasked to:

- i. develop a list of common council priorities and present this back to the Mayoral Forum for approval within 6 months of entering into this agreement.
- ii. investigate the establishment of shared services that would provide efficiencies to the benefit of the ratepayers of Northland and present recommendations back to the Mayoral Forum for approval at each meeting of the Forum.

Local Government Act 2002 Amendment Bill (No. 3)

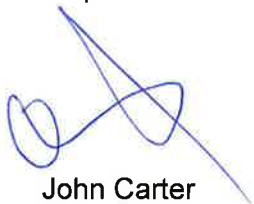
The parties commit to reviewing, with a view to implementing, the opportunities the new legislation provides to achieve greater efficiencies once enacted.

Meeting Times and Servicing the Triennial Agreement

- Mayors, regional Chairperson and their Chief Executives will at least annually review the performance of the agreement;
 - Servicing the agreement will be the responsibility of the Northland Regional Council. Servicing involves providing secretarial services and acting as a media and communications contact (including the provision of information to the public on request) in relation to matters covered in the agreement.
 - The Mayor of the Whāngārei District Council shall chair the Mayoral Forum for the first 12 month period and thereafter the position shall rotate by agreement.
- Meetings are to be held quarterly, with the location and hosting to rotate between the parties.
- In the event of a disagreement over the terms of this agreement, the parties agree to refer the issue of disagreement to mediation for non-binding resolution. If no agreement on a mediator is forthcoming a mediator will be appointed by the President of the Auckland District Law Society.

AUTHORITY

This agreement is signed on 23 February 2014, by the following on behalf of their respective authorities.



John Carter
Mayor



John Robertson
Commissioner



Sheryl Mai
Mayor



Bill Shepherd
Chairman



WHANGAREI
DISTRICT COUNCIL



RMA Regional Policy Statement and Plans

Appendix 1

The Agreement, and this appendix for RMA RPS and plans, aims to:

- ensure good practice and early consultation between councils during plan preparation, changes and review;
- avoid possible misunderstandings of respective roles and statutory obligations;
- clearly define when comments and/or submissions by either party are appropriate; and
- establish an agreed process to be followed, including expectations and timeframes.

There are four stages of interaction and consultation:

- pre-plan
- draft plan (a matter of best practice rather than legally required)
- notified plan
- appeal to Environment Court.

1. Pre Plan

In this stage all parties will take full advantage of the opportunity to fully understand each other's position, provide initial assessments of issues or matters likely to be of concern and explore techniques and methods to achieve the desired outcomes.

This phase will focus on significant points of difference. Effort will be spent on resolving these differences. Minor points of difference will not get in the way of the parties dealing with the significant ones.

Once the reasons for the plan are understood and the areas of difference are established then the parties will decide if further progress can be made to resolve these differences and a process and timeframe to move forward will be established and these matters will be recorded.

2. Draft Plan

When a plan reaches a **draft stage** and **before it has been approved for notification by Council** for formal statutory consultation, it shall be forwarded to Councils in the region for their comment (i.e. this phase occurs before public notification of a proposed Plan). This stage may be formal or informal. (It can occur alongside consultation with the wider community.)

A presentation to affected Councils on the draft plan will, where possible, occur.

Council comments on a draft plan will usually be:

- discussed with or reported to the Council, and
- represent the organisational view.

To avoid confusion, and for transparency, comment should include a summary of any positions reached in pre-consultation. Comments should relate to policy implications (and assuming the above process has been followed) they should highlight the points of difference already identified. Comments should clearly distinguish between significant and more general matters.

Comments by Districts on the RPS or regional plans should be clearly referenced to the Council's LTP and/or any relevant policy or operational document (including existing or emerging growth strategies and models). All comments made should explain the impacts on the Council in terms of cost, practicality, necessity and reasonableness in sufficient detail to be credible and stand scrutiny, i.e. in such a way that can be used in a section 32 RMA analysis. In making comments Districts should also highlight how the Regional Council can meet its statutory functions and responsibilities while addressing or taking on board the District's comment.

