Council Tuesday 18 February 2020 at 10.30am





Northland Regional Council Agenda

Meeting to be held in the Council Chamber 36 Water Street, Whangārei on Tuesday 18 February 2020, commencing at 10.30am

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

Item	House	ekeeping/Karakia	Page
1.0	APOL	OGIES (NGĀ WHAKAPAHĀ)	
2.0	DECL	ARATIONS OF CONFLICTS OF INTEREST (NGA WHAKAPUAKANGA)	
3.0	HEAL	TH AND SAFETY REPORT JANUARY 2020	6
4.0	COUN UPDA	ICIL MINUTES/ACTION SHEET/COUNCIL WORKING PARTY AND WORKING GROUP TES	
	4.1	Confirmation of Minutes - 29 October 2019 and 17 December 2019	10
	4.2	Working Party Updates and Chairpersons' Briefings	22
5.0	FINA	ICIAL REPORTS	
	5.1	Emergency Services Fund Update - Annual Reporting, Funding Uptake and Engagement and Promotion	23
	5.2	Financial Report to 31 January 2020	61
	5.3	Investment Fund SIPO Adjustment - Proposed Increase in Exposure to Private Equity Assets	65
6.0	DECIS	ION MAKING MATTERS	
	6.1	Adoption of Standing Orders	91
	6.2	Adoption of Draft User Fees and Charges 2020/21 and Approval to Consult	176
	6.3	Adoption of Supporting Information to the Annual Plan 2020/21 Consultation Process	245
	6.4	Adoption of the Annual Plan 2020/21 Consultation Document and Approval to Consult	313
	6.5	Adoption of Submission Policy: consultation in accordance with the Local Government Act 2002	318
	6.6	Update to Delegations	325
	6.7	Hapū Manawhakahono a Rohe	332
	6.8	Central Government Proposals - Draft Submissions	353
	6.9	LGNZ Remit	382

7.0 OPERATIONAL REPORTS

	7.1	Chair's Report to Council	383	
	7.2	Chief Executive's Report to Council	386	
	7.3	Reporting on Long Term Plan 2018-2028 Performance Measures for Quarter Two of the 2019/20 Year	418	
8.0	RECE	IPT OF COMMITTEE MINUTES	422	
9.0	BUSI	NESS WITH THE PUBLIC EXCLUDED	438	
	9.1	Confirmation of Confidential Minutes - 17 December 2019		
	9.2	Receipt of Confidential Committee Minutes		
	9.3 Human Resources Report			
	9.4	Mount Tiger Forest Management Plan 2020-2024		
	9.5	Kaipara Service Centre - Next Steps		

ACC - Accident Compensation Corporation
ALGIM - Association of Local Government Information
Management
AMA - Aquaculture Management Area
AMP - Asset Management Plan/Activity Management Plan
AP - Annual Plan
BOI - Bay of Islands
BOPRC - Bay of Plenty Regional Council
CAPEX - Capital Expenditure (budget to purchase assets)
CBEC - Community, Business and Environment Centre
CDEM - Civil Defence Emergency Management
CEG - Co-ordinating Executive Group – Northland Civil Defence
management team
CEO - Chief Executive Officer
CIMS - Co-ordinated Incident Management System (emergency
management structure)
CMA - Coastal Marine Area
CPCA - Community Pest Control Areas
CRI - Crown Research Institute
DHB - District Health Board
DOC - Department of Conservation
DPMC - Department of Prime Minister and Cabinet
ECA - Environmental Curriculum Award
ECAN - Environment Canterbury
EECA - Energy Efficiency Conservation Authority
EEZ - Exclusive Economic Zone
EF - Environment Fund
ELT – Executive Leadership Team
EMA - Employers and Manufacturers Association
EOC - Emergency Operations Centre
EPA - Environmental Protection Authority
ETS - Emissions Trading Scheme
FDE - Farm Dairy Effluent
FNDC - Far North District Council
FNHL - Far North Holdings Limited
FPP - First Past the Post – voting system for NRC elections
GE - Genetic Engineering
GIS - Geographic Information System
GMO - Genetically Modified Organism HSNO - Hazardous Substances & New Organisms Act
HBRC - Hawke's Bay Regional Council
HEMP - Hapū Environmental Management Plan
Horizons - Brand name of Manawatu-Wanganui Regional Council
HR - Human Resources
HSWA - Health and Safety at Work Act 2015
IEMP - Iwi Environmental Management Plan
IPPC - Invited Private Plan Change: a process to allow Aquaculture
Management Areas to be established
IRIS - Integrated Regional Information System
KDC - Kaipara District Council
KPI - Key Performance Indicator
LATE - Local Authority Trading Enterprise
LGA - Local Government Act 2002
LGNZ - Local Government New Zealand
LGOIMA - Local Government Official Information and Meetings
Act 1987
LGOL - Local Government Online
LTP - Long Term Plan
LTFS - Long Term Financial Strategy
MCDEM - Ministry of Civil Defence & Emergency Management
MFE - Ministry for the Environment
MHWS - Mean High Water Springs
MMH - Marsden Maritime Holdings Limited
MNZ - Maritime New Zealand
MBIE - Ministry of Business, Innovation and Employment
MOH - Ministry of Health

MOT - Ministry of Transport MPI - Ministry for Primary Industries MSD - Ministry of Social Development NCMC - National Crisis Management Centre **NES** - National Environmental Standards NDHB - Northland District Health Board NZRC - New Zealand Refining Company (Marsden Point) NGO - Non-Governmental Organisation NIF - Northland Intersectoral Forum NINC - Northland Inc. NIWA - National Institute of Water and Atmosphere NORTEG - Northland Technical Advisory Group **NPS** - National Policy Statement NZCPS - New Zealand Coastal Policy Statement NZTA - New Zealand Transport Agency NZQA - New Zealand Qualifications Authority NZWWA - New Zealand Water and Wastes Association **OFI** - Opportunity for Improvement **OSH** - Occupational Safety & Health **OSPRI** - Operational Solutions for Primary Industries **PCBU** - Person Conducting Business or Undertaking **PDF** - Portable Document Format **PPE** - Personal Protective Equipment **RAP** - Response Action Plan RAQP - Regional Air Quality Plan RCP - Regional Coastal Plan **RFI** - Request for Information **RFP** - Request for Proposal **RTC** - Regional Transport Committee **RLTS** - Regional Land Transport Strategy **RMA** - Resource Management Act 1991 **RMG** - Resource Managers Group (Regional Councils) RMZ - Riparian Management Zone ROI - Return on Investment **RPMP** - Regional Pest Management Plan **RPMS** - Regional Pest Management Strategy **RPS** - Regional Policy Statement **RSG** - Regional Sector Group **RSHL** - Regional Software Holdings Ltd **RTO** - Regional Tourism Organisation **RWASP** - Regional Water and Soil Plan SIPO - Statement of Investment Policy and Objectives **SITREP** - Situation Report **SMF** - Sustainable Management Fund SOE - State of Environment (or) State Owned Enterprise **SOLGM** - Society of Local Government Managers SPARC - Sport & Recreation New Zealand STV - Single Transferable Vote SWAG - Surface Water Allocation Group SWPA - Sustainable Water Programme of Action TAG - Technical Advisory Group Tier 1 - Site level plan or response for an oil spill Tier 2 - Regional level plan or response to an oil spill Tier 3 - National level plan or response to an oil spill TLA - Territorial Local Authority – City & District Councils **TMP** - Treasury Management Plan TOR - Terms of Reference TPK - Te Puni Kokiri (Ministry of Maori Development) TUANZ - Telecommunications Users Association of NZ **UNISA** - Upper North Island Strategic Alliance WDC - Whangarei District Council WHHIF - Whangarei Harbour Health Improvement Fund WRC - Waikato Regional Council WSMP - Workplace Safety Management Practices WWTP - Wastewater Treatment Plant

TITLE: Health and Safety Report January 2020

ID: A1280819

From: Andree James, Health and Safety and Human Resources Advisor and Beryl Steele, Human Resources Manager

Executive summary/Whakarāpopototanga

This report provides an overview of Health and Safety activity during the month of December 2019 and January 2020.

Recommendation

That the report 'Health and Safety Report January 2020' by Andree James, Health and Safety and Human Resources Advisor and Beryl Steele, Human Resources Manager and dated 28 January 2020, be received.

Health and Safety Statistical Data

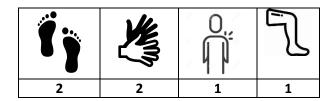
	Injury Related					Hazards				
Period	Loss time Injury (LTI)	Accident Work (ACC W)	Accident Not Work (ACC NW)	Medical Treatment Incident (MTI)	First Aid Treatment Incident (FTI)	No Medical Treatment Incident (NMTI)	Near Miss	Hazard (HAZ)	Incident (INC)	Security (SEC)
2018	7	8	0	2	4	0	13	35	17	6
2019	1	20	1	0	2	1	18	15	8	1
2020	1	0	1	0	0	63	4	3	0	0
Dec	1	1	1	0	1	0	1	1	5	0
Jan	1	0	1	0	0	63	4	3	0	0

Sport Northland Survey results entered for Stress

Events of interest

- The organisational health and safety risk register has now been reviewed and aligned to operational references and controls, the corporate risk matrix and correlates to the health and safety issues register.
- The likelihood of Novel coronavirus being imported into NZ is high. The likelihood of an outbreak remains low (Ministry of Health).
- We have one employee undergoing an extended counselling programme via our providers, Vitae.
- A member of public threatened to drive a tractor into the Kensington project if his demands were not met. The police were called to the scene, the member of public was trespassed.

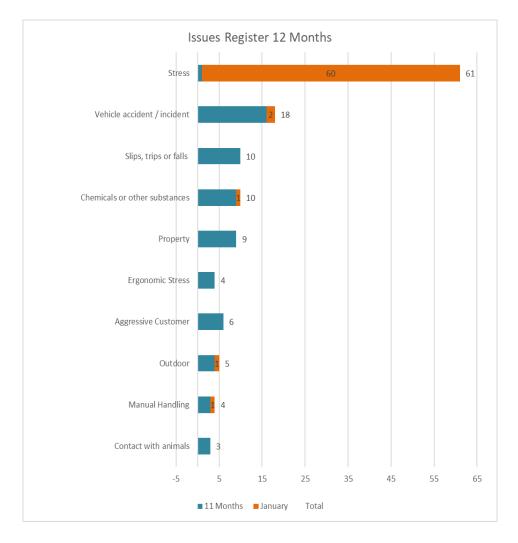
Injuries sustained in this period



Issues Register for last 12 months:

Survey results for stress from an independent contractor have been added to the issues register. Workplace stress, harassment and bullying is legislated under Health and Safety at Work Act. Issues of this kind will feature in this report as opposed to the Human Resources report. Management, Human Resources and the Wellness Group will feature strongly in the control of these risks to workers.

To address this OMT and the Wellness Group are working on action plans to further investigate the type of stress, causation and controls.



Legislation Updates

In regard to Traffic Management Planning (TMP), the introduction on Temporary Traffic Management Planners (TTM Planners) will take effect. By 1 September 2020, all TMPs submitted for approval must be prepared by a CoPTTM (Code of Practice for Temporary Traffic Management) warranted TTM Planner.

Notifiable Events

Nil

Wellness Committee

- Met to discuss support for the Aotearoa Bicycle challenge in February. Currently 1990 organisations signed up and 16,602 people, NRC signed up last week.
- A meeting is booked on 30 January to discuss action plan for stress.
- Nutrition and bioimpedance month are the focus for February.

Completed Training

Training Completed Dec 2019 and Jan 2020	Pax
Chemical Handling and Storage	1
Fire Extinguisher Suppression	16
Driver Safety	18
NRC in-house light trailer training	7
Fire Training	3
Grand Total	58

Forecasted training for February 2020

Training Forecasted Feb 2020	Pax
Site Traffic Management Supervisor Level 1 (STMS)	9
EMA NRC Module 2 Health and Safety for Leaders	11
Health and Safety Committee	2
Health and Safety Rep	2
Grand Total	24

Working Priorities

Task		
SafePlus		
Training records update		
Risk register review and update		
Traffic management plans		
HSNO review and update		
Contract Management and Volunteers		

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name: Dave Tams

Title: Group Manager, Corporate Excellence

Date: 12 February 2020

TITLE:Confirmation of Minutes - 29 October 2019 and 17 December2019

ID: A1282371

From: Chris Taylor, Governance Support Manager

Recommendation

That the minutes of the inaugural council meeting held on 29 October 2019, and the council meeting held on 17 December 2019, be confirmed as a true and correct record.

Attachments/Ngā tapirihanga

Attachment 1: Minutes of Inaugural Council Meeting - 29 October 2019 👃

Attachment 2: Council Minutes - 17 December 2019 🕹

Authorised by Group Manager

Name: Chris Taylor

Title: Governance Support Manager

Date: 12 February 2020

Northland Regional Council Minutes

The Inaugural Meeting held in the Northland Regional Council Chamber 36 Water Street, Whangārei on Tuesday 29 October 2019, commencing at 1.00pm

Present:

Elected Members: John Bain Justin Blaikie Penny Smart Rick Stolwerk Joce Yeoman Jack Craw Amy Macdonald Marty Robinson

In Attendance:

Full Meeting

Independent Financial Advisor Chief Executive Officer GM – Strategy, Governance and Engagement GM - Environmental Services GM - Corporate Excellence GM - Regulatory Services Governance Support Manager

Part Meeting

Strategic Projects Manager Chair's Personal Assistant Kaiārahi Tikanga Māori Property Officer

The Chief Executive Officer declared the meeting open at 1.00pm. The Kaiārahi Tikanga Māori provided a karakia.

Apologies (Ngā whakapahā) (Item 1.0)

The apology from Elected Member Colin Kitchen was noted.

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)

The Chief Executive Officer advised that elected members must complete a declaration of conflict of interest and should make declarations item-by-item as the meeting progressed.

ID: A1256556

Announcement of the results of Triennial Elections 2019 (Item 3.1)

ID: A1151055

Report from Chris Taylor, Governance Support Manager

The report 'Announcement of the results of Triennial Elections 2019' by Chris Taylor, Governance Support Manager and dated 22 October 2019, was noted.

Declaration by councillors (Item 3.2)

ID: A1151075 Report from Malcolm Nicolson, Chief Executive Officer

Secretarial Note: The Chief Executive Officer invited each councillor-elect (in alphabetical order by surname) to step forward, read the declaration out loud and sign the declaration document. The Chief Executive Officer then witnessed each declaration with his signature. Councillors Macdonald, Robinson, Smart and Yeoman executed their declaration in both English and Te Reo.

Election of Chairperson (Item 3.3)

ID: A1151562

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Stolwerk/Craw)

1. That the report 'Election of Chairperson' by Malcolm Nicolson, Chief Executive Officer and dated 18 October 2019, be received.

Carried

Moved (Robinson/Blaikie)

 That in the event more than one nomination for Chairperson is received, "System A" as specified in Clause 25 of Schedule 7 to the Local Government Act be used for the election of the Chairperson.

Carried

Secretarial Note: The Chief Executive Officer called for nominations for election to the office of Chairperson.

Moved (Bain/Stolwerk)

 That Councillor Penny Smart be nominated Chairperson of the Northland Regional Council.

Secretarial Note: Councillor Blaikie moved that Councillor Yeoman also be nominated as Chairperson of the Northland Regional Council. However, the nomination lapsed for lack of a seconder. Given no further nominations were forthcoming the Chief Executive Officer declared Councillor Penny Smart as the elected Chairperson of the Northland Regional Council.

ID: A1256556

Declaration by Chairperson (Item 3.4)

ID: A1151669

Report from Malcolm Nicolson, Chief Executive Officer

Secretarial Note:

- The Chief Executive Officer invited the newly elected Chairperson, Penny Smart, to make and sign the declaration to enable her to carry out her duties as Chairperson; as required by law. The Chief Executive Officer then witnessed the declaration with his signature.
- The Chairperson then assumed the chair from the Chief Executive Officer and addressed the meeting, expressing her appreciation, acknowledging previous and current councillors and setting the expectation of both her role as Chair and that of the Deputy Chair.
- The Chairperson then presided over the remainder of the council meeting.

Election of Deputy Chairperson (Item 3.5)

ID: A1151889

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Smart/Yeoman)

1. That the report 'Election of Deputy Chairperson' by Malcolm Nicolson, Chief Executive Officer and dated 10 January 2019, be received.

Carried

Moved (Macdonald/Robinson)

2. That in the event more than one nomination for the Deputy Chairperson is received, System A as specified in Clause 25 of Schedule 7 to the Local Government Act be used for the election of the Deputy Chairperson.

Carried

Moved (Craw/Robinson)

2a. That Councillor Justin Blaikie be nominated Deputy Chairperson of the Northland Regional Council.

Secretarial Note: Councillor Bain moved that Councillor Stolwerk also be nominated as Deputy Chairperson of the Northland Regional council. However, the nomination lapsed for lack of a seconder. Given no further nominations were forthcoming the Chairperson declared Councillor Justin Blaikie as the elected Deputy Chairperson of the Northland Regional Council.

Legislation affecting councillors (Item 3.6)

ID: A1151892

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Smart/Macdonald)

That the report 'Legislation affecting councillors' by Malcolm Nicolson, Chief Executive Officer and dated 18 October 2019, be received.

Carried

ID: A1256556

Fixing the date of the first ordinary meeting of council (Item 3.7)

ID: A1153536

Report from Chris Taylor, Governance Support Manager

Moved (Yeoman/Craw)

- 1. That the report 'Fixing the date of the first ordinary meeting of council' by Chris Taylor, Governance Support Manager and dated 18 October 2019, be received.
- That council notes an extraordinary meeting of the Northland Regional Council will be held at the council offices, 36 Water Street, Whangārei on Wednesday 6 November 2019 commencing at 9.30am (to address business that has been suspended during the election period).
- That the first ordinary meeting of the Northland Regional Council be held at the council offices, 36 Water Street, Whangārei on Tuesday 19 November 2019 commencing at 10.30am
- 4. That a schedule of council meetings for the remainder of the 2019 calendar year be presented at the first ordinary meeting of council for its consideration.
- 5. That a full meeting schedule (including the meeting dates of council's subordinate bodies) be presented to council for its consideration once the governance structure has been confirmed.

Carried

Conclusion

The meeting concluded at 1.38pm.

ID: A1256556

Northland Regional Council Minutes

Meeting held in the Council Chamber 36 Water Street, Whangārei on Tuesday 17 December 2019, commencing at 10.30am

Present:

Chairperson, Penny Smart Councillors: John Bain Justin Blaikie Jack Craw Colin Kitchen Amy Macdonald Marty Robinson Rick Stolwerk

In Attendance:

Full Meeting

Chief Executive Officer GM - Regulatory Services Governance Support Manager

Part Meeting

Independent Financial Advisor FNDC Chief Financial Officer GM – Environmental Services GM – Corporate Excellence Māori Relationships Manager Strategic Projects Manager Compliance Monitoring Manager Customer Services Manager Strategy, Policy and Planning Manager Communications Manager Financial Accountant

The Chair declared the meeting open at 10.30am. Proceedings commenced with the council karakia delivered by Councillor Macdonald.

Public Forum

Mr Graham Milne, owner of a kiwifruit orchard, addressed the meeting and requested that council reconsider its charging regime for water rights.

Apologies (Ngā whakapahā) (Item 1.0)

Moved (Robinson/Blaikie)

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

Carried

ID: A1269961

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)

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

Health and Safety Report November 2019 (Item 3.0)

ID: A1265231

Report from Andree James, Health and Safety and Human Resources Advisor and Beryl Steele, Human Resources Manager

Moved (Stolwerk/Kitchen)

That the report 'Health and Safety Report November 2019' by Andree James, Health and Safety and Human Resources Advisor and Beryl Steele, Human Resources Manager and dated 2 December 2019, be received.

Carried

Secretarial Note: A wellness report to be included in future (confidential) Human Resources reports to council.

Confirmation of Minutes - 6 November 2019 and 19 November 2019 (Item 4.1)

ID: A1266770

Report from Chris Taylor, Governance Support Manager

Moved (Blaikie/Stolwerk)

That the minutes of the extraordinary council meeting held on 6 November 2019 and the council meeting held on 19 November 2019 be confirmed as a true and correct record.

Carried

Financial Report to 30 November 2019 (Item 5.1)

ID: A1266307

Report from Vincent McColl, Financial Accountant

Moved (Kitchen/Craw)

That the report 'Financial Report to 30 November 2019' by Vincent McColl, Financial Accountant and dated 5 December 2019, be received.

Carried

Secretarial Note: The Independent Financial Advisor addressed the report. It was noted that the financial situation of council was complex and the team were continually looking to refine reporting so that it focused on the data that was meaningful to council.

ID: A1269961

Regional Rates Collection - Update to 30 September 2019 (Item 5.2)

ID: A1254276

Report from Simon Crabb, Finance Manager

Moved (Blaikie/Stolwerk)

That the report 'Regional Rates Collection - Update to 30 September 2019' by Simon Crabb, Finance Manager and dated 29 October 2019, be received.

Carried

Secretarial Note:

- FNDC Chief Financial Officer, Janice Smith, was in attendance and provided a verbal update on the work being undertaken by FNDC's Te Hono team to address rates arrears.
- Further information was requested on what was being done to address rates arrears in the Kaipara.

Presentation of Culture Statement and Behaviours (Item 6.1)

ID: A1262399

Report from Kyla Carlier, Corporate Planning Manager

Moved (Stolwerk/Macdonald)

- 1. That the report 'Presentation of Culture Statement and Behaviours' by Kyla Carlier, Corporate Planning Manager and dated 21 November 2019, be received.
- 2. That council notes the culture statement and behaviours adopted by staff and included as **Attachment 1** (*pertaining to Item 6.1 of the 17 December 2019 council meeting agenda*).
- 3. That a workshop be held in 2020 to discuss a culture statement for councillors.

Carried

Triennial Agreement 2019 - 2022 (Item 6.2)

ID: A1263095

Report from Chris Taylor, Governance Support Manager

Moved (Blaikie/Macdonald)

- 1. That the report 'Triennial Agreement 2019 2022' by Chris Taylor, Governance Support Manager and dated 29 November 2019, be received.
- 2. That the Chair be authorised to sign the Triennial Agreement on behalf of council.

Carried

ID: A1269961

Adoption of Codes of Conduct and Communications Protocol (Item 6.3)

ID: A1263424

Report from Linda Harrison, Organisational Project Manager

Moved (Macdonald/Stolwerk)

- 1. That the report 'Adoption of Codes of Conduct and Communications Protocol' by Linda Harrison, Organisational Project Manager and dated 26 November 2019, be received.
- 2. That the revised Northland Regional Council Codes of Conduct for elected and nonelected members (*included as* **Attachment 1** and **2** *respectively to Item 6.3 of the* 17 *December 2019 council meeting agenda*) be adopted.
- 3. That the Northland Regional Council Communications Protocol (*included as Attachment 3 pertaining to Item 6.3 of the 17 December 2019 council meeting agenda*) be adopted.

Carried

Proposed Regional Plan - Resolving Appeals (Item 6.4)

ID: A1264649

Report from Ben Lee, Strategic Policy and Planning Manager

Moved (Blaikie/Kitchen)

- 1. That the report 'Proposed Regional Plan Resolving Appeals' by Ben Lee, Strategic Policy and Planning Manager and dated 29 November 2019, be received.
- 2. That councillors Yeoman, Kitchen, Blaikie and Macdonald be delegated the authority to make decisions on council's behalf for resolving appeals on the Proposed Regional Plan for Northland that are not generally aligned with the direction already set by council, except for decisions on appeals relating to the inclusion of provisions for managing genetically modified organisms.
- 3. That a decision made by Councillors Yeoman, Kitchen, Blaikie and Macdonald in accordance with the delegation under Resolution (2), must be unanimous.

Carried

2020 Meeting Calendar (Item 6.5)

ID: A1264723

Report from Chris Taylor, Governance Support Manager

Moved (Bain/Macdonald)

- 1. That the report '2020 Meeting Calendar' by Chris Taylor, Governance Support Manager and dated 29 November 2019, be received.
- 2. That the updated programme of meetings for 2020, as tabled at the 17 December 2019 council meeting, be adopted.
- 3. That the meetings calendar be reviewed for effectiveness (in conjunction with the governance structure review) in six months' time.

Carried

ID: A1269961

Appointment of Trustee to the Northland Events Centre Trust (Item 6.6)

ID: A1266282

Report from Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement

Moved (Bain/Robinson)

- That the report 'Appointment of Trustee to the Northland Events Centre Trust' by Jonathan Gibbard, Group Manager - Strategy, Governance and Engagement and dated 5 December 2019, be received.
- 2. That Mr Alistair Wells be re-appointed to the Northland Events Centre Trust as the Northland Regional Council representative to 30 June 2020.

Carried

Resolving NIWA's Appeal on the Proposed Regional Plan for Northland (Item 6.7)

ID: A1265949

Report from Ben Lee, Strategic Policy and Planning Manager

Moved (Blaikie/Macdonald)

- That the report 'Resolving NIWA's Appeal on the Proposed Regional Plan for Northland' by Ben Lee, Strategic Policy and Planning Manager and dated 4 December 2019, be received.
- 2. That council engage an independent planning consultant to consider NIWA's appeal to the Environment Court regarding the decision by Northland Regional Council to not include a rule in the Proposed Regional Plan for Northland permitting the discharge of sea water, aquaculture wastewater and stormwater, and make recommendations to council, if staff consider there is merit in council changing its decision.

Carried

Chair's Report to Council (Item 7.1)

ID: A1266497

Report from Penny Smart, Chair

Moved (Smart/Craw)

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 5 December 2019, be received.

Carried

Secretarial Note: Councillor Smart was commended for her leadership in the new role as Chair of council.

ID: A1269961

Chief Executive's Report to Council (Item 7.2)

ID: A1264672

Report from Malcolm Nicolson, Chief Executive Officer

Moved (Stolwerk/Craw)

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 30 November 2019, be received.

Carried

Secretarial Note: The original Compliance Monitoring and Enforcement Report prepared by Dr Marie Brown (December 2018) to be circulated to councillors.

Reporting on Long Term Plan 2018-2028 Performance Measures for Quarter One of the 2019/20 Year (Item 7.3)

ID: A1264337

Report from Kyla Carlier, Corporate Planning Manager

Moved (Stolwerk/Bain)

That the report 'Reporting on Long Term Plan 2018-2028 Performance Measures for Quarter One of the 2019/20 Year' by Kyla Carlier, Corporate Planning Manager and dated 28 November 2019, be received.

Carried

Northland Inc. Limited: First Quarter 2019/20 Reporting Against Statement of Intent 2019-2022 (Item 7.4)

ID: A1264526

Report from Darryl Jones, Economist

Moved (Bain/Kitchen)

That the report 'Northland Inc. Limited: First Quarter 2019/20 Reporting Against Statement of Intent 2019-2022' by Darryl Jones, Economist and dated 28 November 2019, be received.

Carried

Business with Public Excluded (Item 8.0)

Moved (Smart/Stolwerk)

- 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:

ID: A1269961

Item No.	Item Issue	Reasons/Grounds
8.1	Confirmation of Confidential Minutes - 6 November 2019 and 19 November 2019	The public conduct of the proceedings would be likely to result in disclosure of information, as stated in the open section of the meeting
8.2	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 s7(2)(a).
8.3	Sale of Kaitāia Property	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h) and the withholding of which is necessary to enable council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).
8.4	Heads of Agreement with the National Institute of Water and Atmospheric Research Limited	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect information where the making available of the information would disclose a trade secret s7(2)(b)(i), the withholding of which is necessary to protect information where the making available of the information were the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(b)(ii) and the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h).
8.5	Property Purchase for Kaitāia Flood Scheme Upgrade	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information $s7(2)$ (b)(ii) and the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities $s7(2)$ (h).

3. That the Independent Financial Advisor be permitted to stay during business with the public excluded.

Carried

Conclusion

The meeting concluded at 12.30pm.

ID: A1269961

TITLE: Working Party Updates and Chairpersons' Briefings

ID: A1283577

Recommendation

That the report 'Working Party Updates and Chairpersons' Briefings' be received.

Whangarei Transport Working Party

The Joint WDC and NRC Whangarei Public Transport Working Party met on 16 December 2019. The topics for discussion included:

- Citylink operational update;
- Whangarei bus trial services;
- Whangarei District Council update Bus shelters and seating; and
- Transfer of responsibility Public passenger functions.

Following discussion, the working party provided advice on the following next steps:

- Request be made to Whangarei District Council based on the Asset Management Plan for a maintenance and upgrade programme in order to obtain funding including subsidy for upgrading and increasing bus shelters and seating.
- Survey the residents of Hikurangi on the preferable day for the proposed bus trial.
- Request for report outlining the pros and cons of a transfer of responsibility of the Public Passenger Functions (from NRC to WDC).

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 12 February 2020

(Chair: Cr John Bain)

TITLE: Emergency Services Fund Update - Annual Reporting, Funding Uptake and Engagement and Promotion

ID: A1265521

From:Tony Phipps, Group Manager - Customer Services - Community Resilience and
Natasha Stubbing, Marketing and Engagement Manager

Executive summary/Whakarāpopototanga

The purpose of this report is to provide an Emergency Services Fund (ESF) update on the uptake of the ESF, the progress with engagement and promotion as well as recipient annual reporting and service performance.

Recommendation

That the report 'Emergency Services Fund Update - Annual Reporting, Funding Uptake and Engagement and Promotion' by Tony Phipps, Group Manager - Customer Services -Community Resilience and Natasha Stubbing, Marketing and Engagement Manager and dated 13 January 2020, be received.

Background/Tuhinga

Ratepayers contribute about \$12 each a year, creating a funding pool to support organisations whose primary purpose is to save lives that are in immediate or critical danger.

The emergency services funded with this rate over the three-year period to 2021 are:

- Northland's rescue helicopter service (\$525,000 a year).
- Surf Life Saving Northern Region (\$201,000 a year).
- St Johns Northern Region (\$90,000 a year).
- Coastguard Northern Region (\$84,000 a year).

FUNDING UPTAKE

<u>Table 1</u> below shows the Emergency Services Fund recipients, annual allocations, funding uptake for (financial year) FY 18/19 and the uptake as at 31 December 2019.

Emergency Service Provider	Funding Purpose	Annual Allocation (in each of three years, GST exclusive)	Funding Uptake as at 30 June 2019 (For FY 18/19)	Other Payments as at 30 June 2019	Funding Uptake as at 31 December 2019 (For FY 19/20)	Other Payments as at 31 December 2019
Northland Emergency Services Trust	Operational costs for the air rescue and ambulance services	\$525,000	\$525,000		\$262,500	\$3,370*

Emergency Service Provider	Funding Purpose	Annual Allocation (in each of three years, GST exclusive)	Funding Uptake as at 30 June 2019 (For FY 18/19)	Other Payments as at 30 June 2019	Funding Uptake as at 31 December 2019 (For FY 19/20)	Other Payments as at 31 December 2019
Surf Life Saving Northern Region	Professional guards at popular beaches outside volunteer paid hours	\$201,000	\$201,000	\$1,812	\$201,000	\$350*
St John Northern Region	Partially-fund replacement of Northland ambulances	\$90,000	90,000		90,000	
Coastguard Northern Region	Operating, support and training costs for Northland units	\$84,000	84,000		42,000	

*Payments for NRC brand placements on flags and the rescue helicopter

ESF Reserve

At the end of the FY 2017/18 a reserve balance of \$148,736 had accumulated in the Emergency Services Fund due to higher actual rate collection and lower collection costs than budgeted.

In July 2019, a total amount of \$140,406 was paid to the ESF recipients due to the accumulated amount in the reserve fund. The distribution of these funds was in proportion to the base allocations, and was as follows:

- NEST \$104,471
- SLSNR \$1,985
- St John \$17, 626
- Coast Guard \$16,324

As at the end of the FY 2018/19 the ESF reserve was \$57,769.

The total funds in the reserve as at 31 December 2019 is \$101,172.58, at some stage in the future council will have to consider how the accumulated funds in the reserve will be distributed.

ENGAGEMENT AND PROMOTION

Until this last year council has not actively promoted our support of the emergency services funding recipients. Given ratepayers' increased desire to be informed about where their rates are spent and how they receive value for money for their rates, it is recommended that council communicate our funding of these vital services.

In 2018 we met with each of the funding recipients and developed a promotional campaign plan; however, this has been challenging with getting information and outputs from the organisations. Another issue has been dealing with the organisations' internal protocols and procedures which has meant a number of our proposed activities not coming to fruition.

However, we have undertaken a range of marketing and promotional activities over the 2019-2020 summer period including; radio advertising, print advertising and on-site promotional boards. We

have a number of other activities scheduled including creating a promotional video and vehicle branding.

2019-2020 completed activities					
Organisation	Activity				
ALL	 Updated content on council website Radio advertising over summer period focused primarily on SLSNR and CoastGuard messages and funding Footpath signage promoting all emergency services recipients – located at each Northland beach with paid lifeguards Advert in Savvy magazine promoting Coastguard, NEST and St Johns Panel promoting emergency services in January rates brochure Cost: \$6,749.39 				
NEST	 Signage on hanger (front, side and inside) Branding on new helicopters and updated branding on one of the older models NRC branding on new uniforms Cost: \$3,370 				
Surf Lifesaving Northern Region	 Advert in To Tatou magazine Print advert in January edition of Savvy magazine Information included in national media release Cost: \$350 				
CoastGuard Northern Region	 Promoted Old4New lifejacket campaign on social media Print advert in January edition of Savvy magazine Promotion of Coastguard messages during safe boating campaign Cost: n/a 				
St Johns Ambulance Northern Region	 Unveiling and ceremony of new ambulance Branding on new ambulance Cost: n/a 				
TOTAL SPEND	\$10,469.39				

2019-2020 activities scheduled/upcoming			
Organisation	Activity		
ALL	Social media advertising		
	Vehicle branding		
	• Video		
	Pull-up banner/s		
	Emergency services open day – TBC date		
	Promotion around volunteer week		
TOTAL COST	Approx \$5,000		

Examples of marketing and promotion activities

Advert in Savvy magazine:

Northland Regional Council

Proud to help fund these life-saving services

Working together to keep Northlanders safe thanks to funding collected through our emergency services rate.



Te Kaunihera a rohe o Te Taitokerau

For more info visit www.nrc.govt.nz/emergencyservices

Footpath signage:

Northland Regional Council Northland Regional Council Proud to help fund these life-saving Proud to help fund these life-saving services services Working together to keep Northlanders safe thanks to funding Working together to keep Northlanders safe thanks to funding collected through our emergency services rate collected through our emergency services rate Northland For more info visit www.nrc.govt.nz/emergencyservices For more info visit www.nrc.govt.nz/emergencyservices

Northland

Branding on new helicopters:



NEST building signage:



Other advertising examples



Proudly supporting St Johns

We're proud to support St Johns Northern Region, thanks to funding collected through our emergency services rate.

This funding has provided a new ambulance for the Kerikeri region, to help them be there for you in the community.

THANKS, you're a life-saver!

We're proud to support Surf Life Saving Northern Region, thanks to funding collected through our emergency services rate. The funding help get paid lifeguards on duty at Ahipara over summer.



Rates flyer:

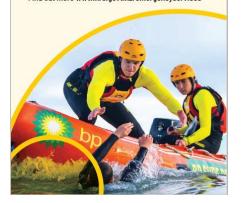


Ngā mihi!

We're supporting paid lifeguards around the region to help keep you safe on the beach this summer.

Your rates contribute to Surf Life Saving Northern Region's paid patrols in the Far North, Baylys, Ruakaka, Waipū Cove, Mangawhai Heads and Whangārei Heads beaches. About \$12 a year of your rates bill goes to support emergency services around Northland.

In the three years to 2021, we're funding Northland's rescue helicopter service (\$525,000 a year); St Johns Northern Region (\$90,000 a year); Coastguard Northern Region (\$84,000 a year); and Surf Life Saving Northern Region (\$200,000 a year). Find out more www.nrc.govt.nz/emergencyservices



ANNUAL REPORTS AND SERVICE PEFORMANCE MEASURES

As a condition of the ESF grant, each of the recipients are required to report on their financial and service performance measures as well as submit a report on the use of the ESF grant. This information provided by the fund recipients is summarised below.

Northland Emergency Services Trust (NEST)

2019 was an extremely busy year for NEST. In the last twelve months they have completed 911 missions, transporting almost 1,000 people to hospitals across the region.

NEST has successfully fitted out its two new Sikorsky S76 helicopters which were imported from Canada last year. The new helicopters are EMS (emergency medical services) equipped and will replace the existing older aircraft which will be retired from next year. The new helicopters have more power, longer range and advanced avionics and means that NEST will be able to continue to provide the 24/7 availability that the service demands. The new livery on the helicopters proudly features Northland Regional Council along the side of the aircraft.

On 1 April 2019, NEST entered a joint venture agreement with counterparts at Auckland Rescue Helicopter Trust to be the appointed contractor to NASO (Ministry of Health) for the northern region. This contract will run for three years to 2022 and covers both pre-hospital and inter hospital flights. The funding provided by the Government under this contract is nett of any community fundraising.

Surf Life Saving Northern Region (SLSNR)

SLSNR utilised funding provided by NRC to deliver weekday lifeguard services across Northland which included rescue services, education, sport and recreation, community hubs, leadership development, volunteer engagement, learning development and youth programmes.

The work of Surf Life Saving ensures drowning-related death and injury are kept to a minimum, ensuring moral/social and economic costs arising out of drowning and injury do not burden the local economy.

The growing number of domestic and international visitors are a determining factor for numbers of incidents on local waterways.

<u>Table 3</u> below shows a summary of patrolling duties over the last three years (2016-2019 FY) paid lifeguards have delivered the below outcomes in Northland.

Clubs	Total Hours	Rescues	First Aids	Searches
Far North Surf Rescue	473	16	8	4
Mangawhai Heads	1577	50	19	5
Whangārei Heads	2230	38	8	0
Ruakaka	2023	40	18	12
Waipu Cove	2184	51	20	5
TOTAL	8487	195	73	26

St John Northern Region

Since June 2016, the Northland Regional Council has helped St John with funding for four fully equipped ambulances.



The chart below outlines the vehicles responded to **12,054 incidents,** transporting **8,538** of these to a treatment centre.

Incidents at	tended:	12,054					
Incidents tra	insported:	8,538 (71%)					
Average incidents attended by month:							
2016		2017		2018		2019	
		Jan	356	Jan	479	Jan	286
		Feb	282	Feb	403	Feb	172
		Mar	157	Mar	484	Mar	254
		Apr	348	Apr	475	Apr	214
		May	336	May	364	Мау	254
Jun	62	Jun	362	Jun	225	Jun	297
Jul	261	Jul	464	Jul	220	Jul	347
Aug	264	Aug	400	Aug	208	Aug	283
Sep	277	Sep	355	Sep	220	Sep	276
Oct	255	Oct	389	Oct	214		
Nov	259	Nov	359	Nov	230		
Dec	238	Dec	472	Dec	253		

Coastguard Northern Region

Funding from NRC has contributed to life-saving operations. The last 12 months has seen the Coastguards respond to 2,402 calls for help and bring 6,276 people home safely to their loved ones.

The communications team were on the end of 126,366 Trip Reports, were integral to coordinating the search and rescue responses, and provided thousands more with safety and information services.

THE DIFFERENCE WE'VE MADE IN THE LAST YEAR

Statement of Service Performance

Provision of critical safety, information and communication services.	Search-and-rescue capability ready at a moment's notice.
126,366 Trip Reports logged with Coastguard Radio	availability 365 the year
app downloads in first year	# 2,402 calls for help
14,941 Trip Reports made via the Coastguard app	boaties helped home to safety
18,148 Bar Crossing Reports monitored	© 14 people are alive because Coastguard was there
4	trained and skilled volunteers across the Region
Awesome app. Quick and easy to use. Easy to update a trip report if you end up staying out longer.	© 121,062 volunteer hours dedicated to saving lives at sea



The full 2019 Annual Report for each of the four recipients can be found at the links provided below.

Northland Emergency Services Trust

https://www.nest.org.nz/about-us/#1464490439787-5083e0bf-1029 (The 2019 report had not been published online at the time this report had been written)

Surf Life Saving Northern Region

<u>http://www.lifesaving.org.nz/about-us/slsnr-annual-reports</u> (The 2019 report had not been published online at the time this report had been written)

St John Northern Region

https://www.stjohn.org.nz/News--Info/Our-Performance/Annual-Reports/

Coastguard Northern Region

https://www.coastguard.nz/about-us/annual-reports/

Attachments/Ngā tapirihanga

Attachment 1: Coastguard Performance Report <a>J

Attachment 2: Surf Life Saving Performance Report 👃

Attachment 3: St John Performance Report 👃

Attachment 4: NEST Operational Summary <a>J

Authorised by Group Manager

Name: Tony Phipps

Title: Group Manager - Customer Services - Community Resilience

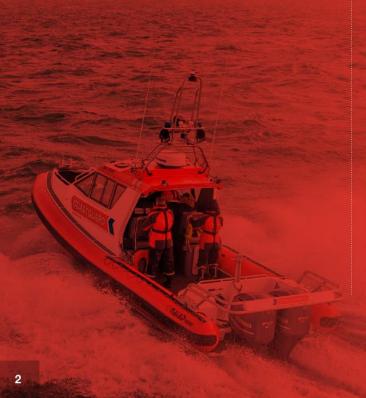
Date: 03 February 2020



THE CHARITY SAVING LIVES AT SEA



OUR MISSION ISSaving lives at seaOUR VISION ISEverybody safe on the water



Who we are

We are Coastguard Northern Region – the charity saving lives at sea. Every day of every year, people of all ages and backgrounds get into trouble while enjoying the water.

It's a challenge that we're here to tackle.

We're here to teach Kiwis how to make the most of our rivers and coastlines safely and confidently through our education programmes and community initiatives.

We're here to save lives at sea through the provision of critical communications infrastructure, and by providing safety and information services.

We're here to ensure a search and rescue capability ready at the drop of a hat. We're here to support our people to make a difference. They are everyday Kiwis doing extraordinary things.

DEVELOPING OUR CAPABILITY TO MEET GROWING BOATING ACTIVITY

After several years of a downward trend in the number of calls for Coastguard's assistance, we can now say with confidence that the trend has reversed.

For the third year in a row the number of calls for assistance to Coastguard Northern Region's Operations Centre has increased, reflecting what we believe is a general growth in boating activity in the Northland, Auckland and Waikato regions.

While no definitive measurement of boating activity exists, evidence of the growing popularity of our waterways can be seen in the expansion of our region's marinas and in growing activity at launch ramps. Looking at our own information sources, Coastguard has seen an increase in the number of Trip and Bar Crossing Reports received in the last 12 months. It's great to see our rivers, lakes and coastlines being so well used for recreation and business, and as an organisation we are working proactively to give boaties the tools and support they need to keep themselves safe when they're on the water.

While the prevention of incidents is our first priority, I am proud of CNR's volunteers and staff who are always ready to respond when called upon. On pages 8 & 9 of this report you will find three different examples of the ways in which we have responded to calls for help in the last year. In every case you will see the elements of teamwork that are at the heart of a successful outcome.

This year's Drowning Report from Water Safety New Zealand re-affirms that while Auckland Region has one of the lowest drowning tolls per capita in New Zealand, there is a less positive picture in Northland and Waikato. With the needs of our Northland units front of mind, this year we have increased our investment in the region by locating a Unit Support Manager, dedicated to the support of Northland units in Whangarei. In conjunction with the creation of a new Head of Operations role based at the Auckland Marine Rescue Centre, these actions are aimed at improving support for our volunteers and developing our Operations Team's capability.

Coastguard Northern Region's Board is committed to continually improving the ways we support our volunteers and deliver on our life-saving mission. With those objectives in mind, the CNR Board is supporting a recently started consultation process to explore the idea of merging Coastguard's four regions with Coastguard New Zealand. The Coastguard Northern Region Board strongly supports the concept, believing that the time is right to streamline the governance and management of the organisation to create the conditions for long-term success. Over the next six months the CNR Board intends to play an active role in facilitating this important conversation ahead of a proposed vote on the matter in the New Year.

While broader organisational conversations take place, the Coastguard Northern Region Team will remain focused on working with the region's units and volunteers, engaging with our communities and, most importantly, watching out for those on the water.

Graham Brown President

Graham Brown

President's Report



Governance Board

PRESIDENT Graham Brown

VICE PRESIDENT Wally Hawken

IMMEDIATE PAST PRESIDENT Ronald Lucca

BOARD MEMBERS

Marcus Blosch Bennett Medary Neil Bradley Roy Savage Evelyn Davis Brian Whimp Guy Hornblow

Our vision is to have everybody safe on the water

HOW WE SAVE LIVES

Search and Rescue



Communications



Education



We will achieve our vision by delivering on our strategy

OUR STRATEGY GOALS



Our People Have the right people in the

right place at the right time



Our Partnerships

Achieve the very best performance from our region by playing to our combined strengths

Our Customers

Give people the skills, support & resources to make the most of their boating safely & effectively

OUR FOUNDATIONS

Strong & effective governance



The skills to shape our business

ACHIEVING GREAT RESULTS AS A TEAM

It is a privilege to play a role in Coastguard, working alongside the volunteers and staff of this excellent organisation.

To do so is to regularly encounter the humbling generosity of these extraordinary Kiwis who give their time and effort without complaint. Whether they are working in a support role, in the Region's Operations Centre, on the water, or in the air, Coastguard Northern Region's volunteers are a remarkable bunch.

In the last 12 months we have achieved a great deal as a team. As Graham said in his President's Report, our rivers, harbours and coastline are the busiest they have been in years. This year's Waitangi Day holiday was the busiest day on record, with more than 2,450 Trip Reports received and 51 incidents managed between dawn and dusk.

With a long period of settled weather from January till the end of May, our seasonal peak was stretched well into autumn. Through the course of the year, Coastguard Northern Region's units have helped 6,276 people to return home safely, an increase of 16% on the previous year. The story on page 8 of Toby, Chris and Lewis is just a single example of one of the 214 serious Search & Rescue responses undertaken by the organisation in the last year.

Their story serves to highlight the importance of having a reliable means of communication

and the value of a lifejacket to keep you afloat until help arrives. Despite encouraging signs that more and more boaties are hearing the lifejacket message, it is precisely because we experience first-hand the difference they can make, that Coastguard Northern Region continues to deliver our annual Old4New Lifejacket campaign.

Reflecting on the Orewa story, it is very satisfying to see how a team with the right resources can respond quickly and effectively to make a life-saving difference. In the last 12 months, CNR has worked with Kordia to modernise the region's VHF communications infrastructure, resulting in the creation of a high-quality, resilient network. This project is one of many delivered in the last year with the objective of giving our people the right tools and infrastructure to do their jobs.

While having the correct equipment is essential, it is the development and practice of individual and team skills that ultimately delivers results. For that reason, the recruitment and training of volunteers continues to be our highest priority. In April our Education Team took its training vessel, charts and whiteboards to Tutukaka to successfully run our first Northland-based Trainee to Operational Course; enabling Northland volunteers to train closer to home and on their own vessels, and giving our instructors the opportunity to test new ways of delivering training.

Our achievements are only made possible with the support of our business and funding partners. On pages 12 & 13 we acknowledge them and, in particular this year, we wish to recognise the long-lasting support of Auckland Council and Foundation North, both of whom are essential to our success.

Finally, I would like to acknowledge the CNR Board for its ambition, capability and support, and thank the incredible staff of Coastguard Northern Region for their unrelenting dedication to our mission.

Ngā mihi nui.

Callum Gillespie Chief Executive Officer



Chief Executive Officer's Report



It is very satisfying to see how a team with the right resources can respond quickly and effectively to make a life-saving difference.

THE DIFFERENCE WE'VE MADE IN THE LAST YEAR

Statement of Service Performance

Provision of critical safety, information and communication services.

126,366 Trip Reports logged with Coastguard Radio

€ 15,000 app downloads in first year

C 14,941

Trip Reports made via the Coastguard app

18,148

Bar Crossing Reports monitored

Search-and-rescue capability ready at a moment's notice.

availability 365 days of the year

1 2,402 calls for help

6,276

boaties helped home to safety

people are alive because Coastguard was there

993 trained and skilled volunteers across the Region

Awesome app. Quick and easy to use. Easy to update a trip report if you end up staying out longer.

David, Coastquard app user

total dedicated to saving lives at sea volunteer hours

Delivery of boating education and community initiatives.

BOATIE'S **31,300** Coastguard Members nationwide, administered by the Northern Region

≈ 1,964 people attended education courses





old lifejackets traded in over 5 years of the Old4New campaign

The evening was good value and worthwhile. I feel a lot more comfortable with my own skill level in crossing the bar.

Peter, Raising the Bar attendee



OUR CUSTOMERS

A DAY'S FISHING TURNS INTO AN EMERGENCY

When Toby, Chris and Lewis headed out for a day's fishing off Stanmore Bay in the Hauraki Gulf, they didn't realise they'd soon be fighting for their lives.

After a few hours fishing, the weather started to turn. Just as the boaties were preparing to head back to shore, an unexpected wave swamped their small powerboat. Frantically attempting to bail the water out, Chris managed to get a quick distress call out to Coastguard Radio on his VHF before the boat capsized, tipping the three mates into the cold and choppy water.

On receiving the cut-off distress call, the Coastguard Operations Centre immediately tasked Coastguard Air Patrol to begin a search for the men.

The Air Patrol aircraft, on final approach to North Shore airfield following another successful search, quickly checked their fuel endurance, aborted their landing and flew towards Orewa Beach, arriving on scene in just four minutes.

Meanwhile the boaties were clinging desperately to their

upturned vessel. Chris and Lewis, floating in the water clad in insulating wetsuits, were concerned for Toby who was just in his togs and lifejacket.

"There was a point in the water where Toby started turning blue, and started getting quiet," said Chris.

The initial search just offshore didn't pick up the location of the boaties, so the volunteer crew on board the search aircraft quickly expanded their search.

"We could see the plane doing search grids," said Chris, "and there was a point when we were in the water where, you know, you feel quite insignificant. You're looking up and you can realize you're very, very hard to spot."

As John Moseley, In-Flight Coordinator recalled, "that's when our observer caught just the merest glimpse of what he described as something red, just really in his peripheral vision."

