

NORTHLAND REGIONAL COUNCIL

Supporting Information

For meeting to be held in the Council Chamber,
36 Water Street, Whangārei, on Tuesday 27 June 2017,
commencing at 9:30am

SUPPORTING INFORMATION IN RELATION TO:

Item		Page
4.1	Annual Plan 2017/18	
	Attachment 1: Annual Plan 2017/18	1 – 92
	Attachment 2: 2017 Combined Consultation Summary of Engagement	93
4.2	Charging Policy 2017/18	
	Attachment 1: Charging Policy 2017/18	94 – 146
4.4	Marine Pathway Management Plan	
	Attachment 1: Regional Pest Management and Marine Pathway Management Plan	147 – 288
	Attachment 2: Summary of amendments to MPMP	289
	Attachment 3: Assessment of Marine Pathway Management Plan	290 – 298
	Attachment 4: BSA Section 95 Report	299 – 318
	Attachment 4a: National Policy Direction Compliance Check	319 – 345
	Attachment 4b: Satisfaction with consultation approach	346 - 349
4.5	Northland Regional Navigation Safety Bylaw	
	Attachment 1: Northland Regional Navigation Safety Bylaw	350 – 404
4.6	Kai Iwi Lakes Navigation Safety Bylaw	
	Attachment 1: Amended Draft Kai Iwi Lakes Navigation Safety Bylaw 2017 and Statement of Proposal	405 – 428

ANNUAL PLAN 2017/18



Directory



Main office

36 Water Street, Whangārei 0110

Postal address: Private Bag 9021, Whangārei Mail Centre, Whangārei 0148

Telephone: 09 470 1200

Facsimile: 09 470 1202

Email: mailroom@nrc.govt.nz

Freephone: 0800 002 004

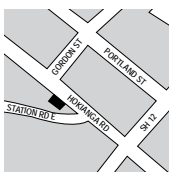
24/7 Environmental Hotline: 0800 504 639

Website: www.nrc.govt.nz

Instagram: www.instagram.com/northlandregionalcouncil

Facebook: www.facebook.com/NorthlandRegionalCouncil

Twitter: www.twitter.com/NRCExpress



Dargaville office

Address: 42 Hokianga Road, Dargaville 0310

Telephone: 09 439 3300

Facsimile: 09 439 3301



Kaitiāia office

Address: 192 Commerce Street, Kaitiāia 0410

Telephone: 09 408 6600

Facsimile: 09 408 6601



Ōpua office

Address: Unit 10, Ōpua Marine Park, Ōpua 0200

Telephone: 09 402 7516

Facsimile: 09 402 7510

Contents

INTRODUCTION	4
Welcome	4
Your regional councillors	6
About this annual plan	7

COUNCIL ACTIVITIES	10
Council activities	10
Community representation and engagement	12
Resource and catchment management	14
River management	17
Hazard management	20
Economic Development	22
Transport	23
Support services	26

FUNDING IMPACT STATEMENT	30
Funding impact statement	30
Rates	35
Other rating information	55
Rating examples	57
Summary of rates	70

FINANCIALS	74
Financial statements	74
Financial prudence	88

Introduction

Welcome

He anga whakamua

Whakatakataka te hau ki te uru

Whakatakataka te hau ki te tonga

Kia mākinakina ki ūta

Kia mātaratara ki tai

E hī ake ana te ātākura

He tio, he huka, he hau hū

Te mea tuatahi, ko ngā mihi ki tō tātou Kaihanga, Tēnā hoki o tatou mate huhua o ngā tau, ngā marama, ngā wiki me ngā rā e pahure.

Tino hari, tino koa ana matou Te Kaunihera-ā-Rohe o Te Tai Tokerau, e whakawhiwhi kia koutou te Mahere-a-tau mo nga tau 2017/18, e whakamanahia, na nga whakaaro me nga korero o tatou rohe. Hore kau etahi mea e rereke ana ki ta tatou Mahere Rautaki 2015-2025.

Ngā pūtake i tēnei Mahere a tau:

- Ngā mahi e tika ki o matou mahi
- Ka haere matou e whakapai
- Whakautu ki ngā wero i te taiao
- Whautu ki ngā āheinga
- E kitea ka tika nga whai rawa mo matou mahi

Enei putake e whakarawe kei roto i tenei Mahere-a-tau.

Na reira, e nga mana, e nga reo, e nga hāpori, ko te mihi mutunga, "Ka puta Matariki, ka rere a Whānui. Ko te tohu tena o te tau e!"

Tēnā koutou katoa

He anga whakamua acknowledges and recognises the importance of Māori and their culture in moving Northland forward together as one. It confirms Northland Regional Council's Annual Plan 2017/18, and outlines the activities proposed in this annual plan, explaining each of the areas in this document.

To this end, it is only fitting that we acknowledge 'Matariki' the beginning of the Māori New Year.

Message from the Chairman and Chief Executive

Kia Ora Northland, and welcome to our Annual Plan for the 2017/18 financial year. It tells you what we are going to do over the next year and highlights anything that is different from what we said we would do in our Long Term Plan 2015-2025. This corporate plan is the last of our three-yearly planning cycle and will take us up to our next Long Term Plan, which will have a ten-year view from 2018 to 2028.

While our Long Term Plans set out the overall direction for Northland, the expectations and aspirations of both our community and central government are constantly changing. In responding to these challenges we re-evaluate our plans on an annual basis. Our annual plan process presents the opportunity to do this, in consultation with our communities.

Our Annual Plan 2017/18 saw us consult on a number of proposals, which we communicated as part of a 'combined consultation' process. Council were impressed with the quality of the feedback that was received on our proposals across the board and our thanks go to those who took the time to provide considered submissions. We rely on our communities to help us shape our plan, and the points raised in submissions were carefully considered by all councillors.

The majority of feedback that we received on our annual plan was in relation to our proposal to continue the regional infrastructure rate, with the large majority of feedback supporting the proposal. Council acknowledged these submissions in deliberations and decided to continue the rate. Submitters were also particularly interested in our regional recreational facilities rate and our flood rate proposals, all of which were approved by council for the 2017/18 year.

In our Long Term Plan 2015-2025 we signalled that a 2.44% increase in our Council Services and Land Management Rates was required for the 2017/18 year to fund the increasing cost of our activities. In response to sustained community demand for new services, upgrades, and improvements, and a need to respond to change, council recognised that there was extra work to do and proposed an increase in rates collected by a further 2.4%, which resulted in an overall increase for the year of 4.84%. The majority of submitters who commented on this proposal were supportive, and recognised the need for continuous improvement. This was echoed by council in approving the rate increase and the specific initiatives that it will contribute to, which are outlined on pages 11 to 28 of this plan.

While we recognise the need to do extra work, we are also aware of the need to keep costs as low as possible for ratepayers. We have done this by maintaining the 'business as usual' component of our operational costs at a zero percent increase for the fourth year in a row - an achievement that council is immensely proud of. We are also continually monitoring our projects to see where savings are able to be made, and are pleased to pass on savings from several targeted rates as part of this annual plan.

As we approve our annual plan 2017/18, we are looking forward to reviewing and evaluating our position so that we can map out our role in Northland through our Long Term Plan process next year. We look forward to working toward this and implementing the proposals included in this annual plan for the 2017/18 year.



Bill Shepherd
Chairman



Malcolm Nicolson
Chief Executive Officer

Your regional councillors



Bill Shepherd

(Chairman)

Coastal North

Ph: (021) 433 574

E: bills@nrc.govt.nz



David Sinclair

(Deputy Chairman)

Whangārei Urban

(027) 889 3551

E: davids@nrc.govt.nz



John Bain

Whangārei Urban

Ph: (021) 961 894

E: johnbain@nrc.govt.nz



Mike Finlayson

Te Hiku

Ph: (027) 542 2286

E: mikef@nrc.govt.nz



Rick Stolwerk

Coastal South

(027) 542 2708

E: ricks@nrc.govt.nz



Justin Blaikie

Hokianga – Kaikohe

Ph: (021) 542 2992

E: justinb@nrc.govt.nz



Paul Dimery

Coastal Central

Ph: (027) 542 2406

E: pauld@nrc.govt.nz



Joce Yeoman

Coastal North

Ph: (027) 542 2358

E: jocey@nrc.govt.nz



Penny Smart

Kaipara

Ph: (021) 439 735

E: pennys@nrc.govt.nz

About this annual plan

This Annual Plan 2017/18 outlines the council's proposed budgets and rates for the coming year's activities, and highlights anything that has changed from our Long Term Plan 2015-2025.

This is the second annual plan to be produced since changes were made to the Local Government Act 2014, which altered the scope of annual plans to focus on any changes from the relevant long term plan. We will tell you what we are going to do through our three-yearly long term plan, and will tell you if anything is changing - and update you on our budgets - through our annual plan in the intervening two years. This is the last plan of our three-yearly corporate planning cycle, with a new Long Term Plan 2018-2028 to be developed over the next year.

This annual plan includes an increased rate take to allow us to respond to real-time challenges and increasing demand for services from our community. Several targeted rates are adjusted in this annual plan including adjustments made to save the ratepayer money where we are able to do so.

These proposals were identified in our Annual Plan 2017/18 Consultation Document, and feedback was sought by way of submissions over five weeks, and during three hearings meetings, as part of our 'combined consultation' process. Additional information on each of the proposals outlined in the consultation document, and more information on council financial planning, was made available in our supporting information document, and is included in this document - the Annual Plan 2017/18.

Our consultation process provided council with a high level of feedback from across the community, which in turn allowed councillors to make well-informed decisions on the proposals. Generally the feedback received was positive, with most people acknowledging the need for the changes proposed. Council decided to confirm all proposals put forward during consultation, and no new spending or rate alterations were introduced.

Increased rate take

Feedback showed majority support for increasing council's rate take from the 2.44% proposed in the Long Term Plan 2015-2025 to 4.84%, to allow council to spend \$822,000 (GST inclusive) on a suite of new initiatives across the range of council activities.

Submitters agreed that investment in Northland was important, and showed particular support for council's spending on Resource and Catchment Management.

Targeted Rates

The proposal that received the most feedback, and widespread support, during the consultation process on this annual plan was the proposal to roll over the Regional Infrastructure Rate for a further year. Rolling over this rate will allow the complexities of the rail corridor funding to be addressed, and will provide council the opportunity to review the rate so that the best options for infrastructure investments, can form part of the process of our Long Term Plan 2018 -2028

There was also widespread support for lowering the Regional Recreational Facilities Rate over the 2017/18 year. This rate has funded the repayment of the Recreational Facilities Reserve, which funded construction of Toll Stadium, and will see the reserve fully repaid over the term of this annual plan.

The proposal to alter the boundaries of the targeted Awanui River Management Rate was met with majority support, and will see a fairer distribution of the rate collection across the areas of benefit. The Awanui River Management Rate is applied differentially by location and area of benefit, and funds the capital and operational works on the Awanui River flood management scheme.

Submitters were less emphatic about proposals to lower the targeted rates for Kaeo-Whangaroa Rivers and Kaihu River Management. These rates fund channel maintenance (Kaihu), and operational and capital works (Kaeo-Whangaroa) associated with the flood management schemes in these areas. Lower costs have resulted in a reduction in these rates being offered as part of this annual plan, however submitters were split in support and opposition to this. The works in these areas will continue as provided for by their individual management schemes, and the lower costs are now able to be passed on to the individual ratepayers.

Similarly, the Kerikeri-Waipapa River Management targeted rate is being suspended to provide savings to these ratepayers, while technical investigations are carried out to determine the best approach to flood risk reduction in this area. The rate

funded operational and capital costs of the flood scheme works, and the balance of funds collected to date will be sufficient to cover the cost of operational works for the foreseeable future.

Find out more

More information on the new activities and altered rates included in this annual plan can be found in 'Council activities' (see page 12) and 'Rates' (see page 36).

The Local Government Act 2002 expressly prohibits the annual plan from duplicating content already in the long term plan that the activities and financial elements relate to. We will refer you to our Long Term Plan 2015-2025 where required to avoid duplication. You can view a copy of the Long Term Plan 2015-2025 at www.nrc.govt.nz/ltp2015.

Council activities

Council activities

This section includes information on the changes in council's activities, services and budgets that are specific to the 2017/18 year. It introduces each of council's groups of activities, discussed what is new, and includes a funding impact statement for each group of activities. Funding amounts discussed in this section are exclusive of GST, unless otherwise indicated.

Council's services are categorised in to seven groups of activities.

Initiatives that have been added to council services as part of this annual plan contribute to six of these groups of activities as summarised in the table below.

Group of Activities	New initiatives included in this annual plan
1. Community representation and engagement	<ul style="list-style-type: none"> • Staff training for cultural awareness • Governance support position
2. Resource and catchment management	<ul style="list-style-type: none"> • Riparian planner tool • Polar and willow nursery rent increase • Biodiversity advisor position • 'Seven in ten' forest restoration project
3. River management	<ul style="list-style-type: none"> • DRUC calibrator • ADCP flood traveller • Satellite loggers for storm event data • IRIS 150 logger for flood level monitoring • Safety upgrade of hydrometric sites • Survey traverse kit • Pumppro replacement
4. Hazard management	<ul style="list-style-type: none"> • Civil defence emergency management position
5. Economic development	No new initiatives
6. Transport	<ul style="list-style-type: none"> • Safe boating education programme with Coastguard • AIS vessel identification system • Moorings management IT improvements • Northland transportation alliance

Group of Activities	New initiatives included in this annual plan
7. Support services	<ul style="list-style-type: none"> • Customer service initiatives • Contact system upgrade • Mid north customer service centre • Marketing and engagement position • Shared services investigation and support • Building maintenance • Business IT support

Information on levels of service, performance measures, and targets for each of council's group of activities can be found in the Long Term Plan 2015 -2025 (available online at www.nrc.govt.nz/ltp2015).

Community representation and engagement

What has changed?

There are two new initiatives that will contribute to council's outcomes relating to community representation and engagement. We have allocated \$5,000 for Māori cultural awareness training, and \$55,000 for a governance support position.

Community representation and engagement

Staff Training for Cultural Awareness	\$5,000
Governance Support Position	\$55,000
Total	\$60,000

Staff Training for Cultural Awareness

Funding has been made available for the 2017/18 year to supplement existing training budgets so that a specific training programme can be developed to build staff knowledge and capability to fulfil council's responsibilities to Maori. This is a key area of focus identified by council.

The \$5,000 of ongoing operational expenditure will predominantly be funded from the council services rate.

This initiative contributes to the Community Representation and Engagement group of activities in the Long Term Plan 2015-2025, activity 1.1 Community Representation and Engagement, levels of service 1.1.1 'Maintaining effective, open and transparent democratic processes'; and; 1.1.4 'Promote community engagement'.

Governance Support Position

Funding has been allocated for a Governance Support position to support the increased workload arising from continued expansion and improvement of council services, including increased shared services, inter-council collaborative groups and engagement with Māori.

The \$55,000 of ongoing operational expenditure will predominantly be funded from the council services rate.

This initiative contributes to the Community Representation and Engagement group of activities in the Long Term Plan 2015-2025, activity 1.1 Community Representation and Engagement, levels of service 1.1.1 'Maintaining effective, open and transparent democratic processes'; and; 1.1.2 'Providing effective advocacy on behalf of Northlanders on matters of regional significance'.

Funding impact statement for community representation and engagement

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
	Sources of operational funding		
0	General Rates, uniform annual general charges, rates penalties	0	0
2,856,768	Targeted rates (other than targeted water rates)	3,116,718	3,040,588
0	Grants and subsidies for operating purposes	0	0
59,652	Fees Charges and targeted rates for water supply	59,652	59,652
0	Internal charges and overheads recovered	8,392	0
0	Local authorities fuel tax, fines, infringement fees and other receipts	0	0
2,916,420	Total operating funding	3,184,761	3,100,240
	Applications of operating funding		
3,887,892	Payments to staff and suppliers	3,810,527	3,701,295
0	Finance costs	0	0
378,780	Internal charges and overheads applied	526,089	691,932
0	Other operating funding applications	0	0
4,266,672	Total applications of operating funding	4,336,616	4,393,227
(1,350,252)	Surplus/(Deficit) of operating funding	(1,151,854)	(1,292,987)
	Sources of capital funding		
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
	Applications of capital funding		
	Capital expenditure		
	- To meet additional demands		
0	- To improve levels of service	0	0
0	- To replace existing assets	0	0
(182,000)	Increase/(Decrease) in reserves	(34,639)	0
(1,168,252)	Increase/(Decrease) in investments	(1,117,215)	(1,292,987)
(1,350,252)	Total Applications of capital funding	(1,151,854)	(1,292,987)
1,350,252	Surplus/(Deficit) from capital funding	1,151,854	1,292,987
(0)	Funding balance	(0)	0

Resource and catchment management

What has changed?

Funding has been allocated in the 2017/18 year to support five new initiatives related to resource and catchment management. Additional resourcing has been allocated for land management activities associated with water quality, including \$52,000 for a riparian planner tool and \$5,000 to cover the increased rent cost of council's poplar and willow nursery; \$70,000 has been provided for an additional staff resource for council's biodiversity programme; and \$172,000 is being contributed to the 'seven in ten' forest restoration project.

Resource and catchment management

Riparian Planner	\$52,000
Nursery Rent Increase	\$5,000
Biodiversity Advisor Position	\$70,000
Seven in Ten Forest Restoration	\$172,000
Total	\$299,000

Riparian Planner

Funding has been allocated for the development of a farm water quality improvement tool, which will allow data to be collected digitally in the field, increasing its efficiency and quality. The funding will cover the cost of development of the tool and the required mobile technology.

The \$45,000 of capital expenditure required will be funded from council's retained earnings with future depreciation funded from the council services rate, and the \$7,000 of ongoing operational expenditure required will predominantly be funded from the land management rate.

This initiative contributes to the Resource and Catchment Management group of activities in the Long Term Plan 2015-2025, activity 2.3 Land and Biodiversity, levels of service 2.3.1 'Promoting sustainable land management especially water quality, biodiversity, soil conservation and coastal environment', and; 2.3.2 'Provision of farm water quality improvement plans'.

Nursery Rent Increase

Block 4 of council's poplar and willow nursery is underway, an initiative which contributes to soil conservation and water quality improvement in Northland. The expansion of the nursery has an associated increase in the cost of land being leased, and additional funding is required for the 2017/18 year to account for this.

The \$5,000 of ongoing operational expenditure required will predominantly be funded from the land management rate.

This initiative contributes to the Resource and Catchment management group of activities in the Long Term Plan 2015-2025, activities 2.3 land and biodiversity and 3.1 river management; levels of service 2.3.1 'Promoting sustainable land management especially water quality, biodiversity, soil conservation and coastal environments, and; 3.1.5 'Maintaining and enhancing water quality in our rivers and coastal waters through integrated management.'

Biodiversity Advisor position

Provision has been made in the 2017/18 annual plan for a full time equivalent position that is required to deliver the implementation of lake management plans, and contribute to the high level of ongoing lake management in general.

The \$70,000 of ongoing operational expenditure required will predominantly be funded from the land management rate.

This initiative contributes to the Resource and Catchment Management group of activities in the Long Term Plan 2015-2025, activities 2.5 Biosecurity, level of service 2.5.2 'Protecting forests and lake health through effective regional pest control.'

Seven in Ten Forest Restoration

Council is contributing a 40% share of the full cost of year one of the 'Seven in Ten' forest restoration programme, and has also allocated funding for the appointment of an additional full time equivalent resource to undertake project management of large scale pest operations in conjunction with Department of Conservation staff and community volunteers.

The \$172,000 of ongoing operational expenditure required will predominantly be funded from the land management rate.

This initiative contributes to the Resource and Catchment Management group of activities in the Long Term Plan 2015-25, activities 2.5 Biosecurity, levels of service 2.5.1 'Reducing the impact of introduced pests on environmental, economic and social values'; 2.5.2 'Protecting forests and lake health through effective regional pest control', and; 2.5.3 'Promoting community involvement in pest management'.

Funding impact statement for resource and catchment management

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
Sources of operational funding			
0	General Rates, uniform annual general charges, rates penalties	0	0
8,980,563	Targeted rates (other than targeted water rates)	9,169,326	9,367,541
0	Grants and subsidies for operating purposes	206,166	0
2,467,664	Fees Charges and targeted rates for water supply	2,371,859	2,310,612
0	Internal charges and overheads recovered	0	0
0	Local authorities fuel tax, fines, infringement fees and other receipts	0	0
11,448,226	Total operating funding	11,747,351	11,678,153
Applications of operating funding			
10,460,095	Payments to staff and suppliers	11,050,758	10,857,509
0	Finance costs	0	0
4,202,593	Internal charges and overheads applied	4,418,089	4,472,997
0	Other operating funding applications	0	0
14,662,688	Total applications of operating funding	15,468,846	15,330,505
(3,214,462)	Surplus/(Deficit) of operating funding	(3,721,496)	(3,652,352)
Sources of capital funding			
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
Applications of capital funding			
Capital expenditure			
	- To meet additional demands		
75,914	- To improve levels of service	50,534	0
62,592	- To replace existing assets	8,427	8,427
(220,000)	Increase/(Decrease) in reserves	(228,933)	(155,000)
(3,132,968)	Increase/(Decrease) in investments	(3,551,524)	(3,505,779)
(3,214,462)	Total Applications of capital funding	(3,721,496)	(3,652,352)
3,214,462	Surplus/(Deficit) from capital funding	3,721,496	3,652,352
0	Funding balance	0	(0)

River management

What has changed?

Additional resourcing has been allocated to numerous new initiatives relating to river management for the 2017/18 year. These are all related to the upgrade of equipment for hydrology monitoring.

The total amount allocated for these upgrades and improvements is \$237,910.

River management

DRUC Calibrator	\$20,000
ADCP Flood Traveller	\$4,000
Satellite loggers	\$34,100
IRIS 150 Logger	\$23,810
Safety upgrade of hydrometric sites	\$130,000
Survey Traverse Kit	\$2,000
Pumppro Replacement	\$24,000
Total	\$237,910

Council maintains an extensive hydrometric network, and uses specialised equipment to achieve this.

Funding has been allocated for new equipment that periodically needs to be purchased to support the network, and also to cover renewals of existing equipment. This will ensure that the network remains reliable, keeps up with technological development and can be operated safely.

DRUC Calibrator

This new piece of equipment will enable calibrations of our water level sensors in the field. This is critical to ensure key sites are measuring accurately. \$20,000 of capital expenditure has been allocated for the purchase of this equipment.

ADCP Flood Traveller

This replacement piece of equipment will allow flood gauging to be completed on rivers. The current equipment is 10 years old and only suited to small streams. \$4,000 of capital expenditure has been allocated for this replacement.

Satellite loggers

Satellite loggers are used to secure communication pathways for key flood forecasting sites during storms, ensuring that staff are able to monitor weather events and provide flood warnings. \$27,500

of capital cost and \$6,600 of operational cost has been allocated to target ten sites for satellite communication across Northland in the 2017/18 year.

IRIS 150 Logger

The current telemetry system used for flood level motioning is due to be phased out and replaced with a new telemetry system. This new system operates with a different type of logger to communicate with hydrometric sites. \$23,810 of capital expenditure has been allocated for 30 new logger units to complete the upgrade.

Safety upgrade of hydrometric sites

A recent independent report on some of council's hydrometric sites highlighted some serious safety issues. \$130,000 of capital expenditure has been allocated to fund the first major maintenance works to take place on these sites in 30 - 50 years.

Survey Traverse Kits

This new piece of equipment will enhance existing survey hardware, and is required to enable precise measurements of some of our permanent monitoring sites, including Bell's Hill, Kaitiāia. This upgrade will require \$2,000 of capital expenditure.

Pumppro Unit Replacements

Some of the sensors that council uses for hydrometric monitoring (Pumppro sensors) have exceeded their life expectancy and need to be phased out and replaced. \$24,000 of capital expenditure has been allocated to phase out and replace 12 units.

The \$231,310 of capital expenditure required will be funded from council's retained earnings with future depreciation funded from the council services rate. The \$6600 of ongoing operational expenditure required for the Satellite loggers will be funded primarily from the council services rate.

This initiative contributes to the River Management group of activities in the [Long Term Plan 2015-2025](#), activity 3.1 river management, and levels of service 3.1.1 'Building, monitoring and maintaining flood protection schemes to protect life and property'; 3.1.6 'Contributing to informed policy decisions regarding water resources'; 3.1.7 'Contributing to informed management of river hazards'; and; 3.1.8 'provide accurate rainfall and flood level monitoring'; and activity 4.1 [civil defence and emergency management](#), level of service 4.1.2 'Providing accurate and timely flood warnings'; and activity 4.2 natural hazard management, level of service 4.2.1 'Investigating, assessing and documenting natural hazard information to protect life and property'.

Funding impact statement for river management

Annual Plan		Annual Plan	LTP Year 3
2016-17	For the 2017-18 Annual Plan Periods Ending 30 June	2017-18	2017-18
\$		\$	\$
Sources of operational funding			
0	General Rates, uniform annual general charges, rates penalties	0	0
3,627,613	Targeted rates (other than targeted water rates)	3,388,568	3,693,655
0	Grants and subsidies for operating purposes	0	0
0	Fees Charges and targeted rates for water supply	0	0
0	Internal charges and overheads recovered	27,892	0
35,722	Local authorities fuel tax, fines, infringement fees and other receipts	35,722	0
3,663,335	Total operating funding	3,452,182	3,693,655
Applications of operating funding			
2,315,133	Payments to staff and suppliers	2,285,395	2,220,467
519,068	Finance costs	409,098	753,230
720,017	Internal charges and overheads applied	809,197	652,580
0	Other operating funding applications	0	0
3,554,218	Total applications of operating funding	3,503,690	3,626,277
109,117	Surplus/(Deficit) of operating funding	(51,508)	67,378
Sources of capital funding			
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
Applications of capital funding			
Capital expenditure			
- To meet additional demands			
131,579	- To improve levels of service	203,111	26,335
127,039	- To replace existing assets	144,923	100,923
522,463	Increase/(Decrease) in reserves	420,009	523,433
(671,964)	Increase/(Decrease) in investments	(819,551)	(583,313)
109,117	Total Applications of capital funding	(51,508)	67,378
(109,117)	Surplus/(Deficit) from capital funding	51,508	(67,378)
0	Funding balance	0	0

Hazard management

What has changed?

One new initiative that contributes solely to the hazard management group of activities has received funding in the 2017/18 year. \$75,000 has been allocated to an additional role in Civil Defence Emergency Management.

Hazard Management

Civil Defence Emergency Management position	\$75,000
Total	\$75,000

Civil Defence Emergency Management position

Funding has been allocated to a new resource that will cover two roles, including a public information role to ensure the ongoing effective communication with civil defence partners and communities (a requirement of the Civil Defence National Plan) and a Group Recovery Manager role as required by the Civil Defence Emergency Management Amendment Bill.

The \$75,000 of ongoing operational expenditure required will predominantly be funded from the Council services rate.

This initiative contributes to the Hazard Management group of activities in the Long Term Plan 2015-2025 activity 4.1 Civil Defence and Emergency Management; levels of service 4.1.1 'Maintaining a responsive and efficient civil defence emergency management system'; 4.1.3 'Maintaining an effective civil defence emergency management system', and; 4.1.4 'Increasing community awareness, understanding preparedness and participation in civil defence emergency management.

Funding impact statement for hazard management

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
Sources of operational funding			
0	General Rates, uniform annual general charges, rates penalties	0	0
1,028,810	Targeted rates (other than targeted water rates)	1,242,924	929,889
71,638	Grants and subsidies for operating purposes	278,055	73,388
257,756	Fees Charges and targeted rates for water supply	26,798	214,188
0	Internal charges and overheads recovered	0	0
12,000	Local authorities fuel tax, fines, infringement fees and other receipts	0	12,000
1,370,203	Total operating funding	1,547,778	1,229,465
Applications of operating funding			
1,381,848	Payments to staff and suppliers	1,478,629	1,263,900
0	Finance costs	0	0
485,836	Internal charges and overheads applied	691,277	473,177
0	Other operating funding applications	0	0
1,867,684	Total applications of operating funding	2,169,906	1,737,078
(497,480)	Surplus/(Deficit) of operating funding	(622,129)	(507,613)
Sources of capital funding			
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
Applications of capital funding			
Capital expenditure			
- To meet additional demands			
0	- To improve levels of service	0	0
0	- To replace existing assets	0	0
(100,000)	Increase/(Decrease) in reserves	(100,000)	(100,000)
(397,480)	Increase/(Decrease) in investments	(522,129)	(407,613)
(497,480)	Total Applications of capital funding	(622,129)	(507,613)
497,480	Surplus/(Deficit) from capital funding	622,129	507,613
(0)	Funding balance	0	0

Economic Development

Funding impact statement for economic development

There were no new initiatives proposed or adopted in this annual plan that related to the economic development group of activities. This following funding impact statement is provided for reference and to reflect minor financial adjustments that include rating base information, and salary and overhead allocations.

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
	Sources of operational funding		
0	General Rates, uniform annual general charges, rates penalties	0	0
2,086,010	Targeted rates (other than targeted water rates)	1,778,712	2,088,264
0	Grants and subsidies for operating purposes	0	0
64,232	Fees Charges and targeted rates for water supply	64,232	65,801
0	Internal charges and overheads recovered	0	0
3,592,612	Local authorities fuel tax, fines, infringement fees and other receipts	3,651,475	4,544,463
5,742,854	Total operating funding	5,494,419	6,698,527
	Applications of operating funding		
3,064,606	Payments to staff and suppliers	4,441,455	2,361,464
284,510	Finance costs	273,320	457,000
212,663	Internal charges and overheads applied	195,937	109,537
0	Other operating funding applications	0	0
3,561,779	Total applications of operating funding	4,910,712	2,928,002
2,181,075	Surplus/(Deficit) of operating funding	583,707	3,770,526
	Sources of capital funding		
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
	Applications of capital funding		
	Capital expenditure		
	- To meet additional demands		
0	- To improve levels of service	0	0
0	- To replace existing assets	0	0
(75,698)	Increase/(Decrease) in reserves	(1,047,540)	57,339
2,256,773	Increase/(Decrease) in investments	1,631,247	3,713,187
2,181,075	Total Applications of capital funding	583,707	3,770,526
(2,181,075)	Surplus/(Deficit) from capital funding	(583,707)	(3,770,526)
0	Funding balance	0	(0)

Transport

What has changed?

Four new initiatives that contribute to the transport group of activities have been funded as part of this annual plan. Three of these relate to harbour safety and navigation: \$15,000 has been made available to support a safe boating education programme for schools; \$24,500 has been allocated to a vessel identification system, and; \$14,000 has been allocated to improving moorings management. In addition to these, \$30,000 has been allocated to the Northland Transportation Alliance.

Transport

Water Safety with Coastguard	\$15,000
AIS Vessel Identification System	\$24,500
Moorings Management IT Improvements	\$14,000
Northland Transportation Alliance	\$30,000
Total	\$83,500

Water Safety with Coastguard

Promoting boating safety in Northland is one of the council's key priorities. Coastguard Boating Education has developed a safe boating programme that it is delivering to groups of schools to train children in safe boating practices. Council sees the benefit of educating our future boaties in safe practices, and has allocated funding to contribute to the set-up cost of each course.

The \$15,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

This initiative contributes to the Transport group of activities in the Long Term Plan 2015-2025, activity 6.2 Harbour Safety and Navigation; level of service 6.2.1 'Promoting navigation and boating safety on Northland harbours'.

AIS Vessel Identification System

Funding has been allocated to an Automatic Identification System for vessels, that will increase safety by allowing vessels to be tracked in our busiest area of the Bay of Islands. Funding will cover an initial upfront beacon set-up cost, and the first year of annual costs for the software and warranty. With more and more vessels on Northland's waters, council needs to be increasingly prudent in ensuring that safety systems remain up to date.

The \$20,000 of capital expenditure required will predominantly be funded from council's retained earnings with future depreciation funded from the council services rate; \$4500 of ongoing operational expenditure required for this initiative will predominantly be funded from the council services rate.

This initiative contributes to the Transport group of activities in the Long Term Plan 2015-2025, activity 6.2 Harbour Safety and Navigation; level of service 6.2.1 'Promoting navigation and boating safety on Northland harbours', and; 6.2.2 'Maintaining navigation aids for safe navigation'.

Moorings Management IT Improvements

Funding has been allocated to streamline and improve the system that council uses to manage moorings, and link the council and contractors' systems so that the moorings records are auto-updated. This will enable moorings contractors to enter inspection details in to the council database and significantly reduce staff time required for this task.

The \$14,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

This initiative contributes to the Transport group of activities in the Long Term Plan 2015-2025, activity 6.2 Harbour Safety and Navigation; level of service 6.2.5 'Manage moorings in harbours'.

Northland Transportation Alliance

Council has allocated funding to cover ongoing overheads of the Northland Transportation Alliance, and has also allocated funding to contribute to the management and administration costs of the Northland Transportation Alliance.

The \$30,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

This initiative contributes to the Transport group of activities in the Long Term Plan 2015-2025, activity 6.1 Transport; level of service 6.1 'Planning for the future transport needs of the region'.

Funding impact statement for transport

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
Sources of operational funding			
0	General Rates, uniform annual general charges, rates penalties	0	0
2,057,253	Targeted rates (other than targeted water rates)	2,266,189	1,979,847
1,193,142	Grants and subsidies for operating purposes	1,424,826	1,223,460
1,538,501	Fees Charges and targeted rates for water supply	1,930,951	1,495,299
0	Internal charges and overheads recovered	0	0
0	Local authorities fuel tax, fines, infringement fees and other receipts	0	0
4,788,896	Total operating funding	5,621,966	4,698,606
Applications of operating funding			
4,298,478	Payments to staff and suppliers	4,569,187	4,496,473
0	Finance costs	0	0
794,797	Internal charges and overheads applied	886,990	768,073
0	Other operating funding applications	0	0
5,093,275	Total applications of operating funding	5,456,177	5,264,546
(304,379)	Surplus/(Deficit) of operating funding	165,788	(565,940)
Sources of capital funding			
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
Applications of capital funding			
Capital expenditure			
	- To meet additional demands		
168,742	- To improve levels of service	80,570	60,570
322,333	- To replace existing assets	45,296	45,296
7,631	Increase/(Decrease) in reserves	123,413	1,872
(803,084)	Increase/(Decrease) in investments	(83,491)	(673,678)
(304,379)	Total Applications of capital funding	165,788	(565,940)
304,379	Surplus/(Deficit) from capital funding	(165,788)	565,940
0	Funding balance	0	0

Support services

What has changed?

Council has allocated funding to seven new initiatives that will contribute to the support services group of activities. Funding of \$64,000 has been allocated to improve our customer service systems, including \$34,000 for an upgrade of the phone and contact system; the set-up of a Mid-North Customer Service Centre has been allocated \$102,500; \$80,000 has been allocated for a marketing and engagement position; \$10,000 has been set aside to allow further investigation into other options for alignment with other councils; \$161,000 of funding has been allocated to maintain council's building assets, and funding of \$120,000 has been allocated to upgrade information technology systems.

Support services

Customer Service Initiatives	\$30,000
Contact System upgrade	\$34,000
Mid-North Customer Service Centre	\$102,500
Marketing and Engagement position	\$80,000
Shared Services Investigation and Support	\$10,000
Building maintenance	\$161,000
Business IT support	\$120,000
Total	\$537,500

Customer Service Initiatives

Funding has been allocated to improve council's interface with the community, including specialised customer service training, and resources that allow council and staff to better define their role within the community.

The \$30,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Contact System Upgrade

Additional resourcing has been made available for replacement of council's current phone system, which has become unreliable. This upgrade will enable transfer of calls and better direct access between councils, will enable access to customer call back, and will provide for the relocation of phone services in emergency situations.

The \$34,000 of capital expenditure required will predominantly be funded from council's retained earnings with future depreciation funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Mid-North Service Centre

Funding has been allocated to the set-up of a mid-north office at Waipapa, which will provide a better level of customer service in the mid-north area, and would complement the services offered by the Far North District Council offices.

The \$50,000 of capital expenditure required will predominantly be funded from council's retained earnings with future depreciation funded from the Council services rate; the \$52,500 of ongoing operational expenditure required will predominantly be funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Marketing and Engagement Position

Funding has been allocated to an additional resource within the communications team, to provide increased communications, stakeholder engagement, marketing and promotional support.

The \$80,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Shared Services Investigation and Support

Council has pro-actively allocated funds to support investigation into potential shared-services projects, the final cost of which is usually shared amongst participating councils. Council enters in to shared services to improve the efficiency and effectiveness of services, and deliver better outcomes for communities.

The \$10,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Building Maintenance

Council has allocated additional funding to ensure that all residential rental properties in its portfolio meet the requirements of the Building Act and Residential Tenancy Act, and to undertake required maintenance of council's Water Street building in Whangārei, including work on floors and walls to prevent smoke and fire penetration, and work on air-conditioning.

The \$161,000 of capital expenditure required will predominantly be from council's retained earnings with future depreciation funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Business IT Support

Funding has been allocated to continue with an ongoing programme of work to update council's business information technology systems, and implement programmes that adapt to changing business needs and reporting requirements.

The \$90,000 of capital expenditure required will predominantly be funded from council's retained earnings with future depreciation funded from the council services rate; the \$30,000 of ongoing operational expenditure required will predominantly be funded from the council services rate.

These changes relate to the Support Services activities in the Long Term Plan 2015-2025.

Funding impact statement for support services

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
	Sources of operational funding		
0	General Rates, uniform annual general charges, rates penalties	0	0
0	Targeted rates (other than targeted water rates)	0	0
0	Grants and subsidies for operating purposes	0	0
0	Fees Charges and targeted rates for water supply	56,342	
7,110,337	Internal charges and overheads recovered	7,609,079	8,090,316
5,260,473	Local authorities fuel tax, fines, infringement fees and other receipts	5,705,163	4,678,727
12,370,810	Total operating funding	13,370,584	12,769,043
	Applications of operating funding		
6,481,941	Payments to staff and suppliers	7,033,686	6,599,447
0	Finance costs	80,263	0
0	Internal charges and overheads applied	0	0
0	Other operating funding applications	0	0
6,481,941	Total applications of operating funding	7,113,949	6,599,447
5,888,869	Surplus/(Deficit) of operating funding	6,256,635	6,169,596
	Sources of capital funding		
0	Subsidies and grants for capital purposes	0	0
0	Development and financial contributions	0	0
0	Increase/(Decrease) in debt	0	0
0	Gross proceed from Asset sales	0	0
0	Lump sum contributions	0	0
0	Total sources of capital funding	0	0
	Applications of capital funding		
	Capital expenditure		
	- To meet additional demands		
147,551	- To improve levels of service	164,000	0
746,601	- To replace existing assets	817,517	641,517
924,600	Increase/(Decrease) in reserves	777,030	901,251
4,070,117	Increase/(Decrease) in investments	4,498,088	4,626,828
5,888,869	Total Applications of capital funding	6,256,635	6,169,596
(5,888,869)	Surplus/(Deficit) from capital funding	(6,256,635)	(6,169,596)
0	Funding balance	(0)	0

Funding Impact Statement

Funding impact statement

Rating funding impact statement

The following table is stated as GST exclusive and shows total gross expenditure and lists, by rate and income type, the funding derived from each source, for easy reference.

Annual Plan 2016-17 \$	Excluding GST	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$	Variance \$
32,468,857	Operational Expenditure	35,396,033	31,930,556	(3,465,477)
1,782,349	Capital Expenditure	2,014,378	883,068	(1,131,310)
34,251,206	Total Gross Expenditure	37,410,411	32,813,624	(4,596,787)
	Funded By			
8,240,740	Council services Rate	8,701,286	8,737,721	(36,435)
6,580,779	Land Management Rate	7,006,415	6,399,321	607,095
611,350	Targeted Regional Infrastructure Rate	610,825	611,350	(525)
1,301,463	Targeted Regional Recreational Facilities Rate	1,046,194	1,240,901	(194,707)
3,902,685	Other Targeted Rates	3,597,716	4,110,492	(512,776)
1,159,370	Grants and Subsidies	1,803,637	1,188,863	614,774
4,493,214	User Charges	4,615,244	4,253,649	361,596
2,455,941	Rental Income	2,461,199	3,189,606	(728,407)
3,712,583	Interest Income	3,802,361	2,755,562	1,046,799
2,823,221	Dividend Income	3,210,300	3,431,700	(221,400)
0	Forestry Income	0	0	0
0	Sundry Income	0	0	0
(1,030,140)	Cash Reserves from/(to)	555,233	(3,105,540)	3,660,774
34,251,206	Total Funding	37,410,411	32,813,624	4,596,787

Prospective funding impact statement

The prospective funding impact statement is stated GST exclusive and is required under the Local Government Act 2002 (Schedule 10, Clause 20) and conforms to Form 1 of the Local Government (Financial Reporting and Prudence) Regulations 2014. Generally Accepted Accounting Practice (GAAP) does not apply to the preparation of the Funding Impact Statements as stated in section 111(2) of the Local Government Act 2002. The key divergences from GAAP are the non-inclusion of depreciation, the inclusion of internal charges, and combination of capital and operational items within the one financial statement.

Annual Plan 2016-2017		Annual Plan 2017-2018	LTP Year 3 2017-2018	Variance
\$		\$	\$	\$
Sources of operational funding				
0	General Rates, uniform annual general charges, rates penalties	0	0	0
20,637,017	Targeted rates	20,962,436	21,099,785	137,349
1,264,780	Grants and subsidies for operating purposes	1,909,047	1,296,848	(612,199)
4,387,804	Fees Charges	4,509,834	4,145,664	(364,171)
6,535,804	Interest and dividends from investments	7,012,661	6,187,262	(825,399)
2,455,941	Local authorities fuel tax, fines, infringement fees and other receipts	2,461,199	3,189,606	728,407
35,281,345	Total sources of operating funding	36,855,178	35,919,165	(936,013)
Applications of operating funding				
31,889,993	Payments to staff and suppliers	34,669,637	31,820,556	(2,849,081)
578,864	Finance costs	726,397	110,000	(616,397)
0	Other operating funding applications	0	0	0
32,468,857	Total applications of operating funding	35,396,034	31,930,556	(3,465,478)
2,812,488	Surplus/(Deficit) of operating funding	1,459,144	3,988,608	2,529,465
Sources of capital funding				
0	Subsidies and grants for capital expenditure	0	0	0
0	Development and financial contributions	0	0	0
0	Increase/(Decrease) in debt	0	0	0
0	Gross proceed from sale of assets	0	0	0
0	Lump sum contributions	0	0	0
0	Other dedicated capital funding	0	0	0
0	Total sources of capital funding	0	0	0
Applications of capital funding				
Capital expenditure				
- To meet additional demands				
523,785	- To improve levels of service	498,215	86,905	(411,310)
1,258,564	- To replace existing assets	1,016,163	796,163	(220,000)
876,996	Increase/(Decrease) in reserves	(90,660)	1,228,895	1,319,555

153,144	Increase/(Decrease) in investments	35,426	1,876,645	1,841,219
2,812,489	Total Applications of capital funding	1,459,144	3,988,608	2,529,464
(2,812,488)	Surplus/(Deficit) from capital funding	(1,459,144)	(3,988,608)	(2,529,464)
(0)	Funding balance	0	0	0

Annual Plan 2016-2017 \$	Reconciliation to the statement of comprehensive revenue and expense	Annual Plan 2017-2018 \$	LTP Year 3 2017-2018 \$	Variance \$
1,782,349	Capital expenditure included above not in Comprehensive Revenue and Expense	1,514,378	883,068	(631,310)
153,144	Investment movements included above not in Comprehensive Revenue and Expense	35,426	1,876,645	1,841,219
	Forestry asset revaluation - included in Revenue and Expense, not above			0
0	Other Gains included in Comprehensive Revenue and Expense, not above	0	0	0
	Gross Proceeds included above not in Comprehensive Revenue and Expense			0
0	Financial Asset fair value adjustments included in Comprehensive Revenue and Expense but not above	0	0	0
0	Property revaluation adjustments included in Comprehensive Revenue and Expense but not above	0	0	0
876,996	Transfers to/(from) special reserves included above not in Comprehensive Revenue and Expense	(90,660)	1,228,895	1,319,555
0	Infrastructure asset revaluation adjustments included in Comprehensive Revenue and Expense but not above	0	0	0
(1,323,275)	Depreciation Expense included in Comprehensive Revenue and Expense not above	(1,433,641)	(1,400,362)	33,279
1,489,213	Total Comprehensive Income per the Statement of Comprehensive Revenue and Expense	25,503	2,588,247	2,562,743

Annual Plan 2016-2017 \$	Depreciation by Activity	Annual Plan 2017-2018 \$	LTP Year 3 2017-2018 \$	Variance \$
0	Community Representation and Engagement	2,505	3,505	1,000
1,520	Hazard Management	1,520	1,520	0
328,759	Resource and Catchment Management	334,419	330,419	(4,000)
150,134	River Management	169,904	160,406	(9,498)
762,744	Support Services	838,630	818,849	(19,781)
80,118	Transport	86,663	85,663	(1,000)
1,323,275	Total Depreciation by Activity	1,433,641	1,400,362	(33,279)

Annual Plan 2016-17 \$	Proposed schedule of capital expenditure for the period ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
	Resource Management		
138,506	Plant and Equipment	58,961	8,427
	Transport		
491,074	Plant and Equipment	125,866	105,866
	River Management		
196,623	Plant and Equipment	285,033	64,257
61,995	Infrastructural Assets	63,001	63,001
	Support		
321,731	Information Systems	347,815	252,815
209,181	Plant and Equipment	297,669	52,670
363,239	Vehicles	336,033	336,033
1,782,349	Total Capital Expenditure	1,514,378	883,068

Rates

This section describes the various rates for 2017/18.

The amounts of the rates stated include the amount of the council's GST obligations.

For Kaipara and Far North district rates assessments, keep in mind that, for efficiency, the regional recreational facilities rate, council services rate and the emergency services rate will be shown as a single line item on the face of the joint regional and district rates assessments issued by the Kaipara District Council and Far North District Council. The amounts and descriptions of each of the rates are shown clearly in the notes on the assessment notice along with the activities or groups of activities that will be funded from each rate.

Council does not accept lump sum contributions in respect of any targeted rate.

Uniform annual general charge

The council does not set a uniform annual general charge.

