

Extraordinary Council Meeting
Tuesday 7 May 2019 at 10am

AGENDA

Northland Regional Extraordinary Council Meeting Agenda

Meeting to be held in the Council Chamber
36 Water Street, Whangārei
on Tuesday 7 May 2019, commencing at 10am

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

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TITLE: Council Deliberations on the Annual Plan 2019/20 Consultation Document and Supporting Information

ID: A1185064

From: Kyla Carlier, Corporate Planning Manager

Executive summary/Whakarāpopototanga

The purpose of this report is to provide background information and present staff advice and recommendations, as part of council's deliberation on the submissions received on the Annual Plan 2019/20 Consultation Document and Supporting Information, and final considerations presented as part of the development of the Annual Plan 2019/20.

This is the first annual plan process carried out following the adoption of the Long Term Plan 2018-2028 last year, and is an opportunity to make any adjustments required to the budget. The annual plan is focussed on any changes from the long term plan.

Recommendations

1. That the report 'Council Deliberations on the Annual Plan 2019/20 Consultation Document and Supporting Information' by Kyla Carlier, Corporate Planning Manager and dated 16 April 2019, be received.
2. That Jonathan Gibbard, Group Manager – Strategy, Governance and Engagement be given delegated authority to approve any consequential amendments to the final Annual Plan 2019/20 as a result of council decisions on submissions and any minor accuracy and grammatical amendments.
3. That council support provision of \$290,000 of ongoing operational expenditure for information technology upgrades, comprising \$100,000 funded from the Council Services Rate and \$190,000 to be covered by regional growth in rating units (SUIPs), as proposed in the Annual Plan 2019/20 Supporting Information document.
4. That council supports the provision of \$65,000 of ongoing operational expenditure for funding of the Northland Transportation Alliance, as proposed in the Annual Plan 2019/20 Supporting Information document.
5. That council supports \$70,000 of capital expenditure and \$17,500 of ongoing operational expenditure to purchase an audio visual system, as proposed in the Annual Plan 2019/20 Supporting Information document.
6. That council supports the provision of \$100,000 of capital expenditure and \$10,000 of ongoing operational expenditure to purchase new engines for the Waikare, as proposed in the Annual Plan 2019/20 Supporting Information document.
7. That council supports the provision of \$37,800 of capital expenditure to purchase hydrology equipment, as proposed in the Annual Plan 2019/20 Supporting Information document.
8. That council supports provision of \$50,000 of one-off operational expenditure to fund a review of the Northland Sports Facilities Plan, to be funded from the existing Regional Sporting Facilities Rate take.
9. That council supports provision of \$56,580 of ongoing operational expenditure to fund an increase in costs associated with the proposed changes included in the 'Employment

Relations Amendment Act 2018 – Rest and Meal Breaks for Bus Drivers’, to be funded from the Whangārei Transport Rate, an increase of 6.8% (\$1.50) to this targeted rate.

10. That council supports an overall increase in rate take of 8.8% for the 2019/20 year and collect an extra \$249,080 across the region, to fund the proposals outlined in this agenda item that are not funded from council reserves or increased rates income from regional growth.

Background/Tuhinga

Annual Plan 2019/20

The purpose of the annual plan is to set out any differences from what was proposed in the Long Term Plan 2018-2028, and highlight what this means for council’s budget and rates. The annual plan consultation process focusses only on the proposed changes – it is not intended to invite feedback on all areas of council activity, particularly as council has recently completed an extensive long term plan process which reviewed all areas of council work.

Several small changes to the budgets for 2019/20 were proposed for this annual plan, of which \$192,500 was proposed to be funded by rates, taking the overall increase for the year from the 7.9% budgeted and approved in the long term plan to 8.6%, an average of \$29.10 per household.

Subsequent to consultation, and just prior to publication of this deliberations report, council officers were made aware of proposed changes to legislation that may necessitate an additional \$56,580 of funding for the Whangārei bus service. This additional proposal is included in this report for council consideration.

Consultation process

Council invited feedback on its proposals for the Annual Plan 2019/20 in tandem with the proposed changes to council’s User Fees and Charges 2019/20. This is the usual process for these annual reviews, offering efficiencies in terms of council resourcing and public participation as well as offering a more complete picture of the budget.

The consultation on the Annual Plan 2019/20 involved the production of a consultation document outlining the changes from the long term plan, and supporting information containing more detailed information and financial tables to support the proposals. Consultation was carried out over a month-long period running from 4 March – 5 April, and verbal feedback was received on 10 April 2019.

30 submissions were received during the consultation period, and four parties spoke to councillors at a councillor/community meeting held on 10 April in Whangārei.

The Annual Plan 2019/20 Consultation Document set out any proposed changes from the Long Term Plan 2018-2028. The changes were only small adjustments, and included:

- Helping our computer systems cope with the extra workload associated with the increase in work resulting from the recent LTP, including an audio-visual system (\$377,500);
- Purchasing vital water monitoring gear (\$37,800);
- Contribution to the Northern Transportation Alliance (\$65,000); and
- Replacing the engines on the vessel Waikare a year earlier than planned (\$110,000).

Feedback on consulted topics

17 submissions were received in response to the annual plan consultation (the remainder of submissions related to user fees and charges, which are addressed in a separate item). These submissions are summarised in the Annual Plan 2019/20 Summary of Submissions (Summary of Submission) report attached, which also provides links to the full submissions.

Of the 17 submissions received only one submission specifically referenced the proposals set out in the consultation document. This feedback is outlined below.

While the remainder of submissions didn't specifically reference the annual plan proposals, and therefore were largely out of scope, the majority related in some way to council activities and have been addressed briefly here.

Topics that were out of scope and unable to be categorised, and those comments that were related to topics outside of NRC jurisdiction, are also summarised in the Summary of Submissions report. Where appropriate, action was taken outside of the annual plan process to follow up on these comments.

Budgeting for computer systems (\$377,500) and purchase of monitoring equipment (\$37,800):

One submission raised concerns that the council has had to tweak the budget and increase rates for computer systems and monitoring equipment, and that these costs should have been able to be predicted.

Funding for the Northern Transportation Alliance:

One submission raised concern that council is providing additional funding to the NTA and urged council to keep a close watch on activities to ensure that it lives up to expectations.

Replacement of the engines on the Waikare:

One submission raised concern that the engines of the Waikare need replacement earlier than planned and urges council to keep depreciation methodology and insurance requirements under regular review.

Increase rates by 8.6%

Four submissions made reference to council rates or costs. One submission detailed support for ongoing reviews of funding mechanisms urging council to develop its rating system so that it is fair and equitable, and requested that council consider continuing to move to a mixed capital and land value rating systems with land values only used for targeted rates with direct benefit to the landowner. The submission also suggested raising the UAGC (Uniform Annual General Charge) to the maximum level allowable under the law, making greater use of targeted rates and user fees and charges and seeking central government funding. Support was noted for the pest management rate being funded on a targeted per rating unit basis.

Other submissions commented that the cost increases are very significant and will adversely affect business in the region, that NRC are too focused on revenue and collecting rates and questioned the concept of dividing rating areas across the three district areas.

Discussion

Overall, the submissions received on the topics that were put out for consultation urge council to take a prudent approach to the application of funds, activities and ongoing financial

management. Extensive processes are in place both internally and with council's auditors to ensure a prudent approach to all areas of work.

Council's rating system is reviewed as required, and three-yearly as part of the process of developing the long term plan, and sets only targeted rates (region-wide and area specific). Council does not set a UAGC. User fees and charges are set as considered appropriate to ensure a balance of public good and beneficiary or user pays, and are reviewed annually through a public consultation process. Central government funding is sought regularly, with council successful in securing millions in funds for current projects.

Staff recommend that council proceed with the proposals as outlined in the Annual Plan 2016/20 Consultation Document.

Changes to Whangārei bus services

Following consultation on the annual plan proposals, council officers were made aware of central government amendments to the Employment Relations Act (Employment Relations Amendment Act 2018 – Rest and Meal Breaks for Bus Drivers) that will require bus drivers to have more frequent rest and meal breaks.

At the time of writing this report the details of the agreement was under negotiation between central government, the Ministry of Transport, the New Zealand Transport Agency (NZTA), Regional Councils, bus operators and driver unions. It is unknown when the negotiations will be finalised, and therefore there is no certainty as to the exact financial implication for council, however initial estimates put the additional annual cost of the changes at \$123,000. As with all of council's bus contracts, this amount would be subsidised 54% by NZTA, leaving \$56,580 to be funded by the Whangārei Transport Rate.

This additional amount would result in an 8.8% overall rate increase if averaged across the region, an additional 0.2% from what was consulted on. However it would be solely funded by the Whangārei Transport Rate, a targeted rate applicable only to properties in the Whangārei district. This would be an additional \$1.50 per ratepayer on average across the Whangārei district.