Matters not resolved at this stage are likely to be the subject of formal submissions. Unless the draft plan changes significantly, no new issues would be expected to arise once the plan is notified.

Senior managers of the Councils involved will review the position reached and satisfy themselves that the procedural requirements have been followed and all reasonable steps have been taken to resolve matters still in dispute. If a senior manager, in consultation with their Chief Executive Officer, is not satisfied then the matter may be escalated to the parties' respective governance level.

Stage 3 Notification

Submissions in opposition from a party should not be a surprise and should relate only to significant matters already commented on, unless the plan has been materially changed between draft and notification.

A second tier manager will carefully review any submission prior to its approval to ensure:

- it is well founded in terms of policy or other relevant criteria
- it is a significant matter on its own or gives rise to significant implications for the Council in carrying out its responsibilities and/or implementing its policy
- it specifies a means of relief that is appropriate.

All District submissions (except further submissions) on a proposed (new) RPS will be approved by the relevant Council. This assumes there will be no significant regional plan changes while the (new) RPS is being developed.

All Regional Council submissions (except further submissions) on proposed (new) District Plans will be approved by the Regional Council (time permitting).

Given that significant matters are involved to justify a submission, relevant staff are expected to appear at the hearing.

Stage 4 – Environment Court

By this stage every effort will have been made to resolve significant differences efficiently and cost effectively.

Mediation will be used where parties genuinely wish to find common ground. At times a Court decision will be preferred or will be necessary, for example where a point of law or a difference of professional opinion is at issue.

Councils may also engage before these four stages of interaction and consultation. For example, councils could be invited to express any issues of concern before Step 1.

ISSUE: Request for Confirmation of Council's Late Submissions Policy**ID:** A621036**To:** Council Meeting, 18 March 2014**From:** Kathryn Ross, General Manager - Planning and Policy**Date:** 4 March 2014

Summary The purpose of this report is to ask council to confirm its existing policy on late submissions. It concludes with the recommendation that the existing policy is confirmed.

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

The council has an existing late submissions policy and process (**attached**) that applies to Local Government Act (LGA) consultations. It was applied during the Draft Annual Plan 2013/14 process and worked well. Only one late submission was received and it was incorporated into the hearings process in line with the policy. There was, however, a low volume of submissions which made this simple to do.

The policy is clear and has worked to date. It is therefore recommended that it continue to apply to council's LGA consultations and is reviewed triennially after each Long Term Plan consultation.

Legal compliance and significance assessment:

The recommended decision is of low significance, meets sections 76-82 of the Local Government Act 2002 and the consultation principles. It also directly promotes the purpose of local government.

Recommendations:

-
1. That the report "Request for Confirmation of Council's Late Submissions Policy" by Kathryn Ross, General Manager - Planning and Policy, dated 4 March 2014, be received.
 2. That council re-adopts its "Late Submissions Policy" and reviews it each triennium following the adoption of its Long Term Plan.
-

ISSUE: Submission on the Proposed Auckland Unitary Plan**ID:** A620638**To:** Council Meeting, 18 March 2014**From:** Justin Murfitt, Programme Manager - Resource Management**Date:** 3 March 2014

Summary The purpose of this report is to advise council of the submission on the Proposed Auckland Unitary Plan approved by the Regional Policy Committee at its meeting of 24 February 2014. It concludes with the recommendation that staff consider the need to attend the hearings after considering recommendations in response to submissions.

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|----------------------|-------------------------------------|----------------------|--------------------------|-----------------------|-------------------------------------|---------------------|
| Report Type: | <input checked="" type="checkbox"/> | Normal operations | <input type="checkbox"/> | Information | <input checked="" type="checkbox"/> | Decision |
| Purpose: | <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 |
| Significance: | <input type="checkbox"/> | High | <input type="checkbox"/> | Moderate | <input checked="" type="checkbox"/> | Low |

Background:

On 30 September 2013 Auckland Council notified its Proposed Auckland Unitary Plan. This is a combined regional and district planning document developed under the Resource Management Act 1991. It includes the regional policy statement, regional plan and district plan for the Auckland region. It replaces the existing regional policy statement and 13 existing district and regional plans.

