

NORTHLAND REGIONAL COUNCIL

Agenda

For meeting to be held in the Council Chamber,
36 Water Street, Whangārei, on Tuesday 24 October 2017,
commencing at 10.30 am

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

OPEN MEETING

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<p>ACC - Accident Compensation Corporation</p> <p>AHB - Animal Health Board</p> <p>ALGIM - Association of Local Government Information Management</p> <p>AMA - Aquaculture Management Area</p> <p>AMP – Asset Management Plan/Activity Management Plan</p> <p>BOI - Bay of Islands</p> <p>BOPRC - Bay of Plenty Regional Council</p> <p>CAPEX - Capital Expenditure (budget to purchase assets)</p> <p>CBEC - Community, Business and Environment Centre</p> <p>CDEM - Civil Defence Emergency Management</p> <p>CEG - Co-ordinating Executive Group – Northland Civil Defence management team</p> <p>CEO - Chief Executive Officer</p> <p>CIMS - Co-ordinated Incident Management System (emergency management structure)</p> <p>CMA - Coastal Marine Area</p> <p>CPCA - Community Pest Control Areas</p> <p>CRI - Crown Research Institute</p> <p>DHB - District Health Board</p> <p>DOC - Department of Conservation</p> <p>DOL - Department of Labour</p> <p>DPMC - Department of Prime Minister and Cabinet</p> <p>ECA - Environmental Curriculum Award</p> <p>ECAN - Environment Canterbury</p> <p>EE - Environmental Education</p> <p>EECA - Energy Efficiency Conservation Authority</p> <p>EEZ - Exclusive Economic Zone</p> <p>EF - Environment Fund</p> <p>EMA - Employers and Manufacturers Association</p> <p>EMC - Environmental Management Committee</p> <p>EOC - Emergency Operations Centre</p> <p>EPA - Environmental Protection Authority</p> <p>FDE - Farm Dairy Effluent</p> <p>FNDC - Far North District Council</p> <p>FNHL - Far North Holdings Limited</p> <p>FPP - First Past the Post – voting system for NRC elections</p> <p>GE - Genetic Engineering</p> <p>GIS - Geographic Information System</p> <p>GMO - Genetically Modified Organism</p> <p>HSNO - Hazardous Substances & New Organisms Act</p> <p>HBRC - Hawke's Bay Regional Council</p> <p>HEMP - Hapū Environmental Management Plan</p> <p>Horizons - Brand name of Manawatu-Wanganui Regional Council</p> <p>HR - Human Resources</p> <p>HSWA - Health and Safety at Work Act 2015</p> <p>IEMP - Iwi Environmental Management Plan</p> <p>IPPC - Invited Private Plan Change: a process to allow Aquaculture Management Areas to be established</p> <p>IRIS - Integrated Regional Information System: new computer system being developed collaboratively with other Regional Councils</p> <p>KDC - Kaipara District Council</p> <p>KPI - Key Performance Indicator</p> <p>LATE - Local Authority Trading Enterprise</p> <p>LGA - Local Government Act 2002</p> <p>LGNZ - Local Government New Zealand</p> <p>LGOIMA - Local Government Official Information and Meetings Act 1987</p> <p>LGOL - Local Government Online</p> <p>LTP - Long Term Plan</p> <p>LTFS - Long Term Financial Strategy</p> <p>MCDEM - Ministry of Civil Defence & Emergency Mgmt</p> <p>MFE - Ministry for the Environment</p> <p>MHWS - Mean High Water Springs</p> <p>MMH - Marsden Maritime Holdings</p> <p>MNZ - Maritime New Zealand</p>	<p>MOH - Ministry of Health</p> <p>MOT - Ministry of Transport</p> <p>MPI – Ministry for Primary Industries</p> <p>MSD - Ministry of Social Development</p> <p>NCMC - National Crisis Management Centre</p> <p>NES – National Environmental Standards</p> <p>NDHB - Northland District Health Board</p> <p>NZRC - New Zealand Refining Company (Marsden Point)</p> <p>NGO - Non-Governmental Organisation</p> <p>NIF - Northland Intersectoral Forum</p> <p>NIWA - National Institute of Water and Atmosphere</p> <p>NORTEG - Northland Technical Advisory Group</p> <p>NZCPS - New Zealand Coastal Policy Statement</p> <p>NZTA - New Zealand Transport Agency</p> <p>NZQA - New Zealand Qualifications Authority</p> <p>NZWWA - New Zealand Water and Wastes Association</p> <p>OFI - Opportunity for Improvement</p> <p>ORC - Otago Regional Council</p> <p>OSH - Occupational Safety & Health (now Ministry of Business, Innovation and Employment)</p> <p>PCBU – Person Conducting Business or Undertaking</p> <p>PDF - Portable Document Format</p> <p>PPE - Personal Protective Equipment</p> <p>RAP - Response Action Plan</p> <p>RAQP - Regional Air Quality Plan</p> <p>RCP - Regional Coastal Plan</p> <p>RFI - Request for Information</p> <p>RFP - Request for Proposal</p> <p>RTC - Regional Transport Committee</p> <p>RLTS - Regional Land Transport Strategy</p> <p>RMA - Resource Management Act 1991</p> <p>RMG - Resource Managers Group (Regional Councils)</p> <p>RMZ - Riparian Management Zone</p> <p>ROI - Return on Investment</p> <p>RPMS - Regional Pest Management Strategy</p> <p>RPS - Regional Policy Statement</p> <p>RSG - Regional Sector Group</p> <p>RTO - Regional Tourism Organisation</p> <p>RWASP - Regional Water and Soil Plan</p> <p>SITREP - Situation Report</p> <p>SMF - Sustainable Management Fund</p> <p>SOE - State of Environment (or) State Owned Enterprise</p> <p>SOLGM - Society of Local Government Managers</p> <p>SPARC - Sport & Recreation New Zealand</p> <p>SRC - Southland Regional Council (Environment Southland)</p> <p>STV - Single Transferable Vote</p> <p>SWAG - Surface Water Allocation Group</p> <p>SWPA - Sustainable Water Programme of Action</p> <p>TA - Territorial Authority: City & District Councils</p> <p>TAG - Technical Advisory Group</p> <p>Tier 1 - Site level plan or response for an oil spill</p> <p>Tier 2 - Regional level plan or response to an oil spill</p> <p>Tier 3 - National level plan or response to an oil spill</p> <p>TLA - Territorial Local Authority – City & District Councils</p> <p>TMP - Treasury Management Plan</p> <p>TOR - Terms of Reference</p> <p>TPK - Te Puni Kōkiri (Ministry of Maori Development)</p> <p>TRAION - Te Rūnanga a Iwi o Ngāpuhi</p> <p>TRC - Taranaki Regional Council</p> <p>TROTR - Te Rūnanga o Te Rarawa</p> <p>TUANZ - Telecommunications Users Association of NZ</p> <p>WCRC - West Coast Regional Council</p> <p>WDC - Whangarei District Council</p> <p>WHHIF - Whangarei Harbour Health Improvement Fund</p> <p>WRC - Waikato Regional Council</p> <p>WSMP – Workplace Safety Management Practices</p> <p>WWTP - Wastewater Treatment Plant</p>
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TITLE: Health and Safety Report

ID: A991778

To: Council Meeting, 24 October 2017

From: Tracey Warboys, Health and Safety Specialist

Date: 5 October 2017

Executive summary

This report provides an update from the Health and Safety Specialist for the month of September 2017.

Recommendation

That the 'Health and Safety Report' by Tracey Warboys, Health and Safety Specialist, dated 5 October 2017, be received.

Background

Summary of events (items of note)

Total of 15 reports for the period – increase in reporting by five against previous month.

- Discomfort, pain and injury (nine reports) – mixture of assessments, new starters, one non-work DPI and five early to report forms completed.
- Hazards (three reports) mitigating actions applied at time of report.
- Incidents (one report) apprehensive in field when approached by a wild goat.
- Lost Time Injury – (15 days) staff member tripped on uneven ground, twisted knee.

Internal policy review

- EMT feedback incorporated – final sign off with Group Manager – Corporate Excellence.
- Lone Worker and Fatigue Policies review underway.

Health and Safety Committee

- Developing well, nil issues. Next meeting scheduled 19 October.
- Well-being - team analysing stress survey results.

Health and Safety issues, inspections, visits, training and other

- First Aider training continuing. Reviewing specific 'lone worker' field first aid.
- Manual handling courses scheduled 24 and 26 October.
- Health monitoring scheduled 25 and 27 October.
- Asbestos management survey commences 10 October.
- Site visits/events - nil issues.

Authorised by Group Manager:

Name: Dave Tams

Title: Group Manager – Corporate Excellence

Date: 5 October 2017

TITLE: Confirmation of Council Minutes – 19 September 2017

ID: A989849

To: Council Meeting, 24 October 2017

From: Chris Taylor, Governance Support Manager

Date: 12 October 2017

Executive summary

The purpose of this report is to present for confirmation the minutes of the council meeting held on 19 September 2017.

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

Recommendation

That the minutes of the council meeting held on 19 September 2017 be confirmed as a true and correct record.

Attachments

- *Ordinary Council Minutes – 19 September 2017*

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 16 October 2017

NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council
held in the Council Chamber, 36 Water Street, Whangārei,
on Tuesday 19 September 2017, commencing at 10.30 am

Present:

Deputy Chairman, David Sinclair
Councillors:

John Bain
Justin Blaikie
Paul Dimery
Mike Finlayson
Penny Smart
Rick Stolwerk
Joce Yeoman

In Attendance:**Full Meeting**

Chief Executive Officer
GM – Environmental Services
Governance Support Manager
Governance Support Officer

Part Meeting

Northland Inc. Ltd Chief Executive
Northland Inc. Ltd GM Investment & Infrastructure
Northland Inc. Ltd Business Analyst
GM – Corporate Excellence
GM – Regulatory Services
Resource Management Planning & Policy Manager

The Deputy Chairman declared the meeting open at 10.30 am.

Apologies (Item 1.0)**Moved (Stolwerk/Blaikie)**

That the apologies for non-attendance from Chairman, Bill Shepherd, be received.

Carried

Declarations of Conflicts of Interest (Item 2.0)

It was advised that councillors should make declarations item-by-item as the meeting progressed.

Presentations (Item 3.1)

There were no presentations.

Health and Safety Report (Item 4.0)

ID: A983127

Report from Health and Safety Specialist, Tracey Warboys

Moved (Stolwerk/Smart)

That the 'Health and Safety Report' by Tracey Warboys, Health and Safety Specialist, dated 1 September 2017, be received.

Carried

Confirmation of Council Minutes – 22 August 2017 Council Meeting and 30 August 2017 Extraordinary Council Meeting (Item 5.1)

ID: A981508

Report from Governance Support Manager, Chris Taylor

Moved (Bain/Blaikie)

That the minutes of the council meeting held on 22 August 2017, and the minutes of the Extraordinary Council Meeting held on 30 August 2017, be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

ID: A981646

Report from Governance Support Manager, Chris Taylor

Moved (Yeoman/Stolwerk)

That the council action sheet be received.

Carried

Council Working Party Updates (Item 5.3)

ID: A978765

Report from Group Manager – Strategy and Governance, Jonathan Gibbard

Moved (Stolwerk/Blaikie)

That the report 'Working Party Updates' by Jonathan Gibbard, Group Manager – Strategy and Governance, and dated 8 September 2017, be received.

Carried

Council Working Group Updates (Item 5.4)

ID: A978778

Report from PA/ Administrator – Environmental Services, Nola Sooner

Moved (Dimery/Bain)

That the report 'Council Working Group Updates' by Nola Sooner, PA/Administrator – Environmental Services, and dated 8 September 2017, be received.

Carried

Financial Report to 31 August 2017 (Item 6.1)

ID: A981578

Report from Financial Accountant, Vincent McColl

Moved (Smart/Bain)

That the 'Financial Report to 31 August 2017' by Vincent McColl, Financial Accountant, and dated 6 September 2017, be received.

Carried

Marine Management Working Party Update (Item 7.1)

ID: A982824

Report from Group Manager - Strategy and Governance, Jonathan Gibbard

Moved (Stolwerk/Smart)

1. That the report 'Marine Management Working Party Update', by Jonathan Gibbard, Group Manager – Strategy and Governance, and dated 4 September 2017, be received.
2. That council supports the ongoing investigation of the Marine Management Working Party to facilitate the creation of a marine reserve within the Bay of Islands and converting the Mimiwhangata marine park into a marine reserve.
3. That council continues to advocate strongly to central government to actively partner with Northland tāngata whenua, communities and agencies to advance the Bay of Islands, Mimiwhangata and Tutukaka proposals to establish greater marine protected areas generally within Northland's marine environment.

Carried

TTMAC Māori Technical Advisory Group: Re-establishment and Participation in Council Processes (Item 7.2)

ID: A981801

Report from Kaiarahi Kaupapa Māori – Specialist Advisory Māori, Rachel Ropiha

Moved (Yeoman/Smart)

1. That the report 'TTMAC Māori Technical Advisory Group: Re-establishment and Participation in Council Processes', by Rachel Ropiha, Kaiarahi Kaupapa Māori – Specialist Māori Advisor, and dated 5 September 2017, be received.

2. That council agree to fund three workshops of TTMAC Māori Technical Advisory Group in order to participate in the development of the Long Term Plan 2018–2028, Regional Land Transport Review, and to develop a draft communications strategy for the Te Taitokerau Māori and Council Working Party.
3. That the following TTMAC Working Party members are appointed as the Māori Technical Working Party:

Juliane Chetham	Patu Hohepa	Henry Murphy	Mira Norris
Nora Rameka	Rowan Tautari	Bundy Waitai	
4. That for the purposes of adhering to council's Appointed Members' Policy, the membership and meeting schedule of the working party as outlined in this report be approved.

Carried

Biosecurity Operational Plan Report 2017 (Item 7.3)

ID: A982090

Report from Biosecurity Manager, Don McKenzie and Biosecurity Projects Manager, Kane McElrea

Moved (Stolwerk/Finlayson)

1. That the report 'Biosecurity Operational Plan Report 2017' by Don McKenzie, Biosecurity Manager; and Kane McElrea, Biosecurity Projects Manager, and dated 7 September 2017, be received.
2. That council receives this report as the implementation report of the Northland Regional Pest Management Strategies 2010-2015 operational plan in accordance with s100(B)(2) of the Biosecurity Act 1993 and for the period 2010 to 2017.
3. That council delegates to the Group Manager – Environmental Services the authority to make any necessary minor formatting, typographical and administrative changes to the report of the Northland Regional Pest Management Strategies 2010-2015 operational plan.

Carried

Noting of CEO's Decision to Appeal the High Court's Judgements in the MRRA and Rogan v NRC and KDC Litigation, and to seek Changes to section 53 of the Local Government (Rating) Act 2002 (Item 7.4)

ID: A982937

Report from Malcolm Nicholson, Chief Executive Officer

Moved (Dimery/Smart)

1. That the report 'Noting of CEO's Decision to Appeal the High Court's Judgments in the MRRA and Rogan v NRC and KDC Litigation, and to Seek Changes to section 53 of the Local Government (Rating) Act 2002' by Malcolm Nicolson, Chief Executive Officer, and dated 5 September 2017, be received.

2. That council notes the decision of the CEO, performed under delegated authority, to commence appeal proceedings against the decisions of the High Court in *MRRRA and Rogan v NRC and KDC* (CIV-2015-488-95).
3. That council instruct the CEO to formally pursue an amendment to section 53 of the Local Government (Rating) Act 2002 with the Department of Internal Affairs and/or the incoming Minister of Local Government, and report back to council on those discussions.

Carried
(Unanimous)

Chairman's Report to Council (Item 8.1)

ID: A981056

Report from Chairman, Bill Shepherd

Moved (Bain/Blaikie)

That the report 'Chairman's Report to Council' by the Chairman, Bill Shepherd, and dated 8 September 2017, be received.

Carried

Chief Executive's Report to Council (Item 8.2)

ID: A978658

Report from PA/Team Admin – Strategy and Governance, Sally Bowron

Moved (Finlayson/Stolwerk)

That the report 'Chief Executive's Report to Council' and dated 8 September 2017, be received.

Carried

National Policy Statement for Freshwater Management 2017 (Item 8.3)

ID: A981934

Report from Resource Management - Planning and Policy Manager, Justin Murfitt

Moved (Yeoman/Blaikie)

That the report 'National Policy Statement for Freshwater Management 2017' by Justin Murfitt, Resource Management – Planning and Policy Manager, and dated 5 September 2017, be received.

Carried

Receipt of Committee Minutes (Item 9.0)

ID: A981658

Report from Governance Support Manager, Chris Taylor

Moved (Finlayson/Stolwerk)

That the unconfirmed minutes of:

- Investment Subcommittee – 6 July 2017
- Regional Transport Committee – 9 August 2017
- Property Subcommittee – 5 September 2017

be received.

Carried

Business with the Public Excluded (Item 10.0)

ID: A983391

Report from Governance Support Manager, Chris Taylor

Moved (Stolwerk/Smart)

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matters to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

Item No.	Item Issue	Reason\Grounds
10.1	Confirmation of Confidential Minutes of the Council Meeting – 22 August 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.2	Receipt of Confidential Committee Minutes – Property Subcommittee 5 September 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.3	Human Resources Report	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons 7(2)(a).
10.4	Council Dargaville Office	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h).

- | | | |
|------|--|--|
| 10.5 | Industrial Area Properties | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |
| 10.6 | IGR Feasibility Business Case – Four Star Hotel Development Study in Whangārei CBD | The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h). |
3. That the representatives from Northland Inc. Limited be permitted to remain in public excluded to address Item 10.6.

Carried

CONCLUSION

The meeting concluded at 12.02 pm.

TITLE: Receipt of Minutes of Draft Kai Iwi Lakes Bylaw Deliberations – 25 September 2017

ID: A990023

To: Council Meeting, 24 October 2017

From: Chris Taylor, Governance Support Manager

Date: 12 October 2017

Executive summary

The purpose of this report is to present for receipt the minutes of the Draft Kai Iwi Lakes Bylaw Deliberations held on 25 September 2017.

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

Recommendation

That the minutes of the Draft Kai Iwi Lakes Bylaw Deliberations held on 25 September 2017 be received.

Attachments

- *Minutes of Draft Kai Iwi Lakes Bylaw Deliberations – 25 September 2017*

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 16 October 2017

**NORTHLAND REGIONAL COUNCIL
KAI IWI LAKES BYLAW HEARINGS PANEL**

Minutes of the Draft Kai Iwi Lakes Bylaw Deliberations
held in the Council Chamber, 36 Water Street, Whangārei,
on Monday 25 September 2017, commencing at 10.00 am

Present:

Chairman, Rick Stolwerk

Councillors:

Paul Dimery

Penny Smart

In Attendance:**Full Meeting**

GM – Customer Service/Community Resilience

Policy Development Manager

Regional Harbourmaster Maritime

Policy Analyst

Governance Support Manager

Governance Support Officer

Part Meeting

Executive Assistant Customer Service/Community Resilience

*The Chairman declared the meeting open at 10.02 am.***Apologies (Item 1.0)**

There were no apologies.

Declarations of Conflicts of Interest (Item 2.0)

It was advised that councillors should make declarations item-by-item as the meeting progressed.

*Secretarial Note: The Regional Harbourmaster Maritime provided a summary of the staff recommendations.***The Hearings Panel Deliberations on the Draft Kai Iwi Lakes Navigation Safety
Bylaw 2017 (Item 3.0)**

ID: A949574

Report from Regional Harbourmaster Maritime, Jim Lyle

Moved (Dimery/Smart)

1. That the report 'The Hearings Panel Deliberations on the Draft Kai Iwi Lakes Navigation Safety Bylaw 2017' by Jim Lyle, Harbourmaster, and dated 25 September 2017 be received.
2. That Tony Phipps, Group Manager – Customer Service/Community Resilience be given delegated authority to approve any consequential amendments as a result of the Hearings Panel decisions on submissions and any minor accuracy and grammatical amendments.

Carried

Moved (Stolwerk/Smart)

3. That the Hearings Panel supports the addition of the definition of Director as outlined in section 1.4 Definition of terms, in the draft Kai Iwi Lakes Navigation Safety Bylaw 2017.
4. That the Hearings Panel supports the alteration of the definition for 'Towing a person' to add the mention of wake boarding and water skiing.
5. That the Hearings Panel supports updating of the definition of 'Flag A' to provide a higher level of detail and align with the Regional Navigation Safety Bylaw 2017.
6. That the Hearings Panel supports the update to the definition of 'Access lanes' to clarify and reference the map in Schedule 1.
7. That the Hearings Panel supports the update to the definition of 'Swimming Area' to reference the map in Schedule 1.
8. That the Hearings Panel supports the update to the definition of 'Recreational vessel' and should be replaced with 'vessel' to provide clarity.

Carried

Moved (Dimery/Smart)

9. That the Hearings Panel supports further consultation on the speed uplifting at 100m with a view to making an application to the Director of Maritime New Zealand.

Carried

Moved (Smart/Dimery)

10. That the Hearings Panel supports the update to the definition of 'Honorary Enforcement Officer' to provide clarity of what powers are given.
11. That the Hearings Panel supports adoption of Section 1: Preliminary Provisions of the Draft Navigation Safety Bylaw, inclusive of recommendations 3 – 10 above.
12. That council representatives discuss the bylaw with the Taharoa Domain Committee at its next meeting.

Carried

Moved (Stolwerk/Smart)

13. That the Hearings Panel supports the alteration of title 'Carriage and wearing of personal floatation devices on vessels', to exclude the provisions relating to recreational vessels and concentrate on all vessels.
14. That the Hearings Panel supports the alteration of clause 2.1.1 to be amended to delete the reference to recreational vessels within the clause.
15. That the Hearings Panel supports adoption of Section 2: General Matters of the Draft Kai Iwi Lakes Navigation Safety Bylaw, inclusive of recommendations 13 and 14 above.

Carried

Secretarial Note: Recommendation 16 'That the Hearings Panel supports the alteration of the clause 3.3.1 (c) to clarify that within 200 metres of the shore you must not exceed 5 knots' lapsed due to the lack of mover and seconder. This matter would be consulted on as per resolution 9.

Moved (Dimery/Smart)

17. That the Hearings Panel supports the deletion of clause 3.3.3 (c) to remove the exemption for board sports to exceed the speed limit.
18. That the Hearings Panel supports the alteration of clause 3.5.2 Collision Prevention for the direction of travel on the lakes.

Moved (Dimery/Smart)

19. That the Hearings Panel supports adoption of Section 3: Operating Requirements of the Draft Kai Iwi Lakes Navigation Safety Bylaw, inclusive of recommendations 17 and 18 above.