The boaties soon noticed the plane had begun to orbit them. Chris recounts: "Then we looked into the distance towards Kawau and we saw the boat coming over, and it was the best feeling ever - it was at that point we knew that we'd been seen."

"We signalled to [Kawau Rescue] to grab Toby first, pushed him forward and the crew were amazing. They grabbed him, they took him inside, they wrapped him up and they really looked after him."

Chris echoes his mates' praise for the volunteer crews, both in the air and on the water, who came out to assist them. "These are people that volunteer their time to basically put themselves second to people like us... without them, we wouldn't be here."



'Helping us help others'

It was just after 3pm on the Saturday before Christmas when Samuelu (Sam) dropped his nephew Taiso (36) and son Tapumanaia (18) on the mudflats of the Manukau Harbour to gather pipis.

Sam then headed out into the harbour to catch some dinner, planning to return to pick them up later.

Sam was west of Puketutu Island in the channel near Auckland Airport when his when his engine wouldn't start back up. Having attempted to get it going a few times, Sam soon decided to call Coastguard. He'd been a member for years but this was the first time he'd needed to use his membership. Papakura Rescue 1 was tasked to tow him back to the boat ramp at Mangere Bridge and were on the water just 15 minutes later. But while Sam was waiting, he became increasingly worried about his boys who he'd planned to pick up from the mudflats before the tide turned. He contacted Coastguard Radio again who were able to work with other emergency agencies to have the duo picked up safely.

Taiso and Tapumanaia were reunited with Sam and his boat, and before they knew it the Coastguard Papakura team had them under tow back to shore.

Sam was well prepared that day, with two tanks of petrol, tools and the right safety gear. Sam knows if he wasn't a member, Coastguard would still have rescued his boys because they were in danger. But he also knows that saving lives costs money, and while his membership gives him the peace of mind when he's out on the water, it also helps us help others too.

I always said to people if nothing happens on your boat for the year you're a member, your money still goes to help someone who needs help.

Sam, Coastguard member

Assisted twice in one day

Anne-Marie and her husband Jeff had been away in early January on their 42ft launch, enjoying a trip back from Northland.

As long-term members of Coastguard, both had learned how to handle their vessel through boating education courses and were making the most of their time cruising back.

They stopped for the night in Sullivans Bay, north of Orewa, but upon waking, found their batteries had drained overnight and their vessel wouldn't start. Volunteers onboard North Shore Rescue responded and jump started the batteries to get them back on their way. It was good timing as a chop was just starting to build as they headed off.

As they approached West Park Marina late in the day, suddenly their engines cut out. "It was the Sunday after that three-week holiday, and it was just boat after boat coming through the small channel entrance, and we're stuck right in the middle," recalled Anne-Marie. It turns out their vessel had suffered a fuel blockage, despite the gauges reading half-full.

"It was very low tide – we were worried we were going to actually end up touching the bottom, but we couldn't do anything. We tried all sorts of things but we couldn't get

anywhere, so we had to call Coastguard again – and would you believe, it was the same crew!"

The volunteer crew who had assisted earlier in the day helped a very grateful Anne-Marie and Jeff safely back into their marina berth.

"I knew that that day in particular was going to be an incredibly long day for them, they'd already been out all day and here they were coming back to rescue us. It's amazing that people give up all that time and just give such professional service.

"I just feel like I struck up great friends with [the Coastguard team] every time I've called. They've been so lovely and helpful and always made us feel so reassured."



An amazing professional service, friendly and just so obliging... just unparalleled.

Anne-Marie, Coastguard member

We are prepared for any type of incident

Mechanical failure, electrical and fuel-related issues account for over two-thirds of incidents (67%).

Mechanical 1091
Electrical 358
Aground/adrift/lost 166
Fuel 160
Person in water or medical 141
Capsize or sinking 96
2018-2019
Equipment failure 89
Overdue 66
Fire 29
Weather conditions 21
Collision 13
Other 172

OUR PEOPLE

A TIGHT-KNIT CREW IN A TIGHT-KNIT COMMUNITY

Every fortnight the Coastguard North Shore crew pops into a local café where the owner shouts coffee for the whole team.

They have an easy banter with the staff and get compliments from the regulars – such is the importance and presence of Coastguard in the Browns Bay community.

Operating from their base at the Browns Bay Boating Club on the shore of the picturesque beach, the North Shore team knows that it's their culture of performance and reliability that makes all the difference. The tight team culture is easily apparent, both on and off the water. Regular opportunities to train and a culture of sharing learnings freely helps build team cohesion, and keeps the team sharp and ready to respond at a moment's notice – these volunteers have one of the highest response rates in the region, with North Shore Rescue being the busiest Rescue Vessel in the country. Of course, ensuring their volunteers remain safe and well is paramount. "Health and Safety culture is very important and strong within our unit," said Roger, Coastguard North Shore President. The Unit's use of the VAULT app, the platform for managing health and safety across Coastguard, has seen a big shift, with improved reporting. "Safety is a big focus within Coastguard, and I believe it's an area we're leading the way forward in."

Off the water, the team is active in the community, with volunteers regularly dedicating their Sundays from the crack of dawn to set up and assist at the popular Browns Bay Market. It is a sign of the strong reputation of the Unit that the team has been successful with their recruitment drives from across the community, including bringing on board a large proportion of young professionals. Recruitment of younger volunteers is especially important when, as an organisation, this is a significant challenge that we face and are committed to tackling.

In fact, North Shore Rescue recently responded to an incident with a full crew all aged 30 or under (Richard, the skipper, was just 24 and on his first outing as a fully qualified Master), indicative of the team's foresight to conquer the recruitment challenge and a credit to the leadership within the Unit.

It takes a team to save lives at sea. That team is volunteers, funders, boat builders and donors – and for Coastguard North Shore it is the whole Browns Bay community.



Regional Leadership Workshop

In June, over 50 volunteer leaders from across the region came together at the Quality Hotel in Parnell for the 2019 Regional Leadership Workshop.

Following on from previous workshops, the purpose of the day was to work together towards the goal of creating a high performing leadership team that spans the region. Led by consultants from Illume, objectives included connecting as a team, sharing our thinking and learning new skills.

Together, the team agreed that the foundations of our leadership included leading strategically, and growing as one high performing team. As we worked through the day, the team identified areas that we collectively would like to develop, including improving communications between the Region and units, better sharing and getting away from 'silos' of information, and having the right tools at the right time to lead on and off the water.

It was a social and productive day, and ultimately the main outcome of the day was summed up by this statement: *Kia anga mua*, or 'moving forward together, with purpose'. It's a vision we'll continue to work hard towards.

We are very grateful to the Quality Hotel Parnell for funding and hosting the Regional Leadership Workshop.



It was incredibly humbling to have our people recognised at the 2018 New Zealand Search & Rescue (NZSAR) Awards, held at Parliament in May.

These awards, created by the NZSAR Council, celebrate and pay tribute to the people who volunteer their time and skills in often complex situations to help others - something that does not often receive public recognition yet makes such a difference in our communities.

This year, Coastguard was nominated in a number of different categories and our members were the recipients of several Certificates of Achievement.

Support Activity:

- Old4New Lifejacket Upgrade Campaign for its community impact.
- Jo Norgrove, Coastguard Auckland, for her service to Coastguard and Search and Rescue.

Operations Activity:

 Coastguard Auckland for the rescue of a yachtsman injured in an on-board explosion near Waiheke Island.

These achievements are a result of great teamwork and dedication, and we're pleased to have such dedicated teams across the region working to fulfil our mission of saving lives at sea.



Following a review of our Operations function in 2018, this year we have taken steps to increase the capability of this team that plays a key role in the delivery of our mission.

The review, which recognised the existing strength of the function, was tasked to provide recommendations on steps that could be taken to increase our ability to support units and to continue to improve performance.

With the support of Auckland Council and the Northland Regional Council we have:

- created a Unit Support role based in Whangarei dedicated to supporting Northland Units
- increased our capacity to support Units across Auckland
- created a dedicated Search and Rescue management role at the Rescue Centre in Auckland
- established a senior management role to lead this critical team.

With recruitment now complete the team have hit the ground running and the benefits of improved

support for volunteers and staff across the region are already being felt.









OUR PARTNERSHIPS

OUR TWIN POU: THE PILLARS SUPPORTING POSITIVE OUTCOMES IN OUR COMMUNITIES

We recognise that we are very lucky to have numerous partners who help deliver our mission and that in supporting our mission, every dollar helps.

In saying that, it is our transformational partnerships with Auckland Council and Foundation North that allow us to confidently plan for the future.

Auckland Council's support, provided through the Auckland Regional Amenities Funding Act, contributes over \$800,000 to the running of our Operations Centre, which is responsible for the tasking and coordination of incidents and is on the receiving end of over 150,000 trip reports each year. In addition, these critical funds enable us to provide Unit Support and to meet the operational costs of our 14 Units across the Auckland Region. Foundation North provides over \$500,000 each year to help fund our capital projects. On average, we build three new rescue vessels across the region each year, as well as technical infrastructure, aircraft maintenance and vessel refurbishment. These partnerships are built on trust and forward thinking. They acknowledge that the best way for us to take care of our communities on the water is to determine and prioritise our needs as they arise.

At the core of these relationships is our collective responsibility to Auckland and Northland communities today, and into the future. With this in mind, both Auckland Council and Foundation North engage in robust conversation and thinking with us around our challenges. The biggest challenges in our future are our ability to attract and retain a volunteer base that reflects the communities we work in, the knowledge and cultural awareness to appropriately engage with Tangata Whenua, Pacific Peoples and new New Zealanders, and our responsibility to the environment while keeping people safe on the water.

The support received from both Auckland Council and Foundation North allows us to move beyond the constant search for funding that merely allows us to exist, and focus on the complex issues that will have a long-term effect on our ability to keep our communities safe on the water.

Ngā mihi nui to Auckland Council, Foundation North and their respective teams for their collaborative and constructive partnership approach in helping us Save lives at Sea.



Five years of difference in our communities

Over the past five summers, the Old4New Lifejacket Upgrade campaign has made a real difference to water safety, with the van visiting 196 communities across the country. As a result of the campaign there are now 13,500 modern, fit-for-purpose lifejackets in the hands of Kiwi boaties.

It's also been the ideal opportunity to dispense safe boating advice into often remote communities, with Old4New Ambassador Sue Tucker taking the time to inspect lifejackets and help educate boaties about the importance of wearing a well-fitted and maintained lifejacket.

However, the campaign does more than just make lifejackets more accessible, it provides a fantastic opportunity for Coastguard units to engage with their local communities. It also allows us to spread the impact to the Pacific Islands with the distribution of recycled lifejackets that still meet NZ Safety Standards to water-based organisations in the islands.

We are noticing a shift in the lifejacket culture in New Zealand, notable in the regions where the by-law mandates compulsory lifejackets in vessels under 6m in length.

Our continued thanks to Maritime New Zealand, the Giltrap Group, Hutchwilco, Boating & Outdoors Group and the Southern Trust for their belief and support of this life-saving campaign.



New Coastguard app proves popular

The new Coastguard . app and the Operations Platform have both been 22 live now for over 12 Bean Rock months and we have seen 18 great uptake of the app with downloads to over 10 15,000 devices. Providing Kiwis with upto-the-minute wind and Auckland weather information, the app also allows you to log your 09:00 Trip Report with Coastguard 5 DAY FORECAST at the touch of a button and save your fishing spots so you can remember where LOG A TRIP you caught the big one. Between 13 and 15% of all Trip Reports logged in the last 12 months have come

made during the month of January 2019. In addition, we're seeing an uptake in Trip Reports being closed via the app consistently exceeding 98%, due in large part to the functionality that checks that the user has

Supporters

Blue Sky Community Trust Dragon Community Trust Four Winds Foundation Grassroots Trust Limited

via the app, peaking at 2,859

Infinity Foundation Oxford Sports Trust Pelorus Trust The Southern Trust

264°

÷

V

15:10

The Trusts Community Foundation The Trusts Million Dollar Mission **Quality Hotel Parnell**



safely reached their destination - a TR close level far above that made by other means, such as the VHF Radio or by phone.

The new Operations Platform has not only enabled an integrated approach, but the move to a cloud-based system enables nationwide access, allowing us to create a seamless boatie and operator experience. This means boaties travelling between regions will be continually tracked on the same system.

Essential to the success of these platforms is our ability to be agile in both our refinement and future development. The voice of the customer is at the centre of the development and we're

listening to learn and continually improve. We have adopted an agile approach to the future development of the app that is core to the future of our customer experience.

LOOKING TO THE FUTURE

Team training opportunities

Volunteers are the lifeblood of Coastguard.

To keep engagement high and help ensure retention, we continue to create opportunities for volunteers to succeed along two major paths: technical training (those skills used in SAR duties) and leadership training.

Our internal 'traffic light' measures of performance – Go to Green – have been steadily lighting up in our favour, with good numbers of operational volunteers in most units across the Region. Our numbers of trainee and operational volunteers are on the rise across the region, while the numbers of Senior Masters remain steady and Masters are slightly down.

Trying to pull the right rescue vessels together to create the right conditions for training can be difficult in such a spread-out region. To ensure we keep opportunities open for Northland teams, we arranged a Trainee to Operational course in Tutukaka, allowing volunteers easier access to training.

We recognise that training at scale, especially for those progressing to Master level, can be hard to arrange and demanding for volunteers to complete. We continue to develop new ways to get Operational crew to Masters, to ensure we always have skippers available to fulfil our mission.

In addition, the Northern Region is supportive of a review of training syllabus currently being conducted by Coastguard Boating Education, with a view to ensuring that Coastguard Instructors are supported and available to train their teams, across the region.

Coastguard app and the future of SAR

The future of search and rescue.

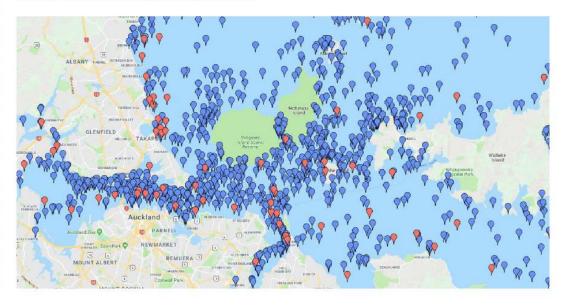
Time is critical for people in need of help on the water. During incidents, there are two main components to rendering assistance to boaties: the search, and the rescue. For Coastguard to provide help in the most efficient way possible, the less time spent on the search the better.

A great step forward is the data modelling of trips logged by boaties on the Coastguard app, allowing us to view popular boating spots at different times of the year and which is cross referenced against incident data collected by our Operations Centre.

In addition, we're taking greater steps to visualising the data we already capture. Data including the severity of an incident, Coastguard units involved and GPS locations of incidents around the region are now being dynamically mapped to allow us to identify trouble spots as they develop over time. The goal is to allow us to be smarter with where our units and rescue assets are placed around the region.

Long term, we believe visualisations and rich data can help Coastguard more accurately identify areas of high boating activity and predict the likely locations of incidents in advance. This will potentially give us real-time opportunities to position rescue vessels for maximum effectiveness – reducing time in transit and search in the event of an incident.

Our thanks to our technology partner AKQA for helping us to bring these solutions to life.



14

Membership Partner Programme Launches

COASTGUARD

MEMBERSHIP PARTNER

Mate, here's to the customer.

We are working hard to bring value to the Kiwi boatie right across their boating journey, through the delivery of our Boatie's Best Mate Strategy.

2018 has seen the roll-out of our Membership Partner Programme – available to a small selection of trusted retailers and manufacturers who provide customers with free Coastguard membership with their purchase. We've proudly welcomed on board leading powerboat manufacturer Rayglass Boats and popular Surtees boat dealer Fishing Boats NZ.

In addition, we're continually bringing on new partners who can really add to the member offering, including Wireless



FISHING NZ

Nation who brought upgraded lifestyle broadband offers to Coastguard members, and Century Batteries – already a sponsor of Coastguard nationally – who began offering member discounts on marine batteries. Alongside education discounts, these offers add peace of mind to boaties, and increase the value of a Coastguard membership.

The Coastguard membership programme continues to grow, surpassing 31,300 members – up over 25% from July 2018. We've achieved such growth by successfully on-boarding members from units from around the country, managing members nationwide with the goals of less administration burden for volunteers and a consistent experience for all members.

Our reputation for excellence doesn't stop when we hand over the keys. Becoming a Membership Partner helps us to unlock even more value for our customers and gives them great peace of mind when they head out on the water. We're really proud to be working

with Coastguard and be part of the difference they make for boaties.

Dave Larsen, Chief Executive Rayglass Boats



Reflecting our communities

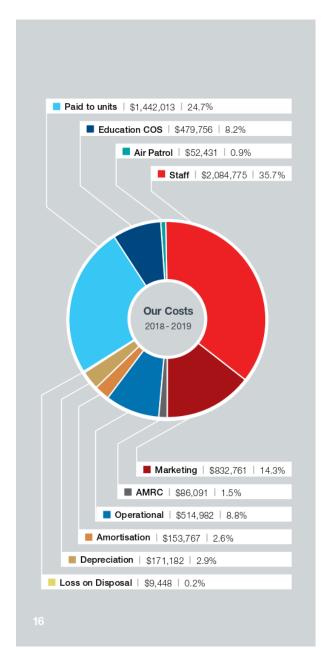
Coastguard volunteers are the frontline and heart of this organisation.

Without the nearly 1,000 volunteers in the Northern Region, Coastguard in its current form could not exist. The recent National Volunteer Survey showed that, similar to many of our emergency service partners, Coastguard faces significant challenges in attracting a diverse range of volunteers to our organisation. These challenges are across the board regarding gender, age, and culture, and this highlights the need for Coastguard to develop broader relevance and appeal to all Kiwis who might be interested in a career as a Coastguard volunteer.

We aspire to be an organisation that has strong connections with all sectors of our community, and to fully represent the community we are working in.

With the support of Foundation North, over the next 12 months we're looking forward to engaging with lwi and colleagues across the emergency and volunteer sectors to develop our Diversity Strategy and to become an organisation that is better understood and more reflective of the broad range of cultures found across Auckland, Northland and the Waikato today.

15



THE COST OF SAVING LIVES AT SEA

Financial Report

The true impact of Coastguard Northern Region is best evaluated by reading our Statement of Service Performance and the outcome stories we share throughout this report. Those outputs and outcomes: lives saved and boaties assisted, safety services delivered and volunteers and students educated are our true measures of success.

Such services come at a cost, and thankfully for Coastguard and all who benefit from these services, those costs are greatly reduced through the very substantial contribution of our volunteers, who give their labour and expertise for free. There is no doubt that were this cost to be monetised in our financial statements, it would be our most substantial expense.

In the last financial year the cost of providing Coastguard services to the approximately 2 million residents of the Northland, Auckland and Waikato regions covered by CNR was \$5.83 million. Key expenses in the period included:

- \$1.44m paid to units and the Auckland Air Patrol for operational costs and equipment maintenance.
- \$0.48m of costs to recruit and train the region's volunteers and to students and members of the public.
- \$0.83m spent telling our story, raising funds and taking Old4New to our communities.
- During the course of the year CNR has worked with Kordia Limited to modernise Coastguard's VHF Communications infrastructure at a cost in FY1819 of \$1.1m. It is expected that a completion milestone payment will be made in September 2019.

Also of note during the period has been:

- The substantial impact of increased fuel prices, which has increased fuel expenses by \$97,000.
- A reduction in marketing and fundraising costs.
- Increased salary costs due to inflation-linked or performance-related increases and the cost of implementing the recommendations of the 2018 Operations Review.

At the end of a busy and successful year both on and off the water, Coastguard Northern Region has posted a surplus of \$754,900. A review of the Statement of Revenue and Expenses shows that the key contributing factor in this increase have been the impact of the Lotteries Grant Board and Foundation North funding for the VHF Communications Project. This project which is nearing completion, is currently Capital Work in Progress, an asset on the balance sheet.

The funding of this project has been recognised as income in the current financial year to the extent of work completed at 30 June 2019 which has resulted in an increased surplus, this is because the associated expenditure is capital in nature and is not expensed through the statement of service performance but is instead, as noted in the previous paragraph, recognised as an asset. As this project is completed and is in available for use, an amortisation charge will be incurred as an expense item in future performance reports over the useful life of this asset therefore the current year's surplus has arisen as a result of timing difference.

WHERE DOES OUR FUNDING COME FROM?

Funding Report

Coastguard Northern Region's total revenue, including finance income for the period July 18 - June 19 was \$6.37 million, an increase of \$0.75m on the previous year.

Of note in the period was:

- The previously mentioned increase in LGB funding and the drawing down of Foundation North funds for the VHF Communications project.
- · Strong donations performance.
- Achievement of 9% growth in membership subscriptions.

CNR wishes to specifically acknowledge the important role of the following funders without whose support our task would be immeasurably more difficult:

- The NZSAR Council for its support through SLA funding.
- The Lotteries Grant Board.
- Auckland City Council and Northland and Waikato Regional Councils.
- · Coastguard New Zealand.
- The generous and long-standing support of Foundation North.

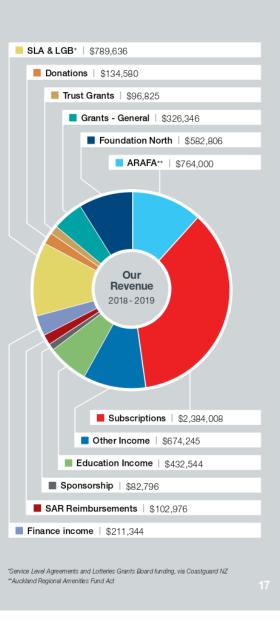
We acknowledge also the ongoing support of the Auckland Volunteer Coastguard (AVCG) Trust whose accounts are consolidated with CNR's. The Trustees of the AVCG play an important role in overseeing an investment portfolio for the benefit of the Region. CNR is grateful for the support of the Auckland Marine Rescue Centre Trust whose purpose is to support the charities resident at the Marine Rescue Centre by providing low-cost accommodation.

In the last year, CNR has appreciated the expertise of both the Accountancy and Operational Advisory practices of Grant Thornton New Zealand who continue to provide excellent business and risk management support and advice.

Finally, we acknowledge the support of RSM Hayes Audit whose guidance and client support throughout the year is first-class.

At the end of FY18/19 Northern Region's Current Assets has reduced by \$291,484 while Non-Current Assets has grown due to substantially increased Capital Works in Progress.

Despite the impact of this year's technology investment, both Total and Net Assets have increased. This will enable Coastguard Northern Region to continue to execute on its strategy of better supporting its volunteers and giving its staff and volunteers the right tools and infrastructure in the year ahead.



Consolidated Statement of Revenue and Expenses

Coastguard Northern Region Incorporated For the Year ended 30 June 2019

	2019	2018
	\$	\$
Revenue from non-exchange transactions		
Donations	134,580	78,981
Trust Grants	96,825	148,374
Coastguard NZ – SLA & LGB	789,636	341,938
ARAFA	764,000	712,000
Foundation North	582,806	285,379
Grants – General	326,346	526,154
	2,694,193	2,092,826
Revenue from exchange transactions		
Subscriptions	2,384,008	2,189,017
SAR Reimbursements	102,976	105,831
Sponsorship	82,796	61,304
Other Income	674,245	677,623
Education Income	432,544	495,014
	3,676,569	3,528,789
Total revenue	6,370,762	5,621,615
Expenses		
Paid to units	1,442,013	1,428,955
Education Cost of Sales	479,756	472,259
Air Patrol Expenses	52,431	48,570
Staff Expenses	2,084,775	1,988,669
Marketing Expenses	832.761	871,150
AMRC Expenses	86.091	82,377
Dperational Expenses	514,982	509,883
Amortisation of intangible assets	153,767	33,847
Depreciation	171,182	251,005
Loss on Disposal/Sale of Fixed Asset	9,448	2,876
lotal expenses	5,827,206	5,689,591
Finance income	00.004	105 070
nterest Income	82,621	105,370
nvestment income	30,691	39,030
Unrealised Capital Gain/(Loss) on Investment	99,831	83,374
Realised Capital Gain/(Loss) on Investment	(1,799)	4,216
fotal Finance income	211,344	231,990
Total surplus for the year	754,900	164,014
Other comprehensive revenue	-	-

8

Consolidated Statement of Changes in Equity

Coastguard Northern Region Incorporated For the Year ended 30 June 2019

	Accumulated comprehensive revenue and expense	Total equity
	\$	\$
Equity		
Opening balance 1 July 2018	3,639,498	3,639,498
Surplus for the year	754,900	754,900
Closing equity 30 June 2019	4,394,398	4,394,398
Opening balance 1 July 2017	3,475,484	3,475,484
Surplus for the year	164,014	164,014
Closing equity 30 June 2018	3,639,498	3,639,498

These statements are extracts from our full set of statutory financial statements for the year, which contain other details such as accounting policies and detailed notes to the financial statements. Our full financial statements have been audited and contain an unmodified audit opinion from our independent auditors RSM Hayes Audit.

Our full audited financial statements can be found in our Financial Report, which is available for viewing on our website **www.coastguard.org.nz/reports** as well as on the DIA Charities Services website **www.charities.govt.nz**

Alternatively, should you wish to have a copy of Finance Report sent to you, please contact us at info@coastguard.org.nz or 09 303 4303.

Consolidated Statement of Financial Position

Coastguard Northern Region Incorporated As at 30 June 2019

	2019	2018
	\$	\$
Current assets		
Cash and cash equivalents	1,374,786	1,088,974
Investments	2,131,732	2,802,944
Receivables from exchange transactions	75,622	41,301
Receivables from non-exchange transactions	247,391	106,607
Financial assets at fair value through surplus or deficit	945,644	958,433
Prepayments	7,002	75,140
Inventories	4,511	4,773
	4,786,688	5,078,172
Non-current assets		
Financial assets at fair value through surplus or deficit	196,917	355,628
Intangible assets	575.832	53,671
Capital work in progress	1,204,844	477.057
Property plant and equipment	619,989	716,159
	2,597,582	1,602,515
Total assets	7,384,270	6,680,687
	.,,	-,,
Current liabilities		
Trade and other creditors from exchange transactions	277,141	299,814
Employee entitlements	127,456	98,852
Accrued Expenditure	154,136	125,735
Income in Advance - Operational	88,922	52,879
Income in Advance - Capital Fund	410.815	713,621
Subscription Revenue in Advance	1,194,416	827,193
	2,252,886	2,118,094
Non-current liabilities		
Subscription Revenue in Advance	736,985	923,095
Total liabilities	2,989,871	3,041,189
Net assets	4,394,398	3,639,499
Equity Accumulated comprehensive revenue and expense	4,394,398	3,639,499
		,

Consolidated Statement of Cash Flows

Coastguard Northern Region Incorporated For the Year ended 30 June 2019

	2019	2019
	\$	\$
Cash flows from operating activities		
Receipts		
Donations and Grants	2,307,624	2,165,251
Subscriptions	2,565,121	2,368,001
Sponsorship	62,796	16,621
Education Income	431,022	547,893
Interest and Dividends Received	94,386	260,524
Other Income	849,777	749,634
Net GST received		22,980
	6,310,726	6,130,904
Payments		
Suppliers	1,896,267	2,188,718
Regional units	1,442,013	1,303,755
Payments to employees	2,096,344	1,935,631
Net GST paid	39,271	
	5,473,895	5,428,104
Net cash flows from operating activities	836,831	702,800

Cash flows from investing activities

Receipts

Cash and cash equivalents at 30 June	1,374,786	1,088,974
Cash and cash equivalents at 1 July	1,088,974	1,201,542
Net increase/ (decrease) in cash and cash equivalents	285,812	(112,568)
Net cash flows from investing activities	(551,020)	(815,368)
	(933,365)	(1,164,770)
Purchase/(withdrawal) of Investments/Term Deposits	112,812)	(379,063
Investments in short term deposits	671,212	(296,022)
Payment for capital WIP	(1,204,844)	(425,612)
Purchase of property, plant and equipment and intangibles	(286,921)	(64,073)
Payments		
	382,345	349,402
Proceeds from sale of investments	382,345	349,402
hedelpts		

Coastguard Northern Region

Postal Address

PO Box 2195 Shortland Street Auckland 1140

Street Address

Level 1 Auckland Marine Rescue Centre 3 Solent Street, Mechanics Bay Auckland 1010

09 303 4303 I 0800 BOATIE (262 843)

info@coastguard.org.nz

coastguard.org.nz boatiesbestmate.nz old4new.nz

f CoastguardNorthernRegion

😏 CoastguardNorth



THE CHARITY SAVING LIVES AT SEA



Date: Attention: From: Re:

Thursday 10th October Tony Phipps - Group Manager – Customer Services and Community Resilience Alan Gibson SLSNR Operations Manager Northland Regional Councils - Emergency Services Fund - Financial and service performance measures For Reporting Purposes Action

Greetings,

Re: Northland Regional Councils - Emergency Services Fund - Financial and service performance measures

Surf Life Saving currently plays an important role within Northland. For the period ending 30 June 2019 SLSNR utilised funding provided by Northland Regional Council (NRC) to deliver weekday lifeguard services across Northland. This service supported NRC in the achievement of the below strategic priorities.

- Safe and resilient communities Surf Lifesaving Services within Northland provide rescue services, education, sport and recreation, community hubs, leadership development, volunteer engagement, learning development and youth programmes that add to the regions vibrancy and resilience. Surf Life Saving Clubs are very much part of the community fabric of the coastal zones within the Northland Region, and our members continue to feature as standout community members thanks to the development opportunities provided by Surf Life Saving.
- Efficient and effective service delivery For nearly 100 years Surf Life Saving have presented an excellent value proposition to the communities it serves in Northland and the funders and partners who support us. It is clear and understood that the delivery of the weekday lifeguard service in Northland is well known and professional.
- Continuous improvement in water quality Surf Lifesaving Clubs take pride and have a sense of ownership around the coastal natural resources where they are located. They enhance and support the Mauri of their local coastal environments and ensure communities can enjoy and safely recreate in coastal areas. SLSNR has a proven record in monitoring water quality and educating the community on water quality through our safeswim partnership. We believe it would be advantageous for Northland Regional Council to utilise our abilities in this space
- A strong economy Having strong, sustainable lifesaving services based at key locations within the Northland Region allows local tourism-based businesses to promote a safe recreation





environment and usage of one of the key assets to the region and is understood as a key driver to coastal residential property sales. Surf Life Saving services and events also contribute significantly to visitor numbers attracting tourism as well as competitors and their families staying and spending money in the region.

The work of Surf Life Saving ensures drowning-related death and injury are kept to a minimum, ensuring moral/social and economic costs arising out of drowning and injury do not burden the local economy.

SLSNR Regional Total (2018-2019)

Northland Totals (2018-2019)





Additionally, over the last three years (2016 FY - 2019 FY) Paid Lifeguard Services have delivered the

below outcomes in Northland.

Clubs	Total Hours	Rescues	First Aids	Searches
Far North Surf Rescue	473	16	8	4
Mangawhai Heads	1577	50	19	5
Whangarei Heads	2230	38	8	0
Ruakaka	2023	40	18	12
Waipu Cove	2184	51	20	5
TOTAL	8487	195	73	26

The financial information (budget vs. actual) for the 2019 period has been included in Appendix.1 at the end of this report.

A further list of our years outcomes can be found in our 2019 Annual Report.

Water Safe New Zealand data indicates that there have been eight fatalities and 18 hospitalisations in water related accidents in the region. Fatality rates average at eight to nine deaths annually over the past 10 years. Northland's rate ranks third highest after Auckland and Bay of Plenty despite having a much smaller population.

Growing numbers of domestic and international visitors are a determining factor for numbers of incidents on local waterways. Since records began in 1980 there are 2.8 fatalities occurring a year in Northland by members of the public entering the water to rescue others. Addressing these matters will be a priority for SLSNR in future years.

Regards,





APPENDIX.1 2019 FY Financials – Northland Paid Lifeguard Service

Paid Lifeguard Service Financials Northland - For Period Ended 30 June 2019								
	Far North	Whangarei Heads	Ruakaka	Bayly's Beach	Waipu Cove	Mangawhai Heads	Total	Budget /Request
Dates	24th Dec 2018 - 18th Jan 2019	24th Dec 2018 - 25th Jan 2019	17th Dec 2018 - 1st Feb 2019	22nd Dec 2018 - 13th Jan 2019	17th Dec 2018 - 1st Feb 2019	17th Dec 2018 - 1st Feb 2019		
Number of Guards	3	3		4	4	4		
Lifesaving Facility - venue hire and equipment								
usage	\$1,880	\$2,475	\$4,690	\$0	\$3,640	\$3,465	\$16,150	\$15,450
General Expenses	\$1,912	\$2,390	\$3,346	\$1,432	\$3,346	\$3,346	\$15,774	\$16,690
Accommodation Expenses	\$0	\$0	\$0	\$1,300	\$0	\$0	\$1,300	\$1,990
Rescue Water Craft Operating Expense	\$0	\$0	\$7,865	\$0	\$0	\$0	\$7,865	\$3,500
Training & Professional Development Expenses	\$429	\$429	\$557	\$729	\$729	\$643	\$3,516	\$5,442
Wage expenses	\$12,587	\$15,044	\$24,553	\$19,644	\$26,306	\$20,241	\$118,374	\$126,718
Supervisors expense	\$2,376	\$3,088	\$6,652	\$4,039	\$4,039	\$3,563	\$23,756	\$20,737
SurfCom op-ex	\$575	\$747	\$1,610	\$977	\$977	\$862	\$5,749	\$3,527
Uniforms expense	\$995	\$1,294	\$2,786	\$1,692	\$1,692	\$1,493	\$9,951	\$5,597
	\$20,753	\$25,468	\$52,060	\$29,812	\$40,729	\$33,614	\$202,435	\$199,651





The Northland Regional Council contribution to the Local Community

Supporting St John since 2016

September 2019



Northland Regional Council's Ambulances incident report

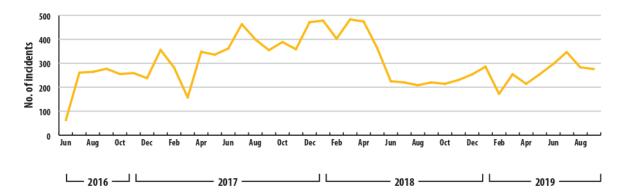
Since June 2016, the Northland Regional Council has helped us funding four fully equipped Ambulances. We cannot thank you enough for your incredible generosity and wanted to show you how your gift has made an incredible difference in your local community.

Please find an updated report of all the vehicle dated from **1 June 2016 - 30 September 2019**. In this report, you'll see what type of jobs your vehicles have attended and how many jobs they responded to.

The chart below outlines the vehicles responded to 12,054 incidents, transporting 8,538 of these to a treatment centre.

Incidents at	tended:	12,054	12,054					
Incidents tra	insported:	8,538 (71%)						
Average inci	Average incidents attended by month:							
20	16	20	17	20	18	20	19	
		Jan	356	Jan	479	Jan	286	
		Feb	282	Feb	403	Feb	172	
		Mar	157	Mar	484	Mar	254	
		Apr	348	Apr	475	Apr	214	
		May	336	May	364	Мау	254	
Jun	62	Jun	362	Jun	225	Jun	297	
Jul	261	Jul	464	Jul	220	Jul	347	
Aug	264	Aug	400	Aug	208	Aug	283	
Sep	277	Sep	355	Sep	220	Sep	276	
Oct	255	Oct	389	Oct	214			
Nov	259	Nov	359	Nov	230			
Dec	238	Dec	472	Dec	253			

Total incidents where your vehicle responded



Category	No. of incidents	Category	No. of incidents
Breathing problems	1286	Cardiac arrest	228
Chest pain	1137	Haemorrhage	223
Falls	965	Heart problem	203
GP referral	866	Assault	178
Unconscious	498	Trauma injuries	140
Sick person	413	Stroke (CVA)	129
Abdominal pain	394	Diabetes	99
Convulsions	389	Headache	89
Patient transfer service	325	Back pain (non trauma)	77
Traffic accident	286	Psychiatric	51

The table below shows the most common type of incidents attended by your vehicles where a patient was treated and/or transported:

Total incidents attended by triage priority

Triage priority	Total incidents	Percentage
Purple	282	2.3%
Red	5757	47.8%
Orange	3580	29.7%
Green	1307	10.8%
Grey	778	6.5%
Pts	206	1.7%
Private Hire (+Air Transfer, +Others)	110	0.9%

Immediately life threatening (cardiac/respiratory arrest)

Immediately life threatening (cardiac/respiratory arrest)

Immediately life threatening or time critical

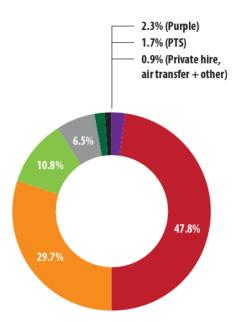
Urgent but not immediately life threatening

Non-urgent (not serious or life threatening)

Non-urgent (not serious or life threatening)

Patient transfer service





Response area	Total incidents		
Whangarei	5,955	Kaiwaka	93
Kaikohe	1,582	Umawera	73
Bream Bay	1,247	Dargaville	67
Kerikeri	905	Marsden	16
Kawakawa	729	Kohukohu	14
Mangawhai	372	Doubtless Bay	13
Paihia	308	Wellsford	13
Rawene	232	Warkworth	4
Russell	150	Kaitaia	2
Tutukaka	143	Doubtless Bay	2
Maungaturoto	130	Others	4

This table shows locations and number of incidents attended by your vehicles.

We have recognised the grant funding by an acknowledgment in all annual reports since 2016. Also, the Northland Regional Council's logo have been placed on four ambulances in recognition of your support.

St John relies on supporters like the Northland Regional Council to continue our life-saving work in local communities. We're truly grateful for your continued support. Thank you!

Luciana Nacif

Fundraiser Trusts and Grants St John New Zealand, Northern Region

- T +64 9 526 0527 ext 8435
- E luciana.nacif@stjohn.org.nz
- W stjohn.org.nz



Operational Summary

2019 has been an extremely busy year for NEST so far. In the last twelve months we have completed 911 missions, transporting almost 1,000 people to hospitals across the region.

On 01/04/2019, NEST entered a joint venture agreement with our counterparts at Auckland Rescue Helicopter Trust to be the appointed contractor to NASO (Ministry of Health) for the northern region. This contract will run for three years to 2022 and covers both pre-hospital and inter hospital flights. The funding provided by the Government under this contract is nett of any community fundraising.

NEST has successfully fitted out its two new Sikorsky S76 C++ helicopters which were imported from Canada last year. The new helicopters are EMS equipped and will replace the existing older aircraft which will be retired from next year. The new helicopters have more power, longer range and advanced avionics and means that NEST will be able to continue to provide the 24/7 availability that the service demands. The new livery on the helicopters proudly features Northland Regional along the side of the aircraft.

NEST remains extremely grateful to the financial support provided by Northland Regional Council and the ratepayers of Northland.

Thanks & kindest regards,

Paul

Paul Ahlers Chief Executive



T: N/A | M: +64 27 2736320 E: paul.ahlers@nest.org.nz www.nest.org.nz

TITLE: Financial Report to 31 January 2020

ID: A1283704

From: Vincent McColl, Financial Accountant

Executive Summary / Whakarāpopototanga

This report is to inform council of the year to date (YTD) financial result to January 2020. Council has achieved a YTD surplus after transfers to and from reserves of \$3.05M, which is \$350K favourable to budget (\$39K higher than November 2019).

Recommendation / Ngā mahi tūtohutia

That the report 'Financial Report to 31 January 2020' by Vincent McColl, Financial Accountant and dated 4 February 2020, be received.

Report

	000's ACTUAL YTD	000's BUDGET YTD	000's ARIANCE YTD
Revenue (including other gains)	\$ 30,884	\$ 30,196	\$ 688
Expenditure	\$ 26,407	\$ 27,808	\$ 1,400
NET (COST)/SURPLUS BEFORE TRANSFERS FROM/(TO) RESERVES	\$ 4,477	\$ 2,388	\$ 2,088
Transfer From (To) Special Reserves	\$ (1,422)	\$ 316	\$ (1,738)
NET (COST)/SURPLUS AFTER TRANSFERS FROM/(TO) RESERVES	\$ 3,055	\$ 2,705	\$ 350

Revenue

Year to date revenue is \$30.88M, which is \$688K or 2.0% above budget.

= negative unfav variance over 10% = negative unfav variance under 10%	FAV / (UNFAV)			
= positive favourable variance	\$	%	Commentary	
Rates	\$60,331	0.0%		
User Fees and Sundry	\$262,145	8.0%	 Higher than budgeted consent monitoring fees of \$183K Unbudgeted prosecution income of \$193K Partially offset by: Lower than budgeted bus fare box revenue of \$140K Lower than budgeted consent application fees of \$55K 	
Grants and Subsidies	(\$799,177)	(19.0%)	 Lower than budgeted Freshwater Improvement Fund project subsidies of \$168K offset with lower than budgeted expenditure Lower than budgeted Water Storage project subsidies of \$344K offset with lower than budgeted expenditure Lower than budgeted SHARP subsidies of \$328K offset with lower than budgeted expenditure Lower than budgeted subsidies for the FNDC Civil Defence shared services of \$288K. This is a timing issue and has subsequently been invoiced in February. Offset by: Unbudgeted subsidies of \$190K for a wilding pines biosecurity project Higher than budgeted subsidies for GIS shared services of \$99K 	
Investment Interest Income Investment Property Income	\$13,436 (\$26,690)	8.0% (2.0%)		
Dividend Income	(+=0)000)	0.0%		
Short Term Fund Gains	\$18,348	44.0%	 Actual October YTD returns as per Eriksens Global of 0.7% (2.1% annually) are lower than the budgeted 1.58% (4.75% annually). Gains here remain greater than budgeted because the Short Term Fund had a higher balance than budgeted. 	
Property Reinvestment Fund Gains	\$377,115	229.0%	• Actual October YTD returns of 3.3% (9.9% annually) are higher than the budgeted 1.73% (5.2% annually).	
Infrastructure Investment Fund Gains	\$281,865	80.0%	• Actual October YTD returns of 3.0% (9.0% annually) are higher than the budgeted 1.64% (4.92% annually)	
Community Investment Fund Gains	\$291,139	107.0%	• Actual October YTD returns of 4.0% (12.0% annually) are higher than the budgeted 1.78% (5.33% annually).	
Long Term Fund Gains (est. Nov 19)	\$189,129	36.0%	• Actual December YTD returns of 4.4% (8.8% annually) are higher than the budgeted 2.54% (5.09% annually).	
Short Term Fund Gains (est. Nov 19)	\$20,289	15.0%	Actual December YTD returns of 3.6% (7.2% annually) are higher than the budgeted 2.48% (4.97% annually).	
Total	\$687,931	2.0%	······································	

In November, council's externally managed funds transitioned from four funds to two funds. As such the above table shows historical gains for the four older funds and gains since November for the two newer funds. The performance of these funds in aggregate is \$1.18M higher than budgeted.

Expenditure

Year to date expenditure is \$26.41M, which is \$1.40M or 5.0% below budget.

= negative unfav variance over 10% = negative unfav variance under 10%	FAV / (UNFAV)			
= positive favourable variance	\$	%	Commentary	
Regulatory Services	\$187,901	5.0%	 Lower than budgeted salary costs within this group and other accumulated small variances 	
Environmental Services	\$511,902	7.0%	 Lower than budgeted Freshwater Improvement Fund project expenditure of \$277K offset by lower than budgeted income Lower than budgeted SHARP expenditure of \$250K offset by lower than budgeted income Lower than budgeted Stop Wild Ginger biocontrol project expentiture of \$60K offset by lower than budgeted income Partially offset by: More than budgeted biosecurity materials for resale of \$132K partially offset by higher than budgeted resale income. 	
Governance and Engagement	\$594,959	10.0%	 Lower than budgeted Water Storage project expenditure of \$328K offset by lower than budgeted income Lower than budgeted economic development grants of \$223K offset with lower than budgeted transfers from the Investment and Growth Reserve. This relates to the Footprints of Manea and the Kawakawa Hundertwasser park projects. 	
Customer Service and Community Resilience	\$91,278	2.0%	 Lower than budgeted NTA costs of \$40K including a credit from prior year invoices. Lower than budgeted transport advertising and promotions expenditure of \$64K partially offset with lower NZTA subsidies. 	
Corporate Excellence	(\$234,639)	(6.0%)	 Higher than budgeted IT expenditure of \$166K Higher than budgeted insurance of \$60K relating to increases in premiums for material damage, motor vehicles, professional indemnity, and public liability. Additionally we had a call on a historical mutual liability insurance arrangement of \$25K. Higher than budgeted internal interest expenses of \$36K relating to a higher balance of the sporting facilities rate reserve than budgeted. 	
CEO Office	\$249,010	10.0%	 Lower than budgeted operational expenditure on the Kensington Redevelopment project of \$139K. Lower labour charged via timesheeting to the CEO department than budgeted of \$179K 	
Total	\$1,400,411	5.0%	~~~~~	

Note that across council there is a \$365K favourable salaries variance predominantly due to delays in the recruitment of positions identified in the LTP and AP and the time to fill vacancies. Some of these have associated external funding. Additionally, across council there is a \$100K favourable variance on annual leave movements as staff take leave accrued in prior financial years.

Transfers to reserves

For the year to date there has been a net transfer **to** reserves of \$1.42M compared to a budgeted net transfer **from** reserves of \$316K. This is predominantly due to:

- \$1.13M higher than budgeted transfers to externally managed fund reserves representing reinvestment of gains above budgeted levels.
- \$223K lower than budgeted transfers from the Investment and Growth Reserve due to economic development grants not occurring as budgeted.

• \$119K higher than budgeted transfers to the Whangārei and Far North bus reserves due to higher NZTA subsidies than budgeted.

Capital Expenditure

Actual capital expenditure year to date of \$1.82M is \$993K lower than budgeted capital expenditure of \$2.82M. At this stage there is anticipated to be carry forwards requested for the Awanui Flood Infrastructure and the Kaipara Service Centre capital projects but the monetary value of any carry forwards is not yet known.

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name:Dave TamsTitle:Group Manager, Corporate ExcellenceDate:10 February 2020

TITLE:Investment Fund SIPO Adjustment - Proposed Increase in
Exposure to Private Equity Assets

ID: A1285398

From: Simon Crabb, Finance Manager

Executive summary/Whakarāpopototanga

It is recommended that council adopts the EriksensGlobal recommendation (**Attachment 1**) to increase its exposure to private equity fund managers with a view to achieving stronger returns in the current late-cycle investment market conditions (being interest rates at record lows, and stock markets at record highs).

Private equity fund managers are investment managers who directly invest in the equity of businesses and private companies that are not traded or listed on a stock market.

To increase council's private equity exposure, it is proposed that two new investment funds are introduced into the Long-Term Fund (LTF) with a total investment commitment of approximately NZ\$5.1M:

- Continuity Capital Private Equity Fund No.5 investment commitment of AU\$3M (approximately NZ\$3.1M)
- Direct Capital Fund VI investment commitment of NZ\$2M.

Recommendation(s) / Ngā mahi tūtohutia

- 1. That the report 'Investment Fund SIPO Adjustment Proposed Increase in Exposure to Private Equity Assets' by Simon Crabb, Finance Manager and dated 11 February 2020, be received.
- 2. That the Continuity Capital Private Equity Fund No.5 is introduced into the Long-Term Fund with an associated capital commitment of AU\$3,000,000.
- 3. That the Direct Capital Fund VI is introduced into the Long-Term Fund with an associated capital commitment of NZ \$2,000,000.
- 4. That the Investment Fund Statement of Investment Policy and Objectives is updated to be consistent with **Attachment 3** pertaining to Item 5.3 of the 18 February 2020 council agenda.

Report

The \$5.1M investment commitment into the two new private equity funds will be made by progressively transferring monies (when called) from the income funds of the LTF.

Continuity Capital is the same fund manager that currently runs two other private equity funds already included in council's LTF.

Direct Capital was established in 1994 and is arguably the leading private equity fund manager in New Zealand, investing in New Zealand and Australian private companies.

Both Continuity Capital and Direct Capital are signatories to the United Nations Principles of Responsible Investment (UNPRI).

Council's Investment Fund Statement of Investment Policy and Objectives (SIPO) sets out the governance and management framework, investment beliefs, strategies and objectives of the LTF. The Investment Fund SIPO is required to be amended to reflect the new investments into Continuity Capital and Direct Capital.

A marked-up version of the Investment Fund SIPO highlighting all the amendments arising from the EriksensGlobal recommendation and some minor tidy-up's is attached as **Attachment 2**. A fully amended clean version (incorporating all the proposed changes) is attached as **Attachment 3**.

Risk Return Objective:

As a result of the Eriksen Global recommendation, the overall LTF return objective will remain the same at 6.5%pa (assuming long term inflation of 2%). Similarly, the overall risk profile will remain unchanged at a "negative return limit of any one year in seven".

Overall Exposure Benchmark:

As a result of the Eriksen Global recommendation, the overall LTF exposure benchmark to investments in private equity assets will increase to 20% (from 5%).

The Direct Capital Fund VI is expected to close and not accept any new investors by the end of February 2020. Thus, following the endorsement from the Chair of the Investment and Property Subcommittee, this agenda item has been presented to the February council meeting to gain approval in time to make an investment before the February deadline.

Considerations

1. Options:

No.	Option	Advantages	Disadvantages
1	Introduce the Continuity Capital Private Equity Fund No.5 and the Direct Capital Fund VI into council's Long-Term Fund portfolio with an investment commitment of AU\$3M and NZ\$2M respectively.	Take advantage of the current late-cycle investment market conditions of low interest rates and record high stock markets to generate higher rates of return.	Reduction in liquidity associated with private equity investments.
2	Do not increase council's exposure to private equity.	Maintain liquidity of the \$5.1M proposed for private equity investment.	Miss out on the opportunity available in the current late-cycle investment market to generate higher returns by diversifying into private equity markets.

The staff's recommended option is 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 and is in accordance with the approved Treasury Management Policy.

3. Policy, risk management and legislative compliance

The activities detailed in this report are in accordance with council's Treasury Management Policy and the 2018–28 Long Term Plan, both of which were approved in accordance with council's decision-making requirements of sections 76–82 of the Local Government Act 2002.