The Proposed Auckland Unitary Plan was the subject of an item to the council meeting of 28 January 2014. The item highlighted potential submission points and recommended that a draft submission be developed by staff. The item also recommended that the draft submission be considered and approved under authority delegated to the Regional Policy Committee.

Discussion:

The Regional Policy Committee discussed the draft submission and the Proposed Auckland Unitary Plan at the meeting of 24 February 2014. The committee approved the submission (**attached**). The Regional Policy Committee stated that council wished to be heard in hearings on the matter. The submission was lodged prior to close of consultation on 28 February 2014 and has been acknowledged by Auckland Council.

Auckland Council intends to publish all submissions online by the end of May 2014 and publicly notify a summary of submissions. This provides an opportunity for further submissions in support or opposition to original submissions. The Auckland process is a little unique in that the eight member hearings panel has been appointed by Environment Minister Amy Adams and Conservation Minister Nick Smith.

ITEM: 8.5

Page 2 of 2

Hearings have yet to be scheduled. It is recommended that staff consider the need to attend the hearings and present evidence after considering submissions and any recommendations to the hearings panel. If attendance at the hearings is considered necessary, it is recommended that staff appear on council's behalf under delegated authority due to the technical nature of the questions usually asked by hearings commissioners.

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 the implications of the submission being accepted are considered to be of low significance.

Recommendations:

1. That the report "Submission on the Proposed Auckland Unitary Plan" by Justin Murfitt, Programme Manager - Resource Management, dated 3 March 2014, be received.
 2. That staff assess the need to attend hearings on the Proposed Auckland Unitary Plan after considering submissions and recommendations thereon to the hearings panel.
 3. That should attendance at the hearings be warranted, council delegates authority to the General Manager - Planning and Policy to appear and present evidence on behalf of council.
-

Submission
by
Northland Regional Council
to the
Auckland Council
on
The Proposed Unitary Plan

February 2014



1. Introduction

The Northland Regional Council (the regional council) appreciates the opportunity to submit on the Proposed Unitary Plan for Auckland (the unitary plan). Our submission is primarily focussed on the potential for greater alignment and consistency between the planning frameworks of both regions. We also seek to highlight areas where there is potential for cross boundary issues or where inconsistencies may arise in resource management approaches.

2. Background

The regional council released its decisions on the Proposed Regional Policy Statement for Northland (RPS) in September 2013. This second generation RPS represents a significant change for the region, particularly in the more targeted approach to issues of regional significance, the greater emphasis on well-being and the benefits of infrastructure. It also gives effect to key elements of national policy statements.

We are also due to review our three regional plans (air, coastal and land and water). Our Regional Pest Management Strategies are also due for review by 2015. These reviews and subsequent plan revisions will implement the direction given in our new RPS and further implement national policy. It will also provide an opportunity for greater alignment between the Auckland and Northland regions at plan level. We would welcome input from Auckland Council in the development of these documents.

A key element in the review and revision of our regional plans will be the implementation of the National Policy Statement for Freshwater (NPS FM). The regional council has developed an implementation programme that includes both interim and catchment specific approaches. While we have provided policy direction on this in the new RPS, it has yet to be given effect to in plans. Logically this will occur after the plan review process is complete. Integration of water management programmes across the jurisdictional boundary would be logical and we support a consistent cross boundary approach for the management of Kaipara Harbour catchments and water takes from aquifers and streams that flow between regions.

3. General Comments

We acknowledge that providing for growth and managing subsequent pressure on natural and physical resources is a significant issue for the Auckland region. Growth in Auckland has implications for Northland, particularly in terms of demands on infrastructure and resources such as minerals and primary products. We consider that overall the unitary plan provides a good platform to achieve the outcomes sought by 2040 in the Auckland Spatial Plan.

We particularly support the spatial planning element in the unitary plan as this approach is clear and provides certainty by defining opportunities for growth, identifying highly valued areas for protection and setting priorities for use and development. We also support the recognition that decisions on Auckland's physical infrastructure affect neighbouring regions (Issue 1.2 Page B6).