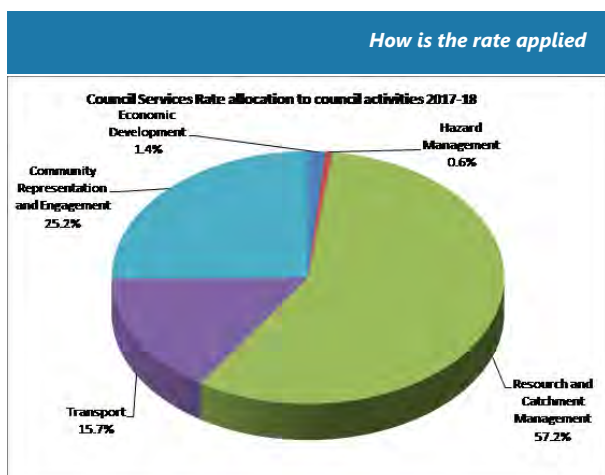
Targeted region-wide rates

The council sets two rates, which are applied as targeted region-wide rates – the council services rate and the land management rate. Targeted region-wide rates are assessed on all rateable properties in the Northland region.

Council services rate

What it funds

The council uses the council services rate to fund activities that are carried out under the Resource Management Act 1991, the Local Government Act 2002, the Maritime Transport Act 1994, Maritime Bylaws and any other activities that are not covered by any other funding source. This rate will fund the costs remaining after appropriate user fees and charges and a share of investment income, where available, have been taken into account.



How it is set

The council services rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is calculated on the total projected capital value, as determined by the certificate of projected valuation of each constituent district in the Northland region. An additional \$1.73 per separately used or inhabited part (SUIP) of a rating unit is to be assessed across the Whangārei constituency to provide \$73,919 to fund the ongoing

maintenance of the Hātea River channel. The rate is differentiated by location in the Northland region, and assessed as a fixed amount per each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts and on each rating unit (RU) in the Kaipara district.

This funding impact statement recognises that a differentiated, fixed amount on each rating unit (property) or SUIP of a rating unit links better to resource management planning, strategic planning, education, public advice, the public good elements of issuing resource consents, regional advocacy and transport planning where the link to land value is very weak.

How much is the rate?

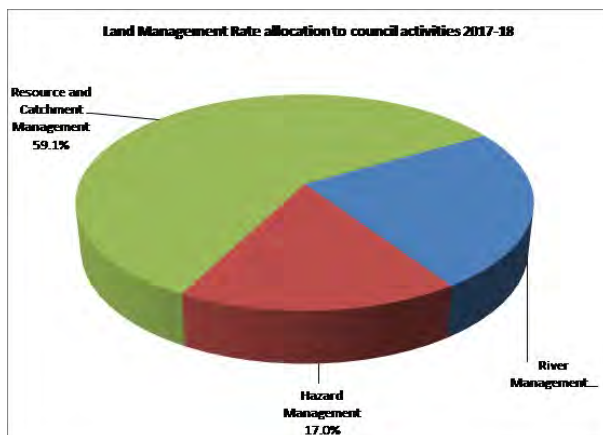
The estimated total council services rate amounts to **\$10,006,479** for the 2017/18 financial year.

The council services rate payable in respect of each rating unit in the Kaipara district, and each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts of the Northland region, will be set as shown in the following table.

Far North district	\$91.92	per SUIP
Kaipara district	\$122.90	per rating unit
Whangārei district	\$117.66	per SUIP

Land management rate

What it funds



This land value based rate is used to fund activities that are carried out under the Biosecurity Act 1993, the Soil Conservation and Rivers Control Act 1941, the Civil Defence Emergency Management Act 2002 and the Resource Management Act 1991. For new activities funded by this rate that relate to the implementation of the Northland Regional Pest Management Plan under the Biosecurity Act 1993, consideration was given to the requirements of Section 100T of the Biosecurity Act and was adopted by Council on 8 March 2017 (as itemised on page 10 of the Annual Plan 2017/18 Supporting Information document.)

The land management rate will specifically fund land and general river management planning, minor river works and pest plant and pest animal control functions that have a direct relationship to land.

The land management rate is assessed across all sectors of the Northland community and recognises that all communities benefit from the protection of forests, the prevention of soil erosion, and the minimisation of damage by floodwaters and resulting improvements in water quality.

How it is set

The land management rate is a targeted rate authorised by the Local Government (Rating) Act 2002. The rate is assessed on the land value of each rateable rating unit in the region. The rate is set per dollar of the land value. The rate per dollar of land value is different for each constituent district because the rate is allocated on the basis of projected land value, as provided for in section 131 of the Local Government (Rating) Act. The council does not apply a differential on this rate.

How much is the rate?

The estimated total land management rate is **\$8,057,377** for the 2017/18 financial year.

The following table shows the actual and equalised land value for each district and the rate per \$100,000 of land value for each district based on the equalised land values.

District	Actual land value \$(000)'s	Equalised land value \$(000)'s	Rate per \$100,000 of actual land value
Far North district	7,740,217	7,745,617	\$36.12
Kaipara district	3,689,857	4,372,302	\$43.00
Whangārei district	9,412,516	10,484,094	\$40.16

If all districts had the same valuation date, each district would have the same rate per \$100,000 of actual land value.

Specific targeted rates

The following specific targeted rates are for 2017/18.

Regional recreational facilities rate

What it funds

This rate funds the development of the regional events centre.

How it is set

The regional recreational facilities rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is a fixed amount differentiated by location in the Northland region. The rate will be assessed on each rateable rating unit (RU) in the Kaipara district and each rateable separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts. The rate is set at \$22.85 per separately used or inhabited part (SUIP) of a rating unit in the Whangārei district; \$4.57 per separately used or inhabited part (SUIP) of a rating unit in the Far North district; and \$4.57 per rating unit in the Kaipara district.

How much is the rate?

The estimated total Northland regional recreational facilities rate amounts to **\$1,203,123** for the 2017/18 financial year. The rate is to be set as follows.

Far North district	\$4.57	per SUIP
Kaipara district	\$4.57	per rating unit
Whangārei district	\$22.85	per SUIP

How is the rate applied?

This rate is applied 100% to the development of the regional events centre which forms part of the economic development activity.

Regional infrastructure rate

What it funds

The council will fund activities relating to the development and/or completion of regional infrastructure projects, beginning with the Marsden Point rail link project.

How it is set

The regional infrastructure rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is assessed on the land value of each rateable rating unit in the region. The rate is set per dollar of land value. The rate per dollar of land value is different for each constituent district as the rate is allocated on the basis of projected land value, as provided for in section 131 of the Local Government (Rating) Act. The council does not apply a differential on this rate.

How much is the rate?

The estimated total regional infrastructure rate is **\$702,448** for the 2017/18 financial year.

The table below shows the actual and equalised land value for each district and the rate per \$100,000 of land value for each district based on the equalised land values.

District	Actual land value \$(000)'s	Equalised land value \$(000)'s	Rate per \$100,000 of actual land value
Far North district	7,740,217	7,745,617	\$3.15
Kaipara district	3,689,857	4,372,302	\$3.75
Whangārei district	9,412,516	10,484,094	\$3.50

If all districts had the same valuation date, each district would have the same rate per \$100,000 of land value.

How is the rate applied?

This rate is applied 100% to the infrastructure development activity. The proceeds from this rate will be applied to funding the Marsden Point rail link designation.

Emergency services rate

What it funds

The council will collect the emergency services rate to provide a contestable funding pool for eligible organisations whose primary purpose is to save lives that are in immediate or critical danger, or to respond to serious injury. The funds must be applied to the provision of services in Northland. The fund recipients will be granted funding for a three-year period.

How it is set

The emergency services rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. This rate is assessed as a fixed amount on each rateable separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts and each rateable rating unit in the Kaipara district.

How much is the rate?

The estimated total emergency services rate is **\$1,086,077** for the 2017/18 financial year.

The rate for each rating unit in the Kaipara district and each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts is set as \$11.76.

How is the rate applied?

The emergency services rate will be applied to approved recipients who meet the specified criteria following a contestable funding process. The collection and payment of this rate forms part of the community representation and engagement activity.

Whangārei Heads pest management rate

What it funds

The council will collect the Whangārei Heads pest management rate to undertake pest management in and around Whangārei Heads. The funding will be applied to target pests which threaten kiwi and to eradicate selected weeds on private land.

How it is set

The Whangārei Heads pest management rate (Whangārei district) is a targeted rate as authorised by the Local Government (Rating) Act 2002 and is related to the council's functions under the Biosecurity Act 1993. The analysis required to be undertaken by the Council under section 100T of the Biosecurity Act 1993 before setting this rate can be found in the reports attached to the minutes of the Council meeting of 15 March 2016. The rate is a fixed amount assessed on each separately used or inhabited part (SUIP) of a rating unit located in and around the Whangārei Heads area. These rating units are identified on the map below.

How much is the rate?

The estimated total Whangārei Heads pest management rate (Whangārei district) is **\$107,350** for the 2017/18 financial year.

The rate will be set at \$50.00 for each rateable separately used or inhabited part (SUIP) of a rating unit located in and around the Whangārei Heads area, as illustrated in the map below.

How is the rate applied?

The Whangārei Heads pest management rate will be applied to target pests which threaten kiwi and to eradicate selected weeds on private land in the area identified on the map below.

Rating units for the Whangārei Heads pest management rate (Whangārei district).



Whangārei transport rate

What it funds

This rate forms the local contribution required to fund the Whangārei bus passenger transport and Whangārei Total Mobility service.

How it is set

The Whangārei transport rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is a fixed amount assessed on each rateable separately used or inhabited part (SUIP) of a rating unit in the Whangārei district.

How much is the rate?

The estimated total Whangārei transport rate is **\$593,919** for the 2017/18 financial year.

The rate will be set at \$13.90 for each rateable separately used or inhabited part (SUIP) of a rating unit in the Whangārei district.

How is the rate applied?

The Whangārei transport rate will be applied to the passenger transport administration activity to subsidise bus passenger transport and the Total Mobility service provided in the Whangārei district.

Kaitāia transport rate (Far North district)

What it funds

This rate funds the Kaitāia bus passenger transport service.

How it is set

The Kaitāia transport rate (Far North district) is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is a fixed amount assessed on each rateable separately used or inhabited part (SUIP) of a rating unit located near the Kaitāia bus route. These rating units are identified on the map below.

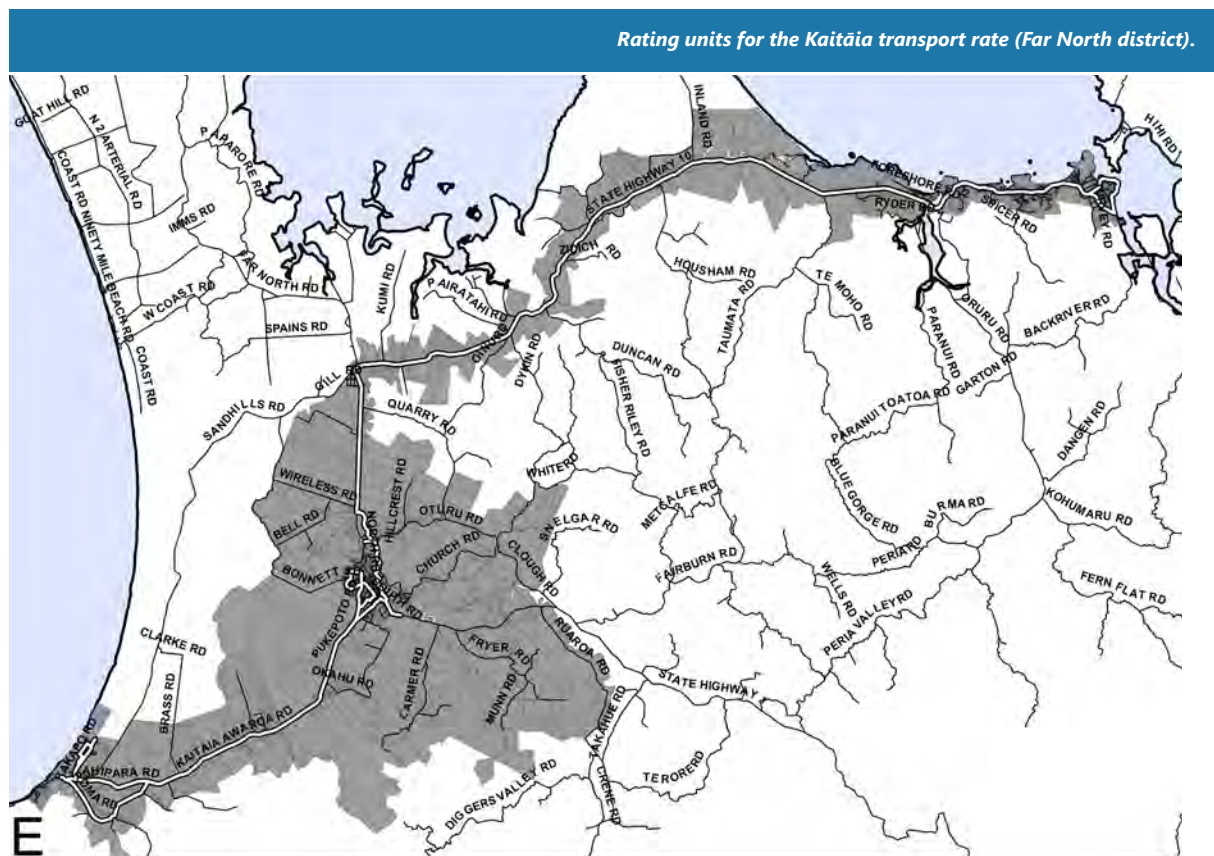
How much is the rate?

The estimated total Kaitāia transport rate (Far North district) is **\$94,124** for the 2017/18 financial year.

The rate will be set at \$15.69 for each rateable separately used or inhabited part (SUIP) of a rating unit located near the Kaitāia bus route, as illustrated in the map below.

How is the rate applied?

The Kaitāia transport rate (Far North district) will be applied to the transport activity to subsidise bus passenger transport in the Kaitāia/Mangōnui/Ahipara area.



		Total Revenue
1	SUIPs on or near mid-north bus route (as defined on the map below) - commercial differential.	\$67,220
2	SUIPs on or near mid-north bus route (as defined on the map below) - non-commercial differential.	\$221,410
		\$288,630

How is the rate applied?

The mid-north transport rate (Far North district) will be applied to the transport activity to subsidise bus passenger transport in the mid-north area.

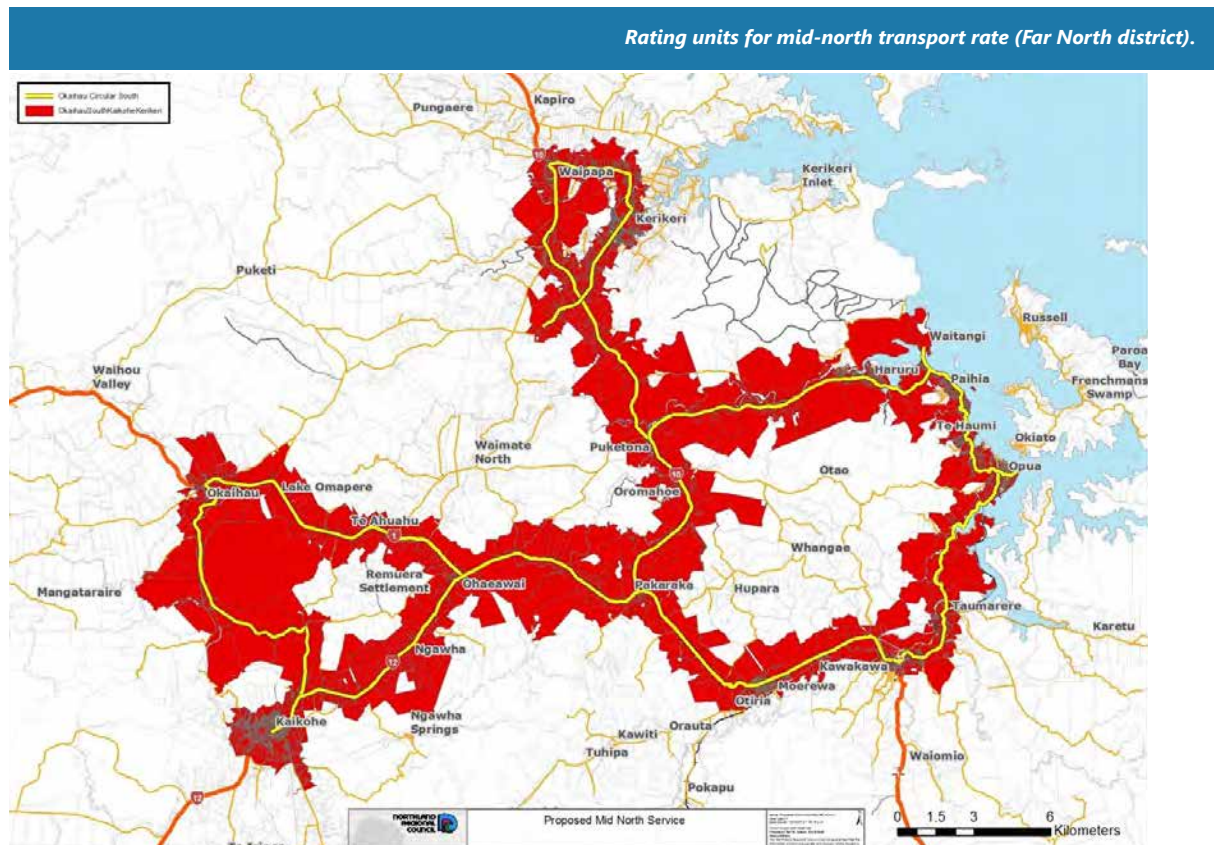
Mid-north transport rate differential

The mid-north transport rate will be set on a differential basis as described in the table below.

Differential	Basis	Description	Land use codes
Non Commercial	100%	SUIPs have a non-commercial use based on their actual use as defined by their land use code. (Note: in certain circumstances land with a commercial land use may be treated as non commercial if the ratepayer demonstrates to council's satisfaction that the actual use is not commercial.)	0, 1, 2, 9, 10 to 17, 19 to 29, 90, 91, 92 & 97-99 (93 - 96 may also be treated as non commercial if the actual use of the land is not commercial)
Commercial	200%	SUIPs which have some form of commercial or industrial use or are used primarily for commercial purposes as defined by their land use codes. (Note: in certain circumstances land with a non commercial land code use may be treated as commercial if the actual use of the entire rating unit is commercial in nature.)	3, 4, 5, 6, 7, 8, 18, 30 to 89, 93, 94, 95, & 96

Where different uses take place on parts of the rating unit, the parts may be categorised in different differential categories.

Council retains the right to apply a different differential where it can be demonstrated, to its satisfaction, that the actual use of the entire rating unit differs from that described by the current land use code.



Awanui River management rate

What it funds

This rate funds capital and operational works on the Awanui River flood management scheme.

How it is set

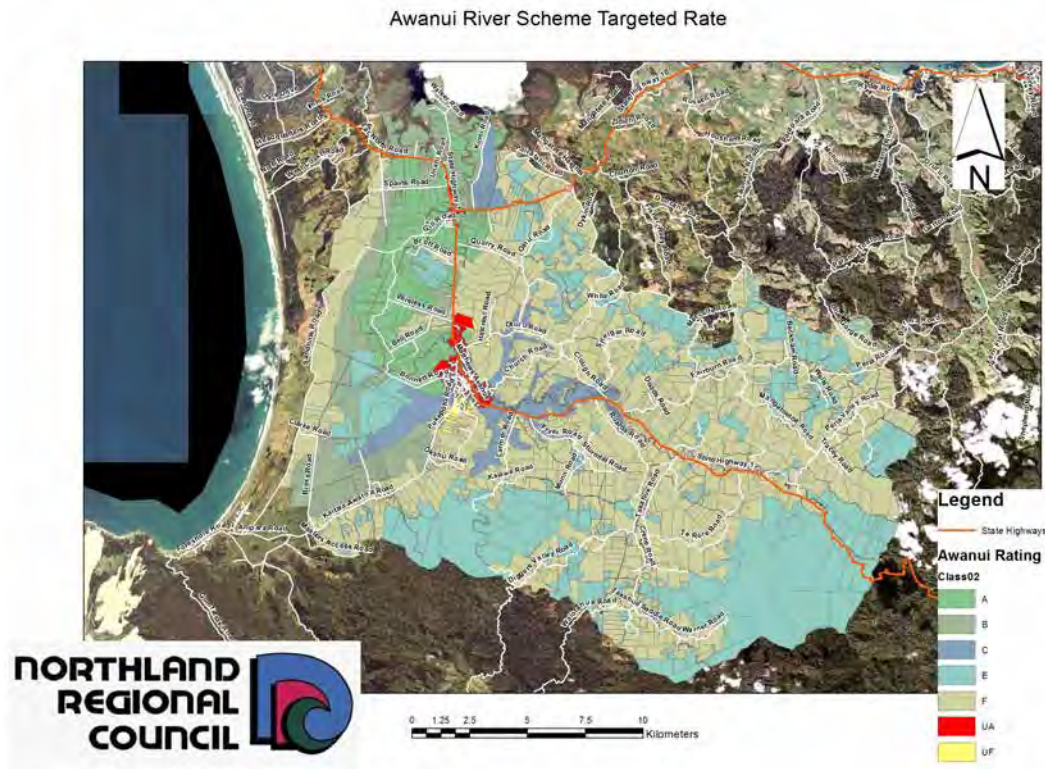
The Awanui River management rate is a targeted rate set under the Local Government (Rating) Act 2002, set differentially by location and area of benefit as illustrated by the following table and maps.

The rate is set differentially as follows:

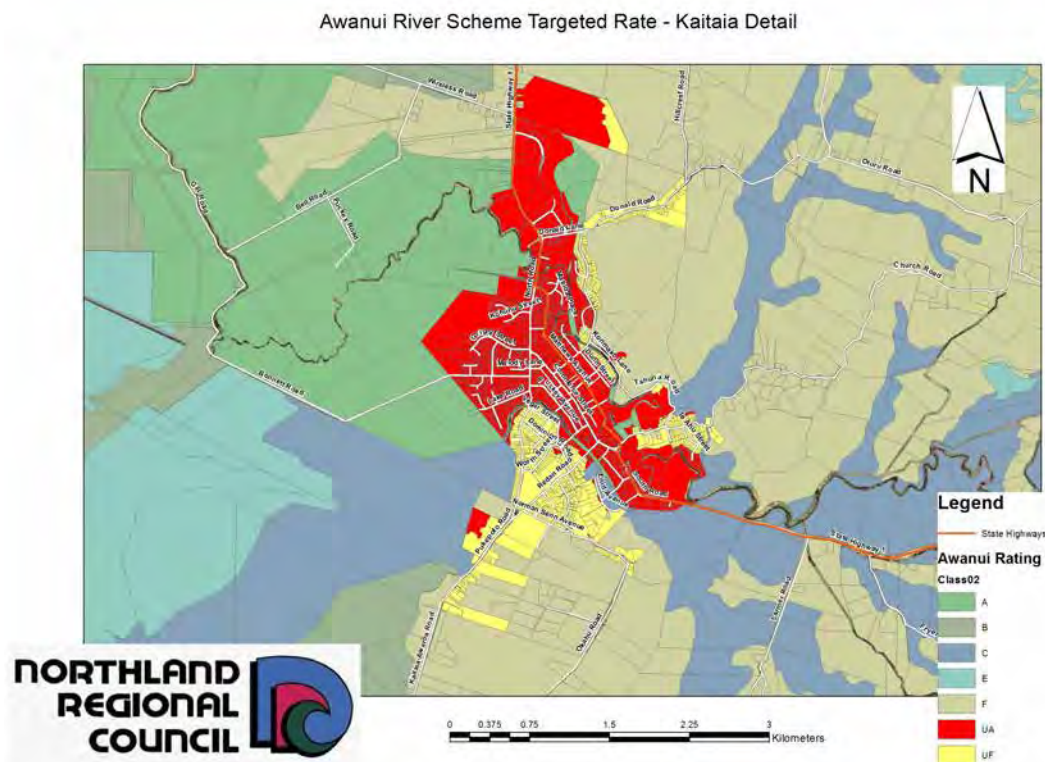
1	Urban rate class UA (floodplain location) \$188.29 direct benefit plus \$18.71 indirect benefit per separately used or inhabited part of a rating unit.	\$207.00	Per SUIP
2	Urban rate classes UF (higher ground) \$18.71 direct benefit plus \$18.71 indirect benefit per separately used or inhabited part of a rating unit.	\$37.42	Per SUIP
3	Commercial differential factor applicable to urban rate classes UA and UF, and rural hectare rate classes A & B, C, E and F.	3.0 times the appropriate rate	
4	Rural rate differentiated by class, \$8.42 per separately used or inhabited part of a rating unit of indirect benefit plus a rate per hectare for each of the following classes of land in the defined Kaitiaki flood rating district as illustrated in the following maps and table.	\$8.42	Per SUIP

The rating classifications and the rate charged are illustrated in the following maps and table.

Awanui River management rate classes.



Awanui River management rate classes.



Awanui River management rate classes.

Awanui River Scheme Targeted Rate - Awanui Detail



Class	Description	Rate/ha
A & B	High benefit; Rural land which receives high benefit from the Awanui Scheme works due to reduced river flooding risk and/or reduced duration of flooding and/or reduced coastal flooding.	\$15.31
C	Moderate benefit; land floods less frequently and water clears quickly.	\$6.93
E	Land in flood-ways and ponding areas that receive no benefit and land retained in native bush that provides watershed protection.	-
F	Contributes run-off waters, and increases the need for flood protection.	\$0.92

For more detailed information on rating class boundaries, please refer to the [Awanui Scheme Asset Management Plan](#), which is available on our website.

How much is the rate?

The estimated total Awanui River management rate is **\$682,985** for the 2017/18 financial year. The revenue sought from each category of rateable land will be as follows:

Class		Total revenue
A & B	Rural	\$87,119
C	Rural	\$11,211
F	Rural	\$17,386
Indirect benefit	Rural	\$13,447
Urban A		\$303,048
Urban F		\$24,866
Commercial differential	Majority urban	\$225,908
Total		\$682,985

How is the rate applied?

The rate is applied 100% to Awanui River flood management scheme works which form part of the river management activity.

Kaihū River management rate

What it funds

This rate funds channel maintenance works on the Kaihū River flood management scheme.

How it is set

The Kaihū River management rate is a targeted rate set under the Local Government (Rating) Act 2002, set differentially by location and area of benefit as illustrated by the following table and map.

The council will set the rate differentially as follows:

- Class A – land on the floodplain and side valleys downstream of the Rotu Bottleneck; rate is applied per hectare of land.
- Class B – land on the floodplain and tributary side valleys between Ahikiwi and the Rotu Bottleneck and in the Mangatara Drain catchment upstream of SH12; rate is applied per hectare of land.
- Class F (Catchment rate) – balance of land within the Kaihū River rating area not falling within class A and class B; rate is applied per hectare of land.
- Urban contribution – a contribution from Kaipara District Council instead of a separate rate per property.

The rating classifications and the rate charged are illustrated as follows:

Class	Description	Rate/Ha
A	Land on the floodplain and side valleys downstream of the Rotu Bottleneck.	\$21.22
B	Land on the floodplain and tributary side valleys between Ahikiwi and the Rotu Bottleneck.	\$11.68
F	Balance of rateable land within the Kaihū River rating area.	\$1.65
	Urban contribution	Per Annum
	A contribution from Kaipara District Council instead of a separate rate per property.	\$5,015

Kaihū River targeted rate area



How much is the rate?

The estimated total Kaihū River management rate is **\$79,869** in the 2017/2018 financial year. The revenue sought from each category of rateable land will be as follows:

Class	Total revenue
A	\$28,510
B	\$14,480
F	\$31,864
Urban contribution	\$5,015
Total	\$79,869

How is the rate applied?

The rate is applied 100% to Kaihū River management scheme works, which form part of the river management activity.

Kaeo-Whangaroa rivers management rate

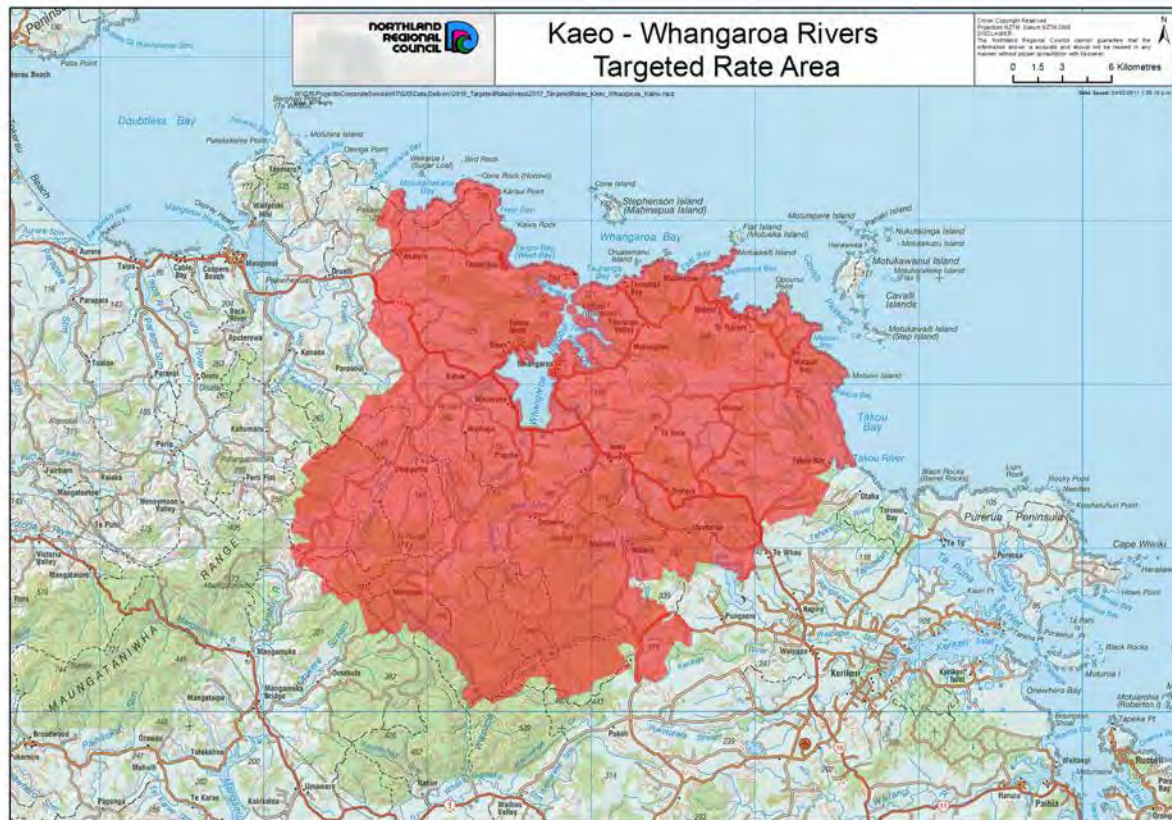
What it funds

This rate funds operational and capital flood scheme works in Kaeo and Tauranga Bay, and minor river maintenance works to clear flood debris and gravel from streams from Taupō Bay to Te Ngairi.

How it is set

The Kaeo-Whangaroa rivers management rate is a targeted rate set under the Local Government (Rating) Act 2002, set on a uniform basis in respect of each rateable separately used or inhabited part (SUIP) of a rating unit falling within the former Whangaroa ward rating rolls of 100-199, as illustrated in the map below.

Kaeo-Whangaroa River targeted rate area



How much is the rate?

The estimated total Kaeo-Whangaroa rivers management rate is \$119,635 in the 2017/18 financial year. The rate is set at \$53.66 and will be assessed on each rateable separately used or inhabited part (SUIP) of a rating unit falling between rating rolls 100-199 of the former Whangaroa ward as illustrated in the map above.

How is the rate applied?

The rate is applied 100% to Kaeo-Whangaroa rivers management works which form part of the river management activity.

Whangārei urban rivers management rate

What it funds

This rate funds the operational costs and capital costs of the flood risk reduction project for Whangārei.

How it is set

The Whangārei urban rivers management rate is a targeted rate set under the Local Government (Rating) Act 2002, and assessed on all rateable properties defined by reference to the differential categories, and differentiated by location (see maps below), and, for some categories, land use. It is set as a fixed amount per each separately used or inhabited part (SUIP) of a rating unit, as follows:

1.	Commercial properties in the Whangārei CBD flood area.	\$324.43	Per SUIP
2.	Residential properties in the Whangārei CBD flood area.	\$125.17	Per SUIP
3.	Properties in the contributing water catchment area (including properties falling in the Waiarohia, Raumaunga, Kirikiri and Hātea River catchments).	\$41.88	Per SUIP

The differential recognises the different categories of beneficiaries to the scheme and the properties that contribute to flooding in the Whangārei CBD. Properties in the contributing water catchment area contribute run-off from rainfall to the CBD which exacerbates and contributes to flooding, and these properties also receive a wider benefit from reduced flooding of the Whangārei CBD. The commercial and residential properties in the Whangārei CBD flood area are the primary beneficiaries due to reduced flood risk. Commercial benefits even more significantly than residential due to improved business continuity from reduced flooding.

Residential properties in the Whangārei central business district (CBD) flood area are defined as all rating units which are used principally for residential or lifestyle residential purposes, including retirement villages, flats etc. Residential properties also includes multi-unit properties, these being all separate rating units used principally for residential purposes, and on which is situated multi-unit type residential accommodation that is used principally for temporary or permanent residential accommodation and for financial reward, including, but not limited to, hotels, boarding houses, motels, tourist accommodation, residential clubs and hostels, but excluding any properties that are licensed under the Sale and Supply of Alcohol Act 2012.

Commercial properties in the Whangārei CBD flood area are all separate rating units used principally for commercial, industrial or related purposes or zoned for commercial, industrial or related purposes in accordance with the Whangārei district plan. For the avoidance of doubt, this category includes properties licensed under the Sale and Supply of Alcohol 2012; and private hospitals and private medical centres.

How much is the rate?

The estimated total Whangārei urban rivers management rate is **\$1,084,786** in the 2017/18 financial year. The revenue sought from each category is as follows:

1.	All commercial properties in the Whangārei CBD flood area.	\$337,078
2.	All residential properties in the Whangārei CBD flood area.	\$21,279
3.	All properties in the contributing water catchment area (including properties falling in the Waiarohia, Raumanga, Kirikiri and Hātea River catchments).	\$726,429
		\$1,084,786

How is the rate applied?

The rate is applied 100% to Whangārei urban rivers management plan works, which form part of the river management activity.

Whangārei central business district flood area.



Contributing water catchments in Whangārei urban rivers management scheme.



Other rating information

Each of Northland's three district councils is appointed as a collector for the Northland Regional Council in terms of section 53 of the Local Government (Rating) Act 2002. This means that the district councils issue rates assessments and invoices for the Northland Regional Council's rates. They also collect the rates.

Northland Regional Council has adopted policies regarding remission of rates and penalties and postponement of rates, and it remits rates and penalties and postpones payment of rates in accordance with these policies. It also resolves that penalties will be added to unpaid rates. The district councils record these transactions on the rating information database and rates records which they maintain on behalf of the Northland Regional Council.

Northland Regional Council has adopted the same definitions as the Far North and Whangārei district councils to determine a separately used or inhabited part of a rating unit as follows:

SUIP definition applicable in Far North district

Where rates are calculated on each separately used or inhabited part of a rating unit, the following definitions will apply:

- Any part of a rating unit that is used or occupied by any person, other than the ratepayer, having a right to use or inhabit that part by virtue of a tenancy, lease, licence, or other agreement.
- Any part or parts of a rating unit that are used or occupied by the ratepayer for more than one single use.

The following are considered to be separately used parts of a rating unit:

- Individual flats or apartments;
- Separately leased commercial areas which are leased on a rating unit basis;
- Vacant rating units;
- Single rating units which contain multiple uses such as a shop with a dwelling; and
- A residential building or part of a residential building that is used, or can be used, as an independent residence. An independent residence is defined as having a separate entrance, separate cooking facilities, for example, cooking stove, range, kitchen sink etc. together with living and toilet/bathroom facilities.

The following are not considered to be separately used or inhabited parts of a rating unit:

- A residential sleep-out or granny flat that does not meet the definition of an independent residence;
- A hotel room with or without kitchen facilities;
- A motel room with or without kitchen facilities; and
- Individual offices or premises of business partners.

SUIP definition applicable in Whangārei district

A separately used or inhabited part is defined as a clearly identified part of a property (rating unit) that is capable of separate use or capable of being separately inhabited or occupied. For a commercial rating unit this includes a building or part of a building that is, or is capable of being, separately tenanted, leased or sub leased. For a residential rating unit, this includes a building or part of a building which is used, or is capable of being used, as an independent residence. An independent residence means a self-contained dwelling containing separate cooking and living facilities; separate entrance; and separate toilet and bathroom facilities.

Examples include –

- Each separate shop or business activity on a rating unit is a separate part.
- Each dwelling, flat, or additional rentable unit (attached or not attached) on a residential property which is let (or capable of being let) is a separate inhabitable part.
- Individually tenanted flats, including retirement units, apartments and town houses (attached or not attached) or multiple dwellings on Māori freehold land are separately inhabited parts.
- Each block of land for which a separate title has been issued, even if that land is vacant.

Postponement charges for postponed rates in the Far North district

Pursuant to the Local Government (Rating) 2002 Act, Council will charge a postponement fee on all rates that are postponed under any of its postponement policies. The postponement fees are as follows:

- Application fee: \$50.

- Administration fee: \$50pa.
- Financing fee on all postponements: currently set at 4.75% pa but may vary to match council's average cost of funds.

At council's discretion, all these fees may be added to the total postponement balance.

Equalisation of rates

Each district in Northland is independently revalued by Quotable Value over a three-yearly cycle (one district per year). To ensure that property valuations in the remaining two districts are current, a registered valuer also provides the regional council with "an estimate of projected value" of property values in those districts (as provided for in Section 131 of the Local Government (Rating) Act 2002). The council services rate is set by reference to the projected capital value of each district. The land management rate and regional infrastructure rate are set according to projected land values in each district – for these two rates, remember that if all the districts had the same valuation date, then each district would have the same rate per dollar of actual land value.

Inspection and objection to council's rating information database

The rating information database for each district is available at the relevant district council and the Northland Regional Council. The rating information database for each district can also be found on each district council website. The website addresses are:

www.fndc.govt.nz

www.wdc.govt.nz

www.kaipara.govt.nz

Ratepayers have the right to inspect rating information database records and can object on the grounds set out in the Local Government (Rating) Act 2002.

Rating examples

How much will my rates be?

Presented on the next pages are some example rates for properties in each of Northland's three districts. The tables show the total rates that would apply to different groups of ratepayers under this annual plan.

Note that the rates detailed in this plan are worked out using estimated land or capital values (where applicable) – actual rates will be set using district valuation rolls as at 30 June 2017, so they may differ slightly.

Ratepayers in the Whangārei district

Whangārei district ratepayers will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017, with an additional charge of \$1.73 per separately used or inhabited part of a rating unit to fund the maintenance of the Hātea Channel;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of a rating unit;
4. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed transport rate assessed on each separately used or inhabited part of a rating unit;
6. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
7. A targeted, Whangārei urban rivers management rate differentiated by location, and for some categories and set as a fixed amount on each separately used or inhabited part of a rating unit.

Whangārei Urban/Rural/Other Land Management Rate = LV rate in the \$ = 0.0004016 Infrastructure Rate = LV rate in the \$ = 0.0000350	Land Value	2017-18 Rates	2016-17 Rates
Residential Property (non CBD)			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$120,000	\$48.19	\$45.13
Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$4.20	\$4.19
Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Total Regional Rates		\$218.56	\$211.67
Residential Property (non CBD)			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$225,000	\$90.36	\$84.63
Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$7.88	\$7.86

Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Total Regional Rates		\$264.41	\$254.84
Residential property (in CBD area)			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$225,000	\$90.36	\$84.63
Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$7.88	\$7.86
Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Whangārei Urban Rivers Management Rate		\$125.17	\$125.17
Total Regional Rates		\$389.58	\$380.01
Residential property (in storm water catchment area)			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$225,000	\$90.36	\$84.63
Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$7.88	\$7.86
Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Whangārei Urban Rivers Management Rate		\$41.88	\$41.88
Total Regional Rates		\$389.58	\$296.72
Farm property			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$2,750,000	\$1,104.40	\$1,034.28
Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$96.25	\$96.10
Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Total Regional Rates		\$1,366.82	\$1,292.73
Commercial property (non CBD)			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$2,000,000	\$803.20	\$752.20

Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$70.00	\$69.89
Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Total Regional Rates		\$1,039.37	\$984.44
Commercial property (in CBD area)			
Council Services Rate		\$117.66	\$108.62
Land Management Rate	\$2,000,000	\$803.20	\$752.20
Regional Recreational Facilities Rate		\$22.85	\$28.75
Regional Infrastructure Rate		\$70.00	\$69.89
Transport Rate		\$13.90	\$13.22
Emergency Services Rate		\$11.76	\$11.76
Whangārei Urban Rivers Management Rate		\$324.43	\$324.43
Total Regional Rates		\$1,363.80	\$1,308.87

Whangārei district ratepayers in the Whangārei Heads Pest Management rate area will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017, with an additional charge of \$1.73 per separately used or inhabited part of a rating unit to fund the maintenance of the Hātea Channel;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of a rating unit;
4. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed transport rate assessed on each separately used or inhabited part of a rating unit;
6. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
7. A targeted, fixed Whangārei Heads pest management rate assessed on each separately used or inhabited part of a rating unit located in and around the Whangārei Heads area.

Whangārei Urban/Rural/Other		Land Value	2017-18 Rates	2016-17 Rates
Land Management Rate = LV rate in the \$ = 0.0004016				
Infrastructure Rate = LV rate in the \$ = 0.0000350				
Residential Property (In the Whangārei Heads Pest Management Area)				
Council Services Rate			\$117.66	\$108.62
Land Management Rate		\$225,000	\$90.36	\$84.63
Regional Recreational Facilities Rate			\$22.85	\$28.75
Regional Infrastructure Rate			\$7.88	\$7.86
Transport Rate			\$13.90	\$13.22
Emergency Services Rate			\$11.76	\$11.76
Whangārei Heads Pest Management Rate			\$50.00	\$50.00
Total Regional Rates			\$314.41	\$304.84

Ratepayers in the Kaipara district

Kaipara district ratepayers will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017 and assessed on each rating unit;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of the rating unit;
4. A targeted, regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed emergency service rate assessed on each rating unit; and
6. A targeted Kaihū River management rate, based on land area, and differentiated by location and area of benefit as defined in the Kaihū River management scheme.

Kaipara urban/rural Land Management Rate = LV rate in the \$ = 0.0004300 Infrastructure Rate = LV rate in the \$ = 0.0000375	Land value	2017-18 Rates	2016-17 Rates
Residential property			
Council Services Rate		\$122.90	\$126.06
Land Management Rate	\$120,000	\$51.60	\$47.86
Regional Recreational Facilities Rate		\$4.57	\$5.75
Regional Infrastructure Rate		\$4.50	\$4.45
Emergency Services Rate		\$11.76	\$11.76
Total Regional Rates		\$195.33	\$195.88
Residential property			
Council Services Rate		\$122.90	\$126.06
Land Management Rate	\$225,000	\$96.75	\$89.73
Regional Recreational Facilities Rate		\$4.57	\$5.75
Regional Infrastructure Rate		\$8.44	\$8.35
Emergency Services Rate		\$11.76	\$11.76
Total Regional Rates		\$244.42	\$241.65
Farm property			
Council Services Rate		\$122.90	\$126.06
Land Management Rate	\$2,750,000	\$1,182.50	\$1,096.70
Regional Recreational Facilities Rate		\$4.57	\$5.75
Regional Infrastructure Rate		\$103.13	\$102.05
Emergency Services Rate		\$11.76	\$11.76

Total Regional Rates		\$1,424.86	\$1,342.32
----------------------	--	------------	------------

Additional for properties in the Kaihū River catchment	Land value	2017-18 Rates	2016-17 Rates
10 hectares	Class A	\$212.20	\$256.20
	Class B	\$116.80	\$128.10
	Class F	\$16.50	\$19.20
100 hectares	Class A	\$2,122.00	\$2,562.00
	Class B	\$1,168.00	\$1,281.00
	Class F	\$165.00	\$192.00

Ratepayers in the Far North District

Far North district ratepayers will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017 and assessed on each separately used or inhabited part of the rating unit;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of the rating unit;
4. A targeted, regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of the rating unit.

Far North Land Management Rate = LV rate in the \$ = \$0.0003612 Infrastructure Rate = LV rate in the \$ = \$0.0000315		Land value	2017-18 Rates	2016-17 Rates
Residential/Commercial/Other				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$120,000		\$43.34	\$46.50
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$3.78	\$4.32
Emergency Services Rate			\$11.76	\$11.76
Total Regional Rates			\$155.37	\$157.80
Residential/Commercial/Other				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$225,000		\$81.27	\$87.19
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$7.09	\$8.10
Emergency Services Rate			\$11.76	\$11.76
Total Regional Rates			\$199.61	\$202.27
Farm Property				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$2,750,000		\$993.30	\$1,065.63
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$86.63	\$99.00
Emergency Services Rate			\$11.76	\$11.76
Total Regional Rates			\$1,188.18	\$1,271.61

Far North district ratepayers in the Awanui River management rate area will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017 and assessed on each separately used or inhabited part of a rating unit;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of a rating unit;
4. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
6. A targeted Awanui River management rate, classes UA/UF, A & B, C, E and F differentiated by location and area of benefit as defined in the Awanui river flood management scheme.

Far North - Awanui Catchment		Land value	2017-18 Rates	2016-17 Rates
Land Management Rate = LV rate in the \$ = \$0.0003612				
Infrastructure Rate = LV rate in the \$ = \$0.0000315				
Residential & Commercial Urban				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$120,000		\$43.34	\$46.50
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$3.78	\$4.32
Emergency Services Rate			\$11.76	\$11.76
<i>Plus Awanui river management rates applicable to:</i>				
	Urban UA Low Land \$		\$207.00	\$197.72
	Urban UF Hills \$		\$37.42	\$35.75
	Commercial Urban UA \$ ¹		\$621.00	\$593.16
Lifestyle - 10 hectares				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$450,000		\$162.54	\$174.38
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$14.18	\$16.20
Emergency Services Rate			\$11.76	\$11.76
<i>Plus Awanui river management rates applicable to:</i>				
	Rural Commercial A & B		\$467.72	\$694.54
	Rural Class A & B		\$161.52	\$238.74
	Rural Class C		\$77.72	\$130.84
	Rural Class E		\$8.42	\$10.84

	Rural Class F	\$17.62	\$20.04
Farm Property - 100 hectares			
Council Services Rate		\$91.92	\$89.47
Land Management Rate	\$2,750,000	\$993.30	\$1,065.63
Regional Recreational Facilities Rate		\$4.57	\$5.75
Regional Infrastructure Rate		\$86.63	\$99.00
Emergency Services Rate		\$11.76	\$11.76
<i>Plus Awanui river management rates applicable to:</i>			
	Rural Commercial A & B	¹ Refer Below	¹ Refer Below
	Rural Class A & B	\$1,539.42	\$2,289.84
	Rural Class C	\$701.42	\$1,210.84
	Rural Class E	\$8.42	\$10.84
	Rural Class F	\$100.42	\$102.84

1. Commercial properties for the Awanui River management rate are subject to the 3:1 commercial differential on class UA (\$207 for urban commercial; \$15.31 per ha for rural commercial A & B). The rural commercial rate also includes a single rate of \$8.42 to reflect the indirect benefit. Note that commercial and industrial activities in rural zones that have a lower area and land value will be rated less than the illustrated differentials above - refer to rating factors previously set out (and multiply by the differential factor of three).