Carried

Moved (Stolwerk/Dimery)

20. That the Hearings Panel supports the deletion of the Nobb Point swimming area as defined on the map in schedule 1 and the alteration of clause 4.1.1 to change the wording of powered craft to power driven vessels allowing for clarity.
21. That the Hearings Panel supports the alteration of clause 4.3 to align the diving requirements with the Regional Navigation Safety Bylaw 2017.
22. That the Hearings Panel supports the alteration of Access lanes in clause 4.5 to provide clarity and align with the Regional Navigation Safety Bylaw 2017.
23. That the Hearings Panel supports the deletion of prohibition of power driven vessels on Lake Kai Iwi and Lake Waikare as the lakes have not been banned from the Navigation Safety Bylaw but from the Taharoa Domain Governance Committee.
24. That the Hearings Panel supports adoption of Section 4: Activities of the Draft Kai Iwi Lakes Navigation Safety Bylaw, inclusive of recommendations 20 to 23 above.

Carried

Moved (Stolwerk/Smart)

25. That the Hearings Panel supports adoption of section 5: Operating Requirements of the Draft Kai Iwi Lakes Navigation Safety Bylaw.

Carried

Moved (Stolwerk/Smart)

26. That the Hearings Panel supports the deletion of clause 6.2, On Water permits for vessels.

Carried

Moved (Stolwerk/Smart)

27. That the Hearings Panel supports the deletion of clause 6.8 (6), so the map forms part of the bylaw.

Carried

Moved (Stolwerk/Smart)

28. That the Hearings Panel supports adoption of section 6: Administrative Matters of the Draft Kai Iwi Lakes Navigation Safety Bylaw, inclusive of recommendations 26 and 27 above.

Carried

Moved (Stolwerk/Smart)

29. That the Hearings Panel supports the changes approved on the map (as displayed at the meeting) with the legend being amended to show the 200m speed limit on the lakes was according to Maritime Rule Part 91 and under consultation.

Carried

Moved (Stolwerk/Dimery)

30. That the Hearings Panel supports adoption of Schedule 1 – Areas defined of the Draft Navigation Safety Bylaw (subject to the map being amended as per resolution 29).

Carried

Secretarial Note: The recommendations of the Hearings Committee to be presented for full council consideration at the ordinary meeting on 24 October 2017.

CONCLUSION

The meeting concluded at 11.11 am.

TITLE: Receipt of Action Sheet
ID: A990090
To: Council Meeting, 24 October 2017
From: Chris Taylor, Governance Support Manager
Date: 12 October 2017

Executive summary

The purpose of this report is to enable the council to receive the current council action sheet.

Recommendation

That the council action sheet be received.

Attachments

- *Council Action Sheet*

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager – Strategy and Governance
Date: 16 October 2017

Council Actions new								
IRISID	Current Status	Request Date	Reso/Req	Description	Request Details	Note Text	Date of Note	Requested By
REQ.585910	Open	22 Aug 2017	REQ	Revenue and Collections Quarterly Reporting	That a first quarter Revenue and Collections report from all the TLAs be provided to council (both as an agenda item and via email). The council to then review whether this reporting be continued.	The information will be provided to the October 2017 council meeting.	06 Sep 2017	Council
REQ.585930	Open	22 Aug 2017	RESO	Loan to Northland Emergency Services Trust	That the details of the security arrangement being offered on the second aircraft be brought to council for approval.	Negotiations underway, documentation being prepared.	17 Oct 2017	Council
REQ.586051	Closed	30 Aug 2017	RESO	Catchment Management Plans Availability	That the adopted catchment management plans be made available on council's website.	Catchment plans live on website.	11 Oct 2017	Council
REQ.586052	Closed	30 Aug 2017	REQ	A letter of appreciation	A letter of appreciation to be sent to the members of the Māori Technical Working Party.	Complete.	17 Oct 2017	Council
REQ.586274	Closed	19 Sep 2017	REQ	Argentinian Ants	That we advise the public that NRC has resources to address Argentinian ants.	We provide control advice assist groups under taking argentine ant control and ID samples but cannot sell extinguish ant bait to the public below the cost that flybusters franchise holders sell it. Currently the bait cost of argentine ant control is about \$1600 per ha Ant sand is available and we could sell that at cost \$130/10 kg.	11 Oct 2017	Council
REQ.586275	Closed	19 Sep 2017	REQ	Kauri Dieback	That an extraordinary meeting of the Pest Management Working Party be organised to discuss Kauri Dieback. A briefing to then be provided to council and feedback to go to the governance meeting on 13 October.	This matter will be discussed at the meeting on 18 October 2107.	11 Oct 2017	Council
REQ.586278	Closed	19 Sep 2017	REQ	Letters of Appreciation	That letters of appreciation be provided to the finance team to acknowledge their contribution to the audit process.	COMPLETE. Letters have been circulated.	22 Sep 2017	Council

TITLE: Council Working Party Updates

ID: A989032

To: Council Meeting, 24 October 2017

From: Jonathan Gibbard, Group Manager – Strategy and Governance

Date: 12 October 2017

Executive summary

The purpose of this report is to update council on the recent discussions/activities of its respective working parties. Please note that working parties carry no formal decision-making delegations from the council.

Recommendation

That the report 'Working Party Updates' by Jonathan Gibbard, Group Manager – Strategy and Governance, and dated 12 October 2017, be received.

Te Taitokerau Māori and Council Working Party (Co-chairs Cr Dimery and member Tipene)

TTMAC Working Party met on 5 October. The agenda covered reports about TTMAC participation in other working parties and the Technical Advisory group, and presentations on the Resource Management Act, Te Oneroa-a-Tōhē Board, and the National Policy Statement for Freshwater Management.

Some key items discussed were Māori representation / constituencies as provided for in the Local Electoral Act 2001 (refer to Item 7.7), and review of the working party's Draft Terms of Reference (refer to Item 7.6).

Authorised by Group Manager:

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 16 October 2017

TITLE: Council Working Group Updates

ID: A989040

To: Council Meeting, 24 October 2017

From: Nola Sooner, PA/Administrator - Environmental Services

Date: 10 October 2017

Executive summary

The purpose of this report is to update council on the recent discussions/activities of its respective working groups. Please note that working groups carry no formal decision-making delegations from the council.

Recommendation

1. That the report 'Council Working Group Updates' by Nola Sooner, PA/Administrator – Environmental Services and dated 6 October 2017, be received;
2. That the Council notes the Kāeo -River Whangaroa Catchment Working Group supports the concept of the proposed Flood Infrastructure Rate and supports their recommendation to progress with further investigations into the proposed Kāeo Flood Scheme Stage II;
3. That the Council notes the Kāeo -River Whangaroa Catchment Working Group supports the concept of the Matangirau Floodway, and supports their recommendation that these works be brought forward to years 2 and 3 within the LTP 2018-2028; and
4. That the Council supports the Kāeo -River Whangaroa Catchment Working Group recommendation that \$50,000 of the surplus Kaeo River Rate is to be used as a contribution towards the Matangirau bridges subject to Far North District Council funding.

Waitangi Catchment Working Group (Chair Don Jack)

The Waitangi Catchment Working Group met on 21 September 2017. Topics for discussion included:

- A celebration of how far the group have come and to discuss the next steps of the group in the coming year.
- Immediate future of the rules in the catchment plan through the submission process of the Proposed Regional Plan.
- Members were requested to submit if they felt positively or negatively regarding the new plan.
- Dairy NZ gave a presentation to the Waitangi Catchment Working Group. Waitangi Catchment Working Group agreed to support a Sustainable Farming Fund (SFF) Application titled "Productive Riparian Area" that was applied for by Dairy NZ on behalf of three catchments in NZ, Including Waitangi. If the SFF is successful, the working group will support the implementation of the project in the catchment as it aligns nicely with many of the recommendations for the catchment plan

Following discussion, the working group agreed to:

- Hold the next meeting on the Waitangi Marae on 7 December 2017.
- Invite members of the Waitangi River Working Group to join on 7 December 2017, being the first combined Waitangi Catchment Working Group. Draft terms of reference will be supplied to all members.

- Request that members consider the priority projects for the \$10,000 implementation fund to be spent by June 2018.

Kaihū River Working Group (Chair John Bain)

The Kaihū River Working Group met on 6 September 2017. Topics for discussion included:

- 2017-2018 Budget and proposed works program.
- Northland Irrigation Study Update.

Following discussion, the working group agreed to:

- Survey gravel islands on the Kaihu River and calculate a volume of new gravel.
- Investigate feasibility of Manchurian Ricegrass checks of inland lakes.
- Ask for a variation to the Resource Consent to allow spraying outside the consent dates to take advantage of warm Spring weather.

Kāeo River-Whangaroa Catchment Working Group (Chair Justin Blaikie)

The Kāeo -River Whangaroa Catchment Working Group met on 29 September 2017. Topics for discussion included:

- 2017-2018 Budget and proposed works program.
- Draft Long Term Plan.
- Shepherd's Forest Update

Following discussion, the working group agreed:

- Work to be scoped upstream of the Patunga Bridge.
- Staff to advise Council that the Working Group supports the concept of the proposed Flood Infrastructure Rate and further investigations into the proposed Kāeo Flood Scheme Stage II.
- Staff to advise Council that the Working Group supports the concept of the Matangirau Floodway, and supports their recommendation that these works be brought forward to years 2 and 3 within the LTP 2018-2028;
- Staff to advise Council that the Working Group supports \$50,000 of the surplus Kaeo River Rate to be used as a contribution towards the Matangirau bridges subject to Far North District Council funding.
- NRC staff to distribute a written report from the Compliance Team that monitors the forestry operations.

Awanui River Working Group (Chair Mike Finlayson)

The Awanui River Working Group met on Thursday 21 September 2017. Topics for discussion included:

- Review Urban Kaitāia upgrade.
- Budget 2017-2018 & Proposed Works Programme.
- Long Term Plan (LTP) & 30-year Draft Infrastructure Strategy for Awanui.

Following discussion, the working group agreed:

- Staff to circulate the final Riley Report and Edgecumbe report to the working group.
- The Awanui River Working Group requests council to consider advancing \$300,000 of funding to complete works on setting back stopbanks on the Awanui River from the SH1 Bridge to the Waihoe outfall in 2017/18, given that the current landowners have generously agreed to allow their land to be used for this purpose.
- Staff to include option 1 for \$14.99 million as the preferred option with option 2 for \$7.9 million as the alternative option for presentation in the LTP.

Authorised by Group Manager:

Name: Bruce Howse

Title: Group Manager – Environmental Services

Date: 10 October 2017

TITLE: Financial Report to 30 September 2017

ID: A989647

To: Council Meeting, 24 October 2017

From: Vincent McColl, Financial Accountant

Date: 12 October 2017

Executive summary

This report is to inform council of the year to date (YTD) financial result to September 2017. Council has achieved a YTD surplus after transfers to and from reserves of \$2.84M. This compares to the budgeted surplus after reserve transfers of \$2.83M unfavourably by \$11K.

Recommendation

That the 'Financial Report to 30 September 2017' by Vincent McColl, Financial Accountant, and dated 12 October 2017, be received.

Report

SUMMARY OPERATING RESULTS			
	000's ACTUAL YTD	000's BUDGET YTD	000's VARIANCE YTD
Revenue (including other gains)	\$ 11,384	\$ 10,956	\$ 428
Expenditure	\$ 7,374	\$ 7,587	\$ 212
NET (COST)/SURPLUS BEFORE TRANSFERS FROM/(TO) RESERVES	\$ 4,010	\$ 3,370	\$ 640
Transfer From (To) Special Reserves	\$ (1,174)	\$ (545)	\$ (629)
NET (COST)/SURPLUS AFTER TRANSFERS FROM/(TO) RESERVES	\$ 2,836	\$ 2,825	\$ 11

Revenue

Year to date revenue is \$11.38M which is \$428K or 3.9% above budget.

ITEM: 6.1

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YTD REVENUE VARIANCE INDICATORS BY REVENUE TYPE				
<div><div></div> = negative unfavourable variance over 10%</div> <div><div></div> = negative unfavourable variance under 10%</div> <div><div></div> = positive favourable variance</div>		FAV / (UNFAV)		Commentary
		\$	%	
Rates		\$17,397	0.3%	
User Fees and Sundry		(\$106,842)	(5.7%)	<div><div>• Lower than consent application fees \$92K</div><div>• Lower than budgeted transport income \$84K</div><div>Offset by:</div><div>• Higher than budgeted prosecutions income \$21K</div><div>• Higher than budgeted consent monitoring fees \$20K</div></div>
Grants and Subsidies		\$63,437	18.8%	<div><div>• Unbudgeted MFE subsidies for the Kaipara Harbour Sediment Study \$24K</div><div>• Unbudgeted subsidies for the Dune lakes and Freshw ater NPS programmes of \$28K</div></div>
Investment Interest Income		\$102,260	54.6%	<div><div>• Working capital fund gains \$87K above budget due to a higher value in the fund than budgeted</div></div>
Investment Property Income		(\$27,455)	(4.0%)	<div><div>• Lower MPRL property rent than budget of \$14K due to a vacant property due to be tenanted and a timing issue to be remedied in October.</div><div>• Low er commercial property rent of \$15K due to an outstanding arbitration rent arrears settled in October</div></div>
Dividend Income		\$435	0.0%	
Property Reinvestment Fund		\$38,526	9.8%	<div><div>• Actual returns of 2.1% are greater than the budgeted 1.7%</div></div>
Community Investment Fund		\$152,315	70.5%	<div><div>• Actual returns of 2.7% are greater than the budgeted 1.7%. This includes some beneficial NZD/AUD cross rate currency movements.</div></div>
Infrastructure Reinvestment Fund		\$187,810	228.1%	<div><div>• Actual returns of 2.9% are greater than the budgeted 1.7%. The fund is also higher than budgeted due to the additional \$2.8M of borrow ing being invested here. This includes some beneficial NZD/AUD cross rate currency movements.</div></div>
Total		\$427,883	3.9%	

Note: Gains on the externally managed funds include accruals for the month of September as advised by Jonathan Eriksen

Expenditure

Year to date expenditure is \$7.37M, which is \$212K or 2.8% below budget.

YTD EXPENDITURE VARIANCE INDICATORS BY COUNCIL ACTIVITY				
<div><div></div><div></div><div></div></div>	<div>= negative unfavourable variance over 10%</div> <div>= negative unfavourable variance under 10%</div> <div>= positive favourable variance</div>	FAV / (UNFAV)		Commentary
		\$	%	
Regulatory Services		\$90,336	4.8%	
Environmental Services		\$126,723	5.6%	• Timing of programmes of work
Strategy and Governance		(\$25,202)	(1.5%)	• Higher than budgeted councillor milage reimbursement of \$9K • Te Hiku Beach board consultants \$8K offset w ith funding
Customer Service - Community Resilience		(\$5,522)	(0.3%)	
Corporate Excellence		\$80,627	6.7%	• Lower HR legal and consultant costs than budgeted of \$12K. • Lower er finance legal and consultants costs than budgeted of \$6K • Lower er labour charged to continuous improvement of \$7K • Lower er external interest of \$7K due to more borrowing being attributed to the Aw anui and Whangarei River schemes than budgeted
CEO Office		(\$26,757)	(4.4%)	• Legal fees relating to the sale negotiations on Carruth street of \$23K. Upon settlement this w ill be funded from sale proceeds.
Internal Transfers		(\$27,938)	1.7%	
Total		\$212,267	2.8%	

Transfers to reserves

Year to date transfers to reserves are \$1.17M or \$629K more than budgeted. This is predominantly due to greater than budgeted net gains of \$352K on our externally managed funds being transferred to their respective reserves and expenditure requiring funding from reserves being lower than anticipated.

Authorised by Group Manager

Name: Dave Tams
Title: Group Manager – Corporate Excellence
Date: 12 October 2017

TITLE: Regional Software Holdings Limited's Annual Report for the Year Ended 30 June 2017

ID: A980197

To: Council Meeting, 24 October 2017

From: Vincent McColl, Financial Accountant

Date: 12 October 2017

Executive summary

The purpose of this report is to present to council Regional Software Holdings Limited's ('RSHL') Annual Report for the year ended 30 June 2017.

RSHL is a council controlled organisation owned by Waikato Regional Council (32.75%), Northland Regional Council (16.75%), Horizons Regional Council (15.50%), Taranaki Regional Council (15.50%), Southland Regional Council (15.50%), and West Coast Regional Council (4.00%). RSHL was incorporated on 17 October 2012 for the primary purpose of managing the investment and development of the Integrated Regional Information System (IRIS). Council's Chief Executive Officer is a director of RSHL.

Please refer to **Attachment One** for the signed RSHL Annual Report for the year ended 30 June 2017.

In accordance with council's accounting standards council recognised its 16.75% share of RSHL's net deficit being (\$12,017) on consolidation.

At 30 June 2017 RSHL has a total share capital of \$5,149,150. Council's share of this called up capital is \$862,483 (representing a 16.75% shareholding) and is recognised on the council's Balance Sheet.

Recommendation

That the report 'Regional Software Holdings Limited's Annual Report for the Year Ended 30 June 2017' by Vincent McColl, Financial Accountant, and dated 12 October 2017, be received.

Attachment:

- Attachment One: RSHL Annual Report for the year ended 30 June 2017 (included in the Supporting Information)

Authorised by Group Manager:

Name: Dave Tams

Title: Group Manager – Corporate Excellence

Date: 12 October 2017

TITLE: Northland Inc. Limited: Annual Report for the Year Ended 30 June 2017

ID: A990421

To: Council Meeting, 24 October 2017

From: Simon Crabb, Finance Manager; and Jon Trewin, Policy Analyst

Date: 4 October 2017

Executive summary

Northland Inc. Limited's (NINC) Annual Report 2016/17 conforms to the requirements of the Local Government Act 2002 and made a surplus after tax of \$243 in the 2017 financial year, producing a closing equity position at 30 June 2017 of \$112,978. In addition, 10 of the 11 performance measures set out in NINC Statement of Intent 2016–2019 have been achieved.

Recommendation

That the report 'Northland Inc. Limited: Annual Report for the Year Ended 30 June 2017, by Simon Crabb, Finance Manager; and Jon Trewin, Policy Analyst, dated 4 October 2017, be received.

Background:

As required under section 67 of the Local Government Act 2002 (LGA), Northland Inc. Limited has provided council with a copy of their Annual Report for the year ended June 2017 (**Attachment 1**).

Officials have reviewed the Annual Report and confirm that the requirements of the LGA in relation to the content (i.e. sections 68 and 69) have been met, e.g. reporting against the Statement of Intent (SOI), audited consolidated financial statements, and an independent auditor's report.

Northland Inc. Limited made a surplus after tax of \$243 in the 2017 financial year (2016: \$41,886) producing a closing equity position at 30 June 2017 of \$112,978 (2016: \$112,735).

In terms of reporting against the key performance measures set out in the SOI 2016–2019, the following table details the results, achieving 10 of the 11 targets.

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Measure / Target	2016/17 performance	Result
Growth in Northland businesses engaged with Northland Inc. measured through an increase in:		
Aggregate turnover by 5% per annum	8%	Achieved
25% of RBP active companies are research active	30.2%	Achieved
Northland Inc. Board recommendations made to the NRC Investment and Growth Reserve		
One project for debt or equity funding per annum	Onyx Capital/Maungatapere Berries	Achieved
One project for impact investment funding per annum	E350 and Hundertwasser Arts Centre	Achieved
One project partnering with iwi, hapu and/or Māori collective organisations on economic development per annum	Otuhau-Whangārei Falls Cultural Tours	Achieved
Promotion of the region measured by:		
10% annual increase in Google Analytics sessions on northlandnz.com per annum	+32%	Achieved
Industry investment of \$300,000 per annum in regional promotions activity	\$340,408	Achieved
An equivalent advertising value of \$15M per annum achieved from destination media coverage	\$30,632,529	Achieved
Implementation of the Action Plan measured by:		
Value of confirmed investment from outside the region into Northland projects	\$22,327,625	Achieved
Projects/actions successfully completed	14 of 61 projects completed (24%), 54 key actions completed across the remaining projects	Achieved
At least five new projects added to the action plan per annum	Three were added in 2016/17	Not achieved

Northland Inc. Limited has called an Annual General Meeting (AGM) for Monday, 27 November 2017. The AGM will be held at the office of Northland Inc. Limited located at 85 Cameron Street, Whangārei 0110.

A representative from Northland Inc. Limited will attend the council meeting to answer any questions.

Attachment:

- Attachment 1: Northland Inc. Annual Report 2016/17 (included in the Supporting Information)

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 4 October 2017

TITLE: Northland Inc. Limited: Change to Statement of Intent 2017–2020 (Accounting Standards)

ID: A990426

To: Council Meeting, 24 October 2017

From: Simon Crabb, Finance Manager; and Jon Trewin, Policy Analyst

Date: 4 October 2017

Executive summary

Northland Inc. Limited (NINC) wish to make a change to their Statement of Intent (SOI) 2017–2020 to modify the accounting policies contained in Appendix A of the SOI. This would change the policy wording in the Appendix, to accurately reflect the current use of Tier 2 accounting standards by NINC, rather than the Tier 3 accounting standards previously used. A letter was received from NINC (see **Attachment 1**) on 20 September 2017 outlining the proposed change to the wording of Appendix A.

The report concludes that council support this change.

Recommendations

1. That the report 'Northland Inc. Limited: Change to Statement of Intent 2017–2020 (Accounting Standards)' by Simon Crabb, Finance Manager; and Jon Trewin, Policy Analyst, dated 4 October 2017, be received.
 2. That council support the amendment to the SOI 2017–2020 to change the Accounting Standards from Tier 3 to Tier 2.
-

Background

NINC transitioned to using Tier 2 accounting standards from 1 July 2016, however, the SOI 2017–2020 references Tier 3 standards which are no longer being used by NINC. NINC therefore propose to amend Appendix A to accurately reference Tier 2 rather than Tier 3 standards, and that this amendment will have no material impact.

Under Clause 4, Schedule 8 of the Local Government Act 2002, NINC must notify council of the proposed modification and consider any comments provided by the council up to one month after the date of which notice was given (or shorter if agreed by council).

The October council meeting falls on 24 October which is more than the one month prescribed in legislation from the receipt of the letter (being the 20 September). Council can, however, under Clause 5, Schedule 8 of the Local Government Act 2002, resolve that a modification be made to a SOI, including a modification to the accounting policies. In practice, this means that any change in wording to the SOI accounting policies by NINC can be reversed by council resolution.