The changes will likely only impact on the Whangārei bus service. Bus services in the far north are unlikely to be impacted due to the shorter journey time the services offered in the district, and at the time of writing the report no additional funding requirements for the far north had been indicated.

As the issue is still under negotiation at a national level, there is a possibility that the situation will change prior to council deliberations on 7 May. Staff will be available at deliberations to provide an update on the situation, and will table revised recommendations if appropriate.

Out of scope - feedback on non-consulted topics

Comprehensive study of the Hokianga Harbour

Five submissions were received that requested the inclusion of resources in the annual plan to fund a comprehensive study of the Hokianga Harbour and its catchments, and to work with hapū and iwi on this. One submission estimates the cost as being more than \$20,000.

Council continues to monitor the health of the Hokianga Harbour through regular monitoring of water quality at Opononi, Ōmāpere and Rawene throughout the summer, and with year-round monitoring of the Utakura, Punakitere, and Mangamuka Rivers.

This information feeds in to ongoing reporting processes which look holistically at all of Northland's resources and the issues affecting them including land use, the introduction of contaminants and water allocation, and assesses options for addressing any issues.

Three previous in-depth studies have been carried out specific to the Hokianga Harbour, which is only one of Northland's 16 harbours. While there are no immediate plans to carry out another specific study in the next financial year, the state of all water resources, and council's approach to understanding these, is regularly reviewed.

Staff recommend that council does not include additional funding in the Annual Plan 2019/20 for a comprehensive study of the Hokianga Harbour at this time, but note that additional monitoring in the harbour can be considered after current work priorities have been completed.

Northland Sports Facilities Plan/Community facility

Five submissions were received that made comments on sporting or community facilities for Northland.

Two submissions requested that NRC contributes up to \$50,000 to the cost of reviewing the Northland Sports Facilities Plan in 2019/20, as part of a preferred three yearly review cycle. Other submissions suggested that the regional sporting facilities rate be broadened to include cultural facilities, and that a regional community recreation centre for youth, the elderly and people with disabilities be considered.

Council struck a targeted rate in the 2018–2028 LTP, known as the Regional Sporting Facilities Rate, to provide funding support to assist in the development of sporting facilities across Northland, that are of regional benefit. Recipient projects were determined through the Northland Sports Facilities Plan process, and funding allocations for the three year period of the long term plan were confirmed through subsequent council resolutions.

The rate currently collects sufficient additional funds to allow council to fund a portion of the required plan review, in addition to providing the required allocation to the agreed projects.

Staff recommend that funding is drawn from existing Regional Sporting Facilities Rate surplus (no increase required to the rate) for a plan review in order to inform the ongoing allocation of the rate funding to recipient projects.

General comments on environmental protection (including pest management and flood protection)

Eight submissions made comments in relation to environmental protection. The majority of these expressed overall support for work that protects water and native life, pest management and flood protection. They also expressed concern about environmental pressures resulting from development, particularly in the areas of Parua Bay/Whangārei Heads and Bream Bay, and the need for action to protect the environment.

Specific requests in the submissions included: that council ban synthetic nitrogen fertiliser; that direct beneficiaries pay for flood protection work, except where roads are protected by flood protection and therefore a public good is implied; that a management plan be developed for the Ruakaka River; that water quality of the Ruakaka dune lake be tested; and that council reassess the resource consent application process for bores.

One submission requested a collaboration between council and the Northland Foundation to allocate ratepayer funds to community initiatives to support water, pest control, and flood protection, a process that is provided for during long term plan and to a lesser extent annual plan consultations.

All other comments and requests have been passed on to the appropriate staff members for consideration, where an established forum is not already present.

Staff recommend that no changes are made to the annual plan funding as a result of these submissions.

Other out of scope matters, including matters that relate to the activities of the Whangārei District Council

Other comments were received on topics that were outside of the scope of the annual plan consultation topics (those being differences from the Long Term Plan 2018-2028). Many of these related to topics under the jurisdiction of the Whangārei District Council, with some submitters explaining that the same submission was made to both councils for consistency.

These topics are summarised in the Summary of Submissions report, attached. Where appropriate, submitter comments have been passed on to the relevant staff members for follow up.

Considerations

1. Significance and engagement

Section 76AA of the Local Government Act 2002 (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.

The proposals set out in the Annual Plan 2019/20 Consultation Document triggered council's significance and engagement policy, and a comprehensive processes of consultation and engagement has now been carried out. The results of this engagement have been summarised in this document to inform council's deliberations and decision-making process.

The process of deliberations assists council in achieving compliance with sections 77 of the LGA.

2. Policy, risk management and legislative compliance

Consultation on the annual plan proposals has been carried out pursuant to sections 95 and 95A of the LGA and in accordance with the principles of consultation (section 82 LGA)

Consideration of submissions through the process of deliberations will achieve compliance with section 77 of the LGA (Requirements in relation to decisions) and 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'.

Further considerations


3. Community views

A process of consultation has been carried out to inform the recommendations set out in this report. A summary of this consultation and the feedback received is included in this report to inform council's decisions on the Annual Plan 2019/20.

4. Financial implications

Financial impacts or implementation issues are addressed in recommendations included within this report.

Attachments/Ngā tapirihanga

Attachment 1: Summary of submissions | Annual Plan 2019/20 and User Fees and Charges [↓](#) 

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 30 April 2019



Annual Plan 2019/20 and User Fees and Charges

Summary of submissions

Summary of councillor/community meeting

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Introduction

Consultation process

- Council invited feedback on proposals for the Annual Plan 2019/20 and User Fees and Charges during a month-long period running from 4 March – 5 April 2019. The consultation processes for both of these documents were carried out in tandem. This is the usual process for these annual reviews and offers synergies in terms of resources as well as producing a complete budget.
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- This involved the production of an annual plan consultation document, supporting information that contained more detailed information and financial tables to support the proposals, and a full draft user fees and charges document complete with a statement of proposal that outlined the proposed changes.
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- 30 submissions were received during the consultation period, and four parties spoke to councillors at a councillor/community meeting held on 10 April. The submissions and the feedback received at the meeting are summarised in this document.

Proposals

Annual Plan 2019/20

- The Annual Plan 2019/20 Consultation Document set out changes to the Long Term Plan 2018-2028. The changes were only small tweaks, and included:
 - Helping our computer systems cope with the extra workload associated with the increase in work resulting from the recent LTP (\$377,500);
 - Purchasing vital water monitoring gear (\$37,800);
 - Contribution to the Northern Transportation Alliance (\$65,000); and
 - Replacing the engines on the vessel Waikare a year earlier than planned (\$110,000).
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User Fees and Charges

- The Draft User Fees and Charges Statement of Proposal detailed proposed amendments to user fees and charges which included:
 - Inflationary increase of 2.2%;
 - Additional wording and table notes for clarity, adjustments for consistency and accuracy, and removal of sections that are no longer applicable;
 - Additional text setting out a late booking fee (section 3.7.4(a)(iii));
 - Minor typographical and referencing updates;
 - Update of the policy on remission of charges to make it clear that no further correspondence will be entered into following a decision to decline an application to have a charge remitted; appeals under section 357(B) of the Resource Management Act are excepted;
 - Alterations in line with changes to the Resource Management Act 1991 including:
 - A new charge in section 3.2.1 for *Deemed Permitted Activities*.

- Two new charges in the *Mooring licence amendment fee* table at the end of section 3.5.6 for any new mooring within a mooring area and for the reinstatement of a mooring following suspension/cancellation; and
- A new structure for charging water permit holders under new sections 3.5.2, 3.5.3 and 3.5.4, including:
 - A new section (3.5.2) outlining that compliance monitoring/supervision is now charged as actual monitoring as and when it takes place. The previous charge will therefore no longer be included.
 - Removal of the tables previously under sections 3.5.2 and 3.5.6 and replacement with section 3.5.3 – a single table that includes an annual administration charge (no change to the previous) and a simplified method for calculating the annual Resource User Charge.
 - A new charge under new section 3.5.4 for Water Use Returns based on the return method and a new late penalty fee.

Summary of Submissions – Annual Plan 2019/20

- The purpose of the annual plan is to set out any differences from what was proposed in the Long Term Plan 2018-2028, and highlight what this means for council's budget and rates. The annual plan consultation process focusses only on these proposed changes – it is not intended to invite feedback on all areas of council activity, particularly as council has recently completed an extensive long term plan process. Comments that are received on topics outside of what is being consulted on are considered to be out of scope, however the points that were raised are still addressed by staff as appropriate and are included in this report.
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- 18 submissions were received in response to the annual plan consultation. Of these, only one specifically referenced the proposals for new spend as set out in the consultation document.
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- While the remainder of submissions didn't specifically reference the annual plan proposals, and therefore were largely out of scope, the majority related in some way to council activities and have been grouped below accordingly. Other individual topics that were out of scope, including those that are not NRC jurisdiction, are summarised in the general 'out of scope' section.
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- Links to all full submissions are included at the end of this document.