Far North district ratepayers in the Kaeo-Whangaroa rivers management rate area will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017 and assessed on each separately used or inhabited part of a rating unit;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of a rating unit;
4. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
6. A targeted Kaeo-Whangaroa Rivers management rate set on a uniform basis in respect of each separately used or inhabited part of a rating unit for properties falling within the former Whangaroa ward (rating rolls 100-199).

Far North Land Management Rate = LV rate in the \$ = \$0.0003612 Infrastructure Rate = LV rate in the \$ = \$0.0000315		Land value	2017-18 Rates	2016-17 Rates
Residential/Commercial/Other				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$120,000		\$43.34	\$46.50
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$3.78	\$4.32
Emergency Services Rate			\$11.76	\$11.76
Kaeo - Whangaroa Rivers Management Rate			\$53.66	\$72.19
Total Regional Rates			\$209.03	\$229.99
Residential/Commercial/Other				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$225,000		\$81.27	\$87.19
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$7.09	\$8.10
Emergency Services Rate			\$11.76	\$11.76
Kaeo - Whangaroa Rivers Management Rate			\$53.66	\$72.19
Total Regional Rates			\$250.27	\$274.46
Farm Property				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$2,750,000		\$993.30	\$1,065.63
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$86.63	\$99.00
Emergency Services Rate			\$11.76	\$11.76
Kaeo - Whangaroa Rivers Management Rate			\$53.66	\$72.19
Total Regional Rates			\$1,241.84	\$1,343.80

Far North district ratepayers in the Kaitiāia transport rate area will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017 and assessed on each separately used or inhabited part of a rating unit;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of a rating unit;
4. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
6. A targeted, fixed Kaitiāia transport rate assessed on each separately used or inhabited part of a rating unit falling within the targeted area.

Far North				
Land Management Rate = LV rate in the \$ = \$0.0003612		Land value	2017-18 Rates	2016-17 Rates
Infrastructure Rate = LV rate in the \$ = \$0.0000315				
Residential/Commercial/Other				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$120,000		\$43.34	\$46.50
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$3.78	\$4.32
Emergency Services Rate			\$11.76	\$11.76
Kaitaia Transport Rate			\$15.69	\$15.69
Total Regional Rates			\$171.06	\$173.49
Residential/Commercial/Other				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$225,000		\$81.27	\$87.19
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$7.09	\$8.10
Emergency Services Rate			\$11.76	\$11.76
Kaitaia Transport Rate			\$15.69	\$15.69
Total Regional Rates			\$212.30	\$217.96
Farm Property				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$2,750,000		\$993.30	\$1,065.63
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$86.63	\$99.00
Emergency Services Rate			\$11.76	\$11.76
Kaitaia Transport Rate			\$15.69	\$15.69
Total Regional Rates			\$1,203.87	\$1,287.30

Far North district ratepayers in the Mid-North transport rate area will be assessed:

1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June 2017 and assessed on each separately used or inhabited part of a rating unit;
2. A targeted land management rate assessed on the land value of each rateable rating unit;
3. A targeted, fixed regional recreational facilities rate, differentiated by location in the Northland region and assessed on each separately used or inhabited part of a rating unit;
4. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
5. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
6. A targeted, Mid-North transport rate differentiated by location and category and set as a fixed amount per each separately used or inhabited part of a rating unit falling within the targeted area.

Far North Land Management Rate = LV rate in the \$ = \$0.0003612 Infrastructure Rate = LV rate in the \$ = \$0.0000315		Land value	2017-18 Rates	2016-17 Rates
Residential				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$120,000		\$43.34	\$46.50
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$3.78	\$4.32
Emergency Services Rate			\$11.76	\$11.76
Mid North Transport Rate			\$24.32	\$24.31
Total Regional Rates			\$179.69	\$182.11
Residential				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$225,000		\$81.27	\$87.19
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$7.09	\$8.10
Emergency Services Rate			\$11.76	\$11.76
Mid North Transport Rate			\$24.32	\$24.31
Total Regional Rates			\$220.93	\$226.58
Farm Property				
Council Services Rate			\$91.92	\$89.47
Land Management Rate	\$2,750,000		\$993.30	\$1,065.63
Regional Recreational Facilities Rate			\$4.57	\$5.75
Regional Infrastructure Rate			\$86.63	\$99.00
Emergency Services Rate			\$11.76	\$11.76

Mid North Transport Rate		\$24.32	\$24.31
Total Regional Rates		\$1,212.50	\$1,295.92
Commercial			
Council Services Rate		\$91.92	\$89.47
Land Management Rate	\$2,000,000	\$722.40	\$775.00
Regional Recreational Facilities Rate		\$4.57	\$5.75
Regional Infrastructure Rate		\$63.00	\$72.01
Emergency Services Rate		\$11.76	\$11.76
Mid North Transport Rate		\$48.64	\$48.63
Total Regional Rates		\$942.29	\$1,002.62

Summary of rates

The following table illustrates the distribution of the regional rate on the actual and forecast bases for the 2016/17 year and the 2017/18 financial year. The actual and projected apportionment of rates between Northland's districts is as follows, based on the Valuation Roll at 30 June in each year:

Rating base information: Estimate – 30 June 2017

	Total projected number of Rating Units	Nett number of rating units (Kaipara) or SUIPS (Others)	Capital Value \$000's	Land Value \$000's	Equalised Capital Value \$000's	Equalised Land Value \$000's	Equalised CV%	Equalised LV%
Far North District	37,647	36,145	14,927,566	7,740,217	14,951,879	7,745,617	33.45%	34.27%
Kaipara District	14,982	13,481	6,245,800	3,689,857	7,456,885	4,372,302	16.68%	19.34%
Whangārei District	41,760	42,728	19,599,787	9,412,516	22,294,239	10,484,094	49.87%	46.39%
Total Valuation - Northland	94,389	92,354	40,773,153	20,842,590	44,703,003	22,602,013	100.00%	100.00%

	Budgeted rates 2017-18 (including GST)					Budgeted rates 2016-17 (including GST)				
	Far North District	Kaipara District	Whangārei District	Total \$ (gross)	Total \$ (net)	Far North District	Kaipara District	Whangārei District	Total \$ (gross)	Total \$ (net)
Targeted Council service rate										
Rates per SUIP	\$91.92			\$3,437,399	\$3,322,229	\$89.47			\$3,299,851	\$3,189,174
Rates per RU		\$122.90		\$1,841,361	\$1,656,881		\$126.06		\$1,816,314	\$1,700,336
Rates per SUIP			\$117.66	\$5,152,324	\$5,027,369			\$108.62	\$4,705,630	\$4,587,340
				\$10,431,084	\$10,006,479				\$9,821,796	\$9,476,850
Targeted Land management rate										
Rate per \$ of actual LV	\$0.0003612			\$2,795,766	\$2,761,198	\$0.0003875			\$2,674,594	\$2,646,618
Rate per \$ of actual LV		\$0.0004300		\$1,586,639	\$1,558,646		\$0.0003988		\$1,468,582	\$1,445,130
Rate per \$ of actual LV			\$0.0004016	\$3,780,066	\$3,737,533			\$0.0003761	\$3,521,658	\$3,476,147
				\$8,162,471	\$8,057,377				\$7,664,833	\$7,567,896
Targeted Regional recreational facilities										
Rates per SUIP	\$4.57			\$170,907	\$165,180	\$5.75			\$212,069	\$204,956
Rates per RU		\$4.57		\$68,468	\$61,608		\$5.75		\$82,846	\$77,556
Rates per SUIP			\$22.85	\$1,000,601	\$976,335			\$28.75	\$1,245,479	\$1,214,170
				\$1,239,976	\$1,203,123				\$1,540,393	\$1,496,682
Targeted Regional infrastructure rate										
Rate per \$ of actual LV	\$0.0000315			\$243,817	\$240,797	\$0.00003600			\$248,487	\$245,869
Rate per \$ of actual LV		\$0.0000375		\$138,370	\$135,930		\$0.00003711		\$136,650	\$134,252
Rate per \$ of actual LV			\$0.0000350	\$329,438	\$325,721			\$0.00003494	\$327,189	\$322,932
				\$711,625	\$702,448				\$712,325	\$703,053
Targeted Emergency service rate										

Rates per SUIP	\$11.76	\$439,795	\$425,059	\$11.76	\$433,729	\$419,181
Rates per RU	\$11.76	\$176,188	\$158,537	\$11.76	\$169,439	\$158,620
Rates per SUIP	\$11.76	\$514,970	\$502,481	\$11.76	\$509,458	\$496,651
		<u>\$1,130,953</u>	<u>\$1,086,077</u>		<u>\$1,112,625</u>	<u>\$1,074,452</u>
Whangārei transport rate						
Rates per SUIP	\$13.90	\$608,681	\$593,919	\$13.22	\$572,704	\$558,307
Whangārei Heads pest management rate						
Rates per SUIP	\$50.00	\$108,900	\$107,350	\$50.00	\$108,200	\$106,450
Kaitiāia transport rate						
Rates per SUIP (Kaitiāia only)	\$15.69	\$96,007	\$94,124	\$15.69	\$95,661	\$93,872
Targeted Mid North transport rate						
Rates per SUIP		\$ 292,779	\$ 286,506 8,630		\$ 292,463	\$ 286,190
Awanui river management rate						
Far North District - Rural		\$130,803	\$130,267		\$187,857	\$186,603
Far North District - Urban		\$554,035	\$552,718		\$496,379	\$496,382
		<u>\$684,838</u>	<u>\$682,985</u>		<u>\$684,236</u>	<u>\$682,985</u>
Kaihū river management rate						
Kaipara		\$79,869	\$79,869		\$90,670	\$90,670
Kaeo-Whangaroa river management rate						
Far North (Kaeo only)	\$53.66	\$127,630	\$119,635	\$72.19	\$168,022	\$159,828
Kerikeri-Waipapa rivers management rate						
Far North (Kerikeri-Waipapa only)		-	-		\$366,665	\$361,060
Whangārei rivers management rate						
Rates per SUIP		\$1,090,679	\$1,084,786		\$1,081,811	\$1,074,274
TOTAL RATES (including GST)						
Far North District		\$8,289,823	\$8,099,837		\$8,475,775	\$8,289,735
Kaipara District		\$3,890,894	\$3,651,470		\$3,764,500	\$3,606,564
Whangārei District		\$12,585,660	\$12,355,496		\$12,072,128	\$11,836,271
TOTAL		<u><u>\$24,766,377</u></u>	<u><u>\$24,106,803</u></u>		<u><u>\$24,312,402</u></u>	<u><u>\$23,732,570</u></u>

Financials

Financial statements

Financial Statements

The following financial statements show our draft financial plan for the 2017/18 year.

Please note that the following documents support the financial information contained in these financial statements, and can be found on our website www.nrc.govt.nz/annualplanpolicies:

- Significant forecasting assumptions
- Significant financial forecasting assumptions
- Accounting policies

Charging Policy

Council's charging policy was adopted by council on 27 June 2017. This policy is available on our website: www.nrc.govt.nz/chargingpolicy

Prospective statement of comprehensive revenue and expense

Annual Plan 2016-17 \$	For the 2017-18 Annual Plan Periods Ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
REVENUE			
20,637,017	Rates	20,962,436	21,099,785
4,387,804	Fees and Charges	4,509,834	4,145,664
1,264,780	Subsidies and Grants	1,909,047	1,296,848
2,876,583	Interest Revenue	1,033,132	1,778,562
5,279,162	Other Revenue	5,671,499	6,621,306
836,000	Other Gains	2,769,229	977,000
35,281,345	TOTAL REVENUE	36,855,178	35,919,165
EXPENSES			
12,985,731	Personnel Costs	13,953,679	12,590,752
1,323,275	Depreciation and Amortisation Expense	1,433,641	1,400,362
578,864	Finance Costs	726,397	110,000
0	Other Losses	0	0
18,904,262	Other Expenditure on Activities	20,715,958	19,229,804
33,792,132	TOTAL OPERATING EXPENDITURE	36,829,675	33,330,918
1,489,213	SURPLUS/(DEFICIT) BEFORE TAX	25,503	2,588,247
0	INCOME TAX CREDIT/(EXPENSE)	0	0
1,489,213	SURPLUS/(DEFICIT) AFTER TAX	25,503	2,588,247
SURPLUS/(DEFICIT) ATTRIBUTABLE TO:			
1,489,213	Northland Regional Council	25,503	2,588,247
	Non-Controlling Interest		
OTHER COMPREHENSIVE REVENUE AND EXPENSE			
<i>Items that will be reclassified to surplus/(deficit)</i>			
0	Financial Assets at fair value through other comprehensive revenue and expense	0	0
<i>Items that will not be reclassified to surplus/(deficit)</i>			
0	Gains/(loss) on Property Revaluations	0	0
0	Gains/(loss) on Infrastructure Asset revaluations	0	0
0	TOTAL OTHER COMPREHENSIVE REVENUE AND EXPENSE	0	0
1,489,213	TOTAL COMPREHENSIVE REVENUE AND EXPENSE FOR THE YEAR	25,503	2,588,247

Prospective statement of financial position

Annual Plan 2016-17 \$	Prospective Statement of Financial Position as at 30 June	Annual Report 2015-16 \$	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
ASSETS				
Current Assets				
782,397	Cash and cash equivalents	1,674,580	401,641	4,872,960
4,000,000	Other Financial Assets	4,300,718	3,783,144	9,981,864
5,098,647	Receivables	5,264,216	6,231,006	5,192,753
3,274,603	Inventory	3,113,202	3,186,051	3,297,224
3,796,000	Assets Held for Sale	17,920,000	16,443,000	0
16,951,647	Total Current Assets	32,272,715	30,044,842	23,344,801
Non Current Assets				
5,796,444	Receivables	5,461,413	6,855,394	0
47,206,132	Other Financial Assets	48,589,803	49,371,660	32,608,536
33,857,645	Infrastructure, property, plant and equipment	30,257,159	32,213,104	33,433,649
40,870,000	Investment Property	28,883,000	29,563,949	45,579,000
208,142	Intangible Assets	704,349	139,836	373,922
2,200,000	Forestry Assets	2,360,000	2,360,000	1,933,000
0	Investment in Subsidiaries (excl. council controlled organisations) and Joint Venture company	7,827,563	7,827,563	0
8,690,246	Investment in Council Controlled Organisations	862,683	862,683	5,894,019
138,828,609	Total Non Current Assets	124,945,967	129,194,189	119,822,126
155,780,256	Total Assets	157,218,683	159,239,031	143,166,927
LIABILITIES				
Current Liabilities				
6,107,103	Payables	4,689,033	3,647,038	4,642,158
1,370,474	Employee Entitlements	1,503,264	1,538,440	1,471,299
7,477,577	Total Current Liabilities	6,192,297	5,185,478	6,113,457
Non Current Liabilities				
738,590	Payables and deferred revenue	844,217	850,000	0
13,000,000	Borrowings and other Financial Liabilities	13,000,000	13,000,000	0
74,447	Employee Entitlements	11,004	13,579	35,563
13,813,037	Total Non Current Liabilities	13,855,221	13,863,579	35,563
21,290,614	Total Liabilities	20,047,518	19,049,057	6,149,020
134,489,641	Net Assets	137,171,166	140,189,973	137,017,907

Equity				
117,073,095	Accumulated Funds	117,670,944	114,670,949	132,437,725
961,290	Revaluation reserves	938,441	938,441	2,940,755
16,455,256	Other Reserves	18,561,781	24,580,583	1,639,427
134,489,641	Total Equity	137,171,166	140,189,973	137,017,907
0	Non-controlling interests in subsidiary companies	0	0	0
134,489,641	TOTAL EQUITY	137,171,166	140,189,973	137,017,907

Prospective statement of changes in equity

Annual Plan		Annual Plan	LTP Year 3
2016-17	Prospective Statement of Changes in Equity for the period ending 30 June	2017-18	2017-18
\$		\$	\$
133,000,428	Balance at 1 July	140,164,470	134,429,660
1,489,213	Total Comprehensive Revenue and expense	25,503	2,588,247
134,489,641	Balance at 30 June	140,189,973	137,017,907
	Total Comprehensive Revenue and expense attributable to:		
1,489,213	Northland Regional Council	25,503	2,588,247
0	Non-controlling interests		0
134,489,641	Balance at 30 June	140,189,973	137,017,907

Prospective statement of cashflows

Annual Plan 2016-17 \$	Prospective Statement of Cashflows for the year ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$	Variance to LTP \$
	Cash flows from operating activities			
22,332,957	Receipts from rates revenue	24,120,681	21,031,044	(3,089,637)
4,632,896	Receipts from customers	5,928,836	5,043,473	(885,363)
1,019,688	Subsidies and grants received	1,452,878	1,193,273	(259,605)
1,662,318	GST received	2,535,097	2,604,624	69,527
87,382	Interest received	157,132	1,778,562	1,621,430
2,823,221	Other revenue received	3,210,300	6,080,283	2,869,983
(32,277,388)	Staff and Suppliers	(38,267,826)	(34,453,235)	3,814,591
(197,363)	Other payments - operating	(245,673)	(183,575)	62,098
(578,864)	Interest paid	(726,397)	(110,000)	616,397
(495,152)	Net cash provided (or used) in operating activities	(1,834,972)	2,984,449	4,819,421
	Cash flows from investing activities			
	Sale of infrastructure, property, plant and equipment			
2,500,000	Other receipts - investing	3,500,000	0	(3,500,000)
(1,782,354)	Purchase of infrastructure, property, plant and equipment	(1,516,479)	(883,073)	633,406
717,646	Net cash provided (or used) in investing activities	1,983,521	(883,073)	(2,866,594)
	Cash flows from financing activities			
0	Other receipts - financing		5,320	5,320
0	Net cash provided (or used) in financing activities	0	5,320	5,320
222,494	Net increase/(decrease) in cash & cash equivalents	148,549	2,106,696	1,958,147
559,903	Cash and Cash Equivalents at beginning of period	253,092	782,397	529,305
782,397	Cash and Cash Equivalents at end of period	401,641	2,889,093	2,487,452

Schedule of reserves

Revaluation Reserves

Annual Plan 2016-17 \$	Schedule of reserves for the period ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
Asset Revaluation Reserve			
944,860	Opening Balance as at 1 July	956,290	2,924,325
	Increase /(Decrease) in Reserve throughout the year (operational transfer)		
	Increase /(Decrease) in Reserve throughout the year (capital transfer)		
944,860	Closing Balance as at 30 June	956,290	2,924,325
Financial Assets at Fair Value			
16,430	Opening Balance as at 1 July	(17,849)	16,430
	Increase /(Decrease) in Reserve throughout the year (operational transfer)		
	Increase /(Decrease) in Reserve throughout the year (capital transfer)		
16,430	Closing Balance as at 30 June	(17,849)	16,430
961,290	Total special reserves closing balance as at 30 June	938,441	2,940,755

Other Reserves

Annual Plan 2016-17 \$	Schedule of reserves for the period ending 30 June	Annual Plan 2017-18 \$	LTP Year 3 2017-18 \$
Land Management Reserve			
1,028,291	Opening Balance as at 1 July	760,692	779,791
(339,500)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(339,500)	(274,500)
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
688,791	Closing Balance as at 30 June	421,192	505,291
Awanui River Reserve			
(739,530)	Opening Balance as at 1 July	(590,418)	(1,060,488)
65,622	Increase /(Decrease) in Reserve throughout the year (operational transfer)	134,107	73,099
(61,995)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(63,001)	(63,001)
(735,903)	Closing Balance as at 30 June	(519,312)	(1,050,390)
Kaihu River Reserve			
41,123	Opening Balance as at 1 July	55,502	42,328
(20,374)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(10,000)	(7,598)
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
20,749	Closing Balance as at 30 June	45,502	34,730
Whangaroa-Kaeo Rivers Reserve			
(25,122)	Opening Balance as at 1 July	13,791	(101,142)
26,603	Increase /(Decrease) in Reserve throughout the year (operational transfer)	22,800	48,186
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
1,481	Closing Balance as at 30 June	36,591	(52,956)

Whangarei Urban Rivers Reserve			
(9,786,317)	Opening Balance as at 1 July	(9,860,078)	(8,885,521)
388,083	Increase /(Decrease) in Reserve throughout the year (operational transfer)	399,403	334,386
	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
(9,398,234)	Closing Balance as at 30 June	(9,460,675)	(8,551,135)
Kerikeri Waipapa Rivers Reserve			
(1,662,658)	Opening Balance as at 1 July	593,742	(1,518,713)
144,024	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(43,800)	157,861
	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
(1,518,634)	Closing Balance as at 30 June	549,942	(1,360,852)
Infrastructure Facilities Reserve			
(1,047,489)	Opening Balance as at 1 July	(655,009)	(1,036,958)
202,991	Increase /(Decrease) in Reserve throughout the year (operational transfer)	175,200	80,150
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
(844,498)	Closing Balance as at 30 June	(479,809)	(956,808)
Recreational Facilities Reserve			
(2,263,180)	Opening Balance as at 1 July	(963,748)	(1,156,909)
1,188,385	Increase /(Decrease) in Reserve throughout the year (operational transfer)	963,748	1,156,909
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
(1,074,795)	Closing Balance as at 30 June	0	0
Property Reinvestment Fund Reserve			
18,704,528	Opening Balance as at 1 July	23,184,284	9,335,297
272,783	Increase /(Decrease) in Reserve throughout the year (operational transfer)	118,361	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
18,977,311	Closing Balance as at 30 June	23,302,645	9,335,297
Infrastructure Investment Fund Reserve			
6,244,082	Opening Balance as at 1 July	6,025,737	0
0	Increase /(Decrease) in Reserve throughout the year (operational transfer)	0	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	3,039,306	0
6,244,082	Closing Balance as at 30 June	9,065,043	0
Equalisation Fund Reserve			
1,926,456	Opening Balance as at 1 July	1,211,366	1,217,698
(745,725)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(543,087)	(313,301)
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
1,180,731	Closing Balance as at 30 June	668,279	904,397
Hatea River Reserve			
60,856	Opening Balance as at 1 July	153,934	159,608
5,268	Increase /(Decrease) in Reserve throughout the year (operational transfer)	5,268	2,537
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0

66,124	Closing Balance as at 30 June	159,202	162,145
Investment and Growth Reserve			
3,045,214	Opening Balance as at 1 July	1,535,386	2,611,037
(251,532)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(1,014,732)	34,832
26,138	Increase /(Decrease) in Reserve throughout the year (capital transfer)	7,304	7,304
2,819,820	Closing Balance as at 30 June	527,958	2,653,173
Whangarei Heads Pest Management Reserve			
0	Opening Balance as at 1 July	20,031	0
0	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(8,933)	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
0	Closing Balance as at 30 June	11,098	0
Emergency Services Reserve			
0	Opening Balance as at 1 July	124,371	0
0	Increase /(Decrease) in Reserve throughout the year (operational transfer)	87,061	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
0	Closing Balance as at 30 June	211,432	0
Whangarei Transport Reserve			
0	Opening Balance as at 1 July	(9,544)	0
0	Increase /(Decrease) in Reserve throughout the year (operational transfer)	9,544	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
0	Closing Balance as at 30 June	0	0
Mid North Bus Reserve			
0	Opening Balance as at 1 July	0	0
0	Increase /(Decrease) in Reserve throughout the year (operational transfer)	106,238	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
0	Closing Balance as at 30 June	106,238	0
Carry Forward Reserve			
0	Opening Balance as at 1 July	0	0
0	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(91,700)	0
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
0	Closing Balance as at 30 June	(91,700)	0
Kaitiaia Bus Reserve			
25,704	Opening Balance as at 1 July	24,594	17,200
2,363	Increase /(Decrease) in Reserve throughout the year (operational transfer)	2,363	(665)
0	Increase /(Decrease) in Reserve throughout the year (capital transfer)	0	0
28,067	Closing Balance as at 30 June	26,957	16,535
16,455,092	Total special reserves closing balance as at 30 June	24,580,583	1,639,427

Equity represents the total value of the council and its assets and is measured by the difference between total assets and liabilities. Public equity is disaggregated and classed into a number of reserves to enable clearer identification of the specified uses of accumulated surpluses.

The components of equity are:

- Retained earnings
- Council created reserves, and
- Asset revaluation reserves

Reserves are a component of equity generally representing a particular use to which various parts of equity have been assigned. Reserves can be used to account for revenue and expenditure collected or incurred in relation to specific work programmes. Where council sets and collects a targeted rate for a specific purpose, the funds can only be applied to that purpose. Keeping track of surpluses and deficits of those work programmes in reserves ensures council is accountable and transparent.

Where reserves carry a deficit balance, they are deemed to have undertaken internal borrowing from council's consolidated funds. Conversely, where the reserves carry a surplus, they are deemed to have loaned money to council's consolidated funds.

Information about council's reserve funds held for a specific purpose is provided in the following table:

Reserve name	Purpose	Activities that may be funded from reserve
Land Management reserve	<p>This reserve was created to set aside Land Management rates collected but not fully used in any given year.</p> <p>Council is proposing to use this reserve to fund operating activities that would ordinarily be funded from the Land Management Rate. Using this reserve in this manner enables council to keep rates affordable while continuing to provide positive operational outcomes. In the three years from 2015/16 to 2017/18 council is proposing to use \$275,000 annually as follows:</p> <ul style="list-style-type: none"> • \$125k towards the Environment Fund • \$20k towards hydrology webcams • \$100k towards Land elevation surveys • \$30k towards increased soil monitoring and ecological surveys • \$65k towards reduction of dairy effluent <p>In 2017/18 council also intends to use the reserve to fund a special project to reduce effluent discharge from dairy farms, and has made \$65,000 available.</p> <p>The use of the reserve will be reviewed at the end of the 2017/18 financial year. While the Land Management reserve maintains a positive balance it can be used to fund emergency events such as remedial storm expenditure on a case-by-case basis. The Chief Executive Officer has delegation to incur expenditure of up to \$500,000 to enable the council to fund agreed expenditure from this reserve. The criteria for acceptable expenditure are as follows:</p> <ol style="list-style-type: none"> 1. Matching of government and district contributions to provide financial assistance for repair work for significant events; 2. Restoration work affecting one or more rivers, following a major flooding event; 3. Urgent work to reduce the immediate flood risk; <p>Storm damage repairs within a special rating area under the relevant Flood Management Plans.</p>	Civil defence and emergency management, natural hazard management, river management, land and biodiversity, biosecurity
Awanui River reserve	<p>This reserve was created to hold any Targeted Awanui River Management rates collected and unspent in any given year to cover any future funding shortfalls of river works required as part of the Awanui River Flood Management scheme. The deficit balance of this reserve will be repaid from the targeted Awanui river management rates collected from the rate payers within the area of benefit identified in the Awanui flood management plan.</p>	River management
Kaihū River reserve	<p>This reserve was created to hold any Targeted Kaihū River Management rates collected and unspent in any given year to cover any future funding shortfalls of river works required as part of the Kaihū River Flood Management scheme</p>	River management

Kaeo-Whangaroa River reserve	This reserve was created to hold any Targeted Kaeo-Whangaroa River Management rates collected and unspent in any given year to cover any future funding shortfalls of river works required as part of the Kaeo-Whangaroa River Flood Management scheme.	River management
Whangārei Urban Rivers reserve	This reserve was created to hold any Targeted Whangārei Urban Rivers Management rates collected and unspent in any given year to cover any future funding shortfalls of river works required as part of the Whangārei Urban Rivers Management scheme. The deficit balance of this reserve will be repaid from the targeted Whangārei Urban Rivers Management rates collected from residential and commercial ratepayer's in the Whangārei CBD and ratepayer's in the water catchment area (including properties falling in the Waiahoia, Raumanga, Kirikiri and Hātea Rivers catchments).	River management
Kerikeri-Waipapa Rivers reserve	This reserve was created to hold any Targeted Kerikeri-Waipapa River Management rates collected and unspent in any given year to cover any future funding shortfalls of river works required as part of the Kerikeri-Waipapa River Flood Management scheme.	River management
Infrastructure Facilities reserve	This reserve was created to set aside any Targeted Infrastructure rates collected and not fully used in any given year for the purpose of funding future infrastructure projects. The deficit balance of this reserve will be repaid from the Targeted Regional Infrastructure rates collected from ratepayers in all three Northland districts.	Economic development
Recreational Facilities reserve	This reserve was established to set aside any Targeted Regional Recreational Facilities rates collected and not fully used in any given year for the purpose of funding the Events Centre. This reserve represents the internal borrowing associated with \$13M contribution made by council towards the establishment of the Northland Events Centre. The rate was levied from 1 July 2006 and it is expected to continue for approximately 12 years. The deficit balance of this reserve will be repaid from the Targeted Regional Recreational Facilities rates collected from ratepayer's in all three Northland districts. The Targeted Regional Recreational Facilities rate is set to continue for 2 more years.	Economic development
Property Reinvestment Fund reserve	This reserve was established to hold the proceeds of a commercial property sales and acquisitions and includes the proceeds of a special dividend (capital) payment made by the Marsden Maritime Holdings Limited. The funds are general funds and are set aside to be reinvested in income producing assets. The fund invests monies in separate managed funds which has been earmarked to hold the funds pending the identification of approved property investments. The fund targets a reasonable return to produce an income akin to rents and relating capital appreciation of the property market so as to maintain the purchasing power of the capital base.	Economic development
Equalisation Fund reserve	This reserve was created to set aside 50% of council's forestry net income arising in any year. This reserve is intended to provide future funding of councils general operating activities by allowing council to use these funds for any council activity to smooth future rating increases. It is further intended that this fund be used to fund the cost of forestry operations in non-harvesting years. Where a high degree	All

	of uncertainty exists around activity expenditure requirements, council has agreed to budget conservatively on the basis that if a budget overrun eventuates, these overruns can be funded from the Forest Equalisation Reserve. Council considers that funding contingent expenditure and one-off spikes in expenditure from this reserve to be fairer on ratepayers as it can be used to reduce the effects of rates increases that are not required to be sustained.	
Hātea River Maintenance reserve	This reserve was created to set aside a component of the council services rate specifically levied across the Whangārei constituency to ensure funding is immediately available in the event dredging of the Hātea river is required. The funds may be applied to the following: 1. Ongoing maintenance and dredging; 2. Disposal of dredged spoil material; 3. The provision of an annual hydrographic survey of the river. The reserve is to be maintained at a targeted fund of up to \$400,000.	Harbour safety and navigation
Investment and Growth reserve	This reserve was created to set aside the investment income redirected to be made available for activities and projects that contribute towards economic well-being. Council will allocate monies from the reserve to projects in accordance with set criteria.	Economic development
Kaitiāia Bus reserve	This reserve is to be created to hold any targeted Kaitiāia transport rates collected and unspent in any given year to cover any future funding shortfalls of Kaitiāia bus service	Transport
Approved carry forwards reserve	Approved carry forwards are amounts approved to be carried forward from one financial year to the next to enable specific work programmes to be completed. All carry forwards are approved by way of council resolution.	All
Whangārei Heads Pest Management reserve	This reserve was created to hold any targeted Whangārei Heads pest management rates collected and unspent in any given year to cover any future funding shortfalls of this pest management programme.	Land and biodiversity
Infrastructure Investment Fund reserve	This reserve was established to stabilise the impact of irregular large infrastructure projects on council's income and capital requirements. It will help spread the costs of such projects. The fund is also intended to provide more flexibility around when such large capital intensive projects can commence. The fund invests monies which has been earmarked for the approved infrastructure and economic development investments in external managed funds. The funds targets a moderate return, with capital protection and reasonable liquidity paramount in keeping with the Prudent Person rules of the Trustee Act. Low risk diversified income funds have been selected to achieve this.	River management
Whangārei Transport reserve	This reserve is to be created to hold any targeted Whangārei transport rates collected and unspent in any given year to cover any future funding shortfalls of Whangārei transport service.	Transport

Emergency Services reserve	This reserve is to be created to hold any targeted Emergency Services rates collected and unspent in any given year to contribute to any future funding shortfalls of Emergency Services funding.	Community representation and engagement
Mid North Bus reserve	This reserve is to be created to hold any targeted Mid North Bus rates collected and unspent in any given year to cover any future funding shortfalls of Mid North Bus service.	Transport

All reserves displaying a deficit balance at 1 July 2017 have an associated targeted rate that will generate income over a certain time period in order to return the reserve to a credit balance.

Annual Plan 2016-2017 \$	Community Investment Fund	Annual Plan 2017-2018 \$	LTP Year 3 2017-2018 \$
12,164,852	Forecasted Opening Balance	12,469,000	13,000,852
836,000	Interest earned on funds	864,000	977,000
(332,144)	Transfer of investment income to operating (reduced dividend expectation)	(221,000)	0
0	Transfer of Investment income to the Investment and Growth Reserve	(643,000)	0
12,668,708	Forecasted Closing Balance	12,469,000	13,977,852

Annual Plan 2016-2017 \$	Investment and Growth Reserve	Annual Plan 2017-2018 \$	LTP Year 3 2017-2018 \$
3,045,214	Forecasted Opening Balance	1,535,386	2,611,037
1,700,000	Northland Regional Council Investment Income transferred to Reserve	1,700,000	1,700,000
0	Community Investment Fund Investment Income transferred to Reserve	642,690	0
(1,094,020)	Payment to Northland Inc. Limited as Operational funding	(1,115,900)	(1,120,745)
(104,192)	Payment to Northland Inc. Limited for Tourism	(106,276)	(106,738)
(200,000)	Payment to fund Feasibility Studies	(200,000)	(200,000)
(410,500)	Payment to fund Regional Promotion	(410,500)	(429,832)
(250,000)	Payments to fund Projects	(1,650,000)	0
(18,247)	Payments to Independent Investment Advisor	(18,704)	(19,501)
151,566	Interest earned on Reserve and other deposits	151,262	218,951
2,819,820	Forecasted Closing Balance	527,958	2,653,172

Financial prudence

There is an expectation that Northland Regional council will act with financial prudence. To measure the level of prudence a number of measures have been developed for the sector.

Northland Regional Council measures financial prudence using the following measures:

Affordability		2017-18 Annual Plan	
Benchmark		Target	
Rates Benchmark*	i) Total Rates as % of Total Revenue	<65%	57%
	ii) Total Rates increase as %	<5%	1.6% #
Debt Benchmark	Net Debt as % of Total Revenue	<175%	-142%
Indicator			
Rates indicator**		\$	261.03
Sustainability			
Benchmark		Target	
a)	Balanced budget benchmark***	>1	1.00
b)	Essential services benchmark****	>1	0.51
c)	Net Interest as a % of Revenue	<10%	-8.3%
d)	Liquidity	>110%	579%
Predictability			
Benchmark			
	Operations control benchmark***** (result to be published in the annual report)	N/A	

*	Rates income complies with the limits set in the councils financial strategy
**	Rates Revenue per rating unit/SUIP
***	Revenue, excluding income from development contributions and financial contributions, revaluations and vested assets, exceeds operating expenditure
****	NRC has invested heavily in Flood Control Infrastructure over the last 5 years. It is expected that capital investment will be low over the next few years.
#	Increase calculated using change from 2016-17 Annual Plan to 2017-18 Annual plan



Contact us:

Main Office

36 Water Street, Whangārei.
Private Bag 9021, Whangārei
Mail Centre, Whangārei 0148.

Ōpua Office

Unit 10, Ōpua Marine Park,
Ōpua 0200.
T: 09 402 7516 | F: 09 402 7510

Kaitiāia Office

192 Commerce Street,
Kaitiāia 0410.
T: 09 408 6600 | F: 09 408 6601

Dargaville Office

42 Hokianga Road,
Dargaville 0310.
T: 09 439 3300 | F: 09 439 3301

Telephone: 09 470 1200 **Facsimile:** 09 470 1202

Email: mailroom@nrc.govt.nz

Freephone: 0800 002 004

24/7 Environmental Hotline: 0800 504 639

Website: www.nrc.govt.nz

Facebook: www.facebook.com/NorthlandRegionalCouncil

Twitter: www.twitter.com/NRCExpress

2017 Combined Consultation Summary of engagement

Draft Navigation Safety
Bylaw 2017
and statement of proposal

Proposed Northland Regional Pest and Marine Pathway
Management Plan
2017-2027

ANNUAL PLAN
2017/18
CONSULTATION DOCUMENT

Objectives

Make it easy for people to understand what we're consulting on and how they can participate.

Engage directly with those most affected/interested so they get a fair opportunity to have their say.

Make it simple for people to get the information they need and provide their feedback

Tactics



- Regional Report summary
- Social media campaign
- Media releases
- Radio and print advertising
- Displays at Field Days, in reception



- Direct mail to affected audiences (where possible)
- Face-to-face meetings
- Supporting online engagement via interest groups (e.g. Kerikeri Cruising Club)



- A single feedback form and hearings process
- Drop-in sessions
- FAQ documents
- Having staff available for queries

Results



63,000

Regional Reports region-wide



24,064

reached on social media*



6

news articles in local papers



9

print ads; radio ads all month



1918

letters to mooring owners



168

emails to Māori stakeholders



640

letters to interested parties



4

marina operators met with



190

attendees at four drop-ins



1707

engaged social media users**



26

phone/walk-in enquiries



515

submissions received

Future improvements

Objective: Listen to feedback and make changes where we can

- Info overload - three consultations is a lot for people to process
- Make the online submissions process as simple as possible
- Beware of contentious issues overshadowing others

* Total number of people who saw any posts relating to the consultation

** Total number of people who liked, commented, shared or clicked on any posts relating to the campaign

*** Note that only 48% of submitters responded to this question



Charging Policy 2017/18

Contents

CHARGING POLICY 2017/18	4
Introduction	4
Part One: General policies and principles	5
Part Two: Policies on charging and fees for specific activities and functions	8
Part Three: Schedules of fees and charges	22

Charging Policy 2017/18

Introduction

The charging policy is reviewed annually. Fees and charges that require formal adoption under section 150 of the Local Government Act 2002 may be consulted on in conjunction with a Long Term or an Annual Plan. The fees set out in this policy will come into effect on 1 July 2017 and will continue until superseded. A copy of this charging policy will also be published on council's website.

Councils are permitted to collect fees from private users of public resources, and to recover all or a portion of the costs for a range of services it performs in relation to those resources.

The law acknowledges that some of the costs associated with administering the private use of public resources have a community benefit, and should therefore be met from the general rate. For example, the Northland Regional Council (the council) grants resource consents that allow organisations and individuals the private benefit to use public resources such as air, water or the coast. Where the benefits associated with consents are solely to applicants, they pay the associated costs in full. Where the benefits accrue more widely – such as in the case of environmental monitoring – then a portion of the associated costs is met through rates.

This document sets out the policies, fees and charges that are collected by the council from private beneficiaries for a range of services it performs.

The fees and charges set out in this document are consistent with the council's revenue and financing policy, which sets out the funding and cost recovery targets for each council activity.

This document is divided into three sections:

- Part one: general principles and policy.
- Part two: policies on charging and fees for specific activities and functions.
- Part three: schedule of fees and charges.

Part One: General policies and principles

1.1 PRINCIPLES

1.1.1 Charges must be lawful

The council can only levy charges which are allowed by legislation. Section 13 of the Local Government Official Information and Meetings Act 1987 enables the council to charge for providing information sought under the provisions of the Act or the Official Information Act 1982.

Section 36 of the Resource Management Act 1991 (RMA) enables the council to fix charges for its various functions (refer to Section 2.2).

Section 150 of the Local Government Act 2002 enables the council to fix charges payable under its bylaws (namely the Navigation, Water Transport and Maritime Safety Bylaw Charges 2017) and charges for the provision of goods, services, or amenities in accordance with its powers and duties, e.g. recovering costs of responding to environmental incidents, and inspecting dairy farms operating under permitted activity rules for discharges to land.

Section 444(12) of the Maritime Transport Act 1994 allows the council to fix reasonable charges for its activities/services relating to "Tier 1 sites".

Section 243 of the Building Act 2004 enables the council to impose fees or charges for performing functions and services under the Act. It also allows the council to recover its costs from a dam owner should we need to carry out building work in respect of a dangerous dam.

Section 135 of the Biosecurity Act 1993 enables the council to recover its costs of administering this Act and performing the functions, powers, and duties provided for in this Act by such methods it believes on reasonable grounds to be the most suitable and equitable in the circumstances.

Under Section 227 of the Property Law Act 2007, the council can require a charge to cover reasonable legal or other expenses of the lesser in giving consent.

1.1.2 Charges must be reasonable

The sole purpose of a charge is to recover the reasonable costs incurred by the council in respect of the activity to which the charge relates. Actual and reasonable costs will be recovered from resource users and consent holders where the use of a resource directly incurs costs to the council. A contribution from the general rate meets a share of the cost where the community benefits from the council performing its role, for example, environmental monitoring. For more information about how the council funds and its activities from its various funding sources, please refer to its revenue and financing policy.

Some charges imposed on consent holders are based on the full costs of the council's administration and monitoring of their consents, plus a share of the costs of its state of the environment monitoring activities that relate to the resource used by those consent holders.

1.1.3 Charges must be fair

Charges must be fair and relate to consent holders' activities. The council can only charge consent holders to the extent that their actions have contributed to the need for the council's work.

The council must also consider the benefits to the community and to consent holders when setting a charge. It would be inequitable to charge consent holders for resource management work done in the interests of the regional community and vice versa. We take this into account when setting the proportion of charges we wish to recover for state of the environment and compliance monitoring from an individual consent holder.

Wherever possible, the council will look for opportunities to streamline and improve processes to ensure that consent processing and compliance monitoring functions continue to be cost effective and efficient.

With regard to state of the environment monitoring, the council must also relate any charge to the effects of consent holders' activities on the environment (see RMA section 36(4)).

1.1.4 Charges must be uniformly applied

Charges will not vary greatly within classes of activities and within the context of the scale of the activity, except where environmental incidents and non-compliance with consent conditions incur additional supervision costs.

1.1.5 Charges must be simple to understand

Charges should be clear and easy to understand, and their administration and collection should be simple and cost effective.

1.1.6 Charges must be transparent

Charges should be calculated in a way that is clear, logical and justifiable. The work of the council for which costs are to be recovered should be identifiable.

1.1.7 Charges must be predictable and certain

Consent applicants and resource users are entitled to certainty about the cost of their dealings with the council. The manner in which charges are set should enable customers to evaluate the extent of their liability.

Resource users need to know the cost of obtaining and maintaining a consent in order to manage their business and to plan for future growth and development. Charges should not change unnecessarily; any charges must be transparent and fully justified.

1.1.8 The council must act responsibly

The council should implement its charging policy in a responsible manner. Where there are significant changes in charges, the council should provide advance warning and give consent holders the opportunity to make adjustments.

1.1.9 Resource use

The charges in this document support preferred resource use practises which as a consequence require less work to be undertaken by the council.

1.2 GENERAL POLICIES

1.2.1 Time periods

The policies, formulae and charges set out in this document apply each year from 1 July to the following 30 June, or until replaced by new charges adopted during the annual plan or long term plan as prescribed by the Local Government Act 2002.

1.2.2 Annual charges

Annual charges shall apply from 1 July to the following 30 June each year, or until amended by the council.

1.2.3 Goods and Services Tax

The charges and formulae outlined in this document are *exclusive* of GST, except where noted otherwise.

1.2.4 Debtors

All debtors' accounts will be administered in accordance with this policy and outstanding debts will be pursued until recovered.

1.2.5 A minimum annual charge

A minimum annual charge as set out in Section 3.5.1 to all consents other than bore permits, sewage discharge permits for individual dwellings, and new consents granted after 1 March each year when the minimum annual charge will be waived for the remainder of that financial year.

1.3 POLICY ON REMISSION OF CHARGES

1.3.1 Council's fundamental position is that in general, all fees and charges set out in this document are to be met by the person who has invoked the service or activity that the fee or charge relates to (for example, the consent applicant in the case of consent processing services or the consent holder in the case of consent administration, monitoring and supervision services).

1.3.2 The council can fix charges for recovering costs for consent processing, administration, monitoring and supervision services under section 36 of the Resource Management Act 1991. The council can also require the person liable for such a charge to pay an additional charge where the fixed charge is inadequate to recover its actual and reasonable costs in respect to the service concerned (s36(3) RMA). The person receiving the additional charge has the right to object to or appeal the charge under section 357(B) of the Act. The council also has the absolute discretion to remit the whole or any part of a charge made under section 36 (s36(5) RMA).

1.3.3 Where a person seeks to have any fee or charge set out in this document remitted that person may make an application in writing to the relevant group manager for the remission of the charge setting out in detail the applicant's case which may include financial hardship, community benefit or environmental benefit etc.

1.3.4 Where the application/consent relates to a structure, the remission of any charge will only be considered if that structure is available at no charge for public use.

1.3.5 Existing waivers or remissions issued under a consenting initiative shall be honoured for the term of the consent, but council reserves the right to review waivers and remissions should it consider any conditions or reasons for them have changed.

1.3.6 Decisions on applications shall be made by the relevant group manager, who may remit a charge in part or full, or decline the application. Decisions to decline the application or remit a charge in part only may be appealed in writing to the Chief Executive.

1.3.7 Where the appeal relates to an additional charge made under section 36 of the Resource Management Act, then the appeal shall be treated as an objection under section 357B unless, on being advised of this, the appellant does not wish to pursue the matter further.

1.3.8 Where the appeal relates to a fixed charge made under section 36 of the Resource Management Act, then the appeal shall be determined by an appropriately qualified certified RMA hearing commissioner "on the papers" or through a formal hearing, should the appellant wish to appear before the commissioner to support their appeal. The commissioner shall be appointed as per the council's standard procedure for appointing RMA hearing commissioners. The commissioner's decision on the appeal shall be final.

Part Two: Policies on charging and fees for specific activities and functions

2.1 PROVISION OF INFORMATION AND TECHNICAL ADVICE

The council recognises that it has a significant advisory and information role. The council has the right, under legislation, to recover the costs of providing certain information.