Further considerations

4. Financial implications

Different fund managers carry different risk profiles and are subject to different return volatilities. The actual returns from private equity managers (and all of council's fund managers) can fluctuate and vary from their expected returns over a given time period. These are governed by the Statement of Investment Policy and Objectives.

5. Implementation issues

It is anticipated the opportunity to invest in the Direct Capital Fund VI will only be available until the end of February 2020. The Treasury Management Policy requires council to approve new fund managers and new/amended SIPOS. As such, a council decision is required at the February 2020 council meeting to enable an investment in the Direct Capital Fund VI before the February 2020 deadline.

Being a purely administrative matter, Community Views and Māori Impact Statement are not applicable.

Attachments/Ngā tapirihanga

Attachment 1: EriksensGlobal Recommendation - Increase in Private Equity Exposure J

Attachment 2: Prosposed Investment Fund SIPO - with marked up changes \underline{J}

Attachment 3: Prosposed Investment Fund SIPO - clean copy incorporating all changes ${\scriptstyle \underbrace{1}}$

Authorised by Group Manager

Title: Group Manager, Corporate Excellence

Date: 11 February 2020

 From:
 EriksensGlobal

 To:
 Simon Crabb

 Cc:
 Dave Tams; Malcolm Nicolson; Andy Mahony

 Subject:
 NRC LTF - Private Equity Exposure

 Date:
 Monday, 10 February 2020 4:05:54 PM

 Attachments:
 2020 02 NRC SIPO DRAFT.docx

Simon

As discussed, we attach a revised draft SIPO incorporating the deliberations to date. This includes increasing the weighting to private equity to take account of the current late-cycle investment market conditions, being interest rates at record lows and stock markets at record highs.

To achieve strong returns under these conditions yet control the risks of a negative return to less than one year in seven requires an increased exposure to private markets. Council has already approved prior investments in Continuity Capital's private equity products which have performed extremely well. Currently Continuity Capital's Private Equity Fund No. 5 is open, and has already produced positive returns and got out of the j-curve. It is an Australian Unit Trust. We recommend a \$3m committed capital investment which would currently be called to around 16.5 cents in the dollar. You should already have the (previously sent) Fund information in your inbox.

Arguably the best private equity manager in New Zealand, and certainly the most successful manger in this market, is Direct Capital. Their Fund VI is currently open, but due to strong demand will close at the end of February. We recommend a 2m committed capital investment in this product, which will be called to 25c - 30c in the dollar.

Based on our monthly report to 31 December, your current exposure to private equity is 6.8% or \$3m out of a total fund of \$44.5m. The uncalled portion of your current private equity investments is \$1.7m. We estimate that investing in these two products straight away will require \$1.1m, leaving a residual uncalled amount of \$3.9m plus the current uncalled \$1.7m, or \$5.6m total. Thus the new exposure would still be less than 10% of the LTF, and the total exposure including uncalled capital would be 22% which is almost the same as the 20% benchmark in the new SIPO.

Hence our strong recommendation to seek Council and Investment Sub-Committee approval to adopt the new SIPO and invest an additional \$5m in private equity.

Warm regards

Jonathan

ERIKSENSGLOBAL Actuaries & Investment Strategists

<u>eriksensglobal.com</u> P +64 9 486 3144

2 Burns Ave PO Box 33-1318 Takapuna **Auckland**

This email with any attachments is confidential and may be subject to legal privilege.

STATEMENT OF INVESTMENT POLICY & OBJECTIVES (SIPO) NORTHLAND REGIONAL COUNCIL (NRC) INVESTMENT FUND

EFFECTIVE DATE THIS SIPO TAKES EFFECT FROM 1ST APRIL 2019 THE SCHEDULED DATE OF THE NEXT FORMAL SIPO REVIEW IS APRIL2020 NORTH LAND REGIONAL COUNCIL ___EFFECTIVE DATE THIS SIPO TAKES EFFECT FROM 1ST DECEMBER 201918 FEBRUARY 2020 ___THE SCHEDULED DATE OF THE NEXT FORMAL SIPO REVIEW IS NOVEMBER FEBRUARY 2021 NORTHLAND REGIONAL COUNCIL

Contents

1. INTRODUCTION	2
2. MANAGEMENT OF INVESTMENT PERFORMANCE	3
3. INVESTMENT BELIEFS	3
4. RETURN, RISKS and LIQUIDITY	4
5. RISK	4
6. HORIZON	5
7. CONFLICTS OF INTEREST	5
8. ENVIROMENTAL, SOCIAL and GOVERNANCE POLICIES	5 <u>6</u>
9. GOVERNANCE	6
10. FEES	8
11. SCHEDULE 1 SHORT TERM FUND	8 <u>9</u>
12. SCHEDULE 2 LONG TERM FUND	

1. INTRODUCTION

This Statement of Investment Policy and Objectives ("SIPO") directs the investments of the Northland Regional Council's Investment Fund (hereafter known as "the Fund"), as determined by the Council, in accordance with the Fund's purposes – which are to promote business development in Northland and stabilize the impact of large irregular infrastructure projects on the Council's income and capital requirements

- 1. CIF for the purpose of generating revenue to support economic development.
- 2. IIF for funds held for the smoothing of infrastructure expenditure.
- 3. PRF for purposes of reinvestment in property of timeframes longer than 12 months.
- 4. Loan repayment reserves for rates being accumulated for future debt repayments.
- 5. Depreciation reserves for rates collected to fund future maintenance.
- 6. General Equity of the Council reserves with no allocated purpose.
- 7. Working Capital being both operation and capital liquidity budgeted to be expensed with a 12month period or a definite payment date.

The SIPO is the key written document setting out the expectations, principles and goals the Council have regarding the investment of the Fund's assets, and helps ensure effective communication between the relevant stakeholders.

The Fund has arisen from four primary sources;

- The Community Investment Fund which arose from the sale of Port Company shares in 1992. It was established in March 1996 with the goal of promoting economic and community development in Northland.
- The Infrastructure Investment Fund which was created to stabilise the impact of large irregular infrastructure projects on the Council's income and capital requirements; and help spread the costs of such projects. It was also intended to provide more flexibility around when such large capital-intensive projects could commence.
- The Property Re-investment Fund which arose out of the sale of commercial properties and used to earmark funds for approved property investments in future but achieve inflation proofed rental-like yields to subsidise Council operations in the meantime.
- <u>The Short Term Investment Fund to create transparency and govern the working capital assets</u> of the Council by investing in a diversified selection of defensively orientated managed funds.

For internal purposes Council will split the Fund into long term and short-term portions each with its distinct liquidity requirement and risk tolerances; those factors will underpin the investment return targets for each portion of the Fund and be reflected in the target allocations across cash, income and growth assets for each of the two portions.

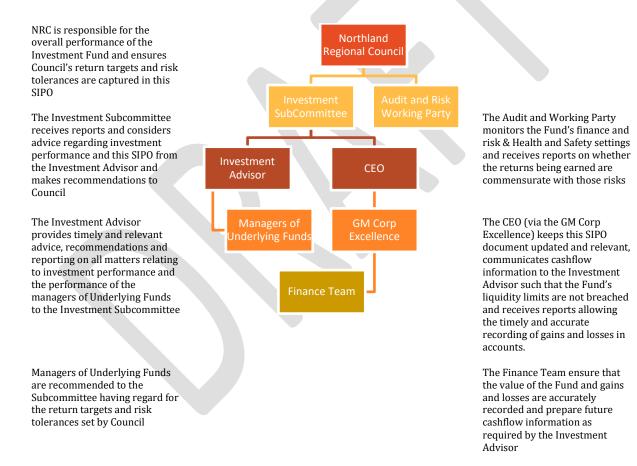
Monies that is budgeted to be used in a 12-month timeframe or where there are known cash flow capital and operational cashflow requirements beyond this, will be deposited in the Sshort t_{T} erm ffund.

Monies that will not need to be utilized within the 12 months will be placed into the Long Term Fund.

The criteria for which fund to use is therefore a factor of certainty of cash flow requirements and time frame for investment. The funds are to be rebalanced twice a year in February and August of each year based on the budgets as approved by Council at that time.

Council invests the Fund based on advice from its Investment Advisor and Chief Executive in managed funds ('underlying funds') to achieve its return objectives and meet its liquidity requirements within the Council's risk tolerances and at a cost that represents value-for-money for the ratepayer.

2. MANAGEMENT OF INVESTMENT PERFORMANCE



3. INVESTMENT BELIEFS

A clear governance structure promotes accountability and improved returns.

Risk and return are strongly related; Council must be able to answer the question "for the risks being taken, have returns been acceptable?"

Within any given risk limit, long term investments will out-perform short term investments. i.e. over more than one market cycle (typically, 7-10 years)

Ethically based investments will yield similar returns (or better) than non-ethically based investments. As a responsible investor Council believes that social, environmental and governance factors are important for long term returns.

Markets, over long horizons, operate in a largely predictable way and therefore the market signals and other information any manager uses to derive better-than-market investment returns ('alpha') are commoditised over time. Substantial long term alpha is very unlikely and too risky to pursue. Moderate alpha is possible by changing management styles and the sets of signals and information used to allocate investments; Council accepts that an active management approach to allocations incurs fees and other costs but consider these to be less than the alpha generated.

4. RETURN, RISKS and LIQUIDITY

The returns for the Fund's investment portfolios will be managed by comparison to the portfolio weighted average of the benchmarks set for each underlying fund by that fund's manager.

Council requires the Long Term portion of the Fund to return 1.5% above that portfolio weighted average of underlying fund benchmarks<u>the objective specified in Schedule 2</u>. Over the long term this is approximately 6.5% (which is inflation of 2% plus 4.5%).

Council requires the Short Term portion of the Fund to the objective specified in Schedule <u>1</u>return 0.5% above that portfolio weighted average of underlying fund benchmarks. As at the date of the SIPO this was approximately 4.6% (which is the 90-day bank bill index return of 1.6% plus 3%).

The overall risk tolerance is low for the Short Term portion of the Fund, but higher for the Long Term portion of the Fund due to its longer time horizon and lower transaction frequency; Council seeks to maximise returns (so that council operations and projects can be funded without over reliance on ratepayers) while minimising the risk of loss of its capital in any 3-year period (which should correspond to the local election cycle) i.e. unless decided otherwise by Council the Fund value that each new eCouncil inherits must be preserved to pass on to the next Ceouncil plus any un-utilised gains. This stance on risk may entail the 'cashing up' of gains mid cycle to meet the objective of passing on a higher fund value to a future Ceouncil.

The Long-Term portion of the Fund has low transaction frequency and therefore <u>has a higher risk</u> <u>profile and can earn the return premiums associated with illiquid investments.</u>

The cash outflows associated with the Short-Term portion of the Fund are certain and cannot be jeopardised, all known future cash flows will be communicated regularly to the Investment Advisor who shall make recommendations on allocation changes and transfers between the two portions of the Fund to ensure availability of required cash. The transfers will generally occur in February and August each year.

5. RISK

- a. The Fund has identified the following non-exhaustive list of major investment risks:
 - inflation risk;
 - interest rate risk;
 - currency risk;
 - credit risk;
 - financial risk;
 - liquidity risk;
 - operational risk; and
 - market Risk.
- b. Investment risk will be mitigated by appropriate diversification and managed both within and between asset classes and among managers. No single fund manager may hold more than 20% of the Fund.
- c. Not more than 5% of the Fund's assets may be invested in securities related to, or guaranteed by, a single entity without specific consideration & approval by the Council (unless it is a clear guarantee from a nation with a Standard & Poor's {or Moody's/ Fitch equivalent} long term rating of at least AA-).
- d.c. The risk of each investment should be measured separately, as well as how it changes the risk/return characteristics of the Fund overall and reported on quarterly.
- e.d. The Council have determined the risk tolerances and return outcomes they are most comfortable with. This has allowed any significant divergences in risk tolerance by the Council to be reconciled along with a consistent risk adjusted approach to investment decisions.
- f.<u>e.</u> Council accepts that despite risk management the Fund's capital and income returns may fluctuate, and this may impact the level of income that is available for distributions and project funding. Recipients of distributions and project funding will therefore be subject to investment risk.
- g.—For the purposes of the following constraints regarding derivatives, "Portfolio" is taken to mean an Underlying Fund under the management of an individual Manager.
- <u>f.</u>

h. Each Manager is entitled to make use of derivative contracts to protect the capital
 h. value of portfolios and gain exposure to appropriate markets.

Each Manager is entitled to make use of derivative contracts to reduce transaction
 cost and improve liquidity by using derivative contracts to take a position which would
 <u>h.</u> —otherwise have been taken by buying or selling physical stock.

i. j. Council will not hedge funds. Underlying Fund Managers may at their discretion hedge foreign currency denominated investments back to the New Zealand dollar.

i. The Council believes the illiquidity premium available in unlisted markets should be utilised

more widely towards the end of market cycles.

6. HORIZON

The performance of the Fund overall will be assessed over a rolling seven-year time horizon. Council also has a three-year political cycle and each Council will strive to increase the returns on investment to each incoming Council.

7. CONFLICTS OF INTEREST

Council has a conflicts of interest policy applicable to councillors, staff and advisors to council. All conflicts, potential or real, must be declared and recorded, as soon as possible.

8. ENVIROMENTAL, SOCIAL and GOVERNANCE POLICIES

Council holds financial assets on behalf of the community- Accordingly investing ethically and responsibly is an important issue. Council doesn't wish to hold Investments in,

- Fossil Fuels (exploration, extraction and processing)
- Alcohol
- Tobacco
- Gambling
- Military Weapons
- Civilian firearms
- Nuclear power
- Adult Entertainment

9. GOVERNANCE

Governance will set the investment objectives for the fund, risk tolerance, authorities and responsibilities. These will be monitored quarterly.

a. The **Council** will be responsible for the following:

- Taking decisions on investment strategy, having regard to the overall circumstances of the Fund, and complying with all applicable legislative requirements.
- Putting in place appropriate governance, management structures and processes in line with the Fund given both the types of investment assets under management, and adherence to good practice.
- Reviewing and approving this SIPO, including the instructions to the fund managers and Investment <u>AdvisorConsultant</u>.
- Determining the appropriate number of managers, and selecting and changing those

managers as appropriate on the advice of the Investment Advisor.

- Approving relevant internal and external benchmarks for assessing financial/investment performance.
- Periodic assessment of whether the Council's Conflicts of Interest Policy has been met (e.g. staff and Councilors' trading on their personal account, identification and management of related party investments).

<u>b. The **b**</u> The **Investment Subcommittee** will be responsible for the following:

- Provide oversight and assistance to the Council on investment activities within the established limits of this SIPO, ensuring external accountabilities and responsibilities are fulfilled.
- Make recommendations to the Council on investment matters in conjunction with the advice of the Investment <u>AdvisorConsultant</u>.

<u>c.</u> — The **Investment Advisor** will be responsible for providing the following services:

- Review this SIPO at least once each calendar year or sooner if there is a material change in the Fund's circumstances.
- Monthly Fund performance review and monitoring against agreed targets in respect of the Fund's investible assets as well provision of an economic and investment market commentary. The principal goals of performance monitoring are to:
 - Assess the extent to which the Fund's investment objectives are being achieved. Allow the Council to continually assess the ability of each Manager to successfully meet the Fund's objectives.
- Monitor Managers' performance quarterly with a view to an annual evaluation of Rolling three-year results.
- Review Managers' roles on a regular basis. Factors considered in these reviews will include investment style, resources, organisational strength, investment performance relative to objectives, and any other factors considered relevant to the Managers' continuing ability to meet the applicable investment objective.
- Provide quarterly reporting in a format agreed between the Investment Advisor and the Investment Subcommittee.
- Provide information on socially responsible investment issues in the Fund on a timely basis after 30 June and 31 December each year, subject to receiving information from the relevant Managers.
- Undertaking such other actions as may be agreed with the Fund from time to time, including recommending rebalancing to take into account market movements or cash flow requirements.

•<u>d.</u>Each Underlying Fund **Manager** will be responsible for the following:

- Managing its portion of the Fund's investments in accordance with the investment management agreements and/or governing documents referred to in the application form(s).
- Selecting securities within each asset class, subject to the constraints imposed in relevant fund documentation and in any applicable legislation.
- Managers must notify the Investment Advisor (and through the Investment Advisor, the Investment Subcommittee) promptly of the reasons for any significant deviation to their mandate and the date or dates of the deviation occurring.
- Supplying to the Council and Investment Advisor any reports of the Underlying Fund's performance in advance of the Investment Subcommittee's regular meetings and at the Council's request, participating in those meetings to review the written reports. The reports shall contain such information and in such format as agreed with the Council, but must contain sufficient information to enable the annual accounts compiled and any necessary tax calculations to be undertaken.
- Supplying the Council and Investment Advisor with information concerning environmentally sensitive assets at regular intervals.
- Participating, when required by the Investment Advisor, in the annual review of this SIPO
- The asset allocation of the funds will be monitored on a monthly basis by council's Investment <u>aA</u>dvisors-<u>Aa</u>nd a report provided to the Chief Executive. The Investment Advisor is required to provide timely advice to the Investment Subcommittee on a quarterly basis-<u>where funds</u> <u>are within 5% of the maximum of their range</u>.

10. FEES

Returns shown in monthly/quarterly reporting to Council should be after fees and taxes. Any commissions paid by fund managers must be declared to Council

11. SCHEDULE 1 SHORT TERM FUND

The Fund was derived by consolidating the Property Reinvestment Fund and the Short <u>T</u>term <u>Hinvestment Fund</u>.

Target Returns and Risk Tolerance

Because the cash requirements from this portion of the Fund cannot be put at risk, Council does not permit asset allocations that put the chance of a negative return in any year at more than once in 20 years and accordingly sets a return target of 3% above the 90-day Bank Bill index after fees (over 12 month rolling periods).

Managers and Asset Allocations Benchmarks

Short Term Investment Fund	Benchmark %	Target Ranges %
Growth Assets	20	0 - 40
Diversified Growth	20	0 - 40
Castle Point 5 Oceans	10	0 - 20
Ailford Active Growth	5	0 - 20
Mint Diversified Growth	5	0 - 20
Income Assets	80	<u>6</u> 20 - <u>10</u> 60
Diversified Income	80	<u>6</u> 20 - 4 <u>10</u> 0
Harbour Income	20	0 - 2 <u>3</u> 0
Milford Diversified Income	20	0 - 30
Mint Diversified Income	20	0 - 30
QuayStreet Income	20	0 - 30
Cash	0	0 - 5
Self-Managed	0	0 - 5

Fund Managers and Underlying Fund Benchmarks (to comprise the portfolio weighted average return)

Manager	Fund	<u>Objective</u> Benchmark (p.a.)
Castle Point	5 Oceans	NZ CPI + 3%
Harbour	Income	NZ OCR + 3.5%
Milford	Diversified Income	NZ OCR + 2.5%
Milford	Active Growth	10% per annum
Mint	Diversified Income	NZ CPI + 3%
Mint	Diversified Growth	NZ CPI -+ 4.5%
QuayStreet	Income	NZ OCR +- plus 2%

Note: These objectives were correct as at the date of this SIPO, but are subject to be changed without notice by Underlying Fund Managers.

12. SCHEDULE 2 LONG TERM FUND

The Fund was derived by consolidating the Community Investment Fund and Infrastructure Investment Fund.

Target Returns and Risk Tolerance

Being long term (>10 years), this portion of the <u>F</u>und can tolerate some risk and in doing so earn higher returns. Council allows asset allocations that put the chance of a negative return in any year at once in 7 years and accordingly sets a real return target of 4.5% after assuming inflation of 2.0%.

Managers and Asset Allocations Benchmarks

Long Term Investment Fund	Benchmark %	Target Ranges %
Growth Assets	67	50 <u>- 85</u>
Diversified Growth	47	30 - 70
Aspiring	7	5 - 15
Castle Point 5 Oceans	10	5 - 15
Milford Active Growth	10	5 - 15
Mint Diversified Growth	5	0 - 10
Schroders Real Return Fund + 5%	5	0 - 10
T. Rowe Price Global Equity Growth	10	0 - 15
Private Equity	20 <u>*</u>	0 - <u>35*<mark>20</mark>[MN1]</u>
Continuity Capital PE Fund No.2 LP	<u>3</u> 4	0 - 8
Continuity Capital PE Fund No.4 LP	<u>3</u> 4	0 - 8
Continuity Capital PE Fund No.5	<u>4</u> 4	0 - 8
Direct Capital VI	<u>4</u>	<u>0 - 8</u>
MLC PE II	<u>3</u> 4	0 - 8
PCP III	<u>3</u> 4	0 - 8
Income Assets	33	15 - 50
Diversified Income	33	15 - 50
BlackRock FIGO	3	0 - 10
Harbour Income	10	0 - 15
Milford Diversified Income	10	0 - 15
Mint Diversified Income	10	0 - 15
Cash .	Ð	0-5
Self-Managed	θ	0 - 5
<u>Cash</u>	<u>0</u>	<u>0 - 5</u>
Self-Managed	0	0 - 5

* Invested capital

Fund Managers and Underlying Fund Benchmarks (to comprise the portfolio weighted average benchmark)

Manager	Fund	Objective (p.a.)
Aspiring	Aspiring Fund	NZ CPI + 4%

Blackrock	Fixed Income Global Oepportunities	Bloomberg AusBond Bank Bill Index <u>+</u>
Castle Point	5 Oceans	NZ OCR + 3%
Continuity Capital	PE Fund No.2 LP	15%
Continuity Capital	PE Fund No.4 LP	15%
Continuity Capital	PE Fund No.5	15%
Direct Capital	<u>_VI</u>	<u>8%</u>
Harbour	Income	NZ OCR + 3.5%
Milford	Active Growth	10%
Milford	Diversified Income	NZ OCR + 2.5%
Mint	Diversified Income	NZ CPI + 3%
Mint	Trans-Tasman EquitiesDiversified	NZ CPI + 4.5%S&P/NZX 50 Index
MLC	PE II	15%
Pioneer Capital	Ш	8%
Salt .	Long Short	NZ OCR + 5%
Schroder	Real Return Fund CPI + 5%	Australian CPI (Trimmed Mean) + 5%
T. Rowe Price	Global Equity Growth	MSCI All Country World Index

Note: These objectives were correct as at the date of this SIPO, but are subject to be changed without notice by Managers.

AGENDA OF COUNCIL MEETING - 18 00 2020) NORTHLAND REGIONAL COUNCIL (NRC) INVESTMENT FUND



Contents

13	
INTRODUCTION	2
14	2.
MANAGEMENT OF INVESTMENT PERFORMANCE	
15	
INVESTMENT BELIEFS	3
16	4.
RETURN, RISKS and LIQUIDITY	4
17	5.
RISK	4
18 HORIZON	
19. CONFLICTS OF INTEREST	
20 ENVIROMENTAL, SOCIAL and GOVERNANCE POLICIES	
21 GOVERNANCE	
22 . FEES	
23 . SCHEDULE 1 SHORT TERM FUND	
24 . SCHEDULE 2 LONG TERM FUND	

1. INTRODUCTION

This Statement of Investment Policy and Objectives ("SIPO") directs the investments of the Northland Regional Council's Investment Fund (hereafter known as "the Fund"), as determined by the Council, in accordance with the Fund's purposes – which are to promote business development in Northland and stabilize the impact of large irregular infrastructure projects on the Council's income and capital requirements

- 1. CIF for the purpose of generating revenue to support economic development.
- 2. IIF for funds held for the smoothing of infrastructure expenditure.
- 3. PRF for purposes of reinvestment in property of timeframes longer than 12 months.
- 4. Loan repayment reserves for rates being accumulated for future debt repayments.
- 5. Depreciation reserves for rates collected to fund future maintenance.
- 6. General Equity of the Council reserves with no allocated purpose.
- 7. Working Capital being both operation and capital liquidity budgeted to be expensed with a 12month period or a definite payment date.

The SIPO is the key written document setting out the expectations, principles and goals the Council have regarding the investment of the Fund's assets, and helps ensure effective communication between the relevant stakeholders.

The Fund has arisen from four primary sources;

- The Community Investment Fund which arose from the sale of Port Company shares in 1992. It was established in March 1996 with the goal of promoting economic and community development in Northland.
- The Infrastructure Investment Fund which was created to stabilise the impact of large irregular infrastructure projects on the Council's income and capital requirements; and help spread the costs of such projects. It was also intended to provide more flexibility around when such large capital-intensive projects could commence.
- The Property Re-investment Fund which arose out of the sale of commercial properties and used to earmark funds for approved property investments in future but achieve inflation proofed rental-like yields to subsidise Council operations in the meantime.
- The Short Term Investment Fund to create transparency and govern the working capital assets of the Council by investing in a diversified selection of defensively orientated managed funds.

For internal purposes Council will split the Fund into long term and short-term portions each with its distinct liquidity requirement and risk tolerances; those factors will underpin the investment return targets for each portion of the Fund and be reflected in the target allocations across cash, income and growth assets for each of the two portions.

Monies that is budgeted to be used in a 12-month timeframe or where there are known capital

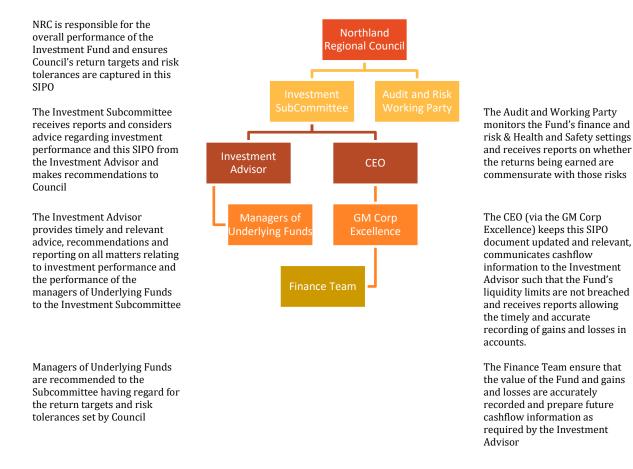
and operational cashflow requirements beyond this, will be deposited in the Short Term Fund.

Monies that will not need to be utilized within the 12 months will be placed into the Long Term Fund.

The criteria for which fund to use is therefore a factor of certainty of cash flow requirements and time frame for investment. The funds are to be rebalanced twice a year in February and August of each year based on the budgets as approved by Council at that time.

Council invests the Fund based on advice from its Investment Advisor and Chief Executive in managed funds ('underlying funds') to achieve its return objectives and meet its liquidity requirements within the Council's risk tolerances and at a cost that represents value-for-money for the ratepayer.

2. MANAGEMENT OF INVESTMENT PERFORMANCE



3. INVESTMENT BELIEFS

A clear governance structure promotes accountability and improved returns.

Risk and return are strongly related; Council must be able to answer the question "for the risks being taken, have returns been acceptable?"

Within any given risk limit, long term investments will out-perform short term investments. i.e. over more than one market cycle (typically, 7-10 years)

Ethically based investments will yield similar returns (or better) than non-ethically based investments. As a responsible investor Council believes that social, environmental and governance factors are important for long term returns.

Markets, over long horizons, operate in a largely predictable way and therefore the market signals and other information any manager uses to derive better-than-market investment returns ('alpha') are commoditised over time. Substantial long term alpha is very unlikely and too risky to pursue. Moderate alpha is possible by changing management styles and the sets of signals and information used to allocate investments; Council accepts that an active management approach to allocations incurs fees and other costs but consider these to be less than the alpha generated.

4. RETURN, RISKS and LIQUIDITY

The returns for the Fund's investment portfolios will be managed by comparison to the portfolio weighted average of the benchmarks set for each underlying fund by that fund's manager.

Council requires the Long Term portion of the Fund to return the objective specified in Schedule 2. Over the long term this is approximately 6.5% (which is inflation of 2% plus 4.5%).

Council requires the Short Term portion of the Fund to the objective specified in Schedule 1. As at the date of the SIPO this was approximately 4.6% (which is the 90-day bank bill index return of 1.6% plus 3%).

The overall risk tolerance is low for the Short Term portion of the Fund, but higher for the Long Term portion of the Fund due to its longer time horizon and lower transaction frequency; Council seeks to maximise returns (so that council operations and projects can be funded without over reliance on ratepayers) while minimising the risk of loss of its capital in any 3-year period (which should correspond to the local election cycle) i.e. unless decided otherwise by Council the Fund value that each new Council inherits must be preserved to pass on to the next Council plus any un-utilised gains. This stance on risk may entail the 'cashing up' of gains mid cycle to meet the objective of passing on a higher fund value to a future Council.

The Long-Term portion of the Fund has low transaction frequency and therefore has a higher risk profile and can earn the return premiums associated with illiquid investments.

The cash outflows associated with the Short-Term portion of the Fund are certain and cannot be jeopardised, all known future cash flows will be communicated regularly to the Investment Advisor who shall make recommendations on allocation changes and transfers between the two portions of the Fund to ensure availability of required cash. The transfers will generally occur in February and August each year.

5. RISK

- a. The Fund has identified the following non-exhaustive list of major investment risks:
 - inflation risk;
 - interest rate risk;
 - currency risk;
 - credit risk;

- financial risk;
- liquidity risk;
- operational risk; and
- market Risk.
- b. Investment risk will be mitigated by appropriate diversification and managed both within and between asset classes and among managers. No single fund manager may hold more than 20% of the Fund.
- c. The risk of each investment should be measured separately, as well as how it changes the risk/return characteristics of the Fund overall and reported on quarterly.
- d. The Council have determined the risk tolerances and return outcomes they are most comfortable with. This has allowed any significant divergences in risk tolerance by the Council to be reconciled along with a consistent risk adjusted approach to investment decisions.
- e. Council accepts that despite risk management the Fund's capital and income returns may fluctuate, and this may impact the level of income that is available for distributions and project funding. Recipients of distributions and project funding will therefore be subject to investment risk.
- f. For the purposes of the following constraints regarding derivatives, "Portfolio" is taken to mean an Underlying Fund under the management of an individual Manager.
- g. Each Manager is entitled to make use of derivative contracts to protect the capital value of portfolios and gain exposure to appropriate markets.
- h. Each Manager is entitled to make use of derivative contracts to reduce transaction cost and improve liquidity by using derivative contracts to take a position which would otherwise have been taken by buying or selling physical stock.
- i. Council will not hedge funds. Underlying Fund Managers may at their discretion hedge foreign currency denominated investments back to the New Zealand dollar.
- j. The Council believes the illiquidity premium available in unlisted markets should be utilised more widely towards the end of market cycles.

6. HORIZON

The performance of the Fund overall will be assessed over a rolling seven-year time horizon. Council also has a three-year political cycle and each Council will strive to increase the returns on investment to each incoming Council.

7. CONFLICTS OF INTEREST

Council has a conflicts of interest policy applicable to councillors, staff and advisors to council. All conflicts, potential or real, must be declared and recorded, as soon as possible.

8. ENVIROMENTAL, SOCIAL and GOVERNANCE POLICIES

Council holds financial assets on behalf of the community- Accordingly investing ethically and responsibly is an important issue. Council doesn't wish to hold Investments in,

- Fossil Fuels (exploration, extraction and processing)
- Alcohol
- Tobacco
- Gambling
- Military Weapons
- Civilian firearms
- Nuclear power
- Adult Entertainment

9. GOVERNANCE

Governance will set the investment objectives for the fund, risk tolerance, authorities and responsibilities. These will be monitored quarterly.

- a. The **Council** will be responsible for the following:
 - Taking decisions on investment strategy, having regard to the overall circumstances of the Fund, and complying with all applicable legislative requirements.
 - Putting in place appropriate governance, management structures and processes in line with the Fund given both the types of investment assets under management, and adherence to good practice.
 - Reviewing and approving this SIPO, including the instructions to the fund managers and Investment Advisor.
 - Determining the appropriate number of managers, and selecting and changing those managers as appropriate on the advice of the Investment Advisor.
 - Approving relevant internal and external benchmarks for assessing financial/investment performance.
 - Periodic assessment of whether the Council's Conflicts of Interest Policy has been met (e.g. staff and Councilors' trading on their personal account, identification and management of related party investments).
- b. The Investment Subcommittee will be responsible for the following:
 - Provide oversight and assistance to the Council on investment activities within the established limits of this SIPO, ensuring external accountabilities and responsibilities are fulfilled.
 - Make recommendations to the Council on investment matters in conjunction with the advice of the Investment Advisor.

- c. The Investment Advisor will be responsible for providing the following services:
 - Review this SIPO at least once each calendar year or sooner if there is a material change in the Fund's circumstances.
 - Monthly Fund performance review and monitoring against agreed targets in respect of the Fund's investible assets as well provision of an economic and investment market commentary. The principal goals of performance monitoring are to:
 - Assess the extent to which the Fund's investment objectives are being achieved. Allow the Council to continually assess the ability of each Manager to successfully meet the Fund's objectives.
 - Monitor Managers' performance quarterly with a view to an annual evaluation of Rolling three-year results.
 - Review Managers' roles on a regular basis. Factors considered in these reviews will include investment style, resources, organisational strength, investment performance relative to objectives, and any other factors considered relevant to the Managers' continuing ability to meet the applicable investment objective.
 - Provide quarterly reporting in a format agreed between the Investment Advisor and the Investment Subcommittee.
 - Provide information on socially responsible investment issues in the Fund on a timely basis after 30 June and 31 December each year, subject to receiving information from the relevant Managers.
 - Undertaking such other actions as may be agreed with the Fund from time to time, including recommending rebalancing to take into account market movements or cash flow requirements.
- d. Each Underlying Fund Manager will be responsible for the following:
 - Managing its portion of the Fund's investments in accordance with the investment management agreements and/or governing documents referred to in the application form(s).
 - Selecting securities within each asset class, subject to the constraints imposed in relevant fund documentation and in any applicable legislation.
 - Managers must notify the Investment Advisor (and through the Investment Advisor, the Investment Subcommittee) promptly of the reasons for any significant deviation to their mandate and the date or dates of the deviation occurring.
 - Supplying to the Council and Investment Advisor any reports of the Underlying Fund's performance in advance of the Investment Subcommittee's regular meetings and at the Council's request, participating in those meetings to review the written reports. The reports shall contain such information and in such format as agreed with the Council, but must contain sufficient information to enable the annual accounts compiled and any necessary tax calculations to be undertaken.
 - Supplying the Council and Investment Advisor with information concerning environmentally

sensitive assets at regular intervals.

- Participating, when required by the Investment Advisor, in the annual review of this SIPO
- The asset allocation of the funds will be monitored on a monthly basis by council's Investment Advisors and a report provided to the Chief Executive. The Investment Advisor is required to provide timely advice to the Investment Subcommittee on a quarterly basis.

10. FEES

Returns shown in monthly/quarterly reporting to Council should be after fees and taxes. Any commissions paid by fund managers must be declared to Council

11. SCHEDULE 1 SHORT TERM FUND

Target Returns and Risk Tolerance

Because the cash requirements from this portion of the Fund cannot be put at risk, Council does not permit asset allocations that put the chance of a negative return in any year at more than once in 20 years and accordingly sets a return target of 3% above the 90-day Bank Bill index after fees (over 12 month rolling periods).

Managers and Asset Allocations Benchmarks

Short Term Investment Fund	Benchmark %	Target Ranges %
Growth Assets	20	0 - 40
Diversified Growth	20	0 - 40
Castle Point 5 Oceans	10	0 - 20
Milford Active Growth	5	0 - 20
Mint Diversified Growth	5	0 - 20
Income Assets	80	60 - 100
Diversified Income	80	60 - 100
Harbour Income	20	0 - 30
Milford Diversified Income	20	0 - 30
Mint Diversified Income	20	0 - 30
QuayStreet Income	20	0 - 30
Cash	0	0 - 5
Self-Managed	0	0 - 5

Fund Managers and Underlying Fund Benchmarks (to comprise the portfolio weighted average return)

Manager	Fund	Objective (p.a.)
Castle Point	5 Oceans	NZ CPI + 3%
Harbour	Income	NZ OCR + 3.5%
Milford	Diversified Income	NZ OCR + 2.5%
Milford	Active Growth	10%

Mint	Diversified Income	NZ CPI + 3%
Mint	Diversified Growth	NZ CPI + 4.5%
QuayStreet	Income	NZ OCR + 2%

Note: These objectives were correct as at the date of this SIPO, but are subject to be changed without notice by Underlying Fund Managers.

12. SCHEDULE 2 LONG TERM FUND

Target Returns and Risk Tolerance

Being long term (>10 years), this portion of the Fund can tolerate some risk and in doing so earn higher returns. Council allows asset allocations that put the chance of a negative return in any year at once in 7 years and accordingly sets a real return target of 4.5% after assuming inflation of 2.0%.

Managers and Asset Allocations Benchmarks

Long Term Investment Fund	Benchmark	Target Ranges
	%	%
Growth Assets	67	50 - 85
Diversified Growth	47	30 - 70
Aspiring	7	5 - 15
Castle Point 5 Oceans	10	5 - 15
Milford Active Growth	10	5 - 15
Mint Diversified Growth	5	0 - 10
Schroders Real Return Fund + 5%	5	0 - 10
T. Rowe Price Global Equity Growth	10	0 - 15
Private Equity	20*	0 - 35*
Continuity Capital PE Fund No.2 LP	3	0 - 8
Continuity Capital PE Fund No.4 LP	3	0 - 8
Continuity Capital PE Fund No.5	4	0 - 8
Direct Capital VI	4	0 - 8
MLC PE II	3	0 - 8
PCP III	3	0 - 8
Income Assets	33	15 - 50
Diversified Income	33	15 - 50
BlackRock FIGO	3	0 - 10
Harbour Income	10	0 - 15
Milford Diversified Income	10	0 - 15
Mint Diversified Income	10	0 - 15
Cash	0	0 - 5
Self-Managed	0	0 - 5

* Invested capital

Fund Managers and Underlying Fund Benchmarks (to comprise the portfolio weighted average benchmark)

Manager	Fund	Objective (p.a.)	
Aspiring	Aspiring Fund	NZ CPI + 4%	
Blackrock	Fixed Income Global Opportunities	Bloomberg AusBond Bank Bill Index + 4%	
Castle Point	5 Oceans	NZ OCR + 3%	
Continuity Capital	PE Fund No.2 LP	15%	
Continuity Capital	PE Fund No.4 LP	15%	
Continuity Capital	PE Fund No.5	15%	
Direct Capital	VI	8%	
Harbour	Income	NZ OCR + 3.5%	
Milford	Active Growth	10%	
Milford	Diversified Income	NZ OCR + 2.5%	
Mint	Diversified Income	NZ CPI + 3%	
Mint	Diversified Growth	NZ CPI + 4.5%	
MLC	PE II	15%	
Pioneer Capital	III	8%	
Schroder	Real Return Fund CPI + 5%	Australian CPI (Trimmed Mean) + 5%	
T. Rowe Price	Global Equity Growth	MSCI All Country World Index	

Note: These objectives were correct as at the date of this SIPO, but are subject to be changed without notice by Managers.

TITLE: Adoption of Standing Orders

ID: A1280095

From: Chris Taylor, Governance Support Manager

Executive summary/Whakarāpopototanga

The purpose of the report is to present a revised set of Standing Orders for adoption by council. It should be noted that the approval of not less than 75% of members present at the meeting is required to adopt (or amend) Standing Orders. If this threshold is not reached the current Standing Orders will remain in place.

Recommendations

- 1. That the report 'Adoption of Standing Orders' by Chris Taylor, Governance Support Manager and dated 29 January 2020, be received.
- 2. That council adopts the revised Standing Orders, included as **Attachment One** pertaining to Item 6.1 of the 18 February 2020 council meeting agenda.

Background/Tuhinga

The Northland Regional Council's Standing Orders (approved by council in 2017) were based on the LGNZ template developed in 2016; and notably the first major review of Standing Orders conducted for many years. The template was fully compliant with legislation at the time and best practice in the conduct of meetings. It was also written in plain English and designed for easy use.

LGNZ undertook a further review in 2019 to address issues that had arisen since the template was first released, as well as address legislative changes since that time.

It is important to note the LGNZ Standing Orders contain three optional provisions:

- A provision for a casting vote by the Chairperson;
- The option to join meetings by audio and audio visual link; and
- The choice of three different ways of dealing with motions and amendments.

Standing Orders were workshopped by council on 28 January 2020 at which time council supported the following:

1. Legislative changes:

- Inclusion of a definition for an Emergency Meeting and new Standing Orders 8.5, 8.6 and 8.7 regarding the process/timeframes for calling an emergency meeting and the associated public notice (to give effect to the Local Government Regulatory Matters Act 2019).
- Inclusion of definitions for 'internet site', 'public notice' and 'working day' (to give effect to the Local Government Regulatory Matters Act 2019).
- Minor amendments for other legislative changes. For example, Standing Order 4.2 Meeting Duration has been amended for a meeting break every two hours to reflect changes to employment law.

2. Administrative changes:

• Clarification of matters where in the past council had encountered an element of doubt. For example, when calculating 75% of members present you round up and the process for 'resolving by lot'.

- The inclusion of new appendices to detail motions and amendments for Options A, B and C (previously only A)
- A general tidy up for greater clarity and formatting.

3. LGNZ Standing Orders Optional Provisions:

Standing Order 19.3 - Chairperson has a casting vote

Council supported retaining Standing Order 19.3:

'The Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, has a casting vote.'

Council did not wish to restrict this in any manner, for example that it be limited to statutory decisions that council is required to make; such as adopting an Annual Plan.

Standing Order 13.7 - Right to attend by audio or audio visual link

Council supported retaining the provision for members' attendance by audio/audio-visual link (as included in council's current Standing Orders). For completeness it should be noted that the quorum of a meeting must be formed by members physically present in the room.

Standing Order 22 - General procedures for speaking and moving motions

Standing orders provide for three options for motions and amendments. Council supported retaining Option B as the default option (unless, on the recommendation of the Chairperson at the beginning of a meeting, the meeting resolves by simple majority to adopt either Option A or Option C for the meeting generally, or for any specified items on the agenda).

This preferred option was on the basis that Option A is overly restrictive for a small council (quickly removing members from the debate if they have moved/seconded or spoken to a motion). On the other hand, Option C effectively allows a 'free for all' format with very little structure. Its recommended that Option B provides a suitable level of rigour without being overly restrictive.

4. Other considerations:

Standing Order 4.4 - Webcasting Meetings

Council supported retaining the webcasting protocols as detailed in Standing Order 4.4 (and Appendix 5). Although council does not currently webcast its meetings (and a clear process needs to be developed to do so) it was agreed that this provision should be retained for future use.

Standing Order 11.5 - Meeting lapses where no quorum

Council supported retaining the provision within current Standing Orders, that if no quorum is present within 10 minutes that the meeting shall lapse. This encourages punctuality and presents a good image.

For the avoidance of doubt, the Chairperson has the discretion to wait for a longer period if members are known to be travelling but are delayed due to extraordinary circumstance. Furthermore, should the quorum be lost during the meeting, the meeting will lapse if the quorum is not present within 15 minutes.

Standing Order 13.3 - Leave of absence

Council supported the Chairperson retaining the delegated authority to approve applications for leave of absence from members and for completeness, the Deputy Chairperson retaining the delegated authority to approve such applications from the Chairperson. This was deemed a far simpler and practical solution than requiring full council approval.

Standing Order 15 Public Forums

Council supported retaining the ability for a defined period, up to 15 minutes and at the start of a council meeting, for a public forum on the grounds there were sufficient measures in place to ensure it did not negatively impact on the conduct of the meeting or undermine proper decision making processes. *Hence Standing Orders 15.1 through to 15.4, which define time limits, restrictions, questions and the fact that there must be no resolutions emanating from a public forum.*

Standing Order 16 - Deputations and Standing Order 17 - Petitions

Similar to public forums (above) council supported retaining the functionality for deputations and petitions provided there were sufficient measures in place to ensure they did not negatively impact on the conduct of the meeting or undermine proper decision making processes.

Standing Order 20.11 - Electronic devices at meetings

Council supported the use of electronic devices and phones to advance the business of a meeting. However, it was acknowledged that council meetings are where a local authority conducts its core business/decision making and requires the undivided attention of elected members. Phone calls etc. can be an unwelcome disruption and distraction, hence Standing Order 20.11 states:

'Personal use may only occur at the discretion of the Chair. A Chairperson may require that an electronic device is switched off if it is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of proceedings.'

Standing Order 21.2 - Time limits on speakers

Council supported reducing the time limits on speakers (from those specified in current Standing Orders) on the grounds that elected members should be able to deliver their messages succinctly and clearly within the limits proposed as follows:

- (a) movers of motions when speaking to the motion not more than 5 minutes;
- (b) movers of motions when exercising their right of reply not more than 3 minutes;
- (c) other members not more than 3 minutes.

Time limits can be extended if a motion to that effect is moved, seconded and supported by a majority of members present.

For completeness, current Standing Orders provides movers of motions up to ten minutes, followed by five minutes for their right of reply and other members.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Adopt the revised set of Standing Orders.	• Council will have a fit for purpose, 'user friendly' set of Standing Orders that is compliant with legislation and best practice in the conduct of meetings.	• None apparent
2	Elect not to adopt the revised set of Standing Orders.	Consistency for those familiar with the current set of Standing Orders.	 Standing Orders does not give effect to legislative changes since current Standing Orders were adopted (2017). A missed opportunity to further refine Standing Orders to ensure they are fit for purpose and will assist in delivering effective and efficient meetings.
3	Elect to amend Standing Orders further before adoption.	• This gives council the opportunity to further tailor Standing Orders. However, it is suggested that if this is council's preference, that the matter does lie on the table until such time council officers have the opportunity to check the validity of proposed changes.	 None apparent. Current Standing Orders will remain in place until the new set is adopted.

The staff's recommended option is Option 1.

1. Significance and engagement

This item is submitted for consideration in accordance with the statutory requirements of Schedule 7 of the Local Government Act 2002. Councils are required to adopt a set of Standing Orders, so in respect of section 79 of the Act and council's policy, this matter is considered to be of low significance.

2. Policy, risk management and legislative compliance

This item complies with the statutory requirements of Schedule 7 of the Local Government Act 2002.

Further considerations

Being a purely administrative matter, Community Views, Māori Impact Statement, Financial Implications and Implementations are not applicable.

Attachments/Ngā tapirihanga

Attachment 1: NRC Standing Orders (2019 - 2022 triennium) 😃

Authorised by Group Manager

Name:	Jonathan Gibbard
Title:	Group Manager - Strategy, Governance and Engagement
Date:	03 February 2020



Standing Orders

Adopted XX Month 2020

Preface

Standing orders contain rules for the conduct of the proceedings of local authorities and their committees, subcommittees and subordinate decision-making bodies. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.

In doing so the application of standing orders contributes to greater public confidence in the quality of local governance and democracy in general.

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies. They fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

It is mandatory that councils adopt standing order for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7 of the Local Government Act 2002).

For clarity's sake whenever a question about the interpretation or application of these standing orders is raised, particularly where a matter might not be directly provided for, it is the responsibility of the Chairperson of each meeting to make a ruling.

All members of a local authority must abide by standing orders.