Feedback specific to proposals:

Budgeting for computer systems (\$377,500) and purchase of monitoring equipment (\$37,800):

	ANNUAL PLAN 2019/20 – Comments
<ul style="list-style-type: none">• Richard Gardner• Federated Farmers• ID: 2019AP25	<ul style="list-style-type: none">• {Staff summary; please see original submission}• Submission raises concerns that the council has had to tweak the budget and increase rates for computer systems and monitoring equipment, and that these costs should have been able to be predicted.

Funding for the Northern Transportation Alliance (\$65,000):

	ANNUAL PLAN 2019/20 – Comments
<ul style="list-style-type: none">• Richard Gardner• Federated Farmers• ID: 2019AP25	<ul style="list-style-type: none">• {Staff summary; please see original submission}• Submission raises concern that council is providing additional funding to the NTA and urges council to keep a close watch on activities to ensure that it lives up to expectations.•

Replacement of the engines on the vessel Waikare (\$110,000):

	ANNUAL PLAN 2019/20 – Comments
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<ul style="list-style-type: none"> Richard Gardner Federated Farmers ID: 2019AP25 	<ul style="list-style-type: none"> {Staff summary; please see original submission} Submission raises concern that the engines of the Waikare need replacement earlier than planned and urges council to keep depreciation methodology and insurance requirements under regular review.
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Rates

- Four submissions were received that made reference to council's rating structure or rates collection.

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ANNUAL PLAN 2019/20 - Comments:	
Richard Gardner <ul style="list-style-type: none"> Federated Farmers ID: 2019AP25	{Staff summary; please see original submission} Submission supports: reviews of funding mechanisms and requests council consideration of continuing to move to a mixed capital and land value rating system with land values only used for targeted rates with direct benefit to the landowner; raising UAGC to the maximum level allowable under the law; making greater use of targeted rates and user fees and charges; and seeking central government funding. Submission continues to support the pest management rate being funded on a targeted per rating unit basis. Submission continues to urge council to review and develop its rating system so that it is fair and equitable to all sectors of the community.
Eric Shackleton - Ryack Holdings Ltd ID: 2019AP3	"The cost increases are very significant and will adversely affect business in the region."
Alan Agnew ID: 2019AP20	{Staff summary; please see original submission} Submission states that NRC is too focused revenue and collecting rates. Concern about: money being spent on roads; investment in countdown building; amount of rates paid for services provided.
Margaret Hicks ID: 2019AP32	{Staff summary; please see original submission} Submission mentions the concept of dividing rating areas across the three district areas.

Other feedback received:

Comprehensive study of the Hokianga Harbour

- Five submissions were received requesting that council include resources in the annual plan to fund a comprehensive study of the Hokianga Harbour, and work with hapū and Iwi on this.
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	ANNUAL PLAN 2019/20 - Comments:
<ul style="list-style-type: none"> • Paul White • ID: 2019AP5 	<ul style="list-style-type: none"> • “Need for a comprehensive study of the Hokianga Harbour. I am the chairman of the hapū organisation Ngāi Tūpotoki Motukaraka Trust, based in north Hokianga and we have grave concerns about the health of the Hokianga harbour and its many catchments. While issues relating to the Hokianga are constantly raised there is a very poor body of information that describes the harbour and the many detrimental impacts from farming, sewerage schemes and land use generally. There is also very little information about cultural impacts and knowledge of the various hapū that hold mana whenua in the different parts of the catchment. We urge the NRC to include resources in its annual plan to fund a comprehensive study of the harbour including cultural impacts. We urge the council to work with hapū and Iwi (Te Rarawa and Ngāpuhi) to undertake this work.”
<ul style="list-style-type: none"> • Veleta Angela Tawhai • ID: 2019AP27 	<ul style="list-style-type: none"> • “Need for a comprehensive study of the Hokianga Harbour. As a shareholder of multiple properties along the Hokianga harbour including Putoetoe13 and a Foreshore and Seabed (MACCA) applicant and being part of a Community group that aims to further drive the improvement of the harbour, we have been concerned for the health of the Hokianga harbour for some time. This submission is seeking the improved health of our harbour and would like to support other submissions that also seek the same intent. We would like the issues clearly identified through a scoping study, that includes cultural impacts and knowledge of the various hapū that hold mana whenua in the different parts of the catchment, this cultural, social, economic and environmentally significant taonga will continue to deteriorate. We ask that resources are included in the NRC annual plan to fund a comprehensive study of the harbour including cultural impacts. We urge the council to work with Hokianga whanau/hapū to undertake this work.” •
<ul style="list-style-type: none"> • Wendy Henwood - Te Roopu Taiao o Utakura • ID: 2019AP8 	<ul style="list-style-type: none"> • “Te Roopu Taiao o Utakura is an environmental group based in Utakura (South Hokianga). We have worked on environmental issues in our community for many years and are deeply concerned about the health of the Hokianga harbour and its many catchments. We have managed to access some information from time to time but there doesn't seem to be a comprehensive body of information that clearly describes the detrimental impacts from land use within the catchment on the harbour, or any work that has been carried out to mitigate. Our community continues to ask ‘what can be done’ to improve the health of the harbour. Until the issues are clearly identified through a scoping study, that includes cultural impacts and knowledge of the various hapū that hold mana whenua in the different parts of the catchment, this cultural, social, economic and environmentally significant taonga will continue to deteriorate. We ask that resources are included in the NRC annual plan to fund a comprehensive study of the harbour including cultural impacts. We urge the council to work with hapū and Iwi (Te Rarawa and Ngāpuhi) to undertake this work.” •

<ul style="list-style-type: none"> Graham Tucker - Opononi Omapere residents & ratepayers association ID: 2019AP15 	<ul style="list-style-type: none"> "This is a submission from the Opononi Omapere Residents & Ratepayers Association, requesting funding as part of NRC annual plan process, for the definition phase for a comprehensive environmental study of the Hokianga Harbour." {Staff note: full submission attached, titled 'Proposed comprehensive environmental study of Hokianga Harbour - community scope. Funding request for defining the study'. Submission outlines the scope of the study, requests funding (estimated at more than \$20,000) and leadership /management by NRC in the definition phase of the study}
<ul style="list-style-type: none"> Janine McVeagh ID: 2019AP24 	<ul style="list-style-type: none"> "We are an environmental group Te Mauri o te Wai based at Te Piiti marae in Omanaia We have worked on wastewater issues in our community for ten years and are deeply concerned about the health of the Hokianga harbour and all its many rivers. Our major concern is the four wastewater systems from which treated effluent flows into the Harbour. In order to deal with the complex issues this raises, environmental and cultural, we need to have a comprehensive understanding of how the Harbour is impacted on by other land uses as well as the tidal and other effects on the Harbour. Our community wants to be able to improve the health of the harbour. Until the issues are clearly identified through a scoping study, that includes cultural impacts and knowledge of the various hapū that hold mana whenua in the different parts of the catchment, this cultural, social, economic and environmentally significant taonga will continue to deteriorate. We ask that resources are included in the NRC annual plan to fund a comprehensive study of the harbour including cultural impacts. We urge the council to work with hapū and Iwi (Te Rarawa and Ngāpuhi) to undertake this work."

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Northland Sports Facilities Plan/Community facility

- Five submissions were received that made comments on sporting or community facilities for Northland.

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	ANNUAL PLAN 2019/20 - Comments:
<ul style="list-style-type: none"> Brent Eastwood ID: 2019AP7 	<ul style="list-style-type: none"> {Staff summary - please see original submission} Submission requests that NRC contributes up to \$50,000 (+GST) to the cost of reviewing the Northland Sports Facilities Plan in 2019/20. The plan was first developed in 2008 with funding from Sport NZ and NRC. SNZ has confirmed approval of 50% of the funding required to review the plan. Now that NRCs regional sporting facilities rate is set up and the first allocation has been made, Sport Northland is seeking the balance of funding required to complete the review of the plan (\$50,000 +GST). Submission encloses a letter from Sport NZ citing their preference to have a regional sports facility plans reviewed every three years. Submission also provides a background of Northland Sports Facilities Plans, the case to review the plan, and proposed/estimated timeline for the review. {Staff note - this submission is supported by submission 2019AP19 - Alistair McGinn NSC Chairman}

<ul style="list-style-type: none"> Alistair McGinn ID: 2019AP19 	<ul style="list-style-type: none"> “The Northland Sports Coalition supports Sport Northland’s submission to the Northland Regional Council seeking contribution for the balance of funding required to develop a Northland Active Recreation and Sport Strategy (\$50,000 + GST). The Northland Sports Coalition hope that the NRC will give their favourable consideration to the development of the Northland Active Recreation and Sport Strategy for the Northland Region, which will incorporate and include a comprehensive review of the Northland Sports Facilities Plan. The NSC believe that having an overarching strategy will help align efforts to provide, promote and enable sport and active recreation for our region and the betterment for all people living here. It is also vital that the Facilities Plan is updated and that this is aligned with the overall strategy. Northland Sports Coalition (NSC) Background: The NSC is a forum of regional sport organisation members (representing their sport regionally) which exists to speak on behalf of, and collectively support, promote and advocate for, the on-going development of sport and recreation in Northland. If you have any queries, please do not hesitate to contact me. We wish Council all the best with this development.”
<ul style="list-style-type: none"> David Lourie ID: 2019AP31 	<ul style="list-style-type: none"> {Staff summary; please see original submission} Submission suggests that the regional sporting facilities rate be broadened to include cultural facilities.
<ul style="list-style-type: none"> Alan Agnew ID: 2019AP20 	<ul style="list-style-type: none"> {Staff summary; please see original submission} Proposed regional community centre multipurpose recreation and indoor sports facility for elderly and disabled in Northland. (Particularly in relation to the use of the ex-Countdown building)
Maia Honetana ID: 2019AP22	{Staff summary; please see original submission} We support this area to have a multipurpose community centre for youth, elderly and people with disabilities.