2.1.1 *Information provided under the RMA – consents, hearings etc.*

Pursuant to the Local Government Act, and sections 36(1)(e) and (f) of the Resource Management Act, the council may charge for the provision of information as follows:

2.1.1.1 Actual and reasonable charges will be made to cover the costs of making information and documents available, for the provision of technical advice and consultancy services. These costs will include:

1. Staff costs related to making the information available – i.e., officers' actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs (refer Section 3.2);
2. Any additional costs incurred, for example, photocopying, printing binding; and computer processing costs – refer to Section 3.10.9.
3. Where an inquiry requires less than 30 minutes of staff time, no staff costs will be charged. Additional costs of less than \$25.00 will not be charged.

2.1.1.2 Consistency, distance, location – all time after the first half hour and any disbursements involved in providing information that confers a private benefit on the recipient(s) shall be recovered by way of invoicing the cost in line with the policy set out above. This policy is consistent with that applied in local government, except when information is requested under the Local Government Official Information Act (refer to Section 2.1.2).

There is no concession for time or distance travelled by the council's officers to provide technical information. No such concession is provided by other technical consultants.

Information given by telephone is to be treated exactly the same as information provided at an interview.

2.1.1.3 Advise the cost in advance – officers must warn the person seeking information in advance, that a cost will be incurred after the first half hour, and the estimated cost per hour to be charged. This process allows the applicant to weigh the value of his/her requirements, and will effectively control the level of information sought and deflect frivolous requests.

The provision of information should be charged separately from the cost of processing any future resource application.

2.1.1.4 Community and environmental groups – where an organisation clearly gains no economic or private benefit for its members from the information sought, then the free time available should be extended to one hour, and be treated on the same basis as requests under the Local Government Official Information and Meetings Act (refer to Section 2.1.2) unless a regulation or plan provides otherwise. Additional time and disbursements may be charged for, as a reasonable control mechanism, to avoid frivolous or indulgent requests at the ratepayers' cost. These requests should be referred to at least a group manager for a decision on charging.

2.1.1.5 Educational information and materials, and consent holders - when council officers are involved in Resource Management Act workshops or public promotions aimed at increasing the public's awareness of the Resource Management Act consent procedures, the council's environmental role, liaison on planning issues, etc., there is a benefit to the greater community as well as the people attending. Information provided in this context clearly falls within the educational role of the council and is not charged for.

2.1.1.6 Consentholders - all consent holders are entitled to information arising from the monitoring of their consents, including district councils and other corporate bodies.

Other information sought by district councils is to be assessed on individual merit, and referred to the Group Manager for a decision, to ensure political appropriateness.

2.1.2 Information provided under the Local Government and Official Information and Meetings Act

The Local Government and Official Information and Meetings Act enables the public to have access to official information held by local authorities because this is good for accountability and effective participation. However, official information and deliberations are protected to the extent that this is consistent with public interest and personal privacy. More information about the Act, including how to make a request for information and why it may be declined, is on the Office of the Ombudsman's [website](#).

Section 13 of the Act provides for the recovery of the cost of making information available under the official information act. However, there are some exceptions to this, e.g. the council cannot charge the Inland Revenue Department for its information requests. The current charges are set out in Section 3.1 of this charging policy.

Note: under Section 13(1) of the official information act the council has 20 working days to make a decision (and communicate it to the requestor) on whether we are granting or withholding the information, including how the information will be provided and for what cost. We will also tell the requester that they have the right to seek a review by an Ombudsman of the estimated charge. If the charge is substantial the requester may refine the scope of their request to reduce the charge. We may request a minimum estimated initial fee to be paid under the information act and the 2002 Charging Guidelines issued by the Secretary for Justice. We will recover the actual costs involved in producing and supplying information of commercial value. In stating our fee schedule we reserve discretion to waive a fee if the circumstances of the request suggest this is appropriate, for example in the public interest or in cases of hardship.

2.2 RESOURCE MANAGEMENT ACT 1991

2.2.1 Introduction

Under Section 36(1) of the Resource Management Act, the council may charge for costs associated with the following:

1. Processing resource consent applications, including requests made by applicants or submitters under Section 100A of the Act,
2. Reviews of consent conditions,
3. Processing applications for certificates of compliance and existing use certificates,
4. The administration, monitoring and supervision of resource consents,
5. Carrying out state of the environment monitoring,
6. Applications for the preparation of, or changes to, regional plans or policy statements, and
7. For providing information in respect of plans and resource consents and the supply of documents (also refer to Section 2.1.1).

2.2.2 Performance of action pertaining to charges

With regard to all application fees and amounts fixed under Section 36(1) of the RMA, the council need not perform the action to which the charge relates until the charge has been paid in full [RMA, Section 36(7)] except for charges under section 36(1)(ab)(ii).

2.2.3 Applications for resource consents, reviews of consent conditions, certificates of compliance and existing use certificates

2.2.3.1 Applicants will be charged for the actual and reasonable costs, including disbursements, of receiving and processing applications for resource consents, reviews of resource consent conditions under Sections 127 and 128 of the RMA or Sections 10, 20, 21 and 53 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004, certificates of compliance and existing use certificates. These costs include:

a. Minimum estimated initial fee on application as set out in Section 3.2.1 and **Staff Charge Rates** (which are rates derived from actual employment costs plus a factor to cover administration and general operating costs) charged at the relevant hourly rate as set out in Section 3.2. These are minimum charges for resource consent applications and are charges 'fixed' under Section 36(1) of the RMA (they are therefore not subject to objection rights). All consent processing costs which exceed the minimum estimated initial fee are considered to be additional charges pursuant to Section 36(3) of the RMA and these may be progressively charged on a monthly basis or invoiced at the end of the consenting process. Prior to consideration of the application, the Chief Executive Officer is authorised to require an additional minimum estimated initial fee of up to \$20,000 for complex applications.

b. Hearings – the costs of pre-hearing meetings and hearings will be charged to the applicant. The costs of councillors who are members of hearing committees (panel) will be recovered as determined by the Remuneration Authority. Staff costs and hearing panel members' fees or the actual costs of independent (non-councillor) commissioners at formal hearings will be charged.

Charges relating to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.

Where a hearings panel has directed that expert evidence is pre-circulated then all persons who are adducing such evidence shall be responsible for providing the prescribed number of copies of such evidence to the council. In the event that the council needs to prepare copies of such evidence the person adducing the evidence will be charged for the copying.

Submitters that request that independent hearing commissioners under Section 100a of the RMA will also be charged a portion of the cost of those hearing commissioners in accordance with Section 36(1)(ab).

c. External costs disbursements will also be charged; for example, advertising, legal and consulting advice, laboratory testing, hearing venues and incidental costs.

d. Withdrawn applications are subject to the minimum fees set out in Section 2.2.7.4, Section 3.2.1 or Section 3.4 as appropriate, or the actual costs of the work completed to the date of withdrawal (whichever is greater).

2.2.3.2 The final costs of processing each resource consent application will be based on actual and reasonable costs and will include the charging of staff time at the rates set out in Section 3.2 and disbursements. In the event that consultants are used to assist the council in processing resource consent applications, the actual costs of the consultants will be used in calculating the final costs.

2.2.3.3 All consent applications must be publicly notified if the consent authority decides that the activity for which consent is sought will have or is likely to have adverse effects on the environment that are more than minor. Where the adverse effects are considered to be minor the application will be processed on a limited notified basis unless written approval for the application has been provided from every person that the consent authority decides is adversely affected by the activity for which consent is sought, in which case the application will qualify to be processed on a non-notified basis.

2.2.3.4 Where an application is for multiple activities involving more than one type of consent, minimum estimated initial fees are required for each type with the following exceptions:

1. The fee for land use consents for earthworks and/or vegetation clearance (including mining, quarrying, forestry, bridging and gravel extraction) also includes the water and discharge permits to divert and discharge stormwater where these are required;

2. The fee for discharge permits for sewage volumes greater than three cubic metres per day (e.g. communal subdivision systems, marae etc.) includes the associated discharge to air resource consent; and
3. The fee for discharge permits to discharge stormwater includes the associated water permit to divert stormwater.

Notwithstanding the above, the council may determine that other 'packages' of consent applications do not require individual minimum estimated initial fees for each consent type.

2.2.3.5 *The consent holder will be invoiced the amount of the minimum estimated initial fee for reviews of consent conditions at the time the review is initiated by the Council.*

2.2.3.6 *There is a 'fixed fee' for applications for discharge permits for burning of specified materials, including vegetation, by way of open burning or incineration device (e.g. backyard burning). This fixed fee only applies to such applications if they are able to be processed on a non-notified basis and no additional charges will be invoiced for such applications even if the costs exceed the fixed fee. However, in the event that the application is required to be limited notified or publicly notified then the council will require the applicable minimum estimated initial fee for notified and limited notified applications (as outlined in Section 3.2.1 before notification of the application.)*

2.2.3.7 *The council will provide a discount, if applicable, on the administrative charges imposed under Section 36 of the RMA in accordance with the Resource Management Discount Regulations 2010 for all applications lodged on or after 31 July 2010.*

2.2.4 Administration, monitoring and supervision of resource consents

2.2.4.1 Administration covers how the council records and manages the information it has on the resource consents it grants. The council is obliged to keep "*records of each resource consent granted by it*" under Section 35(5)(g) of the RMA, which must be "*reasonably available [to the public] at its principal office*" [Section 35(3) of the RMA]. The council keeps this information on hard copy files or electronic databases. The costs of operating and maintaining these systems are substantial.

The minimum annual resource consent charge set out in 3.5.1 recovers some of the costs of the administration of resource consents.

2.2.4.2 Monitoring is the gathering of information to check consent compliance and to ascertain the environmental effects that arise from the exercise of resource consents. The council is obliged to *monitor "the exercise of the resource consents that have effect in its region"* under Section 35(2)(d) of the RMA.

2.2.4.3 Supervision covers functions that the council may need to carry out in relation to the ongoing management of resource consents. This can include the granting of approvals to plans and other documentation, review and assessment of self-monitoring *results* provided by the consent holder, provision of monitoring information and reports to consent holders, meetings with consent holders relating to consent compliance and monitoring, and participation in liaison and/or peer review groups established under consent conditions or to address issues relating to the exercise of resource consents.

In determining charges under Section 36 of the Resource Management Act, the council has given consideration to the purpose of the charges and the council's functions under the Act. It is considered that consent holders have both the privilege of using resources and responsibilities for any related effects on the environment. It is the council's role to ensure that the level of effects is managed, monitored and is acceptable, in terms of sustainable management and the community's values. The annual charges for the administration, monitoring and supervision of resource consents are based on the assumption that those consents will be complied with and exercised in a responsible manner.

Annual resource consent (management) charges will be based on a set minimum charge plus charges for consent monitoring and/or supervision undertaken by council staff. Where appropriate, a portion of costs associated with State of the Environment (SOE) monitoring of resources used by consent holders is also collected, for example, the costs of running council's hydrological sites, water quality monitoring networks and associated surveys such as macroinvertebrate and fish monitoring. This particularly applies to water take consents, both surface and groundwater, and marine farms.

2.2.5 Invoicing non-scale fees

2.2.5.1 The majority of large-scale activities or activities with high potential adverse effects (where annual monitoring costs exceed \$1,000 GST inclusive) and certain small-scale activities such as short-term earthworks/construction type consents, will be monitored, the results recorded/reported and subsequently invoiced to the consent holder on an actual and reasonable cost basis.

2.2.5.2 Invoices will be generated once the costs of any work have exceeded a prescribed sum. This will be determined by the scale of the activity. Costs will be invoiced in a timely manner during the progress of the work to ensure that large amounts of costs do not accrue, unless otherwise authorised by the consent holder.

2.2.5.3 In the case of significant water takes, charges will generally be invoiced annually in line with Section 3.5.6 and any further supervision charges will be invoiced on a regular basis as costs are incurred by council.

2.2.6 Timing

2.2.6.1 Invoicing of consent annual charges will be in the quarter following the adoption of the Long Term Plan or Annual Plan by the council or after monitoring of the consent has been undertaken (post billing).

2.2.6.2 In some cases, invoicing of charges may be deferred until after the council has completed all, or a significant portion, of its planned monitoring of a consent.

2.2.6.3 Where any resource consent for a new activity is approved during the year and will be liable for future annual charges, the actual costs of monitoring activities will be charged to the consent holder subject to Section 2.2.7.4 below. Consents for activities in the Coastal Marine Area are also subject to the Navigation Water Transport and Maritime Safety Bylaw Charges.

2.2.6.4 In any case, where a resource consent expires, or is surrendered, during the course of the year and the activity or use is not ongoing, then the associated annual charge will be based on the actual and reasonable costs of monitoring activities to the date of expiry or surrender, and also the administrative/monitoring costs incurred as a result of the expiry/surrender of the consent.

2.2.6.5 Where a resource consent expires during the course of the year but the activity or use continues and requires a replacement consent, then the annual charges will continue to be applied.

2.2.7 Setting of annual resource consent (monitoring) charges

2.2.7.1 Basis of charges

1. The charges reflect the nature and scale of consented activities. In general, those activities having greater actual or potential effects on the environment require greater supervision and monitoring from the council. In setting these charges, the council has duly considered that their purpose is to recover the reasonable costs in relation to the council's administration, monitoring and supervision of resource consents and for undertaking its functions under Section 35 of the Resource Management Act. The estimated full costs of the council's supervision role and planned monitoring of consents will be recovered.
2. In respect of the council's administration role, a standard minimum annual charge will apply to cover some of the costs of operating and maintaining its consents-related information systems.
3. Where appropriate, a proportion of the costs of monitoring the state of the environment (Section 35(2)(a)) is incorporated in the charge to the consent holder. In such cases, the council has had particular regard to Section 36(4)(b)(iii), that is, the extent that the monitoring relates to the likely effects of the consent holder's activities or the extent that the likely benefit to consent holders exceeds the likely benefit of the monitoring to the community. The costs to the council associated with this activity may be shared between consent holders and the community. This recognises that there is value and benefit to the community of work the council undertakes with respect to monitoring the state of the environment. In the council's judgement this is a fair and equitable division.

To date, a state of the environment charge has been incorporated into the annual charges applying to consents for water takes, known as the (water take) resource user charge (refer to Section 2.2.8.5).

4. In relation to swing/pile moorings within the Marine 4 Management (MM4) Areas which meet the permitted activity criteria, the costs of providing council services will be recovered as outlined in Sections 2.4.2 and 3.5.4.
5. In relation to swing/pile moorings outside the MM4 Areas without consent (non-consented), costs will be recovered through the Navigation and Safety Bylaw until consent is gained.
6. The charges for consents for minor to moderate activities are often based on scales (refer to Section 2.2.8.4). The general method for charging for large-scale activities is to apply the formulae in Section 2.2.8.6.

2.2.7.2 (Water take) resource user charge

1. Some of Northland's water resources are highly allocated and are under pressure. It is difficult to assess the natural flows/levels of water bodies as there is limited data available on water use and flows/levels in some areas. The National Policy Statement for Freshwater Management 2014 requires the council to set water quantity limits for all of Northland's water bodies.
2. In order to address this, the council developed a Sustainable Water Allocation Plan. This project requires ongoing resourcing by council to implement. The work provides benefit to both water users and the wider community. Much of the information provided by council's current hydrometric network is the basis for this work and as such, a part of the cost of running this network shall be recovered from water users through the (water take) resource user charge.
3. The details of this charge are outlined in Sections 3.5.2
4. The resource user charge for water take consents for hydroelectric generation will be considered on a case by case basis because they can be substantial and complex in nature.

2.2.7.3 Other State of the Environment charges

1. Where appropriate, the addition of a specified amount which contributes towards the recovery of costs incurred by council as part of its state of the environment monitoring and/or the hydrometric network.
2. The estimated monitoring costs are then rounded to an appropriate sum which becomes the expected annual charge. These formulae and the historical cost data of monitoring like consents provides a reasonable estimate of the actual costs of monitoring consents each year and will be used to provide the expected costs of monitoring in the forthcoming years.

2.2.7.4 Scale charges

Scaled charges are attributed to consents for minor to moderate activities and the charge reflects the costs of administering and monitoring that class of consent and/or the actual and/or potential effects of the activity. The latter will reflect the resource affected by the consented activity. Scale charges relate to the following types of consents:

Type of consent	Charges
Water takes fee scale	Refer to Section 3.5.2 and 3.5.6
Minor to moderate discharges to air and water and small to moderate-scale discharges to land, and land use activities including quarries	Refer to Section 3.5.3
Farm dairy effluent discharges(Refer to Section 3.6.2 for non-consented discharges)	Refer to Section 3.6.3
Coastal structures (post construction or installation)	Refer to Section 3.5.4
Coastal structures (construction or installation phase)	Refer to Section 3.6.4
Land use consents for boating-related structures in waters upstream of the coastal marine area (post construction)	Refer to Section 3.5.5

2.2.7.5 Large-scale activities

1. Consents that do not fall into the classes listed in Section 2.2.7.4 will be for larger scale activities or activities with high potential adverse effects (estimated compliance monitoring costs of \$1000 and over per year inclusive of GST). In most cases these consents will generally be subject to comprehensive monitoring programmes, regular inspections and involve routine sampling and testing or audit monitoring functions and/or contribute towards the costs of the council's State of the Environment monitoring as is the case for water take consents. Large-scale activities may require more monitoring inspections. As the sampling and testing requirements for these consents will vary, so too will the costs incurred by the council to carry out those monitoring programmes.
2. Annual charges for the monitoring of these consents is calculated using the following formulae and/or the actual and reasonable historical costs:

Labour (refer to Section 3.2)
+ Sampling and testing
+ Monitoring equipment
+ Administration
+ State of the Environment monitoring charge/resource user charge (refer to section)
= ANNUAL CHARGE

3. Holders of consents for large-scale activities will generally be invoiced the actual and reasonable costs of monitoring during the progress of the work.

2.2.8 Additional monitoring/supervision charges

2.2.8.1 Where non-compliance with resource consent conditions is encountered, or not programmed, additional monitoring is necessary the costs will be recovered in addition to the set annual charge.

2.2.8.2 The purpose of additional supervision charges is to recover costs of additional supervisory work that is required to be undertaken by council when people, including consent holders, do not act in accordance with consents or council's rules relating to resource use.

2.2.8.3 Additional supervision charges relate to those situations where consent conditions are not being met or adverse effects are resulting from the exercise of a consent; or unauthorised activities are being carried out.

2.2.8.4 When consent non-compliance or an unauthorised activity is found, the person is, if possible, given the opportunity to remedy the situation and is informed that costs of additional supervision will be recovered. Such activity may also be subject to infringement notices, enforcement orders or prosecutions.

2.2.8.5 Charges for additional supervision will be calculated on an actual and reasonable basis.

2.2.8.6 The costs that make up the charge will include:

1. Labour costs; officers' actual recorded time spent, including travel time, in following up the non-compliance matter or unauthorised activity (charged at the appropriate hourly rate listed in Section 3.2); plus
2. Any sampling and testing costs incurred; plus any equipment costs (excluding vehicle running costs) associated with the monitoring of the non-compliance; plus
3. Any external costs incurred (e.g. external consultants, hire of clean-up equipment).

4. For consent holders only, no additional supervision charge will be applied where the annual charges for their consents are sufficient to cover the costs incurred in following up their consent non-compliance.
5. In the case of water takes, annual charges are estimated on the basis of normal summer flows and consequently during drier than normal years further monitoring may be required in the form of flow, water level and/or water abstraction measurements. The costs of this further work will be charged to the consent holder in the form of additional supervision charges as outlined above.

2.2.9 Charges for emergency works

Under Section 331 of the Resource Management Act, the council may charge for the costs associated with any emergency works required for the:

1. Prevention or mitigation of adverse environmental effects;
2. Remediation of adverse effects on the environment; or
3. Prevention of loss of life, injury, or serious damage to property.

The costs charged will be the actual and reasonable costs incurred by council to do the works.

Charges for labour, supply of information and the council plant and equipment are detailed in Sections 3.2 and 3.10.

2.2.10 Changes in resource consent status

1. Where any resource consent is approved during the year, and will be liable for annual charges, the actual costs of monitoring activities will be charged to the applicant. The annual minimum fee will continue to apply per the council's policy in Section 2.2.7.
2. For large-scale activities where a resource consent expires, or is surrendered, during the course of the year and the activity or use is not on-going, then the associated annual charge will be based on actual and reasonable costs incurred to the date of expiry or surrender, including costs incurred as a result of monitoring and administration activities associated with the expiry or surrender of the consent. The annual minimum fee will continue to apply.
3. Where a resource consent expires during the course of the year but the activity or use continues and is subject to a replacement process, then the annual charges will continue to apply.

2.2.11 Charges set by regional rules

2.2.11.1 When developing a regional plan, the council may create regional rules to prohibit, regulate or allow activities. These rules may specify permitted activities, controlled activities, discretionary activities, non-complying activities, prohibited activities and restricted coastal activities.

2.2.11.2 Permitted activities are allowed by a regional plan without a resource consent, if the activity complies with any conditions, which may have been specified in the plan. Conditions on a resource consent may be set in relation to any matters outlined in Section 108 of the Resource Management Act. They may include a specific condition relating to a financial contribution (cash, land, works and services) for any purpose specified in a plan.

2.2.11.3 The council therefore reserves the right to set other charges pursuant to regional rules in regional plans. These charges will include staff costs for giving evidence in a New Zealand court; matters pertaining actions required under the Maritime Transport Act 1994 or Biosecurity Act and any other regulated activities. Any new charges would be notified through the public process required for a regional plan prior to its approval.

2.2.11.4 Actual and reasonable costs will be charged for fees set by regional rules. These costs will include:

1. Staff costs – officers' actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. (See Staff Charge Rates in Section 3.2)
2. Hearings – the costs of pre-hearing meetings and hearings will be charged to the applicant. Council members' hearing costs will be recovered as determined by the Remuneration Authority. Staff costs and committee members' fees or the actual costs of independent commissioners at formal hearings will be charged.

3. For applications relating to restricted coastal activities, the applicant will also be charged the council's costs of the Minister of Conservation's representative. Charges related to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.
4. External costs, disbursements, are additional to the above charges, for example advertising, consulting and legal advice, laboratory testing, hearing venues and incidental costs.

2.2.12 Preparing or changing a policy statement or plan

2.2.12.1 Any person may apply to the council for the preparation of or change to a regional plan. Any Minister of the Crown or any territorial authority of the region may request a change to a policy statement.

2.2.12.2 When considering whether costs should be borne by the applicant, shared with the council, or borne fully by the council, the following will be taken into account:

1. the underlying reason for the change; and
2. the extent to which the applicant will benefit; and
3. the extent to which the general community will benefit.

2.2.12.3 For the receipt and assessment of any application to prepare or change a policy statement or plan, actual and reasonable costs will be recovered. The charging policies are outlined below:

1. All applicants will be required to pay a minimum estimated initial fee set out in Section 3.3 based on the expected costs of receiving and assessing the application, up to but not including the costs of public notification. Actual and reasonable costs based on an hourly rate set out in Section 3.2, mileage and disbursements will be included in the minimum estimated initial fee. Any additional costs incurred in processing the application will be invoiced to the applicant.
2. For any action required to implement a decision to proceed with the preparation or change to a policy statement or plan, a minimum estimated initial fee as set out in Section 3.3 shall be made for the costs of public notification. This will be followed by a case-by-case assessment of where the costs should fall. Any costs charged will be invoiced monthly from the date of public notification.

Prior to public notification, an estimate of total costs will be given to the applicant. The applicant will have the option of withdrawing the request on receipt of notice of the estimated costs.

Withdrawn requests are subject to payment of the actual and reasonable costs of relevant work completed to the date of withdrawal.

2.3 LOCAL GOVERNMENT ACT 2002 (LAND AND RESOURCES)

The charges for the following council activities/services have been set according to Section 150 of the Local Government Act:

2.3.1 Monitoring/inspections of permitted activities

Charges are payable to recover the costs of inspections of permitted activities to determine compliance with the permitted activity rules in the regional plans. The inspections are conducted in order that adequately carries out its functions and responsibilities under Sections 30, 35 and 36 of the Resource Management Act.

2.3.1.1 Farm dairy effluent discharges

1. Administration costs incurred will be charged in addition to the costs of the site visit/inspections, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required (see Section 3.6.1).
2. Where there is a need for two officers to attend, the costs of both officers will be recovered.
3. The charges are listed in Section 3.6.
4. For charges for consented farm dairy effluent discharge consents, refer to Section 3.6.3.

2.3.1.2 Other permitted activities

1. The costs of the site visit/inspections, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required will be charged.
2. The charges are listed in Sections 3.2 and 3.10.

2.3.2 Environmental incidents

Where a person (or persons) carries out an activity in a manner that does not comply with Sections 9, 12,13, 14, 15, 315, 323, 328 or 329 of the RMA, the council will charge that person (or persons) for the actual and reasonable cost of any inspection/investigation it undertakes in relation to the activity. This cost may include:

1. Time spent by the council staff identifying and confirming the activity is taking or has taken place.
2. Time spent by council staff identifying and confirming the person(s) responsible for causing or allowing the activity to take place or to have taken place.
3. Time spent by council staff alerting and informing the person(s) of their responsibilities in relation to the activity, including any guidance or advice as to how any adverse effects of the activity might be managed.
4. Staff travel time and vehicle mileage.
5. Costs of any specific testing of samples taken.
6. Costs of professional services contracted to assist in the inspection/investigation of the activity.
7. Clean up costs and materials.

The council will only charge for time spent that exceeds 30 minutes. Travel time will be included in the calculation of that time.

Where an incident occurs on a site that 'holds' a resource consent and a breach of consent conditions is confirmed, then this section does not apply. Any actual and reasonable costs incurred in the investigation of the incident will be recovered as additional consent monitoring charges.

2.3.3 Investigation of land for the purposes of identifying and monitoring contaminated land

The council is responsible for identifying and monitoring contaminated land under Section 30(1)(ca) of the RMA. Council will recover the costs of inspections plus the actual and reasonable cost of site investigations including any specific testing of samples taken. Staff charge rates, sampling and equipment costs are outlined in Sections 3.2 and 3.10.

2.4 MARITIME ACTIVITIES

These charges – which the council is enabled to set under a number of legislative instruments – are presented together for the purposes of clarity.

2.4.1 Charges for maritime-related incidents (Local Government Act 2002)

These charges are made to recover the costs incurred by the council as a result of staff responding to any incident that causes or may have the potential to cause, adverse environmental effects or effects on navigation and safety. The response action taken by council staff may include, but will not be limited to, monitoring, inspection, investigation, clean-up, removal, mitigation and remediation works. Actual costs for consumables, plant and equipment used/hired during a response will also be charged in addition to staff hours (as set out in Section 3.2) as appropriate.

For incidents occurring outside normal business hours, a minimum call out fee of three hours at staff charge rates shall apply (includes oil spill response, training exercises, and emergency response).

2.4.2 Northland Regional Council Navigation Safety Bylaw Charges

1. The Navigation Safety Bylaw regulates navigation, water transport and maritime safety in Northland.
2. The charges are set out in section 3.5.4 and are collected for functions, duties, powers or services carried out by the council and must be paid on demand by the consent holder or owner, to the council.

3. The current Navigation Safety bylaw is available on the council's website or from council offices.
4. The fees and charges collected contribute to the upkeep of the region's maritime services, for example, the harbourmaster, buoys and beacons, etc.

2.4.3 Standard charges for Marine Tier 1 Oil Transfer Sites (Maritime Transport Act 1994)

2.4.3.1 Maritime Rule Part 130B requires that the operator of an oil transfer site obtain the approval for a site marine oil spill contingency plan from the Director of Maritime New Zealand. The power to approve these plans has been delegated by the director to the Chief Executive Officer (sub-delegated to council employees) of the Northland Regional Council in an Instrument of Delegation pursuant to Section 444(2) of the Maritime Transport Act 1994.

2.4.3.2 Section 444(12) of the Maritime Transport Act 1994 allows the council to charge a person a reasonable fee for:

1. Approving Tier 1 site marine oil spill contingency plans and any subsequent amendments.
2. Inspecting Tier 1 sites and any subsequent action taken thereafter in respect of preparation of inspection reports or reporting on non-conformance issues.

2.4.3.3 Basic fee – the council will charge a minimum fee and any additional staff costs, as set out in Section 3.7.10.

2.4.3.4 Additional staff costs – in addition to the basic fee set out above, additional charges may be applied for staff costs. The costs are based on officers' actual recorded time charged at an hourly rate set out in Section 3.2 of this document, comprising actual employment costs plus a factor to cover administration and general operating costs. Should travel be required, additional costs for mileage will be charged at the standard rate as approved by the Inland Revenue Department.

2.5 BUILDING ACT 2004

2.5.1

Section 243 of the Act specifically allows for the council to impose a fee or charges for:

1. Issuing a project information memorandum.
2. The performance of any other function or service under this Act.
3. Recovering its costs from the owner if it carries out building work under Section 156 of this Act.
- d. Where a fee or charge is payable for the performance of a function or service, then the council may decline to perform the function or service, unless the fee or charge is paid.

2.5.2

Costs incurred beyond the fee are to be recovered on the basis of actual and reasonable costs incurred by the council.

2.5.3

The minimum fees for the different consent activities are set out in Section 3.4.

2.5.4

Charges fixed under the Building Act 2004 are resolved by the council and fixed pursuant to the Local Government Act 2002 process until subsequently amended.

2.5.5

Policies set out in Section 3.4 also apply to Building Act applications.

2.5.6

All applications for a project information memorandum and a building consent, as well as the issuing of notices to rectify will be subject to a minimum estimated charge as set out in Section 3.4.

2.5.7

Charges for Building Act functions other than the issuing of project information memoranda and building consents will be charged a set fee per individual element, or on the basis of actual and reasonable cost, as set out in Section 3.4.

2.5.8

These functions include the issue of compliance schedules, requests for information on building consent applications, extension of valid term, actions re dangerous buildings, inspections and technical processing.

2.5.9

The "Minimum Estimated fee" is payable upon application for a PIM/LIM. Final actual and reasonable costs are payable upon uplifting the PIM/LIM based on staff charge rates in Section 3.2.

2.5.10 Building consents and certificates of approval

Incorporating receipt of a building consent application, the issue of a building consent, including project information memorandum, payment of a building research levy and/or Department of Building and Housing levy (where applicable) and the issue of a code of compliance certificate (where applicable).

2.5.11 Dams

Under section 244 of the Building Act 2004, council has decided to transfer the Building Act functions for consenting dams to the Waikato Regional Council. Fees will be charged in accordance with the Fees and Charges policy set by Waikato Regional Council. All fees and charges for consent processing will be invoiced directly to the applicant by Waikato Regional Council.

2.5.12 Requests for information on building consents

Charges will be the actual and reasonable costs based on staff charge rates shown in Section 3.2.

2.5.13 Technical processing and the exercising of other functions, powers and duties under the Building Act 2004

For technical processing and other functions under the Building Act, full costs over and above the minimum estimated initial fee will be recovered in accordance with the additional hourly charges.

2.5.14

All charges are payable upon invoice, provision of service or upon the exercise of the function, power or duty. Progressive charging may be used where costs are greater than \$500 (excluding GST).

2.5.15

When building consent non-compliance or an unauthorised activity is found, the person is, if possible, given the opportunity to remedy the situation and is informed that costs of additional supervision will be recovered. Such activity may also be subject to infringement offence notices, enforcement orders or prosecutions.

2.5.16

An enforcement officer who observes a person committing an infringement offence or has reasonable cause to believe that an infringement offence is being or has been committed is authorised and warranted under Section 229 of the Building Act 2004 to issue an infringement notice.

2.6 BIOSECURITY ACT 1993

2.6.1 Regional Pest Management Strategies or Plan, or Pathway Management Plan Cost Recovery Policy

Section 135 of the Biosecurity Act provides regional councils with options to recover the costs of administering the Act and performing the functions, powers and duties under a pest management strategy or plan, or a pathway management plan. This recovery must be in accordance with the principles of equity and efficiency. Section 135 of the Biosecurity Act authorises the recovery of costs by such methods that they believe to be the most suitable and equitable in the circumstances, including fixed charges, estimated charges, actual and reasonable charges, refundable or non-refundable deposits paid before the provision of the service, charges imposed on users of services or third parties, and cost recovery in the event of non-compliance with a legal direction.

2.6.2 Request for work

An authorised person may request any occupier to carry out specified works or measures for the purposes of eradicating or preventing the spread of any pest in accordance with the Northland Regional Pest Management Strategies.

2.6.3 Legal directions

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 Northland Regional Pest Management Strategies. The legal direction shall be issued under Section 122 of the Biosecurity Act and specify the following matters:

1. The place in respect of which works or measures are required to be undertaken;
2. The pest for which the works or measures are required;
3. Works or measures to be undertaken to meet the occupier's obligations;
4. The time within which the works or measures are to be undertaken;
5. Action that may be undertaken by the management agency (generally the council) if the occupier or occupiers fail to comply with any part of the direction;
6. The name, address, telephone number and email address of the management agency and the name of the authorised person issuing the legal direction.

2.6.4 Failure to comply with a legal direction

Where a legal direction has been given to an occupier under the Northland Regional Pest Management Strategies or Pest Management Plan or Marine Pathways Management Plan, and the occupier has not complied with the requirements of the legal direction within the time specified, then the council may enter onto the place specified in the legal direction and carry out, or cause to be carried out, the works or measures specified in the legal direction, or such other works or measures as are reasonably necessary or appropriate for the purpose of giving effect to the requirements of the legal direction.

2.6.5 Recovery of costs incurred by management agency

Where the council undertakes works or measures for the purposes of giving effect to the requirements of a request for work or a legal direction it shall recover the costs incurred from the occupier pursuant to Sections 128 and 129 of the Biosecurity Act and may register the debt as a charge against the certificate of title for the land.

2.6.6 Recovery of Costs for Marine Biosecurity Activities

Council has an ongoing programme of marine biosecurity inspection, monitoring and response work, that is undertaken for the purposes of implementing its pest management strategies and plans. (Some) cost recovery is sought for these marine biosecurity activities as provided for by Section 135 of the Biosecurity Act 1993.

Cost recovery is set as an annual charge, specified as a 'Marine Biosecurity Fee' and is applied to all moorings, marina berths, boat sheds, and ports as set out in Section 3.5.4 of this charging policy. The charge applies whether inspection, monitoring and/or response is carried out on that individual structure or not.

2.6.7 Equity and Efficiency of Marine Biosecurity Activities

Section 135 (2) of the Biosecurity Act requires that, in determining appropriate mechanisms for the recovery of costs of a particular function or service, a recovering authority shall ensure that it is not recovering more than the actual costs of the function. This is based on the actual costs for that year, taking into account any shortfall in recovery of costs in the preceding year, and any over-recovery of costs in the preceding year.

The Council has not recovered the cost of marine biosecurity activities in the preceding (2016/17) year. As such, the sum of the actual costs for the current year and the shortfall in the recovery of costs in the preceding year equates to the total marine biosecurity spend over two years. There was no over-recovery of costs in the 2016/17 year. The proposal to recover only the actual costs of the function for the current (2017/18) year is considered to be an equitable and efficient means of recovering cost of the marine biosecurity function.

2.7 PROPERTY LAW ACT 2007

Under the Property Law Act 2007, the council can require a charge to cover reasonable legal or other expense of the lesser in giving consent. The charges are set out in Section 3.9.

Part Three: Schedules of fees and charges

3.1 LOCAL GOVERNMENT OFFICIAL INFORMATION

In some cases, the council is permitted to charge for the provision of official information. Requesters will be advised in advance if the council decides to apply a charge.

Black and white photocopying or printing on standard A4 or foolscap paper where the total number of pages is in excess of 20 pages will be charged out at 10 cents for each page after the first 20 pages. All other photocopying and printing charges will recover the actual and reasonable costs involved.

For staff time	\$ inclusive GST
First hour	No charge
Additional hours	Ministry of Justice, Charging Guidelines
First half hour (after the initial free hour)	39.00
Per hour	78.00

See also Section 3.2.2 for charges relating to the supply of information provided under the Resource Management Act 1991.

3.2 STAFF CHARGE RATES

Charges are applicable for a range of services performed by council staff:

- Processing of consents under the Resource Management Act 1991.
- Environmental and consent monitoring of:
 - Large-scale activities;
 - Permitted activities; and
 - Contaminated land.
- Exercises and training For oil spill exercises and training, standard staff charge out rates apply.
- Technical assessment and administration of functions\ under the Building Act 2004.
- Maritime-related incidents.
- Mooring inspections/assessments.
- Preparing or changing a policy statement or plan.

Description	Hourly rate \$ excluding GST
Monitoring Technician/Administrator	73.00
Secretarial/administration	
Technician/Administrator	
Biosecurity Technician/Administrator	
Monitoring Officer Scale 1	86.50
Consents Officer Scale 1	
Policy Analyst	
Officer Scale 1	
Biosecurity Officer Scale 1	
Monitoring Officer Scale 2	97.50
Consents Officer Scale 2	
Policy Specialist	
Officer Scale 2	
Biosecurity Officer Scale 2	
Maritime Officer	
Monitoring Officer Scale 3	108.50
Consents Officer Scale 3	
Officer Scale 3	
Biosecurity Officer Scale 3	
Senior maritime officer Scale 3	
Senior Monitoring Officer Scale 1	115.00
Programme Manager Scale 1	
Senior Officer – Scale 1	
Biosecurity Specialist	
Maritime Programme Manager	

Description	Hourly rate \$ excluding GST
Senior Monitoring Officer Scale 2	127.00
Senior Programme Manager	
Programme Manager Scale 2	
Senior Officer – Scale 2	
Deputy Harbourmaster	
Manager	165.00
Harbourmaster	
Consultants	Actual costs

Notes:

Where there is a need for two or more officers to attend, the costs of all officers will be recovered.

For oil spill responses (excluding planned exercises) an additional charge of \$13.00 per hour (excluding GST) per staff member will apply.

Labour costs for the council's staff not specified in this policy will be charged at an hourly rate determined from actual employment costs, including overtime rates if applicable, plus a multiplier to cover overheads and any internal costs incurred.

3.2.1 Resource consent applications - minimum estimated initial fee

Schedule of minimum estimated initial fees

Description	Minimum estimated initial fees \$ excluding GST	\$ including GST
Notified and limited notified applications		
• Coastal Permits (excluding moorings), Land Use Consents, Water Permits, and Discharge Permits	2,886.09	3,296.00
• Moorings	1,433.48	1,648.50
New non-notified applications		

Description	Minimum estimated initial fees \$ excluding GST	\$ including GST
• Coastal Permits (excluding moorings), Land Use Consents (excluding Bore Drilling Permits), Water Permits, and Discharge Permits (including Farm Dairy Effluent and Domestic On-site Wastewater)	764.35	879.00
• Moorings	525.22	604.00
• Bore Drilling Permits	314.35	361.50
• Plus per additional bore	32.61	37.50
• Fixed Fee for Discharge Permit for burning of specified materials, including vegetation, by way of open burning or incineration device (e.g. backyard burning) (see Note 7)	57.39	66.00
Replacement non-notified applications		
• Coastal Permits (excluding moorings), Land Use Consents, Water Permits, and Discharge Permits (excluding Domestic On-site Wastewater)	669.13	769.50
• Moorings	430.43	495.00
• Domestic On-site Wastewater Discharge Permits	478.26	550.00
Certificate of compliance	430.43	495.00
Existing use certificate	430.43	495.00
Transfer of consents from the consent holder to another person (payable by the person requesting the transfer)	73.91	85.00
Transfer existing water permit between sites within catchment		
• Notified (including limited notification)	669.13	769.50
• Non-notified	419.57	482.50
S127 Change or cancellation of consent conditions		

Description	Minimum estimated initial fees \$ excluding GST	\$ including GST
• Notified (including limited notification)	1,002.61	1,153.00
• Non-notified	430.00	494.50
Request to review deemed coastal permit to reflect actual space (off-site review) under s53 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004		
• Notified (including limited notification)	2,866.09	3,296.00
• Non-notified	764.35	879.00
S128 Review of consent conditions, and review of deemed coastal permits under S10(4), 20(3) and 21(3) of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 (see Note 7)		
• Notified (including limited notification)	1,002.61	1,153.00
• Non-notified	430.00	494.50
Extension of period until a consent lapses	265.65	305.50
Hearing costs (per hearing day per committee member) at hourly rates set by the Remuneration Authority* or the actual costs of independent Commissioners.	(Per RA)	
* Determination dated 1 July 2006 of consent hearing fees payable and defining the duties covered by the fee or excluded, currently \$80 per hour (committee Member) and \$100 per hour (chairman).		
Mooring licence amendment fee	175.65	202.00
Requests by applicants and/or submitters for independent commissioner(s) to hear and decide resource consent applications as provided for by s100A(2) of the RMA:		
<ul style="list-style-type: none"> • In cases where only the applicant requests independent commissioner(s), all the costs for the application to be heard and decided will be charged to the applicant. • In cases where one or more submitter requests independent commissioner(s), the council will charge as follows: 		

Description	Minimum estimated initial fees \$ excluding GST	\$ including GST
<ul style="list-style-type: none"> The applicant will be charged for the amount that the council estimates it would cost for the application to be heard and decided if the request for independent commissioner(s) had not been made; and <ul style="list-style-type: none"> a. The requesting submitters will be charged equal shares of any amount by which the cost of the application being heard and decided in accordance with the request exceeds the amount payable by the applicant outlined in a) above. Notwithstanding the above, in cases where the applicant and any submitter(s) request independent commissioner(s) all the costs for the application to be heard and decided will be charged to the applicant. 		

Note: Approved resource consents attract annual charges. For Building Consent Application Fees – Refer Section 3.4.2.

3.2.2 Photocopying costs for information provided under the RMA – consents, hearings etc.

Please see Section 3.10.9 for photocopying charges. See also Section 3.1 for charges relating to the supply of information provided under the Local Government Official Information and Meetings Act 1987.

3.3 APPLICATION TO PREPARE OR CHANGE A POLICY STATEMENT OR PLAN

Description	Minimum estimated initial fee \$ excluding GST	\$ including GST
Minimum estimated initial fee required for receipt and assessment of any application to prepare or change a policy statement or plan.	\$6,000.00	\$6900.00
Minimum estimated initial fee of required to implement a decision to proceed with the preparation or change to a policy statement or plan for the costs of public notification	\$3,000.00	\$3450.00

3.4 BUILDING ACT 2004

Charges fixed under the Building Act 2004 are resolved by the council and fixed pursuant to the Local Government Act 2002 process until subsequently amended.

3.4.1 Project and Land Information Memoranda (PIM/LIM)

Estimated value of work	Minimum estimated initial fee (MEC) excluding GST	(MEC) including GST
All applications	\$1,148.26	\$1,320.50

Notes:

1. MEC is payable upon application for a PIM/LIM.
2. Final actual and reasonable costs are payable upon uplifting the PIM/LIM based on standard labour charges in Section 3.2.

3.4.2 Building consents and certificates of approval

Incorporating receipt of a building consent application, the issue of a building consent, including project information memorandum, payment of a Building Research Levy and/or Department of Building and Housing Levy (where applicable) and the issue of a code compliance certificate (where applicable).

Under section 244 of the Building Act 2004, council has decided to transfer the Building Act functions for consenting dams to the Waikato Regional Council. Fees will be charged in accordance with the fees and charges policy set by Waikato Regional Council. All fees and charges for consent processing will be invoiced directly to the applicant by Waikato Regional Council.

3.4.3 Requests for information on building consents

Charges will be the actual and reasonable costs based on standard labour charge rates shown in Section 3.2.

3.4.4 Technical processing and the exercising of other functions, powers and duties under the Building Act 2004

For technical processing and other functions under the Building Act full costs over and above the minimum estimated initial fee will be recovered in accordance with the additional hourly charges.

Function	Minimum estimated initial fee including GST	Hourly charge for exercise of functions or to recover additional costs
Action to be taken in respect of buildings deemed to be dangerous or insanitary		Standard labour charge rates shown below.
Issue of a Notice to Fix		Minimum charge of \$99.00 and further charges for inspections and other action to confirm compliance based on standard labour charge rates shown over page.
Lodge Building Warrant of Fitness	\$114.00	Standard labour charge rates shown over page.
Amendment to compliance schedule	\$1,147.50	Standard labour charge rates shown over page. Actual and reasonable for expert advice.
Building Warrant of Fitness audit		Standard labour charge rates shown over page.

Function	Minimum estimated initial fee including GST	Hourly charge for exercise of functions or to recover additional costs
Certificate of Acceptance	Large dam (above \$100,000 value) \$4,589.00. Medium dam (\$20,000 – \$100,000 value) \$2,294.00. Small Dam (\$0 to \$20,000 value) \$572.00.	Standard labour charge rates shown below. Actual and reasonable for expert advice.
Lodge dam potential impact category	\$114.00	Standard labour charge rates shown below.
Lodge dam safety assurance programme	\$114.00	Standard labour charge rates shown below.
Lodge annual dam safety compliance certificate	\$114.00	Standard labour charge rates shown below.
Other functions		Standard labour charge rates shown below.

3.5 ANNUAL CHARGES

3.5.1 Minimum annual charge

\$106.00 including GST

3.5.2 Water takes charge scales

Scale of annual charges for water takes

Note: Section 3.5.6 identifies water take consents that have charges set outside these scales.