Contents

1.	Intro	luction	11
	1.1	Principles	11
	1.2	Statutory references	11
	1.3	Acronyms	12
	1.4	Application	12
2.	Defin	itions	12
Gene	eral m	atters	17
3.	Stand	ing orders	17
	3.1	Obligation to adopt standing orders	17
	3.2	Process for adoption and alteration of standing orders	17
	3.3	Members must obey standing orders	17
	3.4	Application of standing orders	17
	3.5	Temporary suspension of standing orders	17
	3.6	Quasi-judicial proceedings	18
	3.7	Physical address of members	18
4.	Meet	ings	18
	4.1	Legal requirement to hold meetings	18
	4.2	Meeting duration	18
	4.3	Language	18
	4.4	Webcasting meetings	19
	4.5	First meeting (inaugural)	19
	4.6	Requirements for the first meeting	19
5.	Арро	intments and elections	20
	5.1	Elections of a Chairperson and deputy Chairperson	20
	5.2	Removal of a Chairperson or Deputy Chairperson	20
	5.3	Voting system for Chairpersons, Deputy Chairpersons and Committee Chairs	20
6.	Deleg	ations	22
	6.1	Limits on delegations	22
	6.2	Committees may delegate	22
	6.3	Use of delegated powers	22
	6.4	Decisions made under delegated authority cannot be rescinded or amended	23
	6.5	Committees and sub committees subject to the direction of the council	23
7.	Com	nittees	24
	7.1	Appointment of committees and subcommittees	24
	7.2	Discharge or reconstitution of committees and subcommittees	24
	7.3	Appointment or discharge of committee members and subcommittee members	24

	7.4	Elected members on committees and subcommittees	24
	7.5	Local authority may replace members if committee not discharged	25
	7.6	Decision not invalid despite irregularity in membership	25
	7.7	Appointment of joint committees	25
	7.8	Status of joint committees	26
	7.9	Power to appoint or discharge individual members of a joint committee	26
Pre-r	neetir	ng	27
8.	Givin	g notice	27
	8.1	Public notice – ordinary meetings	27
	8.2	Notice to members - ordinary meetings	27
	8.3	Extraordinary meeting may be called	27
	8.4	Notice to members - extraordinary meetings	27
	8.5	Emergency meetings may be called	28
	8.6	Process for calling an emergency meeting	28
	8.7	Public notice – emergency and extraordinary meetings	28
	8.8	Meetings not invalid	28
	8.9	Resolutions passed at an extraordinary meeting	29
	8.10	Meeting schedules	29
	8.11	Non-receipt of notice to members	29
	8.12	Meeting cancellations	29
9.	Meet	ing agenda	30
	9.1	Preparation of the agenda	30
	9.2	Process for raising matters for a decision	30
	9.3	Chief Executive may delay or refuse request	30
	9.4	Order of business	30
	9.5	Chairperson's recommendation	30
	9.6	Chairperson's report	31
	9.7	Public availability of the agenda	31
	9.8	Public inspection of agenda	31
	9.9	Withdrawal of agenda items	31
	9.10	Distribution of the agenda	31
	9.11	Status of agenda	32
	9.12	Items of business not on the agenda which cannot be delayed	32
	9.13	Discussion of minor matters not on the agenda	32
	9.14	Public excluded business on the agenda	32
	9.15	Qualified privilege relating to agenda and minutes	32
Mee	ting P	rocedures	33

11.	Quorum	33
	11.1 Councils	33
	11.2 Committees and subcommittees	33
	11.3 Joint Committees	33
	11.4 Requirement for a quorum	33
	11.5 Meeting lapses where no quorum	34
	11.6 Business from lapsed meetings	34
12.	Public access and recording	34
	12.1 Meetings open to the public	34
	12.2 Grounds for removing the public	34
	12.3 Local authority may record meetings	34
	12.4 Public may record meetings	34
13. A	Attendance	35
	13.1 Members right to attend meetings	35
	13.2 Attendance when a committee is performing judicial or quasi-judicial functions	35
	13.3 Leave of absence	35
	13.4 Apologies	35
	13.5 Recording apologies	36
	13.6 Absent without leave	36
	13.7 Right to attend by audio or audio visual link	36
	13.8 Member's status: quorum	36
	13.9 Member's status: voting	36
	13.10 Chairperson's duties	36
	13.11 Conditions for attending by audio or audio visual link	37
	13.12 Request to attend by audio or audio visual link	37
	13.13 Chairperson may terminate link	37
	13.14 Giving or showing a document	37
	13.15 Link failure	38
	13.16 Confidentiality	38
14.	Chairperson's role in meetings	38
	14.1 Council meetings	38
	14.2 Other meetings	38
	14.3 Addressing the Chairperson	38
	14.4 Chairperson's rulings	38
	14.5 Chairperson standing	39
	14.6 Member's right to speak	39
	14.7 Chairperson may prioritise speakers	39
15.	Public Forums	39

	15.1 Time limits	39
	15.2 Restrictions	40
	15.3 Questions at public forums	40
	15.4 No resolutions	40
16.	Deputations	40
	16.1 Time limits	40
	16.2 Restrictions	40
	16.3 Questions of a deputation	41
	16.4 Resolutions	41
17.	Petitions	41
	17.1 Form of petitions	41
	17.2 Petition presented by petitioner	41
	17.3 Petition presented by member	42
18.	Exclusion of public	43
	18.1 Motions and resolutions to exclude the public	43
	18.2 Specified people may remain	43
	18.3 Public excluded items	43
	18.4 Non-disclosure of information	43
	18.5 Release of information from public excluded session	44
19.	Voting	44
19.	Voting 19.1 Decisions by majority vote	44 44
19.		
19.	19.1 Decisions by majority vote	44
19.	19.1 Decisions by majority vote 19.2 Open voting	44 44
19.	19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote	44 44 44
19.	19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting	44 44 44 44
19.	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 	44 44 44 44 45
20.	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 	44 44 44 44 45 45
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain 	44 44 44 45 45
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 	44 44 44 45 45 45 45 45
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 	44 44 44 45 45 45 45 45 45
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 20.2 Behaviour consistent with Code of Conduct 	44 44 44 45 45 45 45 45 46 46 46
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 20.2 Behaviour consistent with Code of Conduct 20.3 Retractions and apologies 	44 44 44 45 45 45 45 45 46 46 46
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 20.2 Behaviour consistent with Code of Conduct 20.3 Retractions and apologies 20.4 Disorderly conduct 	44 44 44 45 45 45 45 46 46 46 46 46
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 20.2 Behaviour consistent with Code of Conduct 20.3 Retractions and apologies 20.4 Disorderly conduct 20.5 Contempt 	44 44 44 45 45 45 45 46 46 46 46 46
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 20.2 Behaviour consistent with Code of Conduct 20.3 Retractions and apologies 20.4 Disorderly conduct 20.5 Contempt 20.6 Removal from meeting 	44 44 44 45 45 45 45 46 46 46 46 46 46 46
	 19.1 Decisions by majority vote 19.2 Open voting 19.3 Chairperson has a casting vote 19.4 Method of voting 19.5 Calling for a division 19.6 Request to have votes recorded 19.7 Members may abstain Conduct 20.1 Calling to order 20.2 Behaviour consistent with Code of Conduct 20.3 Retractions and apologies 20.4 Disorderly conduct 20.5 Contempt 20.6 Removal from meeting 20.7 Financial conflicts of interests 	44 44 44 45 45 45 45 46 46 46 46 46 46 46 46 46

	20.11 Electronic devices at meetings	48
21.	General rules of debate	48
	21.1 Chairperson may exercise discretion	48
	21.2 Time limits on speakers	48
	21.3 Questions to staff	48
	21.4 Questions of clarification	48
	21.5 Members may speak only once	48
	21.6 Limits on number of speakers	49
	21.7 Seconder may reserve speech	49
	21.8 Speaking only to relevant matters	49
	21.9 Restating motions	49
	21.10 Criticism of resolutions	49
	21.11 Objecting to words	49
	21.12 Right of reply	49
	21.13 No other member may speak	50
	21.14 Adjournment motions	50
	21.15 Chairperson's acceptance of closure motions	50
22.	General procedures for speaking and moving motions	50
	22.1 Options for speaking and moving	50
	22.2 Option A	51
	22.3 Option B	51
	22.4 Option C	51
	22.5 Procedure if no resolution reached	52
23.	Motions and amendments	52
	23.1 Proposing and seconding motions	52
	23.2 Motions in writing	52
	23.3 Motions expressed in parts	52
	23.4 Substituted motion	52
	23.5 Amendments to be relevant and not direct negatives	52
	23.6 Foreshadowed amendments	52
	23.7 Lost amendments	53
	23.8 Carried amendments	53
	23.9 Where a motion is lost	53
	23.10 Withdrawal of motions and amendments	53
24.	Revocation or alteration of resolutions	53
	24.1 Member may move revocation of a decision	53
	24.2 Revocation must be made by the body responsible for the decision	54
	Cl. 30(6) Schedule 7, LGA 2002	54

Appendix 2: Sample resolution to exclude the public64		
Appendix 1: Grounds to exclude the public62		
Refe	renced documents	60
	29.3 Inspection of public excluded matters	60
	29.2 Inspection	60
	29.1 Maintaining accurate records	60
29.	Minute books	60
	28.4 Minutes of last meeting before election	59
	28.3 No discussion on minutes	59
	28.2 Matters recorded in minutes	59
	28.1 Minutes to be evidence of proceedings	58
28.	Minutes	58
	27.7 Repeat notices of motion	58
	27.6 Referral of notices of motion	58
	27.5 When notices of motion lapse	58
	27.4 Alteration of notice of motion	58
	27.3 Mover of notice of motion	58
	27.2 Refusal of notice of motion	57
	27.1 Notice of intended motion to be in writing	57
27.	Notices of motion	57
	26.5 Chairperson's decision on points of order	57
	26.4 Point of order during division	57
	26.3 Contradictions	57
	26.2 Subjects for points of order	56
	26.1 Members may raise points of order	56
26.	Points of order	56
	25.7 Other types of procedural motions	56
	25.6 Business referred to the relevant committee	56
	25.5 Remaining business at adjourned meetings	56
	25.4 Debate on adjourned items	56
	25.3 Voting on procedural motions	55
	25.2 Procedural motions to close or adjourn a debate	55
	25.1 Procedural motions must be taken immediately	55
25.	Procedural motions	55
	24.6 Revocation or alteration by recommendation in report	55
	24.5 Revocation or alteration by resolution at same meeting	54
	24.4 Restrictions on actions under the affected resolution	54
	24.3 Requirement to give notice	54

Appendix 3a: Motions and amendments (Option A)	67
Appendix 3b: Motions and amendments (Option B)	68
Appendix 3c: Motions and amendments (Option C)	69
Appendix 4: Table of procedural motions	70
Appendix 5: Webcasting protocols	72
Appendix 6: Powers of a Chairperson	73
Appendix 7: Process for removing a Chairperson and Deputy Chairperson from office	78
Appendix 8: Workshops	79
Appendix 9: Sample order of business	80
Appendix 10: Process for raising matters for a decision	81

1. Introduction

These standing orders have been prepared to enable the orderly conduct of local authority meetings. They incorporate the legislative provisions relating to meetings, decision making and transparency. They also include practical guidance on how meetings should operate so that statutory provisions are complied with and the spirit of the legislation fulfilled.

To assist elected members and officials the document is structured in three parts:

- Part 1 deals with general matters
- Part 2 deals with pre-meeting procedures
- Part 3 deals with meeting procedures.

Following Part 3 the Appendices provide templates and additional guidance for implementing provisions within the standing orders. Please note; the Appendices are an attachment to the standing orders and not part of the standing orders themselves, consequently amendments to the Appendices do not require the agreement of 75% of those present). In addition, the 'Guide to Standing Orders' provides additional advice for Chairpersons and staff on implementation of the standing orders.

1.1 Principles

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- Conduct its business in an open, transparent and democratically accountable manner;
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- Make itself aware of, and have regard to, the views of all of its communities;
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- Ensure that any decisions made under these standing orders comply with the decisionmaking provisions of Part 6 of the LGA; and
- Ensure that decision-making procedures and practices meet the standards of natural justice.

These are reinforced by the requirement that all local authorities act so that "governance structures and processes are effective, open and transparent" (s. 39 LGA 2002).

1.2 Statutory references

The Standing Orders combine statutory provisions with guidance on their application. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference.

In some cases, the language in the statutory provision has been modernised for ease of interpretation or amended to ensure consistency with more recently enacted statutes.

It is important to note that statutory references in the standing orders apply throughout the period of the meeting, regardless of whether or not parts or all of the Standing Orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made. Please note, where it is employed the word 'must', unless otherwise stated, identifies a mandatory legislative requirement.

1.3 Acronyms

LGA 2002	Local Government Act 2002
LGOIMA	Local Government Official Information Act 1987
LAMIA	Local Authorities Members' Interests Act 1968

1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups unless specifically included in their terms of reference.

2. Definitions

Adjournment means a break in the proceedings of a meeting. A meeting, or discussion on a particular business item, may be adjourned for a brief period, or to another date and time.

Advisory group means a group of people convened by a local authority for the purpose of providing advice or information that is not a committee or subcommittee. These standing orders do not apply to such groups. This definition also applies to workshops, working parties, working group, panels, forums, portfolio groups, briefings and other similar bodies.

Agenda means the list of items for consideration at a meeting together with reports and other attachments relating to those items in the order in which they will be considered. It is also referred to as an 'order paper'.

Amendment means any change of proposed change to the original or substantive motion.

Audio link means facilities that enable audio communication between participants at a meeting when one or more of the participants is not physically present at the place of the meeting.

Audio visual link means facilities that enable audiovisual communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

Chairperson means the person presiding at a meeting - the presiding member.

Chief Executive means the Chief Executive of a regional council appointed under section 42 of the LGA 2002, and includes, for the purposes of these standing orders, any other officer authorized by the Chief Executive.

Clear working days means the number of working days (business hours) prescribed in these standing orders for giving notice and excludes the date of the meeting and date on which the notice is served.

Committee includes, in relation to a local authority:

- (a) A committee comprising all the members of that authority;
- (b) A standing committee or special committee appointed by that authority;
- (c) A joint committee appointed under clause 30A of Schedule 7 of the LGA 2002; and
- (d) Any subcommittee of a committee described in (a), (b) and (c) of this definition.

Contempt means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public.

Council means, in the context of these standing orders, the governing body of a local authority.

Deputation means a request from any person or group to make a presentation to the local authority which is approved by the Chairperson and which may be made in English, Te reo Māori or New Zealand Sign Language.

Electronic link means both an audio and audio visual link.

Emergency meeting has the same meaning as defined in cl. 22A of Schedule 7 of the LGA 2002.

Extraordinary meeting has the same meaning as defined in cl. 22 of Schedule 7 of the LGA 2002.

Foreshadowed motion means a motion that a member indicates their intention to move once the debate on a current motion or amendment is concluded.

Internet site means, in relation to a local authority or other person or entity, an internet site that is maintained by, or on behalf of, the local authority, person, or entity and to which the public has free access.

Joint committee means a committee in which the members are appointed by more than one local authority in accordance with clause 30A of Schedule 7 of the LGA 2002.

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

Lawfully excluded means a member of a regional council who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt.

Leave of absence means a pre-approved absence for a specified period of time.

Local authority means in the context of these standing orders a regional council, as defined in s. 5 of the LGA 2002, which is named in these standing orders, and any subordinate decision-making bodies established by the local authority.

Meeting means any first, inaugural, ordinary, or extraordinary meeting of a regional council convened under the provisions of LGOIMA.

Member means any person elected or appointed to the local authority.

Mihi whakatau means a brief welcome typically delivered by one person without any further formalities.

Minutes means the record of the proceedings of any meeting of the local authority.

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

Newspaper means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.

Notice of motion means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these standing orders.

Open voting means voting that is conducted openly and in a transparent manner (i.e. enables an observer to identify how a member had voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

Order paper means the list of items for consideration at a meeting together with reports and other attachments relating to those items set out in the order in which they will be considered. An order paper is also referred to as an agenda.

Ordinary meeting means any meeting, other than the first meeting, of a local authority publicly notified in accordance with sections 46(1) and (2) of LGOIMA.

Petition means a request to a local authority which contains at least 20 signatures.

Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

Present at the meeting to constitute quorum means the member is to be physically present in the room.

Presiding member means the person chairing a meeting.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in standing orders 24.1 - 24.7.

Public excluded information refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:

- Any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority; and
- Any other information which has not been released by the local authority as publicly available information.

Public excluded session, also referred to as confidential or in-committee session, refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in LGOIMA.

Public forum refers to a period of time set aside, usually at the start of a meeting, for the purpose of public input.

Public notice in relation to a notice given by a local authority, means one that is made publicly available on the local authority's internet site AND in addition, is published in at least one daily newspaper circulating in the region of the local authority, or one or more other newspapers that have a combined circulation in that region which is at least equivalent of that of a daily newspaper circulating in that region.

Publicly notified means notified to members of the public by a notice contained in a newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on a council's website.

Qualified privilege means the privilege conferred on member by s. 52 and s. 53 of LGOIMA.

Quasi-judicial means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

Quorum means the minimum number of members required to be present in order to constitute a valid meeting.

Regional Council Chairperson means the member of the governing body of a regional council elected as Chairperson of that regional council under cl.25 Schedule 7 LGA 2002.

Resolution means a motion that has been adopted by the meeting.

Right of reply means the right of the mover of a motion to sum up the debate and reply to those who have spoken against the motion. (The right can also apply to an amendment.)

Seconder means the member who seconds a motion.

Sub judice means under judicial consideration and therefore prohibited from public discussion elsewhere.

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a regional council that have decision-making authority, excluding joint committees.

Substantive motion means the original motion. In the case of a motion that is subject to an amendment, the substantive motion is the original motion incorporating any amendments adopted by the meeting.

Substantive resolution means the substantive motion that has been adopted by the meeting or a restatement of a resolution that has been voted on in parts.

Subcommittee means a subordinate decision-making body established by a regional council, or a committee of a regional council.

Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day. If Waitangi Day or Anzac Day falls on a weekend, the following Monday.
- (b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- (c) A day in the period commencing with 20 December in any year and ending with 10 of January in the following year.

Should a local authority wish to meet between the 20th of December and the 10th of January in the following year any meeting must be notified as an extraordinary meeting unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

Working party means a group set up by a local authority to achieve a specific objective that is not a committee or subcommittee and to which these standing orders do not apply.

Workshop means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of "advisory group". Workshops are also described as briefings.

General matters

3. Standing orders

3.1 Obligation to adopt standing orders

A council is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its committees and subcommittees. Standing orders must not contravene any Act.

cl. 27(1) & (2), Schedule 7, LGA 2002.

3.2 Process for adoption and alteration of standing orders

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75 % ¹of the members present.

cl. 27(3) Schedule 7, LGA 2002.

3.3 Members must obey standing orders

All members of the local authority, including members of committees and subcommittees, must obey these standing orders.

cl. 16(1) Schedule 7, LGA 2002.

3.4 Application of standing orders

These standing orders apply to all meetings of the regional council, its committees, subcommittees and subordinate decision-making bodies. This includes meetings and parts of meetings that the public are excluded from.

3.5 Temporary suspension of standing orders

Any member of a council, committee, subcommittee and subordinate body may move a motion to suspend specified standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the Chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

cl. 27(4), Schedule 7, LGA 2002.

 $^{^1}$ For the avoidance of doubt – always round up when calculating the number of members that equate to '75% of the members present'.

A motion to suspend standing orders must also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

3.6 Quasi-judicial proceedings

In the case of quasi-judicial proceedings, the local authority may amend meeting procedures. For example, committees hearing applications under the RMA 1991 have additional powers under the Commissions of Inquiry Act 1908.

3.7 Physical address of members

Every member of the regional council must give to the Chief Executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within 5 working days of the publication of the declaration of the election results.

4. Meetings

4.1 Legal requirement to hold meetings

The regional council must hold meetings for the good government of its region. Meetings must be called and conducted in accordance with:

- (a) Schedule 7 of the LGA 2002;
- (b) Part 7 of LGOIMA; and
- (c) These standing orders.

A meeting can be adjourned to a specified time and day if required by resolution of the meeting.

4.2 Meeting duration

A meeting cannot continue more than six hours from when it starts (including any adjournments) or after 10.30pm, unless the meeting resolves to continue. If there is no such resolution any business on the agenda that has not been dealt with must be adjourned, transferred to the next meeting or transferred to an extraordinary meeting.

No meeting can sit for more than two hours continuously without a break of at least ten minutes unless the meeting resolves to extend the time before a break.

4.3 Language

A member may address a meeting in English, Te reo Māori or New Zealand Sign Language. A Chairperson may require that a speech is translated and printed in English or Te reo Māori.

If a member intends to address the meeting in New Zealand Sign Language, or in Te reo Māori when the normal business of the meeting is conducted in English, they must give prior notice to the Chairperson not less than 2 working days before the meeting. Where the normal business of the meeting is conducted in Te reo Māori then prior notice of the intention to address the meeting in English must also be given to the Chairperson not less than 2 working days before the meeting.

4.4 Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Appendix 5.

4.5 First meeting (inaugural)

The first meeting of a local authority following a local authority triennial general election must be called by the Chief Executive as soon as practicable after the results of the election are known. The Chief Executive must give elected members not less than 7 days' notice of the meeting. However, in the event of an emergency the Chief Executive may give notice of the meeting as soon as practicable.

cl. 21(1) - (4), Schedule 7, LGA 2002.

4.6 Requirements for the first meeting

The Chief Executive (or, in the absence of the Chief Executive, their nominee) must chair the first meeting until the Chairperson has made an oral declaration and attested the declaration (see cl. 21(4), Schedule 7 (LGA 2002)).

The business to be conducted at the first meeting following a general election must include the following:

- (a) The making and attesting of any declarations required of members under cl.14, Schedule7, (LGA 2002);
- (b) The election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) A general explanation, given or arranged by the Chief Executive, of:
 - i. LGOIMA; and
 - Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013;
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) the election of the Deputy Chairperson in accordance with cl.17 Schedule7, (LGA 2002).

cl. 21(5), Schedule 7, LGA 2002.

It is common for councils to adopt standing orders at the first meeting; however, this is not always required as, if not amended, standing orders will remain in force after each triennial election.

5. Appointments and elections

5.1 Elections of a Chairperson and deputy Chairperson

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.3) when electing people to the following positions:

- The Chairperson and Deputy Chairperson;
- The Chairperson and Deputy Chairperson of a committee; and
- A representative of the regional council,

cl. 25 Schedule 7, LGA 2002.

5.2 Removal of a Chairperson or Deputy Chairperson

A Chairperson or Deputy Chairperson can only be removed in accordance with the process set out in cl. 18, Schedule 7, of the LGA 2002. See Appendix 7.

5.3 Voting system for Chairpersons, Deputy Chairpersons and Committee Chairs

When electing a Chairperson, a Deputy Chairperson or a Committee Chair, the Regional Council must resolve to use one of the following two voting systems.

System A

The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) If no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot².

² Resolving by lot can be conducted by the toss of a coin or putting each person's name on the same size piece of paper and put in a box from which the name is drawn.

System B

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) there is only one round of voting; and
- (b) if two or more candidates tie for the most votes, the tie is resolved by lot.

cl. 25 Schedule 7, LGA 2002.

6. Delegations ³

6.1 Limits on delegations

Unless clearly stated in the LGA or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

- (a) The power to make a rate;
- (b) The power to make a bylaw;
- (c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) The power to adopt a long-term plan, annual plan, or annual report;
- (e) The power to appoint a Chief Executive;
- (f) The power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) Repealed; and
- (h) The power to adopt a remuneration and employment policy.

cl. 32 (1) Schedule 7, LGA 2002.

6.2 Committees may delegate

A committee, subcommittee, subordinate decision-making body, member or officer of the local authority, may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation.

cl. (2) & (3), Schedule 7, LGA 2002.

6.3 Use of delegated powers

The committee, subcommittee, other subordinate decision-making body, member or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

cl. 32(2) & (3)(4) Schedule 7, LGA 2002.

³ Please note: It is advisable to delegate a range of decision-making responsibilities to the Chief Executive to cover the period from the day following the Electoral Office's declaration until the new council is sworn in.

6.4 Decisions made under delegated authority cannot be rescinded or amended

Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision.

cl. 30 (6), Schedule 7, LGA 2002.

6.5 Committees and sub committees subject to the direction of the council

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the council and must carry out all general and special directions given to them by the council.

cl. 30 (3) & (4), Schedule 7, LGA 2002.

7. Committees

7.1 Appointment of committees and subcommittees

A council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the council.

cl. 30(1) & (2), Schedule 7, LGA 2002.

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

- (a) The council may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
- (b) A committee may discharge or reconstitute a subcommittee.

A committee, subcommittee, or other subordinate decision-making body is, unless a council resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

cl. 30 (5) & (7), Schedule 7, LGA 2002.

Please note: s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election.

7.3 Appointment or discharge of committee members and subcommittee members

The council may appoint or discharge any member of a committee and, if established by the council, a subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the council.

cl. 31 (1) & (2), Schedule 7, LGA 2002

7.4 Elected members on committees and subcommittees

The members of a committee or subcommittee may be, but are not required to be, elected members of a local authority. A council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the council. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

cl. 31(4) Schedule 7, LGA 2002.

7.5 Local authority may replace members if committee not discharged

If the council resolves that a committee, subcommittee or other subordinate decision-making body is not to be discharged under cl. 30 (7) Schedule7, LGA 2002, the local authority may replace the members of that committee, subcommittee or subordinate decision-making body after the next triennial general election of members.

cl. 31(5) Schedule 7, LGA 2002.

7.6 Decision not invalid despite irregularity in membership

For the purpose of these standing orders a decision of a local authority, committee, or subcommittee is not invalidated if:

- 1. There is a vacancy in the membership of the local authority, committee or subcommittee at the time of the decision; or
- 2. Following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

cl. 29, Schedule 7, LGA 2002.

7.7 Appointment of joint committees

A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body. The agreement must specify:

- (a) The number of members each party may appoint; and
- (b) How the Chairperson and deputy Chairperson are to be appointed; and
- (c) The terms of reference of the committee; and
- (d) What responsibilities, if any, are to be delegated to the committee by each party; and
- (e) How the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties.

cl. 30A (1) & (2), Schedule 7, LGA 2002.

7.8 Status of joint committees

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

cl. 30A (5), Schedule 7, LGA 2002.

7.9 Power to appoint or discharge individual members of a joint committee

The power to discharge any individual member of a joint committee and appoint another member in their stead must be exercised by the council or public body that made the appointment.

cl. 30A (6)(a), Schedule 7, LGA 2002.

Pre-meeting

8. Giving notice

8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification must be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held.

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings

The Chief Executive must give notice in writing to each member of the local authority of the time and place of any meeting. Notice must be given at least 14 days before the meeting unless the council has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

cl. 19 (5), Schedule7, LGA 2002.

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) Resolution of the council, or
- (b) A requisition in writing delivered to the Chief Executive which is signed by:
 - i. The Chairperson, or
 - ii. No less than one third of the total membership of the council (including vacancies).

cl. 22 (1) Schedule 7, LGA 2002.

8.4 Notice to members - extraordinary meetings

Notice in writing of the time and place of an extraordinary meeting called under standing order 8.3 and of the general nature of business to be considered must be given by the Chief Executive to each member of the council at least 3 working days before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

cl. 22 (3), Schedule7, LGA 2002.

8.5 Emergency meetings may be called

If the business a council needs to deal with requires a meeting to be held at a time earlier than is allowed by the notice requirements for holding an extraordinary meeting and it is not practicable to call the meeting by resolution, an emergency meeting may be called by:

- (a) The Chairperson; or
- (b) If the Chairperson is unavailable, the Chief Executive.

cl. 22A(1), Schedule 7 LGA 2002.

8.6 Process for calling an emergency meeting

The notice of the time and place of an emergency meeting, and of the matters in respect of which the emergency meeting is being called must be given by the person calling the meeting or by another person on that person's behalf.

The notice must be given, by whatever means is reasonable in the circumstances, to each member of the local authority, and to the Chief Executive, at least 24 hours before the time appointed for the meeting.

cl. 22A, Schedule 7 LGA 2002.

8.7 Public notice – emergency and extraordinary meetings

Where an emergency or extraordinary meeting of a local authority is called but the notice of the meeting is inconsistent with these standing orders, due to the manner in which it was called, the local authority must ensure that the meeting and the general nature of the business to be transacted at that meeting:

- (a) To be publicly notified as soon as practicable before the meeting is to be held; or
- (b) If it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's internet site and in any other manner that is reasonable in the circumstances.

s. 46 (3), LGOIMA.

8.8 Meetings not invalid

The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where a local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:

- That the meeting occurred without proper notification;
- The general nature of the business transacted; and
- The reasons why the meeting was not properly notified.

s. 46 (6), LGOIMA.

28

8.9 Resolutions passed at an extraordinary meeting

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless -

- (a) The resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- (b) The extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.
- s. 51A, LGOIMA.

8.10 Meeting schedules

Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

cl. 19 (6) Schedule 7, LGA 2002.

8.11 Non-receipt of notice to members

A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority or board unless:

- (a) It is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
- (b) The member concerned did not attend the meeting.

A member of a local authority may waive the need to be given notice of a meeting.

cl. 20 (1) & (2) Schedule 7, LGA 2002.

8.12 Meeting cancellations

The Chairperson of a scheduled meeting may cancel the meeting if, in consultation with the Chief Executive, they consider this is necessary for reasons that include lack of business, lack of quorum or clash with another event.

The Chief Executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation and the reasons behind it.

8.13 Meetings – Change of date/time

The Chairperson of a scheduled meeting may change the date and/or time of the meeting if, in consultation with the Chief Executive, they consider it necessary.

The Chief Executive must make a reasonable effort to notify members and the public as soon as practicable of the change of date/time and the reasons behind it.

9. Meeting agenda

9.1 Preparation of the agenda

It is the Chief Executive's responsibility to prepare an agenda for each meeting listing and attaching information on the items of business to be brought before the meeting so far as is known, including the names of the relevant members.

When preparing business items for an agenda the Chief Executive should consult the Chairperson.

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee or subordinate decision-making body and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 10.

9.3 Chief Executive may delay or refuse request

The Chief Executive may delay commissioning any reports that involve significant cost or are beyond the scope of the committee/subordinate decision making body that made the request. In such cases the Chief Executive will discuss options for meeting the request with the respective Chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

If a member makes a direct request to a Chief Executive asking that a report is prepared the Chief Executive may refuse. In such cases an explanation should be provided to the member.

9.4 Order of business

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the Chairperson, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 9.

The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.

9.5 Chairperson's recommendation

A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

9.6 Chairperson's report

The Chairperson of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting; as described in its Terms of Reference.

9.7 Public availability of the agenda

All information provided to members at a local authority meeting must be publicly available except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda

Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority and local and community boards relating to that meeting. The agenda:

- (a) Must be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority's control and on the council's website, and:
- (b) Must be accompanied by either:
 - i. The associated reports; or
 - ii. A notice specifying the places at which the associated reports may be inspected.

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items

If justified by circumstances an agenda item may be withdrawn by the Chief Executive. In the event of an item being withdrawn the Chief Executive should inform the Chairperson.

9.10 Distribution of the agenda

The Chief Executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Order 8.4 and 8.10).

The Chief Executive may send the agenda, and other materials relating to the meeting or other council business, to members by electronic means.

9.11 Status of agenda

No matter on a meeting agenda, including recommendations, may be considered final until determined by formal resolution of that meeting.

9.12 Items of business not on the agenda which cannot be delayed

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

Items not on the agenda may be brought before the meeting through a report from either the Chief Executive or the Chairperson.

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

9.13 Discussion of minor matters not on the agenda

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

Items that are likely to be discussed under public excluded must be indicated on each agenda and state the general subject of the item. The Chief Executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will or improper advantage has been taken of the publication.

s. 52, LGOIMA.

Meeting Procedures

10. Opening and closing

Local authorities may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau. Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

11. Quorum

11.1 Councils

The quorum for a meeting of the council is:

- (a) Half of the members physically present, where the number of members (including vacancies) is even; and
- (b) A majority of the members physically present, where the number of members (including vacancies) is odd.
- cl. 23 (3)(a) Schedule 7, LGA 2002.

11.2 Committees and subcommittees

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution provided that it is not less than two members (See also 7.4).

In the case of subcommittees, the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council.

cl. 23 (3)(b) Schedule 7, LGA 2002.

11.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

cl. 30A (6)(c) Schedule 7, LGA 2002.

11.4 Requirement for a quorum

A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

cl. 23(1) & (2) Schedule 7, LGA 2002.

11.5 Meeting lapses where no quorum

A meeting must lapse, and the Chairperson vacate the chair, if a quorum is not present within 10 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the Chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

Should a quorum be lost the meeting will lapse if the quorum is not present within 15 minutes.

11.6 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the Chairperson sets an earlier meeting and this is notified by the Chief Executive.

12. Public access and recording

12.1 Meetings open to the public

Except as otherwise provided by Part 7 of LGOIMA, every meeting of the local authority and its committees and subcommittees must be open to the public.

s.47 & 49(a), LGOIMA.

12.2 Grounds for removing the public

The Chairperson may require any member of the public whose conduct is disorderly, or who is creating a disturbance, to be removed from the meeting.

12.3 Local authority may record meetings

Meeting venues should contain clear signage indicating and informing members, officers and the public that proceedings may be recorded by the local authority and may be subject to direction by the Chairperson.

12.4 Public may record meetings

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings must be notified to the Chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

Where circumstances require the Chairperson may stop the recording for a period of time.

13. Attendance

13.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

cl. 19(2), Schedule 7, LGA 2002.

If the member of the local authority is not an appointed member of the meeting at which they are in attendance they may not vote on any matter at that meeting. However, they may, with the leave of the Chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the local authority who are present may remain unless they are lawfully excluded.

Please note: this section does not confer any rights to non-elected members appointed to committees of a local authority.

13.2 Attendance when a committee is performing judicial or quasi-judicial functions

When a committee is performing judicial or quasi-judicial functions members of the local authority who are not members of that committee are not entitled to take part in the proceedings.

13.3 Leave of absence

The Chairperson is delegated the authority to approve applications for leave of absence from members. For the avoidance of doubt the Deputy Chairperson is delegated authority to approve applications for leave of absence from the Chairperson. All members will be advised whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

13.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson (or Acting Chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that meeting.

13.5 Recording apologies

The minutes will record any apologies tendered before or during the meeting, including whether they were accepted or declined and the time of arrival and departure of all members.

13.6 Absent without leave

Where a member is absent from four consecutive meetings of the council without leave of absence (not including extraordinary or emergency meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

cl. 5 (d) Schedule 7, LGA 2002.

13.7 Right to attend by audio or audio visual link

Provided the conditions in standing orders 13.11 and 13.12 are met members of the local authority or its committees (and members of the public for the purpose of a deputation approved by the Chairperson) have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

13.8 Member's status: quorum

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

cl. 25A(4), Schedule 7, LGA 2002

13.9 Member's status: voting

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

13.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audio visual link, the Chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. Everyone participating in the meeting can hear each other;
 - ii. The member's attendance by audio or audio visual link does not reduce their accountability or accessibility of that person in relation to the meeting;
 - iii. The requirements of Part 7 of LGOIMA are met; and
 - iv. The requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present. cl. 25A (3) schedule 7, LGA 2002.

13.11 Conditions for attending by audio or audio visual link

Noting Standing Order 13.7, The Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) Where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) Where a member is unwell; and
- (c) Where a member is unable to attend due to an emergency.

13.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the Chief Executive at least 2 working days' notice when they want to attend a meeting by audio or audio visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a request is made and the technology is available, the Chief Executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the council has no obligation to make the technology for an audio or audio-visual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

13.13 Chairperson may terminate link

The Chairperson may direct that an electronic link should be terminated where:

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) It is distracting to the members who are physically present at the meeting; and
- (d) The quality of the link is no longer suitable.

13.14 Giving or showing a document

A person attending a meeting by audio or audio visual link may give or show a document by:

- (a) Transmitting it electronically;
- (b) Using the audio visual link; or
- (c) Any other manner that the Chairperson thinks fit.

cl. 25(A) (6) schedule 7, LGA 2002.

13.15 Link failure

Where an audio or audio visual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

13.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

14. Chairperson's role in meetings

14.1 Council meetings

The Chairperson of the council must preside at meetings of the council unless they vacate the chair for a part or all of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the Deputy Chairperson must act as Chairperson. If the Deputy Chairperson is also absent the local authority members who are present must elect a member to be Chairperson at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Chairperson for that meeting. This provision also applies to committees and subcommittees.

cl. 26(1), (5) & (6) Schedule 7, LGA 2002.

14.2 Other meetings

In the case of committees, subcommittees and subordinate decision making bodies, the appointed Chairperson must preside at each meeting, unless they vacate the chair for a particular meeting or part of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the Deputy Chairperson (if any) will act as Chairperson. If the Deputy Chairperson is also absent, or has not been appointed, the members who are present must elect a member to act as Chairperson at that meeting who may exercise the meeting responsibilities, duties and powers of the Chairperson.

cl. 26(2), (5) & (6), schedule 7 LGA 2002.

14.3 Addressing the Chairperson

Members will address the Chairperson in a manner that the Chairperson has determined.

14.4 Chairperson's rulings

The Chairperson will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson's ruling or direction constitutes contempt.

14.5 Chairperson standing

Whenever the Chairperson stands during a debate, members are required to sit down and be silent so that they can hear the Chairperson without interruption.

14.6 Member's right to speak

Members are entitled to speak in accordance with these standing orders. Members should address the Chairperson when speaking. They may not leave their place while speaking, unless they have the leave of the Chairperson.

14.7 Chairperson may prioritise speakers

When two or more members want to speak the Chairperson will name the member who may speak first. Other members who wish to speak have precedence where they intend to:

- (a) Raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- (b) Move a motion to terminate or adjourn the debate; and/or
- (c) Make a point of explanation; and/or
- (d) Request the chair to permit the member a special request.

15. Public Forums

Public forums are a defined period of time, at the start of the council meeting which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters, not necessarily on the meeting's agenda, to the attention of the local authority.

For the avoidance of doubt, public forms are only at council meetings (not committees, subcommittees or working parties) and are restricted to matters that council holds responsibility for.

15.1 Time limits

A period of up to 15 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the Chief Executive (or their delegate) at least five clear days before the meeting; however this requirement may be waived by the Chairperson. Requests should also outline the matters that will be addressed by the speaker(s)

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

15.2 Restrictions

The Chairperson has the discretion to decline to hear a speaker or to terminate a presentation at any time where:

- A speaker is repeating views presented by an earlier speaker at the same public forum;
- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings;
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity;
- There is insufficient time to hear the public forum at the meeting;
- The matter would be more suitably heard at another meeting or workshop of council;
- The matter is part of an ongoing issue that is being dealt with by staff; or
- The applicant has demonstrated disorderly or inappropriate behaviour at previous council meetings.

15.3 Questions at public forums

At the conclusion of the presentation, with the permission of the Chairperson, elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

15.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

16. Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations are to be approved by the Chairperson or an official with delegated authority, five working days before the meeting. Deputations may be heard at commencement of the meeting or at the time the relevant agenda item is being considered.

16.1 Time limits

Speakers can speak for up to 5 minutes, or longer at the discretion of the Chairperson. No more than two speakers can speak on behalf of an organisation's deputation.

16.2 Restrictions

The Chairperson has the discretion to decline to hear or terminate a deputation at any time where:

A speaker is repeating views presented by an earlier speaker at the meeting;

- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings;
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity;
- There is insufficient time to hear the public forum at the meeting;
- The matter would be more suitably heard at another meeting or workshop;
- The matter is part of an ongoing issue that is being dealt with by staff; or
- The applicant has demonstrated disorderly or inappropriate behaviour at previous council meetings.

16.3 Questions of a deputation

At the conclusion of the deputation members may, with the permission of the Chairperson, ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

16.4 Resolutions

Any debate on a matter raised in a deputation must occur at the time at which the matter is scheduled to be discussed on the meeting agenda, and once a motion has been moved and seconded.

17. Petitions

17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the Chief Executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or Te reo Māori. Petitioners planning to make a petition in Te reo Māori or sign language should advise the Chief Executive in time to allow translation services to be arranged.

17.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, may speak for 5 minutes (excluding questions) about the petition, unless the

meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the Chief Executive at least 5 working days before the date of the meeting concerned.

17.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) The petition;
- (b) The petitioners' statement; and
- (c) The number of signatures.

18. Exclusion of public

18.1 Motions and resolutions to exclude the public

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in section 48 of LGOIMA (see Appendix 1).

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

- (a) The general subject of each matter to be excluded;
- (b) The reason for passing the resolution in relation to that matter; and
- (c) The grounds on which the resolution is based.

The resolution will form part of the meeting's minutes.

s. 48 LGOIMA.

18.2 Specified people may remain

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they will assist the meeting to achieve its purpose. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and be of assistance.

No such resolution is needed for people who are entitled to be at the meeting, such as relevant staff and officials contracted to the council for advice on the matter under consideration.

s.48 (6) LGOIMA.

18.3 Public excluded items

The Chief Executive must place in the public-excluded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

s.46A (8) LGOIMA.

18.4 Non-disclosure of information

No member or officer may disclose to any person, other than another member, officer or person authorised by the Chief Executive, any information that has been, or will be, presented to any meeting from which the public is excluded, or proposed to be excluded.

This restriction does not apply where a meeting has resolved to make the information publicly available or where the Chief Executive has advised, in writing, that one or both of the following apply:

- (a) There are no grounds under LGOIMA for withholding the information;
- (b) The information is no longer confidential.

18.5 Release of information from public excluded session

A local authority may provide for the release to the public of information which has been considered during the public excluded part of a meeting.

Each public excluded meeting must consider and agree by resolution, what, if any, information will be released to the public. In addition, the Chief Executive may release information which has been considered at a meeting from which the public has been excluded where it is determined the grounds to withhold the information no longer exist. The Chief Executive will inform the subsequent meeting of the nature of the information released.

19. Voting

19.1 Decisions by majority vote

Unless otherwise provided for in the LGA 2002, other legislation or standing orders, the acts of and questions before a local authority must be decided at a meeting through a vote exercised by the majority of the members of that meeting voting.

cl. 24 (1), Schedule 7, LGA 2002.

19.2 Open voting

An act or question coming before the local authority must be done or decided by open voting.

cl. 24 (3) Schedule 7, LGA 2002.

19.3 Chairperson has a casting vote

The Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, has a casting vote.

cl. 24 (2) Schedule 7, LGA 2002.

19.4 Method of voting

The method of voting must be as follows:

- (a) The Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;
- (b) The Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and

(c) Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices or division, and the result displayed notified to the Chairperson who must declare the result.

19.5 Calling for a division

When a division is called, the Chief Executive must record the names of the members voting for and against the motion and abstentions and provide the names to the Chairperson to declare the result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

The Chairperson may call a second division where there is confusion or error in the original division.

19.6 Request to have votes recorded

If requested by a member immediately after a vote the minutes must record the member's vote or abstention. Recording any other matters e.g. reason for the vote or abstention is not permitted.

19.7 Members may abstain

Any member may abstain from voting.

20. Conduct

20.1 Calling to order

When the Chairperson calls members to order, they must be seated and stop speaking. If the members fail to do so, the Chairperson may direct that they should leave the meeting immediately for a specified time.

20.2 Behaviour consistent with Code of Conduct

No member, at any meeting, may act inconsistently with their Code of Conduct or speak or act in a manner which is disrespectful of other members, staff or the public.

20.3 Retractions and apologies

In the event of a member or speaker who has been disrespectful of another member or contravened the council's Code of Conduct, the Chairperson may call upon that member or speaker to withdraw the offending comments, and may require them to apologise. If the member refuses to do so the Chairperson may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

20.4 Disorderly conduct

Where the conduct of a member is disorderly or is creating a disturbance the Chairperson may require that member to leave the meeting immediately for a specified time.

If the disorder continues the Chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

The Chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

20.5 Contempt

Where a member is subject to repeated cautions by the Chairperson for disorderly conduct the meeting may, should it so decide, resolve that the member is in contempt. Any such resolution must be recorded in the meeting's minutes.

20.6 Removal from meeting

A member of the police or authorised security personnel may, at the Chairperson's request, remove or exclude a member from a meeting.

This standing order will apply where the Chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting and attempted to reenter it without the Chairperson's permission.

20.7 Financial conflicts of interests

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

No member may vote on, or take part in, a discussion about any matter in which they have a direct or indirect financial interest unless an exception set out in s.6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under s.6.

Members with a financial interest should physically withdraw themselves from the table unless the meeting is in public excluded in which case they should leave the room.

Neither the Chairperson nor the meeting may rule on whether a member has a financial interest in the matter being discussed. The minutes must record any declarations of financial interests and the member's abstention from any discussion and voting on the matter.

s. 6 & 7 LAMIA.

20.8 Non-financial conflicts of interests

Non-financial interests always involve questions of judgement and degree about whether the responsibility of a member of a local authority could be affected by some other separate interest or duty of that member in relation to a particular matter. If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.

The member must leave the table when the matter is considered, but does not need to leave the room. The minutes must record the declaration and member's subsequent abstention from discussion and voting.

Neither the Chairperson nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.

20.9 Qualified privilege for meeting proceedings

Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the local authority for guiding its proceedings is privileged, unless the statement is proved to have been made with ill will or took improper advantage of the occasion of publication.

s. 53, LGOIMA.

20.10 Qualified privilege additional to any other provisions

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies as a result of any other enactment or rule of law applying to any meeting of the local authority.

s. 53, LGOIMA.

20.11 Electronic devices at meetings

The use of electronic devices and phones is encouraged to advance the business of a meeting.

Personal use may only occur at the discretion of the chair. A Chairperson may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

21. General rules of debate

21.1 Chairperson may exercise discretion

The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak or the acceptance of a procedural motion to close or adjourn a debate, is subject to the discretion of the Chairperson.

21.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- (a) Movers of motions when speaking to the motion not more than 5 minutes;
- (b) Movers of motions when exercising their right of reply not more than 3 minutes;
- (c) Other members not more than 3 minutes.

Time limits can be extended if a motion to that effect is moved, seconded and supported by a majority of members present.

21.3 Questions to staff

During a debate, members can ask staff questions about the matters being discussed. Questions must be asked through the Chairperson and how the question should be dealt with is at the Chairperson's discretion.

21.4 Questions of clarification

At any point of a debate a member may ask the Chairperson for clarification about the nature and content of the motion which is the subject of the debate and the particular stage the debate has reached.

21.5 Members may speak only once

A member may not speak more than once to a motion at a meeting of a local authority except with permission of the Chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the Chairperson's permission.

21.6 Limits on number of speakers

If three speakers have spoken consecutively in support of, or in opposition to, a motion, the Chairperson may call for a speaker to the contrary. If there is no speaker to the contrary, the Chairperson must put the motion after the mover's right of reply.

Members speaking must, if requested by the Chairperson, announce whether they are speaking in support of or opposition to a motion.

21.7 Seconder may reserve speech

A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

21.8 Speaking only to relevant matters

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment they are speaking to.

The Chairperson's rulings on any matters arising under this standing order are final and not open to challenge.

21.9 Restating motions

At any time during a debate a member may ask, for their information, that the Chairperson restate a motion and any amendments; but not in a manner that interrupts a speaker.

21.10 Criticism of resolutions

A member speaking in a debate may not unduly criticise the validity of any resolution except by a notice of motion to amend or revoke the resolution.

21.11 Objecting to words

When a member objects to any words used by another member in a speech and wants the minutes to record their objection, they must object at the time when the words are used and before any other member has spoken. The Chairperson must order the minutes to record the objection.

21.12 Right of reply

The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not. In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.

A mover's right of reply can only be used once. It can be exercised either at the end of the debate on the original, substantive or substituted motion or at the end of the debate on a proposed amendment.

However, the original mover may reserve their right of reply and speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

21.13 No other member may speak

In exercising a right of reply, no other member may speak:

- (a) After the mover has started their reply;
- (b) After the mover has indicated that they want to forego this right;
- (c) Where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

21.14 Adjournment motions

The carrying of any motion to adjourn a meeting must supersede other business still remaining to be disposed of. Any such business must be considered at the next meeting. Business referred to, or referred back to, a specified committee or subcommittee, is to be considered at the next ordinary meeting of that committee or subcommittee , unless otherwise specified.

21.15 Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the Chairperson considers it reasonable to do so.

However, the Chairperson must put a closure motion if there are no further speakers in the debate. When the meeting is debating an amendment, the closure motion relates to the amendment. If a closure motion is carried, the mover of the motion under debate has the right of reply after which the Chairperson puts the motion or amendment to the vote.

22. General procedures for speaking and moving motions

22.1 Options for speaking and moving

This subsection provides three options for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees.

Option B applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves [by simple majority] to adopt either Option A or Option C for the meeting generally, or for any specified items on the agenda.

22.2 Option A

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Only members who have not spoken to the original or substituted motion may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.3 Option B

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.4 Option C

- The mover and seconder of a motion can move or second an amendment
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.5 Procedure if no resolution reached

If no resolution is reached the Chairperson may accept a new motion to progress the matter under discussion.

23. Motions and amendments

23.1 Proposing and seconding motions

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chairperson may then state the motion and propose it for discussion.

Amendments and motions that are not seconded are not in order and are not entered in the minutes.

23.2 Motions in writing

The Chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

23.3 Motions expressed in parts

The Chairperson, or any member, can require a motion that has been expressed in parts to be decided part by part.

23.4 Substituted motion

Where a motion is subject to an amendment the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. All members may speak to the substituted motion.

23.5 Amendments to be relevant and not direct negatives

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. Any amendment cannot be a direct negative to the motion or the amended motion.

Please note that amendments that are significantly different must comply with the decision-making provisions of Part 6, LGA 2002.

23.6 Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be foreshadowed. However, members may notify the Chairperson that they intend to move further amendments and the nature of their content.

23.7 Lost amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

23.8 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

23.9 Where a motion is lost

In a situation where a motion that recommends a course of action is lost a new motion, with the consent of the Chairperson, may be proposed to provide direction.

23.10 Withdrawal of motions and amendments

Once a motion or amendment which has been seconded has been put to the meeting by the Chairperson the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

The mover of an original motion, which has been subject to an amendment that has been moved and seconded, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

24. Revocation or alteration of resolutions

24.1 Member may move revocation of a decision

A member may give the Chief Executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, committee or subcommittee. The notice must set out:

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the Chief Executive for consideration and report.

24.2 Revocation must be made by the body responsible for the decision

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a committee, subcommittee or subordinate body.

Cl. 30(6) Schedule 7, LGA 2002

24.3 Requirement to give notice

A member must give notice to the Chief Executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4 Restrictions on actions under the affected resolution

Once a notice of motion to revoke or alter a previous resolution has been received no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with. Exceptions apply where, in the opinion of the Chairperson:

- (a) The practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;
- (b) By reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the Chief Executive.

24.5 Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent⁴ of the members present and voting must agree to the revocation or alteration.

⁴ For the avoidance of doubt – always round up when calculating the number of members that equate to '75% of the members present'.

24.6 Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the Chairperson, Chief Executive, or any committee or subcommittee, may revoke or alter all or part of a resolution passed by a previous meeting. The Chief Executive must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

cl. 30 (6) Schedule 7, LGA 2002.

25. Procedural motions

25.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded the Chairperson must put it to the vote immediately, without discussion or debate. (Note: As per Standing Order 21.15, a procedural motion to close or adjourn a debate can only be taken after two speakers have spoken for the motion and two against or, in the chairperson's opinion, it is reasonable to accept the closure motion.)

25.2 Procedural motions to close or adjourn a debate

Any member who has not spoken on the matter under debate may move any one of the following procedural motions to close or adjourn a debate:

- (a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) That the motion under debate should now be put (a closure motion);
- (c) That the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) That the item of business being discussed should lie on the table and not be further discussed at this meeting (items lying on the table at the end of the triennium will be deemed to have expired);
- (e) That the item being discussed should be referred (or referred back) to the relevant committee.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

25.3 Voting on procedural motions

Procedural motions to close or adjourn a debate must be decided by a majority of all members who are present and voting. If the motion is lost no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

25.4 Debate on adjourned items

When debate resumes on items of business that have been previously adjourned all members are entitled to speak on the items.

25.5 Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business will be considered at the next meeting.

25.6 Business referred to the relevant committee

Where an item of business is referred (or referred back) to a committee the committee will consider the item at its next meeting unless the meeting resolves otherwise.

25.7 Other types of procedural motions

The Chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.

26. Points of order

26.1 Members may raise points of order

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

26.2 Subjects for points of order

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- (a) Disorder bringing disorder to the attention of the Chairperson;
- (b) Language to highlight use of disrespectful, offensive or malicious language;
- Irrelevance to inform the Chair that the topic being discussed is not the matter currently before the meeting;
- (d) Misrepresentation to alert the Chair of a misrepresentation of any statement made by a member or by an officer or council employee;
- (e) Breach of standing order to highlight a possible breach of any standing order while also specifying which standing order is subject to the breach;
- (f) Recording of words to request that the minutes record words that have been the subject of an objection.

26.3 Contradictions

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

26.4 Point of order during division

A member may not raise a point of order during a division, except with the permission of the Chairperson.

26.5 Chairperson's decision on points of order

The Chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The Chairperson's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

27. Notices of motion

27.1 Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the Chief Executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover.]

Once the motion is received the Chief Executive must give members notice in writing of the intended motion at least 2 clear working days' notice of the date of the meeting at which it will be considered.

27.2 Refusal of notice of motion

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority or meeting concerned; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive officer may make; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- (f) Concerns a matter where decision-making authority has been delegated to a committee, subcommittee or subordinate body.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.