Environmental protection - including pest management and flood protection.

ANNUAL PLAN 2019/20 - Comments:	
Mere Kepa ID: 2019AP9	{Staff summary; please see original submission} Submission acknowledges the value of clean water, native life that flourishes, protecting Maori people, their language culture, and land, and realising a prosperous economy for all groups of people. Submission raises concern about synthetic nitrogen fertiliser, the overuse of the land that this leads to, and the associated negative environmental impact. Submission requests that NRC lead the world in practising regenerative farming, and that NRC ban synthetic nitrogen fertiliser.

Richard Gardner ID: 2019AP25	<p>{Staff summary; please see original submission}</p> <p>Submission generally supports annual plan recommendations including: looking after water, helping native life flourish, and providing better flood-protection. Submission continues to support the pest management rate being funded on a targeted per rating unit basis.</p> <p>Submission supports protecting people from floods, and that new infrastructure should be paid for by the direct beneficiaries of the work, with the exception of where roads are protected and therefore the public benefits.</p>
Marianna Fenn ID: 2019AP13	<p>"I strongly support any expenditure which improves environmental outcomes, particularly that related to improving water quality and weed/pest management."</p>
Alan Agnew ID: 2019AP20	<p>{Staff summary; please see original submission}</p> <p>Kauri die back - Borer beetles are the cause of Kauri dieback.</p> <p>Weeds on side of roads - this is the responsibility of WDC or NRC to maintain.</p>
Maia Honetana ID: 2019AP22	<p>{Staff summary; please see original submission}</p> <p>Submission notes that Ngati Tu consider all areas of Parua Bay and others as sites of significance for their whanau, tamariki, mokopuna, kaumatua, hapu and Iwi which includes air space, mountains, sea and land; submission raises points of concern for Parua Bay/Whangarei Heads, including:</p> <ul style="list-style-type: none"> • Environmental impact on future land development in the area with water, stormwater, wastewater, solid waste, road usage increase. • Air & Water Pollution from the Marsden Point Refinery • Pest Control & Weed Control • Kauri Die Back Programme • Protect and conserve natural resources and environment of this area at all times.
Greta Buchanan - Northland Foundation ID: 2019AP26	<p>"The Northland Community Foundation could support the NRC with developing local community funds for the Northland Regional Council's three key areas:</p> <ol style="list-style-type: none"> (1) To improve the state of our precious water; (2) Boosting our support for local communities to manage pests and weeds and help Northland become pest-free; (3) Providing better flood protection to at risk communities. This could include support with establishing the funds, promotion, working with additional potential donors, providing regular communication, and ongoing investment of funds and annual distributions. <p>A continuing collaborative relationship could be discussed with NRC of allocating ratepayer funds to community initiatives. Where Northland Foundation fund development and allocations align with NRC criteria additional funding is provided by NRC. The three areas would be as outlined above."</p>

<p>Margaret Hicks ID: 2019AP32</p>	<p>{Staff summary; please see original submission}</p> <p>Submission raises concern about the lack of effort to improve the physical and ecological wellbeing of Bream Bay, and the threat of development.</p> <p>Issues raised specific to Ruakaka and Bream Bay:</p> <ul style="list-style-type: none"> • Pest Control (namely, homo sapiens and their environmental destruction, particularly of wildlife reserves, and spreading Kauri dieback. Concerns re mangroves) • Rivers, sediment and erosion (Ruakaka River sediment issues, the need for fencing, no management plan in place for the Ruakaka River and its catchment) • Neglect of the Ruakaka dune lake (poor condition of water, need for testing, possible causes) • State of Bream Bay Dunes (damage to the fore dunes, concern about vehicles, need to block access) • Bores - the need to limit resource consents (Concern about groundwater, limited rainfall and re-charge, need to understand better, not always sustainable to grant water takes should be reserved for drinking water. • Climate Change and Hazard Management (Need to reduce the regions carbon footprint, concern about hazard management, flooding threat).
<p>Waldron - Honeymoon Valley Landcare Group ID: 2019AP14</p>	<p>"Fully support increased spending on water and pest management."</p>

Other out of scope matters, including matters that relate to the activities of the Whangarei District Council

ANNUAL PLAN 2019/20 - Comments:	
<p>Alan Agnew ID: 2019AP20</p>	<p>{Staff summary; please see original submission}</p> <ul style="list-style-type: none"> • Fire Bans (Fires should be lit in summer, concern about WDC fire permits, concern about fire trucks not being available) • Roding (roads should have been sealed) • Ruatangata Community Hall (want support for the hall) Gumtown road - culverts to narrow • Tree species and selection for future planting on road verges and areas (WDC is making unprofessional decisions about tree species) • Rubbish dumped on side of roads (rubbish trucks with unsecured loads) • Dog park (drainage is excessive, need wider footpaths)

<p>Maia Honetana ID: 2019AP22</p>	<ul style="list-style-type: none"> • WDC Resource Consent - Parua Bay Oyster Farm - 25 year Lease • WDC Resource Consent - Parua Bay Transfer Station • Proposal to use the land instead of a place for Parua Bay Transfer Station & WDC to fund to put a Culture Centre or Lookout or Wharenui & Pou & noticeboards for history & tours – tourism to tell the true story of Ngati Tu from this area. • The destruction of Solomon Point - Ngati Tu Site of Significance sold for \$500K • Nga Hapu Whangarei Terenga Paraoa, Te Huinga/Te Karerea Relationship and lack of consultation and communication • MOU Iwi Chairs & Northland Mayoral Forum • Land Returned - Holy Ground to Ngati Tu • MACCA Claim Ngati Tu - Maia Honetana • Moving of Whangarei Terenga Paraoa - Kaka Porowini against this. • Reduce the speed limited especially at Solomon Point. • There should be no main road entry onto Solomon Point. • Environmental impact on future land development with water, stormwater, wastewater, solid waste, road usage increase. • Increase of 500 new dwellings and the infrastructure • No Hapu/Iwi Consultation regarding this development. • Proposed Hapu Environmental Plan & impact reports for Parua Bay with WDC. • Ngati Tu having Civil Defence Action Plan for climate change and sea raise. • Proposed Rahui for Mount Mania and other Mountains in area from public • To protect Kauri Mountain from Gold & Silver Toxic Mining – forever • Have commissioned and funded for Pou to be carved and installed at the entrance to Parua Bay • That all residents and ratepayers are informed and educated about the history and legendary of Ngati Tu of this area to protect them as this area highly tapu. • Protect and conserve natural resources and environment of this area at all times. • We would like to have a new community playground in this area to be designed by the local school children and their families.
<p>Margaret Hicks ID: 2019AP32</p>	<p>{Staff summary; please see original submission} Submission covers:</p> <ul style="list-style-type: none"> • The comparably smaller size of the supporting information document, which is clearly lacking in content. • Northland Inc (No point in continuing to financially support Northland Inc., the set-up of Northland Inc in undemocratic)
<p>Ian Todd Ruakaka Economic Development Group ID:2019AP33</p>	<p>{Staff summary; please see original submission} Submission raises concern about the lack of signs specific to Ruakaka or Marsden Point.</p>

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• Summary of Submissions – User Fees and Charges 2019/20

16 submissions were received on councils proposed changes to user fees and charges. The majority of these related to the alteration of the fee structure for water permits.

The comments are grouped according to the specific changes they were in relation to, where possible.

Monitoring Fee

- Four comments were received in support of the changes to monitoring fees for water permits.
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USER FEES AND CHARGES 2019/20 - Comments:	
Sally Shirkie - Holiday Park ID: 2019AP2	"Monitoring fee: agree with proposed change to be based on actual monitoring after it has taken place."
Richard O'Donnell ID: 2019AP11	"1. Monitoring fee. ----- Agree with proposed change"
Waldron - Honeymoon Valley Landcare Group ID: 2019AP14	"Fully support the proposed changes"
Sue Culham ID: 2019AP21	"Monitoring Fee – Agree with proposed Change"

Resource user charge

- Four comments were received on the proposed resource user charge – three in support, and one in disagreement.