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A representative from Northland Inc. Limited will attend the council meeting to answer any questions.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Support the change to the wording in the SOI, referencing the use of Tier 2 accounting standards instead of Tier 3 accounting standards	Aligns the policy on accounting standards in the SOI report with the accounting standards being used in practice by Northland Inc. This provides a consistent approach.	None identified.
2	Do not support the change	None identified.	Retaining the existing wording referencing Tier 3 accounting standards in the SOI report is inconsistent with the adoption of Tier 2 standards being used in practice by NINC.

Staff recommend that council support Option 1.

2. Significance and engagement

In relation to section 79 of the Local Government Act 2002, this decision is considered to be of low significance when assessed against council's significance and engagement policy because the activity is provided for in council's Long Term Plan 2015–2025 and previous decisions of council to set up Northland Inc. Limited as its council controlled organisation. This decision is, therefore, part of council's normal day to day operations.

3. Policy and legislative compliance

The activities detailed in this report are in accordance with activities prescribed in the Long Term Plan 2015–2025 and consistent with Schedule 8 of the Local Government Act. Staff have also consulted with Deloitte (NINC's auditors), who have confirmed their support for the amendment proposed in this report.

Further considerations

4. Community views

There are no known community views relating to this accounting matter.

5. Māori impact statement

There are no known specific Māori views or impacts relating to this accounting matter.

6. Financial implications

There are no known financial implications for council from the receipt of this information.

7. Implementation issues

There are no known implementation issues for council.

Attachment:

- Attachment 1: Letter from Northland Inc. requesting a change to the Accounting Standards detailed in the SOI 2017–2020.

Authorised by:

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 4 October 2017

20 September 2017

Malcolm Nicolson
Northland Regional Council
Private Bag 9021
Whangārei Mail Centre
Whangārei 0148

Dear Malcolm

Changes to the SOI 2017/20

Subject to clause 4 of Schedule 8 of the Local Government Act 2002 we would like to modify the SOI accounting policies due to the late decision to move to the tier 2 Public Benefit Entity financial reporting standards.

Please find below the new wording.

1. Statement of Accounting Policies

BASIS OF PREPARATION

The financial statements have been prepared in accordance with Tier 2 Public Benefit Entity (PBE) Financial Reporting Standards as issued by the New Zealand External Reporting Board (XRB). They comply with New Zealand equivalents to International Public Sector Accounting Standards Reduced Disclosure Regime (NZ PBE IPSAS with RDR) and other applicable Public Benefit Entity Financial Reporting Standards as appropriate to Public Benefit Entities.

The entity is eligible to report in accordance with Tier 2 PBE Accounting Standards on the basis that it does not have public accountability and is not large. The entity transitioned to PBE Standard Tier 2 from 1st July 2016.

The financial statements have been prepared in accordance with the Local Government Act 2002, which requires compliance with generally accepted accounting practice in New Zealand ("NZ GAAP"). [LGA. 111].

The entity is deemed a public benefit entity for financial reporting purposes, as its primary objective is to provide services to the community for social benefit and has been established with a view to supporting that primary objective rather than a financial return.

CHANGES IN ACCOUNTING POLICIES

Previously adopted Public Benefit Entity Simple Format Reporting - Accrual (Not-For-Profit). The impact of new and amended standards and interpretations applied in the year was limited to additional note disclosures.

Yours sincerely



Vaughan Cooper
Acting CEO

TITLE: Regional Rates Collection – Update to 30 September 2017

ID: A991361

To: Council Meeting, 24 October 2017

From: Simon Crabb, Finance Manager

Date: 6 October 2017

Executive summary

The three district councils administer the collection of the regional council rates on our behalf. The purpose of this report is to provide an update on the collection of this year's current rates and the rate arrears owing to the regional council by each district council.

Recommendation

That the report 'Regional Rates Collection – Update to 30 September 2017' and its attachment, by Simon Crabb, Finance Manager, and dated 6 October 2017, be received.

Report

Table one over the page presents a full reconciliation of the NRC 2017/18 current rates and rate arrears that have been collected by each council in the three months to 30 September 2017, and the outstanding amounts that remain to be collected.

Far North District Council

The Far North District Council has collected 27% of our current year rates (2016 comparative 26%). \$120,920 of rate arrears have also been collected resulting in a closing rate arrears balance still to be collected of \$3,212,284.

Kaipara District Council

The Kaipara District Council has collected 29% of our current year rates (2016 comparative 26%). \$74,381 of rate arrears have also been collected resulting in a closing rate arrears balance of \$460,556.

Whangarei District Council

The Whangarei District Council has collected 45% of our current year rates (2016 comparative 40%). \$101,245 of rate arrears have also been collected resulting in a closing rate arrears balance of \$246,648.

Attachment One is the regular report provided by Far North District Council on the actions they have in place to collect current rates and rate arrears.

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Table one. 2017-18	Far North District Council	Kaipara District Council	Whangarei District Council	TOTAL
Current Year Rates				
Full Year Rate Strike	\$8,310,832	\$3,683,891	\$12,645,032	\$24,639,755
plus penalties added	\$12,488	\$9,240	\$15,886	\$37,614
less write offs		-\$2,748		-\$2,748
less postponed rates			-\$14,328	-\$14,328
less rates remissions	-\$181,992	-\$15,324	-\$238,185	-\$435,501
less penalty remissions			-\$3,729	-\$3,729
plus other adjustments	\$589		-\$1,621	-\$1,032
Total Current Year Rates	\$8,141,917	\$3,675,059	\$12,403,055	\$24,220,031
Current Year Rates Collected (YTD)				
Current rates collected	-\$2,225,545	-\$1,053,932	-\$5,565,629	-\$8,845,106
Current rate penalties collected		-\$2,892		-\$2,892
Plus other current rate adjustments				\$0
Total Current Year Rates Collected	-\$2,225,545	-\$1,056,824	-\$5,565,629	-\$8,847,998
Current Rates YTD Collection Rate	27%	29%	45%	37%
Balance of Current Rates remaining to be collected during year	\$5,916,372	\$2,618,235	\$6,837,426	\$15,372,033
Rate Arrears				
Opening Rate Arrears	\$3,339,391	\$496,147	\$327,268	\$4,162,806
less rate arrear write offs	-\$6,187	-\$6,695	-\$255	-\$13,137
plus rate arrear penalties added		\$45,485	\$21,245	\$66,730
less rate arrear remissions				\$0
less rate arrear penalty remissions			-\$365	-\$365
Total Rates Arrears	\$3,333,204	\$534,937	\$347,893	\$4,216,034
Rate Arrears Collected (YTD)				
Rate arrears collected	-\$120,920	-\$61,491	-\$101,245	-\$283,656
Rate arrear penalties collected		-\$12,890		-\$12,890
Total Rate Arrears Collected	-\$120,920	-\$74,381	-\$101,245	-\$296,546
Rate Arrears YTD Collection Rate	4%	14%	29%	7%
Balance of Rate Arrears outstanding and remaining to be collected	\$3,212,284	\$460,556	\$246,648	\$3,919,488

Attachment

Attachment 1: FNDC Revenue and Collections Quarterly Report.

Authorised by Group Manager

Name: Dave Tams
Title: Group Manager – Corporate Excellence
Date: 6 October 2017

Item: 6.5**Attachment 1****MEETING: FINANCE COMMITTEE – NORTHLAND REGIONAL COUNCIL****Name of item: REVENUE AND COLLECTIONS QUARTERLY REPORT
30 September 2017**

Author: Nuku Jones, Manager Financial Accounting

Date of report: 12 October 2017

Document number: A1923745

Executive Summary

The purpose of the report is to provide quarterly reporting to Northland Regional Council on action to collect current rates and rate arrears, and to provide information on how collection is tracking against targets.

1) Background:

This document has been prepared to highlight the actions taken by Far North District Council to manage the collection of the Northland Regional Council's rates and to reduce the monies outstanding. This report is prepared as at the end of the first quarter of the financial year 2017/18 and provides a comparison between the 2016/17 and 2017/18 rating years.

2) Discussion and options

- Debt officers have been “allocated” a case load to work on from the top 50 highest General Title arrears accounts. This continues to be the focus for the team in the coming months.
- The team are continuing to
 - Prepare the files that are sent to the banks for the collection of outstanding rates on properties with a mortgage
 - audit existing collection types to ensure minimum repayments are being met
 - Increase phone communications with those in arrears with no collection type in place
 - review accounts with collection agencies to ensure any long standing arrears are brought back to Councils Debt collection team to proceed with the next appropriate course of action e.g. abandoned land or legal collection processes
- Unfortunately the team remains at three full time employees for the time being. Administration support is being sourced in the short term whilst a more permanent solution is reached
- The ongoing promotion of the Internal Affairs Rates Rebates Scheme in day to day communications with Ratepayers and regular meetings with relevant community organisations is another key focus.

Collection Data

A breakdown of the current and arrears outstanding debt is summarised in the following table:

NRC Outstanding Debt as at 30 September 2017			
	General Title	Maori Freehold Land	Total
Rates Strike to September 2017 (1st Instalment)	1,912,258	165,449	2,077,708
Rates Adjustments/ Current Penalties/Rebates	-90,376	-81,546	-171,922
Current Rates Collected to 30 September 2017[1]	-2,159,486	-66,059	-2,225,545
Current Rates to be collected	-337,604	17,844	-319,759
Arrears	787,680	2,189,046	2,976,726
Arrears Penalties	75,410	281,067	356,478
Less Arrears Collected	-111,874	-9,046	-120,920
Arrears to be collected	751,216	2,461,067	3,212,284
Total Debt to be collected	413,612	2,478,912	2,892,524

[\[1\] This figure includes credit balances where ratepayers have paid current year's rates in advance.](#)

Current Rates to be collected are in credit by a total of \$319k, as some ratepayers have paid their full year's rates in advance.

A detailed analysis of arrears that identifies the debt by collection status is provided in the table below.

Arrears Collection Type Analysis						
Collection Type	Arrears \$			% of collection type to Total debt to be collected		
	General Title	Maori Freehold Land	Total	General Title	Maori Freehold Land	Total
Direct Debits (repay arrears within 2 years - REP)	7,983	1,293	9,276	1%	0%	0%
Direct Debits other (not under REP)	15,501	17,365	32,866	2%	1%	1%
DMT Agreements to pay	1,320	802	2,122	0%	0%	0%
External Collection Agency	198,486	15,667	214,153	26%	1%	7%
Abandoned Land	48,851	0	48,851	7%	0%	2%
Legal	14,696	0	14,696	2%	0%	0%
Deceased	25,848	8,198	34,046	3%	0%	1%
Mortgage (estimate .06%)	111,915	388	112,303	15%	0%	3%
Total under above arrangements	424,599	43,713	468,312	57%	2%	15%
Balance to be collected by Other means	326,617	2,417,354	2,743,972	43%	98%	85%
Total Debt to be collected	751,216	2,461,067	3,212,284	100%	100%	100%

Council's remission policies

Council's remission policies are designed to recognise the unique nature of the Far North with its significant areas of unoccupied Maori freehold land. Overall the policies address issues of financial hardship and the protection of areas of land with particular conservation or community values. The following table shows the instance of remissions for each policy and the financial impact of these remissions.

Policy Name	Number Remissions Granted Year to date			
	2018		2017	
	Qty	\$value	Qty	\$value
Maori Freehold Land Remissions	636	\$ 98,340.71	722	\$177,594.68
Charitable or Community Organisations	46	\$ 7,561.22	50	\$ 8,468.59
Remission of Postponements	0	\$ -	32	\$ 7,369.22
Contiguous Properties	371	\$ 47,112.09	450	\$ 57,221.50
Properties partly in District	1	\$ 76.86	1	\$ 75.83
Conservation Property	219	\$ 38,844.58	211	\$ 18,242.69
Total	1,273	\$191,935.46	1,505	\$227,133.00

TITLE: Establishment of Whangārei Public Transport Working Party

ID: A992821

To: Council Meeting, 24 October 2017

From: Tony Phipps, Group Manager – Customer Service/Community Resilience

Date: 13 October 2017

Executive summary

Both Northland Regional Council and Whangarei District Council have key roles and responsibilities in providing public passenger transport services for Whangārei and there are significant issues relating to public passenger transport that require coordination between and contributions from both councils.

It is recommended that the two councils establish a joint working party to examine and discuss Whangārei public transport issues and advise and make recommendations to both councils.

Recommendations

1. That the report 'Establishment of Whangārei Public Transport Working Party' by Tony Phipps, Group Manager – Customer Service/Community Resilience, and dated 13 October 2017, be received.
 2. That the council establish a joint Whangārei Public Passenger Transport Working Party with Whangarei District Council, to examine and discuss Whangārei public transport issues and to advise and make recommendations to both councils.
 3. That the terms of reference, based on the model of existing working parties and providing for the joint nature of the working party, be developed at the initial meeting and recommended to both councils.
 4. That Councillors Bain, Dimery, and Sinclair be members of the working party.
-

Background

Both Northland Regional Council and Whangarei District Council have key roles and responsibilities in providing public passenger transport services for Whangārei. NRC provides the contracted public bus service CityLink, and WDC the roadside infrastructure; bus stops and signage. NRC is responsible for regional public transport planning, while WDC is responsible for the local roading network and urban planning. There are significant issues relating to public passenger transport that require coordination between and contributions from both councils.

Currently there is no council forum for the two councils to jointly discuss Whangārei public passenger transport issues. As part of the Long Term Plan processes both councils took part in a joint workshop on Whangārei public passenger transport issues held on 11 October 2017. From the workshop it was apparent that there are some significant current and future issues that need further discussion in order to inform decision making by both councils, these include:

- Route terminus location and infrastructure
- Bus stops/shelters and signage
- Potential new routes and services
- Park and ride options
- Integration with city and district planning.

It is therefore being recommended that the two councils establish a joint working party to examine and discuss Whangārei public transport issues and advise and make recommendations to both councils. It is envisaged that the working party would meet as necessary as determined by the working party. At this stage it is proposed that the working party initially meet soon, sometime towards the end of November if a mutually acceptable date can be found, to discuss current issues being considered as part of the LTP process.

Working Party Terms of Reference

It is suggested that the working party membership would be three councillors from each council and they would choose a chair from the membership.

The objective of the working party would be to examine and discuss Whangārei public transport issues and advise and make recommendations to both councils. The working party will have no delegated authority or power to act or make decisions on behalf of the councils. The terms of reference, based on those of current working parties, can be agreed at the initial meeting of the working party for recommendation to both councils.¹

NRC will initially provide administration support and both councils will provide reports, information and advice.

Considerations:

1. Options

No.	Option	Advantages	Disadvantages
1	Establish a joint working party with WDC	Improve Whangārei public passenger transport services through improved cooperation and coordination.	Relatively minor cost in participating in and servicing the working party.

¹ Note: The working party would align with the collaboration of the Northland councils as per the Northland|Forward Together programme.

ITEM: 7.1

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2	Don't establish a working party	Avoid the minor cost in participating in and servicing the working party.	Provision of services less co-ordinated with potential for issues not being addressed and services being less cost effective.
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The staff recommend option 1.

2. Significance and engagement

In relation to section 79 of the Local Government Act 2002, this decision is considered to be of low significance because it is in support of part of council's day-to-day activities.

3. Policy and legislative compliance

There are no policy or legislative compliance issues.

4. Financial implications

Any financial implications are minor.

5. Implementation issues

The working party will promote coordination and cooperation and make implementation easier.

6. Community views

No particular issues.

7. Māori impact statement

No particular issues.

Authorised by Group Manager

Name: Tony Phipps

Title: Group Manager – Customer Service/Community Resilience

Date: 11 October 2017

TITLE: Approving the Kai Iwi Lakes Navigation Safety Bylaw 2017

ID: A989770

To: Council Meeting, 24 October 2017

From: Jim Lyle, Harbourmaster

Date: 6 October 2017

Executive summary

The purpose of this report is to present the Hearing Panel's recommendations and reasons on the Draft Kai Iwi Lakes Navigation Safety Bylaw 2017 to council for approval.

This report is presented in sections, according to the changes that are proposed to be made to the bylaw. The final recommended wording of the Kai Iwi Lakes Navigation Safety Bylaw 2017 is in **Attachment 1**.

A recommendation is also made to do further consultation on a proposal to reduce the 5-knot speed restriction within 200 metres down to 100 metres. Council may want to consider using this opportunity to consult other matters not addressed in the Draft Kai Iwi Lakes Navigation Safety Bylaw 2017, such as the use of jet skis.

Recommendations

1. That the report 'Approving the Kai Iwi Lakes Navigation Safety Bylaw 2017' dated 6 October 2017 be received.
2. That pursuant to section 33M of the Maritime Transport Act 1994, council approves the making of the Kai Iwi Lakes Navigation Safety Bylaw 2017 (included as Attachment 1 pertaining to Item 7.2 of the 24 October 2017 council agenda).
3. That pursuant to section 157 of the Local Government Act 2002, council resolves to publicly notify the making of the Kai Iwi Lakes Navigation Safety Bylaw 2017 and that it will take effect from 1 November 2017.
4. That council delegates to the General Manager – Customer Service/Community Resilience the authority to make any necessary minor formatting, typographical, and administrative changes to the Kai Iwi Lakes Navigation Safety Bylaw 2017 prior to the date the Kai Iwi Lakes Navigation Safety Bylaw 2017 takes effect.
5. That council approve staff preparing a report to council's November meeting for the initiation of the special consultative process pursuant to section 156 of the Local Government Act 2002 for a proposed amendment to the Kai Iwi Lakes Bylaw 2017 to reduce the 5-knot speed restriction within 200 metres of the shore to 100 metres of the shore.

Background

Council approved the commencement of consultation on the Draft Kai Iwi Lakes Navigation Safety Bylaw (the bylaw) at its 16 May 2017 meeting. At the same meeting, council approved Councillors Stolwerk, Dimery and Smart to be the hearings panel to consider submissions and make recommendations to council on the final wording of the bylaw.

A revised version of the bylaw was subsequently approved at council's 27 June 2017 meeting¹.

The bylaw was notified in early July 2017 and submissions closed 2 August 2017. Ninety submissions were received. Hearings were held on 7 September 2017 in Dargaville where eight separate submissions were presented to the Hearing Panel. Deliberations were held on 25 September 2017. **Attachment 1** sets out the Hearings Panel's recommended final wording of the bylaw.

The following sections outline the Hearings Panel's recommendations and a summary of the reasons.

Section 1: Preliminary provisions

Recommendations

Approve the wording of Preliminary Provisions of the bylaw, with the following changes:

1. Delete clause 1.3 as this was left over from an initial explanation, and is not needed.
2. Insert the definition of 'Director' as used in the *Northland Regional Navigation Safety Bylaw 2017*.
3. Delete the definition of 'Towing' and insert the definition of 'Towing a person' as used in the *Northland Regional Navigation Safety Bylaw 2017*.
4. Delete the definition of 'Flag A' and insert the definition of 'Flag A' as used in the *Northland Regional Navigation Safety Bylaw 2017*.
5. Delete the definition of 'Access lane' and insert the definition of 'Access lane' as used in the *Northland Regional Navigation Safety Bylaw 2017* with a reference to the map in Schedule 1.
6. Add an S to Lake, as they are plural.
7. Delete the definition of 'Swimming area' and insert the definition of 'Swimming area' as used in the *Northland Regional Navigation Safety Bylaw* with a reference to the map in Schedule 1.
8. Delete the definition of 'Honorary enforcement officer' and insert the definition of 'Honorary enforcement officer' as used in the *Northland Regional Navigation Safety Bylaw*.

Reasons:

The definition provisions of the bylaw should be amended because:

- The definition provisions are intended to provide clarification of terminology used throughout the bylaw, so that the provisions can be applied accurately.
- The recommended changes will clarify potential interpretation issues identified by submitters and staff.
- It is desirable to ensure a consistent approach across the region for water users.

¹ To make it consistent with the Northland Regional Council Navigation Safety Bylaw 2017 which was adopted at the same meeting.

- There was no evidence of any circumstances specific to Kai Iwi lakes which would warrant different definitions being used.
- The definition of a 'Person in charge' should remain without amendment as the joint-liability approach aligns with the *Northland Regional Navigation Safety Bylaw* and will encourage self-compliance by vessel owners and skippers.

Section 2: Carriage and wearing of personal flotation devices on vessels

Recommendations

Approve the wording of Section 2: General Matters of the bylaw with the following changes:

1. Amend the clause 2 heading to remove the term 'recreational'.
2. Amend clause 2.1.1 to remove the term 'recreational'.

Reasons:

The heading of clause 2 and clause 2.1.1 should be amended by removing the word 'recreational' as:

- The requirements for personal floatation devices should apply consistently to all vessel users not just users of 'recreational' vessels.

The remainder of clause 2 should be adopted without amendment as:

- Freshwater has less buoyancy than salt water which can increase the risk of drowning.
- Retaining the clause will make it consistent with the *Northland Regional Navigation Safety Bylaw*. Some exemptions are provided for in clause 2.3 and these are considered sufficient to cater for the variety of users.

Section 3: General navigation safety requirements

Recommendations

Approve the wording of Section 3: General navigation safety requirements of the bylaw with the following changes:

1. Delete clause 3.3.1(c) and undertake further consultation on the speed uplifting of 100 metres with a view to making an application to the Director of Maritime New Zealand.
2. Delete clause 3.3.3(c) to remove the exemption for board sports to exceed the speed limit.
3. Amend clause 3.5.2 'Collision Prevention' to identify that an anti-clockwise direction of travel on the lakes is required (where practicable).

Reasons:

Clause 3.3.1(c) and (d) should be deleted and further consultation undertaken on a potential speed uplifting zone of 100m as:

- There was strong support by submitters for a speed uplifting zone of 100m.
- A speed uplifting zone of 100m was not proposed in the bylaw and cannot be approved without further consultation with the public and the Director of Maritime New Zealand.
- Further consultation is desirable to understand wider community views on the impact of a 100m speed uplifting zone. This could also be used as an opportunity to consult on other matters not addressed in the Draft Kai Iwi Lakes Navigation Safety Bylaw 2017. (For example, the use of jet skis was raised at the deliberations.)

Clause 3.3.3(c) should be deleted as:

- This provision provides an exemption for high speed board sports near the shore which could cause conflict and raise safety issues in a confined lake area.

Clause 3.5.2 should be amended as:

- It is not always practicable to achieve an anti-clockwise direction for some vessel uses such as water skiing and sailing vessels.
- The Harbourmaster and Enforcement Officers have sufficient enforcement powers to issue directions to a vessel skipper to travel in an anti-clockwise direction if this is considered necessary for safety reasons.

Section 4: Activities

Recommendations

Approve the wording of Section 4: Activities of the bylaw with the following changes:

1. Amend clause 4.1.1 to change the wording from 'powered craft' to 'power driven vessels'.
2. Amend clause 4.3 'Dive activities' to the clause that is used in the *Northland Regional Navigation Safety Bylaw 2017*.
3. Amend clause 4.5 'Access lanes' to the clause that is used in the *Northland Regional Navigation Safety Bylaw 2017*.
4. Amend clause 4.6 'Reserved areas' to the clause that is used in the *Northland Regional Navigation Safety Bylaw 2017*.
5. Delete clause 4.8 'Prohibition of powered vessels'.