27.3 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

27.4 Alteration of notice of motion

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded no amendments may be made to a notice of motion.

27.5 When notices of motion lapse

Notices of motion that are not put when called by the Chairperson must lapse.

27.6 Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee or subcommittee of the local authority must be referred to that committee or board by the Chief Executive.

Where notices are referred the proposer of the intended motion must, if not a member of that committee, have the right to move that motion, and have the right of reply, as if a committee member.

27.7 Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion which, in the opinion of the Chairperson, may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

28. Minutes

28.1 Minutes to be evidence of proceedings

The local authority, committees, subcommittees and subordinate decision-making bodies must keep minutes of their proceedings. These minutes must be kept in hard copy, authorized by the Chairperson's signature once confirmed by resolution at a subsequent meeting. Once authorized the minutes will be prima facie evidence of the proceedings they relate to.

cl. 28, Schedule 7, LGA 2002.

28.2 Matters recorded in minutes

The Chief Executive must keep the minutes of meetings. The minutes must record:

- (a) The date, time and venue of the meeting;
- (b) The names of the members present;
- (c) The Chairperson;
- (d) Any apologies or leaves of absences;
- (e) The arrival and departure times of members;
- (f) Any failure of a quorum;
- (g) A list of any external speakers and the topics they addressed;
- (h) A list of the items considered;
- (i) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (j) The names of all movers, and seconders;
- (k) Any objections made to words used;
- (I) All divisions taken and, if taken, a record of each members' vote;
- (m) The names of any members requesting that votes or abstentions be recorded;
- (n) Any declarations of financial or non-financial conflicts of interest;
- (o) The contempt, censure and removal of any members;
- (p) Any resolutions to exclude members of the public;
- (q) The time at which the meeting concludes or adjourns;
- (r) The names of people permitted to stay in public excluded.

Please Note: hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

28.3 No discussion on minutes

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

28.4 Minutes of last meeting before election

The Chief Executive and the relevant Chairpersons must sign the minutes of the last meeting of the local authority before the next election of members.

29. Minute books

29.1 Maintaining accurate records

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice.

All public records that are in its control must be maintained in an accessible form so as to be able to be used for subsequent reference.

s. 17 Public Records Act 2005.

29.2 Inspection

A hard copy of the local authority's minute books must be kept by the Chief Executive and be open for inspection by the public. This does not preclude the complementary use of electronic minutes in accordance with the Electronics Transactions Act.

s. 51 LGOIMA.

29.3 Inspection of public excluded matters

The Chief Executive must consider any request for the minutes of a meeting or part of a meeting from which the public was excluded as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

Referenced documents

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)

.

- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

Appendix 1: Grounds to exclude the public

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1 That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
 - (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) To endanger the safety of any person.
- A2 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
 - (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - Protect information where the making available of the information would:
 - i. Disclose a trade secret; or

(b)

- ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or,
- (c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
- (d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. Be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. Be likely otherwise to damage the public interest; or
- (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
- (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (g) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
- (h) Maintain legal professional privilege; or
- (i) Enable any council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (j) Enable any council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or

(k) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

- A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
 - (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.
- A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a council named or specified in Schedule 1 to this Act).
- A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the council to deliberate in private on its decision or recommendation in:
 - (a) Any proceedings before a council where
 - i. A right of appeal lies to any Court or tribunal against the final decision of the council in those proceedings; or
 - ii. The council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - (b) Any proceedings of a Council in relation to any application or objection under the Marine Farming Act 1971.

Appendix 2: Sample resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

Name of report(s)

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1	Put in name of report	Good reason to withhold exists under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2		Good reason to withhold exists under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3		Good reason to withhold exists under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

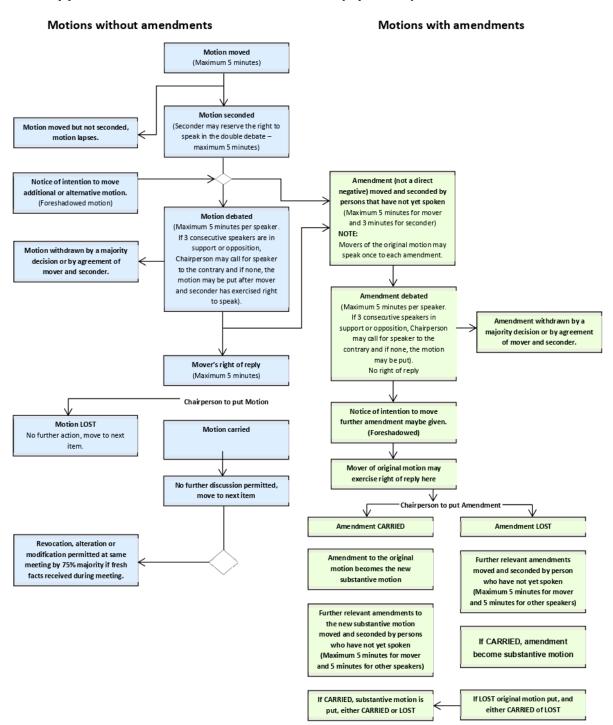
4 Hearings	To enable the Committee to	That the exclusion of the public from
Committee	consider the application and submissions. OR To enable the Committee to consider the objection to fees and charges. OR To enable the Committee to.	 the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where: i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act s. 48(1)(d).

This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No	Interest					
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))					
	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))					
	Maintain legal professional privilege (Schedule 7(2)(g))					
	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))					

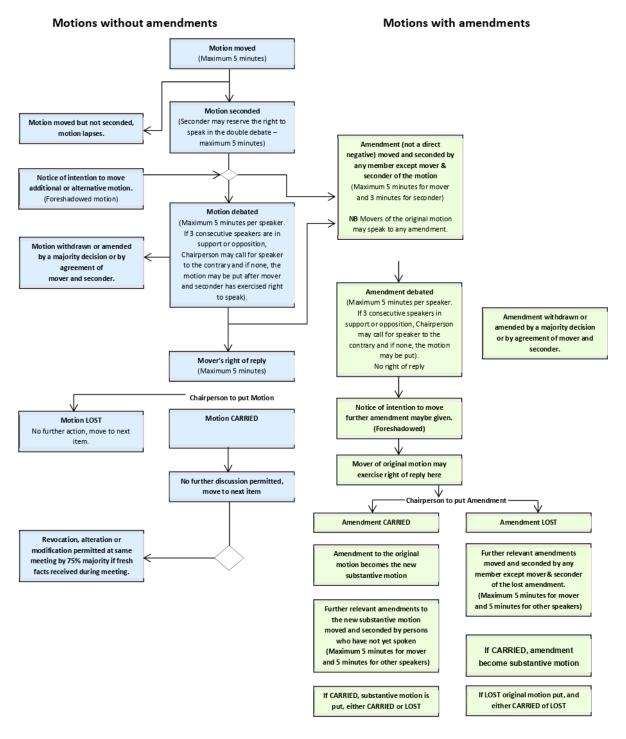
Item No	Interest					
	 Protect information where the making available of the information (i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)) 					
	In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to Tikanga Māori, or to avoid the disclosure of the location of waahi tapu (Schedule 7(2)(ba))					
 Protect information which is subject to an obligation of confidence or w person has been or could be compelled to provide under the authority enactment, where the making available of the information - (i) would be likely to prejudice the supply of similar information, o information from the same source, and it is in the public interest information should continue to be supplied; or (ii) would be likely otherwise to damage the public interest (Schedular) 						
	Avoid prejudice to measures protecting the health or safety of members of the public (Schedule 7(2)(d))					
	Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Schedule 7(2)(e))					
	Maintain the effective conduct of public affairs through the protection of memb or officers or employees of the Council, and persons to whom Section 2(5) of th Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Schedule 7(2)(f)(ii)					
Enable any local authority holding the information to carry out, without pre or disadvantage, commercial activities (Schedule 7(2)(h))						

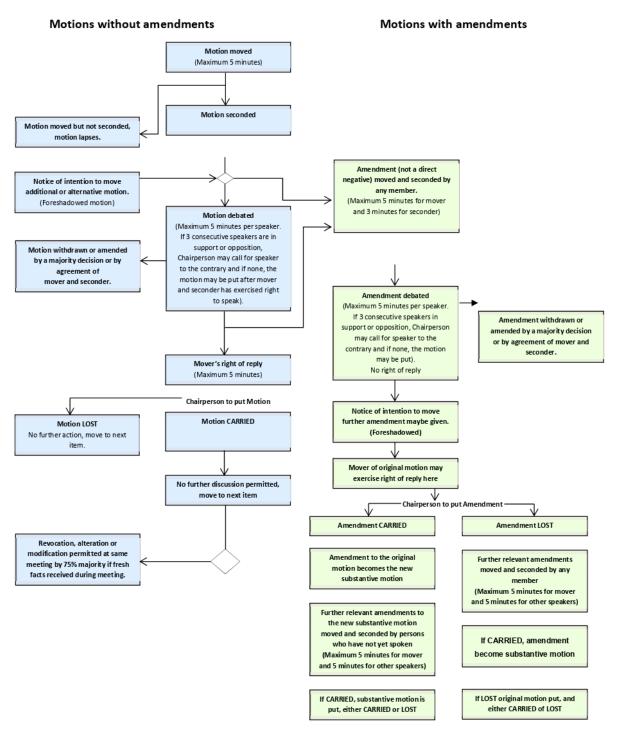
THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.



Appendix 3a: Motions and amendments (Option A)

Appendix 3b: Motions and amendments (Option B)





Appendix 3c: Motions and amendments (Option C)

Motion	Has the Chair discretion to refuse this Motion?	ls seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
 (a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place' 	No	Yes	No	As to time and date only	Νο	No	Νο	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again
(b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Minutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put
(c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 minutes	If carried, debate ion the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

Motion	Has the Chair discretion to refuse this Motion?	ls seconder required?	ls discussion in order?	Are amendments in order?	ls mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	Νο	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	Νο	Νο	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(f) "Points of order"	No – but may rule against	No	Yes – at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14

Appendix 5: Webcasting protocols

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

- 1. The default shot will be on the Chairperson or a wide-angle shot of the meeting room.
- 2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
- 3. Generally interjections from other members or the public are not covered. However, if the Chairperson engages with the interjector, the interjector's reaction can be filmed.
- 4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
- 5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
- 6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
- 7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.

Appendix 6: Powers of a Chairperson

This Appendix sets out the specific powers given to the Chairperson contained in various parts of these Standing Orders.

Chairperson to decide all questions

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The Chairperson's ruling is final and not open to debate.

Chairperson to decide points of order

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.

Items not on the agenda

Major items not on the agenda may be dealt with at that meeting if so resolved by the local authority and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

Chairperson's report

The Chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chairperson's recommendation

The Chairperson of any meeting may include on the agenda for that meeting a Chairperson's recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

Chairperson's voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

Motion in writing

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

Motion in parts

The Chairperson may require any motion expressed in parts to be decided part by part.

Notice of motion

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not within the scope of the role or functions of the local authority; or
- (c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the Chief Executive may have made; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

Action on previous resolutions

If, in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

Revocation or alteration of previous resolution

A Chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these standing orders.

Chairperson may call a meeting

The Chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting; and
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition

The Chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or indulging in needless repetition is final and not open to challenge.

Taking down words

The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

Chairperson rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.

Members may leave places

The Chairperson may permit members to leave their place while speaking.

Priority of speakers

The Chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

Minutes

The Chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson and Chief Executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

Questions of speakers

The Chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

Withdrawal of offensive or malicious expressions

The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.

Chairperson's rulings

Any member who refuses to accept a ruling of the Chairperson, may be required by the Chairperson to withdraw from the meeting for a specified time.

Disorderly behaviour

The Chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
- (b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting

If a member or member of the public who is required, in accordance with a Chairperson's ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the local authority may, at the Chairperson's request, remove or exclude that person from the meeting.

Audio or audio visual attendance

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. Everyone participating in the meeting can hear each other
 - ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting
 - iii. The requirements of Part 7 of LGOIMA are met
 - iv. The requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present

Appendix 7: Process for removing a Chairperson and Deputy Chairperson from office

- 1. At a meeting that is in accordance with this clause a regional council may remove its Chairperson or Deputy Chairperson from office.
- 2. If a Chairperson or deputy Chairperson is removed from office at that meeting the council may elect a new Chairperson or Deputy Chairperson at that meeting.
- 3. A meeting to remove a Chairperson or Deputy Chairperson may be called by:
 - (a) a resolution of the council; or
 - (b) a requisition in writing signed by the majority of the total membership of the regional council (excluding vacancies).
- 4. A resolution or requisition must:
 - (a) specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - (b) indicate whether or not, if the Chairperson or Deputy Chairperson is removed from office, a new Chairperson or Deputy Chairperson is to be elected at the meeting should a majority of the total membership of the council (excluding vacancies) so resolve.
- 5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
- 6. The Chief Executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
- 7. A resolution removing a Chairperson or deputy Chairperson carries if a majority of the total membership of the council (excluding vacancies) votes in favour of the resolution.
- cl. 18 Schedule 7, LGA 2002.

Appendix 8: Workshops

Definition of workshop

Workshops, however described, provide opportunities for members to discuss particular matters, receive briefings and provide guidance for officials. Workshops are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without the opportunity for meaningful debate at a formal meeting.

Application of standing orders to workshops

Standing orders do not apply to workshops and briefings. The Chairperson or workshop organisers will decide how the workshop, briefing or working party should be conducted.

Calling a workshop

Workshops, briefings and working parties may be called by:

- (a) A resolution of the local authority or its committees
- (b) The Chairperson,
- (c) A committee Chairperson or
- (d) The Chief Executive.

Process for calling workshops

The Chief Executive will give at least 24 hours' notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

- (a) State that the meeting is a workshop
- (b) Advise the date, time and place
- (c) Confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required and workshops can be either open to the public or public excluded.

Record of workshop

A written record of the workshop should be kept and include:

- Time, date, location and duration of workshop;
- Person present; and
- General subject matter covered and any direction.

Appendix 9: Sample order of business

Open section

1.0	Apologies				
2.0	Declarations of interest				
3.0	Presentations				
4.0	Health and Safety Report				
5.0	Confirmation of Council Minutes and Action Sheet				
6.0	Financial Reports				
7.0	Decision Making Matters				
8.0	Operational Reports				
Public excluded section					

- 9.1 Confirmation of Council Minutes
- 9.2 Human Resources Report
- 9.3 Confidential Decision Making Matters

Appendix 10: Process for raising matters for a decision

Matters requiring a decision may be placed on an agenda of a meeting by a:

- Report of Chief Executive
- Report of a Chairperson
- Report of a committee
- Notice of motion from a member.

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- Report of Chief Executive
- Report of Chairperson

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the meeting chair.

TITLE: Adoption of Draft User Fees and Charges 2020/21 and Approval to Consult

ID: A1271338

From: Robyn Broadhurst, Policy Specialist

Executive summary/Whakarāpopototanga

The purpose of this report is to present the Draft User Fees and Charges 2020/21 for adoption, and approval to commence consultation using the special consultative procedure set out in section 83 of the Local Government Act 2002 (LGA).

Recommendation(s)

- 1. That the report 'Adoption of Draft User Fees and Charges 2020/21 and Approval to Consult' by Robyn Broadhurst, Policy Specialist and dated 19 December 2019, be received.
- That council adopts the Statement of Proposal and the Draft User Fees and Charges 2020/21 (Attachment 1 pertaining to Item 6.2 of the 18 February 2020 council agenda) for the purposes of consultation, pursuant to section 150 of the LGA, and that this be carried out in conjunction with consultation on the Annual Plan 2020/21.
- 3. That council delegates to the Group Manager Strategy, Governance and Engagement the authority to make any necessary minor formatting, typographical and administrative changes to the Statement of Proposal and Draft User Fees and Charges 2020/21 prior to formal public consultation.

Background/Tuhinga

Council maintains a schedule of fees and charges in its user fees and charges document and this is reviewed and updated annually. The user fees and charges schedule sets out charges fixed and/or authorised under various enactments including: Resource Management Act 1991 (RMA); Local Government and Official Information and Meetings Act 1987; Local Government Act 2002 (LGA); Building Act 2004; and Biosecurity Act 1993.

Section 150 of the LGA sets out the process by which a local authority may prescribe fees and charges in respect of any matter provided for either under a bylaw, or under any other piece of legislation if that legislation does not specifically authorise the local authority to charge a fee. If not part of a bylaw, fees and charges prescribed under section 150 of the LGA must be prescribed following consultation using the principles of consultation (section 82 of the LGA).

In terms of fees and charges authorised by the RMA, a local authority can fix a charge only in the manner set out in section 150 of the LGA, and after using the special consultative procedure set out in section 83 of the LGA.

Inflationary increases for the coming years were approved during the process of developing the Long Term Plan 2018–2028. The last review of the user fees and charges schedule was carried out during the process of developing the Annual Plan 2019/20. At this time, RMA fees were set within the user fees and charges schedule and approved inflation increases applied.

To ensure that the appropriate process is followed for the setting of charges under the RMA, the special consultative procedure is being used for the development of this Draft User Fees and Charges 2020/21.

The Biosecurity Act 1993 authorises a local authority to fix charges for cost recovery, however it does not set out the process by which this should be done. Council is therefore referred to the decision-making requirements set out in Part 6 of the LGA and is undertaking a consultation process so that the council can be informed of community views.

Changes proposed

Council undertakes an annual review of fees and charges as part of the relevant annual or long term planning process. This ensures that the fees and charges are updated using, at minimum, the principles of consultation (section 82 of the LGA).

The Draft User Fees and Charges 2020/21 is largely similar to the current User Fees and Charges 2019/20, with minor amendments and updates to fees, charges, and policy proposed. These include clarification/simplification to wording, minor updates to policy and charges, and removal of redundant sections and associated charges.

Three new charges are proposed for pilotage and shipping navigation and safety services fees for larger ships outside of pilotage areas, the issuing of Notice of Directions under the Biosecurity Act, and a marine biosecurity charge for larger ships.

A detailed breakdown of the proposed changes can be found in the attached Statement of Proposal and the Draft User Fees and Charges 2020/21 (Attachment 1).Considerations

1. Options

Consultation on the charges set out in the Draft User Fees and Charges 2020/21 is required under section 150 of the LGA, and the special consultative procedure under section 83 of the LGA is being used to provide the appropriate and most prudent process for adoption of charges authorised under the RMA. Key requirements of consultation include preparation of material setting out the proposal, preparation of a draft schedule, detailing proposed changes, and making this material publicly available.

No.	Option	Advantages	Disadvantages
1	Adopt the Draft User Fees and Charges 2020/21 and associated Statement of Proposal for consultation	Fees and charges can be legally consulted on and decisions made on updates for the 2020/21 financial year.	Resources will need to be allocated to the consultation process.
2	Do not adopt the Draft User Fees and Charges 2020/21 and associated Statement of Proposal for consultation	Resources will not need to be allocated to the consultation process.	Fees and charges will not be able to be legally consulted on, nor decisions made on updates for the 2020/21 financial year, resulting in under recovery of costs and inaccurate or outdated charges.

Staff recommend option 1, to adopt the Draft User Fees and Charges 2020/21 and associated Statement of Proposal for consultation concurrently with the consultation process of the Annual Plan 2020/21.

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.

This decision itself is of low significance when assessed against council's Significance and Engagement Policy because it is for the purpose of achieving compliance with sections 83 and 150 of the LGA and does not, in itself, impact the community other than to provide them with information and the opportunity to provide input.

The decision to adopt the Draft User Fees and Charges 2020/21 for consultation, while not significant in itself, will enable council in the future to make decisions on charges while having full regard to community views in relation to the proposals set out in the schedule. This will assist council in achieving compliance with procedures in relation to decisions as set out in Part 6 of the LGA.

3. Policy, risk management and legislative compliance

The decision to adopt the Draft User Fees and Charges 2020/21 and associated Statement of Proposal will achieve compliance with sections 83 and 150 of the LGA. This decision will also achieve 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'.

Further considerations

The decisions contained within this report will enable consultation, which will provide council with feedback on community views and potential impacts on Māori. Any financial impacts or implementation issues are addressed in the attached documentation.

Further consideration of community views, impacts on Māori, financial impacts and implementation issues will be addressed through the deliberations process and subsequent council decision to adopt the final schedule of User Fees and Charges 2020/21.

Attachments/Ngā tapirihanga

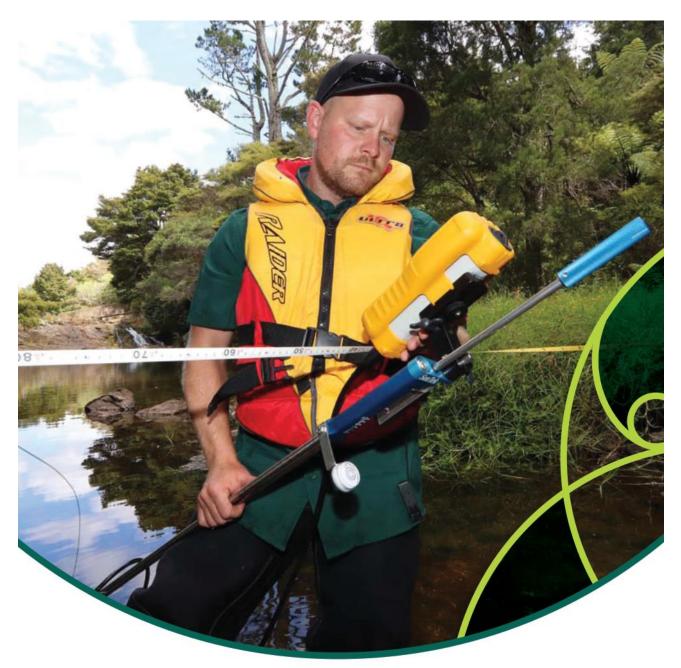
Attachment 1: Draft User Fees and Charges 2020/21 www.englishington.com

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 04 February 2020



Draft User Fees and Charges 2020/21 Kaupapa Here a Utu 2020/21



Council Meeting 18 February 2020

lhirangi

Statement of proposal	4
Introduction	8
1 General principles and policies	10
1.1 Principles	10
1.2 General policies	12
1.3 Policy on remission of charges	13
2 Policies on charging and fees for specific activities and functions	16
2.1 Provision of information and technical advice	16
2.2 Resource Management Act 1991	18
2.3 Local Government Act 2002 (land and resources)	25
2.4 Maritime activities	27
2.5 Building Act 2004	28
2.6 Biosecurity Act 1993	30
3 Schedules of fees and charges	34
3.1 Local government official information	34
3.2 Staff charge rates	35
3.3 Application to prepare or change a policy statement or plan	39
3.4 Building Act 2004	40
3.5 Annual charges	42
3.6 Inspection and monitoring charges	50
3.7 Maritime activities	53
3.8 Biosecurity	57
3.9 Miscellaneous management charges - plant and equipment charges	58

Contents **Ihirangi**

1

Draft User Fees 2020/21
2

Statement of proposal



This document sets out Northland Regional Council's draft user fees and charges for the 2020/21 financial year. The User Fees and Charges 2020/21 schedule is where you can find all fees and charges (not rates) that council is authorised to set as a result of various pieces of legislation that it works under (details on these are covered in Part Two of this schedule).

Legislation prescribes specific, and sometimes different, requirements in terms of the process required to set fees and charges. When making a change to any of our fees and charges we take these legislative requirements into consideration and use the appropriate process.

So that an informed decision can be made, council wants to know what you think about the fees and charges we are proposing to change or set. Consultation is a big part of that decision-making process. You can find details on how to have your say at the end of this section.

We update our user fees and charges schedule annually to respond to real time and legislative changes, and to ensure that charges do not become outdated.

We are proposing several amendments and updates to the fees, charges and policy for the 2020/21 year in addition to the 2.2% inflationary increased that was approved as part of the long term plan process in 2018.

Section	What's new?	Why?
Section 3.7.4 – Pilotage and shipping navigation and safety services fees	Proposing a navigation and safety services fee for ships greater than 45m in overall length, or 500GT, not subject to any other navigation and safety services fee	This will enable council to recover some of the cost of providing services to these larger ships, which the ships currently benefit from but do not contribute towards
Section 3.8.2 - Notice of direction	Proposing a fee for the issuing of a Notice of Direction under the Biosecurity Act 2003	Council does not currently charge for the issuing of a Notice of Direction; however, this is resource intensive. The proposed charge will be based on the actual time taken in issuing the notice. A Notice of Direction is only issued to those owners or occupiers that are breaching the applicable rules, therefore council is proposing this 'user pays' approach, rather than the 'rates/other funds pays' approach that currently applies
Section 3.8.3 – Marine Biosecurity Charge for ships	Proposing a marine biosecurity charge for ships between 500GT and 3000GT, anchoring in Northland waters	With the addition of the above navigation and safety services fee for larger ships, council will now have a means of applying the marine biosecurity charge to these larger ships, therefore increasing equity in charging
Draft User Fees 2020/21		
4		

New fees and charges proposed

Amendments and changes proposed to fees, charges	and policy
ranonanio ana onangoo proposea to rece, enargee	and poney

Section	What's the change?	Why?
Section 1.3 – Policy on remission of charges	Adding policy wording to specify a three-year review period for all remissions (unless a shorter time frame is specified in the remission)	This allows any remission granted to be periodically reviewed, ensuring they meet the appropriate criteria
Section 2.2.7.1(1) - Basis of charges and 2.2.7.4 - Scale charges	Removing the last sentence of 2.2.7.1(1), re-writing 2.2.7.4	Updating to bring these in line with the removal of outdated monitoring charges (see 3.5.5 below)
Section 2.7 and 3.9 – Property Law Act 2007	Removing these two sections, including associated fees relating to commercial or residential property leases, and adding the services performed to section 3.2 (Staff charge rates)	The Property Law Act 2007 is no longer the relevant piece of legislation to set these fees under
Section 3.2 - Staff charge rates	Simplifying the table from eight categories to four, and as a result removing the note under the table that relates to labour costs not specified in the schedule	To provide more clarity for the user
Section 3.5.5 - Minor to moderate discharges to air, water and land, and land use activities including quarries	Removing the entire table for annual monitoring charge, including updates to sections 3.5.5 and 3.5.1 subsequent to this	This table was originally based on estimates, which council no longer use to charge. Council now uses a post billing model, meaning users are charged for actual time
Section 3.6.3.2 – Significant non-compliance	Replacing the note directly under the table (relating to an hourly rate for second and subsequent visits, including follow-up inspection) with a table showing a flat rate for two types of follow-up inspections	To provide more certainty for the user
Section 3.7.2 - Hot work permits	Removing the entire section	This fee no longer applies
Section 3.7.4 – Pilotage and shipping navigation and safety services fees	Adding a row to the top of this table specifying all fees are GST exclusive	To provide more clarity for the user
Clauses 3.7.4(a)(iii) - (v)	Removing the word 'cruise'	The fee applies to all ships
Clause 3.7.4(a)(iii)	Moving an existing table note, plus adding a second table note	To provide more clarity for the user

Statement of proposal

5

Section	What's the change?	Why?
Clause 3.7.4(a),v)	Extending the Christmas Day surcharge to all public holidays	Services are often needed on public days, incurring costs not currently by funded by the user
Section 3.9.5 Vehicles/quads	Updating the table as per rates set by the IRD	The existing table is out of date

What are the alternatives?

Council needs to consider what mechanisms are appropriate to meet the expenditure needs of the organisation. The charges outlined in this schedule represent the activities where council has considered that the principle of user or beneficiary pays is most appropriate.

The alternative to adopting these fees and charges for the 2020/21 year is to either: cover the cost of these activities through other means of income, which might include increasing rates or diverting income from other activities; or cease undertaking the activities that give rise to the cost, many of which council are required by law to carry out.

Should council consider that this expenditure should continue to be met through the fees and charges in this schedule, there is then an alternative option of not updating fees and charges on an annual basis, and instead letting the fees remain static, or update them on a less regular basis. By not regularly undertaking a review of charges, and updating as necessary, the likelihood of steep increases in charges when reviews are undertaken is significantly higher. This would also mean that council may not be achieving cost recovery for some activities for a period and could be subsidising activities that are intended to be 'user pays'. Conversely, there may be fees and charges set out in the schedule that council no longer charges, leading to confusion about costs.

Not reviewing and undertaking changes as necessary would mean that the policy and schedule of fees and charges has the potential to become outdated and confusing for users. It is also necessary to update charges and policy in line with legislative amendments.

How can I have my say about this schedule?

Council is inviting feedback on the Draft User Fees and Charges 2020/21 in conjunction with the process of developing the Annual Plan 2020/21. You can have your say by filling in a feedback form online at www.nrc.govt.nz/annualplan2020 or by emailing submissions@nrc.govt.nz.

The submission period is open until Friday 27 March 2020.

Introduction



The user fees and charges schedule is reviewed annually. Fees and charges that require formal adoption under section 150 of the Local Government Act 2002 may be consulted on in conjunction with a long term or an annual plan. The fees set out in this schedule will come into effect on 1 July 2020 and will continue until superseded. A copy of this user fees and charges schedule will also be published on council's website.

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

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

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

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

This document is divided into three sections:

- Part One: General principles and policies
- Part Two: Policies on charging and fees for specific activities and functions
- Part Three: Schedule of fees and charges

General principles and policies



1.1 Principles

1.1.1 Charges must be lawful

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

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

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

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

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

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

1.1.2 Charges must be reasonable

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

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

1.1.3 Charges must be fair

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

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

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

1.1.4 Charges must be uniformly applied

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

1.1.5 Charges must be simple to understand

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

1.1.6 Charges must be transparent

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

1.1.7 Charges must be predictable and certain

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

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

1.1.8 The council must act responsibly

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

1.1.9 Resource use

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

1 General principles and policies 11

1.2 General policies

1.2.1 Time periods

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

1.2.2 Annual charges

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

1.2.3 Goods and Services Tax

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

1.2.4 Debtors

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

1.2.5 A minimum annual charge

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

1.3 Policy on remission of charges

1.3.1

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

1.3.2

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

1.3.3

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

1.3.4

Existing waivers or remissions issued for charges may be subject to review, as this policy may be reviewed.

1.3.5

Decisions on applications for waivers or remissions shall be made by the relevant group manager, who may remit a charge in part or full, or decline the application. No further consideration of the application will be undertaken following issue of the final decision, except in relation to an objection against additional charges under section 357B of the Act (see section 1.3.7 below).

1.3.6

Subject to the terms of each particular remission, any remission of standard charges shall be reviewed every three years from the date of issue.

1.3.7

The council can fix charges for recovering costs for consent processing, administration, monitoring and supervision services under section 36 of the Resource Management Act 1991. The council can also require the person liable for such a charge to pay an additional charge, where the fixed charge is inadequate to recover its reasonable costs in respect to the service concerned (s36(5) RMA). The person receiving the additional charge has the right to object to the charge under section 357B of the Act and subsequently appeal to the Environment Court against the decision on the objection. Decisions on objections not resolved at staff level will be made by independent commissioners. The council also has the absolute discretion to remit the whole or any part of a charge made under section 36(s36AAB(1)RMA).

1 General principles and policies 13

D)raft User Fees 2020/21	
14	4	



2.1 Provision of information and technical advice

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

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

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

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

- Staff costs related to making the information available i.e., officers' actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs (refer Section 3.2);
- 2. Any additional costs incurred, for example, photocopying, printing binding; and computer processing costs refer to Section 3.9.10.
- 3. Where an inquiry requires less than 30 minutes of staff time, no staff costs will be charged. Additional costs of less than \$25.00 will not be charged.

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

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

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

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

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

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

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

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

Other information sought by district councils is to be assessed on individual merit, and referred to the group manager for a decision.

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

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

Section 13 of the Act provides for the recovery of the cost of making information available under the Official Information Act. However, there are some exceptions to this, e.g. the council cannot charge the Inland Revenue Department for its information requests. The current charges are set out in Section 3.1 of this user fees and charges schedule.

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

2.2 Resource Management Act 1991

2.2.1 Introduction

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

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

2.2.2 Performance of action pertaining to charges

With regard to all application fees and amounts fixed under Section 36(1) of the RMA, the council need not perform the action to which the charge relates until the charge has been paid in full [RMA, Section 36AAB(2)] except if section 36(1)(ab)(ii), 36(ad)(ii) or 36(cb)(iv) apply.

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

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

a. Minimum estimated initial fee on application as set out in Section 3.2.1 and Staff Charge Rates (which are rates derived from actual employment costs plus a factor to cover administration and general operating costs) charged at the relevant hourly rate as set out in in Section 3.2. These are minimum charges for resource consent applications and are charges 'fixed' under Section 36(1) of the RMA (they are therefore not subject to objection rights). All consent processing costs which exceed the minimum estimated initial fee are considered to be additional charges pursuant to Section 36(5) of the RMA and these may be progressively charged on a monthly basis or invoiced at the end of the consenting process. Prior to consideration of the application, the Chief Executive Officer is authorised to require an additional minimum estimated initial fee of up to \$20,000 for complex applications.

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

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

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

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

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

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

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

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

- The fee for land use consents for earthworks and/or vegetation clearance (including mining, quarrying, forestry, bridging and gravel extraction) also includes the water and discharge permits to divert and discharge stormwater where these are required;
- 2. The fee for discharge permits for sewage volumes greater than three cubic metres per day (e.g. communal subdivision systems, marae etc.) includes the associated discharge to air resource consent; and
- 3. The fee for discharge permits to discharge stormwater includes the associated water permit to divert stormwater.

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

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

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

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

2.2.4 Administration, monitoring and supervision of resource consents

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

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

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

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

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

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

2.2.5 Invoicing non-scale fees

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

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

2.2.5.3 In the case of significant water takes, charges will generally be invoiced annually in line with Section 3.5.3 and any further supervision charges will be invoiced on a regular basis as costs are incurred by council.

2.2.6 Timing

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

2.2.6.2 In some cases, such as consents relating to short-term activities, invoicing of charges may be deferred until after the council has completed all, or a significant portion, of its planned monitoring of a consent.

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

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

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

2.2.7 Setting of annual resource consent (monitoring) charges

2.2.7.1 Basis of charges

 The charges reflect the nature and scale of consented activities. In general, those activities having greater actual or potential effects on the environment require greater supervision and monitoring from the council. In setting these charges, the council has duly considered that their purpose is to recover the reasonable costs in relation to the council's administration, monitoring and supervision of resource consents and for undertaking its functions under Section 35 of the Resource Management Act.

- 2. In respect of the council's administration role, a standard minimum annual charge will apply to cover some of the costs of operating and maintaining its consents-related information systems.
- 3. Where appropriate, a proportion of the costs of monitoring the state of the environment (Section 35(2)(a)) is incorporated in the charge to the consent holder. In such cases, the council has had particular regard to Section 36AAA(3)(c), that is, the extent that the monitoring relates to the likely effects of the consent holder's activities or the extent that the likely benefit to consent holders exceeds the likely benefit of the monitoring to the community. The costs to the council associated with this activity may be shared between consent holders and the community. This recognises that there is value and benefit to the community of work the council undertakes with respect to monitoring the state of the environment. In the council's judgement this is a fair and equitable division. To date, a state of the environment charge has been incorporated into the annual charges applying to consents for water takes, known as the (water take) resource user charge (refer to Section 2.2.8.5).
- 4. In relation to swing/pile moorings within the Marine 4 Management (MM4) Areas which meet the permitted activity criteria, the costs of providing council services will be recovered as outlined in Sections 2.4.2 and 3.5.5.
- 5. In relation to swing/pile moorings outside the MM4 Areas without consent (non-consented), costs will be recovered through the Navigation and Safety Bylaw until consent is gained.
- 6. The charges for consents for minor to moderate activities are often based on scales (refer to Section 2.2.8.4). The general method for charging for large-scale activities is to apply the formulae in Section 2.2.8.6.

2.2.7.2 (Water take) resource user charge

- Some of Northland's water resources are highly allocated and are under pressure. It is difficult to assess the
 natural flows/levels of water bodies as there is limited data available on water use and flows/levels in some
 areas. The National Policy Statement for Freshwater Management 2014 requires the council to set water
 quantity limits for all of Northland's water bodies.
- 2. In order to address this, the council developed a Sustainable Water Allocation Plan. This project requires ongoing resourcing by council to implement. The work provides benefit to both water users and the wider community. Much of the information provided by council's current hydrometric network is the basis for this work and as such, a part of the cost of running this network shall be recovered from water users through the (water take) resource user charge.
- 3. The details of this charge are outlined in 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.
- 2.2.7.3 Other State of the Environment charges
- 1. Where appropriate, annual charges will include a specified amount which contributes towards the recovery of costs incurred by council as part of its state of the environment monitoring and/or the hydrometric network.
- 2. The estimated monitoring costs are then rounded to an appropriate sum which becomes the expected annual charge. These formulae and the historical cost data of monitoring like consents provides a reasonable estimate of the actual costs of monitoring consents each year and will be used to provide the expected costs of monitoring in the forthcoming years.

2.2.7.4 Calculation of monitoring charges

Charges for the monitoring of consents include:

Labour (refer to Section 3.2)	
Sampling and testing	
Monitoring equipment	
Administration	

State of the Environment monitoring charge/resource user charge (refer to section)

2.2.8 Additional monitoring/supervision charges

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

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

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

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

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

2.2.8.6 The costs that make up the charge will include:

- 1. Labour costs; officers' actual recorded time spent, including travel time, in following up the non-compliance matter or unauthorised activity (charged at the appropriate hourly rate listed in Section 3.2); plus
- 2. Any sampling and testing costs incurred; plus any equipment costs (excluding vehicle running costs) associated with the monitoring of the non-compliance; plus
- 3. Any external costs incurred (e.g. external consultants, hire of clean-up equipment).
- 4. For consent holders only, no additional supervision charge will be applied where the annual charges for their consents are sufficient to cover the costs incurred in following up their consent non-compliance.
- 5. In the case of water takes, annual charges are estimated on the basis of normal summer flows and consequently during drier than normal years further monitoring may be required in the form of flow, water level and/or water abstraction measurements. The costs of this further work will be charged to the consent holder in the form of additional supervision charges as outlined above.

2.2.9 Charges for emergency works

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

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

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

Charges for labour, supply of information and the council plant and equipment are detailed in Sections 3.2 and 3.9.

2.2.10 Changes in resource consent status

1. Where any resource consent is approved during the year, and will be liable for annual charges, the actual costs of monitoring activities will be charged to the applicant. The annual minimum fee will continue to apply per the council's policy in Section 2.2.7.

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

2.2.11 Charges set by regional rules

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

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

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

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

- 1. Staff costs officers' actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. (See Staff Charge Rates in Section 3.2)
- 2. Hearings the costs of pre-hearing meetings and hearings will be charged to the applicant. Council members' hearing costs will be recovered as determined by the Remuneration Authority. Staff costs and committee members' fees or the actual costs of independent commissioners at formal hearings will be charged.
- 3. For applications relating to restricted coastal activities, the applicant will also be charged the council's costs of the Minister of Conservation's representative. Charges related to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.
- 4. External costs, disbursements, are additional to the above charges, for example advertising, consulting and legal advice, laboratory testing, hearing venues and incidental costs.

2.2.12 Preparing or changing a policy statement or plan

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

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

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

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

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

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

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

2.2.13 Charges for monitoring regulations

Under regulation 106 of the National Environmental Standards for plantation forestry, the council may charge for monitoring of permitted activities specified by regulations 24, 37, 51 and 63(2) of the standards. This monitoring will be charged in accordance with sections 1.1 and 1.2 of this charging document. Charges will cover the travel and inspection time of the officer(s) undertaking the inspection (as per section 3.2), as well as any sampling costs where required.

2.3 Local Government Act 2002 (land and resources)

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

2.3.1 Monitoring/inspections of permitted activities

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

2.3.1.1 Farm dairy effluent discharges

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

2.3.1.2 Other permitted activities

- 1. The costs of the site visit/inspections, plus the reasonable cost of any specific water quality testing and/or enforcement action required will be charged.
- 2. The costs of monitoring of those regulations will be charged as set out in Sections 3.2 and 3.9.

2.3.2 Environmental incidents

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

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

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

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

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

The council is responsible for identifying and monitoring contaminated land under Section 30(1) (ca) of the RMA. Council will recover the costs of inspections plus the actual and reasonable cost of site investigations including any specific testing of samples taken. Staff charge rates, sampling and equipment costs are outlined in Sections 3.2 and 3.9.

2.4 Maritime activities

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

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

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

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

2.4.2 Northland Regional Council Navigation Safety Bylaw Charges

1. The Navigation Safety Bylaw regulates navigation, water transport and maritime safety in Northland.

- 2. The charges are set out in section 3.5.5 and are collected for functions, duties, powers or services carried out by the council and must be paid on demand by the consent holder or owner, to the council.
- 3. The current Navigation Safety bylaw is available on the council's website or from council offices.
- 4. The fees and charges collected contribute to the upkeep of the region's maritime services, for example, the harbourmaster, buoys and beacons, etc.

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

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

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

1. Approving Tier 1 site marine oil spill contingency plans and any subsequent amendments.

2. Inspecting Tier 1 sites and any subsequent action taken thereafter in respect of preparation of inspection reports or reporting on non-conformance issues.

2.4.3.3 Basic fee – the council will charge a minimum fee and any additional staff costs, as set out in Section 3.7.8.

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

2.5 Building Act 2004

2.5.1

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

1. Issuing a project information memorandum.

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

2.5.2

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

2.5.3

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

2.5.4

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

2.5.5

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

2.5.6

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

2.5.7

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

2.5.8

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

2.5.9

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

2.5.10 Building consents and certificates of approval

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

2.5.11 Dams

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

2.5.12 Requests for information on building consents

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

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

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

2.5.14

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

2.5.15

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

2.5.16

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

2.6 Biosecurity Act 1993

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

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

2.6.2 Request for work

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

2.6.3 Legal directions

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

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

2.6.4 Failure to comply with a legal direction

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

2.6.5 Recovery of costs incurred by management agency

Where the council undertakes works or measures for the purposes of giving effect to the requirements of a request for work or a legal direction it shall recover the costs incurred from the occupier pursuant to Sections 128 and 129 of the Biosecurity Act and may register the debt as a charge against the certificate of title for the land. Refer to section 3.8 for the fee structure covering notice of directions.

2.6.6 Recovery of costs for Marine Biosecurity Activities

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

```
Draft User Fees 2020/21
30
```

recovery is set as an annual charge, specified as a 'Marine Biosecurity Fee' and is applied to all moorings, marina berths, boat sheds, and ports as set out in Section 3.5.5 of this user fees and charges schedule. The charge applies whether inspection, monitoring and/or response is carried out on that individual structure or not.

2.6.7 Failure to pay

Section 136 of the Biosecurity Act provides for regional councils to apply a penalty to charges under the Biosecurity Act that remain unpaid for more than 20 working days since the charge was demanded in writing. Council will apply a penalty of 10% of unpaid charges to the debt incurred, after a period of 20 working days from the due date stated on the original invoice. In addition to this, 10% will be applied for every completed period of six calendar months that the debt remains unpaid (six month period will be calculated from the 21st day of the charge remaining unpaid).

2.6.8 Equity and efficiency of Marine Biosecurity Activities

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

There was no over-recovery of costs in the 2018/19 year. The proposal to recover only the actual costs of the function for the current (2019/20) year is considered to be an equitable and efficient means of recovering cost of the marine biosecurity function.

Draft User Fees 2020/21
32

Schedules of fees and charges

3.1 Local government official information

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

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

For staff time	\$ including GST
First hour	No charge
Additional hours	Ministry of Justice, Charging Guidelines
First half hour (after the initial free hour)	38.00
Perhour	76.00

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

3.2 Staff charge rates

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

- Processing of consents under the Resource Management Act 1991.
- Environmental and consent monitoring of:
- Large-scale activities;
- Permitted activities; and
- Contaminated land.
- Exercises and training for oil spill exercises and training, standard staff charge out rates apply.
- Technical assessment and administration of functions under the Building Act 2004.
- Maritime-related incidents.
- Mooring inspections/assessments.
- Preparing or changing a policy statement or plan.
- Discretionary amendments, variations or additions to commercial or residential property leases at the lessee, tenant or a third party's request.
- Provision of commercial or residential property related information, consultation, advice or consent

Description	Hourly rate \$ excluding GST
Technician	76.00
Administrator	
Officer	101.50
Analyst	
Specialist	150.00
Manager/ Harbourmaster	
Consultants	Actual costs

Notes:

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

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

3 Schedules of fees and charges 35

3.2.1 Resource consent applications - minimum estimated initial fee

Schedule of minimum estimated initial fees

Description	Minimum estimated initial fees \$ excluding GST	\$ including GST
Notified and limited notified applications		
• Coastal Permits (excluding moorings), Land Use Consents, Water Permits, and Discharge Permits	3,053.48	3,511.50
• Moorings	1,527.39	1,756.50
New non-notified applications		
 Coastal Permits (excluding moorings), Land Use Consents (excluding Bore Drilling Permits), Water Permits, and Discharge Permits (including Farm Dairy Effluent and Domestic On-site Wastewater) 	813.91	936.00
• Moorings	559.57	643.50
Bore Drilling Permits	334.78	385.00
Plus per additional bore	35.22	40.50
• Fixed Fee for Discharge Permit for burning of specified materials, including vegetation, by way of open burning or incineration device (e.g. backyard burning)(see Note 7)	61.30	70.50
Replacement non-notified applications		
 Coastal Permits (excluding moorings), Land Use Consents, Water Permits, and Discharge Permits (excluding Domestic On-site Wastewater) 	713.04	820.00
• Moorings	458.70	527.50
Domestic On-site Wastewater Discharge Permits	509.57	586.00
Certificate of compliance	458.70	527.50
Existing use certificate	458.70	527.50
Deemed permitted activity	355.65	409.00
Transfer of consents from the consent holder to another person (payable by the person requesting the transfer)	78.70	90.50

Description	Minimum estimated initial fees \$ excluding GST	\$ including GST				
Transfer existing water permit between sites within catchment						
 Notified (including limited notification) 	713.04	820.00				
Non-notified	446.96	514.00				
S127 Change or cancellation of consent conditions						
Notified (including limited notification)	1,068.26	1,228.50				
Non-notified	458.26	527.00				
Request to review deemed coastal permit to reflect actual space (off Reform (Repeals and Transitional Provisions) Act 2004	-site review)under s	53 of the Aquaculture				
• Notified (including limited notification) 3,053.48 3,511.50						
• Non-notified	813.91	936.00				
S128 Review of consent conditions, and review of deemed coastal the Aquaculture Reform (Repeals and Transitional Provisions)Act), 20(3) and 21(3) of				
Notified (including limited notification)	1,068.26	1,228.50				
• Non-notified	458.26	527.00				
Extension of period until a consent lapses	283.04	325.50				
Hearing costs (per hearing day per committee member) at hourly rates set by the Remuneration Authority* or the actual costs of Independent Commissioners.	(Per RA)					
* Determination dated 1 July 2006 of consent hearing fees payable and defining the duties covered by the fee or excluded, currently \$80 per hour (Committee Member) and \$100 per hour (Chairman).						
Mooring licence amendment fee	186.96	215.00				
Requests by applicants and/or submitters for independent commissioner(s) to hear and decide resource consent applications as provided for by S100A(2) of the RMA:						
 In cases where only the applicant requests independent commissioner(s), all the costs for the application to be heard and decided will be charged to the applicant. In cases where one or more submitters requests independent commissioner(s), the council will charge as follows: 						

Description	Minimum estimated initial fees S excluding GST	\$ including GST

- The applicant will be charged for the amount that the council estimates it would cost for the application to be heard and decided if the request for independent commissioner(s) had not been made; and
 - a. The requesting submitters will be charged equal shares of any amount by which the cost of the application being heard and decided in accordance with the request exceeds the amount payable by the applicant outlined in a) above.
- Notwithstanding the above, in cases where the applicant and any submitter(s) request independent commissioner(s) all the costs for the application to be heard and decided will be charged to the applicant.

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

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

Please see Section 3.9.10 for photocopying charges. See also Section 3.1 for charges relating to the supply of information provided under the Local Government Official Information and Meetings Act 1987.

3.3 Application to prepare or change a policy statement or plan

Description	Minimum estimated initial fee \$ excluding GST	\$ including GST
Minimum estimated initial fee required for receipt and assessment of any application to prepare or change a policy statement or plan	6,392.17	7,351.00
Minimum estimated initial fee of required to implement a decision to proceed with the preparation or change to a policy statement or plan for the costs of public notification	3,196.09	3,675.50

3.4 Building Act 2004

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

3.4.1 Project and Land Information Memoranda (PIM/LIM)

Es	stimated value of work		(MEC) \$ including GST
All	lapplications	1,223.48	1,407.00

Notes:

1. MEC is payable upon application for a PIM/LIM.

2. Final actual and reasonable costs are payable upon uplifting the PIM/LIM based on standard labour charges in Section 3.2.

3.4.2 Building consents and certificates of approval

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

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

3.4.3 Requests for information on building consents

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

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

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

Action to be taken in respect of buildings deemed to be dangerous or insanitaryStandard labour charge rates shown below.Issue of a Notice to FixMinimum charge of \$103.00 and further charges for inspections and other action to confirm compliance based on standard labour charge rates shown over page.	Function	Minimum estimated initial fee \$ including GST	Hourly charge for exercise of functions or to recover additional costs
for inspections and other action to confirm compliance based on standard labour charge	buildings deemed to be dangerous		Standard labour charge rates shown below.
	Issue of a Notice to Fix		compliance based on standard labour charge

Function	Minimum estimated initial fee \$ including GST	Hourly charge for exercise of functions or to recover additional costs
Lodge Building Warrant of Fitness	121.50	Standard labour charge rates shown over page.
Amendment to compliance schedule	1,223.00	Standard labour charge rates shown over page. Actual and reasonable for expert advice.
Building Warrant of Fitness audit		Standard labour charge rates shown over page.
Certificate of Acceptance	Large dam ⁽¹⁾ - 4,889.00 Medium dam ⁽²⁾ - 2,444.00 Small Dam ⁽³⁾ - 609.50	Standard labour charge rates shown below. Actual and reasonable for expert advice.
Lodge dam potential impact category	121.50	Standard labour charge rates shown below.
Lodge dam safety assurance programme	121.50	Standard labour charge rates shown below.
Lodge annual dam safety compliance certificate	121.50	Standard labour charge rates shown below.
Other functions		Standard labour charge rates shown below.