Fee level	Description/Criteria	Administration charge \$ including GST	Compliance monitoring/supervision \$ including GST	Resource user charge \$ including GST	Total annual charge \$ including GST
M001 RUC001	1. Negligible potential effect: minor abstraction from water resource low level of allocation and limited future potential demand; no water use returns; limited benefit from existing State of Environment monitoring. (Minimum fee)	106.00	0.00	26.50	132.50

Fee level	Description/Criteria	Administration charge \$ including GST	Compliance monitoring/supervision \$ including GST	Resource user charge \$ including GST	Total annual charge \$ including GST
ADM001 WAT001 RUC002	2. Minor potential effect: minor abstraction from water resource with low to moderate level of allocation; moderate abstraction from water resource with low level of allocation; water use returns; small benefit from existing State of Environment monitoring and limited monitoring in the catchment.	106.00	27.50	80.00	213.50
ADM001 WAT002 RUC003	3. Moderate potential effect: minor abstraction from water resource with moderate to high level of allocation; moderate abstraction from a water resource with moderate levels of allocation; major abstraction from water resource with low level of allocation; water use returns, resource monitoring by consent holder; moderate benefits from existing State of Environment monitoring, data likely to be used for flow allocation management purposes and/or replacement of consent.	106.00	62.50	158.00	326.50
ADM001 WAT003 RUC004	4. Medium potential effect: moderate abstraction from water resource with high level of allocation; major abstraction from resource with moderate level of allocation; water use returns, resource monitoring by consent holder; continuation flow conditions; existing State of Environment monitoring has greater benefits to consent holder for management, security of supply and/or replacement of consent; total estimated staff time relating to monitoring, supervision and reporting of compliance 1–2 hours.	106.00	141.00	264.50	511.50
ADM001 WAT004 RUC004	5. Medium potential effect – moderate inspection time: same criteria as Category 4. However, total estimated staff time relating to monitoring, supervision and reporting of compliance 2–3 hours.	106.00	217.00	264.50	587.50
ADM001 WAT005 RUC004	6. Medium potential effect – significant inspection time: same criteria as Category 4 but total estimated staff time relating to monitoring, supervision and reporting of compliance 3–4 hours	106.00	294.50	264.50	665.00

Fee level	Description/Criteria	Administration charge \$ including GST	Compliance monitoring/supervision \$ including GST	Resource user charge \$ including GST	Total annual charge \$ including GST
ADM001 WAT006 RUC005	7. Medium to high potential effect – significant inspection time: moderate to major abstraction from resource with high level of allocation. Significant total estimated staff time for inspection and/flow monitoring and consent compliance >4 hours; existing State of Environment monitoring has considerable benefits to consent holder for management, security of supply and/or replacement of consent.	106.00	357.00	462.00	925.00
ADM001 WAT007 RUC006	8. High potential effect – significant inspection time: major abstraction from resource with high level of allocation. Significant total estimated staff time for inspection and/flow monitoring and consent compliance >4 hours; existing State of Environment monitoring has direct benefits to consent holder for management, security of supply, replacement of consent, and specific compliance monitoring of consent.	106.00	436.00	924.00	1,466.00

3.5.3 Minor to moderate discharges to air, water and land, and land use activities including quarries

Scale of annual charges for consents for minor to moderate discharges to air, water, and land (no or minor sampling and/or testing planned) and consents for land use activities including quarries.

The fee levels provided below allow for the appropriate recovery of costs by the council based on the degree of work required by the council in monitoring each consent.

Fee level	Annual charge \$ excluding GST	Annual charge \$ including GST	Fee code narration
MON001	92.17	106.00	Minimum loaded with additional fees post monitoring
MON002	92.17	106.00	Annual monitoring charge (and for all the following fees)
MON003	98.70	113.50	
MON004	111.74	128.50	
MON005	131.30	151.00	

Fee level	Annual charge \$ excluding GST	Annual charge \$ including GST	Fee code narration
MON006	144.35	166.00	
MON007	163.91	188.50	
MON008	197.83	227.50	
MON009	210.87	242.50	
MON010	229.13	263.50	
MON011	248.70	286.00	
MON012	263.04	302.50	
MON013	275.65	317.00	
MON014	295.22	339.50	
MON015	328.26	377.50	
MON016	341.30	392.50	
MON017	361.74	416.00	
MON018	384.78	442.50	
MON019	416.96	479.50	
MON020	459.57	528.50	
MON021	492.61	566.50	
MON022	525.22	604.00	
MON023	558.70	642.50	
MON024	591.74	680.50	
MON025	623.04	716.50	

Fee level	Annual charge \$ excluding GST	Annual charge \$ including GST	Fee code narration
MON026	656.96	755.50	
MON027	690.43	794.00	
MON028	722.61	831.00	
MON029	755.22	868.50	
MON030	787.39	905.50	
MON031	820.43	943.50	
MON032	854.78	983.00	
MON033	886.09	1,019.00	
MON034	919.13	1,057.00	
MON035	952.17	1,095.00	
MON036	984.78	1,132.50	
MON037	1,018.70	1,171.50	
MON038	1,051.30	1,209.00	
MON039	1,083.48	1,246.00	
MON040	1,116.09	1,283.50	
MON041	1,149.57	1,322.00	
MON042	1,182.61	1,360.00	
MON043	1,214.78	1,397.00	
MON044	1,248.26	1,435.50	
MON045	1,280.00	1,472.00	

3.5.4 Moorings and Coastal structures (post construction or installation)

Annual charges for moorings and coastal structures are set pursuant the Resource Management Act 1991, the Biosecurity Act 1993, and the Maritime Transport Act 1994.

The Navigation Safety Bylaw fee is set pursuant to the Maritime Transport Act 1994, in conjunction with the Navigation Safety Bylaw for Northland. The Owner ⁽¹⁾ of every Maritime Facility ⁽²⁾ or Mooring ⁽³⁾ in the region shall pay to the council this annual navigation fee. The navigation safety bylaw fee shall be payable on the number of berths available at the maritime facility, whether or not all berths are used. The council's Harbourmaster shall determine the number of berths available at any maritime facility.

These bylaw charges were publicly notified pursuant to the Local Government Act 2002 and were set at a meeting of council on XX June 2017. On XX June 2017, the Council also resolved that activity income sources would be inflation adjusted each year. The bylaw charges came into force on 1 July 2017. In accordance with the decision made on XX June 2017 these charges have been inflation adjusted for the 2017/18 year.

3.5.4.1 Scale of annual charges for Moorings and Marina Berths

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge\$ including GST	Total fee \$ including GST
MOR001 MOR002	Individual swing, pile and jetty moorings with or without resource consents.	106.00	76.00	79.50	261.50
MOR004 MOR002	Swing and pile moorings owned by one person or organisation, comprising 10 to 24 moorings (per mooring and berths). Note: No additional charge will be set for those structures which are an integral part of the mooring area, so long as those facilities and activities do not give rise to any significant adverse environmental effects.	90.00	76.00	79.50	245.50
MOR005 MOR006	Pile moorings and jetty berths owned by one organisation, comprising 25 berths or more, but no more than 75 berths (per berth). Note: No additional charge will be set for those structures which are an integral part of the mooring area, so long as those facilities and activities do not give rise to any significant adverse environmental effects.	58.00	70.50	79.50	208.00

- 1 "Owner" includes: a) in relation to a vessel, the agent of the owner and also a charterer; or b) in relation to any dock, wharf, quay, slipway or other maritime facility, means the owner, manager, occupier or lessee of the dock, wharf, quay, slipway or other maritime facility.
- 2 "Maritime facility" means any jetty, jetty berth, wharf, ramp, slipway, boatshed, marine berth, pontoon or, whether private, commercial or a recreational public facility, that is located within the coastal marine area of Northland
- 3 "Mooring" means any swing or pile mooring whether private, commercial or recreational mooring that is located within the coastal marine area of Northland.

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge \$ including GST	Total fee \$ including GST
	Marinas comprising more than 75 berths.		63.50	79.50	143.00
MOR003	Dinghy pulls	141.00			141.00

Mooring license amendment fee

Any changes to the mooring license conditions, such as position, size or design of a mooring, or the maximum length of vessel allowed to use the mooring must be approved by the harbourmaster as required by the Navigation Safety Bylaws. The fee relates to the actual work involved in processing the application, including checking the effect on adjacent mooring holders.	\$202.00 including GST
<p>On-site assessment of moorings.</p> <p>Mooring holders who require an on-site assessment or inspection of their mooring, or proposed mooring, by the maritime staff for their own benefit will receive a fee based on the actual officer's time charged, at an hourly rate comprising actual employment costs plus a factor to cover administration costs (as per the staff charge rate see section 3.2).</p>	

Pursuant to the provisions of Navigation Safety Bylaw clause 3(1)(6), should any mooring licence fees or other charges due to the council under the provision of this bylaw remain unpaid for a period of 60 days, then the harbourmaster may remove, or cause to be removed, the mooring and detain the vessel using the mooring, until such fees and charges, including the cost of removing the mooring and storing the vessel, have been fully paid and discharged. Should such debts have not been paid and discharged within a further 60 days, the council has the right to sell the mooring and/or vessel to recover the debt.

3.5.4.2 Scale of annual charges for coastal structures

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge \$ including GST	Total fee \$ including GST
CST001	Cables and pipes		134.50		134.50
CST002	Buildings in the coastal marine area		141.00		141.00

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Bylaw Charge \$ including GST	Total fee \$ including GST
CST003	Seawalls and reclamations up to 100 m	141.00			141.00
CST004	Seawalls and reclamations over 100 m	150.50			150.50
CST005 NAV001	Community and boating club structures and jetties, and non-commercial public structures	141.00	76.00		217.00
CST006 NAV001	Boatsheds	141.00	76.00	79.50	296.50
CST007 NAV002	Boatsheds with additional berth	147.50	151.50	79.50	378.50
CST008 NAV001	Boat ramps up to 15m	141.00	76.00		217.00
CST009 NAV002	Boat ramps/slipways over 15m and grids	147.50	151.50		299.00
CST010	Low use structures not more than 10m ²	134.50			134.50
CST011 NAV001	Low use structures more than 10m ² and up to 300m ²	141.00	76.00		217.00
CST012 NAV002	Low use structure over 300m ²	147.50	151.50		299.00
CST013	High use structures not marine related	141.00			141.00
CST014 NAV003	High use structures not more than 300m ² and slipway not more than 50 tonnes	141.00	424.00		565.00
CST015 NAV004	High use structures more than 300m ² but not more than 1,000m ²	147.50	1,841.50		1,989.00
CST016 NAV005	High use structures more than 1,000m ² and slipways with a maximum capacity of more than 50 tonnes	150.50	3,258.50		3,409.00

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge \$ including GST	Total fee \$ including GST
CST018 CST017 NAV001	Marine farm	*270.00 + admin fee (\$106.00)	76.00		452.00 (minum)

* Per farm for amalgamated consents.

Note: All structures may be subject to additional charges that recover the costs incurred by the council for extra monitoring, such as sampling a discharge. Where the costs of monitoring the structure and discharge exceed the annual charge herein, the council will recover the balance in accordance with Section 36(3) of the Resource Management Act 1991.

Low use structures are typically privately owned and high use structures are typically commercially owned.

Consent holders of multiple structures authorised under a single resource consent for contiguous facilities, will be charged one annual fee for the most significant authorised by that consent.

Description/Criteria	Marine Biosecurity Charge \$ excluding GST	Total fee \$ including GST
Northport Limited	3,250.00	3,737.50
Golden Bay Cement	3,250.00	3,737.50
Port Nikau Limited	3,250.00	3,737.50

3.5.5 Land use consents for boating-related structures in waters upstream of the coastal marine area (post construction)

Scale of annual charges for land use consents for boating-related structures in waters upstream of the Coastal Marine Area (CMA) with minor environmental effects.

Fee level	Description/criteria	RMA \$ excluding GST	Total fee \$ including GST
MON046	Minor structures and jetties: not more than 10m ² in plan area.	149.13	171.50

Fee level	Description/criteria	RMA \$ excluding GST	Total fee \$ including GST
MON047	Jetties and other structures: more than 10m ² in plan area.	212.61	244.50

Note:

1. Consents for new boat-related structures or to alter boat-related structures in water-bodies will be subject to an inspection during their construction phase based on staff time and rates set out in section 3.2.
2. Refer to Section 2.2.8 setting of annual resource consent (monitoring) charges of the Charging Policy for bases of charges.

3.5.6 Water takes of high potential effects

Estimated annual charges for water take consents for high potential effects.

Consent holder	Consent no(s)	Annual admin/ supervision/ monitoring charge \$ including GST	Resource user charge \$ including GST	Annual charge \$ including GST (Total)	Fee level
Whāngārei District Council	2960	*2,747.00	924.00	3,671.00	ADM002 RUC006
Fonterra Kauri	437304	*3,159.00	924.00	4,083.00	ADM003 RUC006
Far North District Council	4369	*3,021.50	462.00	3,483.50	ADM004 RUC005
Maungatapere Water Co. Ltd	4607	*412.00	924.00	1,336.00	ADM005 RUC006
Milicich	4715	*412.00	462.00	874.00	ADM005 RUC005
North Power	4845	*1,030.00	462.00	1,492.00	ADM006 RUC005
Ngāwhā Geothermal Resource Company Ltd.	488312	*687.00	1,386.00	2,073.00	ADM007 RUC007
Kokich & Rock Solid Ltd	4965	*823.50	924.00	1,747.50	ADM008 RUC006

Consent holder	Consent no(s)	Annual admin/ supervision/ monitoring charge \$ including GST	Resource user charge \$ including GST	Annual charge \$ including GST (Total)	Fee level
West Coast Dairy	5004	*687.00	462.00	1,149.00	ADM007 RUC005
Glen Mor Ltd	5014	*480.00	462.00	942.00	ADM009 RUC005
McBeth Farms Ltd	5021	*480.00	462.00	942.00	ADM009 RUC005
Hodgson DK	5022	*480.00	462.00	942.00	ADM009 RUC005
Rehford Farms	5027	*480.00	462.00	942.00	ADM009 RUC005
Bryant Fischer Family Trust	7330	*687.00	462.00	1,149.00	ADM007 RUC005
Whangarei District Council	7398	*1,372.50	924.00	2,296.50	ADM010 RUC006
Whangarei District Council	7404	*3,433.00	924.00	4,357.00	ADM011 RUC006
Whangarei District Council	7405	*961.50	462.00	1,423.50	ADM012 RUC005
Kaipara District Council	7582	*1,029.50	462.00	1,491.50	ADM006 RUC005
Burke Farms Ltd.	7642	*823.50	462.00	1,285.50	ADM008 RUC005
Kaipara District Council	8032	*823.50	462.00	1,285.50	ADM008 RUC005
Kaipara District Council	8134	*961.50	462.00	1,423.50	ADM012 RUC005

* Includes a charge pursuant to Section 36(1)(c) towards the costs of specific investigations (flow and/or water quality monitoring) within catchment relating to consent and compliance monitoring.

* Multiple consents taking from different catchments and/or resources.

For the basis of charging, refer to section 2.2.8 setting of annual resource consent (monitoring) charges of the Charging Policy for bases of charges.

3.6 INSPECTION AND MONITORING CHARGES

3.6.1 Permitted activity monitoring/inspections – fees

The fees will be charged on a cost recoverable basis (officer time, sampling and equipment costs). Refer to section 3.2 staff charge rates and section 3.10 miscellaneous management charges.

3.6.2 Permitted activity dairy discharges – fees

The charges are as follows:

	\$ excluding GST
(i) Inspection and monitoring fee:	
Grades full compliance and minor non-compliance	179.13
Grades significant non-compliance	268.26
(ii) Second and subsequent visits and inspections including travel time for significant non-complying farms	87.00 per hour

Where there is a need for two officers to attend, the costs of both officers will be recovered.

Administration costs incurred will be charged in addition to the costs of the site visit/inspections, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required (see section 3.10).

Note: For charges for consented farm dairy effluent discharge consents, refer to section 3.6.3.

3.6.3 Farm dairy effluent inspection charges

Scale of charges for consents for farm dairy effluent discharges (full and minor non-compliance and significant non-compliance).

3.6.3.1 Full and minor non-compliance

Sampling and testing required where indicated.

Description/criteria	Charge \$ excluding GST	Charge \$ including GST
Per inspection – (no sampling or testing)	270.43	311.00
Per inspection – (single sample only)	321.30	369.50

Description/criteria	Charge \$ excluding GST	Charge \$ including GST
Per inspection – (two samples)	372.17	428.00
Per inspection – (three samples)	423.04	486.50
Per inspection – (four samples)	473.91	545.00
Per inspection – (five samples)	524.78	603.50
Per inspection – (six samples)	575.65	662.00

3.6.3.2 Significant non-compliance

Sampling and testing required where indicated.

Description/criteria	Charge \$ excluding GST	Charge \$ including GST
Per inspection – (no sampling or testing)	361.74	416.00
Per inspection – (single sample only)	412.61	474.50
Per inspection – (two samples)	463.48	533.00
Per inspection – (three samples)	514.35	591.50
Per inspection – (four samples)	565.22	650.00
Per inspection – (five samples)	616.09	708.50
Per inspection – (six samples)	666.96	767.00

Second and subsequent visit, including follow-up inspections, for significant non-complying systems will be at \$87.00 per hour plus GST, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required.

Note: For fees charged under the Local Government Act for the inspection of non-consented dairy effluent discharge systems, refer to Section 2.3.1 of the Charging Policy.

3.6.4 Coastal structures (construction or installation phase) – monitoring inspection charges

The fees will be charged on a cost recoverable basis (officer time, sampling and equipment costs). Refer to section 3.2 staff charge rates and section 3.10 miscellaneous management charges.

Note: Refer to Section 2.2.8 setting of annual resources consent (monitoring) of the Charging Policy for bases of charges.

3.7 MARITIME ACTIVITIES

3.7.1 Fees for maritime-related incidents

Staff time will be charged at the minimum charge out rate applicable to the staff members involved.

3.7.2 Hot Work Permits

	GST Exclusive
For vessels alongside wharves or at anchor, per permit.	\$79.13

3.7.3 Safe Operating Licences

	GST Exclusive
For all Northland harbours, unpowered craft not subject to a maritime rule and available for lease or hire, including: dinghies, kayaks, canoes, aqua-cycles, surf cats or similar commercially available craft, an inspection fee to verify the adequacy of procedures and safety equipment, up to one hour.	\$79.50
Where inspection time exceeds one hour, the charge shall be at the rate of \$71.50 per hour plus vehicle running costs at the rates approved from time to time by the Inland Revenue Department.	\$71.50

3.7.4 Jet Ski Registration Fees

As resolved and prescribed by the Auckland Council which undertakes this function on behalf of the Northland Regional Council under delegated authority.

3.7.5 Pilotage and Shipping Navigation and Safety Services Fees

a.	Pilotage Charges for Bay of Islands apply for vessels entering inside the pilotage limits as marked on chart NZ 5125.	GST Exclusive
	(i) Inwards/outwards to wharf, Ōpua – per visit	
	Where GT is greater than 500 but less than 3000	\$1,650.50
	Where GT is greater than 3000 but less than 18,000	\$3,191.15
	(ii) Ships to anchor in Bay of Islands – per visit	
	Where GT is greater than 500 but less than 3000	\$1,650.50
	Where GT is greater than 3000 but less than 18,000	\$3,191.15
	Where GT is greater than 18,000 but less than 40,000	\$3,808.32
	Where GT is greater than 40,000 but less than 100,000	\$4,257.29
	Where GT is greater than 100,000	\$4,704.92
	(iii) Cruise ships to anchor in the Bay of Islands - pilotage cancellation fee	
	Less than 6 months prior to the date of booked pilotage	10% of the pilotage charge
	Less than 1 month of the date of booked pilotage	20% of pilotage charge
	With less than 48 hours notice of the booked time of pilotage	40% of pilotage charge
	(iv) Cruise ships to anchor in the Bay of Islands - change to date of booking for pilotage	
	Change of date of booking to a date that is within one month of original booking, and given at less than one months notice	10% of pilotage charge
	(v) Cruise ships to anchor in the Bay of Islands - Christmas day surcharge	
	Pilotage and shipping navigation is required on Christmas Day	\$1,700.00 surcharge
b.	Shipping – Navigation and Safety Services Fee per ship visiting the Bay of Islands regardless of which pilotage organisation or company actually services the vessel	
	Where GT is less than 3000	\$1.10/GT
	Where GT is greater than 3000 but less than 18,000	\$3,191.15
	Where GT is greater than 18,000 but less than 40,000	\$3,584.97

	Where GT is greater than 40,000 but less than 100,000	\$3,920.46
	Where GT is greater than 100,000	\$4,480.64
	Where GT is greater than 150,000	\$5373.00
c.	Shipping	
	(i) Navigation and Safety Services Fee per ship visiting the Bay of Islands when the master is exempt from compulsory pilotage	
	Up to 3000 GT	\$1.10/GT
	(ii) Navigation and Safety Services Fee per ship visiting the Poor Knights Area to be avoided under Maritime NZ approval for exemption from applicable Marine Protection Rules.	
	Over 45 metres length overall	\$1.08/GT
d.	Shipping – Navigation and Safety Services Fee per ship visiting Whangaroa Harbour except when the ship is also visiting the Bay of Islands during the same voyage.	\$1,100.34

Where the harbourmaster cancels pilotage in the Bay of Islands, no charge will apply.

3.7.6 Harbourmaster's Navigation Safety Services Fee

		GST Exclusive
a	North Port Limited	\$123,952.00
b	For water transport operators not serviced by a port company, at actual time and cost.	
c	Where the actual costs on a labour time and plant recovery basis exceed the annual fee, the council will recover any balance on an actual cost basis.	

3.7.7 Applications for Reserved Area for Special Event (clause 3.13 of the Navigation Safety Bylaw 2012)

		GST Exclusive
	Special Event Processing Fee	\$159.57
	The council shall recover from the applicant all actual and reasonable costs incurred in arranging for the publication of a public notice. These costs are additional to the above fee. Where the actual costs on a labour time and plant recovery basis exceed the annual fee, the council will recover any balance on an actual cost basis.	

3.7.8 Pilot Exemption Exam Fee

		GST Exclusive
	Pilot Exemption Exam Fee	\$410.43

3.7.9 All navigation and other fees specified herein are exclusive of Goods and Services Tax

The fees shall apply for the period 1 July 2017 to 30 June 2018 and will continue to apply until superseded by a subsequent bylaw change fixed by resolution and publicly notified or by the review required by section 158 of the Local Government Act 2002.

3.7.10 Standard charges under the Maritime Transport Act 1994 – Marine Tier 1 Oil Transfer Sites

		GST Exclusive
<p>Maritime Rule Part 130B requires that the operator of an oil transfer site obtain the approval for a site marine oil spill contingency plan from the director of Maritime New Zealand. The power to approve these plans has been delegated by the director to the Chief Executive Officer (sub-delegated to council employees) of the Northland Regional Council in an Instrument of Delegation pursuant to Section 444(2) of the Maritime Transport Act 1994.</p> <p>A Minimum fee will apply.</p> <p>Section 444(12) of the Maritime Transport Act 1994 allows the council to charge a person a reasonable fee for:</p>		
a	Approving Tier 1 site marine oil spill contingency plans and any subsequent amendments.	\$273.48
b	Renewal of Tier 1 site marine oil spill contingency plan, where staff time is less than one hour.	No charge
c	Inspecting Tier 1 sites and any subsequent action taken thereafter in respect of preparation of inspection reports or reporting on non-conformance issues.	Charged at hourly rate of attending staff member
<p>A minimum fee is charged and further charges may apply based on officer's actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. Should travel be required, additional costs for mileage will be charged the standard rate as approved by the Inland Revenue Department.</p>		

3.8 BIOSECURITY

3.8.1 Pest control products

All pest control products, including traps, pesticides, pre-feed, bait (including pindone), bait stations, and associated equipment will be sold to Northland landowners at the price they are purchased from the manufacturer by council.

1.

3.9 PROPERTY LAW ACT 2007

	\$ excluding GST
a. Transfer or assign the lease	\$168.26
b. Enter into a sublease	\$168.26

3.10 MISCELLANEOUS MANAGEMENT CHARGES - PLANT AND EQUIPMENT CHARGES

The council's Resolution of 8 December 2004, "that pursuant to Section 150(6) of the Local Government Act 2002, council managers be authorised to set or vary labour, plant and equipment hire fees and fees for miscellaneous services provided by the council as necessary from time to time." The council's labour, plant and equipment charges to external parties are as follows:

3.10.1 Field Test Charges

Job Ref. No.	Description/criteria	Per sample \$ excluding GST	Per sample \$ including GST
7369	Conductivity	5.22	6.00
7368	Dissolved oxygen	5.22	6.00
7370	pH	5.22	6.00
7371	Salinity	5.22	6.00
7372	Temperature	1.30	1.50

Any further tests required, please contact laboratory staff for prices.

3.10.2 Labour – general

Labour costs for the council's staff not previously specified in this policy will be charged at an hourly rate determined from actual employment costs, including overtime rates if applicable, plus a multiplier to cover overheads and any internal costs incurred. When tradesmen are called out, and their service is cancelled, all costs incurred by the council are payable by the hirer, at the above charge-out rates.

3.10.3 Plant

Where any of the council's plant is hired, extra costs including additional labour cost in overtime hours, travelling allowance, transport charges, etc., shall be recovered from the hirer of the plant. Where plant is ordered and its services cancelled, all costs incurred by the council are payable by the hirer.

3.10.4 Water quality monitoring devices

	\$ excluding GST	\$ including GST
YSI Sondes per day	66.96	77.00
ISCO Automated Sampler per day	56.09	64.50

All labour incurred in the hire of water quality monitoring devices, is additional and charged in accordance with the charge out rates specified in Section 3.2.

3.10.5 Vehicles/quads

Inland Revenue approved mileage rates for annual work-related kilometres travelled	External rate per km \$ excluding GST	Internal rate per km \$ excluding GST
Motor vehicles		
1 – 3000km (total kilometres for a job)	0.62	0.28
3001 kilometres and over (for each km over 3000)	0.19	0.28
Motor vehicles – flat rate	0.28	0.26
Motor cycles/quad bikes		
1 – 3000 km	0.31	0.14
3001 kilometres and over (for each km over 3000)	0.10	0.14
Other		
Transit van or similar (public service rate)	1.00	0.41
Light truck (public service rate)	1.20	0.55
8 Tonne truck	1.20	0.55

Flat rates may be used where a great deal of travel related to one job is done regardless of the distance travelled in a year.

3.10.6 Floating plant – standard rates

(a) Workboat hire	\$ excluding GST	\$ including GST
Workboat – Waikare per hour	733.91	844.00
Standby – Waikare per hour	277.83	319.50

For significant commercial projects, the council will negotiate hire, standby and total costs with contractors and other parties.

(b) Small launch hire	\$ excluding GST	\$ including GST
BOI Patrol Boat 'Karetu' per hour	261.74	301.00
Standby – 'Karetu' per hour	104.78	120.50

(b) Small launch hire	\$ excluding GST	\$ including GST
5 metre 'Mangapai' per hour	157.39	181.00
Standby – 'Mangapai' per hour	104.78	120.50
Whāngārei Work Boat 'Ruawai' per hour	261.74	301.00
Standby – Whāngārei Work Boat 'Ruawai' per hour	136.09	156.50
All labour and transport costs incurred in the hire of vessels, are additional and charged at \$75.50 per hour per crew number, with a minimum of two crew members.		75.50

Floating plant rates do not include crew labour charges or any relocation charges.

NB: (Additional rates may apply in overtime hours)

Other plant not specified above

Each request to hire other council plant or equipment is to be referred to the appropriate manager for approval, who shall apply a realistic charge-out rate and notify the finance manager so that an invoice can be raised.

3.10.7 Hire charge – council, committee, training/meeting rooms

Catering is the responsibility of the hirer. Any refreshments provided by the council will be on charged at cost.

Per day	\$ excluding GST	\$ including GST
Council room	160.87	185.00
Committee room	53.91	62.00
Council and committee rooms	193.48	222.50
Kaipara training room	160.87	185.00
Whangaroa meeting room	53.91	62.00
Kaipara/Whangaroa rooms	193.48	222.50

Catering is the responsibility of the hirer. Any refreshments provided by the Council will be on charged at a rate of \$X GST exclusive per person.

3.10.8 Hire charge – council video conference facilities

Hire charge includes a meeting room	\$ excluding GST	\$ including GST
Price per hour	\$160.87	\$185.00

Bookings will be subject to the availability of a meeting room and the video conferencing unit. Priority will be given to council business. Video conferencing units are Polycom with 55 inch screens. Connection is IP/Skype for Business only and is not configured for ISDN.

3.10.9 Photocopying

Per page	\$ excluding GST			
	Colour A4	Colour A3	Black A4	Black A3
Applicants/Staff	0.10	0.10	0.10	0.10
Other parties	0.10	0.10	0.10	0.10

Note: Double-sided is equivalent to two pages.

Labour costs also to be recovered.

3.10.11 Publication charges for RMA and miscellaneous documents

Plan	\$ including GST
Regional Policy Statement	\$17.00
Regional Policy Statement Maps	\$110.00
Regional Coastal Plan	\$106.00
Regional Coastal Plan Maps	\$96.00
Regional Air Quality Plan	\$49.00
Regional Water and Soil Plan	\$177.50
Proposed Regional Plan	\$35.00
Proposed Regional Plan Section 32 Report	\$82.50
Statutory acknowledgements	No charge
Regional Land Transport Plan	\$50.00

Plan	\$ including GST
Regional Passenger Transport Plan	\$50.00
On-site Wastewater Disposal from Households & Institutions	\$22.00
Plans on CDs	\$22.00

Any council publications not made freely available to ratepayers may be purchased at cost from the council.
Contact the council for further details.

Attachment 1 : Summary of Amendments to MPMP

Date 10 June 2017

Change to Marine Pathway Mangement Plan	Section in document	Change made in final document	Approved by:	Consistent with Act	Consistent with NPD
Executive summary needs to be rewritten for the final plan	Executive summary	No	Minor changes		
Section 1.1 Proposer to be removed and replaced with 1.1 Purpose	Section 1.1	Yes	Minor changes	Yes	
Section 1.1 Purpose wording to be changed to reflect the final plan adoption	Section 1.1-1.2	Yes	Minor changes	Yes	Yes
Section 1.2 becomes "Coverage"	Section 1.2-1.3	Yes	Minor changes		
Section 1.3 becomes duration and mentions date that plans become operative	Section 1.3-1.4	Yes (dates need to be add	Minor changes/NPD requirement	Yes	
Section 1.4 becomes Plan review	Section 1.4	yes	Minor change/ National template requirement		
Section 2.3 of the proposed plan is removed (relationship with the NPD)	Section 2.3	yes	Minor change/ National template requirement		
Section 2.7 (consultation overview is removed)	Section 2.7	yes	Minor change/ National template requirement		
Section 3.3 Affected parties becomes 3.3 responsibilities of owners and/or occupiers	Section 3.3	yes	Minor change/ National template requirement		
Section 3.3.2 becomes 3.4	section 3.3.2	yes	Minor changes		
section 3.3.3 becomes 3.5	section 3.3.3	yes	Minor changes		
section 3.3.4 becomes 3.6	section 3.3.4	yes	Minor changes		
section 3.3.5 becomes 3.7	section 3.3.5	yes	Minor changes		
add in example of objective for pathway management plan	section 5.1	Yes	Minor change-National template requirement	Yes	
change from 'proposed three pronged approach' to 'council has a three pronged approach	section 10	Yes	Minor changes		
change from 'new regional plan provisions will have' to 'regional plan provisions to..' addition of 'movement of marine pest species' under point 3 regional pla		Yes	Minor changes		
Ensure the 'Pathway to be managed" '(vessel movement) is made explicit in sect 10.1 by way of a heading	section 10.1	Yes	Minor change	Yes	
That reference to the level of fouling rankings (as per NIWA and Cawthron research) and the Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand be added to the pathway plan.	section 10.1 other relevant legislation or programmes	Yes	Council recommendation		
Exemption for the New Zealand Defence Force to the MPMP rules in relation to its activities to natural disaster response or emergency management response be made to the MPMP.	section 10.1 exemptions	Yes	Council recommendation	Yes	
Exemption statement: Exemptions to rules 10.1.1 and 10.1.2 are listed below and further information of exemption is given in section 12.3.	section 10.1 exemptions	Yes	Minor amendments	Yes	
Council include an exemption that vessels can travel from one designated place to another for the purpose of a haul out only within 24 hours of arriving in the new designated area. Proof via receipt will be required from a haul out facility.	section 10.1 exemptions	Yes	Council recommendation	Yes	
Amend the definition of light fouling to include all species of barnacles	section 10.1 definition	Yes	Council recommendation	Yes	
That rule 10.1.2 be amended to read: The owner or person in charge of a craft moving from a designated place and entering a separate designated place in Northland must ensure that the fouling on the hull and niche areas of the craft does not exceed light fouling.	section 10.1 rules	Yes	Council recommendation	Yes	
That narrative descriptions of the boundaries of each of the designated places be added, which will include map co-ordinates and/or distances from shore to describe the boundaries.	Section 10.1		Council recommendation		
add kaipara map	Section 10.1		Minor changes	Yes	
Alter designates places maps to be polygons with distinct location points + altered descriptions	Section 10.1		Minor changes		
change picture of goose barnacles	Section 10.1		Minor changes		
Advice note: identified marine pest species for Northland are identified in section 10.2 of the Regional Pest and Marine Pathway Management Plan.		Yes	minor changes		
move bullet point 3 from requirement to act to rules section	section 10.1 rules	Yes	minor changes	Yes	
reword exemptions (slight alteration to layout)		Yes	minor changes		
Alter boundary on Kaipara map	section 10.1				
alter map for doubtless bay to total northland map			minor changes	Yes	
Change to 13.1 funding (introduction)	section 13.1	Yes	Minor change/National template requirement		
section 13.2 analyses of benefits and costs is removed and becomes 13.2 funding sources and reasons for funding	section 13.2	Yes	Minor change/National template requirement		
13.3 beneficiaries and exacerbaters is removed and becomes 13.3 anticipated implementation costs (was 13.5)	Section 13.3	Yes	Minor change/National template requirement		
slight alteration to 13.3 'anticipated implementation costs' last paragraph gives reference to split share of marine biosecurity costs.	Section 13.3	Yes	Minor change/National template requirement		
13.4 funding sources and reasons for funding becomes 13.4 funding limitations (was 13.6)	section 13.4	Yes	Minor change/National template requirement		

Biosecurity Act Compliance Check:

Proposed Regional Marine Pathway Plan

Table of contents

Table of contents	2
National Policy Directive	3
Marine Pathway Management Plan	4
Compliance Check: Biosecurity Act 1993	4
Initial Proposal.....	4
Section 91 Second Step: satisfaction on requirements.....	4
Section 94 Fifth Step: satisfaction on contents of plan and requirements.....	7

National Policy Directive

This report provides a consistency check with the Biosecurity Act 1993 content requirements for the Marine Pathway Management Plan as per BSA sections 91 and 94.

Marine Pathway Management Plan

Compliance Check: Biosecurity Act 1993

Initial Proposal

Section 91 Second Step: satisfaction on requirements

Requirement	Comment
<p>If the council is satisfied that section 90 has been complied with, the council may take the second step in the making of a plan, which is to consider whether the council is satisfied—</p> <p>(a) that the proposal is not inconsistent with –</p> <ul style="list-style-type: none">(i) the national policy direction; or(ii) any other pest management plan on the same organism; or(iii) any pathway management plan; or(iv) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or(v) any regulations; and	<p>NPD compliance is set out in separate spreadsheet in this document. The proposed MPP is new and designed to be an integral part of the broader RPMP proposal. No similar pathways plan has yet been developed for the neighbouring Auckland region. The MPMP is consistent with the RPS and draft Regional Plan.</p>

	There are no applicable regulations.
(a) that, during the development of the proposal, the process requirements for a plan in the national policy direction, if there were any, were complied with; and;	See separate NPD compliance spreadsheet.
(c) that the proposal has merit as a means of eradicating or effectively managing the subject of the proposal, which means – (i) the organism proposed to specified as a pest under the plan, or the organisms proposed to be specified as pests under the plan; or (ii) the class or description of organism proposed to specified as a pest under the plan, or the classes or descriptions of organisms proposed to be specified as pests under the plan; and	The costs benefit analysis documented in the separate report examined the merit of pathway management programme.
(d) that the organism is capable of causing at some time an adverse effect on 1 or more of the following in the region – (i) economic wellbeing; (ii) the viability of threatened species of organisms; (iii) the survival and distribution of indigenous plants or animals; (iv) the sustainability of natural and developed ecosystems, ecological processes, and biological diversity; (v) soil resources; (vi) water quality; (vii) human health; (viii) social and cultural wellbeing; (ix) the enjoyment of the recreational value of the natural environment; (x) the relationship between Maori, their culture, and their traditions and ancestral lands, waters, sites, wahi tapu and taonga; (xi) animal welfare; and	Adverse effects of the marine pest organisms that will be controlled by the MPMP are noted in its introduction and addressed in the Cost Benefit Analysis report.
(e) that, for each subject, the benefits of the plan would outweigh the costs, after taking into account the likely consequences of inaction or other courses of action; and	This is examined in detail in the CBA report.
(f) that, for each subject, persons who are required, as a group, to meet directly any or all of the costs of implementing the plan – (i) would accrue, as a group, benefits outweighing the costs; or (ii) contribute, as a group, to the creation, continuance, or exacerbation of the problems proposed to be resolved by the plan; and	This matter has been dealt with within the CBA report.
(g) that, for each subject, there is likely to be adequate funding for the implementation of the plan for the shorter of its proposed duration and 5 years; and	This is examined in detail in the CBA report.
(h) that each proposed rule –	Consideration of

<p>(i) would assist in achieving the plan's objectives; and (ii) would not trespass unduly on the rights of individuals; and</p>	<p>the rule and the imposition of the rule on others has been considered as part of the CBA report and other considerations undertaken as part of the process involved in making this plan.</p>
<p>(i) that the proposal is not frivolous or vexatious; and</p>	<p>The proposal is robust and fit for purpose.</p>
<p>(j) that the proposal is clear enough to be readily understood; and</p>	<p>Particular attention has been paid to clarity of language for likely MPP users.</p>
<p>(k) that, if the council rejected a similar proposal in the last 3 years, new and material information answers the council's objection to the previous proposal.</p>	<p>The council has not rejected any similar proposal in the last 3 years.</p>

MPMP

Section 94 Fifth Step: satisfaction on contents of plan and requirements

Requirement	Comment
If the council is satisfied that section 93 has been complied with, the council may take the fifth step in the making of a plan, which is to consider whether the council is satisfied, in relation to the plan prepared under section 93,—	
(a) that the plan is not inconsistent with – (i) the national policy direction; or (ii) any other pathway management plan or pest management plan; or (iii) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or (iv) any regulations; and	The changes confirmed by council to the proposed plan as part of the deliberations meeting held on 8 June 2017 do not create any inconsistencies with the NPD, any other pathway plan, regional policy statement or any regulations.
(b) that, for each subject, the benefits of the plan would outweigh the costs, after taking into account the likely consequences of inaction or other courses of action; and	This is examined in detail in the CBA report.
(c) that, for each subject, persons who are required, as a group, to meet directly any or all of the costs of implementing the plan – (iii) would accrue, as a group, benefits outweighing the costs; or (iv) contribute, as a group, to the creation, continuance, or exacerbation of the problems proposed to be resolved by the plan; and	Council is satisfied that the persons required to meet implementation costs either contribute to the continuation or exacerbation of the problems to

	be resolved (i.e. mooring/structure owners) or will accrue benefits that outweigh costs (i.e. ratepayers) – this has been demonstrated in yhr pathways plan section of the CBA.
(d) that, for each subject, there is likely to be adequate funding for the implementation of the plan for the shorter of its proposed duration and 5 years; and	This is examined in detail in the CBA report.
(e) that each proposed rule – (iii) would assist in achieving the plan's objectives; and (iv) would not trespass unduly on the rights of individuals; and	The changes confirmed by council to the proposed plan as part of the deliberations meeting held on 8 June 2017 do not substantially alter the plan rules as originally proposed and therefore still comply with these requirements.



WHANGĀREI: 36 Water Street, Private Bag 9021, Whangārei Mail Centre,
Whangārei 0148; Phone 09 470 1200, Fax 09 470 1202.

DARGAVILLE: 42 Hokianga Road, Dargaville; Phone 09 439 3300, Fax 09 439 3301.

KAITĀIA: 192 Commerce Street, Kaitāia; Phone 09 408 6600, Fax 09 408 6601.

ŌPUA: Unit 10, Industrial Marine Park, Ōpua; Phone 09 402 7516, Fax 09 402 7510.

Freephone: 0800 002 004 | **24/7 Environmental Hotline:** 0800 504 639

E-mail: mailroom@nrc.govt.nz | **Website:** www.nrc.govt.nz

LinkedIn: www.linkedin.com/companies/northland-regional-council

Facebook: www.facebook.com/NorthlandRegionalCouncil

Twitter: www.twitter.com/NRCEXpress

BSA section 95 report:

Northland Regional Marine Pathway Management Plan

Date: 13/06/2017
Author: Northland Regional Council
Approved by: Bruce Howse
Group Manager, Environmental Services

Table of contents

Table of contents	2
Section 95 Biosecurity Act Report	3
Introduction.....	3
Plan preparation process	3
Decision on submissions	4
Rules/"light fouling"	5
Designated Places	7
Requests for delay	8
Visiting vessels the biggest risk	8
Pathway coverage	10
Effectiveness of antifoul paints and biofouling.....	11
Lack of haulout facilities and grids.....	12
Lack of rules for in water cleaning	13
Clean vessel pass/use of 6 or 1 rule.....	14
Maori engagement.....	15
Monitoring-regional hull surveillance programme	16
Practicality/enforceability	17
General comments	19
Attachment A	19
Attachment B	19

Section 95 Biosecurity Act Report

Introduction

The Northland Regional Council (the Council) has prepared a Regional Marine Pathway Management Plan (MPMP) in accordance with sections 90 – 94 of the Biosecurity Act 1993 (BSA). This process included consultation and public submissions on the proposed MPMP. The Council has now considered those submissions and decided the changes to be made to the MPMP.

In accordance with Section 95(1) of the BSA, this is a report on the MPMP. Specifically, the report covers:

- (a) the overall preparation process including compliance with BSA requirements on content and process;
- (b) the Council decisions on submissions and plan; and
- (c) the reasons for accepting or rejecting submissions; and
- (d) councils decision on the plan as per section 95(3) of the Biosecurity Act 1993.

Plan preparation process

The Proposed Marine Pathway Management Plan (PMPMP) forms an integral part of the Proposed Regional Pest and Marine Pathway Management Plan 2017 – 2027 (PRPMPMP).

At the extraordinary Council meeting of 8 March 2017, the PRPMPMP and the accompanying analysis of costs and benefits were approved for public notification in accordance with sections 70, 71 and 90, 91 of the BSA. Sections 70 and 71 relate to regional pest management plan preparation whereas sections 90 and 91 are specific to regional pathway management plans, in this case the MPMP.

A compliance check (**Attachment A**) was carried out at that stage covering:

- the express requirements of sections 90 and 91 for the then proposed MPMP
- the related requirements of the National Policy Direction for Pest Management 2015

The availability of the PRPMPMP for submissions was subsequently advertised on 18 March 2017, along with the Draft 2017/18 Annual Plan, Draft Charging Policy 2017/18 and Draft Navigational Safety Bylaw 2017 in a process of joint plan consultation.

The period for submissions closed on 21 April 2017. Hearings of submissions were then held on 22 – 24 May 2017.

There were 304 submissions made on the MPMP. Many of the submissions were from vessel owners and businesses associated with moorings and marinas.

A summary report on the submissions was prepared including with staff recommendations on associated changes to the MPMP. The report and recommendations were considered by council on 8 June 2017 and all recommendations were approved by council.

At the same meeting, the council confirmed that it was satisfied that the consultation requirements of section 92 of the BSA were met.

Approximately 304 submissions commented specifically of the MPMP. Many of the submissions were from vessel owners, marina operators and maritime-related businesses.

The summary of submissions divided under common themes can be accessed via www.nrc.govt.nz/combinedconsult. A staff report was then prepared based around the summary themes and included associated recommendations on amendments to the proposed MPMP.

Decision on submissions

Submissions in general support were accepted as these required no change to the MPMP. The focus of deliberations was on those submissions opposing the MPMP and/or seeking changes to it. The decision-making was done with reference to the common themes derived from the summary of submissions document. Specifically, decisions were made under the following themes:

1. Rules
 - a. Light Fouling
 - b. Designated Places
2. Request for Delay in Implementing the Marine Pathway Plan
3. Alternative Plan Option - National or Interregional Approach
 - a. Visiting Vessels the Biggest Risk
4. Pathway Coverage
5. Rule Compliance Issues
 - a. Effectiveness of Antifoul Paints and Biofouling
 - b. Lack of Haul Out Facilities and Grids
 - c. Lack of Rules for In-water Cleaning
6. Alternative Rule Options
 - a. Clean Vessel Pass
 - b. Use of '6 or 1' Initiative
7. Plan Implementation Issues
 - a. Maori Engagement
 - b. Monitoring - Regional Hull Surveillance Programme
 - c. Practicality and Enforceability
8. General Comments

In the sections below, for each theme a general summary of submissions is provided to give context to the Council decision. The Council's decision is then stated followed by a summary of the reasons for the decision.

Rules/"light fouling

Summary of feedback

A number of submissions raised concerns that the implementation of the plan may be impractical and not work because of the proposed definition of fouling and related enforcement issues.

Many submitters believe the requirement of light fouling of 100mm and less than 5% of hull and niche areas (Rule 10.1.1 and 10.1.2) is unfair and probably unenforceable. Other concerns raised include that determining compliance with the rules was subjective and that the definition of light-fouling included species which should be excluded. Some submitters also considered that the level of fouling rankings should be referred to in the plan.

Some submitters believe that it is impossible for a boat owner to check they are complying as they can only see the waterline and adjacent areas, not the lower part of the hull, let alone the "niches" such as seacocks. Concerns were raised that the rules would require vessel owners to dive underneath their vessels to check compliance.

Submitters identified the need for a "sensible and practical" approach when it comes to assessing the level of fouling of a vessel and the movement restrictions of heavily fouled vessels. Some noted that a majority of the fleet, who move their vessels regularly, already have reasonably clean hulls for performance reasons.

The New Zealand Defence Force requested the consideration of an exemption for the MPMP rules not to apply in activities undertaken by the New Zealand Defence Force in relation to its activities to natural disaster response or emergency management response.

Comments relating to penalties for heavily fouled or abandoned vessels - there are powers under the Biosecurity Act to deal with an abandoned vessel if the vessel posed a likely biosecurity risk.

Some submitters commented on the risk of structures and the need to monitor these. There are specific rules relating to sustained control pests on structures and council can take action on these structures. Fouling on structures where no sustained control pest species are present is relatively low risk as this fouling cannot be transported from one place to another (i.e. the structure does not move).

Submitters also identified that boats travel from Bay of Islands to Whangarei for a haul out. However, the rules do not allow for traveling to a haul-out facility in another designated place.

Decisions

1. That reference to the level of fouling rankings (as per the relevant science reports) and the Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand be added to the marine pathway management plan.
2. That an exemption for the New Zealand Defence Force to the MPMP rules in relation to its activities for natural disaster response or emergency management response, be made to the MPMP.
3. That:
 - a. an exemption be made for vessels travelling from one designated place to another for the purpose of a haul-out within 24 hours of arriving in the new designated area; and

- b. proof of haul-out, via receipt, be required from the relevant haul-out facility.
- 4. That the definition of light fouling be amended to include all species of barnacles.
- 5. That rule 10.1.2 be amended to read:

The owner or person in charge of a craft moving from a designated place and entering a separate designated place in Northland must ensure that the fouling on the hull and niche areas of the craft does not exceed light fouling.