Reasons:

Clause 4.1.1 should be amended to change the wording from 'powered craft' to 'power driven vessels' as consistency is required with the terms defined in the bylaw.

Clause 4.3 'Dive activities', clause 4.5 'Access lanes', and clause 4.6 'Reserved areas' should be amended to the clauses that are used in the *Northland Regional Navigation Safety Bylaw 2017* as:

- It is desirable to ensure a consistent approach across the region for water users.
- There was no evidence of any circumstances specific to Kai Iwi lakes which would warrant a different approach.
- Clause 4.6 in its original form appears to grant the Harbourmaster discretion to grant permanent or temporary reserved areas which may be unlawful.

Clause 4.8 'Prohibition of powered vessels' should be deleted as:

- The prohibition of vessels on Lake Kai Iwi and Lake Waikare has come from the Taharoa Domain Committee and not the council.
- There is no need to prohibit the vessels for navigational safety.

Section 5: Operating requirements

Recommendation

Approve the wording of Section 5: Operating requirements of the bylaw.

Reason

There was no evidence suggesting a need to vary these provisions.

Section 6: Administration matters

Recommendations

Approve the wording of Section 6: Administration matters of the bylaw with the following changes:

1. Delete clause 6.2 'On water permits for vessels'.
2. Amend clause 6.4(1) 'Appointment of officers' to clarify the power to appoint honorary officers.
3. Amend clause 6.6 (1) (a) to clarify liability.
4. Delete clause 6.8(6), which identifies that the map does not form part of the bylaw.

Reasons

Clause 6.2 'On-water permits for vessels' should be deleted as:

- The use of on-water permits is not an approach that is used in the wider region.
- Administering a permit scheme and gathering fees is uncertain and may be administratively expensive.
- Targeting only power-driven vessel users for a permit appears inequitable when sailing vessels and board sports would also benefit.
- Other options exist for obtaining funds for navigational management which may be more effective and efficient.

Clause 6.4 (1) 'Appointment of officers' should be amended to clarify the power to appoint honorary officers:

- The definition of an honorary officer has been amended to align with the regional *Navigation Safety Bylaw 2017* and the *Maritime Transport Act 1994*.
- There is a need to clarify the powers to appoint officers and that an honorary enforcement officer cannot exercise the role of an enforcement officer.

Clause 6.8(6), should be deleted as it will aid enforcement if the map referred to in bylaw provisions becomes part of the bylaw.

Schedule 1 – Kai Iwi Lakes map

Recommendations:

Approve the wording of Schedule 1 – Kai Iwi Lakes map of the Draft Kai Iwi Lakes Navigation Safety Bylaw with the following change:

1. Amend map in schedule 1 'Kai Iwi Lakes Map' to that displayed at the deliberations meeting - except to the extent that the map legend be amended to show that the 200m speed limit from shore applies due to maritime rule 91.6.

Reasons:

Schedule 1 'Kai Iwi Lakes map' should be amended to that displayed at the deliberations meeting – except to the extent that the map legend be amended to show the 200m speed limit on the lake applies according to maritime rule 91.6 as:

- There is currently little demand for swimming at Nobbs Point with no onshore toilet facilities.
- There is a high demand for swimming at Pine Beach and onshore facilities.
- There is a high demand for swimming at Promenade Point and onshore facilities. In addition, the Reserve Management Plan does not identify this site as a location for boat launching.

- An additional access lane near Promenade Point will provide water skiing options on the western side of the lake.
- An additional access lane at Nobbs Point will provide water skiing options on the northern side of the lake and is in a location that was previously used as an access lane.
- The creation of four access lanes is considered to provide sufficient options for water skiers.

Considerations:

1. Options

No.	Option	Advantages	Disadvantages
1	Adopt the Kai Iwi Lakes Navigation Safety Bylaw 2017	Adoption of the Kai Iwi Lakes Navigation Safety Bylaw 2017 will enable council to continue the effective and efficient management of maritime navigation and safety matters.	None
2	Do not adopt the Kai Iwi Lakes Navigation Safety Bylaw 2017	None	Will not provide for the most effective and efficient management of maritime navigation and safety matters in the Kai Iwi Lakes.

Staff's recommendation is to adopt the new Kai Iwi Lakes Navigation Safety Bylaw 2017, which will fulfil the council's obligations under sections 155 and 156 of the Local Government Act 2002.

2. Significance and engagement

Section 76AA of the LGA directs that council must adopt a policy setting out how significance will be determined, and the level of engagement that will be triggered. This policy assists council in determining how to achieve compliance with LGA requirements in relation to decisions.

Council was required by section 156 of the LGA to undertake consultation on the Kai Iwi Navigation Safety Bylaw, which also achieved compliance with council's Significance and Engagement Policy, in particular 'We will consult when we are required to by law, when a proposal is considered significant, and when we need more information on options for responding to an issue'.

The decision to confirm and make the Kai Iwi Lakes Navigation Safety Bylaw 2017 follows an extensive process of consultation and it is considered that council is well informed in making this decision and compliant with its Significance and Engagement Policy.

3. Policy and legislative compliance

Upon adopting the Kai Iwi Lakes Navigation Safety Bylaw 2017 this will achieve compliance with the Local Government Act 2002, the Maritime Transport Act 1994, and Maritime Rules.

Once the navigation safety bylaw has been adopted by council, staff can then commence the process for formalising compliance regulations and associated offence fees to allow for enforcement of the bylaws.

Further considerations

4. Community views

The views of the community on the draft Kai Iwi Lakes Navigation Safety Bylaw 2017 were obtained during a period of consultation, in accordance with section 83 of the LGA. Community views have been provided to the Hearings Panel by way of a summary of submissions report and full submission book.

Council has discussed the proposals included in this Navigation Safety Bylaw by way of a deliberations meeting that centred upon the public feedback received.

5. Māori impact statement

One of the key reasons for releasing the draft Kai Iwi Lakes Navigation Safety Bylaw 2017 is to support and enable the Kai Iwi Lakes (Taharoa Domain) Reserve Management Plan (RMP), adopted by Kaipara District Council in September 2016. The RMP was overseen by the Taharoa Domain Governance Committee – which includes two members nominated by Te Rorora.

6. Financial implications

There will be costs of approximately \$2,000 associated with the notification of the council's decision arising from the costs of the public notices and printing of the new Kai Iwi Lakes Navigation Safety Bylaw 2017.

For the buoys to be installed it will cost approximately \$2,500 for buoys plus staff time to fit tackle and install, including vessel, skipper and truck mileage.

Final signage will cost approximately \$10,000. Interim signage until final decisions on the 200m speed restriction is decided will cost approximately \$500.

Enforcement officers, if appointed in a paid capacity, will cost around \$4,000 per year plus training. Decisions on how many enforcement officers, and whether voluntary enforcement officers will be available, will be explored once the bylaw is adopted. (We have had no volunteers to date due to the uncertainty of the final bylaw.)

7. Implementation issues

For both the regional and lake bylaw education will primarily be used for the first season. Adequate signs will be erected for information.

Attachments:

- Attachment A - Hearings Panel's recommended 'Kai Iwi Lakes Navigational Safety Bylaw 2017' (included in the Supporting Information)

Authorised by Group Manager

Name: Tony Phipps

Title: Group Manager – Customer Service/Community Resilience

Date: 5 October 2017

TITLE: Regional Pest and Marine Pathway Management Plan Appeals**ID:** A991307**To:** Council Meeting, 24 October 2017**From:** Don McKenzie, Biosecurity Manager**Date:** 6 October 2017

Executive summary

The purpose of this report is to appoint a subcommittee of council that has delegation to make decisions on council's behalf for resolving appeals on the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027 (PNRMPMP). The report outlines the process for resolving the appeals and concludes with the recommendation that three councillors be appointed.

Recommendations

1. That the report 'Regional Pest and Marine Pathway Management Plan Appeals' by Don McKenzie, Biosecurity Manager, and dated 6 October 2017, be received.
2. That Bruce Howse, Group Manager – Environmental Services, be delegated the ability to make decisions on council's behalf for resolving appeals on the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027 that are:
 - a. technical in nature and agreed by experts, and
 - b. amendments to clarify the policy position or approach used in the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027.
3. That councillors Bill Shepherd, David Sinclair, and Mike Finlayson be delegated the ability to make decisions on council's behalf for resolving appeals on the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027 that are inconsistent with the policy position or approach used in the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027, provided that a majority decision is arrived at by councillors Bill Shepherd, David Sinclair and Mike Finlayson.

Background

The Northland Regional Pest and Marine Pathway Plan 2017–2027 (PNRMPMP) is the pest and pathway management document for the region and sets out rules for pest species and the vectors of marine pests. Review of the current pest strategies began in earnest two years ago, and public consultation on the PNRMPMP has been undertaken as part of the statutory requirements of the Biosecurity Act.

On 22 August 2017, council made a decision to adopt the PNRMPPM, this included changes made as a consequence of public consultation and council's consideration of submissions. Submitters then had until 15 September 2017 to appeal any aspect(s) of the plan to the Environment Court.

Appeals

The appeal period closed on 15 September 2017 and two appeals have been received, one on aspects of the Marine Pathways plan¹ and another pertaining to Kauri dieback². Any person who has made a submission on the plans may join the proceedings and staff are awaiting further advice on this. Importantly they cannot expand the scope of the appeals. Councillors have been briefed on the details of the appeals and therefore details of the appeals are not outlined in this paper.

Resolving appeals - process

It is likely that the court will direct court assisted mediation. This is where the parties meet in the presence of a court appointed mediator, to see if an agreement can be made. While not essential, the court strongly encourages participants to have the mandate to make decisions in those meetings. November is likely to be the earliest for the first of these meetings. Council can also resolve appeal matters through informal negotiations.

The court will only sign off on a mediated or negotiated appeal matter if all the relevant parties agree. This avenue is often used for minor matters and/or when there are only a small number of parties. Informal talks have begun with the appellant's legal counsel.

Any matter not resolved by mediation or negotiation will then go to court. Councillors are not generally involved in court proceedings.

Council needs to decide how it will represent its position through the appeal negotiations and in mediation. It is intended that staff attend mediation and be delegated to make decisions which are technical in nature and agreed by experts, and any amendments to clarify the policy position or approach used in the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027.

The roles of the subcommittee would include making decisions which may be inconsistent with the policy position or approach used in the Proposed Northland Regional Pest and Marine Pathway Management Plan 2017–2027 on behalf of council.

Three councillors is preferable to one to ensure the decisions are consistent with the council's position and it means that if one cannot make a meeting, then at least the others will be able to attend. Ideally between them these councillors would have some knowledge of the new NRPMPM (process and content), 'making good decisions' accreditation, and experience in the NRPMPM plan development process.

It is important that the councillors are not conflicted by any previous involvement in the development of the NRPMPM and any public statements on how the NRPMPM should look or what it should contain. Assuming the delegation is three councillors, the recommendation is that should any of those councillors have a conflict, they will step aside and leave it to the other councillors to represent the council alone. It would therefore be

¹ Appeal lodged by Far North Holdings Ltd

² Appeal lodged by Forest and Bird

advisable that any potential conflicts be declared at the outset to avoid all councillors being conflicted on the same issue.

The delegated councillors can only make decisions that are consistent with and do not depart from the council decisions. Any decision to be inconsistent with or depart from the council decision can only be made by council. As the timeframes for providing responses to the court are often tight, it is recommended that the delegated councillors refer any decisions that are inconsistent with or depart from the council decisions directly to council.

Considerations:

1. Options

Options for notifying decisions on submissions as tabulated below.

No.	Option	Advantages	Disadvantages
1	Delegated councillors refer any decisions that are inconsistent with or depart from the council decisions directly to council	Efficient and timely decisions can be made.	None.
2	Delegated councillors do not refer the decisions to council	More rapid decision making.	Decisions made by the delegated councillors run the risk of being inconsistent with council decisions.

The staff's recommended option is **Option 1**.

2. Significance and engagement

In relation to section 79 of the Local Government Act 2002, this decision is considered to be of low significance because it is part of council's day-to-day activities.

3. Policy and legislative compliance

The appeal process for the NRPMPMP, and the specific actions recommended in this report, follow the prescribed steps in Biosecurity Act 1993 sections s76 and s96.

4. Māori impact statement

The delegation of council authority has no impact on Māori.

5. Financial implications

Financial implications have been addressed as part of the cost benefit analysis and the 2017/2018 Annual Plan process.

6. Implementation issues

The delegation of council authority has no impact on implementation.

Authorised by Group Manager

Name: Bruce Howse

Title: Group Manager – Environmental Services

Date: 6 October 2017

TITLE: Advance Capital Expenditure for Awanui River Scheme

ID: A991418

To: Council Meeting, 24 October 2017

From: Joseph Camuso, Rivers and Natural Hazards Manager

Date: 6 October 2017

Executive summary

This report requests approval to advance \$150,000 of capital expenditure funding for the Awanui River Scheme to enable stopbank relocation to be completed on a section of the Awanui River. It is recommended that the funding is borrowed from the Infrastructure Investment Fund and repaid from the Awanui River Scheme Reserve over seven years closing in 2024/2025. Advancing \$150,000 would mean the Awanui River Scheme Reserve would have a 2017/18 forecast closing balance of -\$737,642 versus -\$587,642.

Recommendations

1. That the report 'Advance Capital Expenditure for Awanui River Scheme', by Joseph Camuso, Rivers and Natural Hazards Manager, and dated 6 October 2017, be received.
 2. That council approves an advancement of \$150,000 of capital expenditure funding from the Infrastructure Investment Fund (IIF) for the Awanui River Scheme for stopbank relocation works.
 3. That the \$150,000 of capital expenditure funding is repaid from the Awanui River Scheme Reserve to the IIF by 2024/25.
 4. That an interest rate of 5.1% is charged to the \$150,000 of capital expenditure funding and that this interest is paid from the Awanui River Scheme to the IIF.
-

Background

The following action point was noted at the Awanui River Working Group meeting of 21 September 2017:

'The Awanui River Working Group requests council to consider advancing \$300,000 of funding to complete works on setting back stopbanks on the Awanui River from the SH1 bridge to the Waihoe outfall in 2017/18, given that the current landowners have generously agreed to allow their land to be used for this purpose.'

After discussing with the landowner, contractor and NRC staff, it was agreed that the work should be carried out in two seasons, i.e. \$150,000 each season. Staff will include the remaining \$150,000 in the LTP and advance to year 1 to satisfy the Working Group's request.

Setting back the stopbanks in this location serves several purposes including, renewal of the asset, improving floodway capacity for improved flood flow conveyance, and preventing stopbank failure from slumping and erosion due to the current close proximity of the stopbank to the riverbank.

This work has been planned as part of the ongoing programme of works for the Awanui River scheme. However, it is proposed to accelerate the works as the current landowner has agreed to allow their land to be used for the relocation.

Considerations:

1. Options

No.	Option	Advantages	Disadvantages
1	Advance \$150,000 of capital funding to enable acceleration of stopbank relocation works on the Awanui River	Ensures works are done whilst the landowner is in agreement to the works and ensures works are done ahead of schedule.	Increased interest costs, however, these are likely to be offset by not having to pay compensation to the landowner.
2	Do not advance \$150,000 of capital funding	Reduced interest costs.	Risk of landowner selling property and a new landowner who is not willing to allow the works to proceed resulting in delays and increased costs, including compensation.

The staff recommend option 1.

2. Significance and engagement

In relation to section 79 of the Local Government Act 2002, this decision is considered to be of low significance because it is part of council's day-to-day activities.

3. Policy and legislative compliance

The activities detailed in this report are in accordance with council's 2015-2025 Long Term Plan which was approved in accordance with council's decision making requirements of sections 76–82 of the Local Government Act 2002.

4. Financial implications

The 2017/18 Annual Plan shows that the Awanui River Reserve has a forecast closing balance at 30 June 2018 of -\$519,312 which compares favourably with the forecast closing balance for LTP Year-3 at 30 June 2018 of -\$1,050,390. This is due to the Whangatane Spillway works being budgeted for \$1Million, however, the works were completed for approximately \$700,000.

Advancing \$150,000 over two years means the forecast closing balance at 30 June 2018 will be approximately -\$737,642, which is less than the forecast closing balance for 30 June 2018 because of the savings from the Whangatane Spillway work and it will be paid off in the original forecasted 10-year period.

The term of the loan would be repaid by 2024–2025, when the overall Awanui River Reserve balance is expected to be paid off.

Additional interest costs associated with the advancement of \$150,000 are calculated to be approximately \$28,680.

An interest rate of 5.1% will be charged to the \$150,000 of capital expenditure funding and this interest will be paid from the Awanui River Scheme to the IIF. The 5.1% interest rate is based on the IIF annualised return as at September 2017.

5. Implementation issues

The tender for the current works closed on 29 September 2017 and was awarded to Kaitāia Contractors Ltd. Staff propose to undertake the works as a variation under the tender based on the rates specified in the tender.

Completing an additional \$150,000 for each season over two seasons of stopbank relocation works will be dependent on a works season with favourable weather conditions and the contractor, Kaitāia Contractors Ltd, has confirmed that they have sufficient resources available to complete the works pending no weather delays.

6. Community views

The community is represented through the Awanui River Working Group which has requested the advancement of funding.

7. Māori impact statement

Staff are not aware of any material impacts on Māori from the advancement of the funding. Nevertheless, Māori representatives are members on the Awanui River Working Group and attended the meeting when the Awanui River Working Group requested the advancement of funding and did not have any views to the contrary.

Authorised by Group Manager

Name: Bruce Howse

Title: Group Manager – Environmental Services

Date: 6 October 2017

TITLE: Council Adoption of the 2016/17 Annual Report

ID: A991210

To: Council Meeting, 24 October 2017

From: Simon Crabb, Finance Manager

Date: 5 October 2017

Executive summary

The purpose of this report is to seek formal adoption of the 2016/17 Annual Report (2017 Report), and authorise the Chairman and Chief Executive Officer to sign the relating compliance statement and letters of representation.

The 2017 Report is attached as **Attachment One**.

The independent member of council, Geoff Copstick, has performed a review of the 2017 Report. His written report summarising his observations is attached as **Attachment Two**.

Deloitte issued verbal clearance and a report on matters arising from their audit to the Audit Working Group on 21 September 2017. The Deloitte report is attached as **Attachment Three**.

The final signed audit opinion will be released upon council's approval of the 2017 Report, and receipt of the signed letters of representation by Deloitte.

Recommendations

1. That the report 'Council Adoption of the 2016/17 Annual Report' and its attachments by Simon Crabb, Finance Manager, dated 5 October 2017, be received.
 2. That the council's audited Annual Report and financial statements for the year ended 30 June 2017 be adopted pursuant to section 98(3) of the Local Government Act 2002.
 3. That the Chief Executive Officer and Chairman be authorised to sign the 2016/17 Annual Report compliance statement and letter of representation, and the letters of representation in relation to the 2016/17 debenture trust deed, 2016/17 stock register report, and 2016/17 Summary Annual Report.
 4. That the Chief Executive Officer be authorised to make any minor editorial and presentation changes to the 2016/17 Annual Report and Summary Annual Report if required.
 5. That the Chief Executive Officer be authorised to approve the release of the 2016/17 Summary Annual Report.
-

Background

Council posted a total comprehensive revenue and expense surplus for the 2016/17 financial year of \$8,917,008. At the August 2017 council meeting, the draft annual accounts presented a net surplus after transfers from/(to) Special Reserves of \$243,729. The movement from the draft result to the total comprehensive revenue and expense reported in the 2017 Report is explained in Table One below.

Table One	
2016-17 DRAFT Net surplus after transfers to reserves - reported in the August 2017 Council Agenda (item 6.9)	\$243,729
Add back the transfers (from)/to Special reserves presented in the draft accounts as these do not form part of the Statutory reporting format	\$812,210
Add non cash gains on the revaluation of councils investment properties	\$3,707,009
Add non cash gains on the revaluation of councils infrastructure assets	\$3,127,380
Add non cash gains on the revaluation of councils forestry assets	\$341,651
Add non cash gains on the revaluation of councils owner occupied properties	\$298,019
Add non cash gains on the revaluation of councils financial assets	\$17,849
Add gains on sale of investment property	\$490,359
Remove losses on divested assets	-\$30,000
Increase the KDC Provision for Doubtful debts expense	-\$32,900
Other miscellaneous accruals and accounting adjustments	-\$58,299
Total Comprehensive revenue and expense - as reported in the 2016-17 Annual Report	\$8,917,008

Table Two excludes non-cash gains and illustrates that after assigning \$232,950 of the 2016/17 surplus to 2017/18 work programmes (approved in August 2017), and processing the final year end accounting adjustments, council had a total net surplus after transfers to reserves of \$93,661. This compares to a corresponding revised budget (also excluding non-cash gains) of \$54,687.

Table Two	
2016-17 DRAFT Net surplus after transfers to reserves - reported in the August 2017 Council Agenda (item 6.9)	\$243,729
Approved projects to be funded from 2016-17 Net Surplus after transfers to reserves - approved August 2017 (item 6.10)	-\$232,950
Add gains on sale of investment property	\$490,359
Transfer gains on sale of investment property to the Property Reinvestment Funds	-\$490,359
Increase the KDC Provision for Doubtful debts expense	-\$32,900
Other miscellaneous accruals and accounting adjustments	-\$58,299
Other miscellaneous operational reserve transfer adjustments	\$174,081
Total 2016-17 Net surplus after transfers to and from reserves	\$93,661

Upon council's approval and adoption, the 2017 Report will be printed and distributed to councillors and the statutory recipients in Wellington. These include the Minister and Secretary for Local Government, the Auditor-General and the Parliamentary Library. Northland Members of Parliament and other interested organisations will also be issued with copies, and the document will be published on council's website.

The 2017 Report must be publicly available by 24 November 2017, this being one month after adoption. It is proposed that the Chief Executive Officer be authorised to approve the 2017 Summary Annual Report so this can also be publicly available by 24 November 2017 (this was done with the Summary Annual Report last year).

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Approve Recommendations 1-5	Facilitate the adoption and public availability of the 2017 Annual Report and 2017 Summary Annual Report within the statutory timeframes set out in section 98 of the LGA 2002.	Nil
2	Do not approve Recommendations 1-5	Nil	A special council meeting would need to be called before 31 October 2017 to adopt a revised 2017 Annual Report and comply with s98(3) of the Local Government Act

The staff's recommended option is option 1.