USER FEES AND CHARGES 2019/20 - Comments:	
Sally Shirkie - Holiday Park ID: 2019AP2	"Resource user charge: Based on level of abstraction of the permit."
Richard O'Donnell ID: 2019AP11	"2. Resource user charge ----- Agree with proposed change"

Waldron - Honeymoon Valley Landcare Group ID: 2019AP14	"Fully support the proposed changes"
Sue Culham ID: 2019AP21	<p>"Resource User Charge – I am in disagreement with your scaling – It shouldn't matter the amount of abstraction of water the resource consent allows for. "One charge for all" This looks like you will be charging for actual "amount of water take" It also does not take into consideration the actual usage which should be monitored (as we supply yearly records) required by the consent after each year has passed. Charging for the volume that you haven't actually used does not seem correct.</p> <p>2.2.7.2 (Water take) resource user charge</p> <p>1. Some of Northland's water resources are highly allocated and are under pressure. It is difficult to assess the natural flows/levels of water bodies as there is limited data available on water use and flows/levels in some areas. The National Policy Statement for Freshwater Management 2014 requires the council to set water quantity limits for all of Northland's water bodies.</p> <p>2. In order to address this, the council developed a Sustainable Water Allocation Plan. This project requires ongoing resourcing by council to implement. The work provides benefit to both water users and the wider community. Much of the information provided by council's current hydrometric network is the basis for this work and as such, a part of the cost of running this network shall be recovered from water users through the (water take) resource user charge.</p> <p>3. The details of this charge are outlined in Section 3.5.3 4. The resource user charge for water take consents for hydroelectric generation will be considered on a case by case basis because they can be substantial and complex in nature."</p>

Water Use Returns

- Six submissions were received on the proposed new charge for water use returns – one in support (of all proposed changes) and five in disagreement.

USER FEES AND CHARGES 2019/20 - Comments:	
Sally Shirkie Holiday Park ID: 2019AP2	"Water use returns: There should be no charge for this as we do all the work."
Richard O'Donnell ID: 2019AP11	<p>"3. Water use returns -----Disagree with proposed change and charges. There should be no charges for sending in annual usage report in whatever form. Let's try to encourage users to send in reports and not annoy them with such petty social engineering by the use of "fees". Administration is budgeted for, in the take on general rates. Telemetered returns DO NOT cost 373% more than paper returns to administer. Late returns fee should be retained, this fee should represent the actual extra cost of administration. Also late returns are a gain the terms of their consent."</p>

Waldron - Honeymoon Valley Landcare Group ID: 2019AP14	"Fully support the proposed changes"
Clyde Alexander Stevens ID: 2019AP17	"The new fee structure for Water Permit Holders to submit their Water Use Returns is excessive. The \$51.00 charge for electronic submission is very high especially for those of us who do not do a vast amount of irrigating. It also seems very unfair to penalise those who are not computer literate and wish to submit their returns on paper. We pay an annual charge for our Water Right and I feel this should also cover the processing of the Water Usage Returns."
Sue Culham ID: 2019AP21	"Water Use Returns – Disagree with proposed change. "Your charge reflects the time it takes for us to process your return, depending on the format used" Should this not be included in your administration charge below? It relates to administration processing of the water take records. 2.2.4 Administration, monitoring and supervision of resource consents 2.2.4.1 Administration covers how the council records and manages the information it has on the resource consents it grants. The council is obliged to keep "records of each resource consent granted by it" under Section 35(5)(g) of the RMA, which must be reasonably available [to the public] at its principal office" [Section 35(3) of thermal]. The council keeps this information on hard copy files or electronic databases. The costs of preparing and maintaining these systems are substantial.2.2.4.1"
Robert Blagrove ID: 2019AP10	"I'm not happy with the idea of paying for someone to transfer info to a computer from a piece of paper I've sent in with water usage on it. Next thing well be paying for everything we send in. I'm happy to get a meter if you can get one for a couple of hundred. I've been told they're around 800. Ill fill out the on line info if you show me where."

Administration Charge

- Four submissions were received on the administration charge – two in support and two in disagreement.

USER FEES AND CHARGES 2019/20 - Comments:	
Sally Shirkie - Holiday Park ID: 2019AP2	"Administration Charge: There should be no charge for this either. We maintain the bore and this is expensive."
Richard O'Donnell ID: 2019AP11	"4. Administration charge ----- Disagree.----- A flat annual rate should be retained with the proviso that up to 2.2% could be available if it can be justified. In all cases the cost of all NRC activities should be budgeted and approved, and the departments should work within those budgets."
Waldron - Honeymoon Valley Landcare Group ID: 2019AP14	"Fully support the proposed changes"

Sue Culham ID: 2019AP21	"Administration Charge – Agree with proposed Change"
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Water permits – general comments

- Seven submissions were received that made general comments on water permits.

USER FEES AND CHARGES 2019/20 - Comments:	
William Stead ID: 2019AP1	"Water Abstraction Charges need to be kept at no-fee when no water has been taken other than up to 30m3 per year for equipment checking and maintenance. Further, when water is used for frost protection and is returned to the aquifer/source, any fees charged to be less than \$30 per year. No fees to be charged where water taken is from a stream source that does not meet NZ swimming quality standards. The Regional Council needs to be incentivised to ensure water is at least meeting NZ swimming quality. Our stream (KAURITUTAH) is polluted with badly maintained septic tank outfalls, with CFU levels as high as 850. SHOCKING!"
Eric Shackleton - Ryack Holdings Ltd ID: 2019AP3	"The cost increases are very significant and will adversely affect business in the region. It is surprising that as we fill in the quantities etc twice a year and send them digitally that there should be increases in our costs. Now there is to be a charge for us doing that??? Plus \$50 to receive spreadsheet. Plus another administration charge. This is starting to get too expensive."
Max Powers - Doubtless Bay Water Supply Co Ltd ID: 2019AP6	"While it has been advised the charges will be 'fairer' no information was provided on what we are currently charged versus what our new charges would be. Without this it is very difficult to have an opinion on whether this is better or worse."
Richard Ansley ID: 2019AP18	"Macbrand Water Company is a small permitted water user who have seen the Annual Fees charged by the Northland Regional Council increase over the years to a current figure of about \$900.00. This is now a high percentage of our annual income. Our Company recently installed an electronic monitoring system at a cost of nearly \$10,000 so that our water use could be electronically monitored and further to that, we have permitted NRC Monitoring Staff direct access to that data in order to facilitate their work. This being the case, Macbrand Water Company would be reluctant to accept any new Fee Structure which could increase our Annual Fees. Given the context of the Proposed Fee Structure, we would hope that given our assistance to your staff, our fees would decrease so that we could better afford improvements to reduce the impact on the Mangaparurua River."
Phillippa Atkinson ID: 2019AP28	"IRIS ID: AUT.037611.01.01 I am writing in response to the new fee structure for water permit holders that I understand will result in an increase in my annual charge. I hold a permit but presently have a Nil take. Due to this I don't see the need for a fee increase, to which I want to voice my objection."
Mark Laurenson - 4Sight Consulting Limited ID: 2019AP30	{Staff summary; please see original submission} Submission is on behalf of Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited (the Oil Companies) Submission supports the collection of fair and reasonable fees from private users of public resources. Submission has particular regard to charging

	<p>regime as it relates to monitoring charges for water takes and discharges associated with temporary construction dewatering takes.</p> <p>The drafted charges do not clearly distinguish between charges for ongoing activities and temporary, short term activities (eg dewatering) and needs to provide upfront clear recognition of how charges apply to atypical activities. Under the proposed new structure the charges would be disproportionate to the council's costs for typical takes by oil companies.</p> <p>Submission provides an example of how charges would apply to temporary construction dewatering activities, and an example of the Oil Companies' key concerns.</p> <p>The Oil Companies consider that the council should introduce a specific fee for temporary construction dewatering activities that only applies in the years in which consents are given effect.</p>
<p>Phil Brooker ID: 2019AP23</p>	<p>"My submission re proposed changes to bore water permits. Proposed increase for bore water permit holders As explained by Tess Dacre admin will stay the same at \$ 108.00 water use return up from \$28.00 - \$50.00 resource user charge up from \$27.00- \$50.00 plus I understand a 2.2 percent inflation yearly adjustment. Considering I have to travel from Warkworth to Mangawhai to read the meter once a month log the readings and return to council once a year, it seems as though I have to do all the work and I will be paying more for the privilege which in my opinion is unfair and the charges should remain as they are."</p>

User fees and charges – other comments

- Three submissions were received that made comments on user fees and charges outside of the changes proposed to water permits.