We support the identification (mapping) and protection of natural character, landscapes and features. Our review suggests that while there is some difference in the manner these have been assessed and identified, the resulting maps appear reasonably coherent across shared boundaries, namely the Kaipara Harbour and at Mangawhai.

We note the precautionary approach to Genetically Modified Organisms (GMO's) at B18 and subsequent plan provisions that regulate outdoor use. The regional council's decisions on the RPS align with the unitary plan's precautionary approach but also differs by not specifically regulating this activity, which could include assuming liability in

the form of consent conditions and bonds. This area of our RPS is under appeal and we will keep you updated with the progress on appeal resolution.

4. Specific comments by topic

Strategic infrastructure and minerals

- i. We welcome recognition that strategic infrastructure is important for facilitating population and economic growth across administrative boundaries (Chapter 1, Part B of the Regional Policy Statement). Northland is reliant to a large degree on linear infrastructure passing through the Auckland Region. Examples include: the Transpower 220kv dual circuit line from Otahuhu to Ruakaka, the oil pipeline from Marsden Point to Wiri terminal in Auckland, the gas pipeline from the Taranaki Region through Auckland to customers in Whangarei and Kaipara as well as State Highway 1 and the North Auckland Rail Line. Another major shared interest is in the role of ports in the upper North Island, a focus of recent work through the Upper North Island Strategic Alliance (UNISA).
- ii. It is important to avoid adverse effects from incompatible activities where they may affect the operation and maintenance of existing infrastructure as well as placing restrictions on any future expansion. Another linked factor is ensuring that any new infrastructure is appropriately designed and sited to maintain its resilience; there have been examples in the past of where infrastructure has become compromised affecting the provision of services in both Auckland and Northland. Although in recent years new infrastructure has increased the resilience of the strategic infrastructure network, threats remain and may increase during the life of the plan.
- iii. As linear infrastructure must often pass through low lying land in the Auckland Isthmus, resilience may come under threat from sea level rise, coastal inundation and severe weather events, all predicted to increase as a result of climate change. As linear infrastructure can travel many hundreds of kilometres, a single major break in the network can affect many thousands of consumers, especially where there are no alternative corridors available. Another issue is the limitations of space where new growth can locate in Auckland (most growth, due to constraints, is predicted to occur to the north and south of the city¹) and the greater likelihood that this growth will need to locate around existing infrastructure corridors. While this is good for integrating development with existing infrastructure it could potentially give rise to reverse sensitivity effects as well as compounding pressure on existing capacity.
- iv. Although there is some general discussion of these themes in Chapter 1, Part B (the Regional Policy Statement) the document would benefit from more specific recognition of the particular threats to long distance linear infrastructure (such as those mentioned above) and the regional and national consequences of any disruption in supply. If infrastructure is damaged through natural hazard events for example, alternative corridors may need to be sought and this assumption should be integrated into future planning.
- v. We support the development of strategic transport corridors around existing transport designations to provide more flexibility for the use of these corridors

¹ Auckland Wide Development Strategy, Auckland Plan. <http://theplan.theaucklandplan.govt.nz/wp-content/uploads/2012/07/Map-D.1-Development-Strategy-Auckland-Wide-120618.pdf>

with other compatible activities. Concentrating strategic infrastructure into shared corridors where this is practicable is also supported.

Relief Sought: Include additional strategic context in the Unitary Plan on the threats to linear infrastructure, in particular regionally and nationally significant infrastructure passing through Auckland and the importance of planning to maintain a security of supply.

- vi. The development of strategic transport corridors around existing transport designations to provide more flexibility for the use of these corridors with other compatible activities is supported. The identification of State Highway 1 up to the northern boundary and the Kaipara Coast Highway as strategic transport corridors is also supported. Most of the North Auckland rail line also appears to be identified as such, but parts of the rail corridor north of Wellsford appear to have been omitted.

Retain the strategic transport corridor overlays over State Highway 1 and Kaipara Coast Highway. Identify the remainder of the Northland – Auckland rail corridor north of Wellsford as a strategic transport corridor.