2. Significance and engagement

This does not trigger the significance and engagement policy.

3. Policy and legislative compliance

Endorsement of the recommendations is consistent with sections 98 and 99 of the Local Government Act 2002 regarding the timeframes for adoption and public availability of the annual report and the requirement for an audit report to be included in both the full Annual Report and Summary Annual Report.

4. Further considerations

Being a purely administrative matter, financial implications, community views, and Māori impact statement are not applicable.

Attachments

Attachment 1: 2017 Annual Report (included in the Supporting Information)

Attachment 2: Geoff Copstick review of the 2017 Annual Report

Attachment 3: Deloitte Report on the 2017 Audit (included in the Supporting Information)

Authorised by Group Manager

Name: Dave Tams

Title: Group Manager – Corporate Excellence

Date: 6 October 2017

Northland Regional Council - 2016/17 Annual Report

Geoff Copstick – Independent Financial Advisor

Like last year I have had meetings with Simon Crabb and members of the Deloitte's team throughout the preparation of the 2017 report and attended a 'sign off' meeting with the Audit Working Party. I make the following observations and comments in relation to the report and NRC staff engagement with the new auditors:

1. The first year of an audit engagement involves a lot of learning on both sides and can often be frustrating and prone to delays finalising an organisation's annual report; Simon Crabb and Dave Tams ensured this was not the case for this, our first year being audited by Peter Gulliver's team. Simon's hard work, allocation of resources to tasks and sensible planning, I believe made Peter's job much easier and overall the Deloitte team rated the NRC team very highly indeed.
2. The 2017 Statement of Comprehensive Revenue and Expense reports a favourable result against Annual Plan (some \$7.2 million favourable including revaluations) largely due to gains recognised on council's investment properties (note council had planned to sell properties and earn interest and investment income on the proceeds - those sales did not eventuate but the property revaluation income was substantially more than the planned interest BUT IT IS UNREALISED until the sale is made).
3. Further analysing council's revenues as reported in the Statement of Comprehensive Income and Expense, rates income was in line with the annual plan and only marginally up on prior year (1.2% or 244K) but as a portion of total reported revenues, income from rates fell to 49% from 52% last year – this demonstrates some success in council's strategies for diversifying income and avoiding rates increases by growing income from investments and other sources including grants from central government – however referring to the Statement of Cashflows cash inflows from usual sources grew only 3.5% over 2016 and the increase primarily from grants and subsidies; the 2 issues here being
 - i. the unrealised nature of much of the investment income/ revaluation gains and the risks associated with any poorly managed liquidation of those assets and investments – **no unrealised losses have been incurred so far** and may not but the risk of loss through volatility especially at the turning points of markets is well documented
 - ii. despite underlying growth in the rates struck in 2017, the Rogan case and the provisioning required for FNDC rates on Maori Freehold Land (see next note) curbed forward momentum.
4. NRCs provision for uncollectible rates grew a further \$211K in 2017 to \$2.4 million or 81% of \$2.95 million of actual rates receivable – while I realise the issues are pretty deep-rooted and complex, the consequences of such significant non-payment in terms of inequity and unfairness on the bulk of ratepayers make it an obvious priority. The sequence of NRCs rating agreements with TAs to collection strategies and use of tools available to possible insurances other risk mitigation steps needs more analysis and discussion.

5. The 2017 Statement of Comprehensive Revenue and Expense shows total expenses (\$35.6 Million) 5.4% above annual plan and 7.5% above last year – most cost categories (staff costs etc) increased around that figure. Note that NRC's success getting operational grants from central government came with strict performance criteria resulting in additional expense. To the extent the grants are multi-year, revenues and expenses relating to them will be incorporated into the LTP and subsequent Annual Plans.
6. A push to complete planned tasks in 2017 has greatly reduced the need for the carryforward of unspent 2017 budget to 2018 and beyond.
7. At the group level (which includes the results of Marsden Maritime Holdings) the numbers reflect another good year of growing cargo volumes for Northport; much better explained in their June 2017 Annual Report than here.
8. NRC's Statement of Changes in Equity reflect net transfers of \$5.2 to reserves from Accumulated earnings/funds (down from the \$14.9 last year) – these transfers represent appropriations of earnings/surpluses plus movements to special reserves of funds plus asset revaluations of \$3 million (primarily the Awanui River Management Scheme assets).
9. 2017 has built further balance sheet strength for council which should give councillors comfort but there are risks inherent if balance sheet strength is not matched by willingness to trade (rather than hoard) – NRC has to balance conservative and prudent management against the risks of illiquidity – for example while timing is very important in the property market, at times it may be better to trade property more frequently to crystallise the real gains (or losses) available in the market rather than bolster the numbers with unrealised gains which may or may not eventuate. We have now started to develop portfolio allocation models which will suggest reallocations between asset classes to better balance risk and return – NRC should explore these models and be prepared to act on the scenarios that evolve. As I referred to in relation to unrealised gains on investments, the investment subcommittee needs to 'scout' the risk/return current landscape and knowledgeably recommend strategies that fit other organisational goals – that might mean de-risking the portfolio by shifting to lower yields or more actively (and speedily) managing the entire portfolio to enhance and realise returns to take the pressure off the ratepayers of Northland.
10. The Audit Working Party has given itself the job of working with management and Deloitte to prune back where legal and sensible the disclosures and measures included in the Annual Report. This is a sensible piece of work especially as the implications for future Annual Reports from the measures included in the LTP are unbreakable. Our goal is to improve the LTP and Annual Reports as stakeholder communications while reducing the amount of work required by the NRC teams to compile them and the time and cost of having Deloitte audit them.

TITLE: TTMAC Draft Terms of Reference

ID: A992959

To: Council Meeting, 24 October 2017

From: Rachel Ropiha, Kaiarahi Kaupapa Māori – Specialist Advisor Māori

Date: 11 October 2017

Executive summary

As a result of a meeting between the non-elected members of the previous Te Taitokerau Maori Advisory Committee (TTMAC) and council, TTMAC was reformed in the new triennium as a working party of council. Since this initial meeting, the working party has delegated to a small sub-working group the task of updating the existing Terms of Reference in order to make them relevant to current circumstances.

At the October meeting of TTMAC, the members endorsed a draft Terms of Reference (TOR) which the working party now presents to council for endorsement.

Recommendations

1. That the report 'TTMAC Draft Terms of Reference' (TOR) by Rachel Ropiha, Kaiarahi Kaupapa Māori – Specialist Advisor Māori, and dated 11 October 2017, be received.
2. That council resolves to confirm the name of the working party as the Te Taitokerau Māori and Council Working Party.
3. That council resolves to endorse the Draft Terms of Reference of the Te Taitokerau Māori and Council Working Party.
4. That council confirm that Councillor Blaikie will no longer be a member of the Te Taitokerau Māori and Council Working Party.

Background

Council has previously resolved to reform TTMAC as a working party of council in line with its new governance structure. Reforming as a working party provided the opportunity for a number of operational changes such as the provision of a co-chair and adjustments to the quorum requirements, as working parties are not governed by prescriptive legislative processes. To date, the reform, co-chairs and councillor numbers along with council nominations have been endorsed by council.

In the interim, a small working group of TTMAC (including councillors and non-elected members) have been working on changes to the Terms of Reference to ensure they are relevant and up to date. In the main, these were administrative considerations such as a change from Committee to Working Party, delete obsolete information, alter the number of councillors on the working party, quorum, and detailing the co-chair (and proxy) arrangement and roles.

The review also offered the chance to detail clearly, a defined process for nomination and acceptance onto the working party, especially if the working party reaches its maximum number and a further nomination is received.

The Draft Terms of Reference is **attached** for council's consideration.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Status quo	None. The working party would operate under the current TOR which are out of date and do not reflect the new working party structure.	There are a number of processes missing from the current Terms of Reference that do not allow for the smooth and transparent operation of the new working party governance structure.
2	Endorse the recommendation	The TOR would accurately provide for the new working party governance structure.	None

Staff recommend Option two.

2. Significance and engagement

As this is an administrative matter it does not trigger council's significance and engagement policy.

3. Policy and legislative compliance

The decision sought meets council practice of ensuring a current Terms of Reference guide for all of its working parties. The decision is also compliant with council's decision-making requirements as specified under the Local Government Act 2002.

4. Further considerations

As this is an administrative matter no further views have been sought as the formation of the TTMAC Working Party has already been resolved by council.

5. Financial implications

There are no financial implications in regards to this recommendation.

Attachment:

Attachment 1: Draft Terms of Reference (included in the Supporting Information)

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 12 October 2017

TITLE: 2019 Representation Review: Māori Constituencies

ID: A993092

To: Council Meeting, 24 October 2017

From: Jonathan Gibbard, Group Manager – Strategy and Governance

Date: 11 October 2017

Executive summary

The Local Electoral Act (LEA) 2001 requires council to undertake a representation review every six years. The council last undertook a representation review in 2012, and those decisions applied to the 2013 and 2016 elections. Council is therefore now required to conduct a representation review prior to the 2019 elections. There are three processes which the council is either required to, or may undertake in preparation for the local authority elections in 2019. These are:

1. Whether or not a change is to be made to the First Past the Post system used in previous elections;
2. Whether the council wishes to introduce Māori constituencies; and
3. Review of representation arrangements (number of councillors and respective constituency boundaries).

Council has already decided to retain the First Past the Post voting system and is not required to make a decision on the wider representation arrangements until 31 August 2018.

Council is, however, required to decide whether to establish Māori constituencies by 23 November 2017. The decision to establish Maori seats would apply to both the 2019 and 2022 elections.

This report provides detailed background information on this matter and concludes by seeking council's decision to either establish Māori constituencies or retain the status quo (no dedicated Māori constituencies/Māori seats).

Recommendations

1. That the report '2019 Representation Review: Māori Constituencies' by Jonathan Gibbard, Group Manager – Strategy and Governance, and dated 11 October 2017, be received.
 2. That council resolves not to establish Māori constituencies for the 2019 local body elections.
- OR
3. That, pursuant to section 19Z of the Local Electoral Act 2001, council resolves to establish Māori constituencies for the 2019 and 2022 local body elections.
-

Background

The LEA 2001 provides for the establishment of Māori constituencies and is part of a suite of legislative provisions, put in place by the Crown, with the aim to increase Māori representation and participation in local authority decision making.

Council is required to consider the question of Māori representation in the lead up to the 2019 election. However, the decision to actually establish Māori constituencies is optional allowing council to either retain the status quo, decide to establish Māori constituencies or, conduct a binding poll on the issue. If council did resolve to establish Māori constituencies, the decision must be made by 23 November 2017 and would apply to the 2019 and 2022 elections.

Council held six workshops on Māori constituencies between February and August 2017. The purpose of these workshops was to:

- fully understand the legislative framework within which Māori constituencies can be established;
- investigate the options available to establish Māori constituencies; and
- seek feedback from those involved in and affected by the creation of Māori constituencies for the Waikato Regional Council.

As part of this process council also reviewed its existing procedures to provide for Māori participation in its decision-making processes.

In addition, advice was sought from council's two key Māori relationship groups, TTMAC Working Party and Tai Tokerau Iwi CEO's as to whether they support the creation of Māori constituencies (detailed feedback is provided under the 'Māori Impact Statement' section below).

Legislative context

Through legislation, the Crown established local government, delegating to it, various roles and functions. Recognition of the significance of the Treaty of Waitangi, its place and that of Māori, in council processes is a key part of the local government legislative framework.

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 (of the Local Government Act 2002) provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.

Council gains its roles and functions through a wide range of legislative mechanisms most of which include similar provisions to facilitate Māori involvement in council activities and processes. **Attachment 1** summarises the more significant provisions within the Local Government Act 2002 and Resource Management Act 1991.

Instead of prescribing Māori representation (Māori seats), the Crown has provided the legislative mechanism (through the LEA) to provide for Māori representation but left the actual decision to respective local authorities and their communities to decide whether to have specific Māori seats on council.

It is important to note that governance representation is different to participation. Participation provides an opportunity for Māori to provide advice into a decision making process, while governance representation provides Māori a direct avenue for Māori representatives to make governance decisions.

Opportunities for Māori participation in council processes

Council currently provides a number of opportunities for Māori to gain knowledge of council processes and to support avenues for Māori to participate in decision-making processes. Initiatives include:

- The establishment of the TTMAC Working Party.
- Maintenance of a database of contact details of Northland iwi, hapū, marae and other Māori organisations for use in establishing specific liaison with Māori over significant issues.
- Specific Māori consultation processes relating to resource management plans, such as the review of the Regional Policy Statement and the new Regional Plan.
- Appropriate recognition of Treaty Settlement Acts and of Māori policy documents and iwi/hapū environmental management plans.
- Circulation of background information to Māori on specific projects such as resource management plan changes.
- Provision for Māori seats on council's Catchment and River Liaison Committees.
- Circulation of applications for resource consent to Māori (associated to the area where the activity is being applied for) for their information and comment.
- Workshops to groups wanting to know more about the RMA and LGA functions of council or on any changes to these Acts.
- Provision of an annual Māori initiatives fund of \$35,000 to assist with projects like the development of Māori environmental planning document.

Differentiation of voters

It is important to note that should council decide to establish Māori constituency(s), then the member(s) elected to council to represent that constituency are elected only by electors whose names are on the Māori Electoral Roll within that particular Māori constituency.

For general constituencies, the members elected to council are elected only by electors whose names are on the general Electoral Roll within that particular general constituency. Every elector only gets one vote (i.e. electors cannot vote for both a Māori member and a general member).

Representation responsibilities of Māori members of council

If Māori constituency(s) are established in the Northland region, the members elected by the voters in those constituency(s) will be under the same obligation as all other elected members in that although elected only by the electors of a particular constituency, they must act in the interests of the entire region.

Considerations:

1. Options

Option 1:

Council may choose to retain the status quo and have no Māori constituencies.

However, if a valid demand for a poll was received then council would be obliged to conduct a poll and consider the issue. A valid demand for a poll on Māori representation can be made at any time, but to be effective for the 2019 triennial elections, it must be received by 28 February 2018 and the poll held by 21 May 2018.

Option 2:

Council may resolve pursuant to section 19Z of the LEA 2001 to establish one or more Māori constituencies.

For this to take effect for the 2019 triennial elections, the resolution must be made by 23 November 2017. If a resolution is made to establish Māori constituencies then public notice is required by 30 November 2017, advising of the resolution and the right for five percent of electors to demand a poll on resolution. The actual determination of the number of Māori constituencies would form part of the Representation Arrangements Review to be undertaken next year and no later than 31 August 2018. This review includes a process of public notification of council's proposed representation arrangement and provides for public submissions and hearings.

Option 3:

Council may at any time resolve to hold a poll on Māori representation.

The resolution must state the date for which the poll will be held. To be effective for the 2019 triennial elections, the poll must be received by 28 February 2018 and held by 21 May 2018. Polls held after this date are effective for the 2022 triennial elections.

No.	Option	Advantages	Disadvantages
1	Status Quo - no Māori constituencies	No change to current constituencies as a result of Māori representation.	No certainty that there will be Māori representation on regional council through local body elections.
2	Establish one or more Māori constituencies	Certainty that Māori, and Māori views, will be represented in regional council decision making. Showing leadership in Northland and across Local Government New Zealand with respect to Maori representation.	Will require a change to current constituency boundaries and possibly the number of elected members.

3	Hold a poll on Māori representation	Will provide an opportunity for the community to provide its views to council ahead of any decision.	A poll will cost approx. \$160,000 and, to date, all polls undertaken by other councils, no matter what the Māori population, have not supported the establishment of Māori constituencies.
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Given the legislative context and obligations within which council operates and Northland's high Māori population (approximately one third of Northlanders identify as Māori), there is a strong rationale for council to ensure robust mechanisms are in place to ensure council decisions are well informed and reflective of the values, aspirations and interest of a significant portion of the region's community.

Council currently has no Māori representation around the governance table. While in previous terms there has been at least one councillor who identified as Māori, this is still low representation proportionate to the region's Māori population.

The issue for council to consider is whether it considers it appropriate and necessary to provide a mechanism to guarantee Māori representation, or whether council is satisfied that the current electoral system is sufficient to ensure effective Māori representation.

2. Significance and engagement

While the decision to provide for Māori constituencies is considered significant, the decision sought by this report is one step in a longer legislative process under the Local Electoral Act which provides specific provision for community engagement and input into the decision at a later stage in the process. In addition, the process to date has included engagement with bodies established to represent Māori interests. For these reasons, council is able to make this decision without undertaking further community engagement at this time.

3. Policy and legislative compliance

The decisions sought meet the Local Electoral Act 2001 requirements, and in particular section 19Z. The decisions are also compliant with council's decision making requirements as specified under the Local Government Act 2002.

Further considerations

4. Community views

While council has not specifically sought community views on this matter, during the Local Government Commission investigation into the establishment of a possible unitary authority in Northland council sought the views of its community to help inform council's submission on the proposal. Seven public meetings were held between 25–27 March 2013 (127 participants attended). Through these sessions, input was sought on Māori representation. The subsequent report¹ stated that no clear trends emerged in terms of preferred options for

¹ 'Northland Local Government Reform: Outcomes of Community Engagement by the Northland Regional Council' April 2013

Māori representation (refer to **Attachment 1** for a summary of comments made during these sessions).

In March 2015, the Far North District Council held a poll on this issue. The poll results were 32% supporting Māori representation and 68% against Māori representation (Māori population at the time of the survey was 44%).

A number of councils around New Zealand have also conducted polls to determine their position on Māori representation (results provided in Attachment 1). The results from these polls show that no matter what the Māori population of an area, if the question of Māori seats is put to a poll, then the result will likely be negative. It is worth noting that voter turnout for a poll such as this is relatively low, at between 30% and 50%, and that Māori voter turnout is even lower.

Only the Bay of Plenty Regional Council (2004) and Waikato Regional Council (2013) have provided Māori constituencies. Worth noting is that neither council held a poll on this matter (further detail is provided in Attachment 1).

5. Māori impact statement

In September 2010 the Human Rights Commission published a report on Māori Representation in Local Government – The Continuing Challenge (www.hrc.co.nz). In summary, the recommendations of the Human Rights Commission report include:

- Iwi should discuss whether or not they want Māori seats on their local or regional council;
- Discussions should take place between councils and iwi on Māori seats and Māori representation prior to the next representation review;
- Councils should support the Māori choice; and
- There should be further national discussion on improvement provision for Māori representation.

As part of its consideration of this matter, council sought advice and feedback from TTMAC Working Party (council's Māori advisory working party) and Tai Tokerau Iwi CEO's (through the Iwi and Local Government Agencies Chief Executives Forum).

At its October 2017 workshop, Māori members of the TTMAC Working Party confirmed a report prepared by Members Hakaraia, Dargaville and Hohepa (**Attachment 2**). In summary, the Māori members of TTMAC Working Party strongly advocate that council establish Māori constituencies / Māori seats. That participation is not representation and that Māori seats are not a race based selection, but rather a Treaty of Waitangi and legislative outcome.

In the event the council decides not to establish Māori constituencies, the Māori members of TTMAC Working Party sought the establishment of a joint working party, including tangata whenua and councillors, to debate this issue more fully prior to the next council decision on Māori representation.

A delegation of Māori members from the TTMAC Working Party will be in attendance to speak to this paper.

Māori representation was also included on the August 2017 ILGACE agenda where council provided an overview of its representation review process and sought advice and feedback

from Tai Tokerau Iwi CEO's. Iwi CEO's referenced the previous review council had undertaken and that Iwi CEO's view had not changed since then. In summary, similarly to the Māori members of TTMAC Working Party advice, Iwi CEO's support Māori representation on council through the establishment of Māori constituencies and strongly encourage council to progress the establishment of Māori constituencies in Tai Tokerau.

6. Financial implications

There are no significant financial implications of establishment of Māori constituencies unless council, or 5% of electors, request a poll to be conducted. If a poll is to be conducted it is estimated to cost approximately \$160,000.

It is also worth noting that should Māori constituencies be established, and council increases the number of members, that the remuneration package does not increase, but simply needs to be divided amongst an increased number of councillors.

7. Implementation issues

Should council decide not to establish Māori constituencies and retain the status quo there are no perceived implementation issues for council to consider.

Alternatively, should council resolve to establish Māori constituencies then there are a number of issues that will need to be worked through between now and 31 August 2018.

In particular, council will need to determine the optimum number of total councillors and then apply the legislative formula to determine the number of Māori and general councillors (Schedule 1A of the LEA 2002). If this calculation is applied to the current total number of councillors (being nine), then two of these seats would become Māori seats. Should council wish to retain the current constituency boundaries with nine general seats, the total number of councillors would need to be increased to 12 (nine general seats and three Māori seats).

Council will also need to determine the boundaries of Māori constituency(s). Local authorities are required to consider the general requirements of sections 19U and 19V of the LEA relating to fair and effective representation arrangements, and must ensure that:

- the number and boundaries of constituencies will provide effective representation of communities of interest within the region;
- the constituency boundaries coincide with meshblock boundaries;
- constituency boundaries coincide with the boundaries of one or more territorial authority district in so far as is practicable; and
- the electors of every constituency receive fair representation (plus or minus 10 percent rule).

In addition to the above requirements, in determining the number of constituencies and boundaries of Māori constituencies the provisions of section 6 to Schedule 1a of the LEA apply and council must also have regard to:

- the boundaries of any existing Māori electoral district; and
- communities of interest and tribal affiliations.

If the council resolves to establish more than one Māori constituency, careful consideration will therefore need to be given to the boundaries of those constituencies to ensure the

legislative requirements are met in terms of the plus or minus 10 percent rule, and also to minimise splitting tribal areas.

Attachments:

- Attachment 1: Further details on Māori representation
- Attachment 2: TTMAC Working Party Advice

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager – Strategy and Governance
Date: 12 October 2017

Attachment 1: Further details on Māori representation

Legislative Context

Council legislative framework imposes a range of obligations on council, including requirements for council to provide opportunities for Māori to participate in local government decision-making and the option for council to provide for Māori representation.

The Local Government Act (LGA) 2002 requires local authorities to act in ways that “recognise and respect” the Crown’s obligations under the Treaty (section 4), provide opportunities for Māori to contribute to decision making (section 14). In addition, section 81(1) states that the local authority must:

- a) Establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority;
- b) Consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
- c) Provide relevant information to Māori for the purposes of a) and b).

The Resource Management Act (RMA) contains specific provisions that enable Māori to participate in decision making and encourage Māori involvement in the management of natural and physical resources, and which require consideration of Māori values, culture and traditions in resource management decision making. Part II of the RMA contains a set of principles, three of which are of special importance to Māori:

- Section 6(e) – recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
- Section 7(a) – having regard to kaitiakitanga (the exercise of guardianship); and
- Section 8 – taking into account the principles of the Treaty.