Reasons for accepting or rejecting submissions

The MPMP manages the movement of vessels and sets rules concerning the level of fouling. A key intent is to manage the vector or 'pathway' of the pest rather than the pest itself. This provides a mechanism to prevent the spread of pests without requiring that the pest be named or specified. Hull biofouling and the movement of vessels from one destination to another is widely recognised as a key pathway of marine pests and by the inclusion of the "light fouling" rule aims to reduce this risk by minimising the level of acceptable hull fouling.

The species-led rules in the regional pest management plan (Section 10.2) and pathway-led rules in the MPMP (Section 10.1) work in combination to reduce the risk of marine pest spread on vessel hulls and all other equipment.

The combination of species-led and pathway-led rules will enable management of both pest species and vectors.

Hull fouling is considered the best indicator of risk and basis for a regulatory mechanism to address the pest vector issue as it has been identified as such in a number of reports / documents.

Level of fouling is widely recognised as the best indicator of risk and basis for a regulatory mechanism. This standard has been used in the development of the *Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand* (CRMS) by MPI to use for assessing biofouling on vessels coming into New Zealand waters. There is no better alternative. This is the standard used by MPI for assessing vessels entering New Zealand waters.

Trained commercial divers and authorised persons will make the assessment of visible fouling and the standard of allowable fouling being small patches of visible fouling (less than 5%) and a slime layer and/or barnacles is readily understood and clear.

It is acknowledged that for some vessel owners there will be some practicality issues and additional costs with determining compliance and maintaining vessels to comply. However, on balance, the Council is of the view that this cost is outweighed by the resulting reduction of risk. In addition, vessel owners have the opportunity of using visual self-inspection, tidal grids and haul out facilities to understand their level of compliance with the rules.

Investment in ongoing education and awareness raising will aid vessel owners' ability to determine compliance. Vessel owners are expected to take into account their antifouling history and type of antifoul used in determining self-compliance.

The Council agrees with a number of suggestions made by submitters and accordingly has amended the definition of 'light fouling' to include all barnacles, not just goose barnacles. This reflects the reports of

multiple species of barnacles rapidly covering hulls, especially in the Bay of Islands, and submitter comments on the issue of barnacles.

Some submitters commented that the rules restricted which haul-out facilities vessel owners can use and that many designated places don't have haul-out facilities. Staff recommend that an exemption be made to allow vessels to travel from one designated place to another for the purpose of a haul out within 24 hours of arriving in the new designated area, upon proof of a receipt from a haul out facility. This will mean vessel owners a) have flexibility for where the vessel is hauled out and b) allows vessels to go to a facility where there is none in the designated place.

The New Zealand Defence Force request for an exemption for the MPMP rules in relation to its activities to natural disaster response or emergency management response is agreed.

Amendments have been made to the wording of 10.1.2 in order to achieve what it was intended too. The rule as worded would have prevented craft from moving out of a designated area to a non-designated area and then back to the same designated area from where the craft originally moved from. The new wording will limit the intent to preventing fouled craft moving from one designated area to another designated area.

Designated Places

Summary of feedback

Submitters raised concerns that the designated places are simply the designated harbour boundaries and don't take into account the listed criteria of: the known marine pest risks of the 'place', common vessel movements and anchorages, and the proximity of haul out and cleaning facilities.

Many of the designated places are pest free and some submitters felt the rules will unnecessarily restrict and unfairly target the movement of vessels between pest free areas.

Some submitters thought the Three Kings Islands (and other offshore islands) should be included in the list of designated 'places'.

Decision

6. That narrative descriptions of the boundaries of each of the designated places be added, which will include map co-ordinates and/or distances from shore to describe the boundaries.

Reasons for accepting or rejecting submissions

The designated places identified in the MPMP take into account the current marine pest status of each harbour, estuary and/or island groups so that the risk of transferring a marine pest from one place to another (which may be free of that pest) is minimised.

The designated places have been mapped to match the 'harbour limits' defined in the draft 2017 Navigation Safety Bylaws as best as possible. However, there are some instances where this is not appropriate because the 'harbour limit' includes more than one harbour and/or estuary. Also, the prescribed 'harbour limits' do not cover all the harbours and estuaries.

However, the concerns that the extent of the designated places could be better communicated (not just a map) are accepted, and therefore a narrative description of each place is to be added including coordinates.

The pathway plan rules can only apply within the Northland region. The Three Kings Islands is outside the 12 mile limit and therefore are not within the Northland region.

Requests for delay

Summary of feedback

A number of submitters requested that Council delay decisions on the Marine Pathway Management Plan. The reasons given for the request were to enable on-going discussion and consultation with stakeholders to develop a more workable and effective method to manage biosecurity and particularly the need for more time to work towards a nationally consistent approach.

Decision

7.No change

Reasons for accepting or rejecting submissions

Most submitters requesting a delay wanted more consultation on the proposed rules and an extended time to plan for the implementation.

The Council has reviewed its consultation efforts, including the call for public submissions, as required under BSA section 92 (see Attachment 2). The pre-notification consultation and subsequent post-notification submission period allowed are both considered adequate and meet the statutory requirements of the Biosecurity Act. As outlined later in this report, the resultant MPMP rule approach is considered the most effective and efficient way to manage marine pest biosecurity risks.

However, there is seen to be value in the continuous refinement of the MPMP implementation plan and the involvement key stakeholders in this. Council is legally required to have an implementation plan in place within three months of the MPMP becoming operative. The Council has the ability to continually change/refine such a plan once in place. It is expected that the plan will take a staged approach, and the Council intends to work with key stakeholders to refine this as necessary.

It is anticipated that, over time, there will be a gradual move towards a nationally consistent approach for marine biosecurity. However, Northland Regional Council is only one of two regional councils who have so far developed such a plan so a national approach is expected to take time. In addition, as with Regional Pest Management Plans, it is expected that there will always be the need to have region-specific rules and/or variability in approaches due to regional differences.

Visiting vessels the biggest risk

Summary of feedback

Many submitters felt that the principal pest management focus should be on boats travelling from outside the region and from overseas rather than boats within the region.

Many submitters felt that visiting international vessels (recreational and commercial) were the greatest risk to marine biosecurity. Concerns were raised that more than 2000 vessels visit Northland annually and

most of them come from pest infested harbours and marinas, and many visiting vessels use anchorages and will therefore be harder to monitor.

Submitters felt that such visiting vessels should face tighter restrictions and bear the burden of prevention - for example, these vessels should have a physical inspection upon arrival.

Several submitters stated that they shouldn't be burdened because of marine pests introduced by other parties.

Decision

7. No change

Reasons for accepting or rejecting submissions

The risk of international vessels transferring marine pests is managed by MPI.

For the past four years, all visiting international vessels have been subject to a voluntary international hull fouling rule called the Craft Risk Management Standard (CRMS): Biofouling on Vessels Arriving to New Zealand. This standard becomes mandatory in May 2018.

The "clean hull" allowance for short-stay international vessels is a slime layer, gooseneck barnacles and slight fouling (1 - 5% cover) of early stage biofouling (e.g. barnacles, tubeworms or bryozoans) on the hull and in the niche areas. Short-stay vessels are here for less than 21 days, and typically travel at moderate to high speeds, such as commercial cargo, log and some cruise vessels.

For long-stay vessels, the requirements are stricter; the only biofouling these vessels may have is a slime layer and goose barnacles.

The Northland Marine Pathways Plan rules aligns with the CRMS.

In addition to these CRMS standards, an Import Health Standard (IHS) is in place for ballast water exchange. This sets out the minimum requirements that must be met before every tank of ballast water, loaded within the territorial waters of a country other than New Zealand, is discharged in New Zealand waters. Both these standards are enforced by MPI.

For the reasons stated above, additional rules to restrict the movement of short-stay international vessels entering the region for the first time or moving between designated places are not considered necessary.

However, domestic vessels entering Northland waters from other regions are subject to the rules of the MPMP and not the international CRMS standard. The MPMP aims are to prevent the spread of pests within the Northland region and the greatest pathway for these is domestic and inter-regional craft.

Pathway coverage

Summary of feedback

The main concern from submitters was that vector pathways other than boat hulls were not included in the MPMP, such as ballast water, bilge water, trailered craft, gear and equipment, disposal of dredge spoil, aquaculture and other coastal structures.

Decision

8. No change

Reasons for accepting or rejecting submissions

The central issue is whether the MPMP should cover other vectors - not just vessel hulls. Science indicates that vessel hulls (not including trailer boats) pose the highest risk of marine pest transfer. Targeting vessels is therefore the best value for money (compliance costs) for decreasing marine biosecurity risks.

As noted in the previous section, the risk of ballast water and international vessels transferring marine pests is managed by MPI. The Northland Regional Council cannot legally have rules for these activities.

Rules preventing the distribution of specific marine pests, such as Mediterranean fanworm, have been part of the current regional pest management strategies. Similar rules will apply in the new Regional Pest Management Plan under sustained control marine pests (see Section 10.2). Thus, the transfer of fan worm and other marine pests via live bait tanks, infected aquaculture materials, trailer boats, or any other material and equipment other than vessel hulls, will remain a punishable offence and subject to sections 52 and 53 of the Biosecurity Act 1993.

Hull fouling is the most significant potential pest transfer vector and therefore the most efficient and effective indicator of risk for a regulatory approach. Given this and the reasons outlined above it is not necessary to make a wide range of other materials and equipment subject to additional rules in the marine pathway management plan.

Vessel hulls (i.e. those submersed in coastal waters as opposed to trailer boat hulls) pose the highest risk of marine pest transfer and the biofouling rule in the marine pathways plan aims to reduce the majority of risk both now and into the future while providing species led rules in the pest management plan to address movement of specific marine pests wherever they may occur.

The quantitative cost benefit analysis undertaken by Council recognises that the introduction and spread of marine pest species could still occur following the introduction of the pathways plan because of other

pathways. Specifically, the baseline cost benefit analysis assumes that there is a 75% chance of a marine pest being introduced to the region in any one year and that hull fouling accounts for 90% of this risk.

The implementation of the preferred scenario (light fouling with movement), reflected in the MPMP rules, is estimated to reduce the risk of a marine pest species being introduced in Northland to 39% (one incursion every 2.6 years). Halving the risk apportioned to hull fouling (i.e. 45%) as the marine pest pathway results in the risk of incursion falling to 66% (one incursion every 1.5 years). However, the quantitative analysis still results in a net benefit over 10 years.

No additional rules are therefore required to address other vectors in the MPMP at this stage.

Effectiveness of antifoul paints and biofouling

Summary of feedback

Many submitters had concerns for the quality of antifoul paints available on the market and about the restrictions made by the EPA on antifoul paint biocides. A number of submitters highlighted that antifoul paints are not as effective as they used to be as many of the effective ingredients from antifoul paints have been removed (because of environmental toxicity effects).

Submitters note that silting seems to be a contributing factor and linked this to increased fouling - in some estuaries, a vessel reportedly could be "lightly fouled" after a matter of weeks and become more than 'lightly fouled' in less than six months after an antifoul or less than one month after a hull clean. This has increased the need for haul outs. However, other submitters noted that a boat hull correctly antifouled according to the manufacturer's instructions has a low risk of spreading marine pests.

A number of submitters requested that Council join with other regional authorities to speak to the EPA regarding the matter of reduced antifouling efficiency. Some submitters suggest that the present EPA restrictions on antifoul paints are short-sighted and that the benefits (including minimising the spread of marine pests) outweigh the environmental risks. It was stated that more effective paints are available but not permitted in NZ. Potentially antifoul paint used by commercial ships or the addition of copper should be allowed.

Decision

9. No change

Reasons for accepting or rejecting submissions

The Council recognises that antifoul paints have variable efficacy and that best practice antifoul application standards are not consistently adopted by vessel owners.

It is also acknowledged that in some locations, sedimentation can build on the hull smothering the antifoul - particularly if the vessel is stationary for long periods of time. Biofouling then establishes on the deposited sediment rendering the antifoul less effective.

In addition, it is known that hull areas such as the base of the keel, around prop housings, under anodes and parts of the rudder are characteristically vulnerable to marine pest colonisation. These niche areas

can receive weak applications of antifoul or the antifoul is compromised in some other way e.g. in instances, where antifoul on the base of the keel is rubbed off when the keel makes contact with the seafloor.

Continual hull maintenance, which includes the application of antifoul, is one of several risk reduction measures described in the Craft Risk Management Standard as prescribed by MPI and is a practice that council recommends. However, the application and standard of antifoul is variable and the improvement of antifoul applications with attention to the niche areas is an important issue. These issues are best addressed as part of the ongoing education and implementation of the MPMP in conjunction with MPI and industry representatives.

In accordance with the above, it is considered inappropriate for the MPMP to include additional rules which impose a certain standard of antifouling be required. The issue of perceived lack of effectiveness of antifoul paints is best addressed as part of ongoing MPMP-related education, which should draw on advice from MPI and industry stakeholders.

Lack of haulout facilities and grids

Summary of feedback

Submitters noted that in many Northland harbours, there is a general lack of the haul out facilities, careening poles and/or tidal grids needed to enable boat owners to comply with the MPMP rules - particularly in remoter areas.

Concerns raised were that Council needs to ensure regional coastal plan (RMA) rules enable public/private facilities - previously they have been requiring their removal.

Further, some submitters feel such facilities need to be free/minimal charge or funded by council. It was suggested that their management could use an online booking system for grids, similar to the DOC campground booking system. Overcoming operating and management difficulties were seen as likely to involve considerable cost and there is concern that this has not been planned for.

Concerns were also raised that the lack of facilities will also make enforcing compliance with the rules impossible. For example - requiring the movement of an identified non-compliant fouled boat from one designated area lacking haul out facilities to another containing facility is counter-productive.

Decision

10. No change

Reasons for accepting or rejecting submissions

Many submitters suggested having more grids available for people would make MPMP compliance checking and hull maintenance easier, particularly in harbours where there are currently no facilities. The Council recognises the need for options for boat owners/operators to comply with the MPMP. NRC biosecurity staff have already begun engaging with stakeholders to discuss issues with providing managed grids and the ways these would be operated.

For managed grids to be satisfactory for assisting with marine pathway compliance, grid use would need to be overseen by someone sufficient knowledgeable about the MPMP to assist grid users on how to comply.

The concerns around potential costs of compliance are noted as is the request for council to assist with people reaching compliance targets with minimal costs applied. It is considered that the costs of compliance would be predicted to reduce given facilities such as tidal grids become more common or in the event there is increased competition between haul out facilities.

It is recognised that not all vessels are able to use grids and that a range of options therefore need to be discussed with stakeholders to engage in understanding of the proposed marine pathway rules and options to comply. Other options for on water cleaning such as the 'sea pen' are emerging as viable hull cleaning options. Council's use of the vessel quarantine facility for emergency situations has been valuable for on water decontamination. Any 'sea pen' facilities or similar ventures would need to be (as with grids) managed and authorised by way of resource consent to reduce potential environmental impacts and these are matters to be addressed as part of the implementation plan.

Lack of rules for in water cleaning

Summary of feedback

In-water hull cleaning is an option but submitters note that new regional coastal plan rules (and possible changes to marina consent conditions) are needed to enable it. Submitters also note that many of the MPMP designated places do not have existing commercial and marina zones, or mooring zones and cleaning of hulls is problematic. Some submitters commented that enabling aggressive cleaning (scrubbing) of hulls would enable the removal of heavy biofouling and others noted that impacts from the discharges of anti-foul paint into these environments also needs to be considered.

Many submitters supported the notion of relaxing in-water hull cleaning rules in the regional coastal plan prepared under the RMA. Some submitters were however concerned that they would be expected to dive on their vessel hulls in order to check compliance with the MPMP rules and felt that this wasn't a safe or viable option for these vessel owners to remain compliant.

There was concern that if people undertook regular in-water cleaning, this would make their antifoul paint (especially ablative paints) ineffective. One submitter requested that the in-water hull cleaning rules be summarised within the MPMP.

There was also concern that in-water hull cleaning would increase the risk of marine pest spread and may result in increased environmental and biosecurity risks.

Decision

11. No change

Reasons for accepting or rejecting submissions

The pathways plan is a regulatory tool under the Biosecurity Act and cannot authorise activity managed under the Resource Management Act (such as discharges from vessels / in-water hull-cleaning). However, staff recommend that submitters who have concerns around the need for/environmental effects of such rules lodge submissions on the Proposed Regional Plan when this is notified later this year (2017). The concerns expressed above will also be passed on to Council's Planning and Policy staff.

Clean vessel pass/use of 6 or 1 rule

Many submitters suggest the implementation of a 'clean boat/vessel pass' or Warrant of Fitness (WOF) as a better alternative to the light fouling rules.

The underlying rationale for this suggestion is that boats that have applied antifoul correctly have a lower risk of spreading marine pests. The general idea is that vessel owners would therefore get some kind of certification (for example a yearly WOF or clean vessel pass) based on evidence of the vessel being re-antifouled. A sticker system on hulls, which identify vessel specific details e.g. last date of cleaning, would promote compliance and avoid the need for hull inspections. Compliance could be easily verified and boats in harbours without a clean vessel pass could be identified and restricted from moving between harbours.

A number of submitters believed that a clean vessel pass would be easier to administer and be consistent with other government approaches (e.g. MPI, ask for evidence of hull cleaning and antifouling of international vessels; and, a "Clean Vessel Pass," is used in the Fiordland Marine Regional Pathway Management Plan - FMPMP) and industry-led approaches (Northland Marinas "6 or 1" initiative for visiting vessels). However, there are some concerns with the industry-led "6 or 1" approach (antifoul in the last 6-months or a lift and wash in the last 1-month) as boats that have not been antifouled can be recolonised within 5 weeks.

Decision

No alteration to the MPMP rules to include the 'clean vessel pass' system or the '6 or 1' programme.

Reasons for accepting or rejecting submissions

Clean vessel pass

A number of submitters have suggested replacing the hull-fouling rules with a 'clean vessel pass' similar to that used in the Fiordland Marine Pathway Management Plan (FMPMP).

While the clean vessel pass concept has merit, we note that its use in Fiordland is complemented by clean hull rules in the FMPMP. The primary intent of the clean vessel pass rule in the FMPMP is to act as notice to Environment Southland that the vessel intends to visit the management area and secondly to ensure such vessel owners are aware of the rules that apply in the FMPMP. One of these rules is a requirement that "the hull and niche areas have no more than a slime layer and goose barnacles." Thus the 'clean vessel pass' is supported by a rule that requires a clean hull (much like that in the Northland MPMP).

It is understood that Environment Southland intends to inspect all vessels for compliance (whether they have a clean vessel pass or not), which is workable in Fiordland with 350-400 vessel visits per annum. However, Northland receives 3000-4000 visiting vessels per annum and also has a large number of resident vessels. Requiring a 'clean vessel pass' for each of these would therefore have high additional administrative costs but would still also rely on a hull-fouling rule.

The benefit of such a rule would be uncertain if it was not supported by hull-fouling rules. This is because while an annual/six monthly 'clean vessel pass' can provide a record/evidence of hull-cleaning/antifoul application, it does not provide certainty that the hull is actually free of marine pests. This because marine pests can establish in a relatively short period of time and is why the FMPMP also applies clean hull rules. For example, a vessel could conceivably enter Northland's waters from a high-risk area with more than light fouling but have a valid 'clean vessel pass' and therefore comply with such a rule.

A 'clean vessel pass' also does not account for the potential for inexpert cleaning and/or application of anti-foul and the associated elevation of biosecurity risks. In contrast, the MPMP hull fouling rules can in effect prevent future movements should the rules be breached and therefore limit risk of spreading marine pests. This will be particularly useful in areas of Northland where marine pests have established and it is expected that surveillance/compliance efforts will focus in such areas of Northland to ensure fouled vessels do not 'move the problem'.

It is therefore considered that for Northland, the most appropriate approach is to rely on a hull-fouling rule (and compliance regime), rather than on a 'clean vessel pass' system that provides less certainty.

An alternative would be to apply both requirements as per the FMPMP. However, as noted above, (annual/six monthly) administrative costs associated with a Northland-wide 'clean vessel pass' system are likely to outweigh the benefits. There may however be potential merit in a future clean vessel pass system as a means to inform and manage risks at very high value sites (e.g. Poor Knights Marine Reserve). The potential for this and a pass which applies nationwide could be examined with stakeholders and MPI in the future.

'6 or 1' rule

It is acknowledged that the '6 or 1' rule (as currently applied in a number of marinas) does contribute to reducing the risk of pest spread and protecting the marina owner/operator from risk of infection. It also sends a clear message to vessel owners concerning the risk of transporting marine pests and the need for clean hulls.

To that extent, the '6 or 1' rule is similar to the 'clean vessel pass' concept. However, it also suffers from similar short-falls; namely that despite application of antifoul in the past six months, marine pests may still be present on hulls and/or in niche areas. The monthly lift and wash is likely to be more effective but is considered cost prohibitive as a regulatory tool (i.e. requiring all vessel owners in Northland to lift and wash vessels every 30 days even when hull fouling is light/non-existent). There is also the risk of inexpert application of antifoul and/or vessel cleaning.

The level of hull-fouling is the key vector or indicator of risk associated with the movement of vessels and is therefore the best target for regulatory intervention in the Pathway Plan rules. This approach aligns with the International Craft Risk Management Standard and underpins the rules of the Fiordland Marine Pathway Plan.

Maori engagement

Summary of feedback

Concerns were raised that the Biosecurity Act and wording in the MPMP restricts the ability for Māori to exercise kaitiakitanga and neutralises Māori wisdom. Maori submitters felt that tangata whenua must be actively involved in the monitoring and management of marine pest species in their rohe (area).

Adequate training and assistance from the Council is required to enable kaitiaki (guardianship) to survey and control these pest species.

Decision

No alteration to the MPMP rules but undertake maori engagement as part of MPMP Implementation Plan preparation.

Reasons for accepting or rejecting submissions

Maori representation and advice on the implementation of the plan will be encouraged as part of the marine biosecurity activities. Council recognises that Maori have a role as kaitiaki and an on-going dialogue is required with iwi to collaborate on monitoring of marine biodiversity and marine pests.

Monitoring-regional hull surveillance programme

Summary of feedback

Many submitters felt that the cost and method of hull surveillance used for marine biosecurity was expensive and unnecessary. Some submitters felt that the programme is not aligned to the MPMP rules as it relies on random hull survey observations independent of when movement between designated places might occur.

One submitter felt that for the dive programme to be effective, vessels would need to be cleared within an appropriate time of movement from a defined area or into a new area. Some submitters commented that the cost of divers was expensive and other methods should be used. Many people would like to be more informed on the results from the hull surveillance programme.

Northport commented that their wharf is checked by NIWA and they only host short stay international vessels who must comply with MPI regulations.

Decision

No change to MPMP

Reasons for accepting or rejecting submissions

The hull fouling rules can be used to restrict future vessel movements if and when the hull-fouling rules are breached and therefore limit risk of spreading marine pests. This will be particularly useful in areas of Northland where marine pests have already established. It is expected that surveillance / compliance efforts will focus in such areas of Northland to limit the risk of fouled vessels 'moving the problem'. Surveillance and compliance programmes will also serve to inform vessel owners of pathway plan requirements which is expected to increase voluntary compliance efforts.

The implementation of the MPMP will rely on monitoring conducted by a team of divers who are currently trained to assess the level of hull fouling. Currently trained divers are the most effective method of determining on water compliance and for carrying out surveillance work. The diver surveillance method ensures that vessels can be thoroughly checked not only for the hull fouling standard but also the presence of any identified marine pest species. Other methods of surveillance such as the use of underwater drones are currently being explored by staff. In addition to the hull surveillance programme carrying out monitoring/surveillance, the programme also gives an on-water presence and will help with educational/awareness outreach.

In the event, a vessel is surveyed and found to have exceeded the "light fouling" rule, the owner will be advised that they cannot move to another designated place unless they are clear. A record of the vessel will be retained to provide a trace back of vessel movements. Should the vessel be surveyed in another harbour and found to be non-compliant, a notice of direction will be issued requiring the vessel owner to clean at the owner's cost.

Should a vessel be found to be carrying a marine pest such as Mediterranean fanworm, the owner will be requested to clean the hull regardless of their location and may be directed to the nearest haul out or cleaning facility.

The rules are enforceable and the implementation of the plan will benefit from continual improvement involving a wide range of stakeholders. The hull surveillance programme is an essential and effective component of council's marine biosecurity work.

In regard to the Northport submission, it is understood that Northport and other commercial wharves receive inter-regional traffic that is not subject to the Craft Risk Management Standard. Such vessels risk introducing marine pests to Northland from another region. Selected high risk ports will be inspected.

Practicality/enforceability

Summary of feedback

Submitters raised concerns that the approach relies on council monitoring including the diving inspection of boats and the surveillance of boats entering Northland and moving between "designated areas".

Some submitters feel that the approach does not enable/encourage (self-policing) by vessel owners which is considered necessary because, it is contended, the majority of vessel owners already keep their hulls clean. An approach which enables self-policing or policing by marina staff was supported rather than one that relies upon council action.

Other submitters raised concerns that ultimately the control of marine pests will rely on the efficacy of antifoul operations and their owners' honesty - rather than the new rules.

Submitters raised concerns that the MPMP approach targets the majority of vessel owners when they aren't doing anything wrong and that council is at risk of alienating and losing subsequent support. Concerns were raised that rules would make vessel owners commit an offence if their vessel was infected by pests from another vessel and that council surveillance and monitoring resources need to focus on higher risk vessels, and less time and effort wasted on low risk vessels.

Several submitters raised concerns that it was impractical to prove non-compliance with the rules - which would require evidence of the movement of a vessel between harbours and the need for a non-complying vessel to have had at least two hull surveys (a before and after check). Random hull observations would not provide the before and after evidence and this would require another monitoring program before entry to Northland or departure from their current harbour. The need for diving was also questioned if the level of fouling on vessels could be observed at haul out yards.

Decision

No change to MPMP

Reasons for accepting or rejecting submissions

Staff have been involved in managing the inspection of vessel hulls for the past three years including engaging a team of professional divers expressly for this activity. Accurately assessing the level of hull fouling is a fundamental requirement of this team and training on this is provided prior to inspections being carried out.

Procedures for compliance with marine pest rules have been in place for several years as part of the current regional pest management plan implementation. Vessel owners generally take prompt action

when there has been a requirement to clean Mediterranean fan worm or other marine pests from their hulls. These rules have not changed in the updated regional pest management plan (see section 10.2).

The MPMP rules in section 10.1 complement the marine pest species rules in section 10.2 and are designed to manage the risks associated with vessel movement - they only take effect when the vessel owner moves from one designated place to another. The MPMP does not require vessel owners to meet the light fouling standard should they choose to stay within one designated place (rules in the marine pest plan also require that they are free of a marine pest such as fanworm).

Non-compliance with the rule will be followed up by authorised persons in accordance with the implementation plan and vessel owners will be requested to clean their hulls prior to moving to another designated place. The hull fouling rules do not necessarily rely on 'proving' the history of a vessel's movements but can in effect prevent future movements should the hull-fouling rules be breached and therefore limit risk of spreading marine pests. This will be particularly useful in areas of Northland where marine pests have established and it is expected that surveillance / compliance efforts will take place in such areas to ensure fouled vessels do not 'move the problem'.

The concerns around practicality / enforceability are understood. However, NRC biosecurity staff expect a reasonably high level of self-monitoring and compliance by vessel owners. Vessel owners can choose to self-assess their biofouling status using a visual assessment and utilise haul out facilities and tidal grids where available.

Rules on hull fouling are important to provide a regulatory 'backstop' to manage the movement of fouled vessels which is a key vector for the spread of marine pests. Council monitoring of a proportion of vessel hulls will also serve to determine the level of compliance and provide an ongoing source of information on the best areas / vessel types to target with surveillance activity (i.e. determine 'low' and 'high' risk vessels).

Like many regulatory tools (e.g. speed limits on roads), it is not possible to monitor compliance for every individual. However, the hull-fouling rules and associated monitoring / surveillance programme will enable council to target a high proportion of the users and restrict the movement of vessels where the rule is breached. It will also indicate any changes in compliance levels and the need for an increase / decrease or change in compliance monitoring effort or education and awareness programmes.

The hull fouling rules can restrict future vessel movements should the hull-fouling rules be breached and therefore limit risk of spreading marine pests. Surveillance and compliance programmes will also serve to inform vessel owners of pathway plan requirements which is expected to increase voluntary compliance efforts.

General comments

Summary of feedback

A number of submitters commented that it is the high nutrient levels and poor water quality that is causing rapid hull fouling, and as this a result of land development or farming, these parties should be held to account.

Decision

No change to MPMP

Reasons for accepting or rejecting submissions

Rapid hull-fouling (as a result of elevated nutrients or other water quality issues) are one of several reasons alternative rules proposed by some submitters (such as the '6 or 1' approach) are not the total solution and the level of fouling rule is needed.

Management of nutrient runoff from land is not a role for the MPMP but falls under the umbrella of the regional plans prepared under the RMA.

Attachment A

RPMPMPP BSA/NPD/template compliance check including sections 90 and 91 of the Biosecurity Act 1993

Attachment B

Satisfaction of consultation approach- section 92



WHANGĀREI: 36 Water Street, Private Bag 9021, Whangārei Mail Centre,
Whangārei 0148; Phone 09 470 1200, Fax 09 470 1202.

DARGAVILLE: 42 Hokianga Road, Dargaville; Phone 09 439 3300, Fax 09 439 3301.

KAITĀIA: 192 Commerce Street, Kaitāia; Phone 09 408 6600, Fax 09 408 6601.

ŌPUA: Unit 10, Industrial Marine Park, Ōpua; Phone 09 402 7516, Fax 09 402 7510.

Freephone: 0800 002 004 | **24/7 Environmental Hotline:** 0800 504 639

E-mail: mailroom@nrc.govt.nz | **Website:** www.nrc.govt.nz

LinkedIn: www.linkedin.com/companies/northland-regional-council

Facebook: www.facebook.com/NorthlandRegionalCouncil

Twitter: www.twitter.com/NRCExpress

Attachment A

National compliance review: Proposed Regional Pest and Marine Pathway Plan

As per National Policy Direction

Date: 11 January 2017
Author: Sophia Clark
Version: 1

Table of contents

As per National Policy Direction	1
Table of contents	2
National Policy Directive	3
Proposed Regional Pest and Marine Pathway Management Plan.....	4
Compliance Check: National Policy Direction for Pest Management 2015	4
Section 4 Directions on Setting Objectives	4
Section 5 Directions on Programme Descriptions.....	7
Section 6 Directions on Analysing Benefits and Costs	8
Section 7 Directions on Proposed Allocation of Costs	10
Section 8 Directions on Good Neighbour Rules.....	10
Section 9 Directions on NPD Inconsistency Determination	11
Proposed Regional Pest and Marine Pathway Management Plan.....	11
Compliance Check: Biosecurity Act 1993.....	12
A Pest Management Plan.....	12
Section 70 First Step: plan initiated by proposal	12
Section 71 Second Step: satisfaction on requirements.....	14
B Marine Pathway Management Plan	16
Section 90 First Step: plan initiated by proposal	16
Section 91 Second Step: satisfaction on requirements.....	19
Section 93 Fourth step: Approval of preparation of plan and decision on management agency 21	
100T Regional pest management plan or regional pathway management plan.....	24

National Policy Direction

As per the National Policy Direction (NDP) the Regional Pest and Marine Pathway Management Plan for Northland must be in alignment with the national template. This report constitutes the consistency check for the proposed document.

Proposed Regional Pest and Marine Pathway Management Plan

Compliance Check: National Policy Direction for Pest Management 2015

Section 4 Directions on Setting Objectives

Pest Management Plan

NPD Section	Requirement	Applicable RPMP Section(s)	Compliant (Y/N)	Comment
4(1)(a)	State the particular adverse effect of the subject (pests)	6.1 - 6.4 7.1 & 7.2 8.1 9.1 – 9.4 10.2	Yes	For each species.
4(1)(b)	State the pest management intermediate outcomes the plan is seeking to achieve.	6.1 - 6.4 7.1 & 7.2 8.1 9.1 – 9.4 10.2	Yes	Category of “protecting values in places” not used in RPMP.
4(1)(c)	For each applicable outcome, specify: (a) The applicable geographic area. (b) The extent to which the outcome will be achieved. (c) The period within which	5.1 6.1 - 6.4 7.1 & 7.2 8.1 9.1 – 9.4 10.2	Yes	Each of the stated RPMP outcome objectives is deliberately framed to make clear what specific outcome is expected and that they individually apply: (a) Northland-wide; and (b) “for the period of the plan” (10years).

	the outcome will be achieved.			
4(1)(d)	<i>not relevant</i>			Only applies to category of “protecting values in places”, which is not used in RPMP.
4(1)(e)	<i>not relevant</i>			As for 4(1)(d).
4(1)(f)	<i>not relevant</i>			Only applies if the pest management intermediate outcome is expected to be achieved in <u>more than 10 years</u> . All stated RPMP intermediate outcomes are expected to be achieved within 10 years.

Marine Pathways Plan (MPMP)

NPD Section	Requirement	Applicable MPMP Section(s)	Compliant (Y/N)	Comment
4(2)(a)	State the particular adverse effect of the harmful organism(s).	10.1	Yes	Covered in introductory text.
4(2)(b)	State any known organisms that are to be managed	10.1	Yes	Reference is made to <i>Sabella spallanzanii</i> (Mediterranean fanworm) and <i>Styela clava</i> (a sea squirt) as examples of the need for the MPMP.
4(2)(c)	State the pest management intermediate outcomes the plan is seeking to achieve.	10.1	N/A	None of the specified outcome categories is used in MPMP.
4(2)(d)	If none of the outcomes in Clause 2(c) is applicable, include a “Pathways Programme” in which the intermediate outcome is to reduce the spread of harmful	10.1	Partially	Pathways programme outcome is not named as such but is management of light fouling of boats and of movement of vessels within Northland. This is considered inherent in the stated MPMP objective and aims.

	organisms.			
4(2)(e)	For each applicable outcome, specify: (d) The applicable geographic area. (e) The extent to which the outcome will be achieved. (f) The period within which the outcome will be achieved.	10.1	Yes	The stated MPMP outcome objective is deliberately framed to make clear what specific outcome is expected and that it applies Northland-wide. The associated aims make clear what is aimed for within the period of the plan (10years).
4(2)(f)	<i>not relevant</i>			Only applies to category of “protecting values in places”, which is not used in MPMP.
4(2)(g)	<i>not relevant</i>			As for 4(2)(f).
4(2)(h)	<i>not relevant</i>			Only applies if the pest management intermediate outcome is expected to be achieved in <u>more than 10 years</u> . The stated MPMP intermediate outcomes (objective and aims) are expected to be achieved within 10 years.

Small-scale Management Programme

NPD Section	Requirement	Applicable RPMP Section(s)	Compliant (Y/N)	Comment
4(3)	<i>not relevant</i>			Not part of current RPMP or MPMP proposal.

Section 5 Directions on Programme Descriptions

NPD Section	Requirement	Applicable Section(s)	Compliant (Y/N)	Comment
5(1)	Pest management plan or pathways plan must contain one or more of programmes specified and not any other types of programme.	RPMP 6.1 - 6.4 7.1 & 7.2 8.1 9.1 – 9.4 10.2 MPMP 10.1	Yes	The specified programmes are included as and where appropriate to the pest management outcomes being sought for particular pests, groups of pests or the pathway management plan.
5(2)	The specific names for the programmes set out in Clause (1) must be used.	RPMP 6.1 - 6.4 7.1 & 7.2 8.1 9.1 – 9.4 10.2 MPMP 10.1	Yes	Only the specified programme names are used.
5(3)	The programme selected for a subject in a plan must be consistent with the pest management intermediate outcomes stated in the plan for the subject.	RPMP 6.1 - 6.4 7.1 & 7.2 8.1 9.1 – 9.4 10.2 MPMP 10.1	Yes	The programmes selected for particular pests, groups of pests or the pathway management plan are consistent with intermediate outcomes specified within RPMP and/or MPMP.

Section 6 Directions on Analysing Benefits and Costs

Northland Regional Pest and Pathway Management Plan Cost Benefit Analysis Report

NPD Section	Applicable CBA Report Section(s)	Compliant (Y/N)	Comment
6(1)	Introductory section entitled 'Analysis of Benefits and Costs' and attached species by species level of analysis spreadsheet	Yes	The level of analysis for each species is described on page 12 of the CBA report, and addresses all four criteria required by the NPD.
6(2)	Individual species CBA sheets and Introductory section entitled 'Analysis of Benefits and Costs'	Yes	<p>Clauses (a) to (d) and (j) are covered in the individual pest species analysis under the categories of plant pests, animal pests, disease and pathogens (Kauri dieback), freshwater pests, marine pests and pathways management plan.</p> <p>The general assumptions (Clause (e)) on which the impacts, benefits and costs are based are set out at a generic level in the introductory section entitled 'Analysis of Benefits and Costs'.</p> <p>The level of detail is considered appropriate (Clause (f)).</p> <p>In the species by species assessments set out in the document, an evaluation of the risks that the management options will not achieve Plan objectives has been undertaken, in accordance with NPD section 6(2)(g) and (h). A general summary of the key areas of risk identified and any realistic mitigation options is set out in the introductory section entitled 'Analysis of Benefits and Costs'.</p> <p>No significant adjustments of benefits and costs were considered appropriate (Clause (i)).</p>
6(3)	Individual species	Yes	In the species by species assessments set out in the document, an evaluation of the risks that the management options will not achieve Plan objectives has been undertaken, in accordance with NPD section

	CBA sheets and Introductory section entitled 'Analysis of Benefits and Costs'		<p>6(2)(g) and (h). A general summary of the key areas of risk identified and any realistic mitigation options is set out in the introductory section entitled 'Analysis of Benefits and Costs'.</p> <p>In the species by species assessments set out in the following sections of this document, an evaluation of the risks that the management options will not achieve Plan objectives has been undertaken, in accordance with NPD section 6(2)(g) and related sections 6(3) and 6(4). However, for summary purposes, the key areas of risk are identified (along with any realistic mitigation options) within the assessments of alternative approaches considered.</p> <p>The table in the introductory section, under the heading 'NPD Risk Management and Mitigation Considerations' outlines the risks that are required to be considered under Clause 6(3) and provides context on how each risk may impact on RPMP implementation. Within the individual species assessments, accordingly, specific risks have been identified where possible and they have been assigned one of five categories: low, low/medium, medium, medium/high and high.</p>
6(4)	Individual species CBA sheets and Introductory section entitled 'Analysis of Benefits and Costs'	Yes	No appreciable residual risks were identified in either the quantitative (Phoenix palm, Kauri dieback, Mediterranean Fanworm and marine pathways programme) or qualitative risk analyses undertaken.
6(5)	CBA report in total including s6(1) level of analysis spreadsheet	Yes	Available in the CBA report

Section 7 Directions on Proposed Allocation of Costs

Northland Regional Pest and Pathway Management Plan Cost Benefit Analysis Report

NPD Section	Applicable CBA Report Section(s)	Compliant (Y/N)	Comment
7(1)	'Cost Allocation' section	Yes	Criteria were considered before grouping pest species by pest management intermediate outcome for the purposes of cost allocation analysis.
7(2)	'Cost Allocation' section	Yes	The determination of the appropriate cost allocation method is documented, with express reference to each of the fifteen required NPD criteria, for each grouping by pest management intermediate outcome.

Section 8 Directions on Good Neighbour Rules

Northland Regional Pest and Pathway Management Plan Cost Benefit Analysis Report

NPD Section	Applicable CBA Report Section(s)	Compliant (Y/N)	Comment
8(1)	Cost benefit analyse for the following plant pests: •Brazilian pepper tree •Gorse •Gravel	Yes	The RPMP contains good neighbour rules for the listed plant pest species. Each documented plant pest cost benefit analysis includes a tabulated summary evaluation against each of the five NPD requirements stipuated in Section 8(1).

	groundsel •Phoenix palm •Privet •Queen of the night •Wild ginger •Wilding conifers •Woolly nightshade		
--	---	--	--

Section 9 Directions on NPD Inconsistency Determination

Applies to the current RPMP as it existed at the time the NPD was first issued. Not relevant to the Proposed Regional Pest and Pathway Management Plan.

Proposed Regional Pest and Marine Pathway Management Plan

Compliance Check: Biosecurity Act 1993

A Pest Management Plan

Section 70 First Step: plan initiated by proposal

Requirement	Applicable RPMP Section(s)
(2) The proposal must set out the following matters:	
(a) The name of the person making the proposal;	1.1
(b) The subject of the proposal, which means – (i) the organism proposed to be specified as a pest under the plan or the organisms proposed to be specified as pests under the plan; or (ii) the class or description of organisms proposed to be specified as a pest under the plan or the classes or descriptions of organisms proposed to be specified as pests under the plan.	4
(c) For each subject, –	
(i) a description of its adverse effects;	6 – 9 and 10.2
(ii) the reasons for proposing a plan;	6 – 9 and 10.2
(iii) the objectives that the plan would have;	6 – 9 and 10.2
(iv) the principal measures that it would be in the plan to achieve objectives;	6 – 9 and 10.2
(v) other measures that would be reasonable to take to achieve objectives, if there are any such measures, and the reasons why the proposed measures are preferable as a means of achieving the objectives;	<i>not applicable</i>
(vi) the reasons why the plan is more appropriate than relying on voluntary actions;	See appendix 1
(vii) an analysis of benefits and costs of the plan;	see accompanying Cost Benefit Analysis Report
(viii) the extent to which any persons, or persons of a class or description, are likely to benefit from the plan;	13.3
(ix) the extent to which any persons, or persons of a class or description, contribute to the creation, continuance or exacerbation of the problems proposed to be resolved by the plan;	13.3

(x) the rationale for the proposed allocation of costs;	13.4, 13.5 and accompanying Cost Benefit Analysis Report
(xi) if it is proposed that the plan be funded by a levy under section 100L, how the proposed levy satisfies section 100L(5)(d) and what matters will be specified under section 100N(1);	<i>not applicable</i>
(xii) whether any unusual administrative problems or costs are expected in recovering the costs allocated to any of the persons whom the plan would require to pay the costs;	<i>not applicable</i>
(d) Any other organism intended to be controlled;	<i>not applicable</i>
(e) The effects that, in the opinion of the person making the proposal, implementation of the plan would have on – (i) economic wellbeing, the environment, human health, enjoyment of the natural environment, and the relationship between Maori, their culture, and their traditions and their ancestral lands, waters, sites, wahi tapu, and taonga; or (ii) the marketing overseas of New Zealand products;	see accompanying Cost Benefit Analysis Report
(f) If the plan would affect any other pest management plan or a pathway management plan, how it is proposed to co-ordinate the implementation of the plans;	2.5
(g) The powers in Part 6 it is proposed to use to implement the plan;	12
(h) Each proposed rule and an explanation of its purpose;	6 – 9 and 10.2
(i) The rules, if any, that are proposed to be good neighbour rules;	3 (for 9 selected plant species only)
(j) The rules whose contravention is proposed to be an offence under this Act;	6 – 9 and 10.2 (banning all organisms declared pests from sale and distribution under BSA s52 and 53)
(k) The management agency;	3.1
(l) The means by which it is proposed to monitor and measure the achievement of the plan's objectives;	11.1
(m) The actions it is proposed local authorities, local authorities of a specified class or description, or specified local authorities may take to implement the plan, including contributing toward the costs of implementation;	3.3.3
(n) The basis, if any, the management agency is to pay compensation for losses incurred as a direct result of the implementation of the plan;	3.2
(o) Information on the disposal of the proceeds of any receipts arising in the course of implementing the plan;	3.2
(p) Whether the plan includes portions of the road adjoining land it covers, as authorised by section 6, and, if so, the portions of	3.3.4

road proposed to be included;	
(q) The anticipated costs of implementing the plan;	13.5
(r) How it is proposed that the costs be funded;	see accompanying Cost Benefit Analysis Report
(s) The period for which it is proposed that the plan be in force;	1.4
(t) The consultation, if any, that has occurred on the proposal and the outcome of it;	2.7
(u) Any matter that the national policy direction requires be specified in the plan;	See separate NPD compliance spreadsheet.
(v) The steps that have been taken to comply with the process requirements in the national policy direction, if there were any.	See separate NPD compliance spreadsheet.

Section 71 Second Step: satisfaction on requirements

Requirement	Comment
If the council is satisfied that section 70 has been complied with, the council may take the second step in the making of a plan, which is to consider whether the council is satisfied—	
(a) that the proposal is not inconsistent with – <ul style="list-style-type: none"> (i) the national policy direction; or (ii) any other pest management plan on the same organism; or (iii) any pathway management plan; or (iv) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or (v) any regulations; and 	NPD compliance is set out in separate spreadsheet in this document. The proposed RPMP will supercede the existing RPMS so will not conflict. The Northland marine pathways plan is an integral part of the proposal and none has yet been developed for the neighbouring Auckland region. The RPMP is consistent with the RPMS and draft Regional Plan. There are no applicable regulations.

(b) that, during the development of the proposal, the process requirements for a plan in the national policy direction, if there were any, were complied with; and;	See separate NPD compliance spreadsheet.
(c) that the proposal has merit as a means of eradicating or effectively managing the subject of the proposal, which means – (i) the organism proposed to specified as a pest under the plan, or the organisms proposed to be specified as pests under the plan; or (ii) the class or description of organism proposed to specified as a pest under the plan, or the classes or descriptions of organisms proposed to be specified as pests under the plan; and	The costs benefit analysis documented in the separate report examined the relative merits of NPD specified management programme options for each pest species to determine the most appropriate option.
(d) that the organism is capable of causing at some time an adverse effect on 1 or more of the following in the region – (i) economic wellbeing: (ii) the viability of threatened species of organisms: (iii) the survival and distribution of indigenous plants or animals: (iv) the sustainability of natural and developed ecosystems, ecological processes, and biological diversity: (v) soil resources: (vi) water quality: (vii) human health: (viii) social and cultural wellbeing: (ix) the enjoyment of the recreational value of the natural environment: (x) the relationship between Maori, their culture, and their traditions and ancestral lands, waters, sites, wahi tapu and taonga: (xi) animal welfare; and	Adverse effects of each specific pest organism are specified in the Cost Benefit Analysis report and summarised by management category, e.g. exclusion plants, within the RMPMP.
(e) that, for each subject, the benefits of the plan would outweigh the costs, after taking into account the likely consequences of inaction or other courses of action; and	This is examined in detail in the CBA report.
(f) that, for each subject, persons who are required, as a group, to meet directly any or all of the costs of implementing the plan – (i) would accrue, as a group, benefits outweighing the costs; or (ii) contribute, as a group, to the creation, continuance, or exacerbation of the problems proposed to be resolved by the plan; and	Given the number of species covered by the proposal, this matter has been dealt with at generic, management option level within the CBA report.
(g) that, for each subject, there is likely to be adequate funding for the implementation of the plan for the shorter of its proposed duration and 5 years; and	This is examined in detail in the CBA report.
(h) that each proposed rule – (i) would assist in achieving the plan's objectives; and (ii) would not trespass unduly on the rights of individuals; and	The proposed rules generally reflect those in the current pest management strategies. These have been found to be effective over the 10 years they have been in force.
(i) that the proposal is not frivolous or vexatious; and	The proposal is robust and fit for purpose.
(j) that the proposal is clear enough to be readily understood; and	Particular attention has been paid to clarity of language for likely RPMP users while complying with the more technical national

	template.
(k) that, if the council rejected a similar proposal in the last 3 years, new and material information answers the council's objection to the previous proposal.	The council has not rejected any similar proposal in the last 3 years.