- vii. We note the reference to the role of the Waikato region's infrastructure and mineral/aggregate industry in Part 1 Chapter B (11) in supporting growth in Auckland. Northland too has significant mineral resources including aggregates as well as untapped renewable energy potential. Given the improving transport and infrastructure connections between Auckland, Northland and the Waikato it would be useful to acknowledge that there is the potential for greater transfer of resources between the three regions.

Relief Sought: Include Northland in the discussion on infrastructure and minerals/aggregates from the Waikato region supporting Auckland's growth. Part 1 Chapter B (11).

Natural character and landscape values

- i. The regional council has recently undertaken mapping of the landward boundary of the Coastal Environment, Outstanding Natural Landscapes and Outstanding Natural Features and High and Outstanding Natural Character as part of the Proposed Regional Policy Statement for Northland. This has provided everyone with a clearer picture of where Northland's most important natural values are located, providing more certainty to resource users. Auckland has undertaken a similar exercise, mapping Outstanding Natural, Outstanding Natural Features and High and Outstanding Natural Character and this is supported. Understandably with differing methodologies used in applying New Zealand Coastal Policy Statement policies 13 and 15 (NZCPS), there are some inconsistencies in the mapping between the two jurisdictions. For example a larger proportion of the Kaipara Harbour is ranked as having high natural character in the Northland Region.
- ii. We note the unitary plan does not define the physical extent of the Coastal Environment. We consider doing so provides greater certainty as to where the NZCPS policies apply (and where they do not). Defining the coastal environment also provides some leverage in providing for growth, consolidation and protection of high value areas given the strategic intent in NZCPS policies 6 and 7. While we recognise definition of the coastal environment is not an explicit requirement of the NZCPS, our analysis undertaken with the Proposed RPS indicated that

doing so removes uncertainty, reduces costs (e.g. case by case assessment of whether a given site is within the coastal environment) and provides the ability to promote growth in appropriate areas. We would support and encourage this to occur in the unitary plan and would be happy to outline the way this was done in Northland.

- iii. While both Auckland and Northland use a similar 'zone' based approach in respective coastal plans, there are differences in the coastal plan zones between the two jurisdictions. For example the Northland Regional Coastal Plan currently identifies most of the outer reaches of the Kaipara Harbour for the highest level of protection by applying a Marine Management 1 Area (MM1). Most of the Auckland portion of Kaipara Harbour by contrast is within the 'General Coastal' zone where less strict rules apply.
- iv. This means there may be some inconsistencies in resource management between the two jurisdictions where activities or resource uses located in the Auckland half of Kaipara Harbour will potentially be subject to different rules and standards to those locating in the Northland Region. An example of this is new aquaculture activities which are 'prohibited' in MM1 areas in the Northland Regional Coastal Plan but are 'discretionary' in the General Coastal Zone of the unitary plan. This difference will be most apparent in considering proposals at or near the jurisdictional boundary where, in water space with otherwise similar characteristics, activities will have quite different consent activity status.
- v. Despite this, both planning jurisdictions recognise the sensitivity of certain parts of the Kaipara Harbour including areas around the mouth and upper arms, to new use and development. Ultimately, it is important therefore that there is a consistent approach to managing the whole of the Kaipara Harbour between jurisdictions. We therefore support the commitment in the unitary plan to participate in any future initiatives to achieve this goal, including discussing the feasibility of developing a joint marine spatial plan for the Kaipara Harbour. Such an approach could integrate different management approaches, including those developed under legislation other than the Resource Management Act (for example strategies under the Fisheries Act and Biosecurity Act) and include working with central and local government and Iwi. The current development of a Hauraki Gulf Marine Spatial Plan could provide a blueprint for this approach and in the Kaipara context may involve forum such as the Joint Kaipara Harbour Political Committee and the Integrated Kaipara Harbour Management Group.
- vi. A marine spatial plan for the Kaipara Harbour, if feasible, is likely to be a long term goal however there are shorter term opportunities for greater alignment - for example the regional council is currently in the process of reviewing the Regional Coastal Plan for Northland and in particular its MM1 zone in the Kaipara Harbour. Such a process will need to involve partners such as Auckland Council. ,

Relief Sought:

Consider defining the landward boundary of the coastal environment in the unitary plan.