In addition, recent amendments to the RMA provide for Mana Whakahono-a-Rohe (Iwi Participation Agreements), which provide another avenue the iwi authorities to formalise the participation processes for RMA processes.

Local authority polls

Results of other local authority polls on Māori representation are as follows:

New Plymouth District Council (May 2015)

- For 17%, against 83%, Māori population 16%

Hauraki District Council (May 2013)

- For 20%, against 80%, Māori population 21%

Nelson District Council (May 2012)

- For 20%, against 80%, Māori population 9%

Waikato District Council (April 2012)

- For 20%, against 80%, Māori population 24%

Wairoa District Council (March 2012)

- For 48%, against 52%, Māori population 46%

Whakatane District Council (October 2007)

- For 2894 (30%), against 6762 (70%), Māori population 33%

Taranaki Regional Council (October 2004)

- For: 4456 (11.85%), against 33,154 (88.15%), Māori population 15%

Opotiki District Council (May 2003)

- For: 678 (38%), against 1294 (65.62%), Māori population 46%

Local authorities who have established Māori constituencies

The Bay of Plenty Regional Council introduced Māori representation for the 2004 triennial elections by way of separate legislation – the Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2011. This local body legislation prompted the 2002 amendment to the LEA to include provisions for territorial authorities and regional councils to establish Māori wards or constituencies without the need for special legislation.

Since then the only council to introduce Māori constituencies is Waikato Regional Council. Prior to the 2013 election, Waikato Regional Council established Māori seats and now have 2 Māori constituencies and 6 general constituencies with 13 elected members in total. Worth noting is that no poll on this matter was held.

Auckland Council approach

When Auckland Council formed, it considered the question of Māori representation. The Royal Commission on Auckland Governance recommended that two Māori members should be elected to the new Auckland Council by voters registered on the parliamentary Māori Electoral Roll and, in addition, one councillor should be appointed by a Mana Whenua forum to represent the interests of mana whenua in the region. However, this recommendation was not followed and instead a separate Independent Māori Statutory Board was established. The statutory board's role is to "assist council with making informed decisions and meet statutory Treaty obligations".

Community views on Māori representation gathered during consultation on the proposal for a Unitary Authority in Northland (2013)

The following are some of the comments made at the sessions:

- Māori representation is critical to any form of local government
- Māori need to be the key driver and decision maker for the model used
- Some views were expressed not supporting Māori constituencies
- Concern was expressed that the status quo does not deliver effective representation
- The needs of urban and rural Māori are different so the mechanism for involvement may be different.
- It is important to use mechanisms that engage all Māori, not only the elite.
- It needs to do more than just tokenism.

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- There needs to be a greater emphasis in involving Māori in council decision making.
- Having goodwill in the process is also important
- Treaty settlement entities must be accommodated.

Attachment 2**TITLE: MĀORI REPRESENTATION REVIEW****To:** Bill Shepherd, Chair Northland Regional Council**From:** TTMAC Working Party, 11 October 2017**Date:** 11 October 2017**Executive summary**

The purpose of this paper is to outline TTMAC Working Party position in regards to a review of electoral options for the 2019 local body elections pertaining to Tangata Whenua/Ngāpuhi representation/constituencies

Background:

He Whakaputanga o Te Rangatiratanga o Niu Tirenī and Te Tiriti o Waitangi are the founding documents of Aotearoa. Documents were signed by rangatira who represented Hapū/whānau.

The Waitangi Tribunal Te Paparahi o Te Raki 2016 Stage 1 Report found that Ngāpuhi never ceded sovereignty. Article 2 and Article 3 of Te Tiriti o Waitangi provides for equal party status with the Crown.

On this basis the members of TTMAC Working Party seek to engage with the Northland Regional Council regarding the establishment of Māori seats on council.

Te Taitokerau Māori Advisory Committee was established in 2013 to:

- § To develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council.
- § To promote the issues of significance for all Māori in Te Taitokerau.
- § To ensure the views of Māori are taken into account in the exercise of council functions.
- § To set the operational direction for council's legislative obligations to Māori and to monitor how these are implemented.
- § To provide **advice to council** and its subsidiary Northland Incorporated, the latter being on Māori economic development.

(TTMAC TOR 1 May 2014)

The Local Government Act 2002 (LGA) requires councils to consider and promote the current and future wellbeing of communities. It also introduced new responsibilities and opportunities for engagement and cooperation between councils and Māori.

The importance of the relationship between local government and Māori is reflected at a national level in the Memorandum of Understanding that Local Government New Zealand (LGNZ) signed with the Iwi Chairs Forum in 2015.

Councils operate under a number of statutory regimes that require interaction and a relationship with Māori. Underpinning this is the assumption that dialogue should occur in order to understand the values, aspirations and interest of Māori organisations.

The two dominant frameworks are the Resource Management Act 1991 (RMA) and the Local Government Act 2002 (LGA), but provisions are also found in a range of other legislation including that governing reserves, coastal management, flood management and transport.

Yet building relationships with Māori is not simply a matter of complying with legislation. Councils need to recognise, and be responsive to, the nature and diversity of their communities. In particular, they should recognise the mandate and structures established by Māori within their communities. How this occurs, in addition to requirements set out in legislation, should be a matter of mutual negotiation that suits the particular context.

Recent Treaty of Waitangi settlements have introduced new arrangements involving local authorities and Māori working together on strategy, policy and governance. Some local authorities have also moved to a new level of governance arrangement independently of Treaty settlement outcomes.

(Local Government NZ Jun 2017)

Discussion

TTMAC Working Party seek that Northland Regional Council:

1. Support establishing specific Māori seats
2. Consider establishing Māori constituencies

We would refer you to 44335-LGNZ-Council-Maori-Participation-June-2017 as follows:

In more recent times there has been a movement towards more formalised agreements and entities which provide for local authorities and Māori to work together in decision-making and other processes.

Treaty settlements have been a major driver for these new arrangements, but some local authorities have entered into them independently of Treaty settlements.

Formal agreements - These agreements tend to move beyond the relationship type agreement/MoU and into firmer commitments relating to specific statutory processes and decision-making.

One example is the joint management agreements (JMA) that are provided for under section 36B of the RMA. Until the Waikato River settlements provided for river iwi and local authorities to enter into JMAs, there had been minimal use of this mechanism.

Examples include:

- The JMAs between the Waikato River Iwi and local authorities that provide specifically for the Iwi and local authorities to work together on RMA and other processes

- The JMA between Taupō District Council and Ngāti Tūwharetoa (2009) provides for councillors and accredited iwi appointees to make joint decisions on resource consents and private plan changes where they apply to Māori multiple owned freehold land. Two commissioners are chosen each by the Council and the Tūwharetoa Māori Trust Board.
- The recent JMA between Gisborne District Council and Te Runanganui o Ngāti Porou (2015) provides a mechanism for Ngā Hapū o Ngāti Porou to share in RMA decision-making within the Waiapu Catchment. The JMA provides for joint decision-making on notified resource consent applications, plan changes and private plan changes. The JMA provides for the Council and Te Runanganui to select hearing panel members, at least one member is appointed by each party
- Environment Canterbury has a relationship agreement (Tuia) with the 10 Papatipu Rūnanga of the region, aimed at achieving sustainable environmental outcomes and effective iwi and rūnanga participation. Work includes building rūnanga capacity, actioning local joint projects with Papatipu Rūnanga, and building council staff capability and understanding of Ngāi Tahu values and tikanga.

In Closing:

TTMAC Working Party acknowledges the progress that has been made in terms of Tangata Whenua engagement and participation with Northland Regional Council.

However TTMAC Working Party is not at the council decision-making table, rather we are there as a mechanism for achieving council obligations as per s81 of LGA.

Whereas, representation as per the Local Electoral Act is about having the ability to sit at the decision making table. Therefore Māori constituencies onto council are about tangata whenua having rights as per (and guaranteed) Article 3 of the Treaty of Waitangi

This process excludes tangata whenua rights to make decisions for example:

At TTMAC Working Party meeting in Aug 2017 council made a decision to decline TTMAC's recommendation to have equal numbers of members and non-members on the Marine Management, Planning, Pest Management and Natural Resources working parties.

The Economic Development Review Report and summary report presented by Stephen Knuckey did not adequately reflect TTMAC feedback provided around Tangata Whenua/hapū/iwi economic development aspirations.

TTMAC expressed our strong disappointment and frustration, however council noted that the report was full and final.

These are examples of where our ability as tangata whenua to be party to decision making is causing conflict for TTMAC.

TTMAC are seeking solution based actions in order that Ngāpuhi achieve lasting and meaningful relationships with council.

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Ngāpuhi Te Tiriti o Waitangi settlement will happen in the near future. It is an opportune time for council to discuss Ngāpuhi/Tangata Whenua new arrangements involving local authorities and Māori working together on strategy, policy and governance, rather than wait for statutory legislation.

Recommendation:

1. That Northland Regional Council resolve to establish Māori constituencies for the 2019 local body election, and
2. Failing Northland Regional Council resolving to establish Māori constituencies, that Northland Regional Council establish a working group including tangata whenua, to scope, confirm and finalise a process for a review and establishment of specific Māori constituencies for the ensuing review period, of Maori electoral options.

TITLE: Chairman's Report to Council

ID: A989699

To: Council Meeting, 24 October 2017

From: Bill Shepherd, Chairman

Date: 12 October 2017

Executive summary

This report is to receive information from the Chairman on strategic issues, meetings/events attended, and correspondence sent for the month of September 2017.

Recommendation

That the report 'Chairman's Report to Council' by the Chairman, Bill Shepherd, and dated 12 October 2017, be received.

Strategic issues:

Proposed Regional Plan

The proposed Regional Plan has now been notified and council is looking for public input to ensure that we get a robust document that has good community support. This new plan represents approximately three years' work reviewing and simplifying the previous Regional Water and Soil Plan, Air Quality Plan, and Coastal Plan, and combining them into a single plan. Council staff have done a great job in meeting the council's challenge and reduced this new plan down to less than one third of the number of pages in the previous three plans combined.

A strong focus of the review has been to reduce the need to obtain resource consent for minor activities, subject to meeting conditions which ensure that the adverse environmental effects of those activities are appropriately reduced, eliminated or mitigated. This does not mean 'open slather', it just means that there is less need for resource users to apply for resource consents provided that they work within the permitted activity rules.

These changes have been made in the interests of reducing costs for resource users and at the same time ensuring environmental protection.

Water Quality Issues

Our communities have become increasingly concerned about water quality issues. An unfortunate side effect of the water quality debate has been that some lobby groups and the media in general have asserted that all of the problems with water quality come from farming activities.

This is not correct!

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Urban communities can have a significant impact on water quality as well, particularly larger ones. The Tamaki Estuary in Auckland is one of the most polluted estuaries in the country and there is not a dairy cow or farm animal anywhere in that catchment! In Northland, water quality in the upper Whangārei Harbour is clearly impacted by urban discharges and a number of town sewage treatment systems are not consistently meeting their resource consent conditions, adding to water quality deterioration in our waterways.

Let's stop pointing fingers at one another and recognise that improving water quality is an issue for each and every one of us, and that we all have a collective responsibility to deal to these problems.

Meetings/events attended:

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

- Meetings attended with the council's CEO, Malcolm Nicolson:
 - Regional Sector Meeting held in Auckland.
 - Kiwi Coast – Northland Regional Council Partnership Signing Event.
 - Meeting with Labour MP, Hon. David Parker, and Labour Whangārei candidate, Tony Savage. Councillors Bain, Dimery and Sinclair also attended.
 - Grant Faber – Hundertwasser Art Centre funding agreement. Darryl Jones, Economist, and Jon Trewin, Policy Analyst, also attended.
- Northland| Forward Together Strategic Planning Workshop at Copthorne Hokianga.
- Vaughan Cooper, Luke Beehre, Ken Hames – Extension 350 project update.

Correspondence:

During September 2017 I sent out the following correspondence:

Date	Addressed to	Subject
06.09.17	Paul James Chief Executive Ministry for Culture and Heritage	Close of date for grant applications for 2018 Waitangi Day events

Authorised by Chairman

Name: Bill Shepherd
Title: Chairman
Date: 12 October 2017

TITLE: Chief Executive's Report to Council
ID: A988917
To: Council Meeting, 24 October 2017
From: Malcolm Nicolson, Chief Executive Officer
Date: 12 October 2017

Executive summary

To update the council on recent activities and progress on achieving council priorities.

Recommendation

That the report 'Chief Executive's Report to Council' and dated 12 October 2017, be received.

8.2.1 HIGHLIGHTS

CONTINUOUS IMPROVEMENT

In August 2017, a number of functions within Council achieved ISO 9001:2015 certification. The functions certified were: Biosecurity; Consents; Farm Dairy Effluent; Formal Enforcement; Hydrology; Human Resources including Health and Safety; Environmental Incidents; Field Monitoring Group; Land Management; Maritime; Waste Management; and Resource Consent Monitoring. There is an ongoing project to roll out ISO 9001 to other areas of Council where appropriate.

SPECIAL AWARD

On 19 September, the Northland Regional Council's "Pest Control Hub" was awarded the 2017 ALGIM Web and Digital Project of the Year. This was a great recognition of the innovation and success of the Pest Control Hub and the team is now moving into phase three which may include the addition of a user map that will provide species locations for the public to see, as well as a short, animated tutorial on how to use the Pest Control Hub. Other aspects of the development that will be considered is the integration with the (yet to be named) Envirolink, national passive weed surveillance app. This app will have a national mapping system hosted on and integrated with the website:

<http://naturewatch.org.nz>

8.2.2 CEO'S OFFICE

SHARED SERVICES

Council is preparing a briefing for incoming Ministers, on behalf of the four Northland councils, for presentation to a newly formed government.

The Mayoral Forum is hosting the Local Government Commission on 20 October. Discussion is likely to focus on the joint Northland councils' response to the Equinox IT's *Northland Council's ICT Architecture Review* and SPM Assets' *Four Water Project* report.

UNISA – UPPER NORTH ISLAND STRATEGIC ALLIANCE

In November, the Mayors and Chairs of each of the seven UNISA councils are to receive a briefing from the Chair and Chief Executive of the Ports of Auckland and the Chief Executive of the Ministry of Transport on the matter of current upper north island port operations.

UNISA CE's have unanimously approved the development of a 'Top of the North' overview of marine pest threats and to progress an Inter-Regional Marine Pathways Management Plan.

COUNCIL PROPERTY UPDATE

Residential

There is a new legislative requirement that, nationwide, all residential rental properties must be insulated by July 2019. Council has engaged a contractor to complete the installation of insulation in all council's residential properties over the coming months.

Commercial

The council purchase of a CBD commercial property was settled in September.

The building of the storage facility in Union East Street begins on 16 October 2017 and is due to be complete in February 2018.

There is a new legislative requirement that, nationwide, all pre-2000 commercial and industrial buildings are to be inspected for asbestos by April 2018. This could involve technicians taking micro samples of building materials under strict protocols where necessary. Council has engaged a specialist to undertake this work on 12 freehold properties over the coming months. Inspection will also form part of council's due diligence work, when purchasing, if this is considered wise.

Industrial

The council sale of one industrial area properties went unconditional in September. The council sale of two industrial area properties settled in September.

8.2.3 CORPORATE EXCELLENCE

FINANCE

Council has achieved a year to date surplus of \$2.84M which for September 2017. This is favourable to budget by \$11K. (See Item 6.1 for more detail.)

Fraud declaration

I am not aware of any fraud nor am I investigating any incidence or suspected incidence of fraud at this time.

INFORMATION SERVICES AND TECHNOLOGY

The online cyber security training was completed by 91% of staff. The baseline campaign recoded a 'click through rate' of 18.79%. the click through rate is measured where staff were deceived and clicked on a phoney link. A further phishing campaign is underway and shows the click through rate for September has reduced to 8.6%.

No cyber security threats or attacks were detected during September.

Firewall Upgrade

Our firewall has been upgraded to a hosted and managed solution provided by NorthCloud Limited. Our existing firewall was end of life and as it provides a vital line of defence against internet invaders and attackers, critical to keep current and up to date. This is in line with our strategy to move to IT as a service.

8.2.4 REGULATORY SERVICES

PLANNING AND POLICY

New Regional Plan

The Proposed Regional Plan was notified for submissions on 6 September 2017. Submissions close 15 November 2017. Nineteen submissions have been received at the time of writing.

Regional Policy Statement – Genetically modified organisms

On 3 October 2017, Federated Farmers withdrew their appeal to the Court of Appeal on the High Court's decision affirming that the regional council has the legal ability to regulate GMOs. With the legal question confirmed, the remaining matter to address is the merits question – *should* the regional Policy Statement regulate GMOs. The Environment Court has yet to issue any directions.

District Planning

Whangarei District Council is seeking input on Draft Plan Change 82 – 'Signs and Artificial Lighting' to the Whangarei District Plan. The Draft Plan Change proposes to replace the individually repeated signage and lighting rules within the zones in the district plan with one district wide chapter that relates to signs and lighting. Staff are reviewing the draft plan change to determine whether there is a need to provide feedback. The district council anticipates that the plan change will be formally notified later in the year.

District Council land use and subdivision applications

During September 2017, 24 resource consent applications were received from the district councils (two notified and 22 non-notified). At the time of writing, no submissions or comments had been lodged/raised.

CONSENTS**Consents in Process**

During September 2017, a total of 53 decisions were issued. These decisions comprised:

- 1 Moorings
- 4 Coastal Permits
- 0 Air Discharge Permits
- 18 Land Discharge Permits
- 0 Water Discharge Permits
- 26 Land Use Consents
- 3 Water Permits
- 1 Bore Consents

The processing timeframes for the September 2017 consents ranged from:

- § 5190 to 22 calendar days, with the median time being 32 days;
- § 1706 to 16 working days, with the median time being 20 days.

- 20 Applications were received in September 2017.

Of the 114 applications in progress at the end of September 2017:

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

Appointment of Hearing Commissioners

No commissioners were appointed in September 2017.

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

The current level of notified application processing activities at the end of September 2017 is (by number):

- § Applications Publicly/Limited Notified During Previous Month 0
- § Progress on Applications Previously Notified 4
- § Hearings and Decisions 0
- § Appeals/Objections 1

COMPLIANCE AND STATE OF THE ENVIRONMENT MONITORING

The results of compliance monitoring for the period 1– 30 September 2017 (and year-to-date figures) are summarised in the following table and discussed below.

Classification	Total	Full compliance	Non-compliance	Significant non-compliance	Not exercised during period
Air Discharges	50	39	0	2	9
Coastal permit	80	63	9	4	4
Discharge permit	25	22	3	0	0
FDE - Discharge permit	106	64	22	20	0
FDE - Permitted activity	23	15	0	8	0
Land use consent	73	62	1	0	10
Water permit	129	89	25	0	15
Total	486	354	60	34	38
Percentage		72.84%	12.35%	7%	7.82%
YTD	1371	976	239	90	66

Air discharges

A total of 22 air quality related environmental incidents were received, 11 of which related to burning and smoke nuisance and six complaints relating to odour nuisance.

Continuous ambient PM₁₀ monitoring results for August 2017 for the Whangārei, Marsden Point and Dargaville airsheds showed that compliance was met with the National Environmental Standards. PM_{2.5} monitoring results for Whangārei were within the Ambient Air Quality Guideline value.

Coastal

The majority of consents monitored during the reporting period related to coastal discharges (treated municipal sewage and boat maintenance facility discharges) and dredging activities. Routine water quality sampling of the Whangārei, Bay of Islands and Kaipara harbours and southern estuaries (Mangawhai, Waipū and Ruakākā) was carried out.

Sediment plates were measured during September for current sedimentation rates at estuary monitoring sites in the Whangārei Harbour.

A number of monitoring staff across council completed the Massey School of Aviation's 'Introduction to Remote Piloted Aerial Systems (RPAS)'. This programme allows trained staff to safely use RPAS for a variety of activities such as aerial photography and surveying.

Hazardous Substances

- 93 kg of hazardous wastes was disposed of.
 - Four incidents involving the discharge of hazardous substances were received and responded to.
 - Eighteen enquiries regarding contaminated land were received and responded to.
- A rupture occurred in the Marsden Point to Wiri fuel pipeline on 14 September resulting in a discharge of tens of thousands of litres of jet fuel. The council's initial focus was to monitor the fuel recovery and clean-up operation to ensure it was carried out appropriately. Following repair of the pipeline, the council's attention turned to investigating the cause of

the rupture, which is still in progress. The Compliance Monitoring Manager is leading the investigation with the assistance of our Hazardous Substances Specialist. The Group Manager Regulatory Services and Media Specialist have also been involved in responding to the incident by preparing regular “media advisory” updates and responding to numerous media enquiries.

Discharge and Land Use monitoring

Routine compliance monitoring of discharge and land use consents continued during the period. Council staff attended the following during the reporting period:

- RMA Northland Forestry Development Group meeting.
- Interview with the Office of the Auditor-General regarding implementation of water metering regulations.
- ‘4 Waters’ meeting with representatives from FNDC, KDC, WDC and Ministry of Health.

Farm Dairy Effluent (FDE) Monitoring

The FDE contractor commenced routine annual inspections on 14 August. A total of 898 farms will be visited by the contractor or council staff prior to Christmas. To date about 32% of these have been visited and reported on. The results for consented and permitted activity farms are tabled below and compared with those for the same period last year.

Consented FDE discharges

A total of 177 consented farms have been visited and reported on. This is about 26% of the total consented farms to be visited. The rate of full compliance has increased compared with this time last year. Unfortunately, there has also been an increase in the rate of significant non-compliance.

Full Compliance		Non-Compliance		Significant Non-Compliance	
This Year	Last Year	This Year	Last Year	This Year	Last Year
102	101	35	78	40	36
58%	47%	20%	36%	22%	17%

Non-consented FDE discharges

A total of 110 non-consented farms have been visited and reported on. This is about 49% of the total non-consented farms to be visited. To date there has been an improvement in the rate of full compliance.

Full Compliance		Non-Compliance		Significant Non-Compliance	
This Year	Last Year	This Year	Last Year	This Year	Last Year
74	56	8	14	28	23
67%	60%	7%	15%	26%	25%

Environmental Incidents

There were no incidents recorded during the reporting period which resulted in a significant environmental impact.