USER FEES AND CHARGES 2019/20 - Comments:	
<p>Michael Wrightson ID: 2019AP29</p>	<p>{Staff summary; please see original submission} Submitter questions the NRCs view on the impact that the courts decision on the Mangawhai Ratepayer verses the NRC has on the Mooring Biosecurity Charge decision. Submission discusses the legislative requirements that must be met under section 135 of the biosecurity act in the regard to the mooring biosecurity charge, and questions the use of funds obtained through the charge. Submission discusses the four groups with potential to spread pests and the fairness of charge allocation between these groups.</p>
<p>Greta Buchanan - Northland Foundation ID: 2019AP26</p>	<p>"With regards to User Fees Charges, we would like to request funding to undertake this work, approximately \$1 per person in Northland \$150,000 per annum. If agreeable then a quantum administration fee could be charged to the NRC."</p> <p>{Staff note – this comment relates to submitters feedback on the annual plan, regarding allocating ratepayer funds to community initiatives.}</p>
<p>Richard Gardner ID: 2019AP25</p>	<p>"Federated Farmers generally supports the User Fees and Charges 2019/20 Recommendations: That Council proceed with its proposals to increase its fees and charges, but keep a close watch on the costs of administering the services that are funded by way of fees and charges. General Comments: Federated Farmers acknowledges that the proposed increase of 2.2% is less than that budgeted for in the Long Term Plan. Federated Farmers also acknowledges that costs to the Council that are not recovered by way of fees and charges would have be funded by way of rates. Accordingly,</p>

	Federated Farmers supports Council's proposals to increase its fees and charges, but urges Council to keep a close watch on all of its costs, and particularly the costs of administering those of its services that are funded by way of fees and charges.”
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Councillor/community meeting 10 April 2019

In attendance: Chairman Bill Shepherd, Councillor Penny Smart, Councillor Mike Finlayson, Chief Executive Officer (part meeting), Corporate Planning Manager, Policy Specialist, Monitoring Compliance Manager (part meeting), Group Manager Environmental Services (part meeting).

Note:

Black text summarises points made by submitters

[Green bracketed text summarises comments made by councillors and staff]

Registered name	Time	Attendees	Area of Interest
Alan Agnew	10.30am	Alan Agnew Glenn McMillan (Maia Honetana also spoke)	Multiple
<p>Introduction</p> <p>Alan tendered an apology from other four others who were going to join him, and noted that one was going to discuss asbestos at Countdown building. Otherwise the points he was going to address were included in his submission.</p> <p>[The chair noted that most issues covered in the submission relate to areas of work managed by the WDC.]</p> <p>One council blames the other, so submitted to both. Questioned why the councils don't work together, or work together on some things (eg road) and go against each other for others (eg, Countdown building)</p> <p>[The chair noted that a development plan was underway for the Countdown building.]</p> <p>Alan stated that he has provided information to the developers of the building.</p> <p>[The chair clarified that the agents are looking for tenants, and questioned whether Alan had applied to be a tenant? – response unsure]</p> <p>Facility for the elderly and people with disabilities (Alan, Glenn, Maia):</p> <ul style="list-style-type: none">• There needs to be a facility for people with disabilities in Whangārei. Proposed that the Countdown building be a one-stop-shop for all people with disabilities. At the moment everyone has to travel to Auckland.• The elderly and disabled need a facility with parking. Current facilities are run-down and not healthy. Where is the consideration toward disabled people?• 25-27% of Northlanders have some sort of disability. Getting closer to 30%. Special needs might be 10% of this, which is significant. Same with the elderly – they need somewhere to go.• People need a sense of belonging to the community, and be more visible, need somewhere where they are proud to go and spend time <p>[The chair clarified that providing social buildings is not NRC's role. Council funds the regional sporting facilities rate, and to qualify, parties must be on the Northland Regional Sports Facilities Plan via sport Northland, and the Whangarei District Council Long Term Plan. Suggested that this could offer an avenue to get such a facility set up. Need to put a proposal to Sport Northland.]</p> <ul style="list-style-type: none">• Numerous proposals have been put to Sport Northland.• WDC have sport and recreation facility meetings, where the discussion centres on people in the community needing a place to congregate. This has been left with WDC. <p>[The Chair and Councillor Finlayson suggested that they investigate the possibility of getting something in to the regional sporting facilities plan. Approaching the process as a sporting organisation rather than an individual might be a good approach. Could combine with a number of other groups and get a working group together to all work toward a common goal]</p>			

<ul style="list-style-type: none"> Agreed that they need a proactive approach to impact change and raise the profile of the issue. The group are all members of DPA Northland (Disabled Persons Assembly). DPA have made very little progress over the past few years. There are some political issues within the individual groups and getting them to coordinate. 			
Maia Honetana	10.45am	Maia Honetana Abi-Rose Johnston	Multiple - hapū consultation in Parua Bay
<p>Introduction Maia was presenting the submission on behalf of her community, family and Ngati Tu – to voice their concerns and make council aware of what they would like to see happen. They’re looking at the annual plan but also looking out longer term. Other hapū have been approached for input in the past, but now Ngati Tu want recognition and input. There is a list of concerns in the submission – it was noted that many are the jurisdiction of WDC but the hapū wanted a uniform approach.</p> <p>Cultural hub at Solomon’s point Of upmost importance is getting a cultural hub at Solomon’s point. Solomon’s point, which is reclaimed land, should not be made into a transfer station. The land holds the bones of the hapū’s tupuna. The land would be best used as a cultural hub, somewhere where people can pop in and learn about the area.</p> <p>Kauri dieback Hapū would like to see rāhui placed on the mountain to manage Kauri dieback. The current amount of access is not protecting the mountain from dieback. Once the disease takes hold it is downhill for everyone. Many people are on the mountain, and there is a need to protect the area from this activity. It’s not healthy. The land needs time to rejuvenate and regenerate.</p> <p>[The chair noted that it would be a good idea to talk to DOC about the way the tracks are being used, as they manage this land]</p> <p>The hapū want a rāhui, but some private land also has sites of cultural significance on it. Private land rights and cultural customs/values clash. There are Treaty of Waitangi issues. This is currently being dealt with as a treaty claim, but they want to let the council know that this is of concern.</p> <p>[Councillor Smart advised that if there are any Kauri that are of concern, NRC staff are available to come and check and address the issue.]</p> <p>Pest and weed control Spray is also an issue. Contractors don’t seem to take into consideration wind conditions and neighbouring houses, and there is often a lack of notification.</p> <p>[Councillor Smart advised that people can use the 0800 hotline if there is concern about spray behaviour. Then NRC can look in to it, even though the contractor management is WDC jurisdiction] [Councillor Finlayson noted that rāhui have been placed on other areas. Need to ascertain if there is Kauri dieback, and then work with DOC to see if the conditions are suitable for a rāhui (people may not be causing the issue if there are pigs etc)]</p> <p>Possums – seeking alternatives rather than dropping 1080 – the land is accessible, can do trapping etc for possums. Parua Bay and Whangarei Heads is all accessible for this kind of work.</p> <p>TTMAC working party Want to be a part of the TTMAC working party. Nomination of person handed in. The working party may be the best place to address the concerns of the Hapū.</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> Ensure Ngati Tu is on council’s Iwi/hapū engagement list 			

Whirinaki Water Board Inc	11am	Don Clune Dawn DeOlivein Lawrence Wikaira	Fee structure for water permit holders
<p>Introduction</p> <p>The Whirinaki Water Board received a 'have your say' letter about the new fee structure. They are water permit holders, and the increase of the fees is a major concern.</p> <p>Water permit fees</p> <p>[The Compliance Monitoring Manager clarified that not everyone's fees are going up. Some will go down. On average there is a \$68 increase but some will go up or down.]</p> <p>Noted that the fact that fees could go up or down needs to be made clear in the letter. It's about building relationships. Want to understand the new fee structure. How will the board's fees be reducing? Which ones?</p> <p>[The Compliance Monitoring Manager explained that calculating this required some manual work, as it's not all in the database. On paper with the available information, it appeared that the board's fees are likely to go down by \$9.50 a year. The whole proposed setup is different, so it is hard to compare.]</p> <p>Board collates the data and sends it in – that would be a new \$50 charge. Does the decrease by \$9.50 include this new charge?</p> <p>[The Compliance Monitoring Manager explained that it does. She explained the reason for the changes. Currently, taking a large amount of water from a highly allocated catchment would incur a high fee, and a small amount from a less allocated catchment would incur a low fee, with many variations in-between. Relying on the allocation for the charge didn't make sense and was constantly moving, so have now proposed to base it just on the level of abstraction.]</p> <p>The board's consent stipulates how much the consent holder can take from the catchment. They don't take the full amount. So how does this impact the amount? It's calculated on the highest month, but they are actually taking much less. Who owns the water? How can council increase the charge when they don't own the water? We are kaitiaki of the water, so why should we be charged extra?</p> <p>A letter of intent was tabled, signed by mayor John Carter, which sets out that the mutual understanding of council and the Whirinaki Water Board Inc, and the relationship between the two parties.</p> <p>[The chair noted that who owns the water is a matter for parliament to decide, not NRC. The charges in question are for the time spent by staff to manage the catchments and takes. Need to ensure that adequate water remains to keep streams healthy.]</p> <p>The board is doing their best for the small community, supplying top quality water to the community. Now having to pay. Want to keep things simple.</p> <p>Ongoing costs are not funded – these are ongoing costs for taking the water. The calculation method correlates to the water use/allocation. So with all of the changes the board wants surety, so that they don't receive a bill for more than expected. If a school comes on to the system, could this push the consent over?</p> <p>[The Compliance Monitoring Manager noted that the resource user charge change has resulted in different bands. The charges are based on the consent – not actual. Includes rate of take, total take, summer/winter etc. The Compliance Monitoring Manager then worked with submitter to explain the details of the proposal and how it would relate to their take. During this process it was noted that the existing take was 260, and that based on this there would likely be an increase of approximately \$300 for the community supply consent, rather than the decrease originally thought.]</p> <p>Shouldn't the annual fee that is paid be enough? The community are going to ask why they are paying for their water. They currently don't pay anything for the water, they pay the board a maintenance levy for the water. This is supposed to be ours – why are we paying a levy for it? Why are we paying to take our own water, when you don't do anything – the board does the community a service.</p> <p>[Councillor Finlayson explained that as regulators we make sure that process of taking water is regulated. It's a matter of figuring out who pays for that regulation. The board has costs and they pass those costs on, without making a profit. Council does the same thing. Council is legally obliged to regulate, need to recover the costs. It's important to note that there isn't a profit in this. It's about making sure that everyone is safe.]</p>			