1. 2. 3. Above \$100,000 value \$20,000 - \$100,000 value

\$0 to \$20,000 value

3 Schedules of fees and charges

41

3.5 Annual charges

3.5.1 Minimum annual charge

Minimum loaded with additional fees post monitoring

Fee level	Annual charge \$ excluding GST	Annual charge \$ including GST
MON001	98.26	113.00

3.5.2 Compliance monitoring/ supervision

Staff time will be charged as the actual and reasonable costs based on standard labour charge rates as shown in Section 3.2 and will be invoiced as and when monitoring occurs.

3.5.3 Water takes charge scales

For more information on administration charges, please refer to Section 2.2.7.1(2).

Scale of annual charges for water takes

Charge code	Fee scale based on abstraction amount	Administration charge \$ including GST	Resource user charge \$ including GST	Total annual charge \$ including GST
ADM001	0 – 9 m³ per day	113.00	0.00	113.00
ADM001 RUC001	10 - 29 m³ per day	113.00	30.00	143.00
ADM001 RUC002	30 – 69 m³ per day	113.00	72.00	185.00
ADM001 RUC003	70 – 199 m³ per day	113.00	208.00	321.00
ADM001 RUC004	200 – 499 m³ per day	113.00	521.00	634.00
ADM001 RUC005	500 – 999 m³ per day	113.00	1,043.50	1,156.50
ADM001 RUC006	≥1000 m³ per day	113.00	2,088.00	2,201.00

For the basis of charging, refer to Section 2.2.7 Setting of annual resource consent (monitoring) charges.

3.5.4 Water Use Returns

Annual charges for Water Use returns

Charge code	Annual return method	Total annual charge \$ including GST
WUR001	Paper	78.00
WUR002	Electronic(e.g. Excel)	52.00
WUR003	Telemetered	21.00

Note: Monthly Water Use Returns received via any method will be charged double the amount shown in the table above.

In addition to the above, the following charge will apply for any late returns

Any Water Use Return received seven or more days late	78.00 (inc. GST)
---	------------------

3.5.5 Moorings and Coastal structures (post construction or installation)

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

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

These bylaw charges were publicly notified pursuant to the Local Government Act 2002 and were set at a meeting of council on 16 June 2020, where the decision was also made to adjust for inflation for the 2020/21 year.

"Owner" includes: a) in relation to a vessel, the agent of the owner and also a charterer; or b) in relation to any dock, wharf, quay, slipway or other maritime facility, means the owner, manager, occupier or lessee of the dock, wharf, quay, slipway or other maritime facility.

2 "Maritime facility" means any jetty, jetty berth, wharf, ramp, slipway, boatshed, marine berth, pontoon or, whether private, commercial or a recreational public facility, that is located within the coastal marine area of Northland

3 "Mooring" means any swing or pile mooring whether private, commercial or recreational mooring that is located within the coastal marine area of Northland.

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Ebecuty Charge per mooring or berth \$ including GST ⁽⁷⁾	Total fee \$ including GST
MOR001 MOR002 BI0001	Individual swing, pile and jetty moorings with or without resource consents.	113.00	80.50	85.00	278.50
MOR004 MOR002 BI0001	Swing and pile moorings owned by one person or organisation, comprising 10 to 24 moorings (per mooring and berths). Note: No additional charge will be set for those structures which are an integral part of the mooring area, so long as those facilities and activities do not give rise to any significant adverse environmental effects.	96.00	80.50	85.00	261.50
MOR005 MOR006 BI0001	Pile moorings and jetty berths owned by one organisation, comprising 25 berths or more, but no more than 75 berths (per berth). Note: No additional charge will be set for those structures which are an integral part of the mooring area, so long as those facilities and activities do not give rise to any significant adverse environmental effects.	62.00	75.00	85.00	222.00
	Marinas comprising more than 75 berths.	-	68.00	85.00	153.00
MOR003	Dinghy pulls	150.00	-	-	150.00

3.5.5.1 Scale of annual charges for Moorings and Marina Berths

1. Unpaid marine biosecurity charges will incur a 10% penalty 20 working days after the due date stated on the invoice. Please see section 2.6.7 for more

Mooring license amendment fee	
Any changes to the mooring license conditions, such as position, size or design of a mooring, or the maximum length of vessel allowed to use the mooring must be approved by the harbourmaster as required by the Navigation Safety Bylaws. The fee relates to the actual work involved in processing the application, including checking the effect on adjacent mooring holders.	215.00 (inc. GST)
The recording of any new mooring in a Mooring Zone	120.00 (inc. GST)
A reinstatement fee following suspension or cancellation of a mooring, to be applied at the harbourmaster's discretion	215.00 (inc. GST)
On-site assessment of moorings	

Mooring holders who require an on-site assessment or inspection of their mooring, or proposed mooring, by the maritime staff for their own benefit will receive a fee based on the actual officer's time charged, at an hourly rate comprising actual employment costs plus a factor to cover administration costs (as per the staff charge rate see section 3.2).

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

3.5.5.2 Scale of annual charges for coastal structures

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge, per mooring or berth	Total fee \$ including GST
				\$ including GST ⁽¹⁾	
CST001	Cables and pipes	143.00	-	-	143.00
CST002	Buildings in the coastal marine area	150.00	-	-	150.00
CST003	Seawalls and reclamations up to 100 m	150.00	-	-	150.00
CST004	Seawalls and reclamations over 100 m	160.50	-	-	160.50
CST005 NAV001	Community and boating club structures and jetties, and non-commercial public structures	150.00	80.50	-	230.50
CST006 NAV001 BI0001	Boatsheds	150.00	80.50	85.00	315.50
CST007 NAV002 BI0001	Boatsheds with additional berth	157.50	161.00	85.00	404.00
CST008 NAV001	Boat ramps up to 15m	150.00	80.50	-	230.50
CST009 NAV002	Boat ramps/slipways over 15m and grids	157.50	161.00	-	319.00
CST010	Low use structures not more than 10m ²	143.00	(2)	-	143.00
CST011 NAV001	Low use structures more than 10m² and up to 300m²	150	80.50 ⁽³⁾	-	230.50

3 Schedules of fees and charges

47

Fee level	Description/Criteria	RMA administration fee or mooring licence fee \$ including GST	Navigation safety bylaw fee \$ including GST	Marine Biosecurity Charge, per mooring or berth \$ including GST ⁽¹⁾	Total fee \$ including GST
CST012 NAV002	Low use structure over 300m²	157.50	161.00 ⁽⁴⁾	-	319.00
CST013	High use structures not marine related	150.00	-	-	150.00
CST014 NAV003	High use structures not more than 300m ² and slipway not more than 50 tonnes	150.00	451.50	-	601.50
CST015 NAV004	High use structures more than 300m ² but not more than 1,000m ²	157.50	1,962.00	-	2,119.50
CST016 NAV005	High use structures more than 1,000m ² and slipways with a maximum capacity of more than 50 tonnes	160.50	3,471.00	-	3,631.50
CST018 CST017 NAV001	Marine farm	*287.50 +admin fee (\$113.00)	80.50	-	481.00 (minimum)

1. Unpaid marine biosecurity charges will incur a 10% penalty 20 working days after the due date stated on the invoice. Please see section 2.6.7 for more

2. A navigation safety fee will be applied if the structure is primarily used for the berthing of vessels, at \$80.50 per berthed vessel.

3. A navigation safety fee of \$80.50 will be applied to all structures (for one vessel). Additional berthed vessels will incur a fee of \$80.50 per vessel.

4. A navigation safety fee of \$161.00 will be applied to all structures (for one vessel). Additional berthed vessels will incur a fee of \$80.50 per vessel.

* Per farm for amalgamated consents.

Note: All structures may be subject to additional charges that recover the costs incurred by the council for extra monitoring, such as sampling a discharge.

Low use structures are typically for private use and high use structures are typically for commercial use.

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

Description/Criteria	Marine Biosecurity Charge \$ excluding GST ⁽¹⁾	Total fee \$ including GST
Northport Limited	3,462.61	3,982.00
Golden Bay Cement	3,462.61	3,982.00
Port Nikau Limited	3,462.61	3,982.00
New Zealand Refining Company Ltd	3,462.61	3,982.00

1. Unpaid marine biosecurity charges will incur a 10% penalty 20 working days after the due date stated on the invoice. Please see section 2.6.7 for more

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

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

Fee level	Description/criteria	RMA \$ excluding GST	Total fee \$ including GST
MON046	Minor structures and jetties: not more than 10m ² in plan area.	124.35	143.00
MON047	Jetties and other structures: more than 10m ² in plan area.	130.43	150.00

Note:

1. Consents for new boat-related structures or to alter boat-related structures in water-bodies will be subject to an inspection during their construction phase based on staff time and rates set out in section 3.2.

2. Refer to Section 2.2.8 setting of annual resource consent (monitoring) charges of the user fees and charges schedule for bases of charges.

3.6 Inspection and monitoring charges

3.6.1 Permitted activity monitoring/inspections - fees

The fees will be charged on a cost recoverable basis (officer time, sampling and equipment costs). Refer to section 3.2 staff charge rates and section 3.9 miscellaneous management charges.

3.6.2 Permitted activity dairy discharges - fees

The charges are as follows:

		\$excluding GST
	(i) Inspection and monitoring fee:	
FDE020	Grades full compliance and minor non-compliance	190.50
FDE021	Grades significant non-compliance	285.50

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

Administration costs incurred will be charged in addition to the costs of the site visit/inspections, plus the actual and reasonable cost of any specific water quality testing and/or enforcement action required (see section 3.9).

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

3.6.3 Farm dairy effluent inspection charges

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

3.6.3.1 Full and minor non-compliance

Sampling and testing required where indicated.

	Description/criteria	Charge \$excluding GST	Charge \$ including GST
FDE000	Per inspection – (no sampling or testing)	287.83	331.00
FDE001	Per inspection - (single sample only)	342.17	393.50
FDE002	Per inspection - (two samples)	396.52	456.00
FDE003	Per inspection – (three samples)	450.87	518.50
FDE004	Per inspection - (four samples)	505.22	581.00

	Description/criteria	Charge \$excluding GST	Charge \$ including GST
FDE005	Per inspection - (five samples)	559.57	643.50
FDE006	Per inspection - (six samples)	613.91	706.00

3.6.3.2 Significant non-compliance

Sampling and testing required where indicated.

	Description/criteria	Charge \$excluding GST	Charge \$ including GST
FDE010	Per inspection – (no sampling or testing)	385.65	443.50
FDE011	Per inspection – (single sample only)	440.00	506.00
FDE012	Per inspection - (two samples)	494.35	568.50
FDE013	Per inspection - (three samples)	548.70	631.00
FDE014	Per inspection - (four samples)	603.04	693.50
FDE015	Per inspection - (five samples)	657.39	756.00
FDE016	Per inspection - (six samples)	711.74	818.50

3.6.4 Follow-up inspections

Description/criteria	Charge \$ excluding GST	Charge \$ including GST
Per inspection - standard follow-up	280.00	322.00
Per inspection - abatement notice follow-up	300.00	345.00

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

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

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

The fees will be charged on a cost recoverable basis (officer time, sampling and equipment costs). Refer to section 3.2 staff charge rates and section 3.9 miscellaneous management charges.

Note: Refer to Section 2.2.8 setting of annual resources consent (monitoring) of the user fees and charges schedule for the bases of charges.

3.7 Maritime activities

3.7.1 Fees for maritime-related incidents

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

3.7.2 Jet Ski Registration Fees

As resolved and prescribed by the Auckland Council (<u>information can be found here</u>), which undertakes this function on behalf of the Northland Regional Council under delegated authority.

3.7.3 Pilotage and Shipping Navigation and Safety Services Fees

		\$GST exclusive	
a.	Pilotage Charges for Bay of Islands apply for vessels entering inside the pilotage limits as marked on chart NZ 5125		
	(i) Inwards/outwards to wharf, Ōpua - per visit		
	Where GT ⁽⁴⁾ is greater than 500 but less than 3000	1,758.40	
	Where GT is greater than 3000 but less than 18,000	3,399.76	
	(ii) Ships to anchor in Bay of Islands – per visit		
	Where GT is greater than 500 but less than 3000	1,758.40	
	Where GT is greater than 3000 but less than 18,000	3,399.76	
	Where GT is greater than 18,000 but less than 40,000	4,057.29	
	Where GT is greater than 40,000 but less than 100,000	4,535.61	
	Where GT is greater than 100,000	5,012.50	
	(iii) Ships to anchor in the Bay of Islands - pilotage cancellation $^{(1)}$ and late booking fee $^{(2)}$		
	Less than 6 months prior to the date of booked pilotage	10% of pilotage charge	
	s toppage of a ship as defined in the Navigation Safety Bylaw 2017 for Northla		

Gross tonnage means the gross tonnage of a ship as defined in the Navigation Safety Bylaw 2017 for Northland

3 Schedules of fees and charges 53

ID: A1286150

	Less than 1 month of the date of booked pilotage	20% of pilotage charge	
	With less than 48 hours notice of the: booked time of pilotage, or notice of booking	40% of pilotage charge	
	(iv)Ships to anchor in the Bay of Islands - change to d	ate of booking for pilotage	
	Change of date of booking to a date that is within one month of original booking, and given at less than one months notice	10% of pilotage charge	
	(v) Ships to anchor in the Bay of Islands - public holid	ay surcharge	
	Pilotage and shipping navigation is required on all observed New Zealand public holidays, including Northland Anniversary Day	1,811.14 surcharge	
b.	Shipping		
	(i) Navigation and Safety Services Fee per ship visiting the Bay of Islands regardless of which pilotage organisation or company actually services the vessel		
	Where GT is greater than 500 but less than 3000	\$1.17/GT	
	Where GT is greater than 3000 but less than 18,000	3,399.76	
	Where GT is greater than 18,000 but less than 40,000	3,819.34	
	Where GT is greater than 40,000 but less than 100,000	4,176.76	
	Where GT is greater than 100,000	4,773.56	
	Where GT is greater than 150,000	5,724.25	
с.	Shipping		
	(i) Navigation and Safety Services Fee per ship visiting the Bay of Islands when the master is exempt from compulsory pilotage		
	Up to 3000 GT	\$1.17/GT	
	(ii) Navigation and Safety Services Fee per ship visiti to be avoided under Maritime NZ approval for exempt Protection Rules.		

Over 45 metres length overall	\$1.17/GT	
(iii) Navigation and Safety Services Fee per ship greater than 500 GT visiting the Whangaroa Harbour, except when the ship has paid the above fee to visit the Bay of Islands during the same voyage		
Over 500 GT	\$1.17/GT (up to a maximum fee of \$1,172.27)	
(iv) Navigation and Safety Services Fee per ship greater than 45 metres length overall, or 500 GT, anchoring in Northland waters and not subject to any other Navigation and Safety Services Fee	\$20/metre of length overall	

 Pilotage cancellation fees apply when cancellation notice is given, and pilot and crew are not mobilised. In the event that a pilot attends a vessel arrival but the vessel does not remain or anchor, then the services provided will be charged at the full rate (discounted at harbourmasters discretion), and a cancellation fee will not apply

2. Late booking fee applies for booking within time, at harbourmaster discretion depending on availability of pilot

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

NOTE: A marine biosecurity charge is also applied to ships between 500 GT and 3000 GT. Please see section 3.8.3.

3.7.4 Harbourmaster's Navigation Safety Services Fee

		\$ GST exclusive
a.	North Port Limited	132,054.00
b.	b. For water transport operators not serviced by a port company, at actual time and cost.	
c.	c. Where the actual costs on a labour time and plant recovery basis exceed the annual fee, the council will recover any balance on an actual cost basis.	

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

	\$GST exclusive
Special Event Processing Fee	169.57

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

3.7.6 Pilot Exemption Exam Fee

	\$GST exclusive
Pilot Exemption Exam Fee	437.39

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

The fees shall apply for the period 1 July 2020 to 30 June 2021 and will continue to apply until superseded by a subsequent bylaw change fixed by resolution and publicly notified or by the review required by section 158 of the Local Government Act 2002.

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

		\$GST exclusive		
Maritime Rule Part 130B requires that the operator of an oil transfer site obtain the approval for a site marine oil spill contingency plan from the director of Maritime New Zealand. The power to approve these plans has been delegated by the director to the Chief Executive Officer(sub-delegated to council employees) of the Northland Regional Council in an Instrument of Delegation pursuant to Section 444(2) of the Maritime Transport Act 1994.				
A Mir	imum fee will apply.			
Sect	ion 444(12) of the Maritime Transport Act 1994 allows the council to charge a person a reasona	able fee for:		
a.	Approving Tier 1 site marine oil spill contingency plans and any subsequent amendments.	291.30		
b.	Renewal of Tier 1 site marine oil spill contingency plan, where staff time is less than one hour.	No charge		
C.	Inspecting Tier 1 sites and any subsequent action taken thereafter in respect of preparation of inspection reports or reporting on non-conformance issues.	Charged at hourly rate of attending staff member		
A minimum fee is charged and further charges may apply based on officer's actual recorded time charged at an hourly rate comprising actual employment costs plus a factor to cover administration and general operating costs. Should travel be required, additional costs for mileage will be charged the standard rate as approved by the Inland Revenue Department.				

3.8 Biosecurity

3.8.1 Pest control products

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

3.8.2 Notice of direction

The time taken in issuing a notice of direction under the Biosecurity Act 1993, will be charged to the owner or occupier at actual recorded time at the relevant hourly staff charge rate as set out in section 3.2 of this schedule. This includes time related to investigations prior to issuing a notice of direction and in subsequent monitoring for compliance with a notice.

3.8.3 Marine Biosecurity Charge for ships

	\$GST exclusive
Applied for a 12 month period, per ship between 500 GT and 3000 GT, anchoring in Northland waters ⁽¹⁾	\$73.76

 This charge will not apply to international vessels that are subject to the 'Craft Risk Management Standard: Biofouling on vessels arriving to New Zealand 2014' and that do not move between designated places under the Northland Regional Pest and Marine Pathway Management Plan 2017-2027

3.9 Miscellaneous management charges - plant and equipment charges

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

3.9.1 Field Test Charges

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

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

3.9.2 Labour - general

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

3.9.3 Plant

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

3.9.4 Water quality monitoring devices

	\$ excluding GST	\$ including GST
YSI Sondes per day	71.30	82.00
ISCO Automated Sampler per day	60.00	69.00

Draft User Fees 2020/21 58

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

3.9.5 Vehicles/quads

Inland Revenue approved mileage rates for annual work-related kilometres travelled	External rate per km
	\$ excluding GST
First 14,000 kilometres travelled by the vehicle in a year	
Petrol or Diesel	0.79
Petrol Hybrid	0.79
Electric	0.79
Travel over 14,000 kilometres in a year	
Petrol or Diesel	0.30
Petrol Hybrid	0.19
Electric	0.09

Note: The internal rate per kilometre of travel is charged at 0.30 excluding GST

3.9.6 Floating plant – standard rates

	\$ excluding GST	\$ including GST
Workboat - "Waikare"	782.17	899.50
Standby – "Waikare"	296.09	340.50

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

(b) Small launch hire (per hour)	\$ excluding GST	\$ including GST
BOI Patrol Boat - "Karetu"	279.13	321.00
Standby - "Karetu"	111.74	128.50
5 metre - "Mangapai"	167.39	192.50
Standby - "Mangapai"	111.74	128.50

3 Schedules of fees and charges

59

(t	b) Small launch hire (per hour)	\$ excluding GST	\$ including GST
W	/hāngārei Work Boat - "Ruawai"	279.13	321.00
S	tandby - "Ruawai"	144.78	166.50

All labour and transport costs incurred in the hire of vessels, are additional and charged at the appropriate staff charge-out rate, with a minimum of two crew members

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

NB: (Additional rates may apply in overtime hours)

3.9.7 - Lease of council owned moorings

Mooring lease	Per day	Per day \$ including GST	Per week	Per week \$ including GST	Per month	Per month \$ including GST
2 Tonne mooring	7.83	9.00	57.39	66.00	181.74	209.00
4 Tonne mooring	11.30	13.00	76.52	88.00	239.12	275.00

Note: vessels temporarily moored on a council owned mooring as a result of council action (eg,seized, abandoned/adrift vessels) will incur the daily mooring lease charge.

Other plant not specified above

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

3.9.8 Hire charge - council, committee, training/meeting rooms

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

Per day	\$ excluding GST	\$ including GST
Council Room	170.87	196.50
Committee Room	57.39	66.00
Council and Committee Rooms	206.09	237.00
Kaipara Training Room	170.87	196.50
Whangaroa Meeting Room	57.39	66.00
Kaipara and Whangaroa Rooms	206.09	237.00

Draft User Fees 2020/21 60

	\$ excluding GST	g \$ including GST
Other meeting rooms	57.39	66.00

3.9.9 Hire charge – council video conference facilities

Hire charge includes a meeting room	\$ excluding GST	\$ including GST
Price per hour	171.30	197.00

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

3.9.10 Photocopying

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

Note: Double-sided is equivalent to two pages.

Labour costs also to be recovered.

3.9.11 Publication charges for RMA and miscellaneous documents

Plan	\$ including GST
Regional Policy Statement	18.50
Regional Policy Statement Maps	117.00
Regional Coastal Plan	113.00
Regional Coastal Plan Maps	102.00
Regional Air Quality Plan	47.00
Regional Water and Soil Plan	115.00
Proposed Regional Plan	21.00

3 Schedules of fees and charges

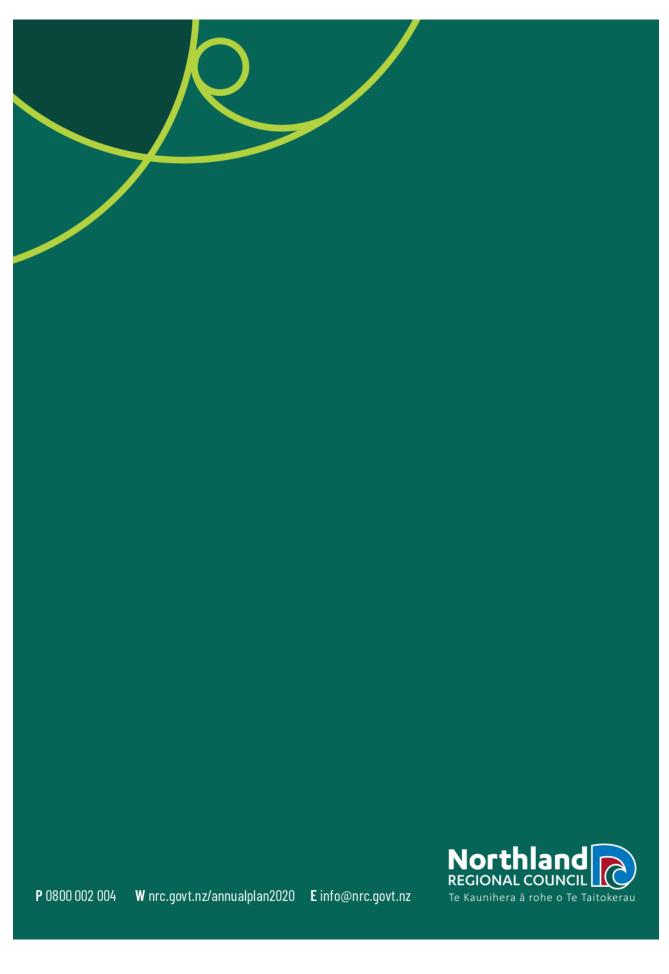
61

Plan	\$ including GST
Proposed Regional Plan on memory stick	no charge
Proposed Regional Plan Section 32 Report	84.00
Statutory Acknowledgements	no charge
Regional Land Transport Plan	53.00
Regional Passenger Transport Plan	53.00
On-site Wastewater Disposal from Households and Institutions	23.50
Plans ⁽¹⁾ on memory stick	no charge

1. Excluding proposed regional plan

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

Council Meeting 18 February 2020



TITLE:Adoption of Supporting Information to the Annual Plan2020/21 Consultation Process

ID: A1280751

From: Kyla Carlier, Corporate Planning Manager

Executive summary/Whakarāpopototanga

This report seeks council approval and adoption of the supporting information to the Annual Plan 2020/21 consultation process, 'Annual Plan 2020/21 Supporting Information | Tautoko i Ngā Kōrero', and for this to be made available for consultation purposes.

The supporting information underpins the Consultation Document for the development of the Annual Plan 2020/21.

Recommendation(s)

- That the report 'Adoption of Supporting Information to the Annual Plan 2020/21 Consultation Process' by Kyla Carlier, Corporate Planning Manager and dated 28 January 2020, be received.
- That council adopts the supporting information pertaining to the Annual Plan 2020/21 consultation process 'Annual Plan 2020/21 Supporting Information | Tautoko i Ngā Kōrero' (Attachment 1 pertaining to Item 6.3 of the 18 February 2020 council agenda), for the purposes of consultation, pursuant to sections 95 and 95A of the LGA.
- 3. That council delegates to the Group Manager Strategy, Governance and Engagement the authority to make any necessary minor formatting, typographical and administrative changes to the supporting information prior to formal public consultation.

Background/Tuhinga

The Local Government Act 2002 (the LGA) requires the council to develop an Annual Plan for years two and three of the Long Term Plan, and staff and councillors have been working to draft a plan for year three.

The LGA directs that a clear and simple consultation document must be produced, in conjunction with supporting information, for the purposes of consultation. The adoption of the consultation document is covered in a separate agenda item. The consultation document is not permitted to contain or have attached to it a draft of the Annual Plan, a full draft of any policy, or detailed information that is not necessary to explain the changes proposed that are different from what was approved in the Long Term Plan 2018–2028.

All supporting information that the consultation document relies upon must be adopted in advance of the Consultation Document (section 95A(4) of the Local Government Act). The Annual Plan 2020/21 Supporting Information document contains the information that is relied on by the content of the consultation document. This item relates to the adoption of the supporting information only.

Supporting information

Information must be provided in addition to that in the consultation document, to provide the level of detail and reference information that is sufficient for the community to be informed on the changes proposed.

The supporting information for the Annual Plan 2020/21 is divided into two sections as follows:

- (1) Moving forward | Katete
 - A welcome message
 - A re-cap of the direction set out in the Long Term Plan 2018–2028
 - A summary of the initiatives proposed that differ from what was proposed in the Long Term Plan.
- (2) Finances: Finances | Mahere a Pūtea
 - Funding Impact statement
 - Rates (including rating examples and a summary of rates)
 - Financial statements.

Considerations

1. Options

Consultation on an annual plan is required under section 95 of the Local Government Act (LGA) if the proposed annual plan contains significant or material differences from the content of the Long Term Plan, for the financial year to which the plan relates.

Consultation requires the production of a consultation document, which must not contain any detailed information not necessary to identify differences from the Long Term Plan, or any full draft of any policy. Section 95A of the LGA requires that the information that is relied on by the content of the consultation document is adopted by council before the consultation document is adopted.

No.	Option	Advantages	Disadvantages
1	Adopt the supporting information to the Annual Plan 2020/21 consultation process for the purpose of consultation.	Council will achieve compliance with the LGA 2002, and the community will be able to review the information that is relied on by the content of the consultation document in a convenient location.	None
2	Do not adopt the supporting information to the Annual Plan 2020/21 consultation process for the purpose of consultation.	None.	Consultation will not occur in accordance with the requirements of the LGA, and council may not be able to implement the proposed changes for the 2020/21 financial year.

Staff recommend option 1, to adopt the Annual Plan 2020/21 Supporting Information document for consultation.

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.

This decision itself is considered to be of low significance when assessed against council's Significance and Engagement Policy because it is for the purpose of achieving compliance with sections 82A and 95 of the LGA and does not, in itself, impact the community other than to provide them with information and an opportunity to engage and provide input into the decision making process.

3. Policy, risk management and legislative compliance

The decision to adopt the supporting information to the Annual Plan 2020/21 consultation process will achieve compliance with section 95A of the Local Government Act 2002. This decision will also achieve 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'.

Further considerations

The decisions contained within this report will enable consultation, which will provide council with feedback on community views and potential impacts on Māori. Any financial impacts or implementation issues are addressed in the attached documentation.

Further consideration of community views, impacts on Māori, financial impacts and implementation issues will be addressed through the deliberations process and subsequent council decision to adopt the final Annual Plan 2020/21.

Attachments/Ngā tapirihanga

Attachment 1: Annual Plan 2020/21 Consultation Supporting Information &

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 12 February 2020

Annual Plan Consultation 2020/21

Tautoko i Ngā Kōrero 2020/21



Council Meeting 18 February 2020

Contents I<mark>hirangi</mark>

Moving forward	
Katete	4
Welcome Nau mai	4
Our Long Term Plan 2018-2028	6
What's changed?	8
Finances	10
Mahere a Pūtea	16
Funding impact statement	16
Rates	20
Other rating information	34
Rating examples	36
Summary of rates	47
Financials	50

Contents **Ihirangi**

1

Council Meeting 18 February 2020

Annual Plan 2020/21 Supporting Information | Tautoko i Ngā Kōrero 2

Moving forward Katete

Welcome Nau mai

If the land is well	Toitū te whenua
If the sea is well	Toitū te moana
The people will thrive	Toitū te tangata

Nau mai, haere mai! Welcome to our annual plan process.

This supporting information document is part of the process for developing our Annual Plan 2020/21. In here you'll find more detail about what we're planning to do a bit differently from our Long Term Plan 2018-2028.

We adopted our Long Term Plan 2018-2028 in June 2018. This plan specified the outcomes we are working toward with our communities and what we are planning to deliver in order to make a real difference during the next 10 years, with a focus on water, pests, and floods. It was shaped with the Northland community via a series of events around the region, where we listened to people's ideas about priorities for Northland, and with the help of more than 2,200 formal submissions.

The long term direction set out in the plan is summarised in our strategic direction document 'Our Vision 2018-2028', which you can find on our website: <u>nrc.govt.nz/ourvision</u>

This will be our second annual plan following adoption of the Long Term Plan 2018-2028. Annual plans offer an opportunity to account for real-time challenges that pop up as we progress our work, and year-to-year fluctuations that are a natural part of financial planning. Even if we're largely sticking to the plan, we think it's important to talk to you whenever we are making changes that have the potential to impact on our communities and, importantly, your rates bill.

This supporting information document is presented in two main sections:

- 'Moving forward ||Katete'- This tells you a bit about what we said we would do in our Long Term Plan 2018-2028, and what we're looking at changing as part of this annual plan process.
- 'Finances ||Mahere a Pūtea'- This has all of the financial information that you need, such as our funding impact statements and rating examples, so that you can understand what rate changes mean for the region, and for you.

Along with this supporting information document, we have also put together a short consultation document, which is a simple guide to the main changes that are planned for the 2020/21 financial year. You can find this, and other related information, on our website: <u>https://www.nrc.govt.nz/annualplan2020</u>

In some cases, our Long Term Plan 2018-2028 will be the best place to find out what's planned for the 2020/21 year. You can find this, and a helpful summary document, on our website: nrc.govt.nz/ltp2018

Have your say!

We rely on our communities to get involved with the decisions we need to make. While this annual plan represents only a few changes from our Long Term Plan, we want to hear what you think. You can do this online nrc.govt.nz/annualplan2020, or by grabbing a hard copy form from one of our service centres and dropping it back to us.

The feedback period closes on Friday 27 March 2020, so make sure you have everything to us by then!

If you want to talk to a councillor about what we are planning to do, please give us a call to arrange a time on 0800 002 004 by Friday 13 March.

Thank you for getting involved in the future of our incredible region!

Hei kona mai



Moving forward Katete 5

Our Long Term Plan 2018-2028

We had some big decisions to make on the work included in our Long Term Plan 2018-2028, and with the help of our communities we set out some exciting long-term goals. We thought hard about what a thriving Northland might look like, which brought in to focus three main elements - a healthy environment, a strong economy and resilient communities, supporting our vision: **Our Northland** - together we thrive.

Our vision and mission are underpinned in our Long Term Plan 2018-2028 by eight key areas of focus across our activities, as set out in the diagram below.

In developing our Long Term Plan, we sought to make sure that our mission and areas of focus were supported by adequate funding and a rating structure that would deliver the most equitable delivery of services. We boosted funding in three key areas: caring for our water, managing pests, and protecting communities from flood risks. The step-change in work that this funding has enabled, combined with the support of dedicated community volunteers, sets the trajectory for an exciting future for Northland.

For water, this means new spending on freshwater improvement and management of lakes and wetlands, new spending on hill country erosion programmes, afforestation and poplar nursery funding to keep soil out of our waterways, and additional resources for monitoring and hydrology work.

For pests, this means allocating more resources to tackle plant, animal, and marine pests including extra funding for Kauri dieback, new spending for work in western Northland, and four new high-value pest control areas in the mid-North/Bay of Islands, Tutukaka, Kai Iwi Lakes, and Mangawhai/Waipū, which build on the highly successful programme at Whangārei Heads.

For floods, this means new flood works to help protect urban Kaitāia, Kerikeri-Waipapa, Kāeo-Whangaroa, the Whangārei CBD, and Panguru. These works are underpinned by a new way to share the cost of new flood schemes, which sees seventy percent of new capital works (above \$500,000) funded by a new region-wide rate.

We've also allocated funding to support our other activities including:

- continuing to build our relationship with Māori
- improving the way that we connect and communicate with our communities
- carrying out our essential maritime and land transport work
- supporting council's economic development activities
- ongoing improvement and development of our customer services, governance processes, regional planning and other in-house activities.

Our Long Term Plan 2018-2028 identified new work to be carried out, and also set out how we will measure our performance in each of our activities. We report on our performance every year in our Annual Report, adopted by council each October.

More on our vision for Northland, encompassing our three, 10, and 30-year goals, is set out in 'Our Vision 2018-2028 | Te Pae Tawhiti', which you can find on our website: <u>www.nrc.govt.nz/ourvision</u>

OUR AREAS OF FOCUS (Community outcomes)

Continuous improvement in water quality and security of supply

Enhancement of indigenous biodiversity and biosecurity

A strong regional economy

Safe and resilient communities

Enduring relationships with tangata whenua

Efficient and effective service delivery

Continue to subsidise rates with investment income

Efficient and effective land transport policies and public transport

OUR VISION Our Northland together we thrive

OUR MISSION

Working together to create a healthy environment, strong economy and resilient communities.

OUR VALUES

OUR ACTIVITIES

Regulatory services

Environmental services

Economic development River management

Customer services and community resilience

Corporate excellence

Governance and engagement

Strong, decisive leadership One high-performing team Customer-focussed Integrity - honest and open Transparent and accountable

Moving forward Katete

ID: A1286150

What's changed?

Our Annual Plan 2020/21 is the final part of a three-piece long term planning puzzle, following the path forged by our Long Term Plan 2018-2028, and altered slightly by our Annual Plan 2019/20.

Annual plans are our chance to seek your support for any changes we are proposing to make to our activities and budget. In this annual plan we're responding to a number of pressures, including increased requirements of central government, and changes in climate and land use that require good management backed up by solid science.

As set out in the previous section, our Long Term Plan set the direction and funding for a lot of new work, particularly for looking after our water resources, helping our native life flourish, and protecting our communities from floods.

We're going ahead with this vital new work, which was made possible by the mandate given to us by the people of Northland during our long term plan consultation process and by continued support from the communities and community groups we work alongside with in many projects. It was also made possible by additional funding secured from central government for new and boosted work programmes we're working hard to implement.

We're now planning to make sure we're still on track to deliver what we set out to achieve for the third year of the Long Term Plan 2018-2028. However with more long-term planning just around the corner in 2021, we also need to ensure that we are looking ahead to our future new long term plan.

That means keeping up the momentum to deliver on the last year of our Long Term Plan 2018-2018 with new investment in engagement with our communities, Māori relationships, information technology, and data management, supporting the prevention of low-incident pest plants, and replacing the engines of the maritime vessel 'Ruawai'.

We're also looking to future-proof in recognition of the challenges we'll be facing in our next long term plan, with the expansion of the council-owned poplar nursery to ensure a future supply of poplar poles, investment in water quality and quantity science to provide high-quality data to aid future decision making, and a climate change adaptation strategy to scope out the best way to approach this challenge.

These changes affect our māori relationships, community engagement, planning and policy, hydrology, land and water, harbour safety and navigation, and corporate services activities.

Annual Plan 2020/21 Supporting Information | Tautoko i Ngā Kōrero 8

Keeping up the pace

Governance and engagement

- Kaiarahi Mahere Māori Māori technical advisor
- Northland Māori representation on national committee 'Te Maruata'
- Tangata whenua capability and capacity
- Campaigns and engagement coordinator

Environmental services

- Pest plant prevention
- Junior hydrology officer

Customer services and community resilience

· Replacement engines for the vessel 'Ruawai'

Corporate excellence

- Technology upgrades
- Off-site storage of consent files
- Data asset management

Gearing up for change

Regulatory services

- Freshwater quality accounting system
- Water quality monitoring stations

Environmental services

- Modelling highly allocated aquifers
- Aupõuri groundwater analysis
- National wells database
- Lake level sensors
- Expansion of the poplar and willow nursery
- Climate change adaptation strategy

You can find out more about our activities, including budgets and how we measure our performance, in our Long Term Plan 2018-2028.

Details of proposed changes

The majority of our proposed new investment is operational spend, with four new areas of capital spend.

Kaiarahi Mahere Māori - Māori technical advisor

\$101,000 of ongoing operational expenditure; \$4,700 of one-off capital expenditure.

Fostering enduring relationships with tangata whenua is one of council's key areas of focus, and an area in which we are experiencing significant demand. We need to make sure we build these relationships and are resourced to meet the requirements of treaty settlements, central government policy and our own commitment to engage iwi and hapū in our decision making processes.

Funding of \$101,000 is proposed for the position of Kaiarahi Mahere Māori - a technical role tasked with improving how council and Māori work together in decision making processes, and to support staff and councillors in their engagement with tangata whenua.

The \$101,000 of ongoing operational expenditure required will predominantly be funded from the Council Services Rate; the \$4,700 of one-off capital expenditure will be funded from council's retained earnings.

Northland Māori representation on national committee 'Te Maruata'

\$7,000 of ongoing operational expenditure.

As part of relationship-building with tangata whenua, council is committed to ensuring that Māori receive the support and resources they need to have meaningful representation and participation in local government processes. Te Maruata is a sub-committee of the National Council of Local Government New Zealand, and it provides this advocacy and support, as well as an opportunity for input into future national policy and legislation.

Funding of \$7000 is proposed to enable two members of Te Tai Tokerau Māori and Council Working Party to represent Northland on this national committee.

The \$7,000 of ongoing operational expenditure required will predominantly be funded from the Council Services Rate.



Tangata whenua capability and capacity

\$30,000 of ongoing operational expenditure

Council has an obligation and a commitment to build the capacity of Māori to contribute to our decision-making processes. A key part of this is the development of a Mana Whakahono ā Rohe agreement, which provides a structure for the relationship between council and iwi authorities or hapū, under the Resource Management Act.

Council has adopted a Mana Whakahono ā Rohe agreement for Northland, and proposes new funding of \$30,000 to support this commitment, and the training and capacity building that it comprises.

The \$30,000 of ongoing operational expenditure required will predominantly be funded from the Council Services Rate.

Campaigns and engagement coordinator

\$40,000 of ongoing operational expenditure; \$4,700 of one-off capital expenditure

Council has experienced an exciting period of growth in activities during the past two years as a result of the Long Term Plan 2018-2018 and our success in attracting new government funding. This cumulative growth requires support from within the organisation that isn't directly funded by grants or work programme budgets.

Ensuring that our communities are aware of the work that is being done, and that they can engage easily with us, is a key part of the support required. A campaigns and engagement coordinator will facilitate this work, focusing on water and pest management engagement activities.

Funding of \$40,000 is proposed as a portion of the funding required to support this position, with the remainder coming from savings found within existing budgets.

The \$40,000 of ongoing operational expenditure required will predominantly be funded from the Council Services Rate; the \$4,700 of one-off capital expenditure will be funded from council's retained earnings.

Pest plant prevention

\$110,000 of one-off operational expenditure

Under our Regional Pest Management Plan, we are working to eradicate, or progressively contain, 31 pest plants to prevent their further spread and are working to exclude another 14 pest plan species from becoming established here. The philosophy is to invest early in effective control and containment in order to prevent far more significant cost and environmental impact in the future.

A recent review of these eradication and containment programmes have highlighted the need for more work in this area. \$110,000 is proposed for extra contract work to complete surveillance and control inspections that will result in more efficient management.

The \$110,000 of one-off operational expenditure required will predominantly be funded from the Pest Management Rate.

Junior hydrology officer

\$69,000 of ongoing operational expenditure; \$4,700 of one-off capital expenditure.

Maintaining a hydrometric network for Northland is one of our primary environmental responsibilities. The data that we gain from this network is key to our future planning and management of water in times of water shortages or drought. The boost in work that resulted from the last long term plan has put pressure on the team running this network. Additionally, health and safety standards often require two officers to carry out some of the work in the field, further stretching existing resources.

Employing a junior hydrology officer at a proposed cost of \$69,000 would allow us to deliver on both our increased workloads and health and safety requirements.

The \$69,000 of ongoing operational expenditure required will predominantly be funded from the Freshwater Management Rate; the \$4,700 of one-off capital expenditure will be funded from council's retained earnings.

Replacement engines for the vessel 'Ruawai'

\$35,000 one-off capital expenditure

Council maintains vessels to enable it to carry out activities on the water. The Ruawai is our all-weather capable coastal craft, used for a broad range of tasks from water quality runs to biosecurity checks, oil spills and pollution monitoring.

We keep our vessels well maintained to ensure reliability and to retain optimal resale value, and we've identified that we're approaching the optimum time to replace the engines of the Ruawai, where we can offset the cost of new engines by the sale of the existing engines, and keep the vessel sound.

\$35,000 is proposed for the purchase of new engines.

The \$35,000 of one-off capital expenditure required will predominantly be funded from retained earnings with future depreciation of \$3,500 funded from the Council Services Rate

Technology upgrades

\$500,000 of ongoing operational expenditure

Faced with a rapidly evolving technological landscape, council is challenged with striking the right balance between maintaining the most efficient and fit-for-purpose systems and keeping everything as cost-effective as possible. The step-change in council activities that resulted from the last long term plan has put significant pressure on our information technology systems, highlighting the need for investigation in to the way we are doing things. We highlighted this in our last annual plan, where we allocated funding to carry out scoping and investigation.

We've advanced the project since then, with the development of a detailed business case that scopes the options for council. This has shown that we need to invest more to implement modern enterprise systems, replacing our dated core systems with modern technology. These new systems will enable us to be more productive and efficient, will significantly reduce our risk, and will keep pace with us as we move in to the next decade.

There is a need for a boost in investment as we migrate from one set of systems to another, and we are proposing to allocate \$500,000 toward the project for 2020/21, and for two years following while we complete migration.

The \$500,000 operational expenditure required, ongoing for three years, will predominantly be funded from the Council Services Rate.



Moving forward Katete

Off-site storage of consent files

\$10,000 of one-off operational expenditure and \$7,000 of ongoing operational expenditure

Many years of managing consent applications have resulted in a large number of physical files and records, which we need to have access to at all times. These take up significant physical space, cost staff time, and are not a permanent long-term method of storing information.

We're proposing to allocate \$17,000 to move these records to a secure off-site location which will release valuable office space, and enable them to be scanned into digital files on demand as we need to access them, eventually resulting in a full suite of digital files.

The \$17,000 of ongoing and one-off operational expenditure required will predominantly be funded from the Council Services Rate.

Data asset management

\$75,000 of one-off operational expenditure

Data is one of council's biggest assets, and is the focus of several of the proposals presented in this document, as we work towards ensuring that we have good quality information leading in to our long term plan process.

Managing this huge volume of data is no mean feat, and we're looking to create an inventory of our data to fully understand its status, so that we can develop a plan to improve data quality and mitigate risks.

We're proposing \$75,000 to complete this work.

The \$75,000 of one-off operational expenditure required will predominantly be funded from the Council Services Rate.

Freshwater quality accounting system

\$150,000 of one-off operational expenditure

The National Policy Statement for Freshwater Management requires a significant amount of work from regional councils to establish freshwater quality objectives and limits. One of the requirements of the policy statement is that regional councils must establish and operate freshwater quality accounting systems.

\$150,000 is proposed to purchase a water quality model that will meet these requirements and ensure that quality and accurate information is available for future management of freshwater.

The \$150,000 of one-off operational expenditure required will predominantly be funded from the Freshwater Management Rate.

Water quality monitoring stations

\$105,000 of one-off capital expenditure, and \$7,000 of ongoing operational expenditure.

Having the right equipment is essential to getting good quality data. Council maintains seven continuous freshwater monitoring stations, of which only two are fitted with specialised 'multiple sensor' equipment that enables us to measure a wide range of environmental parameters.

We propose upgrading all sensors so that we can get the best data for our environmental science framework, at a one-off capital cost of \$105,000 and \$7,000 of ongoing operational spend.

The \$105,000 of one-off capital expenditure required will predominantly be funded from retained earnings with future depreciation of \$10,500 funded from the Council Services Rate, and the \$7,000 of ongoing operational expenditure will predominantly be funded from the Freshwater Management Rate.

Modelling highly allocated aquifers

\$100,000 of ongoing operational expenditure

Northland's precious groundwater is coming under increasing pressure from land use and development, and monitoring and managing this is an ongoing challenge. Our proposed Regional Plan for Northland sets allocation limits for aquifers across the region, and we need to check these limits in the highly allocated Aupōuri, Ruawai and Russell aquifers to provide for effective future planning.

The purchase of a model at a cost of \$100,000 will provide the science required to assess these aquifers effectively, also setting the scene for longer term planning and reviews.

The \$100,000 of operational expenditure required, ongoing for three years, will predominantly be funded from the Freshwater Management Rate.



Aupōuri groundwater analysis

\$20,000 of one-off operational expenditure

In addition to assessing the allocation of groundwater, analysing the age of groundwater is a critical element in understanding the recharge, mixing and flow dynamics of our groundwater systems. We are one of a few regions with some of this age data already available, and have a unique opportunity to participate in an independent study on detailed groundwater age analysis.

\$20,000 is proposed to carry out a more detailed analysis of 10-12 sites across the Aupouri aquifer, to tie in to the independent work being carried out and improve our understanding for future decisions on sustainable management of groundwater.

The \$20,000 of one-off operational expenditure required will predominantly be funded from the Freshwater Management Rate.

National wells database

\$20,000 of one-off operational expenditure

Another piece of the groundwater management puzzle is tracking and recording the wells that are extracting groundwater. To do this we need a wells database that can provide effective data storage and reporting of well information. Council has the opportunity to achieve this as part of a joint effort among five regional councils.

\$20,000 is proposed as council's contribution to this database, which will be completed at a national and regional level.

The \$20,000 of one-off operational expenditure required will predominantly be funded from the Freshwater Management Rate.

Lake level sensors

\$33,000 of one-off capital expenditure

Monitoring the water levels in our lakes is one of the tools we use to keep an eye on water quality and quantity. It's important that the data we collect has good resilience, so that it's of high enough quality to enable sound science.

Our lake level recorders were due for replacement in the coming financial year, and we're proposing to future-proof by replacing the recorders with upgraded telemetered sensors. This means that we'll get data in real-time without the risk of data loss. The proposed upgrade to the replacement schedule has a capital cost of \$33,000.

The \$33,000 of one-off capital expenditure required will predominantly be funded from retained earnings with future depreciation of \$3,300 funded from the Council Services Rate.

Expansion of poplar and willow nursery

\$78,000 of one-off capital expenditure

The council-owed poplar and willow nursery has been progressively expanding over the last three years to meet the demands of land owners who use the poles to control erodible soils, keeping soil on the hills and out of our waterways. The demand is unwavering, so we're planning to expand the nursery by another 4ha, allowing us to grow another 30,000 poplar and willow poles to meet future demand.

We propose adding an extra \$78,000 of capital spend to the current budget to fund this expansion.

The \$78,000 of one-off capital expenditure required will predominantly be funded from retained earnings with future depreciation of \$7,800 funded from the Council Services Rate

Climate change adaptation strategy

\$105,000 of one-of operational expenditure

Climate change is one of the biggest challenges facing all regions, and is of increasing concern to our communities. We are looking at how we can provide information, planning and guidance around the risks posed by climate change. Council is a key driver of a regional joint adaption group which is developing an adaptation strategy to identify the key risks for the region and prioritise sites for community adaptation planning. We are working to get the strategy delivered before our next long term plan, in order to outline a collaborative climate change adaptation work programme.

A one-off spend of \$105,000 is proposed which, in addition to existing budget and contributions from district councils, will fund technical support for the development of climate change adaptation plans at a small number of pilot sites in advance of the Long Term Plan programme.

The \$105,000 of one-off operational expenditure required will predominantly be funded from the Council Services Rate.

Moving forward Katete 13

What does this mean for my rates?

Council's revenue comes from a number of sources including rates, grants and subsidies, user fees and charges and investment income. While we subsidise the cost of our activities with investment income, and also fund capital expenditure from cash reserves, some of these new proposals impact rates.

The Long Term Plan 2018-2028 budgeted a 4% increase for the 2020/21 year to fund the work programmes approved as part of that process. In order to keep up the momentum of the LTP and gear up for change, we're proposing to increase this by

4.6%, for a total increase of 8.6%. This extra 4.6% increase works out at an average of \$13.60 per household, for a year-on-year average increase of around \$30, taking the average estimated rates bill for the year to \$391.80.

This rate increase will cover the cost of the proposed new operational expenditure outlined above. The majority of the capital spend is funded from council's retained earnings with future depreciation funded from rates.





Funding impact statement

Rating funding impact statement

This statement is GST exclusive. It shows total gross expenditure and lists (by rate and income type) the funding derived from each source, for easy reference.