Retain the commitment in the unitary plan to participate in any future initiatives to develop a joint marine spatial plan for the Kaipara Harbour.

Water management

- i. We understand Auckland Council is in the process of developing management zones (or freshwater management units) along with a methodology, a process for developing catchment-specific objectives and limits and timeframes by which this is to be achieved. Northland is in a similar position and the timing would enable integration across boundaries where appropriate. We would like to work with you to enable a consistent cross boundary approach for the management of Kaipara Harbour and the management of water takes from aquifers and streams that flow between regions. We recommend that this be made explicit in the unitary plan in Chapter B Section 11.

Relief sought: *That the need for an integrated approach to freshwater management across the Auckland – Northland boundary be included in Chapter B at 1.6 (B18).*

Biodiversity (including Biosecurity)

- i. Biodiversity values including nationally and internationally significant sites located outside the Auckland Region are threatened by biosecurity incursions originating from the Auckland Region. Whilst the control of pests occurs largely through functions under the Biosecurity Act, RMA planning provisions have an important role to play in pest management and protection of indigenous biodiversity values.
- ii. The spread and introduction of marine pests is of particular concern for Northland. The vectors for marine pests include both international and inter-regional vessel movements. We see the need to compliment Biosecurity Act measures with controls under the Resource Management Act. There is an ability to impose conditions of consent on marine structures and development to limit the spread of marine pests provided the ability to do so is explicit in the coastal plan. We consider there are grounds under Policy 12 of the NZCPS to strengthen the provisions in the coastal component of the unitary plan, particularly in the matters of discretion and assessment criteria so they are not just limited to Significant Ecological Areas (SEA) but apply more broadly.

Relief sought: *That the matters of discretion and assessment criteria in Part 3, Section 6 at 5.1 and 5.2 should include consideration of the potential for the activity to contribute to the spread of marine pests, a requirement for monitoring and the need for a marine pest management plan.*

- iii. As noted above, the regional council will be reviewing its operative pest strategies (including the marine pest strategy) over 2014-2015. We see this as an opportunity to consider the merits of cooperative pest management programmes between the regions, particularly for the management of marine pests.

5. Conclusion

Overall we are supportive of the approach taken in the Proposed Auckland Unitary Plan. Whilst we consider there are some areas of the document that could be improved, particularly around the cross-boundary management of strategic infrastructure, freshwater, harbours and pest management, the document is nevertheless a significant achievement. It not only simplifies things considerably by consolidating the number of planning documents that currently exist in the Auckland Region but it also enables a more integrated approach to be taken to growth, protection and use and development.

We are not a trade competitor and could not gain an advantage in trade competition through this submission.

We wish to be heard in relation to this submission and if others make a similar submission, will consider presenting a joint case with them at a hearing.



Signed: _____

Councillor Graeme Ramsay
Deputy Chairman
(on behalf of Northland Regional Council)

Dated: 24 February 2014

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**ISSUE: Regional Software Holdings Limited (RSHL)
2014/15 Draft Statement of Intent and Six Monthly
Report to 31 December 2013**

ID: A621297

To: Council Meeting, 18 March 2014

From: Simon Crabb, Finance Manager

Date: 5 March 2014

Summary The purpose of this report is to present Regional Software Holdings Limited's draft Statement of Intent for 2014/15 and six monthly report to 31 December 2013. It concludes with the recommendation that this report and its attachments are received and that the Chairman be delegated authority to provide feedback to Regional Software Holdings Limited on its Statement of Intent 2014/15.

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

Background:

Regional Software Holdings Limited (RSHL) is a council controlled organisation established initially to own and manage the on-going development of the Integrated Regional Information System (IRIS).

Council has a 16.75% shareholding in RSHL and the Chief Executive Officer is a Director. According to Schedule 8 of the Local Government Act 2002: *"The board of a council controlled organisation must deliver to its shareholders a draft statement of intent on or before 1 March each year"*.