B Marine Pathway Management Plan

Section 90 First Step: plan initiated by proposal

Requirement	Applicable RPMP Section(s)
(2) The proposal must set out the following matters:	
(a) The name of the person making the proposal:	1.1
(b) The subject of the proposal, which means the pathway or pathways to which the proposal applies:	
(c) For each subject, -	
(i) a description of the actual or potential risks associated with it;	10.1
(ii) the reasons for proposing a plan;	10.1
(iii) the objectives that the plan would have;	10.1
(iv) the principal measures that it would be in the plan to achieve objectives;	10.1
(v) other measures that would be reasonable to take to achieve objectives, if there are any such measures, and the reasons why the proposed measures are preferable as a means of achieving the objectives;	<i>not applicable</i>
(vi) an analysis of benefits and costs of the plan;	see accompanying Cost Benefit Analysis Report
(vii) the extent to which any persons, or persons of a class or description, are likely to benefit from the plan;	13.3
(viii) the extent to which any persons, or persons of a class or description, contribute to the creation, continuance or exacerbation of the problems proposed to be resolved by the plan;	13.3
(ix) the rationale for the proposed allocation of costs;	13.4, 13.5 and accompanying Cost Benefit Analysis Report

(x) if it is proposed that the plan be funded by a levy under section 100L, how the proposed levy satisfies section 100L(5)(d) and what matters will be specified under section 100N(1);	<i>not applicable</i>
(xi) whether any unusual administrative problems or costs are expected in recovering the costs allocated to any of the persons whom the plan would require to pay the costs;	<i>not applicable</i>
(d) The effects that, in the opinion of the person making the proposal, implementation of the plan would have on – (i) economic wellbeing, the environment, human health, enjoyment of the natural environment, and the relationship between Maori, their culture, and their traditions and their ancestral lands, waters, sites, wahi tapu, and taonga; or (ii) the marketing overseas of New Zealand products;	see accompanying Cost Benefit Analysis Report
(e) If the plan would affect another pathway management plan or a pest management plan, how it is proposed to co-ordinate the implementation of the plans;	10
(f) The powers in Part 6 it is proposed to use to implement the plan;	12
(g) Each proposed rule and an explanation of its purpose;	10.1
(h) The rules whose contravention is proposed to be an offence under this Act;	10.1 (banning all organisms declared pests from sale and distribution under BSA s52 and 53)
(i) The management agency;	3.1
(j) The means by which it is proposed to monitor and measure the achievement of the plan's objectives;	11.1
(k) The actions it is proposed local authorities, local authorities of a specified class or description, or specified local authorities may take to implement the plan, including contributing toward the costs of implementation;	<i>not applicable</i>
(l) The basis, if any, the management agency is to pay compensation for losses incurred as a direct result of the implementation of the plan;	3.2
(m) Information on the disposal of the proceeds of any receipts arising in the course of implementing the plan;	3.2
(n) Whether the plan includes portions of the road adjoining land it covers, as authorised by section 6, and, if so, the portions of road proposed to be included;	<i>not applicable</i>
(o) The anticipated costs of implementing the plan;	13.5
(p) How it is proposed that the costs be funded;	refer Cost Benefit Analysis Report
(q) The period for which it is proposed that the plan be in force;	1.4
(r) The consultation, if any, that has occurred on the proposal and the outcome of it;	2.7
(s) Any matter that the national policy direction requires be specified in the plan;	See separate

	NPD compliance spreadsheet.
(t) The steps that have been taken to comply with the process requirements in the national policy direction, if there were any.	See NPD compliance spreadsheet.

Section 91 Second Step: satisfaction on requirements

Requirement	Comment
If the council is satisfied that section 90 has been complied with, the council may take the second step in the making of a plan, which is to consider whether the council is satisfied—	
<p>(a) that the proposal is not inconsistent with –</p> <ul style="list-style-type: none"> (i) the national policy direction; or (ii) any other pest management plan on the same organism; or (iii) any pathway management plan; or (iv) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or (v) any regulations; and 	<p>NPD compliance is set out in separate spreadsheet in this document. The proposed MPMP is new and designed to be an integral part of the broader RPMP proposal. No similar pathways plan has yet been developed for the neighbouring Auckland region. The MPMP is consistent with the RPS and draft Regional Plan. There are no applicable regulations.</p>
<p>(b) that, during the development of the proposal, the process requirements for a plan in the national policy direction, if there were any, were complied with; and;</p>	<p>See NPD compliance spreadsheet.</p>
<p>(c) that the proposal has merit as a means of eradicating or effectively managing the subject of the proposal, which means –</p> <ul style="list-style-type: none"> (i) the organism proposed to specified as a pest under the plan, or the organisms proposed to be specified as pests under the plan; or 	<p>The costs benefit analysis documented in</p>

<p>(ii) the class or description of organism proposed to specified as a pest under the plan, or the classes or descriptions of organisms proposed to be specified as pests under the plan; and</p>	<p>the separate report examined the merit of pathway management programme.</p>
<p>(d) that the organism is capable of causing at some time an adverse effect on 1 or more of the following in the region –</p> <ul style="list-style-type: none"> (i) economic wellbeing: (ii) the viability of threatened species of organisms: (iii) the survival and distribution of indigenous plants or animals: (iv) the sustainability of natural and developed ecosystems, ecological processes, and biological diversity: (v) soil resources: (vi) water quality: (vii) human health: (viii) social and cultural wellbeing: (ix) the enjoyment of the recreational value of the natural environment: (x) the relationship between Maori, their culture, and their traditions and ancestral lands, waters, sites, wahi tapu and taonga: (xi) animal welfare; and 	<p>Adverse effects of the marine pest organisms that will be controlled by the MPMP are noted in its introduction and addressed in the Cost Benefit Analysis report.</p>
<p>(e) that, for each subject, the benefits of the plan would outweigh the costs, after taking into account the likely consequences of inaction or other courses of action; and</p>	<p>This is examined in detail in the CBA report.</p>
<p>(f) that, for each subject, persons who are required, as a group, to meet directly any or all of the costs of implementing the plan –</p> <ul style="list-style-type: none"> (i) would accrue, as a group, benefits outweighing the costs; or (ii) contribute, as a group, to the creation, continuance, or exacerbation of the problems proposed to be resolved by the plan; and 	<p>This matter has been dealt with within the CBA report.</p>
<p>(g) that, for each subject, there is likely to be adequate funding for the implementation of the plan for the shorter of its proposed duration and 5 years; and</p>	<p>This is examined in detail in the CBA report.</p>
<p>(h) that each proposed rule –</p> <ul style="list-style-type: none"> (i) would assist in achieving the plan's objectives; and (ii) would not trespass unduly on the rights of individuals; and 	<p>The proposed rules have been developed in accordance with a robust CBA which included analyses of public and private costs of compliance with the rules. There are no instances</p>

	where the proposed rules would trespass unduly on the rights of individuals.
(i) that the proposal is not frivolous or vexatious; and	The proposal is robust and fit for purpose.
(j) that the proposal is clear enough to be readily understood; and	Particular attention has been paid to clarity of language for likely MPMP users.
(k) that, if the council rejected a similar proposal in the last 3 years, new and material information answers the council's objection to the previous proposal.	The council has not rejected any similar proposal in the last 3 years.

Section 93 Fourth step: Approval of preparation of plan and decision on management agency

<p>(1) If the council is satisfied as required by section 92(1) and is satisfied that the issues raised in all the consultation undertaken on the proposal have been considered, the council may take the fourth step in the making of a plan, which is to approve the preparation of a plan.</p> <p>(2) If the council approves the preparation of a plan, the council must apply section 100 to decide which body is to be the management agency</p>	Comment Met as part of the current agenda item considerations.
<p><i>Matters to be specified</i></p> <p>(3)</p> <p>A plan must specify the following matters:</p> <p>(a) the pathway or pathways to be managed:</p> <p>(b) the plan's objectives:</p>	<p>(a)- (c)</p> <p>(d). sect 10.1, Sect 11</p>

<p>(c) the principal measures to be taken to achieve the objectives: (d) the means by which the achievement of the plan's objectives will be monitored or measured: (e) the sources of funding for the implementation of the plan: (f) the limitations, if any, on how the funds collected from those sources may be used to implement the plan: (g) the powers in Part 6 to be used to implement the plan: (h) the rules, if any: (i) the management agency: (j) the actions that local authorities, local authorities of a specified class or description, or specified local authorities may take to implement the plan, including contributing towards the costs of implementation: (k) the portions of road, if any, adjoining land covered by the plan and, as authorised by section 6, also covered by the plan: (l) the plan's commencement date and, if there is one, its termination date: (m) any matters required by the national policy direction.</p>	<p>(e) Sect 13.4 (f) Sect 13.6 (g) Sect 12 (h) Sect 10.1 (i) sect 3.1 (j) Sect 3 (k) not relevant to a marine pathway plan (i) determined by councils fixing of the seal to the plan and appeal process. Sect 97 (m) as evidenced by the compliance check with the NPD</p>
<p><i>Compensation</i> (4) A plan— (a) may provide for the payment of compensation for losses incurred as a direct result of the implementation of the plan: (b) must not provide for the payment of compensation for the following losses: (i) loss suffered because a person's income derived from feral or wild organisms is adversely affected by the implementation of the plan: (ii) loss suffered by a person who fails to comply with the plan</p>	<p>(a)- (b) The MPMP does not provide for the payment of compensation for losses incurred as a direct result of the implementation of the Plan.</p>
<p><i>Rules</i> (5) A plan may include rules for all or any of the following purposes: (a) requiring a person to keep records of actions taken under the rules and to send to the management agency specified</p>	<p>Section 10.1</p>

<p>information based on the records:</p> <p>(b) requiring the identification of specified goods:</p> <p>(c) prohibiting or regulating specified methods that may be used in managing the pathway:</p> <p>(d) prohibiting or regulating activities that may affect measures taken to implement the plan:</p> <p>(e) requiring audits or inspections of specified actions:</p> <p>(f) requiring the occupier of a place to carry out specified treatments or procedures to assist in preventing the spread of organisms that could be spread through the pathway:</p> <p>(g) requiring the owner or person in charge of goods or craft to carry out specified treatments or procedures to assist in preventing the spread of organisms that could be spread through the pathway:</p> <p>(h) requiring the destruction of goods in circumstances in which the goods pose a risk of spreading organisms that could be spread through the pathway:</p> <p>(i) prohibiting or regulating specified uses or movement of goods that may promote the spread of organisms through the pathway:</p> <p>(j) prohibiting or regulating the use or disposal of organic material on the pathway:</p> <p>(k) prohibiting or regulating the use of specified practices in the management of organisms that may promote the spread of organisms through the pathway.</p>	
<p>A rule may—</p> <ul style="list-style-type: none">• “(a) apply generally or to different classes or descriptions of persons, places, goods, or other things:• “(b) apply all the time or at 1 or more specified times of the year:• “(c) apply throughout the region or in a specified part or parts of the region, with, if necessary, another rule on the same subject matter applying to another specified part of the region:• “(d) specify that a contravention of the rule creates an offence under section 154N(19).	Sect 10.1

100T Regional pest management plan or regional pathway management plan

- (1) *A regional council must decide the extent to which it should fund the implementation of its regional pest management plan or its regional pathway management plan from a general rate, a targeted rate, or a combination of both, set and assessed under the Local Government (Rating) Act 2002.*
- (2) *In making the decision, the council must have regard to—*
- (a) the extent to which the plan relates to the interests of the occupiers of the properties on which the rate would be levied;*
 - (b) the extent to which the occupiers of the properties on which the rate would be levied will obtain direct or indirect benefits from the implementation of the plan;*
 - (c) the collective benefits of the implementation of the plan to the occupiers of the properties on which the rate would be levied compared with the collective costs to them of the rate;*
 - (d) for the regional pest management plan, the extent to which the characteristics of the properties on which the rate would be levied and the uses to which they are put contribute to the presence or prevalence of the pest or pests covered by it;*
 - (e) for the regional pathway management plan, the extent to which the characteristics of the properties on which the rate would be levied and the uses to which they are put contribute to the actual or potential risks associated with the pathway.*

As is stated in section 13.4 of the PRMPMP:

The Biosecurity Act 1993 and the Local Government (Rating) Act 2002 require that funding is sought from:

- Those people who have an interest in the plan;*
- Those who benefit from the plan (beneficiaries);*
- Those who contribute to the pest problem (exacerbators); and*

in a way that reflects economic efficiency, equity and the ability to target those funding the plan and the costs of collecting the funding.

These factors were considered when the council developed the proposed pest and marine pathway management plan, and will continue to be considered during development of the council's annual and long term plans as required by section 100T of the Biosecurity Act. The proposed plan will be funded by rates, user charges, and other council income (e.g. dividends). The pests in question have the potential to significantly impact the economic, biodiversity, recreation, amenity and cultural values of the region as a whole, and the regional community has an interest in protecting these values.

There are some instances where it is appropriate for exacerbators of pests to contribute by way of user charges, and these are set out in Council's charging policy.

The details of the cost allocation are described in full in the Northland Regional Pest and Pathway Management Plan cost benefit analysis report.

Further, in section 13.5 of the PRPMPMP it is stated:

The anticipated costs of implementing the proposed Pest Plan and Marine Pathway Plan reflect a best estimate of expenditure levels. Funding levels will be further examined and set during subsequent Long Term Plan and Annual Plan processes, including the revision of rates and user charges. While community funding is mainly sourced from rates, alternative funding sources will be sought by the council. Such funds will offset rates or be used as a value-added component in appropriate circumstances.

The funding of the implementation of the proposed Plans is from predominantly a region-wide targeted rate, set and assessed under the Local Government (Rating) Act 2002, and in determining this, the council has had regard to those matters outlined in Section 100T of the Biosecurity Act.

Where the implementation of these plans are to be funded by a targeted rate, or a user pays charge the matters outlined in Section 100T of the Biosecurity Act will be given specific regard to as part of the Annual Plan or Long Term Plan process.



WHANGĀREI: 36 Water Street, Private Bag 9021, Whangārei Mail Centre,
Whangārei 0148; Phone 09 470 1200, Fax 09 470 1202.

DARGAVILLE: 42 Hokianga Road, Dargaville; Phone 09 439 3300, Fax 09 439 3301.

KAITĀIA: 192 Commerce Street, Kaitāia; Phone 09 408 6600, Fax 09 408 6601.

ŌPUA: Unit 10, Industrial Marine Park, Ōpua; Phone 09 402 7516, Fax 09 402 7510.

Freephone: 0800 002 004 | **24/7 Environmental Hotline:** 0800 504 639

E-mail: mailroom@nrc.govt.nz | **Website:** www.nrc.govt.nz

LinkedIn: www.linkedin.com/companies/northland-regional-council

Facebook: www.facebook.com/NorthlandRegionalCouncil

Twitter: www.twitter.com/NRCEXpress

Date 30 May 2017

**Marine Pathway Management Plan 2017-2027-
Compliance with the Biosecurity Act 1993, section 92, third step.**

Satisfaction with the required steps of consultation or requirement of more consultation

Resolution sought;

1. That Council are satisfied the requirements of section 92 of The Biosecurity Act 1993 have been met.
2. That Council give approval to prepare the final plan under section 93 and that Northland Regional Council will be the management agency.

(1) If the council is satisfied of the matters in section 91 , the council may take the third step in the making of a plan, which is for the council to consider whether the council is satisfied;	A review was completed for the marine pathway management plan & associated CBA for NPD sections 4,6 & 7 & BSA for sections 90 & 91. Approval was subsequently given at the Council meeting 8 March 2017 to take the proposed plan out for public consultation and submissions.
(a) that, if Ministers' responsibilities may be affected by the plan, the Ministers have been consulted; and	No ministerial responsibilities were identified as being affected by the proposal. However, a submission was received from the Ministry for Primary Industries.
(b) that, if local authorities' responsibilities may be affected by the plan, the authorities have been consulted; and	No local authority responsibilities were identified as being affected by the proposal. A submission was received from the Kaipara District Council.
(c) that the tangata whenua of the area who may be affected by the plan were consulted through iwi authorities and tribal runanga; and	Consultation was undertaken with the Te Tai Tokerau Maori Advisory Group (TTMAC) prior to public consultation. This included presentations to the group in February, October and September 2016. A draft on the plan was circulated to TTMAC in December 2016 and a feedback session was held on

	27 January 2017. Submissions were received from Juliane Chetham of Patuharakeke Te Iwi Trust Board and Dr Mere Kepa.
(d) that, if consultation with other persons is appropriate, sufficient consultation has occurred.	<p>It was recognised early on that a number of marine users, such as individual boat owners, would be affected by the proposed plan and that public consultation would therefore be required. Public consultation was undertaken from 18 March until 21 April 2017.</p> <p>As well as providing the details outlined in 2(b) below, NRC staff were also made available for submitters to contact to discuss the proposal. Many did so.</p> <p>As well as full public notification, additional measures were taken to meet with key stakeholders as part of the marine pathway management plan preparation process.</p> <p>Two meetings were held with Northland marina operators as a group, one prior to public consultation on 15 March 2017 and another prior to submissions closing 19 April 2017, regarding the marine pathway plan, marine biosecurity charge and sustained control marine species.</p> <p>Additional meetings were held with Far North Holdings Limited, Marsden Maritime Holdings (Marsden Cove Marina) and Carl Roberts of Riverside Drive Marina.</p> <p>There was also a survey of marina operators and boat owners undertaken mid-2016 to determine fouling rates of hulls, types of antifoul paint used, frequency of application, barriers to keeping hulls clean and what level of fouling rule would be most appropriate to apply in the pathway plan.</p>

(2) In considering whether the council is satisfied as required by subsection (1) (d), the council must have regard to the following:	
(a) the scale of the impacts on persons who are likely to be affected by the plan; and	<p>A discussion paper was sent to identified stakeholders on 15 April 2016 outlining the purpose of the pathway plan. This was sent to marina managers, charter operators, haul out facility operators and relevant port companies.</p> <p>The potential impacts on persons was taken into account in the Cost Benefit Analysis report which included a medium level analysis for managing biofouling as a pathway. The report took into account the public and private costs of the proposed programme. Consideration of the impacts of the proposed marine biosecurity charge has also been undertaken via the charging policy process.</p>
(b) whether the persons likely to be affected by the plan or their representatives have already been consulted and, if so, the nature of the consultation; and	<p>Persons identified as likely to be affected by the marine pathway management plan were notified of public consultation via email and/or mailout including marinas, mooring owners, Maori stakeholders and other interested parties.</p> <p>A number of methods were used to engage persons in the consultation process including</p> <ul style="list-style-type: none"> - A regional report was prepared for the purpose of the combined consultation 2017 - Social media campaign - Additional radio and newspaper advertisements - Drop in sessions
(c) the level of support for, or opposition to, the proposal from persons who are likely to be affected by it.	Please see full submissions book, summary of submissions and deliberations report.
(3) If the council is satisfied as required by subsection (1), the council must apply section 93 .	See agenda item and resolutions.

(4) If the council is not satisfied as required by subsection (1), the council may require consultation to be undertaken on the proposal.	As noted above, because of the range of parties potentially affected by the proposal and the difficulties in effectively consulting with them all, the pragmatic decision was made to capture their views via public notification of the proposal and call for written submissions on it.
(5) If the council requires consultation to be undertaken, the council must determine the way or ways in which the consultation must be undertaken, including, but not limited to, ways such as:	
(a) consultation with persons likely to be affected by the plan or with their representatives:	Public consultation was undertaken in the combined consultation 2017 which included the Annual Plan & Charging Policy, The Navigation Safety Bylaw and the Regional Pest and Marine Pathway Management Plan. Drop in sessions were coordinated to enable potentially affected persons to informally discuss the proposal before the close of submissions.
(b) the appointment by the council of one or more persons to carry out an independent inquiry into the proposal on terms of reference set by the council:	N/A
(c) public notification of the proposal and the receipt of submissions.	Public notification of the proposed plan was undertaken on the 18 th March. A full book of submissions was collated along with preparation of a summary report of submissions. This was made available via our website www.nrc.govt.nz
(6) After the consultation required by the council has been undertaken, the council must apply subsection (1) again.	See resolution. Staff are satisfied that with the consultation approach and consider that the consultation meets the requirements of subsection 1(d) as both targeted and public consultation has occurred.

Northland Regional Navigation Safety Bylaw 2017

Contents

1 PRELIMINARY PROVISIONS	4
1.1 Title and commencement	4
1.2 Areas within which this bylaw applies	4
1.3 Definition of terms	4

2 GENERAL MATTERS	13
2.1 Carriage and wearing of personal flotation devices on vessels	13
2.2 Person in charge of the vessel	14
2.3 Swimming or diving around wharves	14
2.4 Use of vessel engine around wharves, ramps	14
2.5 Vessels to be seaworthy	15
2.6 Seaplanes	16
2.7 Vessels to be adequately moored	16
2.8 Prohibited and restricted anchorages	16
2.9 Obstructions	17
2.10 Notification of collisions or accidents	17
2.11 Aids to navigation	18
2.12 Sound and light signals	18
2.13 Navigating within harbour limits	19
2.14 Flagged areas on beaches	20
2.15 Discharge into bylaw waters	21
2.16 Immobilisation of vessel engines	21
2.17 Requirement to provide name and address	21

3 OPERATING REQUIREMENTS	22
3.1 Minimum age for operating powered vessels	22
3.2 Speed of vessels	22
3.3 Wake	24
3.4 Lookouts on vessel used for towing	24
3.5 Towing a person between sunset and sunrise	24
3.6 Access lanes	25
3.7 Conduct in access lanes	25
3.8 Marking of access lanes	25
3.9 Speed uplifting areas	25
3.10 Conduct in speed uplifting areas	26
3.11 Marking of speed uplifting areas	26
3.12 Reserved areas	26
3.13 Reserved areas for special events	27
3.14 Conduct in reserved areas	27
3.15 Marking of reserved areas	27
3.16 Collision prevention	28
3.17 Duty of master of a vessel under 500 gross tonnage	28
3.18 Dive operations	28
3.19 Personal water craft	29

4 MOORINGS	30
4.1 Moorings to be licensed	30
4.2 Transfer of ownership and termination of mooring licences	31
4.3 Maintenance and construction requirements	31
4.4 Offences	32
4.5 Powers of council with respect to moorings and vessels on moorings	33

5 TANKERS, HAZARDOUS CARGOES AND WORKS, DANGEROUS MATERIALS	35
5.1 Explosives anchorage	35
5.2 Vessels carrying explosives	35
5.3 Signals to be displayed by oil tankers	35
5.4 Duties of master while tanker is in harbour	36
5.5 Oil tankers not to lie close to other vessels	36
5.6 Hot work operations	36
5.7 Hazardous goods transfer	37

6 ADMINISTRATIVE MATTERS	38
6.1 Appointment of Officers	38
6.2 Bylaw breaches	38
6.3 Liability of the council	38
6.4 Revocation of bylaws	38
6.5 Application to master/owner	39
6.6 Suspension and exemptions from this bylaw	39
6.7 Fees and charges	39

SCHEDULE 1 - HARBOUR LIMITS	40
-----------------------------	----

SCHEDULE 2 - LOCATION-SPECIFIC INFORMATION	44
--	----

APPLICATION FORMS	54
-------------------	----

1 Preliminary provisions

1.1 Title and commencement

1.1.1 This bylaw is the Northland Regional Council Navigation Safety Bylaw 2017.

1.1.2 This bylaw comes into force on 1 August 2017.

1.2 Areas within which this bylaw applies

1.2.1 This bylaw applies to the waters in estuaries, inlets, harbours and along the Northland coast between the following boundaries:

- a. the outer boundary being 12 nautical miles from the shore; and
- b. the inner boundary being the line of mean high water springs, except where the line crosses a river, in which case the inner boundary is deemed to be the landward boundary of the Coastal Marine Area as defined in the Regional Coastal Plan for Northland.

1.3 Definition of terms

Access lane means an area designated as an access lane in Schedule 2 of this bylaw.

Accident has the same meaning as in section 2 in the Act.

Act means the Maritime Transport Act 1994.

Aid to navigation includes:

- a. any lightship and any floating or other light exhibited for the guidance of ships;
- b. any description of fog signal not carried on a vessel;
- c. all marks and signs in aid of marine navigation;
- d. any electronic, radio or other aid of marine navigation not carried on board any ship.

Aircraft has the same meaning as in the Civil Aviation Act 1990.

Anchorage in relation to vessels, means a place (enclosed or otherwise) normally used for the anchoring of vessels to the bed of the waterway, whether the place is reserved for such purposes or not.

Anchoring means the temporary securing of a vessel to the bed of the waterway by means of an anchor, cable or other device, that is normally removed with the vessel when it leaves the site or anchorage.

Beacon means a light or mark rigidly attached to the seabed or ground set up in a prominent position as a navigation mark or a warning to vessels.

Board sports means any board sport, including windsurfing, sailboarding, kiteboarding, stand-up paddleboarding, knee boarding, body boarding and surfing where the means of propulsion is by wind, waves other natural forces or paddle, and where no mechanical means of propulsion is used.

Buoy means a float secured to the seabed serving as a navigation or location mark, or to indicate reefs, other hazards or a mooring.

Coastal Marine Area means the foreshore, seabed, and coastal water, and the airspace above the water:

- a. of which the seaward boundary is the outer limits of the territorial sea;
- b. of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of:
 - i. one kilometre upstream from the mouth of the river; or
 - ii. the point upstream that is calculated by multiplying the width of the river mouth by five.

Commercial vessel means a vessel that is not:

- a. a pleasure craft; or
- b. solely powered manually; or
- c. solely powered by sail.

Council means Northland Regional Council or any person delegated or authorised to act on its behalf.

Craft has the same meaning as ship or vessel.

Crew means the persons employed or engaged in any capacity on board a vessel, but does not include the master, a pilot, or a person temporarily employed on the vessel while in port.

Director means the person who is for the time being the Director of Maritime New Zealand under Section 439 of the Maritime Transport Act 1994.

Diver includes persons diving from shore and or from a vessel including a scuba diver, snorkeller, freediver, spearfisher.

Emergency response craft means any vessel approved by the Harbourmaster for use in emergency response and includes Police, Customs, Coastguard, Harbourmaster, naval and port company vessels.

Enforcement Officer means a person appointed as an Enforcement Officer under section 33G(a) of the Act.

Explosive means any substance or mixture or combination of substances which in its normal state is capable either of decomposition at such rapid rate as to result in an explosion or produce a pyrotechnic effect. Substances included within this definition can be more fully found in the Hazardous Substances and New Organisms Act 1996.

Flag A means Flag A of the International Code of Signals (the divers' flag), a burgee (swallow-tailed) flag coloured in white and blue, or a rigid replica, with white to the mast. A flag exhibited on a vessel must be not less than 600mm by 600mm. For divers not swimming from a vessel, or more than 200 metres from a vessel, a dive Flag A on a float must be used. The flag A must be exhibited on a float which must be red, yellow or orange coloured minimum size 10 litres; this equipment must be fitted with a divers flag A of at least 200mm x 200mm and be self-righting.

Flag B means Flag B of the international code of signals, a burgee (swallow tailed) flag coloured in red, or a rigid replica, of not less than 600mm by 600mm.

Flagged area means that area of beach which may be marked by red and yellow flags from time to time, and extending to 200 metres from the actual water's edge for the purposes of swimming.

Foreshore means any land covered and uncovered by the flow and ebb of the tide at mean springs and, in relation to any such land that forms part of the bed of a river, but does not include any area that is not part of the coastal marine area.

Gross tonnage means the gross tonnage of a ship determined under Maritime rule 48.6 or the tonnage measurement rules contained in Annex 1 of the International Convention on Tonnage Measurements of Ships 1969, as the case may be.

Harbourmaster has the same meaning as in section 2 of the Act.

Hazardous goods means any substance that is an actual or potential cause or source of harm.

Honorary Enforcement Officer has the same meaning as in Section 33G of the Act.

Incident means any occurrence, other than an accident that is associated with the operation of a vessel, that affects or could affect the safety of the operation.

Impede the passage means to cause a vessel, whether by action or inaction on the part of another vessel, to alter course, alter speed or stop, or to prepare to do so when it would have otherwise not done so.

Kiteboarding (also known as kitesurfing) means using a controllable kite to pull the rider through the water on a small surfboard, a wakeboard, or a kiteboard.

Length in relation to a vessel means overall length.

Maritime rules means a rule made pursuant to Part 4 of the Act.

Master means any person having command or charge of a vessel, but does not include a pilot who is piloting the vessel.

Moor means:

- a. the securing of any vessel to a structure ;
- b. the securing of any vessel to a mooring or anchor.

Mooring means:

- a. any weight, pile or article placed in or on the foreshore or the bed of a waterway for the purpose of permanently securing a vessel, raft, aircraft, or floating structure; and
- b. pile or swing moorings, including any wire, rope, chain, buoy, or other device attached or connected to the pile or weight; but
- c. does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage.

Mooring area means the area from time to time designated by the council as a mooring management area under the Resource Management Act 1991 where vessel moorings may be placed, but does not include an anchorage.

Mooring tackle means all the physical components of a mooring, including the block, weight, chains, lines and buoys that make up the mooring system, and includes the pile in the case of pile moorings.

Nautical chart is a map of a sea area showing on it any coastlines, rocks and dangers to vessels etc within the area covered and also showing the positions of aids to navigation and other prominent features.

Navigable waters means any waters, whether coastal or inland, which are able to be navigated, and includes harbours.

Navigate means the act or process of managing or directing the course of a vessel on, through, over, or under the water.

Obstruction means an object, equipment, structure, vessel or person, positioned, whether in the water or not, so as to restrict or prevent navigation of a vessel or cause a hazard to people on a vessel, or in the water.

Oil means petroleum in any form including crude oil, fuel oil, sludge and oil refuse, and includes spirit produced from oil and oil mixed with water and refined products (within the meaning of section 222 of the Maritime Transport Act 1994).

Owner has the same meaning as in section 2 of the Act.

Paddle craft means a vessel powered only by use of a single or double bladed paddle as a means of propulsion without the aid of a fulcrum provided by rowlocks, thole pins, crutches or like arrangements. A paddle craft includes a kayak, canoe, stand-up paddleboard, waka, dragon boat and other such craft.

Personal flotation device means any buoyancy aid that is designed to be worn on the body that meets:

- a. a Standard in NZS 5823:2005 Specification for buoyancy aids and marine safety harnesses and lines applicable to such buoyancy aids;
- b. a national or international standard that the director is satisfied substantially complies with a standard in NZS 5823:2005 Specification for buoyancy aids and marine safety harnesses and lines applicable to such buoyancy aids.

Person in charge of a vessel means-

- a. the master or skipper or kaihautu of the vessel;
- b. in the absence of an identified master or skipper, the owner of the vessel that is on board or the person steering the vessel.
- c. in case of a child under the age of 15 years the person in charge will be the parent or guardian of the child.

Personal water craft has the same meaning as in section 33B of the Act. These craft are commonly known as jet skis.

Pilot in relation to any vessel means any person not being the master or a member of the crew of the vessel who has the conduct of the vessel.

Power-driven vessel means any vessel propelled by machinery.

Proper speed means speed through the water.

Public Notice means a notice in a newspaper circulating generally in the district or region to which the subject matter of the notice relates.

Raft means an inflatable vessel manoeuvred by oars or paddles (or a combination thereof) but does not include inflatable kayaks, sledges or tubes.

Recreational vessel has the same meaning as pleasure craft as defined in the act and recreational craft as defined in the Maritime Rules Part 91: Navigation Safety Rules.

Explanatory note: Section 2 of the Act states:

Pleasure craft-

a. means a ship that is not offered or used for hire or reward, and is used exclusively for

i. the owner(s) pleasure or as the owner(s) residence; or

ii. recreational purposes by -

A. the members of a club that owns the ship;

B. the beneficiaries of a trust that owns the ship;

C. the members of an incorporated society that owns the ship; but

b. excludes a ship that is -

i. provided for transport, sport or recreation by, or on behalf of, an institution, hotel, motel, place of entertainment, or establishment or business;

ii. used on a voyage for pleasure if the ship is normally used, or intended to be normally used, as a fishing ship or for the carriage of passengers or cargo for hire or reward;

iii. operated or provided by -

A. a club, incorporated society, or trust for non-recreational purposes; or

B. a business.

Maritime Rules Part 91 states:

Recreational craft means a vessel that is

a. a pleasure craft; or

b. solely powered manually; or

c. solely powered by sail.

Region means the Northland Region as constituted under the Local Government Act 1974.

Reserved area means any area reserved for a specific purpose under this bylaw.

Reward means the payment, to, or for, the benefit of the owner or master of a vessel, of a contribution towards the expenses of a voyage by or on behalf of persons; but does not include payment of any contributions by part owners of the vessel or by persons engaged as bona fide crew members.

Sailboard means any type of board including a windsurfer or kiteboard that is propelled by a sail and operated by a person standing upright on a board.

Seaplane means a flying boat or any other aircraft designed to manoeuvre on the water, and under Maritime Rule 22 is deemed to be a vessel when operating on the water.

Seaworthiness in relation to any vessel means being, in the opinion of the Harbourmaster, in a fit condition of readiness to safely undertake a voyage.

Shore when referring to distance from shore, means the water's edge.

Speed means speed over the ground.

Speed uplifting means an authorisation by the Harbourmaster to increase, change or otherwise alter, the speed provision under this bylaw.

Structure means:

- a. any building, equipment, device, or other facility made by people and which is fixed to land or seabed; and
- b. includes slipways, jetties, wharfs, marine farms, and other objects, whether or not these are above or below the waterline of the foreshore; but
- c. does not include aids to navigation;
- d. does not include swing or pile moorings.

Sunrise/sunset has the same meaning as stated in the New Zealand Nautical Almanac, NZ204.

Support vessel means any vessel used for coaching, marshalling and rescue attendance for a sporting event, training activity, regatta, competition, ceremonial, or other authorised customary event.

Surfboard means any type of board that is designed to be used for surfing.

Tanker means any vessel which:

- a. is specially constructed, or has a compartment or compartments specially constructed, for the carriage in bulk of oil products of any class; and
- b. either:
 - i. has on board, or is about to take on board, a cargo the whole or any part of which consists of oil products in bulk; or
 - ii. has discharged any cargo consisting of any such oil products in bulk, but the holds, tanks and compartment of which have not been rendered or certified gas-free, and includes any tanker designed for carriage of bulk liquid harmful substances.

Tender means a vessel attendant on other vessels, that ferries people and or supplies to and from the shore.

Tether means a tether, leash, rope or similar that secures the operator to a board.

Towing a person, for purpose of this bylaw, means the towing of a person behind a vessel using for example water skis, sea biscuit, wake board or similar.

Underway means that a vessel is not at anchor, or made fast to the shore, or aground.

Vessel has the same meaning as a ship, boat or craft used in navigation on the water, whether or not it has any means of propulsion, and includes:

- a. barge, lighter, or other like vessel;
- b. hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates;
- c. submarine or other submersible;
- d. seaplane while on the surface of the water;
- e. personal watercraft (jet ski);
- f. raft;
- g. paddle craft; or
- h. any board used for board sports; and
- i. includes recreational vessel, pleasure craft, and recreational craft.

Warship has the same meaning as in section 2 of the Act.

Waterskiing means being towed barefoot, or on an object of any kind, other than a vessel.

Windsurfing means using a board with a sail or sails designed to be operated by a person standing upright on the board.

Wind-powered board sports include kiteboarding and windsurfing.

2 General matters

2.1 Carriage and wearing of personal flotation devices on vessels

2.1.1 Wearing of personal flotation devices in time of heightened risk.

- a. A person in charge of a vessel must not use it in circumstances where tides, river flows, visibility, rough seas, adverse weather, crossing a bar, in emergencies, or other situations that may cause danger or a risk to the safety of persons on board, unless every person on board is wearing a properly secured personal flotation device of an appropriate size for that person.

2.1.2 Carriage of personal flotation devices:

- a. A person in charge of a vessel must not use the vessel unless there are sufficient personal flotation devices for each person on board at all times that the vessel is in use.
- b. Personal devices must be:
 - i. in a readily accessible location on board the vessel;
 - ii. of an appropriate size for each person on board; and
 - iii. in good operative condition

2.1.3 Wearing of properly secured flotation devices:

- a. Every person on board a vessel of 6 metres or less in length when underway, must wear a properly secured flotation device of an appropriate size for that person at all times.
- b. Clause 2.1.3a does not apply when the vessel is within 200 metres of the shore, being used as a tender, and if the person in charge of the vessel, after assessing all circumstances and determining there would be no significant reduction in safety, expressly authorises any person on board to remove a personal flotation device.

2.1.4 Exemptions to the compulsory carriage and wearing of personal flotation devices - clause 2.1.2 and 2.1.3a does not apply to:

- a. Any board sport, provided a wet suit or tether/leash appropriate for the conditions is worn;
- b. a diver on a vessel less than six metres in length that is used for diving within five nautical miles of shore, when the diver is wearing a wetsuit;
- c. a person training for, or participating in, a sporting event, if the training or the event is supervised in accordance with the safety system of an organisation approved by the Director. (Explanatory note: The Director may approve a sporting organisation if that organisation has in place a safety system that the Director is satisfied provides an equivalent level of safety to the carriage or wearing of personal flotation devices.)

d. a sporting event, training activity, ceremonial or other authorised customary event if:

2.1.5 Wearing of personal flotation devices by persons being towed.

- a. The person in charge of the vessel and any person being towed are both responsible for ensuring that the person being towed wears a properly secured personal flotation device of an appropriate size for that person.

2.2 Person in charge of the vessel

2.2.1 A person in charge of the vessel must be nominated.

- a. The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel, including the carriage and wearing of personal flotation devices by persons on board the vessel, and anyone being towed.
- b. The person in charge of a vessel must not:
 - i. be under the influence of alcohol or illicit substances or prescription medicines, alone or in combination, to such an extent as to be incapable of having proper control of the vessel;
 - ii. cause or permit any act to be done in a manner which causes any unnecessary danger or risk to any other vessel or person in the water, irrespective of whether or not any injury or damage occurs.

2.3 Swimming or diving around wharves

2.3.1 No person shall jump, dive, swim or undertake other related activities:

- a. from or within 50 metres of any commercial jetty, wharf, or quay which is in regular use for the berthing and un-berthing of vessels; or
- b. within any area that the Harbourmaster may determine in the interest of navigation safety;
- c. any other such areas in the navigable waters of the region as the Harbourmaster may from time to time determine.

2.4 Use of vessel engine around wharves, ramps

2.4.1 No person shall operate the propulsion system of a vessel while it is lying at any wharf, or while it is loading or unloading at any ramp, in such a way that it may damage any property, scour the bed of the waterway, or injure any person. However, this bylaw does not preclude the use of the propulsion system for the safe berthing or un-berthing of any vessel at a wharf.

2.4.2 The master of any commercial vessel shall:

- a. ensure that the vessel's moorings are checked prior to, and tended during, the testing of its propulsion system while that vessel is lying at any wharf; and
- b. warn all persons or vessels in the immediate vicinity of that vessel that the engines are being tested.

2.5 Vessels to be seaworthy

2.5.1 The person in charge of a vessel anchored or moored in any navigable waters must keep the vessel in a seaworthy condition at all times, unless the Harbourmaster has given prior written approval for it to be anchored or moored in a condition which is not seaworthy.

2.5.2 Except in an emergency or following an accident or incident, a person must not operate a vessel that is unseaworthy, except to comply with the directions of the Harbourmaster to move the vessel to an alternative location.

2.5.3 In an emergency, or following an accident or incident that renders the vessel unseaworthy, the person in charge of the vessel must not move the vessel except:

- a. to clear a main navigation channel, or to prevent further damage, or to position the vessel in a safe mooring or anchorage; or
- b. in accordance with the directions from the Harbourmaster, enforcement officer or honorary enforcement officer.

2.5.4 If a vessel is not seaworthy or has the potential to cause a hazard to navigation, the Harbourmaster may give a direction to the person in charge of the vessel to move the vessel to an alternative location or remove it from navigable waters within a reasonable time.

2.5.5 If the person in charge of the vessel fails to comply with the direction of the Harbourmaster, or if the owner or person in charge of the vessel cannot be located, the Harbourmaster may move that vessel to a position where it is no longer a hazard or remove it from the water and dispose of it.

2.5.6 Costs incurred will be recovered from the owner of the vessel as a debt due to council. The owner and master are jointly and severally responsible for ensuring the direction is complied with.

2.6 Seaplanes

2.6.1 No person navigating a vessel shall impede a seaplane in the process of landing or taking off.

2.6.2 No person shall take off, land, or attempt to take off or land, any seaplane or other aircraft, except in an emergency, in any area other than areas reserved for that purpose, without the prior written permission of the Harbourmaster. Written application must be received by the Harbourmaster not less than 48 hours before the proposed landing or taking off.

2.7 Vessels to be adequately moored

2.7.1 No person shall anchor or moor a vessel in any navigable water in such a manner that it may break free, drag anchor or cause a navigational safety hazard.

2.7.2 No person shall cut, break, or destroy:

- a. the mooring or anchor of any vessel; or
- b. the fastening securing any vessel lying in a dock or at or near a wharf or landing place.

2.7.3 The owner or master of a vessel berthed at a wharf, or at anchor, must ensure that it is securely moored at all times and, if required by the Harbourmaster, maintain a person on board to keep watch.

2.8 Prohibited and restricted anchorages

2.8.1 Except in emergencies, no person may anchor or moor any vessel within any prohibited anchorage.

2.8.2 No person shall anchor a vessel so as to:

- a. obstruct the passage of other vessels or obstruct the approach to any commercial wharf, pier, jetty, mooring or anchorage; or
- b. create a hazard to other vessels moored or at anchor; or
- c. create a safety hazard for other vessels, swimmers or water users.

2.8.3 The prohibited areas to which this bylaw applies are those prescribed in Schedule 2 (Location-specific information).

2.8.4 No person shall anchor any commercial vessel in the areas listed in Schedule 2 (Location-specific information) without the prior permission of the Harbourmaster.

2.9 Obstructions

2.9.1 No person shall obstruct the navigation of any waterway or the access to any wharf, landing place, boat ramp, slipway, navigation channel, mooring or anchorage, without the prior written authorisation of the Harbourmaster.

2.9.2 No person shall place any obstruction, including any vessel or fishing apparatus, in any waterway that is liable to:

- a. restrict navigation; or
- b. cause, or have potential to cause, injury or death to any person; or
- c. cause damage to any vessel or any property.

2.9.3 No person shall leave equipment, stabilisers, booms, cranes, davits or other equipment extending over the side of a vessel so as to cause a hazard to any other vessel.

2.10 Notification of collisions or accidents

2.10.1 The owner and/or person in charge of a vessel that has been involved in a collision or accident must report the details of such, where:

- a. the collision or accident has caused damage to another vessel, or a navigation aid or any structure, or property;
- b. a vessel has been sunk or grounded or become stranded in navigable waters;
- c. by reason of accident, fire, defect or otherwise, the vessel cannot be safely operated; or
- d. any person has been injured.

2.10.2 The details of the collision or accident must be:

- a. given verbally as soon as possible to the Director and to the Harbourmaster, but within 24 hours;
- b. reported as soon as practicable in writing and sent by mail or by email to the Director and to the Harbourmaster, but within 48 hours.

2.10.3 A report must include:

- a. a full description of any injury to persons, their names and contact details; and
- b. a full description of any damage to vessels or structures; and
- c. the name(s), contact details of person(s) in charge of the vessels.

2.11 Aids to navigation

2.11.1 No person shall secure their vessel to any aid to navigation without the prior authorisation of the Harbourmaster.

2.11.2 No person shall damage, remove, deface or otherwise interfere with any aid to navigation or signage erected by, or duly authorised by, the Harbourmaster as an aid to navigation, or warning.

2.11.3 No person shall erect, maintain or display any aid to navigation or other device which may be used or mistaken as a recognised aid to navigation without the written permission of the Harbourmaster and Director of Maritime New Zealand.

2.12 Sound and light signals

2.12.1 No person shall fit or use any flashing lights, sirens or other sound or light signals not prescribed in a maritime rule for that vessel, without the written permission of the Harbourmaster.

2.12.2 The use of blue flashing lights and/or sirens is restricted to Police, Customs and Harbourmaster, or other enforcement vessels authorised by the Harbourmaster.

2.12.3 The use of purple flashing lights is for the use of an emergency response craft, authorised by the Harbourmaster, to identify itself to a vessel, aircraft or other emergency response craft involved in a response.

2.12.4 A vessel authorised to use purple flashing lights by the Harbourmaster shall only display them when:

- a. the use is required to assist the location of a vessel or person in need of assistance; or
- b. the use is required to assist the identification of the vessel to an aircraft involved in an incident.

The purple flashing lights imply no status or privilege to that vessel. The lights shall only be used by an emergency response craft that has been tasked to assist with an emergency.

2.12.5 No person may blow or sound, or cause to be blown or sounded, the whistle, siren or horn of a vessel, within any harbour area, except as a navigation safety signal. However, nothing in these bylaws precludes the testing of such a whistle, siren or horn before the vessel leaves any wharf or for maintenance purposes.

2.12.6 Every vessel shall exhibit the lights and shapes in accordance with Section 2 of Maritime Rule part 22: Collision Prevention.

2.13 Navigating within harbour limits

2.13.1 The master of every vessel shall, when navigating within harbour limits, ensure that:

- a. automatic steering 'pilot' devices, if fitted, are not used, unless a helmsman is standing by in the immediate vicinity of the helm station or wheel. Otherwise, vessels are to be in hand-steering mode; and
- b. the vessel's main engine(s) is immediately available for reducing speed, stopping or going astern at all times and without delay; and
- c. the vessel's anchors are immediately available for use in an emergency and capable of being used without power.