Annual Plan		Draft Annual	LTP Year 3	Variance
2019/20		Plan 2020/21	2020/21	
\$(000)		\$(000)	\$(000)	\$(000)
47,644	Operational Expenditure	51,822	45,479	(6,343)
16,744	Capital Expenditure	12,208	5,002	(7,206)
64,388	Total Gross Expenditure	64,030	50,481	(13,549)
	Funded By:			
8,017	Council Services Rate	9,140	8,143	997
2,408	Land Management Rate	2,546	2,693	(147)
4,903	Freshwater Management Rate	5,551	5,151	400
4,527	Pest Management Rate	4,896	4,690	206
2,154	Flood Infrastructure Rate	2,277	2,220	57
1,604	Civil Defence and Hazard Rate	1,696	1,648	48
611	Targeted Regional Infrastructure Rate	611	611	-
1,385	Targeted Regional Sporting Facilities Rate	1,385	1,385	-
4,251	Other Targeted Rates	4,251	4,251	-
4,793	Grants and Subsidies	6,906	2,869	4,037
4,388	User Charges	4,509	4,492	17
2,996	Rental Income	3,654	2,575	1,079
3,340	Interest Income	2,992	4,909	(1,917)
3,708	Dividend Income	3,542	4,096	(554)
-	Forestry Income	-	-	-
-	Sundry Income	-	-	-
15,303	Cash Reserves from/(to)	10,074	748	9,326
64,388	Total Funding	64,030	50,481	13,549

Prospective funding impact statement

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

Explanatory note to Applications of Capital Funding: The variance in expenditure shown as the line item 'To improve levels of service' is primarily due to the significant redevelopment of the former Countdown building site in Kensington, Whangārei, and a commercial development in Dargaville.

Annual Plan		Draft Annual	LTP Year 3	Variance
2019/20		Plan 2020/21	2020/21	
\$(000)		\$(000)	\$(000)	\$(000)
	Sources of Operating Funding			
-	General Rates, uniform annual general charges, rates penalties	-	-	-
29,860	Targeted rates	32,353	30,792	(1,561)
4,793	Grants and subsidies for operating purposes	6,906	2,869	(4,037)
4,388	Fees Charges	4,509	4,492	(17)
7,048	Interest and dividends from investments	6,534	9,005	2,471
2,996	Local authorities fuel tax, fines, infringement fees and other receipts	3,655	2,575	(1,080)
49,085	Total Sources of Operating Funding	53,957	49,733	(4,224)
	Applications of Operating Funding			
46,304	Payments to staff and suppliers	50,762	44,081	(6,680)
1,340	Finance costs	1,060	1,398	338
-	Other operating funding applications	-	-	-
47,644	Total Applications of Operating Funding	51,822	45,479	(6,342)
1,441	SURPLUS/(DEFICIT)FROMOPERATING FUNDING	2,135	4,253	2,118
	Sources of Capital Funding			
-	Subsidies and grants for capital expenditure	-	-	-
-	Development and financial contributions	-	-	-
6,545	Increase/(Decrease) in debt	3,116	2,049	(1,067)

-	Gross proceed from sale of assets	-	-	-
-	Lump sum contributions	-	-	-
-	Other dedicated capital funding	-	-	-
6,545	Total Sources of Capital Funding	3,116	2,049	(1,067)
	Applications of Capital Funding			
	Capital expenditure			
-	- To meet additional demands	-	-	-
15,470	- To improve levels of service	11,011	3,157	(7,854)
1,274	- To replace existing assets	1,198	1,845	647
(616)	Increase/(Decrease) in reserves	(99)	1,383	1,482
(8,142)	Increase/(Decrease) in investments	(6,859)	(83)	6,776
7,986	Total Applications of Capital Funding	5,251	6,302	1,051
(1,441)	SURPLUS/(DEFICIT) FROM CAPITAL FUNDING	(2,135)	(4,253)	(2,118)
-	FUNDING BALANCE	-	-	-

Annual Plan		Draft Annual	LTP Year 3	Variance
2019/20		Plan 2020/21	2020/21	
S(000)		\$(000)	S(000)	S(000)
16,744	Capital expenditure included above not in Comprehensive Revenue and Expense	12,208	5,002	(7,206)
(8,142)	Investment movements included above not in Comprehensive Revenue and Expense	(6,859)	(83)	6,776
-	Other Gains included in Comprehensive Income not above	-	-	-
-	Gross Proceeds included above not in Comprehensive Income	-	-	-
-	Financial Asset fair value adjustments included in comprehensive income but not above	-	-	-
-	Property revaluation adjustments included in comprehensive income but not above	-	-	-
(6,545)	Proceeds from Borrowings included above not in comprehensive revenue	(3,116)	(2,049)	1,067
(616)	Transfers to/(from) special reserves included above not in comprehensive Income	(99)	1,383	1,482
-	Infrastructure asset revaluation adjustments included in comprehensive income but not above	-	-	-
(1,810)	Depreciation Expense included in Comprehensive Income not above	(1,852)	(1,823)	29
(369)	- Total Comprehensive revenue and expense for the year per the Statement of Comprehensive Revenue and Expense	282	2,430	2,148

Reconciliation to Statement of Comprehensive Revenue and Expense

Rates

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

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

Uniform annual general charge

The council does not set a uniform annual general charge.

Targeted region-wide rates

The council sets six rates, which are applied as targeted region-wide rates – the council services rate, land management rate, fresh water management rate, pest management rate, flood infrastructure rate and the civil defence and hazard management rate. Targeted region-wide rates are assessed on all rateable properties in the Northland region.

Council services rate

What it funds

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

How it is set

The council services rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is calculated on the total projected capital value, as determined by the certificate of projected valuation of each constituent district in the Northland region. The rate is differentiated by location in the Northland region, and assessed as a fixed amount per each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts and on each rating unit in the Kaipara district. An additional \$1.73 per separately used or inhabited part (SUIP) of a rating unit is to be assessed across the Whangārei constituency to provide \$75,748 to fund the ongoing maintenance of the Hātea River channel.

How much is the rate?

The estimated total council services rate amounts to **\$10,511,731** for the 2020/21 financial year.

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

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

Council services rate			
District	Rate	Rateable unit	
Far North	\$93.77	perSUIP	
Kaipara	\$126.53	per rating unit	
Whangārei	\$119.90	perSUIP	

Land management rate

What it funds

This land value based rate is used to fund activities that are carried out under the Soil Conservation and Rivers Control Act 1941 and the Resource Management Act 1991. The land management rate will specifically fund land management activities that have a direct relationship to land. This rate will fund the costs remaining after appropriate user fees and charges, grants and subsidies, and a share of investment income (where available) have been taken into account. The land management rate is assessed across all sectors of the Northland community and recognises that the benefit derived from the funded activities is strongly linked to land values.

How it is set

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

How much is the rate?

The estimated total land management rate is **\$2,927,817** for the 2020/21 financial year. The following table shows the actual and equalised land value for each district, and the rate per \$100,000 of land value for each district based on the equalised land values. If all districts had the same valuation date, each district would have the same rate per \$100,000 of actual land value.

Land management rate

District		Equalised land value \$(000)'s	
Far North	10,239,090	10,239,090	\$9.62
Kaipara	5,061,207	5,687,656	\$10.90
Whangārei	14,210,830	14,817,490	\$10.02

Freshwater management rate

What it funds

This land value based rate is used to fund activities that are carried out under the Soil Conservation and Rivers Control Act 1941 and the Resource Management Act 1991, and the National Policy Statement for Freshwater Management, including its amendments.

This rate will fund the costs remaining after appropriate user fees and charges, grants and subsidies, and a share of investment income (where available) have been taken into account. The freshwater management rate will specifically fund planning and works to improve freshwater quality. The freshwater management rate is assessed across all sectors of the Northland community and recognises that the benefit derived from the funded activities is strongly linked to land values.

How it is set

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

How much is the rate?

The estimated total freshwater management rate is **\$6,383,832** for the 2020/21 financial year. The following table shows the actual and equalised land value for each district, and the rate per \$100,000 of land value for each district based on the equalised land values. If all districts had the same valuation date, each district would have the same rate per \$100,000 of actual land value.

Freshwater management rate

District	Actual land value \$(000)'s	Equalised land value \$(000)'s	
Far North	10,239,090	10,239,090	\$20.95
Kaipara	5,061,207	5,687,656	\$23.73
Whangārei	14,210,830	14,817,490	\$21.86

Pest management rate

What it funds

The council uses the pest management rate to fund activities that are carried out under the Biosecurity Act 1993. This rate will fund the costs remaining after appropriate user fees and charges, grants and subsidies, and a share of investment income (where available) have been taken into account. For activities funded by this rate that relate to the implementation of the Northland Regional Pest Management Plan under the Biosecurity Act 1993, consideration is given to the requirements of Section 100T of the Biosecurity Act. An analysis of Section 100T requirements was carried out and considered by council as part of the process of consulting on and adopting the Long Term Plan 2018-2028, and can be found in the rates section of that document.

The pest management rate will specifically fund pest plant and pest animal management activities.

How it is set

The pest management rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is calculated on the total projected capital value, as determined by the certificate of projected valuation of each constituent district in the Northland region. The rate is differentiated by location in the Northland region, and assessed as a fixed amount per each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts and on each rating unit in the Kaipara district.

How much is the rate?

The estimated total pest management rate amounts to **\$5,630,060** for the 2020/21 financial year.

The pest management rate is payable in respect of each rating unit in the Kaipara district, and each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts of the Northland region, and will be set as shown in the following table. This funding impact statement recognises that a differentiated, fixed amount on each rating unit (property), or SUIP of a rating unit, links better to pest management activities, where the link to land value is very weak.

Pest management rate

District	RateRateable unit
FarNorth	\$50.59per SUIP
Kaipara	\$68.26 per rating unit
Whangārei	\$63.75 per SUIP

Flood infrastructure rate

What it funds

This rate will partially or fully fund the development of flood protection infrastructure in communities across Northland that meet specified criteria as approved by the council (as set out in the Infrastructure Strategy included in the Long Term Plan 2018-2028). Specific targeted rates will be used to fund the portion of flood protection infrastructure that is not met by this flood infrastructure rate, and operational river schemes works.

How it is set

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

How much is the rate?

The estimated total Northland flood infrastructure rate amounts to **\$2,618,535** for the 2020/21 financial year. The rate for each rating unit in the Kaipara district and each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts is set as \$27.57.

Civil defence and hazard management rate

What it funds

The council uses the civil defence and hazard management rate to fund activities that are carried out under the Civil Defence Emergency Management Act 2002, Resource Management Act 1991 and Soil Conservation and Rivers Control Act 1941. This rate will fund the costs remaining after appropriate user fees and charges, grants and subsidies, and a share of investment income (where available), have been taken into account.

How it is set

The civil defence and hazard management rate is a targeted rate as authorised by the Local Government (Rating) Act 2002. The rate is calculated on the total projected capital value, as determined by the certificate of projected valuation of each constituent district in the Northland region. The rate is differentiated by location in the Northland region, and assessed as a fixed amount per each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts, and on each rating unit in the Kaipara district.

How much is the rate?

The estimated total civil defence and hazard management rate amounts to **\$1,950,034** for the 2020/21 financial year.

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

This funding impact statement recognises that a differentiated, fixed amount on each rating unit or SUIP of a rating unit links better to civil defence and hazard management activities where the link to land value is weak.

Civil defence emergency management rate

District	RateRateable unit
FarNorth	\$17.52 per SUIP
Kaipara	\$23.64 per rating unit
Whangārei	\$22.08 per SUIP

Specific targeted rates

The following specific targeted rates are for 2020/21.

Emergency services rate

What it funds

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

How it is set

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

How much is the rate?

The estimated total emergency services rate is **\$1,112,595** for the 2020/21 financial year.

The rate for each rating unit in the Kaipara district and each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts is set as \$11.72.

How is the rate applied?

The emergency services rate will be applied to approved recipients.

Regional sporting facilities rate

What it funds

The council will collect the regional sporting facilities rate to contribute funds towards the development of sporting facilities across Northland that are of regional benefit, Potential recipient projects will be determined through ongoing work on the Northland Sports Facilities Plan.

How it is set

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

How much is the rate?

The estimated total Northland regional sporting facilities rate amounts to **\$1,593,107** for the 2020/21 financial year. The rate for each rating unit in the Kaipara district and each separately used or inhabited part (SUIP) of a rating unit in the Far North and Whangārei districts is set as \$16,78.

How is the rate applied?

This rate is applied to the development of sporting facilities that are of regional benefit.

Regional infrastructure rate

What it funds

The regional infrastructure rate will fund activities relating to the development and/or completion of regional infrastructure projects.

How it is set

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

How much is the rate?

The estimated total regional infrastructure rate is **\$702,449** for the 2020/21 financial year.

The following table shows the actual and equalised land value for each district, and the rate per \$100,000 of land value for each district, based on the equalised land values. If all districts had the same valuation date, each district would have the same rate per \$100,000 of actual land value.

Regional infrastructure rate

District		Equalised land value \$(000)'s	
Far North	10,239,090	10,239,090	\$2.31
Kaipara	5,061,207	5,687,656	\$2.62
Whangārei	14,210,830	14,817,490	\$2.41

How is the rate applied?

This rate is applied to the infrastructure facilities reserve,

Whangārei transport rate

What it funds

This rate forms the local contribution required to fund the Whangārei bus passenger transport, the Whangārei Total Mobility service, and provision of other public transport services in the Whangārei District.

How it is set

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

How much is the rate?

The estimated total Whangārei transport rate is **\$1,015,194** for the 2020/21 financial year. The rate will be set at \$23.12 for each rateable separately used or inhabited part (SUIP) of a rating unit in the Whangārei district,

How is the rate applied?

The Whangārei transport rate will be applied to the passenger transport administration activity to subsidise bus passenger transport, provision of the Total Mobility service, and provision of other public transport services in the Whangārei district.

Far North transport rate

What it funds

This rate funds the Far North bus passenger transport service, and the investigation and provision of other public transport services in the Far North district.

How it is set

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

How much is the rate?

The estimated total Far North district transport rate is \$319,470 for the 2020/21 financial year. The rate will be set at \$8,63 for each rateable separately used or inhabited part (SUIP) of a rating unit in the Far North district.

How is the rate applied?

The Far North district transport rate will be applied to the passenger transport administration activity to subsidise provision of bus passenger transport, and the investigation and provision of other public transport services in the Far North district.

Awanui River management rate

What it funds

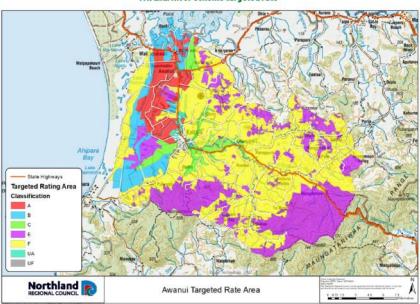
This rate funds capital and operational works on the Awanui River flood management scheme.

How it is set

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

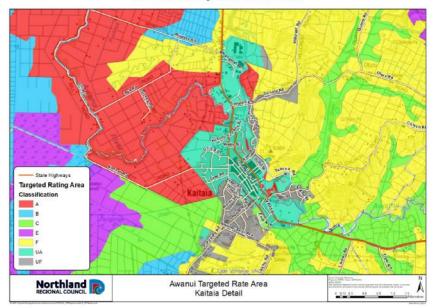
	Awanui river management rate	
Cate	goryDescription	RateRateable unit
1	Urban rate class UA (floodplain location) \$297.95 direct benefit plus \$30.01 indirect benefit per separately used or inhabited part of a rating unit.	\$327.96Per SUIP
2	Urban rate classes UF (higher ground) \$30.00 direct benefit plus \$30.01 indirect benefit per separately used or inhabited part of a rating unit.	\$60.01Per SUIP
3	Commercial differential factor applicable to urban rate classes UA and UF, and rural hectare rate classes A & B, C, E and F.	3.0 times the appropriate rate & B, C, E and F
4	Rural rate differentiated by class, \$13.35 per separately used or inhabited part of a rating unit of indirect benefit, plus a rate per hectare for each of the following classes of land in the defined Kaitāia flood rating district as illustrated in the following maps and table.	

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

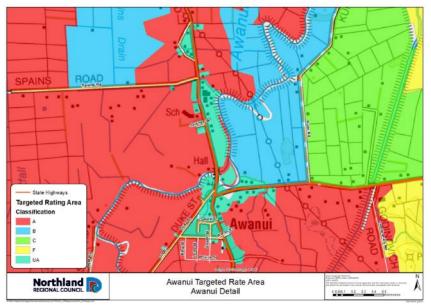


Awanui River scheme targeted rate

Awanui scheme targeted rate - Kataia detail



Awanui River scheme targeted rate - Awanui detail



Awanui river management rate

Class	Description	Rate per hectare
A & B	High benefit; rural land which receives high benefit from the Awanui Scheme works due to reduced river flooding risk and/or reduced duration of flooding and/or reduced coastal flooding.	\$24.47
С	Moderate benefit; land floods less frequently and water clears quickly.	\$11.07
E	Land in flood-ways and ponding areas that receive no benefit and land retained in native bush that provides watershed protection.	-
F	Contributes run-off waters, and increases the need for flood protection.	\$1.09

For more detailed information on rating class boundaries, please refer to the <u>Awanui Scheme Asset Management</u> <u>Plan</u>, which is available on our website.

How much is the rate?

The estimated total Awanui River management rate is **\$1,090,352** for the 2020/21 financial year. The revenue sought from each category of rateable land will be as follows:

Class	Rural or urban	Total revenue
A & B	Rural	\$139,082
С	Rural	\$17,898
F	Rural	\$20,449
Indirect benefit	Rural	\$21,465
Urban A	Urban	\$476,686
Urban F	Urban	\$39,697
Commercial differential	Majority urban	\$375,075
Total		\$1,090,352

Awanui river management rate

How is the rate applied?

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

Kaihū River management rate

What it funds

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

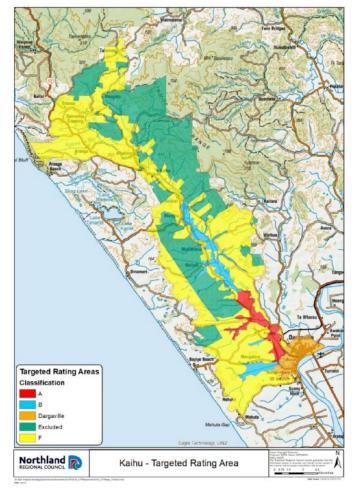
How it is set

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

The council will set the rate differentially as follows:

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

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



Kaihū river management rate

Description	Rate per hectare
Land on the floodplain and side valleys downstream of the Rotu Bottleneck.	\$23.13
Land on the floodplain and tributary side valleys between Ahikiwi and the Rotu Bottleneck and in the Mangatara Drain catchment upstream of SH12.	\$11.39
Balance of rateable land within the Kaihū River rating area.	\$1.60
Urban contribution A contribution from Kaipara District Council instead of a separate rate per property.	Per annum \$5,015
	Land on the floodplain and side valleys downstream of the Rotu Bottleneck. Land on the floodplain and tributary side valleys between Ahikiwi and the Rotu Bottleneck and in the Mangatara Drain catchment upstream of SH12. Balance of rateable land within the Kaihū River rating area. Urban contribution A contribution from Kaipara District Council instead of a separate

Kaîhû River targeted rate area

How much is the rate?

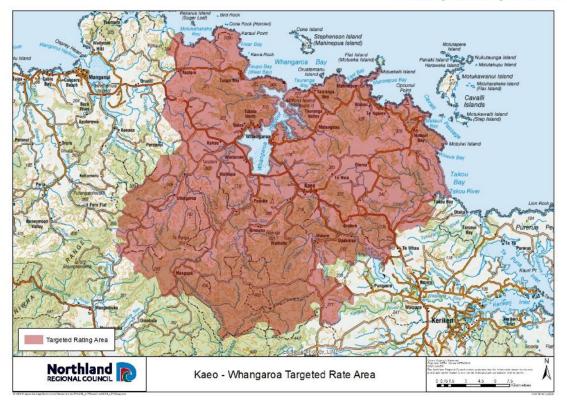
The estimated total Kaihū River management rate is **\$79,869** in the 2020/21 financial year. The revenue sought from each category of rateable land will be as follows:

Kaihū river management rate		
Class	Total revenue	
А	\$31,798	
В	\$12,148	
F	\$30,908	
Urban contribution	\$5,015	
Total	\$79,869	

How is the rate applied?

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

Kāeo-Whangaroa River targeted rate area



Kāeo-Whangaroa rivers management rate

What it funds

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

How it is set

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

How much is the rate?

The estimated total Kāeo-Whangaroa rivers management rate is \$116,644 in the 2020/21 financial year. The rate is set at \$51,57 and will be assessed on each rateable separately used or inhabited part (SUIP) of a rating unit falling between rating rolls 100-199 of the former Whangaroa ward as illustrated in this map.

How is the rate applied?

The rate is applied 100 percent to Kāeo-Whangaroa rivers flood management scheme works which form part of the river management activity.

Whangārei urban rivers management rate

What it funds

This rate funds the operational costs and capital costs of flood scheme works for urban Whangārei.

How it is set

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

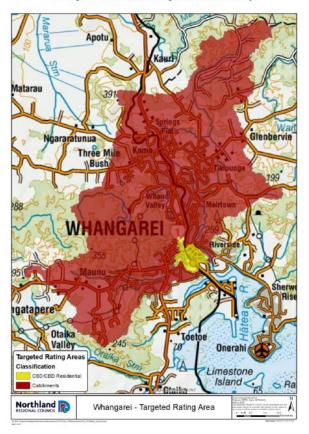
	Whangārei urban rivers management rate				
Category	Description	Rate	Rateable unit		
1	Commercial properties in the Whangārei CBD flood area.	\$353.75	Per SUIP		
2	Residential properties in the Whangārei CBD flood area.	\$174.91	PerSUIP		
3	Properties in the contributing water catchment area (including properties falling in the Waiarohia, Raumanga, Kirikiri and Hātea River catchments).		Per SUIP		

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

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

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

Whangārei urban rivers management rate area map



How much is the rate?

The estimated total Whangārei urban rivers management rate is \$1,154,250 in the 2020/21 financial year. The revenue sought from each category is as follows:

Whangāre	i urban rivers managen	ent rate
----------	------------------------	----------

Category	Description	Total revenue
1	All commercial properties in the Whangārei CBD flood area.	\$357,646
2	All residential properties in the Whangārei CBD flood area.	\$28,161
3	All properties in the contributing water catchment area (including properties falling in the Waiarohia, Raumanga, Kirikiri and Hātea River catchments).	\$768,443
Total		\$1,154,250

How is the rate applied?

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

Other rating information

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

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

Separately used or inhabited part of a rating unit definitions

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

Far North district SUIP definition

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

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

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

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

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

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

Annual Plan 2020/21 Supporting Information | Tautoko i Ngā Kōrero

Whāngarei district SUIP definition

A separately used or inhabited part is defined as;

- any part of a property (rating unit) that is separately used or occupied, or is intended to be separately used or occupied by any person, other than the ratepayer, having a right to use or inhabit that part by virtue of a tenancy, lease, license, or other agreement;
- any part of a rating unit that is separately used, or occupied, or intended to be separately used or occupied by the ratepayer.

Examples include -

- Each separate shop or business activity on a rating unit;
- Each occupied or intended to be occupied dwelling, flat, or additional rentable unit (attached or not attached) on a rating unit;
- Individually tenanted flats, including retirement units, apartments and town houses (attached or not attached) or multiple dwellings on Māori freehold land on a rating unit;
- Each block of land for which a separate title has been issued, even if that land is vacant.

Inspection and objection to council's rating information database

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

www.fndc.govt.nz

www.wdc.govt.nz

www.kaipara.govt.nz

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

Rating examples

How much will my rates be?

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

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

Ratepayers in the Whangārei district

Whangārei district ratepayers will be assessed:

- 1. A targeted council services rate, differentiated by location and calculation on the total projected capital value determined by the certificate of projected valuation of the district at 30 June, with an additional charge of \$1.73 per separately used or inhabited part of a rating unit to fund the maintenance of the Hātea Channel;
- 2. A targeted land management rate assessed on the land value of each rateble rating unit;
- 3. A targeted freshwater management rate assessed on the land value of each rateable unit;
- 4. A targeted pest management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 5. A targeted, fixed flood infrastructure rate, assessed on each separately used or inhabited part of the rating unit;
- 6. A targeted civil defence and hazard management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 7. A targeted, fixed regional sporting facilities rate assessed on each separately used or inhabited part of the rating unit;
- 8. A targeted regional infrastructure rate assessed on the land value of each rateable rating unit;
- 9. A targeted, fixed Whangārei transport rate assessed on each separately used or inhabited part of a rating unit; 10A targeted, fixed emergency service rate assessed on each separately used or inhabited part of a rating unit; and
- 11A targeted, Whangārei urban rivers management rate differentiated by location and category and set as a fixed amount per each separately used or inhabited part of a rating unit.

Whangārei Urban/Rural/Other			
Land Management Rate = LV rate in the \$ = 0.0001002	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0002186	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.0000241	(\$)	(\$)	(\$)
Residential Property (non CBD)			
Targeted Council Services Rate		119.90	104.25
Targeted Land Management Rate	225,000	22.55	22.31
Targeted Freshwater Management Rate		49.18	45.50
Targeted Pest Management Rate		63.75	58.37
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		22.08	20.68
Targeted Regional Sporting Facilities Rate		16.78	16.74

Targeted Regional Infrastructure Rate		5.42	5.69
Targeted Whangārei Transport Rate		23.12	22.83
Targeted Emergency Services Rate		11.72	11.69
Total Regional Rates		362.07	334.08
Residential Property (in CBD area)			
Targeted Council Services Rate		119.90	104.25
Targeted Land Management Rate	225,000	22.55	22.31
Targeted Freshwater Management Rate		49.18	45.50
Targeted Pest Management Rate		63.75	58.37
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		22.08	20.68
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		5.42	5.69
Targeted Whangārei Transport Rate		23.12	22.83
Targeted Emergency Services Rate		11.72	11.69
Whangārei River Management Rate - CBD Residential		174.91	174.16
Total Regional Rates		536.98	508.24
Residential Property (in stormwater catchment area)			
Targeted Council Services Rate		119.90	104.25
Targeted Land Management Rate	225,000	22.55	22.31
Targeted Freshwater Management Rate		49.18	45.50
Targeted Pest Management Rate		63.75	58.37
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		22.08	20.68
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		5.42	5.69
Targeted Whangārei Transport Rate		23.12	22.83
Targeted Emergency Services Rate		11.72	11.69
Whangārei River Management Rate - General Catchment		43.52	43.34
Total Regional Rates		405.59	377.42
Farm Property			
Targeted Council Services Rate		119.90	104.25
Targeted Land Management Rate	2,750,000	275.55	272.64
Targeted Freshwater Management Rate		601.15	556.10
Targeted Pest Management Rate		63.75	58.37

Finances Mahere a Pūtea

37

Targeted Civil Defence and Hazard Management Rate		22.08	20.68
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		66.28	69.60
Targeted Whangārei Transport Rate		23.12	22.83
Targeted Emergency Services Rate		11.72	11.69
Total Regional Rates		1,227.90	1,158.93
Commercial Property (non CBD)			
Targeted Council Services Rate		119.90	104.25
Targeted Land Management Rate	2,000,000	200.40	198.28
Targeted Freshwater Management Rate		437.20	404.44
Targeted Pest Management Rate		63.75	58.37
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		22.08	20.68
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		48.20	50.62
Targeted Whangārei Transport Rate		23.12	22.83
Targeted Emergency Services Rate		11.72	11.69
Total Regional Rates		970.72	913.92
Commercial Property (in CBD area)			
Targeted Council Services Rate		119.90	104.25
Targeted Land Management Rate	2,000,000	200.40	198.28
Targeted Freshwater Management Rate		437.20	404.44
Targeted Pest Management Rate		63.75	58.37
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		22.08	20.68
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		48.20	50.62
Targeted Whangārei Transport Rate		23.12	22.83
Targeted Emergency Services Rate		11.72	11.69
Whangārei River Management Rate - CBD Commercial		353.75	352.25
Total Regional Rates		1,324.47	1,266.17

Ratepayers in the Kaipara district

Kaipara district ratepayers will be assessed:

- 1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each rating unit;
- 2. A targeted land management rate assessed on the land value of each rateable rating unit;
- 3. A targeted freshwater management rate assessed on the land value of each rateable rating unit;
- 4. A targeted pest management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each rating unit;
- 5. A targeted, fixed flood infrastructure rate assessed on each rating unit;
- 6. A targeted civil defence and hazard management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each rating unit;
- 7. A targeted, fixed regional sporting facilities rate assessed on each rating unit;
- 8. A targeted, regional infrastructure rate assessed on the land value of each rateable rating unit;
- 9. A targeted, fixed emergency service rate assessed on each rating unit; and
- 10A targeted Kaihū River management rate, based on land area, and differentiated by location and area of benefit as defined in the Kaihū River management scheme.

Kaipara Urban/Rural			
Land Management Rate = LV rate in the \$ = 0.000109	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0002373	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.0000262	(\$)	(\$)	(\$)
Residential Property			
Targeted Council Services Rate		126.53	112.05
Targeted Land Management Rate	225,000	24.52	23.92
Targeted Freshwater Management Rate		53.39	48.74
Targeted Pest Management Rate		68.26	63.80
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		23.64	22.61
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		5.89	6.08
Targeted Emergency Services Rate		11.72	11.69
Total Regional Rates		358.30	331.65
Farm Property			
Targeted Council Services Rate		126.53	112.05
Targeted Land Management Rate	2,750,000	299.75	292.38
Targeted Freshwater Management Rate		652.57	595.68
Targeted Pest Management Rate		68.26	63.80
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		23.64	22.61
Targeted Regional Sporting Facilities Rate		16.78	16.74

Finances Mahere a Pūtea

39

Targeted Regional Infrastructure Rate	72.05	74.36
Targeted Emergency Services Rate	11.72	11.69
Total Regional Rates	1,298.87	1,215.33

Additional for Properties in the Kaihū River Catchment	Land Value	2020/21	2019/20
	(\$)	Rates	(\$)
10 hectares	Class A	231.30	237.20
	Class B	113.90	116.80
	Class F	16.00	16.40
100 hectares	Class A	2,313.00	2,372.00
	Class B	1,139.00	1,168.00
	Class F	160.00	164.00

Ratepayers in the Far North District

Far North district ratepayers will be assessed:

- 1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 2. A targeted land management rate assessed on the land value of each rateable rating unit;
- 3. A targeted freshwater management rate assessed on the land value of each rateable rating unit;
- 4. A targeted pest management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on separately used or inhabited part of the rating unit;
- 5. A targeted, fixed flood infrastructure rate assessed on each separately used or inhabited part of the rating unit;
- 6. A targeted civil defence and hazard management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 7. A targeted, fixed regional sporting facilities rate assessed on each separately used or inhabited part of the rating unit;
- 8. A targeted, regional infrastructure rate assessed on the land value of each rateable rating unit;
- 9. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of the rating unit; 10A targeted, fixed Far North transport rate assessed on each separately used or inhabited part of the rating unit.

Far North			
Land Management Rate = LV rate in the \$ = 0.0000962	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0002095	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.0000231	(\$)	(\$)	(\$)
Residential/Commercial/Other			
Targeted Council Services Rate		93.77	82.16
Targeted Land Management Rate	225,000	21.64	26.28
Targeted Freshwater Management Rate		47.14	53.54
Targeted Pest Management Rate		50.59	46.78
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		17.52	16.58
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		5.20	6.68
Targeted Emergency Services Rate		11.72	11.69
Targeted Far North Transport Rate		8.63	8.68
Total Regional Rates		300.56	295.15
Farm Property			
Targeted Council Services Rate		93.77	82.16
Targeted Land Management Rate	2,750,000	264.55	321.23
Targeted Freshwater Management Rate		576.12	654.33
Targeted Pest Management Rate		50.59	46.78
Targeted Flood Infrastructure Rate		27.57	26.02

Finances Mahere a Pūtea

41

Targeted Civil Defence and Hazard Management Rate	17.52	16.58
Targeted Regional Sporting Facilities Rate	16.78	16.74
Targeted Regional Infrastructure Rate	63.52	81.65
Targeted Emergency Services Rate	11.72	11.69
Targeted Far North Transport Rate	8.63	8.68
Total Regional Rates	1,130.77	1,265.86

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

- 1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 2. A targeted land management rate assessed on the land value of each rateable rating unit;
- 3. A targeted freshwater management rate assessed on the land value of each rateable rating unit;
- 4. A targeted pest management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on separately used or inhabited part of the rating unit;
- 5. A targeted, fixed flood infrastructure rate assessed on each separately used or inhabited part of the rating unit;
- 6. A targeted civil defence and hazard management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 7. A targeted, fixed regional sporting facilities rate assessed on each separately used or inhabited part of the rating unit;
- 8. A targeted, regional infrastructure rate assessed on the land value of each rateable rating unit;

9. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of the rating unit;

10A targeted, fixed Far North transport rate assessed on each separately used or inhabited part of the rating unit;

11A targeted Awanui River management rate, classes UA/UF, A, B, C, E and F differentiated by location and area of benefit as defined in the Awanui river flood management scheme.

Far North District - Awanui Catchment			
Land Management Rate = LV rate in the \$ = 0.0000962	Land Value	2020/21	2019/20
Freshwater Management Rate = LV rate in the \$ = 0.0002095	(LV)	Rates	Rates
Regional Infrastructure Rate = LV rate in the \$ = 0.0000231	(\$)	(\$)	(\$)
Residential & Commercial Urban			
Targeted Council Services Rate		93.77	82.16
Targeted Land Management Rate	225,000	21.64	26.28
Targeted Freshwater Management Rate		47.14	53.54
Targeted Pest Management Rate		50.59	46.78
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		17.52	16.58
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		5.20	6.68
Targeted Emergency Services Rate		11.72	11.69
Targeted Far North Transport Rate		8.63	8.68
Plus Awanui river management rates applicable to:			
- Urban rate class UA (floodplain location)		327.96	327.96
- Urban rate classes UF (higher ground)		60.01	60.01
- Commercial Urban UA		983.88	983.88
Lifestyle Property - 10 hectares			
Targeted Council Services Rate		93.77	82.16
Targeted Land Management Rate	450,000	43.29	52.57

Targeted Freshwater Management Rate		94.28	107.07
Targeted Pest Management Rate		50.59	46.78
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		17.52	16.58
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		10.39	13.36
Targeted Emergency Services Rate		11.72	11.69
Targeted Far North Transport Rate		8.63	8.68
Plus Awanui River Management Rates applicable to:			
- Rural Commercial A & B		747.45	747.45
- Rural Class A & B		258.05	258.05
- Rural Class C		124.05	124.05
- Rural Class E		13.35	13.35
- Rural Class F		24.25	24.25
Farm Property - 100 hectares			
Targeted Council Services Rate		93.77	82.16
Targeted Land Management Rate	2,750,000	264.55	321.23
Targeted Freshwater Management Rate		576.12	654.33
Targeted Pest Management Rate		50.59	46.78
Targeted Flood Infrastructure Rate		27.57	26.02
Targeted Civil Defence and Hazard Management Rate		17.52	16.58
Targeted Regional Sporting Facilities Rate		16.78	16.74
Targeted Regional Infrastructure Rate		63.52	81.65
Targeted Emergency Services Rate		11.72	11.69
Targeted Far North Transport Rate		8.63	8.68
Plus Awanui River Management Rates applicable to:			
- Rural Commercial A & B		7,354.35	7,354.35
- Rural Class A & B		2,460.35	2,460.35
- Rural Class C		1,120.35	1,120.35
- Rural Class E		13.35	13.35
- Rural Class F		122.35	122.35

Note: Commercial properties for the Awanui River management rate are subject to the 3:1 commercial differential: On \$327,96 for urban commercial UA class equating to \$983,88; on \$60,01 for urban commercial UF class equating to \$180,03; on \$24,47 for rural commercial class A and B equating to \$73,41; on \$11,07 for rural commercial class C equating to \$33,21; and on \$1.09 for rural commercial class F equating to \$3,27.

The rural rate also includes a single rate of \$13,35 to reflect the indirect benefit. Note that the commercial and industrial activities that have a lower area and land value will be rated less than the illustrated differentials above. Refer to rating factors previously set out (and multiply by the differential factor of three).

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

- 1. A targeted council services rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 2. A targeted land management rate assessed on the land value of each rateable rating unit;
- 3. A targeted freshwater management rate assessed on the land value of each rateable rating unit;
- 4. A targeted pest management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on separately used or inhabited part of the rating unit;
- 5. A targeted, fixed flood infrastructure rate assessed on each separately used or inhabited part of the rating unit;
- 6. A targeted civil defence and hazard management rate, differentiated by location and calculated on the total projected capital value determined by the certificate of projected valuation of the district at 30 June and assessed on each separately used or inhabited part of the rating unit;
- 7. A targeted, fixed regional sporting facilities rate assessed on each separately used or inhabited part of the rating unit;
- 8. A targeted, regional infrastructure rate assessed on the land value of each rateable rating unit;
- 9. A targeted, fixed emergency service rate assessed on each separately used or inhabited part of the rating unit;

10A targeted, fixed Far North transport rate assessed on each separately used or inhabited part of the rating unit;

11A targeted Kaeo-Whangaroa rivers management rate set on a uniform basis in respect of each separately used or inhabited part of a rating unit for properties falling within the former Whangaroa ward (rating rolls 100-199).

Land Management Rate = LV rate in the \$ = 0.0000962(LV)RatesFreshwater Management Rate = LV rate in the \$ = 0.0002095Land Value2020/21Regional Infrastructure Rate = LV rate in the \$ = 0.0000231(\$)(\$)Residential/Commercial/Other(\$)(\$)Targeted Council Services Rate93.77Targeted Land Management Rate225,00021.64Targeted Freshwater Management Rate47.14Targeted Pest Management Rate50.59Targeted Flood Infrastructure Rate27.57Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72Targeted Far North Transport Rate8.63	Rates 2019/20 (\$)
Regional Infrastructure Rate = LV rate in the \$ = 0.0000231(\$)(\$)Residential/Commercial/Other93.77Targeted Council Services Rate93.77Targeted Land Management Rate225,000Targeted Freshwater Management Rate47.14Targeted Preshwater Management Rate50.59Targeted Flood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	
Residential/Commercial/Other93.77Targeted Council Services Rate93.77Targeted Land Management Rate225,000Targeted Freshwater Management Rate47.14Targeted Pest Management Rate50.59Targeted Flood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	(\$)
Targeted Council Services Rate93.77Targeted Land Management Rate225,000Targeted Freshwater Management Rate47.14Targeted Pest Management Rate50.59Targeted Flood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	
Targeted Land Management Rate225,00021.64Targeted Freshwater Management Rate47.14Targeted Pest Management Rate50.59Targeted Flood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	
Targeted Freshwater Management Rate47.14Targeted Pest Management Rate50.59Targeted Plood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	82.16
Targeted Pest Management Rate50.59Targeted Flood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	26.28
Targeted Flood Infrastructure Rate27.57Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	53.54
Targeted Civil Defence and Hazard Management Rate17.52Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	46.78
Targeted Regional Sporting Facilities Rate16.78Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	26.02
Targeted Regional Infrastructure Rate5.20Targeted Emergency Services Rate11.72	16.58
Targeted Emergency Services Rate11.72	16.74
	6.68
Targeted Far North Transport Rate8.63	11.69
	8.68
Targeted Kaeo-Whangaroa Rivers Management Rate51.57	52.06
Total Regional Rates 352.13	347.21
FarmProperty	
Targeted Council Services Rate 93.77	82.16
Targeted Land Management Rate2,750,000264.55	321.23
Targeted Freshwater Management Rate576.12	654.33
Targeted Pest Management Rate50.59	46.78

Targeted Flood Infrastructure Rate	27.57	26.02
Targeted Civil Defence and Hazard Management Rate	17.52	16.58
Targeted Regional Sporting Facilities Rate	16.78	16.74
Targeted Regional Infrastructure Rate	63.52	81.65
Targeted Emergency Services Rate	11.72	11.69
Targeted Far North Transport Rate	8.63	8.68
Targeted Kaeo-Whangaroa Rivers Management Rate	51.57	52.06
Total Regional Rates	1,182.34	1,317.92

Summary of rates

The following table illustrates the distribution of the regional rate on forecast basis for the 2020/21 financial year, with the actual 2019/20 regional rate for comparison. The actual and projected apportionment of rates among Northland's districts is as follows, based on the Valuation Roll at 30 June in each year:

District Valuation Roll

Estimate – 30 June 2020

	Gross Number	Net Number	Capital Value	Land Value	Equalised	Equalised	Equalised	Equalised
	of RU (Kaipara)	of RU (Kaipara)	(CV)	(LV)	CV	LV	CV	LV
	or SUIP (others)	or SUIP (others)						
	(gross)	(net)	\$(000)	\$(000)	\$(000)	\$(000)	(%)	(%)
Far North District	38,355	37,020	19,484,844	10,239,090	19,484,844	10,239,090	33.26	33.30
Kaipara District	14,659	14,030	8,863,912	5,061,207	9,964,039	5,687,656	17.01	18.50
Whangārei District	45,416	43,912	28,088,759	14,210,830	29,125,807	14,817,490	49.73	48.20
Total Valuation - Northland	98,430	94,962	56,437,515	29,511,127	58,574,690	30,744,236	100.00	100.00

	Rates 2020/21	(including GS	т)	Rates 2019/20	(including GS	Т)
		Total (gross)	Total (net)		Total (gross)	Total (net)
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
Targeted Council Services Rate						
Far North (per SUIP)	93.77	3,596,714	3,471,525	82.16	3,109,982	3,023,383
Kaipara (per RU)	126.53	1,854,836	1,775,247	112.05	1,631,669	1,561,189
Whangārei (per SUIP)	119.90	5,445,286	5,264,959	104.25	4,755,947	4,634,917
		10,896,836	10,511,731		9,497,598	9,219,489
Targeted Land Management Rate						
Far North (per \$ of actual LV)	0.0000962	984,509	975,083	0.0001168	906,054	895,546
Kaipara (per \$ of actual LV)	0.0001090	551,430	541,643	0.0001063	531,165	522,627
Whangārei (per \$ of actual LV)	0.0001002	1,424,238	1,411,091	0.0000991	1,400,168	1,351,234
		2,960,177	2,927,817		2,837,387	2,769,407
Targeted Freshwater Managemen	t Rate					
Far North (per \$ of actual LV)	0.0002095	2,145,276	2,126,078	0.0002379	1,845,620	1,823,491
Kaipara (per \$ of actual LV)	0.0002373	1,200,944	1,181,002	0.0002166	1,082,154	1,064,161

Finances Mahere a Pūtea

47

Whangārei(per\$ofactualLV)	0.0002186	3,106,122	3,076,752	0.0002022	2,855,984	2,751,351
		6,452,342	6,383,832		5,783,758	5,639,003
Targeted Pest Management Rate						
Far North (per SUIP)	50.59	1,940,374	1,872,837	46.78	1,770,784	1,721,475
Kaipara (per RU)	68.26	1,000,657	957,720	63.80	929,051	888,921
Whangārei (per SUIP)	63.75	2,895,387	2,799,503	58.37	2,663,165	2,595,393
		5,836,418	5,630,060		5,363,000	5,205,789
Targeted Flood Infrastructure Rat	e					
Far North (per SUIP)	27.57	1,057,622	1,020,810	26.02	984,883	957,458
Kaipara (per RU)	27.57	404,215	386,871	26.02	378,898	362,532
Whangārei (per SUIP)	27.57	1,252,326	1,210,854	26.02	1, 187, 074	1,156,865
		2,714,163	2,618,535		2,550,855	2,476,855
Targeted Civil Defence and Hazard	d Management R	ate				
Far North (per SUIP)	17.52	672,070	648,678	16.58	627,428	609,957
Kaipara (per RU)	23.64	346,589	331,717	22.61	329,184	314,965
Whangārei(per SUIP)	22.08	1,002,850	969,639	20.68	943,619	919,606
		2,021,509	1,950,034		1,900,231	1,844,528
Targeted Regional Sporting Facilit	ties Rate					
Far North (per SUIP)	16.78	643,453	621,057	16.74	633,474	615,835
Kaipara (per RU)	16.78	245,923	235,371	16.74	243,706	233,180
Whangārei (per SUIP)	16.78	761,910	736,679	16.74	763,523	744,092
		1,651,286	1,593,107		1,640,703	1,593,107
Targeted Regional Infrastructure	Rate					
Far North (per \$ of actual LV)	0.0000231	236,341	233,944	0.0000297	230,274	227,152
Kaipara (per \$ of actual LV)	0.0000262	132,438	129,952	0.0000270	135,100	132,562
Whangārei (per \$ of actual LV)	0.0000241	342,215	338,553	0.0000253	357,469	342,735
		710,994	702,449		722,842	702,449
Targeted Emergency Services Rat	te					
Far North (per SUIP)	11.72	449,375	433,734	11.69	442,406	430,087
Kaipara (per RU)	11.72	171,748	164,378	11.69	170,200	162,848
Whangārei (per SUIP)	11.72	532,104	514,483	11.69	533,230	519,660
		1,153,227	1,112,595		1,145,836	1,112,595
Targeted Whangārei Transport Ra	ite					

Rate per SUIP	23.12	1,049,965	1,015,194	22.83	1,041,703	1,015,194
Targeted Far North Transport Rate						
Far North District	8.63	330,991	319,470	8.68	328,621	319,470
Targeted Awanui River Management F	Rate					
Far North District - Rural		210,330	207,969		210,330	207,969
Far North District - Urban		892,878	882,383		892,878	882,383
		1,103,208	1,090,352		1,103,208	1,090,352
Targeted Kaihū River Management Ra	te					
Kaipara District (Kaihū river area only)		79,869	79,869		79,869	79,869
Targeted Kaeo-Whangaroa Rivers Ma	nagement Ra	ite				
Far North (Kaeo only)	51.57	123,923	116,644	52.06	123,981	116,644
Targeted Whangārei Urban Rivers Mar	nagement Ra	te				
Rate per SUIP		1,164,148	1,154,250		1,167,409	1,154,250

TOTAL RATES	Gross(\$)	Net (\$)		Gross(\$)	Net (\$)
Far North District	13,283,856	12,930,212		12,106,715	11,830,850
Kaipara District	5,988,649	5,783,771		5,510,995	5,322,854
Whangārei District	18,976,551	18,491,957	_	17,669,291	17,185,296
	38,249,056	37,205,940		35,287,001*	34,339,001**

* Amount inclusive of GST

** Amount net of remissions and inclusive of GST

Financials

Financial Statements

The following financial statements show our draft financial plan for the 2020/21 year. These statements were accurate as at January 2020. They are draft only and will be subject to change during development of the final Annual Plan 2020/21.

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

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

Annual Plan 2020/21 Supporting Information | Tautoko i Ngã Kōrero 50

Prospective statement of co	omprehensive revenue and	expense

Annual Plan		Draft Annual	LTP Year 3
2019/20		Plan 2020/21	2020/21
\$(000)		\$(000)	\$(000)
	REVENUE		
29,860	Rates	32,353	30,792
4,388	Fees and Charges	4,509	4,492
4,793	Subsidies and Grants	6,906	2,869
1,001	Interest Revenue	707	1,480
6,704	Other Revenue	7,197	6,671
2,339	Other Gains	2,284	3,429
49,085	Total Revenue	53,956	49,733
	EXPENSES		
17,623	Personnel Costs	19,572	17,776
1,810	Depreciation and Amortisation Expense	1,852	1,823
1,340	Finance Costs	1,060	1,398
-	Other Losses	-	-
28,681	Other Expenditure on Activities	31,190	26,305
49,454	Total Operating Expenditure	53,674	47,302
(369)	SURPLUS/(DEFICIT) BEFORE TAX	282	2,430
-	INCOME TAX CREDIT/(EXPENSE)	-	-
(369)	SURPLUS/(DEFICIT) AFTER TAX	282	2,430
	SURPLUS/(DEFICIT) ATTRIBUTABLE TO:		
(369)	Northland Regional Council	282	2,430
	Non-Controlling Interest		
	OTHER COMPREHENSIVE REVENUE AND EXPENSE		
	Items that will be reclassified to surplus/(deficit)		
-	Financial Assets at fair value through other comprehensive revenue and expense	-	-
	Items that will not be reclassified to surplus/(deficit)		
-	Gains/(Losses) on Property Revaluations	-	-
-	Gains/(Losses) on Infrastructure Asset revaluations	-	-
-	TOTAL OTHER COMPREHENSIVE REVENUE AND EXPENSE	-	-
(369)	TOTAL COMPREHENSIVE REVENUE AND EXPENSE FOR THE YEAR	282	2,430

Finances Mahere a Pūtea

51

Section 100 of the Local Government Act 2002 states that a local authority must set revenues at a level sufficient to meet that year's operating costs. Exceptions are permitted under s100(2).

The table below demonstrates the calculations used to determine a balanced budget. Any result zero or greater demonstrates a balanced budget that meets s100(1).