A letter would be good to explain the costs to the board and their members, and to help build the relationship.

[Council to send a letter explaining this.]

Funding was gained to put the equipment in to abstract the water, but these costs are ongoing and not accounted for. This was supposed to make water cheaper for the community. Can the board be exempt?

[The chair noted that the costs of administering the consents must be paid for somehow. Council philosophy is that the consent holders must cover these.]

Recent seminar discussed the three waters – could the government put funds in place to cover this?

If the board abstract below the rate consented for, there shouldn't be any increases over the years? Possibility that the charges could go up. Could the consent be calculated differently? An independent fee structure for the little ones.

[The chair explained that the charges are based on the consented amount, not the actual amount taken. Reporting and monitoring process are to make sure that consent holders stick below their allocated amount. The Chair noted that it must be applied consistently. Unless the consented amount is changed each consent holder will have to pay within their band.]

Don't want it to become too hard to supply water to the community.

A more user pays system now. Why the cut-off where it is?

[The Compliance Monitoring Manager explained that the band has to be applied somehow. If the board is consistently below consent limit, might be worth changing that consent limit. But having the higher limit provides security of supply. The new fee structure is completely different to the old one. The bands are completely new.]

Summary

If the board is going to be charged extra (eg, \$300 increase), we object to that, and don't accept the new fee structure.

Actions:

- Compliance Monitoring Manager to double-check the specifics of the take
- Send letter explaining the process of regulating water and charging for it, to the board.

Michael Wrightson	11.30am	Mike Wrightson	User fees and charges – marine biosecurity
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Introduction

Michael Owns a mooring in Whangaroa and pays the mooring charge, which he has submitted about.

Mangawhai ratepayers court challenge

Question impact that the Mangawhai ratepayers court decision has on the mooring charge.

[The chair stated that this is completely unrelated.]

The original charge didn't meet statutory requirements. Went to disputes tribunal to challenge the charge. Council challenged the jurisdiction of the tribunal who determined that it needed to go to district court because decisions could impact on all other councils.

Mangawhai decision determined that unless the council meets all requirements of statute, the charge doesn't apply.

How does that principle apply now?

[The chair advised that the council won the court decision at appeal.]

Biosecurity charge and work

The money collected for the biosecurity work is ring-fenced. Collected to cover the costs. Taking into consideration under/over payment from previous year. For transparency, need to produce the accounts to show that the money was in fact spent on marine biosecurity.

[The chair and the Group Manager – Environmental Services explained that funding is fully ring-fenced for marine biosecurity programme. There is too much detail to report in annual accounts, but is ring-fenced internally. Revenue and expenditure for the marine bio account, which provides the detail, can be provided.]

****Group Manager – Environmental Services to provide detail of marine biosecurity accounts.**

The original council decision stated that it was 70/30 split [staff note – was actually 65/35]. Why that split?

[The chair explained that the decision took into account submissions, and in deliberations was decided to change. It was decided that there was merit in accepting that there was a degree of public good, so there was a political decision to split it.]

There are four different groups of marine biosecurity beneficiaries [staff note – as per submission]. It doesn't matter how clean boats keep themselves, they will run in to the potential to spread pests, because the pests live on the seabed. Every winter fanworm release spores from the seabed.

[The chair explained that the issue wasn't the source of the pest, but about reducing the spread of the pests between one area to another, with vessels being the main vector.]

Accept that the charge is about movement to areas. But existing supply on the seabed also feeds spread.

[The chair explained that this was part of the reason for sharing the costs.]

Would have been helpful to talk to councillors before the close of submission date.

People in areas that are already infested are paying the same amount as those in clean areas. Boats cannot spread the pest if they are in a clean area. There is a limited window over winter for spawning, and then those pests must grow on a vessel. What is the gestation period for eggs to become fixed on the hull of a vessel?

[Councillor Finlayson and the Group Manager Environmental Services explained that the eggs sit in the water column for about 20 days, and that the worms can release eggs outside of ordinary spawning periods if they are disturbed.]

[The chair clarified that the issue under discussion is that mooring charges for vessels in clean areas should be different than in infected areas. Can consider this in deliberations/consideration of submissions.]

Need to get everyone in the country to follow similar rules.

Is there a statement of what is achieved by the marine biosecurity work? Eg, 2000 boats over a summer.

[The chair, and the Group Manager Environmental Services explained that the marine biosecurity work is covered in CEOs report monthly, and in the implementation plan. Councillor Finlayson explained that council are now spending more than they're collecting in charges because of infestation in Opuia, and are doing their best to keep the pest out of Whangaroa Harbour. The Chair also noted that council also comes under pressure to just let the issue go and stop spending any money on it.]

Action

- Group Manager – Environmental Services to provide more detailed information on biosecurity spend, and the implementation plan, to Mr Wrightson.

Links to full submissions

Hold down Ctrl then click on the name below to view the full submission of that person online.

<u>4Sight Consulting Limited</u>
<u>Alan Agnew</u>
<u>Alistair McGinn</u>
<u>Brent Eastwood</u>
<u>Clyde Alexander Stevens</u>
<u>David Lourie</u>
<u>Doubtless Bay Water Supply Co Ltd</u>
<u>Honeymoon Valley Landcare Group</u>
<u>Ian Todd</u>
<u>Janine McVeagh</u>
<u>Maia Honetana</u>
<u>Margaret Hicks</u>
<u>Marianna Fenn</u>
<u>Mere Kepa</u>
<u>Michael Wrightson</u>
<u>Northland Foundation</u>
<u>Opononi Omapere Residents and Ratepayers Assoc</u>
<u>Paul White</u>
<u>Phil Brooker</u>
<u>Phillippa Atkinson</u>

<u>Richard Ansley</u>
<u>Richard Gardner</u>
<u>Richard O'Donnell</u>
<u>Robert Blagrove</u>
<u>Ryack Holdings Ltd</u>
<u>Sally Shirkie (Holiday Park)</u>
<u>Sue Culham</u>
<u>Te Roopu Taiao o Utakura</u>
<u>Veleta Angela Tawhai</u>
<u>William Stead</u>

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TITLE: Council Deliberations on the User Fees and Charges 2019/20
ID: A1184985
From: Kyla Carlier, Corporate Planning Manager and Robyn Broadhurst, Policy Specialist

Executive summary/Whakarāpopototanga

This report provides background information and presents staff advice and recommendations, to inform council's deliberation on the Draft User Fees and Charges 2019/20 and Statement of Proposal, including proposed changes to the structure of fees for water permits.

Staff recommend council support the Draft User Fees and Charges 2019/20, inclusive of proposed changes to water permit fees.

Recommendation(s)

1. That the report 'Council Deliberations on the User Fees and Charges 2019/20' by Kyla Carlier, Corporate Planning Manager and Robyn Broadhurst, Policy Specialist and dated 16 April 2019, be received.
2. That Jonathan Gibbard, Group Manager – Strategy, Governance and Engagement be given delegated authority to approve any consequential amendments as a result of council decisions on submissions and any minor accuracy and grammatical amendments.
3. That council supports the increase in charges contained in the User Fees and Charges 2019/20 by 2.2%, as set out in the Draft User Fees and Charges 2019/20.
4. That council supports the Draft User Fees and Charges 2019/20 as notified.

Background/Tuhinga

Consultation was carried out on council's Draft User Fees and Charges 2019/20 in conjunction with the process of consultation for the Annual Plan 2019/20. This is the usual process for these annual reviews and offers efficiencies in terms of staff resources and public participation as well as producing a complete budget. Consultation involved the production of a full draft user fees and charges schedule complete with a statement of proposal that highlighted the proposed changes.