2.13.2 The master of every vessel which is not a pleasure craft, whether under pilotage or pilot exempt, shall have an agreed passage plan for transits of the harbour, and:

- a. the number of crew members on the bridge shall be sufficient to safely carry out the passage plan; and
- b. in determining the composition of the bridge team, due regard shall be taken of the need to steer, operate manoeuvring machinery, monitor the progress of the vessel visually, use all available aids to navigation, and refer to an appropriate navigation chart.

2.13.3 The master of every vessel under 500 gross tonnage (GT) or under 24 metres in length must not impede the navigation of any vessel of 500 GT or more when operating within harbour limits. This applies to all vessels under 500 GT or under 24 metres in length, including sailing vessels, power-driven vessels and vessels under oars, including kayaks and canoes.

2.13.4 Within the defined harbour limits of Whangārei and the Bay of Islands, all vessels under 500 GT or under 24 metres in length are required to:

- a. Avoid crossing ahead (crossing the bow) of any ship over 500 GT. If crossing the bow is unavoidable, keep at least 500 metres clear at the closest point of approach;
- b. Keep clear by a minimum of 100 metres to each side and 100 metres to the stern of a ship over 500 GT;
- c. When using the marked navigation channel, keep as far possible to the starboard side (right-hand side) of the channel at all times. If a ship over 500 GT approaches, leave the channel if safe to do so, so that the channel is clear for the safe navigation of the ship;

- d. When a ship over 500 GT is engaged in a berthing or un-berthing manoeuvre, keep well clear (500 metres as far as possible) of the ship and any other vessels that may be assisting in this manoeuvre as well as the berth, wharf or jetty;
- e. Within Whangārei harbour do not anchor, stop, engage in fishing or lay fishing equipment within any part of the navigation channel marked by buoys and beacons at any time;
- f. Within the Bay of Islands harbour, no vessel may anchor within any sector of the Waitangi Sector light, from the 10 metre depth contour line adjacent to Hermione Rock, out to three nautical miles from Tapeka point towards Ninepin Island when a vessel over 500 GT is moving within the harbour that is either approaching to pick up a pilot, approaching to drop anchor, or picking up anchor to depart the harbour. An image showing the Waitangi sector light is in Schedule 1 (Areas defined).

2.13.5 Communications on Whangārei Harbour are coordinated by Whangarei Harbour Radio. All vessels over 100 GT must report to Whangarei Harbour Radio on the current VHF channel when transiting the Whangārei harbour. Smaller vessels are encouraged to listen to Whangarei Harbour Radio when navigating in the main channels. Vessel masters on vessels over 100 GT are required to report to Whangarei Harbour Radio at the following points:

- a. Arrival
 - i. 30 minutes before arrival at the Fairway buoy
 - ii. When passing the Fairway buoy
 - iii. When passing Snake Bank beacon
 - iv. When passing Wellington Rock beacon
 - v. When berthed (this report should also be made by vessels berthed at facilities at Marsden Point).
- b. Departure
 - i. Prior to leaving the berth
 - ii. When passing Wellington Rock beacon
 - iii. When passing Snake Bank beacon
 - iv. When passing the Fairway buoy
- c. Anchoring
 - i. Vessels that anchor anywhere in the harbour are required to report their anchoring time and position to Whangarei Harbour Radio. Similarly, vessels should report to Whangarei Harbour Radio prior to weighing anchor.

2.14 Flagged areas on beaches

2.14.1 The Harbourmaster, a Surf Life Saving New Zealand patrol captain, or an Enforcement Officer, or Honorary Enforcement Officer so empowered, may from time to time set aside areas of beaches as flagged areas for the purposes of swimming and body boarding only.

2.14.2 No person may carry out any activity other than the activities for which the area has been flagged.

2.15 Discharge into bylaw waters

2.15.1 It is an offence to discharge, drop, or allow to be discharged or dropped, into the bylaw waters, any cargo or any other thing from any vessel, structure or from the land anywhere, that would, or may, constitute a danger to navigation or safety.

2.16 Immobilisation of vessel engines

2.16.1 The master of every vessel over 500 GT must not immobilise the vessel's main engines for the purpose of maintenance or otherwise without first obtaining the authorisation of the Harbourmaster.

2.17 Requirement to provide name and address

2.17.1 A harbourmaster or enforcement officer may require any person suspected of an offence against these bylaws to give his or her correct name and address.

3 Operating requirements

3.1 Minimum age for operating powered vessels

3.1.1 No person under the age of 15 years shall be in charge of, or propel or navigate, a power-driven vessel that is capable of a proper speed exceeding 10 knots, unless he or she is under the direct supervision of a person over the age of 15 years who is within immediate reach of the controls, and is not the lookout person as provided for in clause 3.4.

3.1.2 The owner of a power-driven vessel that is capable of a proper speed exceeding 10 knots must not allow any person who is under the age of 15 years to be in charge of or propel or navigate that vessel, unless he or she is under the direct supervision of a person over the age of 15 years who is within immediate reach of the controls.

3.1.3 Clauses 3.1.1 and 3.1.2 do not apply in respect of any person who has a written exemption from the Harbourmaster issued in accordance with a navigation bylaw or by the Director under Maritime Rule 91.5 (4).

3.1.4 The Harbourmaster may issue an exemption in accordance with this bylaw that is valid for any specified place, or places, to a person under the age of 15 years for transport, training, competitions or other sporting events, if the Harbourmaster considers that the person:

- a. is competent to propel or navigate a power driven vessel at a proper speed exceeding 10 knots; and
- b. is aware of relevant navigation safety rules and navigation bylaws; and
- c. will be under adequate supervision during the proposed activity or activities.

3.2 Speed of vessels

3.2.1 No person shall, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or an object) at a speed exceeding five knots:

- a. within 50 metres of any other vessel, raft, or person in the water; or
- b. within either 200 metres of the shore or of any structure, or on the inshore side of any row of buoys demarcating that distance from the shore or structure; or
- c. within 200 metres of any vessel or raft that is flying Flag A of the International Code of Signals (divers' flag).

3.2.2 No person shall propel or navigate a powered vessel at a speed exceeding five knots while any person has any portion of his or her body extending over the fore-part, bow, or side of that vessel.

3.2.3 No person shall cause himself or herself to be towed by a vessel (whether or not on a water ski, aquaplane, or other similar object) at a speed exceeding five knots in any circumstances specified in clause 3.2.1 of this bylaw.

3.2.4 No person in charge of a vessel shall permit the vessel to continue onwards after any person being towed by that vessel has dropped (whether accidentally or otherwise) any water ski or similar object which may cause danger to any other person or vessel, without first taking appropriate action to immediately recover that water ski or similar object, unless the person has taken adequate measures to ensure that the dropped ski or similar object is clearly visible to other water users.

3.2.5 Clause 3.2.1 (a) shall not apply to:

- a. a vessel over 500 GT, if the vessel cannot be safely navigated in compliance with this clause; or
- b. a vessel powered by sail in relation to any other vessel powered by sail, while the vessels are participating in a yacht race or training administered by:
 - i. a club affiliated to Yachting New Zealand; or
 - ii. a non-profit organisation involved in sail training or racing; or
- c. a vessel training for or participating in competitive rowing or paddling; or
- d. a tug, pilot vessel, Harbourmaster vessel, emergency response vessel or police vessel, if the vessel's duties cannot be performed in compliance with this clause; or
- e. a vessel operating in accordance with a speed uplifting established under:
 - i. Schedule 2 (Location-specific information) of this bylaw; or
 - ii. clauses 3.6, 3.9, 3.12 or 3.13 of this bylaw; or
- f. any board sport carried out with due regard for the safety of other water users, and in accordance with the accepted safe practices of the individual sport, with the exception of the prohibited areas defined within Waipu and Ruakaka estuaries as detailed in Schedule 2 (Location-specific information).

3.2.6 Clause 3.2.1 (b) shall not apply to:

- a. a vessel operating in an access lane or a reserved area for the purpose for which the access lane or reserved area was declared;
- b. a vessel operating in accordance with a speed uplifting established under:

- i. Schedule 2 (Location-specific information) of this bylaw;
- ii. clauses 3.6, 3.9, 3.12 or 3.13 of this bylaw;
- c. a vessel over 500 GT, if the vessel cannot be safely navigated in compliance with this clause; or
- d. a vessel training for or participating in competitive rowing or paddling; or
- e. a tug, pilot vessel, Harbourmaster vessel, emergency response vessel or police vessel, when the vessel's duties cannot be performed in compliance with this clause;
- f. any board sport carried out with due regard for the safety of other water users, and in accordance with the accepted safe practices of the individual sport, except where clause (g) below applies.
- g. wind powered board sports, except within the prohibited areas defined within Waipu and Ruakaka estuaries as detailed in Schedule 2 (Location-specific information).

3.3 Wake

3.3.1 Subject to clause 3.2, every person who propels or navigates any craft shall ensure that its wake does not cause unnecessary danger or risk of damage to other vessels or structures, or harm to other persons.

3.4 Lookouts on vessel used for towing

3.4.1 No person in charge of a vessel shall use it to tow any person at a speed exceeding five knots unless at least one other person on board is:

- a. 10 years of age or older; and
- b. responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.

3.4.2 No person shall cause himself or herself to be towed by any vessel at a speed exceeding five knots unless at least one other person is on board who is:

- a. 10 years of age or older; and
- b. responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.

3.5 Towing a person between sunset and sunrise

3.5.1 No person shall operate, between sunset and sunrise, a vessel that is towing a person. (The times for sunset and sunrise can be found in the current edition of the New Zealand Nautical Almanac).

3.5.2 No person may cause himself or herself to be towed in the circumstances described in clause 3.5.1.

3.6 Access lanes

3.6.1 Subject to the provisions of the Resource Management Act 1991, the council may, from time to time, declare by Public Notice that a specified area or areas are to be an access lane for the purpose of high-speed access to and from the shore.

3.7 Conduct in access lanes

3.7.1 No person shall propel, navigate, or manoeuvre a vessel in an access lane for the purpose for which it is declared, except by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel.

3.7.2 No person within an access lane shall proceed in a manner that is dangerous in relation to any vessel or other person in the access lane.

3.7.3 No person shall obstruct any other person while that other person is using an access lane for the purpose for which it has been declared.

3.7.4 If one or more persons are using an access lane for the purpose for which it is declared, no person may enter, remain in, or use the lane for any other purpose.

3.7.5 The access lanes to which this bylaw applies are those prescribed in Schedule 2 (Location-specific information).

3.8 Marking of access lanes

3.8.1 Every access lane must be demarcated by:

- a. orange posts with horizontal black bands on shore; and
- b. if the access lane is marked at its outer edge, it shall be marked by orange buoys with black bands; and
- c. an adequate sign or signs in the vicinity of the access lane that declare the purpose of that lane.

3.9 Speed uplifting areas

3.9.1 The council may, from time to time, designate a specified area or areas of any harbour as speed uplifting areas, where vessels will be exempted from complying with the five knots speed restriction under clause 3.2.1 (a) and clause 3.2.1 (b). Skippers of vessels may exercise the privilege of the speed exemption subject to strict compliance with the requirements of clause 3.10.

3.10 Conduct in speed uplifting areas

3.10.1 Before choosing to exceed five knots in a speed uplifting area, skippers of vessels shall carefully assess the conditions and take into consideration the safety of persons on their vessel and the safety of all other persons and vessels in the area.

3.10.2 No person within a speed uplifting area shall proceed in a manner that is dangerous in relation to any other vessel or other person.

3.10.3 No person shall propel, navigate, manoeuvre a vessel, or tow a person in a speed uplifting area for the purpose for which it has been designated, except on that side of the area that lies to the starboard (right) side of the vessel. If circuiting the area, such vessels must be moving in an anti-clockwise direction by keeping to the starboard (right) side of the area.

3.10.4 No person shall obstruct any other person, while that other person is using a speed uplifting area for the purpose for which it has been declared.

3.10.5 The speed uplifting areas to which this bylaw applies are those prescribed in Schedule 2 (Location-specific information).

3.11 Marking of speed uplifting areas

3.11.1 Taking into account the physical shape of speed uplifting areas and the practicability of placing markings, speed uplifting areas are demarcated by:

- a. orange posts with horizontal black bands on shore; and
- b. if the outer edges of the area are marked on the water, by orange buoys with black bands; and
- c. an adequate sign or signs in the vicinity of the area, as far as practicable near the orange posts on shore.

3.12 Reserved areas

Subject to the provisions of the Resource Management Act 1991:

3.12.1 The council, on application or of its own mind, may from time to time, by Public Notice, and in the interests of navigation safety, reserve any specified area for a specific purpose.

3.12.2 A reservation under this bylaw may be made on such conditions, and for such period or periods, as the council may specify in the notice.

3.13 Reserved areas for special events

3.13.1 Any person intending to conduct a race, speed trial, competition, or other organised water activity in any area to which this bylaw applies, may apply to the Harbourmaster to:

- a. temporarily suspend the application of clause 3.2 in part, or in total, in that area for the purposes of facilitating the event;
- b. temporarily reserve the area for the purpose of that activity.

3.13.2 Where the Harbourmaster is satisfied that the application may be granted without endangering the public, he or she may grant the application accordingly, for a period not exceeding 10 days and on such conditions as he or she may specify.

3.13.3 No grant of an application shall have effect unless, not less than seven days or more than 14 days before the commencement of the activity, a Public Notice is given specifying the period of the activity and details of the suspension or reserved area.

3.13.4 The council may recover from the Applicant all actual and reasonable costs associated with the application, including any monitoring and advertising.

3.14 Conduct in reserved areas

3.14.1 No person may obstruct any other person while that other person is using a reserved area for the purpose for which it is reserved.

3.14.2 If any person is using a reserved area for the purpose for which it is reserved, no other person shall enter, remain in, or use, the area for any purpose, unless otherwise stated in Schedule 2 (Location-specific information).

3.14.3 Nothing in clause 3.14.1 or 3.14.2 prohibits the use of emergency response craft within a reserved area.

3.14.4 The reserved areas to which these bylaws apply are those prescribed in Schedule 2 (Location-specific information), or those notified in accordance with clauses 3.12.1 or 3.13.3.

3.15 Marking of reserved areas

3.15.1 Adequate signs shall be provided in the vicinity of a reserved area that:

- a. define the area; and
- b. declare the purpose for which the area has been reserved.

3.15.2 If the area is demarcated on shore, it is marked by black posts with white horizontal bands.

3.15.3 If the reserved area is marked at sea, it is marked by black buoys with white bands.

3.15.4 Nothing in this clause applies to reserved areas for special events made in accordance with clause 3.13.

3.16 Collision prevention

3.16.1 No person shall operate any vessel in breach of Maritime Rule 22 (Collision Prevention), made under the Maritime Transport Act 1994.

3.16.2 Every person commits an offence against this bylaw who, when required to do anything by an officer of the council under clause 3.16.1 of this bylaw, fails to comply with that requirement as soon as is reasonably possible.

3.16.3 Every vessel must at all times maintain a proper lookout by sight and hearing as well as by all available means appropriate to the prevailing circumstances and conditions, so as to make a full appraisal of the situation and the risk of collision.

3.17 Duty of master of a vessel under 500 gross tonnage

3.17.1 The master of a vessel under 500 GT must not allow the vessel to impede the navigation of any vessel of 500 GT or more if the vessels are in a pilotage or harbour area.

3.18 Dive operations

3.18.1 The master of every vessel from which dive operations are in progress must ensure that Flag A is displayed on the vessel in such a manner that it can be clearly identified by the operator of another vessel at a distance exceeding 200 metres, and ensure that the vessel remains within 200 metres of the divers.

3.18.2 Every person diving from a vessel must ensure that Flag A is displayed on the vessel in such a manner that it can be clearly identified by the operator of another vessel at a distance of 200 metres.

3.18.3 Every person diving must ensure that they remain within a 200-metre horizontal radius of the Flag A being exhibited, unless they additionally are attached to a dive Flag A on a float as defined in section one.

3.18.4 Every person who dives unaccompanied by a vessel or dives from the shore, such as when snorkelling, freediving or spearfishing, where there exists a likelihood of passing vessel traffic, must ensure that the Flag A is displayed on a buoy in the water within close proximity to the diver in such a manner that it can be clearly identified by the person in charge of another vessel at a distance exceeding 200 metres.

3.19 Personal water craft

3.19.1 Every personal water craft being used in or upon the waters of the Northland region must clearly display a unique number on each side of the craft, such number being a minimum height of 90 millimetres and each digit having a minimum width of 80 millimetres.

3.19.2 This number must be registered with the council or its agent together with the name and address of the owner.

4 Moorings

4.1 Moorings to be licensed

4.1.1 No person may place (or have in place) a mooring in any waters, unless it is licensed by the council.

4.1.2 The council may, at its discretion, approve or decline an application for a mooring licence. The council may impose terms and conditions on any new or existing mooring licence that may include, but are not limited to:

- a. the location of the mooring;
- b. the type, size and length of any vessel which may be attached to the mooring;
- c. the design and specifications of the mooring;
- d. maintenance requirements;
- e. the type of buoy or float with which the owner of a mooring must mark the location of the mooring when it is not being used by a vessel. The mooring buoy must be a bright colour, preferably orange, pink or yellow, and if hollow, must be filled with polystyrene beads or foam. The mooring number must be engraved on top of the buoy in lettering not less than 30mm high;
- f. a requirement that the owner of the mooring shall be liable in any event for the position, insufficiency or insecurity of any licensed mooring.

4.1.3 Every mooring licence issued by the council shall apply only to the licensee. The licence is to be held by the licensee subject to the following additional terms and conditions:

1. The licence shall be renewed annually upon full payment of an annual mooring licence fee charged pursuant to the council's Navigation, Water Transport and Maritime Safety Bylaw Charges and its Charging Policy as amended from time to time;
2. The licence period shall apply from 1 July to the following 30 June each year;
3. Payment of the annual mooring licence fee and acceptance thereof by the council shall constitute a renewal of the licence.

4.1.4 The licensee must notify the council of the vessel occupying the mooring changes and provide the vessel's name, type, length, size and owner's contact details. If a licensee wants to moor a vessel that is larger than, or significantly different from, the vessel that is currently occupying the mooring, the council's approval must be sought in advance.

4.1.5 Every vessel occupying a swing or pile mooring shall display contact phone number(s) and/or email addresses for the owner or owner's representative that can be used in case of emergency.

4.2 Transfer of ownership and termination of mooring licences

4.2.1 No licensee may, except with the written approval of the council, part with the possession of the licence or transfer it to any other person.

4.2.2 When a licensee applies to the council seeking approval for the transfer of a mooring licence to another person, the council may approve the transfer if:

- a. All mooring licence fees, including the transfer fee are fully paid;
- b. The mooring has a current inspection certificate required by clause 4.3.3;
- c. The mooring specification and design are adequate to accommodate the proposed vessel to be moored;
- d. The new mooring owner agrees to the terms and conditions specified in the original licence.

4.2.3 For the transfer of the mooring to be registered, a fully completed 'Mooring Transfer' form must be submitted to the council.

4.3 Maintenance and construction requirements

4.3.1 The council may, from time to time, set mooring guidelines governing the specifications and maintenance/service schedule of mooring components for vessels of a certain type, size and weight.

4.3.2 Owners of swing moorings and pile moorings shall maintain their moorings in a proper state of condition and repair. The moorings must comply with the mooring guidelines set by the Harbourmaster.

4.3.3 All components of swing moorings must be inspected visually and maintenance carried out by a council-licensed mooring contractor. Alternatively, mooring owners may carry out maintenance themselves provided they have prior written approval from the council. Arrangements must be made to have a council licensed mooring contractor or a council officer inspect the mooring and its components prior to being reinstated. All costs associated with the inspection and replacement of components shall be borne by the mooring owner. The mooring owner will be issued with a mooring inspection certificate once the maintenance and inspection is completed and all costs for the works have been paid.

4.3.4 Council officers may inspect all the above water components of pile moorings at suitable intervals and notify the mooring owners if parts must be replaced or if maintenance must be carried out. Replacement of parts or maintenance must be carried out within the advised timeframe. A council licensed mooring contractor may be delegated to carry out

these inspections by the Harbourmaster. All costs associated with any maintenance or replacement of components shall be borne by the mooring owner. Replacement of the piles will be notified and coordinated by the council at the recommended guideline interval.

4.3.5 The Harbourmaster may from time to time approve a person(s) to inspect moorings. These person(s) shall be known as council licensed mooring contractors. Council licensed mooring contractors are required to undergo regular assessments by a council officer to ensure certain standards are met including, but not limited to, the quality of workmanship (including welds and splices), the quality of materials used to construct and maintain moorings, and the safe operation of the vessel and associated safe work practices.

4.3.6 The council is not liable in any event for the position, insufficiency of, or insecurity of, any designated mooring area.

4.3.7 The council shall exercise reasonable care, but shall have no liability for, any damage caused by any action taken in accordance with this bylaw. In addition, the council is not responsible for any damage or loss that may arise to any vessel or other property caused by:

- a. any breaking away or defect of a mooring or any part of it; or
- b. the act of any person in causing damage to a mooring or any part of it, where the damage is caused by any vessel moored to such mooring; or
- c. the perils of the seas, or by navigation of any vessel, or any other cause.

4.3.8 The Harbourmaster has the right to inspect, or require inspections, of any mooring and on receipt of an unfavourable report can require the owner to upgrade or repair the mooring as considered appropriate, or adjust the licensed maximum length and/or displacement of the vessel that can be secured to the mooring.

4.3.9 Failure to comply with clause 4.3.3 six months after the expiry of the current inspection certificate will mean that the mooring is unfit for purpose or use. As a result, the council may cancel the mooring licence and the Harbourmaster may direct that the mooring be removed from the water and disposed of. If the mooring is not removed, or booked with a licensed mooring contractor for removal, within a time frame specified by the Harbourmaster, the Harbourmaster may have the mooring removed or transfer the mooring licence to another party. Any vessel occupying the mooring may be removed and detained until all fees and charges, including the cost of removing the mooring and or vessel and storage of the vessel, have been fully paid and discharged. If, after two months following removal of the mooring and/or vessel, the fees and charges remain unpaid, the council may sell the vessel to recover the debt.

4.4 Offences

4.4.1 Every person commits an offence against this bylaw who secures, or allows to be secured, any vessel to any moored vessel in a manner that is liable to:

- a. restrict navigation; or
- b. cause loss of life or injury to any person; or
- c. cause damage to any vessel or any property.

4.4.2 Every person commits an offence against this bylaw who moors a vessel to any mooring without the approval of the mooring owner. Should the vessel remain on the mooring for a period longer than a specific date stipulated by the Harbourmaster, then the Harbourmaster may direct that the vessel be removed from the mooring and detained until such fees and charges, including the cost of removing and storing the vessel, have been fully paid and discharged. If such debts are not paid and discharged within a further two months, the council has the right to sell the vessel to recover the debt.

4.5 Powers of council with respect to moorings and vessels on moorings

4.5.1 The council may at any time after giving due written notice, cancel a mooring licence where the licensee fails to comply with the terms and conditions of the mooring licence or any other clause under this section of the bylaw. There will be no refund if a mooring licence is cancelled. Where a mooring licence has been cancelled, the Harbourmaster may request the mooring owner to remove the mooring to which that licence refers. The mooring owner shall remove the mooring within the timeframe specified by the Harbourmaster. Where the mooring owner fails to remove the mooring in the specified timeframe, the Harbourmaster may direct that any vessel occupying the mooring be removed and the council may recover the costs from the licensee or from the sale of the mooring and/or vessel.

4.5.2 Should any annual mooring licence fee(s) or other charge(s) related to the mooring, due to the council under the provision of this bylaw, remain unpaid for a period of two months, then the Harbourmaster may remove, or cause to be removed, the mooring and detain the vessel using the mooring, until such fee(s) and charge(s), including the cost of removing the mooring and storing the vessel, have been fully paid and discharged. Should such debts not have been paid and discharged within a further two months, the council may dispose of the mooring and/or vessel or sell the mooring and/or vessel to recover the debt.

4.5.3 The council may remove, or cause to be removed, any mooring, which is either unauthorised under the Resource Management Act 1991 or is unlicensed pursuant to the provisions of this bylaw, and detain the vessel using the mooring, until such fees and charges, including the cost of removing the mooring and storing the vessel, have been fully paid

and discharged. Should such debts not have been paid and discharged within a further two months, the council may dispose of the mooring and/or vessel or sell the mooring and/or vessel to recover the debt.

4.5.4 Where a vessel breaks free from or drags its mooring, or is endangering another vessel or causing or resulting in a navigational safety issue, or is sinking or has become unseaworthy, the Harbourmaster may remove that vessel at the owner's risk. All costs associated with such recovery, removal and subsequent storage are recoverable from the owner of the vessel or from the mooring owner. Where the vessel owner can not be found (after council has made reasonable inquiries), the costs incurred by the council for recovery, removal and subsequent storage of the vessel may be recovered from the sale of the vessel, fittings and any equipment onboard.

4.5.5 If the mooring owner or their whereabouts is unknown owing to their failure to notify the council of their change of contact details within two months, the council may, after a period of not less than two months, sell the mooring in situ (if it has a current mooring inspection certificate). If the mooring does not have a current inspection certificate, the Harbourmaster may direct that the vessel be removed from the mooring and detained until such fees and charges, including the cost of removing and storing the vessel, have been fully paid and discharged. If such debts are not paid and discharged within a further two months, the council has the right to sell the vessel to recover the debt or dispose of the vessel as it sees fit.

4.5.6 For the purposes of navigation safety and efficient use of available space, the Harbourmaster may direct the relocation of a mooring or specify the construction and maintenance/service schedule of the mooring.

4.5.7 For the purposes of navigation safety and efficient use of available space, the Harbourmaster may direct the removal of a vessel from a mooring.

4.5.8 In the case of a cancelled mooring where the vessel occupying the mooring does not belong to the licensee and the vessel owner is not contactable, the Harbourmaster may have the vessel removed to a place of safety.

5 Tankers, hazardous cargoes and works, dangerous materials

5.1 Explosives anchorage

5.1.1 The master of a vessel having on board, or intending to load or unload, explosives in quantities greater than 27 kg must ensure that:

- a. the vessel remains within any explosives anchorage which may be designated from time to time or other anchorage specified by the Harbourmaster when not underway, except with the written permission of the Harbourmaster; and
- b. no person loads or unloads explosives outside the explosives anchorage, except with the written permission of the Harbourmaster.

5.2 Vessels carrying explosives

5.2.1 The master of any vessel in any harbour or anchorage having on board, or intending to load or unload explosives, must hoist on the vessel code Flag B of the International Code of Signals by day and an all-round red light by night.

5.2.2 The master of any vessel in any harbour or anchorage, or the pilot, must not allow that vessel to approach within 200 metres of any other vessel that is carrying, loading or unloading explosives, except:

- a. with the written permission of the Harbourmaster; or
- b. for the purpose of loading or unloading that other vessel; or
- c. for the purpose of rendering assistance to that other vessel in an emergency.

5.2.3 The master of any vessel carrying explosives in any harbour or anchorage, or the pilot, must not allow that vessel to approach within 200 metres of any other vessel, except:

- a. with the written permission of the Harbourmaster; or
- b. for the purpose of loading or unloading that other vessel; or
- c. for the purpose of rendering assistance to that other vessel in an emergency.

5.2.4 Nothing in clauses 5.2.1, 5.2.2 and 5.2.3 applies to any vessel which is carrying only the parachute rockets, signal flares, smoke floats, line throwing appliances and other explosive devices that form part of the vessel's safety and life-saving equipment.

5.3 Signals to be displayed by oil tankers

5.3.1 On, or immediately before, the arrival in harbour of any tanker, and so long as the tanker remains in harbour, the master must display by day Flag B of the International Code of Signals, and by night an all-round red light at the masthead, or where it can best be seen from all directions.

5.4 Duties of master while tanker is in harbour

5.4.1 While in a harbour, the master of an oil tanker must operate in accordance with the most recent edition of the International Safety Guide for Oil Tankers and Terminals (ISGOTT), unless the Harbourmaster approves an alternative requirement or procedure.

5.4.2 The master of a tanker must berth or moor the tanker only at such wharf or place as specified for bulk oil discharges in Schedule 2 of this bylaw, or as otherwise authorised by the Harbourmaster.

5.5 Oil tankers not to lie close to other vessels

5.5.1 The master of a tanker must ensure that, except for the purpose of transshipment, the tanker does not lie within 30 metres of another vessel, unless the prior authorisation of the Harbourmaster has been obtained.

5.6 Hot work operations

5.6.1 Within any harbour or commercial areas, the person in charge of a vessel must, before any hotwork operation is commenced, obtain the written approval of the owner or manager of the facility at which the operations are to be conducted.

5.6.2 Hot work operations on a vessel must comply with the current edition of the Code of Safe Working Practices for Merchant Seafarers (Maritime New Zealand).

5.6.3 The Harbourmaster may issue a Hot Work Permit dispensation from compliance with clause 5.6.1 for;

- a. local operators of any vessel repairing and engineering establishments where the hot work is carried out in a controlled location and where hot work procedures are strictly adhered to; and
- b. any vessel where hot work is a necessary part of the work carried out by the vessel and where hot work procedures are strictly adhered to.

5.6.4 If in any case the Harbourmaster is not satisfied that adequate precautions have been taken, the Harbourmaster may forbid the operations to be commenced or continued until he or she is so satisfied or has caused such precautions to be taken as he or she thinks necessary.

5.7 Hazardous goods transfer

5.7.1 Excepting bulk oil transfers at the Refining NZ jetties at Marsden Point, hazardous goods transfers shall only take place between sunrise and sunset unless written permission for transfer outside these hours is obtained from the Harbourmaster.

6 Administrative matters

6.1 Appointment of Officers

6.1.1 The council may appoint persons as honorary enforcement officers to carry out or exercise the duties, office, or powers of any enforcement officer or honorary enforcement officer. Such persons are authorised to enforce the provisions of this bylaw as per the powers accorded to them through warrants.

6.1.2 While exercising any right or performing any duty pursuant to this bylaw, the enforcement or honorary enforcement officer shall carry a warrant of appointment and must, as soon as it is practicable, produce it to any person when asked to do so.

6.2 Bylaw breaches

6.2.1 A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty under the Act and maritime rules and regulations.

6.2.2 A person who fails to comply with an instruction given to that person by the Harbourmaster, an enforcement officer, honorary enforcement officer or the police, under this bylaw commits a breach of this bylaw and is liable to a penalty under the Act and maritime rules and / or the Local Government Act 2002 and regulations.

6.2.3 The owner and person in charge of a vessel are jointly and severally responsible for compliance with this bylaw.

6.2.4 If no person is placed in charge of a vessel, the owner of the vessel is responsible for compliance with this bylaw.

6.3 Liability of the council

6.3.1 The council is not liable for:

- a. any damage to vessels which have not been securely anchored or moored;
- b. any damage to a vessel which results from any actions taken by the Harbourmaster, his delegate or an enforcement officer, to secure a vessel in the event of an adverse event.

6.3.2 The council is not liable for any damage to a vessel that the Harbourmaster, his delegate or an enforcement officer, secures or removes under this bylaw or under the Act.

6.4 Revocation of bylaws

6.4.1 The following bylaws and all amendments are revoked: Northland Regional Council Navigation Safety Bylaw 2012.

6.5 Application to master/owner

6.5.1 Where any clause in this bylaw imposes an obligation or duty on the master of any vessel, that obligation or duty must, in the case of a vessel that has no master, be performed or carried out by the owner.

6.5.2 Where any clause of this bylaw imposes an obligation or duty on both the master and the owner of a vessel, then, if that clause is not complied with, the master and the owner are deemed severally to have committed an offence against this bylaw. If either the master or the owner complies with any such clause, then for the purposes of this bylaw, compliance by one is deemed to be compliance by the other.

6.6 Suspension and exemptions from this bylaw

6.6.1 The Harbourmaster may exempt by written approval, any person, vessel or class of vessels from any requirements of this bylaw.

6.6.2 In granting any written exemptions to any clause of this bylaw, the Harbourmaster must consider the effects of the exemption on public health and safety.

6.6.3 The Harbourmaster may revoke any exemption at any time the Harbourmaster has reason to believe public health or safety has, or may be, adversely affected.

6.6.4 To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of the law.

6.6.5 Unless the context requires another meaning, a term or expression that is defined in the Act or maritime rule and used in this bylaw, but not defined, has the meaning given by the Act or maritime rule.

6.6.6 Any explanatory notes and maps are for information purposes, do not form part of this bylaw, and may be made, amended and revoked without formality.

6.7 Fees and charges

6.7.1 The fees and charges for functions, duties, powers or services carried out by the council under this bylaw are specified in the Northland Regional Council Charging Policy. These charges are reviewed annually and must be paid to the council on demand by the specified person or owner.

Note: Application forms referred to in the text of this bylaw may be obtained from any Northland Regional Council office or downloaded from the website www.nrc.govt.nz/onthewater

Schedule 1 - Harbour limits

Whangārei The limits of which are defined in Order of Council of 28 March 1967, NZ Gazette 13 April, 1967 No. 23, p. 585.

Bay of Islands The limits of which are defined in Warrant of 1 December 1936, NZ Gazette 3 December 1936, p. 2331.

Ngunguru* The limits of which are defined in the First Schedule to the Whangārei Harbour Board Vesting Act 1928.

Tutukākā*, Whangaruru and Whananaki The limits of which are defined in the Schedule of the Tutukākā, Whangaruru and Whananaki Harbours Control Act 1926.

Pataua* The limits of which are defined in the Eighth Schedule to the Northland Harbour Board Vesting and Empowering Act 1963.

Hokianga, Kaipara, Whangaroa, Mangōnui and Mangawhai* The limits of which are defined in Order of Council of 20 November 1868, NZ Gazette 23 November 1868, p. 549.

Awanui** The limits of which are defined in Order of Council of 11 October 1926, NZ Gazette 21 October 1926, p. 2962.

Houhora** The limits of which are defined in Order of Council of 20 November 1868, NZ Gazette 23 November 1868, p. 549.

Rangaunu The limits of which are defined in NZ Gazette 3 June 1982, p. 1751.

Waipū* The limits of which are defined in Order of Council of 30 June 1965, NZ Gazette 8 July 1965, p. 1093.

Pārengarenga The limits of which are defined in Order of Council of 5 May 1969, NZ Gazette 22 May 1969, p. 949.

**Repealed – Gazette notice No. 159 dated 14 September 1989, as these harbours are contained within Whangārei Harbour limits.*

***Repealed – Gazette notice No. 58 dated 3 June 1982, as these harbours are contained within Rangaunu Harbour.*

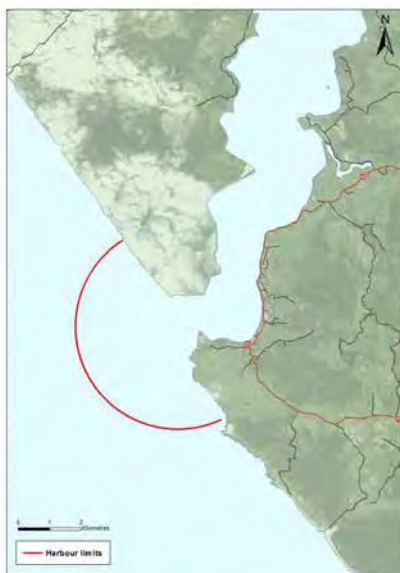
Harbour limit - Bay of Islands



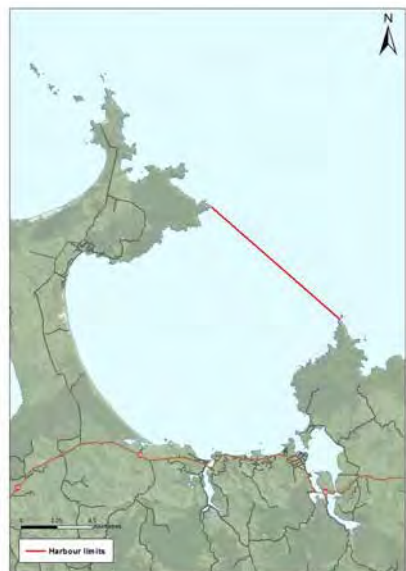
Harbour limit - Kaipara Harbour



Harbour limit - Hokianga Harbour



Harbour limit - Mangonui



Harbour limit - Pārengarenga Harbour



Harbour limit - Whananaki Harbour



Harbour limit - Rangaunu Harbour



Harbour limit - Whangaroa Harbour



Harbour limit - Whangaruru Harbour



Harbour limit - Whangārei Harbour



Schedule 2 - Location-specific information

Prohibited areas

Except where the Harbourmaster permits, no person shall sail, navigate, moor or anchor any vessel or enter, swim or dive, whether with or without diving equipment, into or in that part of the Whangārei Harbour described as follows.

1. Marsden Point

All that area enclosed by the pecked line shown on chart NZ 5214 which surrounds the Oil Refinery berths at Marsden Point.

Marsden Point oil refinery prohibited area



From mean high water springs mark on the foreshore 000 degrees true to the Western most dolphin, thence 030 degrees true for 125 metres, thence 120 degrees true for 715 metres, thence 210 degrees true for 125 metres to the Eastern most dolphin, thence 240 degrees true to the mean high water springs on the foreshore.

2. Northport

All that area enclosed by the pecked line shown on chart NZ 5214 which surrounds the Northport Berth, when ships are fumigating, bunkering, discharging or loading dangerous cargo. A 100 metre exclusion zone around the ship for all water users will be in force when the KEEP CLEAR 100 metre fluorescent signs (by day) and flashing lights (by night) are displayed on the seaward side of the ship.

Northport berth prohibited area



3. Whangārei Harbour entrance channel, Wave Rider data collection Buoys

- a. All vessels are required to keep at least 100 metres clear of the following WRB system buoys located on the northern side of the Whangārei Harbour shipping channel midway between the Fairway buoy and No.1 buoy:

WRB A in position $35^{\circ} 52.986' S$ / $174^{\circ} 32.888' E$

WRB B in position $35^{\circ} 53.015' S$ / $174^{\circ} 32.912' E$

Special Mark Buoy in position $35^{\circ} 52.987' S$ / $174^{\circ} 32.922' E$

- b. Vessels must not attempt to enter or leave the channel between the Fairway Buoy and No. 1 Buoy.

The yellow Special Mark Buoy is positioned to the north of the two Wave Rider Buoys at an equal distance from both. The Special Mark Buoy is deployed to indicate the position of the two smaller Wave Rider Buoys and is higher and more visible than the Wave Rider Buoys which sit very low in the water.

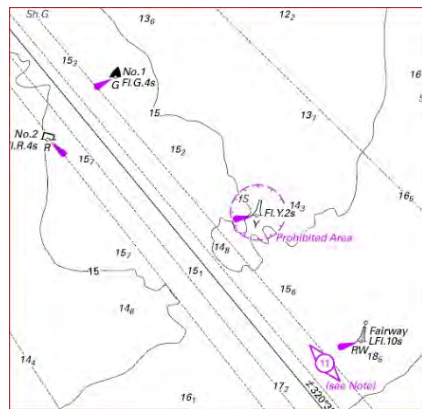
The Special Mark Buoy is fitted with a 3NM range light and the two Wave Rider Buoys are fitted with 1NM range lights.

The WRB system is depicted on charts NZ 5219 and NZ5214, adjacent to the Whangārei entrance channel between the Fairway Buoy and No. 1 Buoy.

Northport's Wave Rider Buoy system



Chart extract NZ5214 showing location of prohibited area



Prohibited anchorages

Except where the Harbourmaster permits, no person shall moor or anchor any vessel in those parts of the respective harbours as hereinafter described:

1. Whangārei Harbour - charts affected NZ 5214, NZ 5215

All that area 75 metres each side and parallel to the following lines:

- a. A line in a direction 348° from approximate position 35° 46.75'S / 174° 23.10'E, to Stevens Point Sector Light Beacon in approximate position 35° 46.47'S / 174° 23.03'E and then continuing in a direction 008° to a cable marker at Waikaraka in approximate position 35° 45.67'S / 174° 23.16'E.
- b. A line in a direction 260° from Ross Beacon in approximate position 35° 46.73'S / 174° 23.28'E to approximate position 35° 46.75'S / 174° 23.10'E, continuing in a direction 252° to Shell Bank West Rear Lead in approximate position 35° 46.92'S / 174° 22.49'E and then continuing in a direction 115° to Shell Bank West Front Lead in approximate position 35° 47.49'S / 174° 23.99'E.
- c. A line in a direction 312° from One Tree Point Rear Lead in approximate position 35° 49.32'S / 174° 26.99'E to One Tree Point Front Lead in approximate position 35° 48.63'S / 174° 26.03'E.

2. Bay of Islands Harbour - charts affected NZ 5124, NZ 5125

- a. Within the pecked lines drawn 75 metres on each side of a cable running from an unlighted triangular cable beacon situated on the foreshore at Russell in approximate position 35° 15.87'S / 174° 07.28'E in a direction 226° to an unlighted triangular cable beacon situated on the foreshore at Paihia in approximate position 35° 17.07'S / 174° 05.78'E.
- b. Within the pecked lines in Veronica Channel between Okiato and Ōpua, between unlighted triangular cable markers in approximate positions. N- 35° 18.27'S / 174° 07.10'E E- 35° 18.36'S / 174° 07.30'E S- 35° 18.57'S / 174° 06.99'E W- 35° 18.52'S / 174° 06.90'E
- c. Within pecked lines drawn 75 metres each side of a cable running in a direction 165° / 345° between two unlighted triangular cable beacons situated on the foreshore in the Waikare inlet in approximate positions 35° 18.36'S / 174° 08.07'E and 35° 18.99'S / 174° 08.27'E.

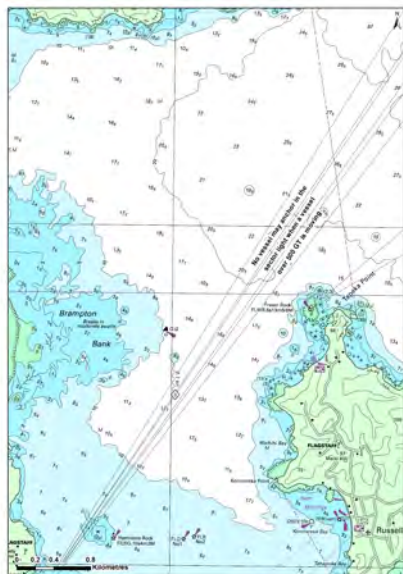
3. Hokianga Harbour - chart affected NZ 4212

Within the pecked lines drawn 100 metres each side of a cable from an unlighted triangular beacon bearing the word "Cable" and standing half a cable westward of the root of Rawene Wharf in approximate position 35° 23.62'S / 173° 30.26'E in a direction 023° to the unlighted triangular cable marker across the harbour in approximate position 35° 22.84'S / 173° 30.65'E.

4. Waitangi sector light - chart affected NZ 5215

1. Within the Bay of Islands harbour, no vessel may anchor within any sector of the Waitangi Sector light, from the 10 metre depth contour line adjacent to Hermione Rock, out to 3 nautical miles from Tapeka point towards Ninepin Island when a vessel over 500 GT is moving within the harbour. That is either approaching to pick up a pilot, approaching to drop anchor or picking up anchor to depart the harbour.

Waitangi sector light prohibited anchoring area



Bulk oil discharge permitted area

With reference to clause 5.4.2, tanker berths suitable for the discharge of bulk oil are the Refining NZ jetties at Marsden Point.

Access lanes

Bay of Islands

- Doves Bay (Te Kowhai) – Kerikeri Inlet
- Paihia
- Tapeka
- Dicks Bay.

Doubtless Bay

- Coopers Beach.

Whangaruru Harbour

- Oakura Bay
- Sandy Bay.

Pataua Harbour

- 600 metres upstream of footbridge – south side
- 600 metres upstream of footbridge – north side.

Whangārei Harbour

- Limestone Island.

Whananaki

- Southern side below foot bridge.

Access lane maps

Maps are indicative only. Actual positions of access lanes are marked by orange posts with horizontal black bands on shore and orange buoys with black bands on the water.

Access lanes - Bay of Islands - Doves Bay



Access lanes - Bay of Islands - Tapeka



Access lanes - Bay of Islands - Paihia



Access lanes - Coopers Beach



Access lanes - Bay of Islands - Dicks Bay



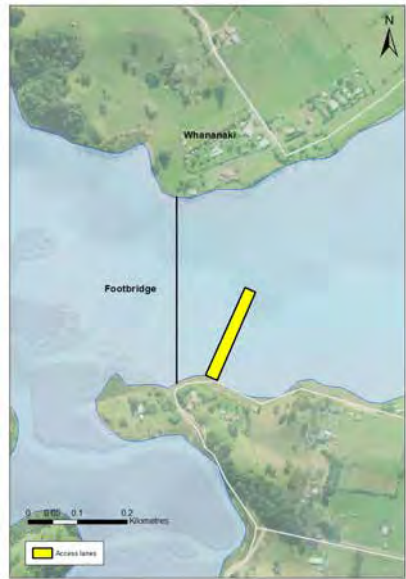
Access lanes - Whangaruru Harbour



Access lanes - Pataua Harbour



Access lanes - Whananaki



Access lanes - Limestone Island



Speed uplifting areas

Houhora Harbour Waingarara

Ngunguru South-eastern side of harbour

Taipā Oruru river south of bridge

Mangawhai Harbour Eastern side of
harbour

Speed uplifting area maps

Maps are indicative only. Actual positions of speed uplifting areas are marked by orange posts with horizontal black bands on shore and orange buoys with black bands on the water.

Speed uplifting areas - Houhora Harbour



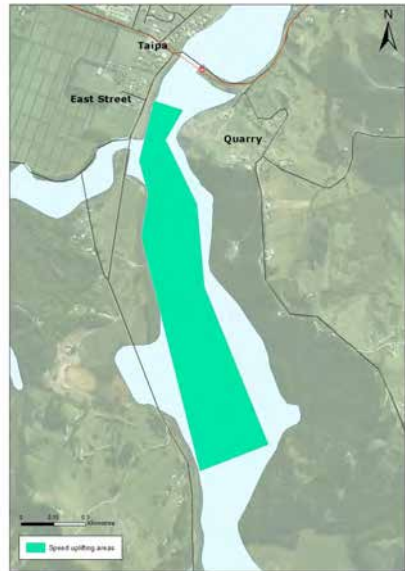
Speed uplifting areas - Ngunguru



*Speed uplifting areas - Mangawhai
Harbour*



Speed uplifting areas - Taipā



Wind-powered board sports prohibited areas

*Wind-powered board sports prohibited
area - Ruakaka estuary*



*Wind-powered board sports prohibited
area - Waipu estuary*



Application forms

Application forms referred to in the text of this bylaw may be obtained from any Northland Regional Council office or downloaded at www.nrc.govt.nz/onthewater