Furthermore: *"The board must –*

- (a) *Consider any comments on the draft statement of intent that are made to it within two months of 1 March by the shareholders; and*
- (b) *Deliver the completed statement of intent to the shareholders on or before 30 June each year."*

Discussion:

Attached are the following reports supplied by RSHL:

- RSHL Draft Statement of Intent for 2014/15 (**Appendix one**). Initial review of the document confirms it includes the necessary content as per clause 9(1) of schedule 8 of the Local Government Act 2002 and it was received by council within the statutory timeframe.
- RSHL six monthly report to its shareholders for the period 1 July 2013 to 31 December 2013 (**Appendix two**).

ITEM: 8.6

Page 2 of 3

If council wishes to give feedback on the Draft Statement of Intent it needs to do this by 30 April 2014. The Chief Executive Officer is a Director of the company and is responsible (with the other Directors) for the Draft Statement of Intent. It would be appropriate for the council to hear his views on the draft given he is appointed to the board because of council's interest in the company, but it would not be appropriate for him to give feedback under delegated authority. (Each shareholder has the right to appoint one director, who may be their CEO, a person nominated by the CEO or an independent director.)

Council has previously delegated responsibility for its RSHL shareholder responsibilities to the Audit and Risk Committee, which in turn delegated responsibility to the Chairman (Cr Shepherd) on 26 November 2013. It is therefore anticipated that council will not want to give direct feedback itself but will continue to rely on this delegation. (Please note the committee is not due to meet again until 20 May 2014, which is after the deadline for feedback.) It is recommended that the Chairman report any feedback he has given on behalf of council, to the committee or council at this time.

In line with the existing Statement of Intent (and provided for in the draft for 2014/15) RSHL has provided its six monthly report within two months of the end of the first half of the financial year. While the Chief Executive Officer is not present at this council meeting, the only new information he has to report is that Datacom has acquired Origen Technology Limited in a move to further strengthen a considerable presence and commitment to delivering local government software and solutions. Origen is a Tauranga-based technology company that has developed and extensively deployed Ozone, a world-class enterprise software platform for local authorities. From a Regional Software Holdings Limited (RSHL) perspective this has more upsides in that there is little conflict between Origen's Ozone product and the IRIS application. Datacom have advised RSHL that IRIS is their recommended solution for regional councils and Origen Ozone for local authorities.

Legal compliance and significance assessment:

Schedule 8(2) of the Local Government Act requires the board of a council controlled organisation to deliver to its shareholders a draft statement of intent on or before 1 March each year. A Statement of Intent is the mechanism by which shareholders can influence the direction of the organisation and provide a basis for the accountability of the directors to their shareholders for the performance of the organisation. The potential loss of control of a council controlled organisation is deemed a significant matter; hence the content of a statement of intent must be a careful consideration of council.

Recommendations:

1. That the report "Regional Software Holdings Limited (RSHL) 2014/15 Draft Statement of Intent and Six Monthly Report to 31 December 2013", by Simon Crabb, Finance Manager, dated 5 March 2014, be received.
2. That the Regional Software Holdings Limited Draft Statement of Intent 2014/15 be received.
3. That the Regional Software Holdings Limited Six Monthly Report to 31 December 2013 be received.

ITEM: 8.6

Page 3 of 3

4. That the Chairman provides any necessary feedback to Regional Software Holdings Limited on its Draft Statement of Intent 2014/15 by 30 April 2014 and reports any feedback or the non-provision of feedback to the Audit and Risk Committee in May 2014.
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ISSUE: Business with the Public Excluded**ID:** A622029**TO:** Council Meeting, 18 March 2014**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.

Recommendations:

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 |
|----------|---|--|
| 9.1.1 | Confidential Minutes of the Council Meeting – 28 January 2014 | The reasons for excluding the public are as stated in the minutes of the open section of that meeting. |
| 9.1.2 | Confidential Minutes of the Audit and Risk Committee – 18 February 2014 | The reasons for excluding the public are as stated in the minutes of the open section of that meeting. |
| 9.2 | Kotuku Dam Land Acquisition Update | 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)). |