Feedback on the proposals was sought during a month-long period running from 4 March – 5 April 2019. 30 submissions were received during the consultation period, and four parties spoke to councillors at a councillor/community meeting held on 10 April. 16 submissions related specifically to the Draft User Fees and Charges. The feedback is summarised in the summary of submissions document (included as **Attachment 1** to Item 3.1).

The annual review of user fees and charges ensures that changes can be made and that the charges do not become outdated.

The draft schedule for 2019/20 proposed several minor amendments and updates including:

- Inflationary increase of 2.2%.
- Additional table note added to CST010 of section 3.5.6.2 to provide further clarity, along with updates to the existing table notes and end notes, again for clarity.

- Adjustment of charges in section 3.5.7 to be consistent with section 3.5.6.2.
- Removal of section 3.7.3 (Safe Operating Licences) as these are no longer applicable.
- Addition of text in section 3.7.4(a)(iii) to capture a late booking fee, along with the existing cancellation fee.
- Adjustment of section 3.7.4(c)(ii) & (iii) for consistency (was previously inconsistent with those visiting the Bay of Islands), and re-wording of text to clarify that a ship does not have to pay twice when visiting Whangaroa Harbour.
- The rate for section 3.10.5 (Motor vehicles) has been updated as instructed by Inland Revenue.
- Removal of the charge under section 3.10.11 for receiving plans on a memory stick, as this service is now offered at no charge.
- Update of the policy on remission of charges to make it clear that no further correspondence will be entered into following a decision to decline an application to have a charge remitted; appeals under section 357(B) of the Resource Management Act are excepted. This section has also been re-ordered into a more logical sequence.
- Minor typographical and referencing updates.

The draft schedule also proposed new charges and policy as follows:

- A new charge in section 3.2.1 for Deemed Permitted Activities, in line with recent changes to the Resource Management Act 1991.
- Two new charges added to the mooring licence amendment fee table at the end of section 3.5.6 for any new mooring within a mooring area (as consent is no longer required), and for the reinstatement of a mooring following suspension/cancellation.
- An entirely new structure for charging water permit holders under new sections 3.5.2, 3.5.3 and 3.5.4, including:
 - Section 3.5.2, outlining that compliance monitoring/supervision is now charged as actual monitoring as and when it takes place, and subsequent removal of the previous charge.
 - Removal of the tables previously under sections 3.5.2 and 3.5.6 and replacement with section 3.5.3 - a single table that includes an annual administration charge (no change to the previous) and a simplified method for calculating the annual Resource User Charge.
 - Introduction of a new charge under new section 3.5.4 for Water Use Returns based on the return method and a new late penalty fee.

Feedback received

The majority of feedback received on the draft user fees and charges focussed on the proposed new structure for water permits. The four individual aspects of the proposed changes to water permit fees are addressed below.

One submission was received that blanketly supported all proposed changes.

Two comments were received that were not about the proposed new structure. One sought funding for community initiatives and the other was in relation to the marine biosecurity charge. These points are addressed below.

New fee structure for water permit holders

Seven submission were received that raised general concern about the proposed changes to the new fee structure for water permit holders. Comments included that there should be no charge when no water is taken or when the water quality is too low; that the fees have been increasing over the years and are generally too expensive, and will adversely affect businesses in the

region; and that not enough information was provided to establish the actual impact. A submission was received on behalf of New Zealand Oil Companies (2019AP30) that requested the introduction of a specific fee for temporary construction dewatering activities that only applies in the years in which consents are given effect.

The suggestion of having a nil charge for when no water is taken is not considered to be a viable option. Not only would it be very time-consuming and difficult to implement, but the consent holder has secured the use of the water which is allocated in their consent, regardless of whether they choose to use the full volume or not. Additionally, one of the reasons for the charge is to offset some of the costs of installing and operating the hydrometric network. Consent holders for water takes benefit from the hydrometric network even if they have a nil take.

The submission from the New Zealand Oil Companies is effectively asking for a change to a rule in the regional plan, not the fee structure for water takes. Temporary water takes are not charged the same as permanent water takes currently.

Staff recommend that council supports the User Fees and Charges as proposed and notified, with no changes as a result of these submissions.

Monitoring fee

This is a general fee to cover the cost of the compliance monitoring that council carries out. The monitoring fee is currently calculated based on an estimate of the monitoring that will be required over the year. The new structure allows this fee to reflect the actual cost of monitoring after it has taken place, leading to more accurate charges.

Three submissions were received that specifically made reference to the proposed new monitoring fee, and all of these agreed with or supported the change.

Staff recommend that council supports this proposed change to user fees and charges as proposed and notified.

Resource user charge

This is a charge for the right to use the water. It is currently based on modelling, and it is proposed to be based on the level of abstraction permitted by the consent, which is a simpler method to calculate and apply, and correlates to water use.

Four submissions were received that specifically made reference to the proposed new structure of resource user charges. Of these, three agreed with the proposed change to base the charge on the level of consented abstraction. One disagreed with the proposed scaling, noting that it does not result in a charge for actual water use, only consented water use.

It is noted that the charge is not a charge for the water itself. The reason for the scaled fee structure is because the larger the water take the more likely there are to be adverse environmental effects and therefore an increased level of monitoring is required. The work required is not related to whether consent holders take their allocated volume.

Staff recommend that council supports this proposed change to user fees and charges as proposed and notified.

Water use returns

This is a new charge that aims to accurately recover the cost of processing water use returns. It is proposed to be an annual charge of either \$20.50 for telemetered returns, \$51.00 for electronic returns, or \$76.50 for paper returns. It also includes a fee for late returns of \$76.50.

Five submissions were received that specifically made reference to the proposed new charge for water use returns, and these all disagreed with the proposed new charge. However, one of these did agree with the inclusion of a late fee. Comments included that administration should be budgeted for in general rates or covered by the administration charge, that the system penalises those who are not computer literate, and that the differentiation between charges does not reflect the actual differences in administration costs.

It is noted that the administration fee applies to all consents (not just water takes) and does not cover the cost of administering water use returns. The proposed charge is to cover the cost of staff time spent processing water use returns. This is a beneficiary-pays approach, with those who benefit from the right to take water bearing the cost.

Staff recommend that council supports this change to user fees and charges.

Administration Charge

No change was proposed to annual flat-rate administration charge, other than the blanket 2.2% increase for inflation.

Three submissions were received that specifically made reference to the administration charge, with two disagreeing and one agreeing with the charge. Of the two that disagreed, one cited existing expenses, and the other may have misinterpreted the fact that no change was proposed, stating that a flat annual rate should be retained.

The administration charge applies to all resource consents not just water takes, and only covers a proportion of actual administrative costs.

Staff recommend that council supports this change to user fees and charges.

Other comments on the user fees and charges

Three submissions were received on the user fees and charges that were not specifically about fees for water permits.

One submission was linked to a submission on the annual plan, and requested a fee be charged to raise \$150,000 for community initiatives. This is considered to be out of scope of deliberations on the user fees and charges.

One submission generally supported the user fees and charges, and acknowledged that the 2.2% inflationary increase was less than budgeted in the LTP, but urged council to closely monitor all of its costs, particularly those associated with administering services that are funded by fees and charges.

Marine biosecurity charge

One submission related to the marine biosecurity charge. The charge was set in 2017 to recover a portion of the direct cost of council's marine biosecurity activities including hull surveys, education, enforcement and science. The charge was set with 65% of the cost being funded by the owners of moorings, marinas, boat sheds, and commercial marine facilities, and 35% funded by general ratepayers.

The submission questioned the fairness of the charge, and was followed up by discussion at the councillor/community meeting on 10 April 2019. The discussion culminated in a request for council to consider whether vessels residing in clean areas should be charged less than those in areas already infected by Mediterranean fanworm. It was noted at this time that the cost of marine biosecurity activities is already shared by general ratepayers.

The charge is set to recover the direct costs of the marine biosecurity activity, which includes hull surveys on boats regardless of whether they are in clean or infected areas. Therefore, the concept of differentiating between vessels in clean and infected areas is considered invalid. This would also be very difficult to administer and enforce, making the charge highly inefficient.

Staff recommend that council retain the current structure of fees for marine biosecurity activities in the user fees and charges.

Considerations

1. Significance and engagement

Section 76AA of the Local Government Act 2002 (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.

Engagement with the community has now been carried out. The process of deliberations assists council in achieving compliance with section 77 of the LGA.

2. Policy, risk management and legislative compliance

Consultation on the Draft User Fees and Charges 2019/20 has been carried out pursuant to section 150 of the LGA and in accordance with section 83 of the LGA.

Consideration of submissions through the process of deliberations will achieve compliance with section 77 of the LGA - Requirements in relation to decisions - and 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'.

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name: Jonathan Gibbard
Title: Group Manager - Strategy, Governance and Engagement
Date: 30 April 2019