EnforcementAbatement Notices

There were 51 abatement notices issued during the period. These were for:

Farm dairy effluent discharge	34
Burning & smoke nuisance	8
Discharge from "sacrificial" grazing	3
Discharge of silage leachate	3
Dead stock	2
Sewage	1

Infringement Notices

There were 41 infringement notices issued during the period. These were for:

Farm dairy effluent discharge	20
Non-compliance with an Abatement Notice	10
Discharge of silage leachate	5
Burning & smoke nuisance	2
Dead stock	2
Discharge of milk	1
Discharge from "sacrificial" grazing	1

Other EnforcementSpray damage to significant indigenous wetland

Charges have been laid against a land owner and the contracting company for spray damage to a significant indigenous wetland adjacent to Basin Road, Baylys Beach. No court dates have yet been set, however the Court has fixed a nominal date of 4 December 2017. The judge has ordered that counsel file a joint memorandum by 31 October 2017.

8.2.5 ENVIRONMENTAL SERVICES

LAND MANAGEMENT**Environment Fund**

Year to date 127 projects totalling \$618,524 have been approved. 31 projects totalling \$109,328 are due to go through delegated authority on 20 October 2017. The balance remaining is \$20k which will be utilised for proposed top wetlands and lake projects.

Farm Water Quality Improvement Plans (FWQIP) 1 July 2017 to 30 September 2017

Year to date 43 FWQIP's have been commenced. 57 have been completed, with a further 146 in progress.

Flyger Road Update

Planting of 21,000 poplar pegs has been completed in blocks 5 and 6 at Flyger Road nursery. Installation of power to the new nursery shed and installation of an irrigation supply to the new plantings is underway.

Northern Wairoa Fresh Water Improvement Project

The second meeting of the project partners was held to develop structures for steering groups, terms of reference and memorandum of understanding. Work plans and final project design is to be provided to MfE in December. It is expected the five-year project will commence February 2018.

BIODIVERSITY**CoastCare**

CoastCare Northland dune planting is almost complete for the year with 12,600 dune plants planted at 18 sites around Northland. In September planting took place at Hukatere, Paraparea (Whananaki North), Ahipara, Ruakākā and Tern Point (Mangawhai sandspit).

A dunes education day was held at Hukatere with Pukenui School and Hukatere CoastCare. The students learnt about dunes and dune plants, helped monitor a dune transect, collected litter from the beach and planted spinifex.

Wetlands

The Biodiversity team responded to a range of enquiries regarding wetlands, resulting in several site visits and plans being written. Work is on-going on Biodiversity plans following several recent site visits.

Dune Lakes Freshwater Improvement Fund Project (FIF)

The Deed of Funding for the FIF project has been co-signed by MfE. The project will go live once the Stage Two project workplan and first annual workplan are accepted by the Ministry. Invasion by pest fish and water weeds is a serious risk to Northland lakes, however the distribution of many of the most serious aquatic pests across the region is unknown.

In order to help manage the risk of weed and spread, a pest fish distribution survey is planned, which will identify key sites for management. To assist with this the FIF project will begin with a mailout survey of landowners asking for information about pest fish and key aquatic weeds in their dams and waterbodies. Two hui with mana whenua iwi (Dargaville and Kaitia) are scheduled for November to initiate the matauranga Maori component of the project.

Twelve Outstanding Dune Lakes Plan Project

The 12 plans are in the final stages of internal peer review due for publication in October. Implementation of findings and recommendations from the plans will occur mainly through the FIF dune lake project.

BIOSECURITY**Biosecurity Threats/Incursions**

Staff are not aware of any new incursions in the Northland region.

Myrtle Rust

Myrtle rust has been confirmed in 121 mainland sites since its discovery in May 2017. Regions where the disease is established include the Bay of Plenty, Northland, Taranaki, and Waikato. Northland has had no new confirmed infection since the discovery of the initial four sites last May. Of those four sites, three were located within Kerikeri and the other in Kaikohe which was discovered through the tracing of plant sales.

- [Myrtle Rust web page on the MPI website](#)

Regional Pest Management Strategy Marine Pathways Appeal

(See Item 7.3.)

Biosecurity Partnerships***Kiwi Coast/ NRC***

The partnership agreement between NRC and Kiwi Coast Trust was officially signed in September. The partnership will build on an enduring relationship between the two organisations which has developed over the last two decades. The Kiwi Coast initiative has grown from a strong foundation and taken the next step of linking individual projects to create continuous trapping networks - this operates at a landscape scale unrivalled elsewhere in New Zealand. The Kiwi Coast Trust will provide regular updates and report back to council on a set of measurable objectives, which include increasing kiwi populations, reducing pest animal populations, and increasing the capability, skills and engagement of communities.

New and proposed Community Pest Control Areas (CPCA's)

Staff have continued developing and proposing new CPCA's throughout Northland.

The Sanctuary CPCA and Bream Tail Farm CPCA are two new pest control plans in the process of being confirmed in the Mangawhai/Waipū area. The Sanctuary CPCA is a 177 hectare project which involves 69 properties and includes 77 hectares of native forest adjoining the Brynderwyn forest and several large man-made lakes. Bream Tail Farm CPCA is a 460 hectare project involving 40 properties. Both projects are aiming to control possums, rats and predators to protect recently reintroduced kiwi and other important native species such as grey faced petrel and bellbird.

Additional CPCAs proposed for the coming year include Tawapou (Tutukaka Coast), Whananaki, Waikare marae (Bay of Islands), Opito Bay (Bay of Islands), and Onekura (Bay of Islands). Staff are continuing to receive interest for new CPCAs for the 2018/19 financial year.

These include Western Tangihua, Russell Forest, and an increasing interest for urban based pest control initiatives.

Tangihua

Following the successful establishment of the Tangihua Lions Lodge CPCA on the southern border of the Tangihua Ranges, land owners located at the western end of the ranges have decided to start up a landcare group. Named "Tangiteroria Landcare" this group aim to target both animal and plant pests and it is likely that a CPCA will develop with a strong focus on kiwi recovery.

Tawapou

Staff are currently working with the Bowden family to develop a CPCA on their family land at Tutukākā. The property is a unique 130ha block of coastal land with significant areas of fenced off native forest, wetlands and regenerating natives. A recently rediscovered colony of grey faced petrels is one of the only known mainland breeding colonies of oi (petrel) in Northland and will be one of the primary protection objectives. Other objectives of the proposed CPCA include protecting all native biodiversity values on the property including kiwi, bittern, oi and little blue penguins as well as the more common bush birds with intensive pest control using a variety of methods.

Predator Free 2050 (PF2050)

Predator Free 2050 Limited (PF2050) is an independent Crown owned company that has been established to help achieve the Government's ambitious goal to rid New Zealand of possums, rats and stoats by 2050.

These three introduced predators have been identified as key contributors to the decline of our natural heritage, with 3000 of our native species classified as threatened or at risk and 800 classified as facing extinction.

The Crown has set interim goals for completion by 2025 as follows:

- Increase by 1 million hectares the area of mainland New Zealand where predators are suppressed, through PF2050 projects;
- Demonstrate that predator eradication can be achieved in areas of mainland New Zealand of at least 20,000 hectares without the use of fences;
- Achieve eradication of all mammalian predators from New Zealand's island nature reserves; and
- Develop a breakthrough science solution capable of eradicating at least one small mammal predator from the New Zealand mainland.

PF2050 is now seeking "Expressions of Interest" from parties that are capable and committed to helping PF2050 and New Zealand achieve these ambitious goals. PF2050 is required to secure matching investment of \$2 for every \$1 of Crown investment.

Biosecurity staff are currently working with several key agencies to put forward an expression of interest to PF2050. These agencies include Reconnecting Northland, Kiwi Coast Trust, Department of Conservation, Auckland Council and other interested landcare groups and organisations. It is expected that additional expressions of interest will be submitted from Northland organisations such as Reconnecting Northland and Kiwi Coast as well as others.

Kai Iwi Lakes

Biosecurity staff have continued to assist with pest and weed control activities at the Taharoa Domain and surrounding private land since December 2013. Control of invasive species such

as wilding pines, acacia, possums, rodents, pest fish and feral pigs has been ongoing using specialist staff and local contractors.

Local contractors are undertaking a possum and rodent control operation during September and October within the Taharoa Domain and surrounding private land areas. Previous control operations carried out in 2015 and 2016 have reduced rodent and possum populations from around a 50% bite mark index (BMI) to below 5% BMI - which translates to very low possum numbers remaining. The results of the ongoing control are now visible with many of the previously heavily browsed Pōhutukawa trees showing lush new growth.

Local contractors have been working alongside Kaipara District Council staff to control large areas of acacia and wilding pines. Contractors have continued to drill and poison large wilding pines and are working to undertake maintenance work through areas previously controlled several years ago.

Contractors have maintained a predator trapping network to control stoats, weasels, ferrets and feral cats at the Taharoa Domain and surrounding area. This network is checked and maintained monthly to reduce the impact of these predators on wildlife such as native waterfowl and nesting shore birds.

Image: New spring growth on previously browsed Pōhutukawa – Lake Waikare.



Environment Fund

Biosecurity staff have commenced delivery of pest control products to biosecurity fund projects, including demonstrating SA2 traps to control feral cat and possum on an 840-hectare property, adjacent to the Manganui River at Wainui (Dargaville).

The property owner advised that all forty SA2 traps were set in the field, two days after delivery - an amazing result from a very committed and active landowner.

Paparoa Primary School Possum Purge - Annual school fundraiser

Staff gave a presentation on possum control, including mustelid, rat and feral cat control to three combined classes at the Paparoa Primary School, before their annual possum purge/school fundraiser and gala on Sunday 17 September. Despite challenging weather conditions, 628 possums were recovered during the three-day event, with the first-place team, 'the Turkey Ticklers' rewarded with a Kaipara Harbour fishing trip.

Kauri Dieback - Kauri Rescue

Kauri Rescue is a two-year project funded by the "National Science Biological Heritage Challenge"; which seeks to engage the public in refining a tool for the treatment of kauri dieback disease that is decimating kauri forests in northern New Zealand.

The project is supporting landowners to test new treatment techniques, encouraging both western science and mātauranga Māori methods, rigorously monitoring results and collecting data on all treatments so that their efficacy can be determined.

Kauri Rescue held a hui in Whangarei on 3 October to inform and recruit private landowners to work alongside scientists to treat their own trees with a chemical called phosphite. This has shown great promise in Kauri Dieback Programme-funded scientific trials, by enabling kauri to fight back against the *Phytophthora agathidicida* pathogen that causes the disease.

Staff are working to develop a short video to increase awareness of kauri dieback, promote the Tindall/Aotearoa Kauri Dieback Fencing Fund and the council's Environment Fund using drone footage of high value kauri forest that has been fenced off and protected with help from both the Tindall/Aotearoa Kauri Dieback Fencing Fund and the council's Environment Fund and an interview with a landowner and NRC staff.

Biocontrol

Two applications were filed with the Lotteries Commission, Environment & Heritage Fund and Ministry for Primary Industries Sustainable Farming Fund (SFF), collectively totalling \$900k to proceed with the import of four biocontrol agents for wild ginger. For the SFF application, the region's three district councils, DOC, and two forestry companies have agreed to provide co-funding for the next three years.

Batwing

Batwing discoveries outside the known sites has prompted much more intense perimeter surveillance in both Kamo and other sites further north. A personalised letter has been drafted and shop owners asked if they can display material for us to raise the awareness and co-operation of more land owners in the area.

A trial with stem treatment with metsulfuron - a common gorse herbicide has also begun with the first seeds of this trial planted. The trial aims to determine if seeds can be deactivated with metsulfuron sprayed onto the stems. This is useful if seeding plants are too high to reach the berries.

A large mickey mouse plant (*Ochna serrulata*) site in Tutukaka has been reported. This is of concern as the most likely place that this plant will invade is dry coastal areas as it has done on the east coast of Australia. Staff are developing a plan to manage this new site.

Marine

Biosecurity marine officers were engaged in a meeting with Northland marina operators to discuss the marine biosecurity programme for Northland this coming surveillance season and other relevant topics regarding marine biosecurity.

Marine biosecurity vessel hull surveillance throughout Northland will commence in October. Nine tenders for the work were received in total with Marine Environmental Field Services - a Northland based diving environmental research company winning the tender.

Vessel 'Escape Artist' at Tapu Point/Matauwahi Bay

On 27 September, the vessel 'Escape Artist' was hauled out at Ashby's Boat Yard and a number of mature fanworm were found on the keel and anodes. The vessel had been moored at Tapu Point and had been located on anchor at Matauwahi Bay.

The marine biosecurity team are currently undertaking a traceback to determine where the vessel has been since its last inspection in late 2015 and divers will be starting a delimitation survey where the vessel was located to determine if there are any further individuals in this location.

In addition to this, the hull surveillance programme will start in Bay of Islands on 9 October and will begin with surveying the boats that were adjacent to "Escape Artist". In the 2015-2016 survey season six vessels were recorded in Matauwahi Bay with Sabella. Following these incidents staff surveyed Matauwahi Bay on 29 July 2017. This survey looked at the reef, structures, moorings and adjacent hardstand area where incidents had been recorded; no Sabella was detected.

RIVERS**Awanui**

Staff presented the draft peer review of the scheme upgrade, draft LTP and proposed Flood Infrastructure Rate to the Awanui River Working Group meeting on Thursday 21 September. The Working Group supported the concept of the proposed Flood Infrastructure Rate. Were it to be adopted, the Working Group would support further investigation into the Kaitiāia Urban Scheme Upgrade "Option 1" comprising approximately \$15 Million of works to upgrade floodway resilience and re-route flood flow by accommodating additional flow in the Awanui River and Whangatane Spillway.

Staff are continuing to progress the annual works programme and investigation into the Bells Hill remediation options along with the scheme upgrade. As part of the flood scheme upgrade, staff are progressing easement agreements with landowners where spillways are proposed to reduce flood overflow to the Tarawhataroa Stream catchment.

Kāeo - Whangaroa

The Kāeo River – Whangaroa Catchment Working Group meeting was held on Friday 29 September. The Working Group supported the concept of the proposed Flood Infrastructure Rate and further investigations into the proposed Kāeo Flood Scheme Stage II.

The Working Group also supported the concept of the Matangirau Floodway, and recommended that these works be brought forward to years 2 and 3 within the LTP 2018-2028.

Kawakawa – Taumārere

Staff are working on a design for the Otiria stream widening options to reduce the frequency and depth of flood over-topping of the Turntable Hill SH-1 Bridge. This work is supported by NZTA, and likely to be largely funded from the NZTA Resilience Fund.

Site visits were undertaken by staff to scope works and meet with landowners on the Otiria Stream at Moerewa and Waiōmio stream at Kawakawa. Both these LTP projects appear to have good potential.

Whangārei

Trees blockages have been removed from the Kirikiri Stream and from the Waiarohia Stream at Lovers Lane Bridge. It is noted that following the upgrade of the Rust Avenue Bridge, the Lovers Lane bridge is now likely to trap more debris, as it has a central pier located within the stream bed. The proposed Greenway project referred to in the Infrastructure Strategy includes channel works to increase flow capacity through the true right span of the Lovers Lane bridge which should mitigate the risks of debris blockage.

Kerikeri-Waipapa

Staff are drafting options for stream widening on the Whiriwhiritoa Stream, through the Waipapa Industrial Estate. The excavated material from these works is proposed to be used for the Waitotara Drive Stopbanks, for which a resource consent is required, although Council holds easement agreements with the landowners.

Panguru

Panguru flood alleviation options have been included in the draft LTP. The priority from the community group meetings is to improve access along the West Coast Road.

Kaihū

A working group meeting was held Wednesday 6 September. The group approved the summers works programme and to progress spraying of rice grass.

NATURAL HAZARDS**Coastal Hazard Mapping Project**

The closing date for submissions on the new draft coastal flood hazard maps for Whangārei Harbour was Friday 29 September. A total of 335 notification letters were sent to the owners of 436 properties. Only three submissions were received on this mapping, although a number of other written queries were also received by staff.

The balance of Tonkin + Taylor adjustments to coastal hazard maps for Far North and Kaipara Districts was received and staff are currently reviewing the outputs. Coastal Flood Hazard

modelling by eCoast for Ruawai, the Northern Wairoa River and Awanui is progressing well and delivery is expected in October and is on schedule. The NRC online natural hazards viewer will be updated once the final mapping from these projects has been reviewed.

Regional LiDAR Project

RPS Consultants NZ Limited (RPS) has notified NRC that the CAA has suspended operations of their aviation partner, Redcliffe Aeroclub, which was operating under a Sunair CAA licence. The CAA action results from an audit of Sunair's operations. Redcliffe's operations were not audited and they are currently seeking an exemption from the suspension. They are also seeking other options as well as working with Sunair and CAA to remedy this suspension. Staff have notified central government funding partners and expect further information from RPS early in October.

The completion dates for data capture are June 2018 and December 2018 for delivery of all processed outputs.

The Northland survey has not yet started, as Redcliffe are still working on an Interpine project in Hawkes Bay.

Waipu and Paparoa Flood Model Builds

E-Waters has started the modelling work for Waipu and Paparoa rivers. Their modelling is scheduled to be completed in April 2018.

HYDROLOGY

Hydrology Team & Water resources Work Programme

- The Hokianga tide gauge was installed at Opononi late September 2017, this station will be used to provide tidal information and monitor sea level rise.
- During September 2017, a satellite logger was installed at the Hakaru station. In October 2017 three more units will be installed at Rotokakahi, Kāeo and Awanui.
- The Water Resource Scientist will produce drought maps this summer, they will be available monthly, then weekly once more data is available. This is part of the drought monitoring/ forecasting programme that is being developed.

8.2.6 STRATEGY AND GOVERNANCE**ECONOMIC DEVELOPMENT****Investment and Growth Reserve**

Project	September Update	Future developments/ reporting
Kawakawa Hundertwasser Park Centre	None	Prepare funding agreement with Kawakawa Hundertwasser Park Centre Trust.
Maungatapere Berries	Received response from Onyx Capital that they are no longer seeking the proposed investment.	None.
Hundertwasser Art Centre (Whangārei)	Further refinements to funding agreement being agreed.	Finalise funding agreement with Whangarei Arts Museum Trust.
Resource Enterprise Limited (REL)	Received notification of a change in third party financing arrangements.	Potential meeting with new investor.
Regional Promotion	None	Report for the six months ended December due in mid-February 2018.
Twin Coast Discovery Revitalisation	None	Report for the six months ended December due in mid-February 2018.
Extension 350	A quarterly report has been received for April – June, Q4 2017 (see below).	Quarterly reporting underway
Twin Coast Cycle Trail (TCCT)	None	Awaiting further progress reports and associated invoices to complete funding commitment.

Other activities undertaken included:

- **Extension 350:** A quarterly report has been received from the E350 steering group. The steering group reports that overall strong progress has been achieved with frameworks developed, momentum building & engagement strengthening across the project. Over the past quarter the project has concentrated on establishing the first three clusters, developing project documentation and building systems and processes needed to manage, promote and report on the project. The report states that good progress has also been made on establishing the systems and processes required to manage, promote and report on the project. In summary the report concludes that, while not without challenges, a strong result has been achieved & the project is now well positioned to progress into year 1 2017/18.

- **Northland Economic Quarterly:** The seventeenth issue of the Northland Economic Quarterly (NEQ) newsletter was published on 22 September 2017. The annual section details information on guest nights and tourism spend in the region while the spotlight section looks at population growth and changes to location, age and ethnicity. The current and past issues can be found at:

www.nrc.govt.nz/resources
- **New Irrigation Scheme Development – Demand Assessment:** Following the release of the *Scoping of Irrigation Scheme Options in Northland* report and the Crown Irrigation Investment Limited (CIIL) project delivery system, staff are working on a proposed next step piece of work focusing on understanding the demand that exists for the development of new irrigation infrastructure in Northland.
- **Digital Infrastructure:** On 30 August, central government announced that a total of \$290 million will be spent on the second phase of the Rural Broadband Initiative (RBI2) and the Mobile Black Spot Fund (MBSF). As part of the August package, Crown Fibre Holdings announced an additional \$130 million from returned UFB capital to fast-track the UFB2 development schedule and to extend the UFB programme further (UFB2+). District Councils, in conjunction with the regional council, are working through a revision of the Digital Enablement Plan to account for these developments and other developments that have occurred since it was produced, including an update list of actions councils are doing on digital.
- **Website update:** Staff have worked to update the economic development section of the website. The section now gives more prominence to the IGR projects funded by Council. The economic development section is available here:

<https://www.nrc.govt.nz/Your-Council/Economic-development/>

COMMUNICATIONS

Publications

The Total Mobility User Guide and brochure were updated during September. As there have been changes to conditions of use and the boundary restrictions lifted.

Online channels

Highlights

- **ALGIM Awards**
 - The Pest Control Hub project was named “Overall Project of the Year” at the ALGIM Awards in Dunedin this month. This is the second year running that Northland Regional Council has won this award.
 - Integration of information from the Hazard App into the website and social media channels took out second place in the “Best Use of Social Media or App” at the same event.

- Our website moved from 41st place to 3rd place on the ALGIM Website Ranking List that measures compliance with web standards and enquiry management times across all local government websites.
- **Facebook followers** – Our Northland Regional Council Facebook page achieved a significant milestone this month reaching 5,000 followers.
- **Most popular post on Facebook this month** – A media release urging boaties to be extra vigilant after the discovery of a vessel 'heavily infested' with dozens of mature Mediterranean in the Bay of Islands.

Key Performance Indicators	June-17	Jul-17	Aug-17	Sep-17
WEB				
# Visits to the NRC website	21,534	17,290	21,282	22,600
E-payments made	2	20	21	20
# subscription customers (cumulative)	1,156	1,153	1,150	1,156
SOCIAL MEDIA (cumulative)				
# Twitter followers	1,299	1,309	1,318	1,320
# NRC Facebook fans	4,611	4,782	4,949	5,059
# NRC Overall Facebook Reach	73,362	170,500	137,300	150,900
# CDEM Facebook fans	14,137	14,225	14,297	14,433
# CDEM Overall Facebook Reach	86,968	63,635	80,327	158,200

MARKETING and ENGAGEMENT

Campaigns – True North

The first phase, 'engage' of the True North campaign came to an end on Friday 6 October with the launch of our billboard. We received 429 photos in total from staff and the public which were used to make a mosaic billboard of Matapouri Beach.

The majority of images that people sent through portraying what they love and value about Northland were of our natural environment. Beaches were the most popular, followed by our lakes and rivers, the whenua and 'real' Northlanders. This re-enforces what a great responsibility we have to provide real value to our ratepayers by doing what we do best – looking after our environment and the people and places of Northland.

The phase one video received some great feedback and featured staff and community members. The video on social media reached (number of people who the video was served to) 33,232 and was watched by 32,809 people (number of times the video was viewed). The engaged users on social media were 2,008 (number of people who either liked, commented, shared or clicked on the post).

EVENTS

Kiwi Coast Partnership event (Monday 4 September)

A special event was held at Patua at the property of Anne Stewart and John Craig to mark the start of this new partnership. Attendees included Kiwi Coast Trustees, local kaumatua and Chairman Shepherd and Councillor's Dimery and Finlayson.

Free Ride Day

We supported the transport team with creating an online survey to capture feedback from users and non-users of the bus services and provided support on the day to interact and engage with the public. We received 231 responses to the survey, 17,783 people reached, and 655 engaged users (total number of people who either liked, commented, clicked or shared any posts relating to the campaign, including event responses). This year free ride day included all Northland public transport services – FarNorth Link, Hokianga Link, Mid North Link and CityLink.

ENVIROCHOOLS/EDUCATION

Newsletter produced

Issue 26 of the EnviroSchools Northland newsletter was distributed. The newsletter highlights the WaiRestoration booklet, 18 winter planting days, WaiFencing workshops, Onerahi School's Green-Gold celebration and environmental action happening at seven EnviroSchools.

EnviroSchools regional co-ordinator hui attended

EnviroSchools regional co-ordinators from throughout New Zealand gathered at a hui in Wellington. The hui had a strategic focus and also covered the upcoming EnviroSchools census, Māori perspectives and the six-monthly Toimata report to MfE. Staff presented on the WaiRestoration project.

School communities facilitated

During September, 23 school communities were visited by EnviroSchools facilitators.

IWI LIAISON

Governance

The Te Oneora-a-Tohe Baord (the Board) met during September with both Councillors Dimery and Finlayson in attendance. The Board was provided an update from the consultant tasked with writing the Beach Management Plan.

Council received a letter of introduction from the Office of Treaty Settlements regarding the recent Treaty settlement - the Ngati Kahu ki Whangaroa Claims Settlement Act 2017 (see Item 8.3 for more detail).

Cultural Awareness Training

A new training initiative - Kaupapa Whakapakiri Ahurea (cultural capacity building programme) – has been offered to council and staff. The training includes introductory Te Reo, marae protocol and waiata training. The marae protocol and introductory Te Reo combines online training with tutorials to assist learning, while waiata sessions are being held once a month with an external provider running these classes.

GOVERNANCE SUPPORT**Local government official information (LGOIMA) requests**

Month	LGOIMA requests received 2016/17	LGOIMA requests received 2017/18
July	7	7
August	5	10
September	10	15
October	11	
November	10	
December	10	
January	7	
February	11	
March	18	
April	12	
May	8	
June	7	
Total LGOIMA requests received	116	32
Total LGOIMA requests not completed ≤ 20 working days	9	1

In September, there were no LGOIMA requests that exceeded 20 days to complete.

8.2.7 CUSTOMER SERVICE – COMMUNITY RESILIENCE

CIVIL DEFENCE EMERGENCY MANAGEMENT**Warnings and activations**

A 7.8M earthquake in Mexico on Friday 8 September resulted in a series of tsunami-related advisories and phone conferences with MCDEM through that evening and early the following morning, ending in a marine and beach threat advisory which was subsequently cancelled. This was publicly communicated via the Civil Defence Northland Facebook page and the Hazard app.

There have been several MetService weather watches and warnings issued in the past month that have been monitored however no further action has been required.

Aranga Rockfall

On Friday 15 September DOC informed KDC that several rocks from the bluff above Aranga had come loose and rolled down into the houses below causing some damage. Several larger rocks are currently suspended by trees on the bluff above Aranga and pose danger to life and property. It is possible that these could become loose and could travel down the hillside severely damaging properties.

As a result, KDC issued 12 properties with Dangerous Building Notices, three of these properties were occupied and the residents (4) were evacuated.

CDEM Welfare acted to assist the displaced residents in the initial stages of this event. Welfare assistance was provided by Kaipara Civil Defence officer, Sharon Douglas and supported by the CDEM Group Office. This included establishing emergency accommodation for the three parties, supporting psychosocial needs, with referrals made to DHB to assist with health needs and support, MSD financial assistance for emergency accommodation and Police Iwi Liaison.

The overall responsibility for the safety and security of residents and housing at Aranga rests with the responsibilities conferred by the Building Act on KDC. While we are happy to assist, the responsibility for managing the on-going longer-term relocation or accommodation arrangements for the displaced residents is not a CDEM function.

Longer term temporary, or more permanent accommodation arrangements should (and have) been made by the residents themselves with assistance from support agencies where necessary.

The initial EQC and engineers report has found the risk to be ongoing, a number of mitigation strategies are being explored. At the time of this report, the affected area continues to be closed.

Training Pathway

A dedicated CDEM training pathway has been developed for Northland in consultation with training provider FYRBOS and tutor Gerard Moore. It will facilitate ongoing training through introduction, Coordinated Incident Management (CIMS4) and then a bridging course which will allow access into the nationally developed Integrated Training Framework (ITF) with function specific and senior leadership training opportunities.

Public Alerting System

The new public alerting platform being developed by the Government for emergency services and other agencies, Emergency Mobile Alerts, continues to be on track for an official launch by the end of this year. However, it unintentionally gained early public profile when alerts were accidentally sent to a number of Vodafone users and Aucklanders in the early hours of Wednesday 4 October.

The Director of the Ministry of Civil Defence & Emergency Management, Sarah Stuart-Black, offered an unreserved apology and took full responsibility for this and while the public criticism was intense on the day, equally there was a great deal of gratitude that this new technology is being developed.

Emergency Mobile Alerts will not replace the Hazard app – the two platforms have different capabilities and advantages, and the Northland CDEM Group (along with its counterparts) will continue to use both.

Edgecumbe Report

The Whakatane District Council Review of the April 2017 flood response has been released. Many of the key findings around the operational planning, response, resourcing, the need for skilled professionals in key roles and the need for strong community connections are relevant across the country and local government sector.

Tsunami siren testing

The six-monthly tsunami siren testing took place throughout the Northland region on Sunday 24 September, coinciding as usual with the start of daylight savings. A total of 18 new sirens have been installed over the year since last September. Northland's network of tsunami sirens remains the largest in New Zealand and now stands at a total of 171. The opportunity was taken to encourage Northlanders to familiarise themselves with the new interactive tsunami evacuation maps online at:

www.nrc.govt.nz/evacuationzones

TRANSPORT**REGIONAL LAND TRANSPORT PLANNING****Northland Regional Land Transport Plan 2015/2021 – Three-Year Review**

A progress report on the Draft Regional Land Transport Plan 2015/2021 was tabled at the 9 August 2017 Regional Transport Committee meeting.

Monthly meetings were held with both RLTP Project Team and with the NRC Comms team.

Councils initial bid for national funding assistance for public passenger transport services, Total Mobility, Road Safety and regional land transport planning were downloaded into the New Zealand Transport Agency's (NZTA) Transport Investment Online programme on 31 August 2017. Moderation meetings on the subsidy application will be undertaken with NZTA during September 2017.

PASSENGER TRANSPORT ADMINISTRATION**Total Mobility**

Total Mobility figures are reported one month in arrears, as the information is not available in time to meet the agenda deadline, therefore the statistics provided below are for July 2017.

	Total clients	Monthly Actual Expend	Monthly Budget Expend	Variance	Year/Date Actual Expend	Year/Date Budgeted Expend
July 2017	1170	\$11,647	\$16,666	\$5,019	\$11,647	\$16,666

The Ridewise test cards for Northland have been processed, and are currently being tested by the two Transport Operators.

July 2017 Bus Service Update (Some Figures for August unavailable at time of report)**Operational Statistics**

<u>July 2017</u>	Actual	Budget	Variance	Year/Date Actual	Year/Date Budgeted
City Link Passengers	22751	24077	-1326	22751	24077
City Link Farebox Revenue (gst exclusive)	\$45,737	\$49,754	-\$4,017	\$45,737	\$49,754
Mid North Link Passengers	171	420	-249	171	420

Mid North Link Farebox Revenue	\$700	\$2,738	-\$2,039	\$700	\$2,738
FarNorth Link Passengers	491	621	-130	491	621
FarNorth Link Farebox Revenue	\$1,335	\$1471	-\$136	\$1,335	\$1,471
Hokianga Link Passengers	22	-	-	22	-
Hokianga Link Farebox Revenue	\$402	-	-	5788	-

<u>August 2017</u>	Actual	Budget	Variance	Year/Date Actual	Year/Date Budgeted
Mid North Link Passengers	234	432	-198	405	852
Mid North Link Farebox Revenue	\$1,088	\$2,738	-\$2,817	\$1,788	\$2,738
FarNorth Link Passengers	515	731	-130	491	621
FarNorth Link Farebox Revenue	\$1,477	\$1,733	-\$256	\$2,813	\$3,205

Car Free day promotion

There will be a promotion for all services that are contracted to Northland Regional Council on the 22 September 2017, International Car free Day. The services will allow passengers to travel for free on this day as a "Thank you" for existing passengers and as an effort to garner some new passengers on our services.

Road Safety Update*Regional Road Toll Statistics – 2017 & 2016 Comparison*

<u>Location</u>	<u>YTD 2017</u>	<u>YTD 2016</u>
Far North	14	8
Whangarei	6	7
Kaipara	3	8
Northland	23	23
National	256	219

There have been fourteen deaths in the Far North; six deaths in Whangarei and three deaths in the Kaipara district.

These include thirteen drivers, four passengers, two motorcyclists, one cyclist and 3 pedestrians.

Casualty ages involved in death related crashes

0 – 14yrs	1
15 – 19yrs	1
20 – 24yrs	4
25 – 39yrs	4
40 – 59yrs	10
60 + yrs	3

Motorcycle Awareness Month – September is Motorcycle Awareness Month and will see a lot of media promotion emphasizing everyone plays a part in motorcycle safety.

NAVIGATION, SAFETY AND MARITIME OPERATIONS

The Kai Iwi Lakes navigational safety bylaw deliberations hearings have been completed, and Council will consider the final draft (see agenda Item 7.2).

One cruise ship was piloted safely into the Bay of Islands.

Plans are being developed, in coordination with other regions, for this summer's recreational boating safety campaign. Education on changes to the regional bylaws will be a focus, especially the lifejacket rules. Normal winter repairs to damaged and moved aids to navigation were undertaken.

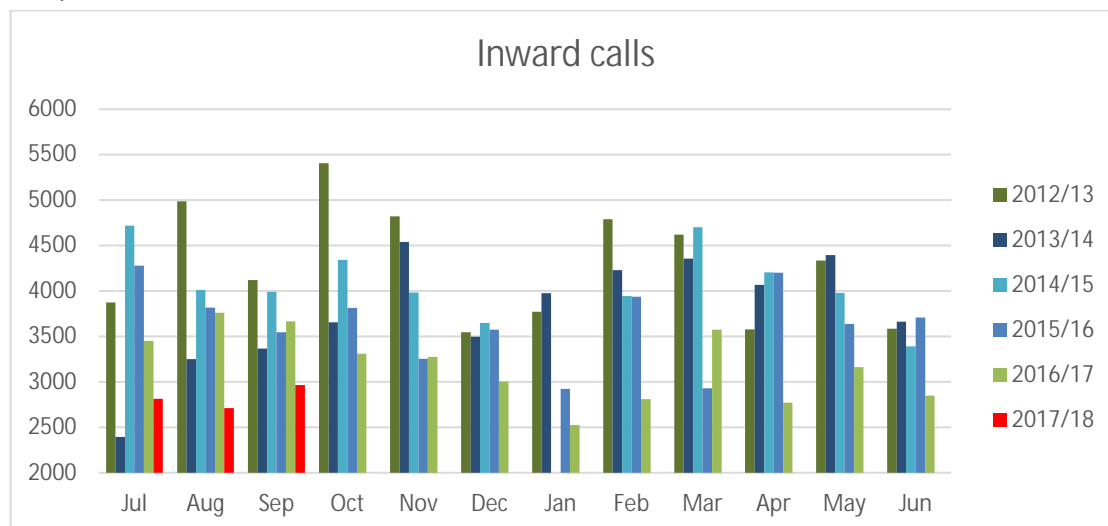
Work is ongoing updating the oil spill response regional plan, and working with Maritime NZ and refining NZ on changes to the Refining NZ tier 1 plan, and memorandum of understandings around the use of equipment.

The delayed beacon upgrade for Whangarei Harbour is due to commence early October. Some changes have been made to beacon locations in Portland following local risk assessments and reviews of the existing beacons.

CUSTOMER SERVICES

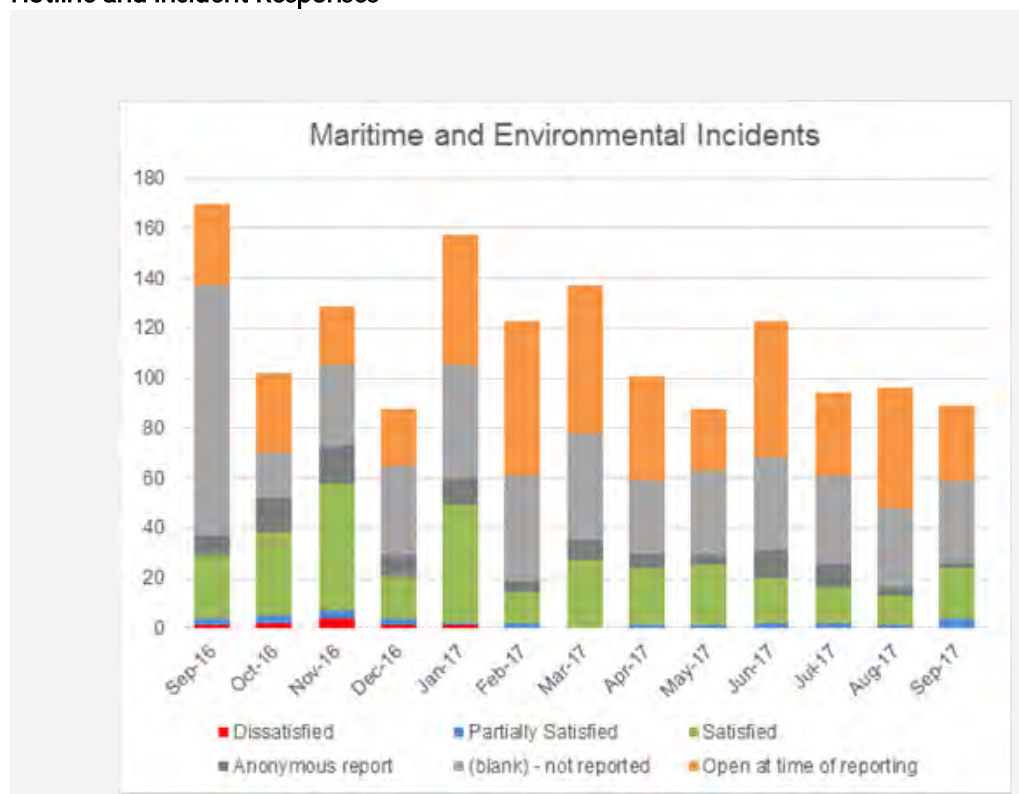
Performance Statistics

Telephones



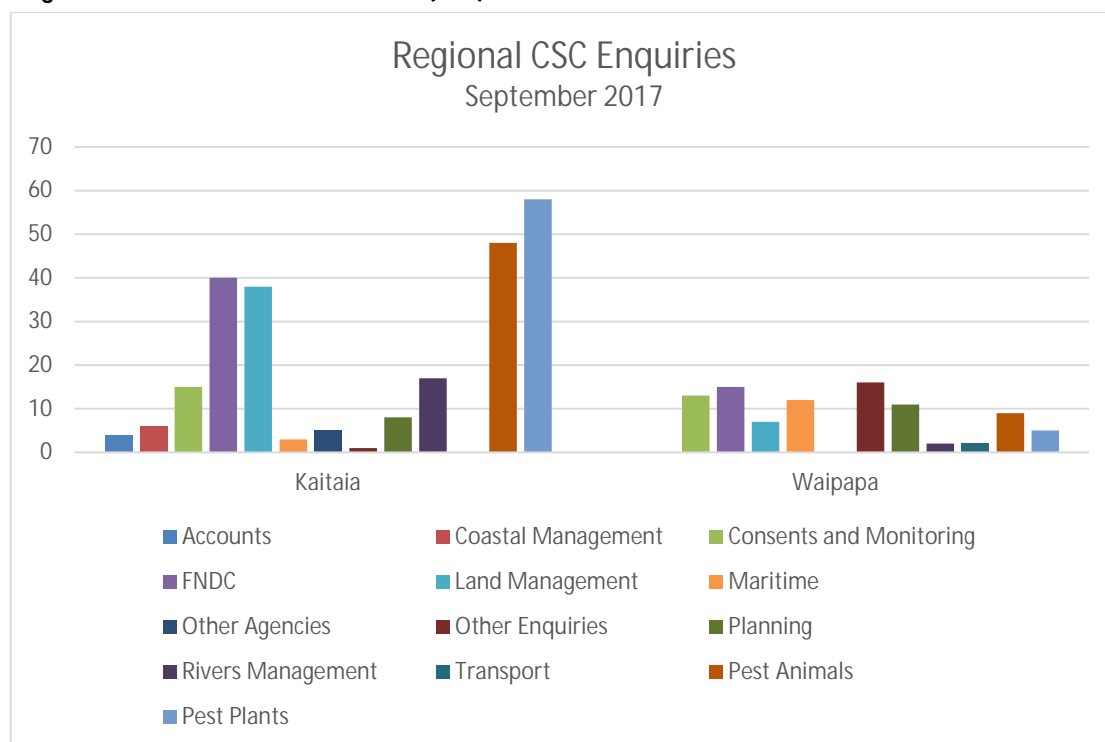
Inward call volumes continue to track lower than previous years. The reason for this trend is unknown but may be due to more customers accessing information through on-line channels. Our call conversation rate (answered calls) continues to be at around 99%. Most missed calls are those made direct to staff (via ddi) with the caller hanging up before the call goes to voicemail.

Hotline and Incident Responses



Feedback Cards

Eight feedback cards were received during September. All feedback was either satisfactory or very satisfactory.

ACTIVITY**Regional Customer Service Centres (CSC)**

Note: There are no recent data records for Dargaville. This will be rectified when the Dargaville restructure has been completed.

Mid-North Customer Service Centre

Our new Customer Service Officer will start on 9th October. In the interim, service has been provided primarily by Doug Foster as he recovers from injury, with other Waipapa staff and the Customer Services manager providing backup cover.

External Surveys

Over half the departments have been briefed on the results of the Resident Survey and consulted with on the proposed action plan.

ALGIM Mystery shopper survey – The survey has been completed and we have ordered a copy of the results.

Internal Surveys

The TLA Key Contacts Survey has not yet been circulated to participants.

The survey was delayed to check and update the contact information which was compiled from several databases. Several of the records were out of date. All contacts have now been added to IRIS and are part of a contact group. The survey is now active and will be reported in the November report.

TITLE: New Treaty Settlements in Northland

ID: A992825

To: Council Meeting, 24 October 2017

From: Rachel Ropiha, Kaiarahi Kaupapa Māori – Specialist Advisor Māori, and
Abraham Witana, Kaiarahi Tikanga Māori – Māori Cultural Advisor

Date: 11 October 2017

Executive summary

The Ngatikahu ki Whangaroa and Ngāti Pūkenga Claims Settlement Acts came into force in August this year, concluding the historical Treaty of Waitangi claims of both groups. The Acts place statutory obligations upon council regarding its regulatory functions and formal relationship agreements between entities. With the conclusion of these settlements it brings the number of Treaty related legislation, either wholly or partially in Northland, to nine.

Through the settlements either the Director of the Office of Treaty Settlements or the Minister of Treaty Settlements will write a letter of introduction to council inviting them to enter into a relationship with the settlement parties. At this stage, council has received a letter of introduction from the Director of the Office of Treaty Settlements for NKKW to which council has responded. Council has also sent a congratulatory letter and offer to meet with NKKW.

Council's regulatory obligations apply to Statutory Acknowledgements in the following ways:

- A requirement to record Statutory Acknowledgement areas on Resource Management Act (RMA) statutory plans
- To provide summaries of resource consent applications to the trustees
- To have regard to the statutory acknowledgement relating to the statutory area in deciding under s95E of the RMA, whether the trust is an affected person.

Staff have already taken steps to implement these requirements in this regard.

The purpose of this report is to update council that a further two Treaty settlements have been concluded which have an impact on the council's functions.

Recommendation

That the report 'New Treaty Settlements in Northland' by Rachel Ropiha, Kaiarahi Kaupapa Māori – Specialist Advisor Māori; and Abraham Witana, Kaiarahi Tikanga Māori – Māori Cultural Advisor, and dated 11 October 2017, be received.

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 12 October 2017

TITLE: Receipt of Committee Minutes

ID: A990139

To: Council Meeting, 24 October 2017

From: Chris Taylor, Governance Support Manager

Date: 12 October 2017

Executive summary

The purpose of this report is to acknowledge the unconfirmed minutes of:

- Civil Defence Emergency Management – 5 September 2017
- Regional Transport Committee – 4 October 2017
- Property Subcommittee – 4 October 2017.

The minutes will be circulated under separate cover.

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

Recommendation

That the unconfirmed minutes of:

- Civil Defence Emergency Management – 5 September 2017
- Regional Transport Committee – 4 October 2017
- Property Subcommittee – 4 October 2017

be received.

Attachments

- *Civil Defence Emergency Management – 5 September 2017* (included in the Supporting Information)
- *Regional Transport Committee – 4 October 2017* (included in the Supporting Information)
- *Property Subcommittee – 4 October 2017* (included in the Supporting Information)

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 11 September 2017

TITLE: Business with the Public Excluded

ID: A993933

To: Council Meeting, 24 October 2017

From: Chris Taylor, Governance Support Manager

Date: 16 October 2017

Executive summary

The purpose of this report is to recommend that the public be excluded from the proceedings of this meeting to consider the confidential matters detailed below for the reasons given.

Recommendations

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matters to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

Item No.	Item Issue	Reason\Grounds
10.1	Confirmation of Confidential Minutes of the Council Meeting – 19 September 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.2	Receipt of Confidential Committee Minutes – Property Subcommittee 4 October 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.3	Purchase Properties for Kaitiāia and Whangārei Flood Control Works	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to carry on, without prejudice or disadvantage, commercial activities 7(2)(h).
10.4	Regional Software Holdings Limited – Appointment of Independent Director	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons 7(2)(a).

Considerations**1. Options**

Not applicable. This is an administrative procedure.

2. Significance and Engagement

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

3. Policy and Legislative Compliance

The report complies with the provisions to exclude the public from the whole or any part of the proceedings of any meeting as detailed in sections 47 and 48 of the Local Government Official Information Act 1987.

4. Other Considerations

Being a purely administrative matter; community views, Māori impact statement, financial implications, and implementation issues are not applicable.

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager – Strategy and Governance

Date: 16 October 2017