2019/20		2020/21
(368,856)	GAAP deficit as above	282,277
(3,345,967)	Transfers to Reserves	(4,843,664)
3,961,724	Transfers from Reserves	4,942,585
246,901	_	381,198
246,901 (716,000)	CIF Recapitalisation	381,198 (715,356)
	CIF Recapitalisation CIF Funded Grant	

Prospective statement of financial position

2019/20	Draft Annual	LTP Year 3
	Plan 2020/21	2020/21
\$(000)	\$(000)	\$(000)
ASSETS		
Current Assets		
73 Cash and cash equivalents	44	44
3,930 Other financial assets	7,330	3,626
5,285 Receivables	5,602	6,081
3,175 Inventory	3,181	3,205
- Assets held for sale	2,079	-
12,463 Total Current Assets	18,236	12,956
Non Current Assets		
5,900 Receivables	6,101	6,546
42,922 Other financial assets	42,109	67,366
41,376 Infrastructure, property, plant and equipment	40,273	43,908
70,449 Investment property	63,864	47,667
525 Intangible assets	582	126
2,862 Forestry assets	3,264	2,713
7,828 Investment in subsidiaries (excl council controlled organisations) and joint venture company	7,828	7,828
863 Investment in council controlled organisations	863	863
172,724 Total Non Current Assets	164,884	177,018
185,187 TOTAL ASSETS	183,120	189,974
LIABILITIES		
Current Liabilities		
4,602 Payables	5,696	5,616
1,792 Employee entitlements	1,910	1,749
6,394 Total Current Liabilities	7,606	7,364
Non Current Liabilities		
806 Payables and deferred revenue	633	948
	19,931	28,571
27,077 Borrowings and other financial liabilities		
27,077 Borrowings and other financial liabilities 19 Employee entitlements	2 0	19
-	2 0 20,584	19 29,538

150,892	NETASSETS	154,930	153,071
	EQUITY		
137,567	Accumulated funds	140,981	131,967
3,963	Revaluation reserves	3,973	2,807
9,361	Other reserves	9,976	18,297
150,892	Total Equity	154,930	153,071
-	Non-controlling interests in subsidiary companies	-	-
150,892	TOTAL EQUITY	154,930	153,071

Prospective statement of changes in equity

Annual Plan		Draft Annual	LTP Year 3
2019/20		Plan 2020/21	2020/21
\$(000)		\$(000)	\$(000)
151,261	Balance at 1 July	154,648	150,641
(369)	Total comprehensive revenue and expense	282	2,430
150,892	Balance at 30 June	154,930	153,071
	Total comprehensive revenue and expense attributable to:		
(369)	Northland Regional Council	282	2,430
-	Non-controlling interests	-	-
150,892	Balance at 30 June	154,930	153,071

Prospective statement of cashflows

Annual Plan		Draft Annual	LTP Year 3	Variance
2019/20		Plan 2020/21	2020/21	to LTP
\$(000)		\$(000)	\$(000)	\$(000)
	Cash flows from operating activities			
29,157	Receipts from rates revenue	31,743	30,223	(1,520)
11,725	Receipts from customers	10,594	9,282	(1,312)
2,278	Subsidies and grants received	6,236	2,144	(4,092)
2,938	GST received	3,316	3,763	447
3,607	Interest received	661	3,559	2,898
3,708	Other revenue received	3,542	4,096	554
(50,126)	Staff and suppliers	(55,379)	(48,378)	7,001
(291)	Other payments - operating	(273)	(275)	(2)
(1,340)	Interest paid	(1,060)	(1,398)	(338)
1,657	Net cash provided (used) in operating activities	(620)	3,016	3,636
	Cash flows from investing activities			
-	Sale of infrastructure, property, plant and equipment	-	-	-
8,438	Other receipts - investing	12,222	(100)	(12,322)
(16,744)	Purchase of infrastructure, property, plant and equipment	(12,208)	(5,002)	7,206
(8,306)	Net cash provided (used) in investing activities	14	(5,102)	(5,116)
	Cash flows from financing activities			
6,135	Other receipts - financing	10,373	12,049	1,676
-	Other payments - financing	(10,000)	(10,000)	-
6,135	Net cash provided (used) in financing activities	373	2,049	1,676
(514)	Net increase/(decrease) in cash and cash equivalents	(233)	(38)	196
587	Cash and cash equivalents at beginning of period	277	81	- 196
73	Cash and cash equivalents at end of period	44	44	-

Schedule of reserves

Annual Plan		Draft Annual	LTP Year 3
2019/20		Plan 2020/21	2020/21
\$(000)		\$(000)	\$(000)
	Land Management Reserve		
136	Opening Balance as at 1 July	-	-
(136)	$eq:local_$	-	-
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
-	Closing Balance as at 30 June	-	-
	Awanui River Reserve		
(711)	Opening Balance as at 1 July	(777)	(436)
161	$eq:local_$	127	152
(95)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(104)	-
(645)	Closing Balance as at 30 June	(754)	(284)
	Kaihū River Reserve		
61	Opening Balance as at 1 July	21	49
(11)	$eq:local_$	(11)	(11)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
50	Closing Balance as at 30 June	10	37
	Whangaroa Kaeo Rivers Reserve		
125	Opening Balance as at 1 July	162	16
(14)	$eq:local_$	(108)	(17)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
111	Closing Balance as at 30 June	54	(1)
	Whangārei Urban River Reserve		
(9,077)	Opening Balance as at 1 July	(8,620)	(8,708)
456	$eq:local_$	466	428
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(8,621)	Closing Balance as at 30 June	(8,154)	(8,281)
	Kerikeri Waipapa Rivers Reserve		
425	Opening Balance as at 1 July	410	371
(29)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(42)	(42)
(15)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(235)	(230)
381	Closing Balance as at 30 June	133	99
	Flood Infrastructure Reserve		
(1,320)	Opening Balance as at 1 July	(1,467)	(2,006)

445	Increase /(Decrease) in Reserve throughout the year (operational transfer)	406	380
(1,132)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(2,181)	(2,134)
(2,006)	Closing Balance as at 30 June	(3,242)	(3,760)
	Whangārei Flood Infrastructure Reserve		
(180)	Opening Balance as at 1 July	57	(188)
37	Increase /(Decrease) in Reserve throughout the year (operational transfer)	33	33
(45)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(188)	Closing Balance as at 30 June	(24)	(154)
	Awanui Flood Infrastructure Reserve		
(194)	Opening Balance as at 1 July	310	(149)
301	Increase /(Decrease) in Reserve throughout the year (operational transfer)	200	277
(256)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(824)	(807)
(149)	Closing Balance as at 30 June	(314)	(679)
	Kaeo Flood Infrastructure Reserve		
21	Opening Balance as at 1 July	30	30
21	Increase /(Decrease) in Reserve throughout the year (operational transfer)	18	19
(12)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(110)	(108)
30	Closing Balance as at 30 June	(62)	(59)
	Infrastructure Facilities Reserve		
(2,639)	Opening Balance as at 1 July	(2,357)	(2,996)
175	Increase /(Decrease) in Reserve throughout the year (operational transfer)	252	175
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(2,464)	Closing Balance as at 30 June	(2,105)	(2,821)
	Property Reinvestment Fund Reserve		
15,318	Opening Balance as at 1 July	9,069	23,323
(800)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(356)	280
(12,838)	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(6,722)	-
1,680	Closing Balance as at 30 June	1,991	23,602
	Infrastructure Investment Fund Reserve		
19,602	Opening Balance as at 1 July	22,371	9,080
(278)	Increase /(Decrease) in Reserve throughout the year(operational transfer)	-	113
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	(1,793)	-
19,324	Closing Balance as at 30 June	20,578	9,193
	Equalisation Fund Reserve		
1,407	Opening Balance as at 1 July	1,048	1,001

-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
992	Closing Balance as at 30 June	321	910
	Hātea River Reserve		
124	Opening Balance as at 1 July	171	64
(51)	$eq:local_$	(56)	(52)
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
73	Closing Balance as at 30 June	115	12
	Investment and Growth Reserve		
238	Opening Balance as at 1 July	366	534
(495)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(341)	(170)
839	Increase /(Decrease) in Reserve throughout the year (capital transfer)		21
582	Closing Balance as at 30 June	25	386
	Whangārei Transport Reserve		
(95)	Opening Balance as at 1 July	(99)	(55
(24)	Increase /(Decrease) in Reserve throughout the year (operational transfer)	-	(2
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
(119)	Closing Balance as at 30 June	(99)	(57
	Far North Transport Reserve		
40	Opening Balance as at 1 July	152	163
-	Increase /(Decrease) in Reserve throughout the year (operational transfer)	(4)	
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	
40	Closing Balance as at 30 June	148	163
	Capital Subsidy Reserve - Public Transport		
67	Opening Balance as at 1 July	77	
-	Increase /(Decrease) in Reserve throughout the year (operational transfer)	-	-
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-
67	Closing Balance as at 30 June	77	
	Operating Costs Reserve		
-	Opening Balance as at 1 July	1,131	
-	Increase /(Decrease) in Reserve throughout the year (operational transfer)	-	
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	
-	Closing Balance as at 30 June	1,131	
	Emergency Services Reserve		
183	Opening Balance as at 1 July	103	78
43	Increase /(Decrease) in Reserve throughout the year (operational transfer)	44	(87
-	Increase /(Decrease) in Reserve throughout the year (capital transfer)	-	-

226	Closing Balance as at 30 June	147	(9)
9,361	Total Special Reserves Closing Balance as at 30 June	9,976	18,297

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

The components of equity are:

- Retained earnings
- Council created reserves
- And asset revaluation reserves

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

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

Purpose of each reserve fund:

Land Management Reserve

This reserve was created to set aside Land Management rates collected but not fully used in any given year. While the land management reserve maintains a positive balance, it can be used to fund emergency events such as remedial storm expenditure on a case-by-case basis.

River and Flood Infrastructure Reserves

The Awanui, Kaihū, Kaeo-Whangaroa, Kerikeri-Waipapa and Whangārei urban river reserves and flood infrastructure reserves hold targeted river management rates and targeted flood infrastructure rates collected and unspent in any given year to cover:

any future funding shortfalls in respect to the maintenance and operation of existing river flood management schemes (River Reserves)

any future funding shortfalls in respect to the development, maintenance and operation of new flood infrastructure schemes (Flood Infrastructure Reserves)

This keeps the surpluses/deficits in the appropriate activity separate from other activities. Any deficit balance in these reserves will be repaid from future targeted river management and flood infrastructure rates collected from the rate payers within the area of benefit identified in the respective flood management plans.

Infrastructure Facilities Reserve

The Infrastructure facilities reserve was created to set aside any targeted Infrastructure rates collected and not fully used in any given year for the purpose of funding the holding costs associated with the Marsden Point Rail link project, the capital costs of securing the rail corridor designation, and other activities relating to the development and/or completion of future regional infrastructure projects. The deficit balance of this reserve will be repaid from future targeted regional infrastructure rates collected from ratepayers in all three Northland districts.

Property Reinvestment Fund Reserve

This reserve was established to represent the proceeds of commercial property sales and acquisitions and includes the proceeds of a special dividend (capital) payment made by the Marsden Maritime Holdings Limited. The funds are general funds and are set aside to be reinvested in income producing assets. The fund invests monies in separate managed funds which have been earmarked to hold the funds pending the identification of approved property investments.

Equalisation Fund Reserve

This reserve was created to set aside 50% of council's forestry net income arising in any year. This reserve is intended to provide future funding of councils general operating activities by allowing council to use these funds for any council activity to smooth future rating increases. It is further intended that this reserve be used to fund the cost of forestry operations in non-harvesting years.

Hātea River Maintenance Reserve

This reserve was created to set aside a component of the council services rate specifically levied across the Whangārei constituency to ensure funding is immediately available in the event dredging of the Hātea river is required. The funds may be applied to the following:

- 1. Ongoing maintenance and dredging;
- 2. Disposal of dredged spoil material;
- 3. The provision of an annual hydrographic survey of the river.

The reserve is to be maintained at a targeted fund of up to \$400,000.

Investment and Growth Reserve

This reserve was created to set aside the investment income redirected to be made available for activities and projects that contribute towards economic well-being. The council will allocate monies from the reserve to projects in accordance with set criteria.

Far North Transport Reserve

This reserve was created to hold any targeted Far North transport rates collected and unspent in any given year to cover any future funding shortfalls of Far North transport services.

Infrastructure Investment Fund Reserve

This reserve was established to stabilise the impact of irregular large infrastructure projects on council's income and capital requirements. It will help spread the costs of such projects. The fund is also intended to provide more flexibility around when such large capital intensive projects can commence. The fund invests monies which has been earmarked for the approved infrastructure and economic development investments in externally managed funds.

Whangārei Transport Reserve

This reserve was established to hold any targeted Whangārei transport rates collected and unspent in any given year to cover any future funding shortfalls of Whangārei transport service. The deficit balance of this reserve will be repaid from future targeted Whangārei transport rates collected from ratepayers in the Whangārei district.

Emergency Services Reserve

This reserve was established to hold any targeted Emergency Services rates collected and unspent in any given year to contribute to any future funding shortfalls of Emergency Services funding.

Flood Infrastructure Reserve

This reserve was created to hold any targeted flood infrastructure rates relating to new flood protection capital programmes, identified in the infrastructure strategy, that were collected and unspent in any given year. These unspent rates will cover any future funding shortfalls in the new flood protection capital programmes.

Capital Subsidy Reserve

This reserve currently holds capital subsidies received from the NZ transport agency that will be used to offset the future costs associated with the Regional Integrated Ticketing Information System (RITIS).

Operating Reserve

This reserve was created to ensure the stability of council's operations in the event that investment income reduces unexpectedly.

In order to maximise returns, council maintains long-term investments in a managed fund portfolio, with the returns funding council work programmes. To safe-guard against the short-term volatility of these investment markets, an operating reserve was created to ensure funding is available in times of lower than anticipated returns.

All reserves displaying a deficit balance at 1 July 2019 have an associated targeted rate that will generate income over a certain time period in order to return the reserve to a credit balance.

Financial Prudence

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

Northland Regional Council measures financial prudence using the following measures:

		Target	Draft Annual
			Plan 2020/21
Affordability			
Benchmark			
Rates Benchmark*	i) Total Rates as % of Total Revenue	< 65 %	60 %
	ii) Total Average Rates Increase as %	< 10 %	8.6%
Debt Benchmark	Net Debt as % of Total Revenue	< 175 %	-54%
Indicator			
Rates Indicator**			\$391.80
Sustainability			
Benchmark			
a)Balanced budget benchmark***		> 1	1.01
b) Essential services benchmark****		>1	19.59
c)Net Interest as % of Revenue		< 10 %	-3.5%
d) Liquidity		> 110 %	239%
Predictability			
Benchmark			
Operations control benchmark*****		N/A	
(result to be publishe	d in the annual report)		
* Ra	tes income complies with the limits set in the council	's financial strategy	
** Ra	Rates revenue per rating unit/SUIP		
*** Re	Revenue, excluding income from development contributions and financial contributions,		

revaluations and vested assets, exceeds operating expenditure



P 0800 002 004

W nrc.govt.nz/annualplan2020 E info@nrc.govt.nz

TITLE:Adoption of the Annual Plan 2020/21 Consultation Document
and Approval to Consult

ID: A1280765

From: Kyla Carlier, Corporate Planning Manager

Executive summary/Whakarāpopototanga

The purpose of this report is to present the consultation document for the Annual Plan 2020/21.

This report seeks the adoption of this consultation document and approval to commence the consultation, using the principles of consultation under section 82 of the Local Government Act 2002 (LGA).

Recommendation(s)

- That the report 'Adoption of the Annual Plan 2020/21 Consultation Document and Approval to Consult' by Kyla Carlier, Corporate Planning Manager and dated 28 January 2020, be received.
- That council adopts and approves for release the Annual Plan 2020/21 Consultation Document (included as Attachment 1 pertaining to Item 6.4 of the 18 February 2020 council agenda) for consultation pursuant to sections 82, 95 and 95A of the Local Government Act 2002.
- 3. That council delegates to the Group Manager Strategy, Governance and Engagement the authority to make any necessary minor formatting, typographical, and administrative changes to the Consultation Document prior to formal public consultation.

Background/Tuhinga

As required by the Local Government Act 2002 (the LGA), an Annual Plan for the 2020/21 financial year is being developed. The LGA requires that a consultation document (CD) be prepared, adopted by council and released for consultation, in conjunction with supporting information. The adoption of the supporting information pertaining to the consultation process is covered in agenda item 6.3.

The Annual Plan 2020/21 will set out budgets for work scheduled for year three of the Long Term Plan 2018–2028(LTP). The CD provides a re-cap of our LTP direction, a summary of the matters that are proposed to be included in the Annual Plan 2020/21 that differ from the direction set out in the LTP, and directs people to supporting documentation for more detail where appropriate.

The CD outlines proposals amounting to an extra \$1.4 million in operational spending and \$265,000 of capital spend, for a total rates increase of 8.6%, a year-on-year increase of approximately \$30 per household on average. It also outlines proposed changes to council's user fees and charges, with the consultation process for these run in parallel.

Please refer to Attachment 1 for a copy of the Consultation Document.

The CD will be printed in a tri-fold style with each page A4 size. It will be the primary method for engaging with council's communities during a period of consultation that will run from 26 February – 27 March 2020. Consultation tools will include social media, email, public notice, media release and content in 'Our Northland' publication.

Feedback will be invited via an online form, email, hardcopy, social media, and verbally.

It is not proposed that hearings be held as part of this process, but there will be an opportunity for members of the community to talk to councillors should they wish, by appointment. A day has been set aside for this in councillors' diaries on Wednesday 18 March 2020.

Council will be invited to discuss each of the proposals in the context of feedback received at a deliberations meeting, which is scheduled for 12 May 2020. It is proposed that final adoption of the Annual Plan 2020/21 takes place at an extraordinary council meeting scheduled for 16 June 2020.

Considerations

1. Options

No.	Option	Advantages	Disadvantages	
1	Adopt the Annual Plan 2020/21 Consultation Document for consultation	Council will achieve compliance with the LGA 2002, will be informed of community views when making decisions on the Annual Plan 2020/21, and will be able to proceed with proposals for the 2020/21 financial year.	None	
2	Do not adopt the Annual Plan 2020/21 Consultation Document	None	Consultation will not occur in accordance with the requirements of the LGA, and council will not be able to implement the proposed changes for the 2020/21 financial year.	

Staff recommend option 1, to adopt the Annual Plan 2020/21 Consultation Document for consultation.

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.

This decision itself is considered to be of low significance when assessed against council's Significance and Engagement Policy because it is for the purpose of achieving compliance with sections 82A and 95 of the LGA and does not, in itself, impact the community other than to provide them with information.

The Annual Plan 2020/21 Consultation Document has been prepared because the proposals in the annual plan are considered to be significant or material. The decision to adopt the Consultation Document, while not significant in itself, will enable council in the future to make decisions on the Annual Plan itself while having full regard to community views in relation to the proposals set out in the document. This will assist council in achieving compliance with procedures in relation to decisions as set out in section 79 of the LGA.

3. Policy, risk management and legislative compliance

Consultation on an annual plan is required under section 95 of the Local Government Act 2002 (LGA) if the proposed annual plan contains significant or material differences from the content in the Long Term Plan 2018–2028 for the financial year to which the plan relates; preparation and adoption of an Annual Plan Consultation Document is required under section 82A of the LGA as part of consultation.

The decision to adopt the Annual Plan 2020/21 Consultation Document will achieve compliance with sections 82A and 95 of the Local Government Act 2002.

Further considerations

The decisions contained within this report will enable consultation, which will provide council with feedback on community views and potential impacts on Māori. Any financial impacts or implementation issues are addressed in the attached consultation document and the supporting information document.

Further consideration of community views, impacts on Māori, financial impacts and implementation issues will be addressed through the deliberations process and subsequent council decision to adopt the final Annual Plan 2020/21.

Attachments/Ngā tapirihanga

Attachment 1: Annual Plan 2020/21 Consultation Document 😃

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 04 February 2020

Meet your locals » Tūtakitia i te iwi kāinga

ouncil. Your fresh new council are all set to make the big ecisions about what council does, including weighing-up

he 2019 elections saw four new faces join Northland Regional community feedback on this Annual Plan, and deciding what the final outcome will be.





E auraki ana koe ki te kōrero?

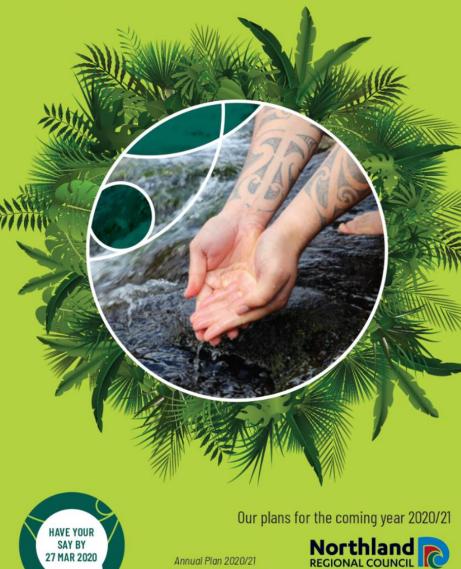
If you have any feedback we'd love to hear from you by 27 March 2020. www.nrc.govt.nz/annualplan2020

Here you'll find more detail, like our Supporting Information Document for the Annual Plan, and a document setting out our proposed user fees and charges for the coming year.

Want to talk to a councillor about this plan? Call us on 0800 002 004 by Friday 13 March, and we'll tee something up.

P 0800 002 004 W nrc.govt.nz/annualplan2020 E info@nrc.govt.nz

Te Kaunihera ä rohe o Te Taitoker



ITEM: 6.4 Attachment 1

Ka pai ki mua, ka pai ki muri

Northland REGIONAL COUNCIL Te Kaunihera ä rohe o Te Taitokerau

consultation document

Have your say » Korero mai

It's time to review the budget for the we're able to keep up the momentum We want to hear from you! This next financial year, to ensure that we're on track to deliver the third year of our Long Term Plan 2018-2028.

With planning for a brand new long term plan just around the corner in planning ahead as well as checking that changes to our plans.

on the vital work already underway. This work was made possible by the feedback and support of our communities and the community groups that we work alongside, and we 2021, we need to ensure that we are want to check in with you as we make Let us know what you think by Friday

document gives an overview of what we're proposing, and you'll find more detailed information on our website, where you can also provide your feedback

27 March, and help us plan for a thriving Northland.

Where we're headed » Ki tua o paeroa

Our Long Term Plan 2018–2028 really ramped up our efforts in three areas:

» Improving the state of our precious water; » Boosting our support for local communities to manage pests and weeds, and help Northland become pest-free: and

» Providing better flood protection to at-risk communities.

We're now planning for our last Annual Plan before our next Long Term Plan (which we'll start talking to you about later in the year). For this annual plan it means some changes are needed to keep up the momenutm and gear up for change ahead.

opportunities requires some extra support. We're proposing new investment

in the way that we engage with our communities (\$44,700) and

Our Long Term Plan 2018-2028

council's work. Keeping up the

also responding to grant funding

Introduced a step-change in

What it means for rates

We're continually working to achieve the best value for money, striving to provide the best service to you while keeping rates as low as possible. We take into account increased rates income resulting from regional growth when we're considering new spend, as well as our investment income which subsidises our activities.

The proposals presented here comprise both operating and capital spend — the operational spends are those

> Want to know more? For more detail on these proposed changes and rate increases,

Who pays for what? Have your say on our user fees

Council activities and services are paid for by a mix of rates, investment income, grants and subsidies, and user fees. Our user fees contribute about 8.3% to our overall managing our maritime areas, looking to ensure a 'userbudget, funding work where there's a direct benefit to a pays' approach for breaching pest rules, and are making particular beneficiary, or where an activity creates a need some other tweaks to make things simpler. for work.

We review our user fees every year. This year we're proposing some changes to better cover the costs of

What's in a plan?

Every three years we do a long term plan, which sets our big priorities for the next 10 years, and how we're going to pay for it. In between years we do annual plans, that provide adjustment of the budget for that year. 0 ۲

We're keen to hear what you think.

To find out more about these changes, and to have your say, visit nrc.govt.nz/annualplan2020

Ka pai ki mua, ka pai ki muri The whakatauki on the cover acknowledges the strength and success that can be achieved ail and a

Proposed changes » Whakarerekētia

(\$142,700); changes to information technology and data management momentum to deliver this work while (\$592,000); extra support for pest plant prevention (\$110,000) and for our guantity science to provide high-

hydrology team (\$73,700); and we're replacing the engines of the maritime making (\$435,000), and a climate vessel 'Ruawai' (\$35,000).

We're also looking to future-proof in recognition of the challenges we will

support our relationships with Māori be facing in our next long term plan, with the expansion of the councilowned poplar nursery (\$78,000), investment in water quality and quality data to aid future decision change adaptation strategy (\$105,000) to scope out the best way to approach this challenge.

that we need to fund from rates income if we're going to complete them

Our total rates were budgeted in the Long Term Plan to go up 4% in the 2020/21 year. We're proposing to increase th by 4.6% for a total increase of 8.6%. This extra 4.6% work out to an average of \$13.60 per household, for a year-onyear average increase of just over \$30, taking the average estimated rates bill for the year to around \$390.



check out our supporting information document at nrc.govt.nz/annualplan2020

Our proposals add an extra \$1.4M to our operating budget for the year, bringing it to \$54M in total. It would also add \$265,000 to our capital spend for a total of \$12.4M.

TITLE: Adoption of Submission Policy: consultation in accordance with the Local Government Act 2002

ID: A1282422

From: Kyla Carlier, Corporate Planning Manager

Executive Summary / Whakarāpopototanga

Council maintains a submissions policy, for consultations carried out under the Local Government Act 2002 (LGA). This policy was last updated by council resolution in February 2016. It has been reviewed and updated and is presented here for adoption by council.

Recommendations / Tūtohutanga

- That the report 'Adoption of Submission Policy: consultation in accordance with the Local Government Act 2002' by Kyla Carlier, Corporate Planning Manager and dated 30 January 2020, be received.
- That council adopt the Submission policy: consultation in accordance with the Local Government Act 2002, included as Attachment 1 pertaining to Item 6.5 of the 18 February 2020 council agenda.

Background / Tuhinga

A recent review of council's submission policy highlighted several areas that were outdated. The policy has subsequently been redrafted and is presented here for council's adoption.

The previous policy document comprised policy statements on the issues of late submissions, and 'out of scope' submissions. These two issues continue to be addressed in the new policy with amendments, and two new policy statements have been added to provide guidance on the standard of submissions that council receives, and on privacy considerations.

The policy has also been updated to fit council's policy template, and to provide clarity and simplicity while maintaining meaning. The changes in the new policy wording are outlined below.

Late submissions

New policy wording on late submissions maintains council's ability to refuse submissions that are late beyond a certain time period. The previous policy wording referred to hearings as the primary factor for determining whether a late submission will be accepted or not, and this reference has been removed. This is because hearings are not always common practice following amendments to the LGA, and because there are more appropriate factors to consider when determining whether a late submission should be accepted, such as impacts on decision making timeframes and fairness to other submitters.

The new policy wording also requires final approval from the Group Manager – Strategy, Governance and Engagement for the refusal of any late submission and makes it clear that council has the discretion to extend any submission period.

'Out of Scope' submissions

'Out of scope' submissions are those that are received during a consultation process (excluding long term plan consultations) that do not relate to the topics being consulted on. The term 'out of scope' is not a legislative term but has been used by council and staff to describe these submissions. The policy statement guides how we manage these.

The most significant change is removal of the policy directing that submissions on 'out of scope' topics would not be presented to councillors as part of the deliberations and decision-making process (they would still have been provided to councillors as raw submissions). New policy wording directs that all matters will be presented to councillors, however the 'out of scope' submissions will be differentiated from submissions on topics that were actively consulted on. As a result, wording has also been removed requiring that submitters be advised if their submissions were 'out of scope'.

The policy also makes it clear that council has the discretion to consider any submission, providing it is not constrained by any legal requirement. The policy maintains the position that matters not considered during an annual plan process will be recorded to form part of the early planning for the next relevant long term plan process.

Submission standards

The previous policy did not include a statement on the minimum standard of submissions received. New policy wording requires that a minimum of a name and one piece of contact information, (either email, phone number or address) be provided for a submission to be accepted. The policy also addresses profanities, legibility, pro-forma submissions (multiple submission with identical content) and large attachments. The policy makes it clear that where possible, submitters will be advised if their submission does not meet minimum requirements.

Privacy considerations

The new policy includes a statement on our approach to making information public. It outlines that council's consultations are public processes with all submissions received being published on council's website, and that information will be removed only under extenuating circumstances. The new internal 'privacy statement protocol' is referenced, which outlines the process for ensuring that council's privacy statement is provided to submitters and that they are aware that their information will be made publicly available.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Adopt the updated submission policy	The new policy can be relied upon during the upcoming annual plan process and other future processes, applying the improvements outlined in this item.	None
2	Do not adopt the updated submission policy	None	The outdated policy would be relied upon for the upcoming annual plan process.

Staff recommend Option 1, adopt the updated submission policy, as this ensures council's submission policy remains fit for purpose and responds to feedback and learnings from past consultation process.

2. Significance and engagement

This decision is of low significance when assessed against council's Significance and Engagement Policy because it is part of council's day to day activities. Council is able to make decisions on this matter without undertaking further consultation or engagement.

3. Policy, risk management and legislative compliance

This decision is consistent with policy, legislative requirements and delegations.

Being an administrative matter, Community Views, Maori Impact Statement, and Financial Implications are no applicable. Implementation has been considered and no issues are anticipated.

Attachments/Ngā tapirihanga

Attachment 1: Submission policy: consultation in accordance with the Local Government Act 2002 J

Authorised by Group Manager

Name:	Jonathan Gibbard
Title:	Group Manager - Strategy, Governance and Engagement
Date:	04 February 2020

Submission policy: consultation in accordance with the Local Government Act 2002

Purpose

This policy sets out guidance and provides clarity around the process for receiving submissions on consultations carried out in accordance with the Local Government Act 2002 (LGA).

Scope

This policy applies to submitters, elected members and Northland Regional Council staff alike.

This document only relates to submissions made on consultations carried out in accordance with the requirements of the LGA, other consultations that default to LGA processes, or voluntary processes where submissions are invited. For information on submissions made under the RMA on a regional plan or plan change, see <u>this guide</u> from the Ministry for the Environment.

Introduction

The Northland Regional Council frequently consults with residents, ratepayers, organisations and interested parties prior to making decisions – particularly if those decisions are significant¹.

There are three types of submissions that we receive:

- Those made under legislation that sets out specific consultation requirements (e.g. the Resource Management Act 1991 (RMA)), such as submissions on a regional plan, a regional policy statement or on a notified resource consent application;
- Those made under legislation that defers to the consultation processes set out in the Local Government Act 2002 (LGA), such as submissions on a long term or annual plan, a bylaw, some policies, a representation review, or a regional transport plan; OR
- Those made in response to a voluntary consultation that we've carried out, outside of any legislative requirements.

¹ Please refer to our Significance and Engagement Policy on page 197 of our Long Term Plan 2018-2028 www.nrc.govt.nz/LTP2018



TRANSPARENT & ACCOUNTABLE





CUSTOMER

Strategic Context

Northland Regional Council's Vision and Mission, as stated in the 2018 – 2028 Long Term Plan is:

Our Vision: Our Northland – together we thrive.

Our Mission: 'Working together to create a healthy environment, strong economy and resilient communities'.

The promotion and practice of good policy is a crucial element in delivering our vision and mission and achieving the specified community outcomes. This policy aligns to the efficient and effective service delivery, carried out and managed in all the activity areas.

Our values of strong decisive leadership, one high performing team, customer focus, integrity, transparency and accountability affirm the importance of policy direction and recognises that this is a fundamental corporate function.

What will this policy achieve?

This policy seeks to:

- Provide minimum standards for receiving submissions and managing the privacy of submitter details;
- Identify 'out of scope' submissions and how decision makers should consider these;
- Formalise our stance on accepting late submissions; and
- Uphold the principles of consultation set out in section 82 of the LGA.

In achieving the above, this policy will provide both assurance to submitters that they are treated consistently and fairly; and greater certainty, clarity and common understanding for submitters, elected members and staff in our process for receiving submissions.

The details

Submission standards:

- 1. For a submission to be accepted, at a minimum it must include the submitters name, and either an email address, a physical address, or a phone number. Anonymous submissions therefore won't be accepted.
- 2. Submissions that use profanity will not be accepted.
- 3. All submissions must be legible, and staff won't be held responsible for misinterpreting a semi-legible submission.
- 4. Pro-forma submissions, (e.g. multiple submissions with identical content), will be presented to decision makers as a single submission with all submitter's names and a tally at the top. These submissions may not all be made publicly available on our website, rather a single version of the submission with a tally and submitter names will be displayed. However, all submissions will still be counted individually.
- Submissions that include lengthy and/or large attachments may not have the attachments included in the final submission book produced for decision makers, however decision makers will be provided with alternative access to the attachment.
- 6. Decisions resulting from (1) (5) above are at the discretion of the Project Owner*.
- 7. Where a submission is not accepted, and where it's possible to do so, the submitter will be advised. This is the responsibility of the Project Owner.

*The Project Owner is the person ultimately responsible for the project and will be specifically defined for all consultation projects.

Privacy considerations:

- 1. In order to provide a transparent process, all submissions received on a consultation will be published on our website, including any personal information contained within a submission.
- 2. The exception to (1) above will be where a submitter contacts council with extenuating circumstances for withholding personal information, and we may remove their private information prior to publishing the submission. This is at the discretion of the Project Owner.
- 3. Council will ensure that our privacy statement is provided to submitters prior to submissions being published by following the steps outlined in our internal privacy statement protocol.

'Out of scope' submissions

- 1. Where an annual plan is being consulted on, a consultation document will be produced that clearly identifies the topic/s of consultation, being only significant or material differences from the relevant long term plan.
- 2. If submissions are received that don't make specific reference to the topic/s outlined in the consultation document in (1) above, or if they are not relevant to the topic/s being consulted



on in any annual plan or other relevant consultation, they will be considered 'out of scope'. This is at the discretion of the Project Owner.

- Matters raised in 'out of scope' submissions will be presented to decision makers in a separate staff report and may be weighed differently to 'in scope' matters. This is at the discretion of decision makers.
- 4. Those matters not considered will be recorded and made available for consideration in the early planning stages of the following long term plan.
- 5. Council has the discretion to consider any submission received during a consultation process, provided it isn't constrained by any legal requirement.

Late submissions

- 1. All publicly notified consultations will specify a period for receiving submissions with a clear closing date.
- 2. Any submission, or modification to a previously submitted submission, received after the date specified in (1) above will be considered a 'late submission'.
- 3. Accepting or refusing a 'late submission' is at the discretion of the Project Owner, who will take into consideration:
 - a) The impacts on the decision making timeframes, including any unfair disruption in the process for other submitters or decision makers (including the production of submission books), or the administrative practicality given any relevant circumstances of that consultation process.

NB: submissions received after the start of any related hearing won't be accepted.

- 4. Where a 'late submission' is refused, and where it's possible to do so, the submitter will be advised.
- Council has the discretion to extend the period for receiving submissions on any matter being consulted on, provided it isn't constrained by any legal requirement.
- While the Project Owner has the discretion to refuse a 'late submission' in (3) above, this decision must be signed off by the Group Manager for Strategy, Governance and Engagement.

Policy Owner and author

Policy owner: Jonathan Gibbard

Policy author: Robyn Broadhurst, Policy Specialist



Document approval

The approval for distribution and use of this policy has been delegated as per the document information:

Document information:

	Information	
Document ID:	A1220591	
Document version:	Version 3	
Document name:	Submissions policy: consultation in accordance with the Local Government Act 2002	
Approved by:	Full council	
Date approved:	xx	
Policy Owner:	Jonathan Gibbard	
Policy Author:	Robyn Broadhurst, Policy Specialist	
Group:	Strategy, Governance and Engagement	
Date policy published:	xx	
Date policy created:	July 2019	
Review date:	Three yearly upon new council or yearly as	

Document history:

Please see version control in Objective.



TITLE: Update to Delegations

ID:	A1280690
-----	----------

From: Vincent McColl, Financial Accountant and Anan Thiru, Accounts Assistant -Treasury and Projects

Executive summary/Whakarāpopototanga

This report seeks council approval for amendments to the Delegations Manual, which have not been sub-delegated to the Chief Executive.

These amendments are an update to the bank and cheque signatory delegations to provide temporary cover in the finance team.

Recommendation(s)

- 1. That the report 'Update to Delegations' by Vincent McColl, Financial Accountant and Anan Thiru, Accounts Assistant Treasury and Projects and dated 28 January 2020, be received.
- 2. That council approve the updated bank and cheque signatory delegations, as outlined in Attachment 1 (pertaining to Item 6.6 of the 18 February 2020 council meeting agenda).

Background/Tuhinga

For administrative efficiency and expediency when conducting day-to-day business, the council and its Chief Executive delegates certain statutory duties, responsibility and powers to committees, members and staff.

Council's Delegations Manual records the delegations given to council officers in relation to their statutory duties, responsibilities and powers. The Delegations Manual is a living document that is reviewed periodically and is updated as necessary in response to legislative or staff changes.

The Chief Executive may authorise changes and updates to any delegations on matters to which he has been sub-delegated, however council's Treasury Management policy requires all bank signatories to be ratified by council resolution.

Bank and cheque signatory delegations

The delegation for authorising payment vouchers, signing cheques and authorising electronic payments on the council's ASB and Bank of New Zealand bank accounts was last amended in August 2019. Updates will allow for the Acting Management Accountant to cover bank transaction authorisation duties.

The amendments proposed are to include the Acting Management Accountant for:

- 1. Operation of bank accounts and cheque signing.
- 2. Authoriser for direct credit to pay for creditors. (requires two authorisers per transaction).
- 3. Authoriser for payroll payments (requires two authorisers per transaction).

An excerpt from the delegation's manual for creating and authorising payments, including changes, is provided in **Attachment 1**.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Approve updates to Delegations Manual as recommended, adding the Acting Management Accountant for bank authorisation duties	Facilitate timely payments to council's suppliers and staff.	None
2	Do not approve updates to Delegations Manual	None	More pressure on existing authorisers. May limit the speed at which some payments are made.

The staff's recommended option is Option 1

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 the LGA requirements in relation to decisions.

This decision is considered to be of low significance when assessed against council's Significance and Engagement Policy because it is part of council's day to day activities. Council is able to make decisions relating to this matter without undertaking further consultation or engagement.

3. Policy, risk management and legislative compliance

The activities detailed in this report are in accordance with the council's Treasury Management Policy which was adopted in compliance with the decision making requirements of sections 76–82 of the Local Government Act 2002.

Further considerations

Being a purely an administrative matter Community Views, Māori Impact Statement, Financial Implications, and Implementation Issues are not applicable.

Attachments/Ngā tapirihanga

Attachment 1: Updated delegations manual February 2020 😃

Authorised by Group Manager

Name: Dave Tams

Title: Group Manager, Corporate Excellence

Date: 12 February 2020

Financial Delegations from the Council to Officers

Description	Delegated to
Overall responsibility for day to day treasury management activities Including establishing appropriate structures, procedures, and controls.	Group Manager – Corporate Excellence
Borrowing and investment Undertaking new borrowing or re-financing of existing debt in accordance with LTP / AP, requirements of the LGA 2002, approved policies, including investment, Liability Management and Treasury Management Policies, counterparties, approved expenditure limits and any relevant council resolutions.	Chief Executive
Investments – in accordance with Investment Policy, Treasury Management Policy, Statement of Investment Policy and Objectives (SIPO) and relevant sub-committee or working party Terms of Reference.	Group Manager – Corporate Excellence
Compliance with legislation Ensuring the financial policies included in Part 6 subpart 3 of LGA 2002 comply with existing and new legislation.	Group Manager – Corporate Excellence.
Bank accounts Opening/closing bank accounts and authorising signatories to be ratified by the council.	Group Manager – Corporate Excellence Finance Manager
Overseeing the Council's cash requirements.	Group Manager – Corporate Excellence Finance Manager Accounting Assistant – Treasury and Projects
Day to day treasury functions – Internally Managed Funds Maintaining a register of all balance sheet items and reconciliations, reviewing and approving all reconciliations and overseeing maintenance and integrity of general ledger recording.	Group Manager – Corporate Excellence Finance Manager Financial Accountant Management Accountant

Delegations Manual ID: zA34709 Page 29 of 97

Maintaining a register of all daily cashflow	Finance Manager
requirements, bank, investment and	Financial Accountant
reconciliations.	Accounting Assistant – Treasury and Projects
Bank authorities including operation of bank	Any two of the following positions:
accounts, cheque signing and bank authorities	(signing and counter-signing)
<u>All Accounts</u>	Chief Executive
All Banks	Group Manager – Corporate Excellence
	Group Manager – Environmental Services
	Group Manager – Strategy,Governance and
	Engagement
	Finance Manager
	Management Accountant
	Acting Management Accountant
	Financial Accountant
Issue and operation of council credit cards	Any of the signatories in Schedule 4
	"Approved credit card holders" are
All banks	authorised to operate corporate credit cards
	subject to approved expenditure limits, LTP ,
	AP budgets and any relevant council policy.
	The CEO approves the issuing and limits on
	all staff credit cards.
	The CEO approves all Group Manager credit
	card expenditure. Group Manager's approve
	other staff credit card expenditure.
	The Chairperson approves the CEO
	expenditure and the Deputy Chairperson
	approves the Chairperson's expenditure.
Day to day functions – Externally Managed Funds	
Working Capital Fund Invest and withdraw funds within SIPO limits	
invest and withuraw runus within SPO limits	Accounting Assistant – Treasury and Projects
Initiator	Accounting Assistant Financial Accountant
	Chief Executive plus any one of the following
Authoriser	positions (signing and counter-signing):
	Group Manager – Corporate Excellence
	Finance Manager
	Management Accountant
	Financial Accountant*

Delegations Manual ID: zA34709 Page 30 of 97

Other Externally Managed Funds:	
 Property Reinvestment Fund Infrastructure Investment Fund Community Investment Fund 	
Invest and withdraw funds between fund managers as approved by Council and/or Investment Sub-Committee within the SIPO limits.	
Withdraw funds as approved by council within SIPO limits	Accounting Assistant – Treasury and Projects Financial Accountant
Initiator	
	Chief Executive Officer plus any one of the following positions (signing and counter-signing):
Authoriser	Group Manager – Corporate Excellence Finance Manager Management Accountant Financial Accountant*
Operation of the Electronic Banking ASB Fastnet System System used to download bank statement transactions.	Group Manager – Corporate Excellence Finance Manager Financial Accountant Management Accountant Acting Management Accountant Accounting Assistant – Treasury and Projects Accounting Assistant
On-line Corporate Saver account . Transfer between Corporate Saver and Cheque Account – Initiator/Authoriser.	Group Manager – Corporate Excellence Finance Manager Financial Accountant Management Accountant Acting Management Accountant Accounting Assistant – Treasury and Projects Accounting Assistant
Direct Credit to Pay Creditors Initiator	Financial Accountant Accounting Assistant Accounting Assistant – Treasury and Projects Any two of the following positions (signing and counter-signing):
Authoriser (Must be a different person than initiator)	Group Manager – Corporate Excellence Group Manager – Strategy, Governance and Engagement

Delegations Manual ID: zA34709 Page 31 of 97

	Group Manager – Environmental Services Finance Manager Financial Accountant* Management Accountant <mark>Acting Management Accountant</mark>
Payroll Payments	Financal Accountant
Initiator	Accounting Assistant Accounting Assistant – Treasury and Projects
Authoriser (must be a different person than initiator)	Any two of the following positions (signing and counter-signing): Group Manager – Corporate Excellence Finance Manager Financial Accountant* Management Accountant Acting Management Accountant Group Manager – Strategy, Governance and Engagement. Group Manager – Environment Services
Write-off outstanding accounts receivable of amounts:	
• less than \$1,000	All Group Manager and Managers
• Between \$1,000 and \$5,000	Chief Executive
• Greater than \$5,000	Council (For the avoidance of doubt)
Refund of unused portion of Application Deposit.	Group Manager – Regulatory Services Consents Manager Coastal and Works Consents Manager
Remit fees and charges of amounts: • less than \$1,000	All Group Managers and Managers
• Between \$1,000 and \$5,000	Chief Executive
• Greater than \$5,000	Council
Withholding of goods or services	Chief Executive

Delegations Manual ID: zA34709 Page 32 of 97

Consideration of the provision of services to the council, or tenancy or occupation of any council property or asset by any persons who have had a bad debt owing to the council written off, is subject to the Chief Executive Officers discretion.

* It is considered an acceptable one up approval process where the Financial Accountant approve files initiated/loaded by the Accounting Assistants

Delegations Manual ID: zA34709 Page 33 of 97

TITLE: Hapū Manawhakahono a Rohe

ID: A1281458

From: Ben Lee, Strategic Policy and Planning Manager

Executive Summary / Whakarāpopototanga

Mana Whakahono a Rohe (MWR) is a tool in the Resource Management Act 1991 (RMA) to formalise the way tangata whenua participate in RMA processes and decision making (such as resource consent processing and development of RMA plans).

The RMA requires local authorities to enter into discussions to prepare a MWR if instigated by an iwi authority. However, it is up to council's discretion whether to enter into a MWR with hapū (should hapū wish to).

Since December 2017, council and Te Taiokerau Māori and Council Working Party have been working together to consider the feasibility of a hapū-based MWR. The output of that work is a single multi-hapū MWR.

This item recommends that council adopt the attached MWR as the basis for a single multi-hapū agreement.

Recommendations / Tūtohutanga

- 1. That the report 'Hapū Manawhakahono a Rohe' by Ben Lee, Strategic Policy and Planning Manager and dated 29 January 2020, be received.
- 2. That the **attached** Mana Whakahono a Rohe is adopted as the basis for a single multihapū agreement.
- 3. That Ben Lee, Strategic Policy and Planning Manager, is delegated the authority to make minor amendments to the **attached** Mana Whakahono a Rohe.
- 4. That the Chair be delegated the authority to sign the **attached** Mana Whakahono a Rohe (including any minor amendments made under recommendation 3).

Background / Tuhinga

Mana Whakahono a Rohe (MWR) is a tool in the Resource Management Act 1991 (RMA) aimed at providing an opportunity for tangata whenua to form a relationship with local authorities. The purpose of a MWR is:

- "a) To provide a mechanism for iwi authorities and local authorities to discuss, agree and record ways in which tangata whenua may, through their iwi authorities, participate in resource management and decision-making processes under the RMA
- b) Assist local authorities to comply with their statutory duties under this Act..."
- (Section 58M, RMA)

MWR's were introduced into the RMA in 2017 as a result of the Crown wanting to emphasise the importance of tangata whenua involvement in RMA processes.

A MWR can be instigated by iwi authorities, hapū or council. If it is instigated by an iwi authority, then council must enter discussions. However, if a hapū instigates a MWR with council then it is at council's discretion whether to enter discussions.

In December 2017 council resolved to only enter discussions on a MWR with iwi authorities. At the time, council raised a number of concerns with engaging with hapū for the purpose of establishing a MWR, these being:

- Council's ability to resource many hapū based agreements given the large number of hapū in Taitokerau; and
- Complexities, overlaps and inefficiencies associated with multiple inconsistent separate hapū and iwi MWR.

However, council resolved to receive further advice from Te Taiokerau Māori and Council Working Party (TTMAC) on how council could address, or mitigate these concerns, with a view of being able to progress hapū wishes to enter into a MWR with council. TTMAC accepted the invitation and made a recommendation to council (November 2018) to develop a template for hapū and council to use for developing individual MWR's with hapū.

Council received this advice and considered it against the concerns it had previously identified. Council did not support the concept of a template for hapū, however it resolved to consider further advice for a single multi-hapū MWR (November 2018). Council requested that TTMAC develop this concept further.

TTMAC agreed to develop a single multi-hapū MWR¹ and subsequently endorsed (July 2019) a draft MWR which was presented to a council workshop on 16 August 2019. Council endorsed the draft MWR with some proposed changes. The updated draft MWR was then presented back to TTMAC (12 September 2019), and they endorsed its formal presentation to council after the council elections.

The final draft MWR which will form the basis of the single multi-hapū agreement is **attached**.

Next steps

Assuming council agrees, the proposed next step will be to approach hapū who have taken an active interest in having a MWR with council. The MWR will not be actively advertised, but rather take the approach of signing with the known interested hapū as a pilot. Council can then gauge after six months or so how things are going, and then decide (with TTMAC's advice) whether it should be actively promoted with hapū. This approach was endorsed by TTMAC (12 September 2019).

Minor amendments may be required to tidy up the document before it is signed – it is proposed that Ben Lee (Strategic Policy and Planning Manager) has the delegation to make such changes. Any more than minor changes would come back to the full council.

It is proposed that the Chair be delegated the authority to sign the MWR on council's behalf.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Adopt the MWR as the basis for a single multi-hapū agreement	Goes someway to meeting the preferred TTMAC approach (Option 2).	Some cost to council to develop and implement – staff time and additional \$30,000 per year (which is

¹ It should be noted that TTMAC worked within the constraints of council's position and, therefore, the single MWR for multiparty hapū to join might not necessarily reflect the preferences of TTMAC members. Also, it is important to note that TTMAC does not represent Māori, rather they provide a Māori view and advice to council, and in this case, to help council with the development of the MWR.

		Expected to be a positive step in building council and hapū relationships. Entering into one agreement with multiple hapū will reduce council's concerns around potential complexity and inefficiencies of multiple inconsistent agreements.	being sought through the next Annual Plan).
2	Develop a hapū template MWR. It would provide the starting point for discussions with hapū. Result would be individual agreements with each hapū. This was the original TTMAC recommendation	Council seen to be supporting the advice of TTMAC and further strengthening council's hapū relationships. A potentially significant step in building council and hapū relationships.	While a template provides a starting point it also provides for each hapū based agreement to be hapū specific and hence not addressing the concerns raised by council of complexity, inconsistency and overlapping agreements. Unknown costs and difficult to budget for.
3	That council decline to progress any form of MWR with hapū	No financial cost to council.	Negatively impact relationships with TTMAC and hapū.

The staff's recommended option is 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 (the policy) because it is part of council's day to day activities and it does not trigger any of the significance thresholds in the policy. (Note that the decision for the additional \$30,000 funding will be made separately through the Annual Plan process which will involve public consultation).

A determination that the decision is low significance does not mean that this matter is not of significance to tangata whenua or community, but that council is able to make decisions relating to this matter without undertaking further consultation or engagement.

3. Policy, risk management and legislative compliance

This decision is consistent with policy and legislative requirements, in particular council's policy of fostering Māori participation in council processes and sections 58L to 58U of the Resource Management Act 1991.

The proposed option varies from the original recommendation provided by TTMAC, however while there may be some concern raised by TTMAC and hapū, it is expected it will be generally viewed as a positive step.

Further considerations

4. Community views

There are no known community views on MWR.

5. Māori impact statement

While advice has been sought from TTMAC, this may be a contentious issue for Māori of Taitokerau as it relates to how council will enter into MWR with hapū. TTMAC and hapū representatives have advised that council should enter into individual MWR with hapū. The single multi-hapū MWR does not go as far as TTMAC would like and may result in some negative feedback from hapū and potentially strain some of council's hapū relationships. However, it is expected that council agreeing to a single multi-hapū MWR will generally be viewed by TTMAC and hapū as a positive step.

6. Financial implications

There will be financial implications of entering into MWR as set out in the options analysis. The recommendations contained in this report, while increasing the potential resourcing pressure on council, also mitigates this potential increased resource requirement by recommending a single multi-hapū based MWR (rather than separate individual and likely inconsistent hapū based agreements).

The MWR includes \$30,000 of additional unbudgeted expenditure. This is being sought through the Annual Plan process. While council can proceed with approaching hapū with a view to signing the MWR (with the caveat of council approval of the \$30,000), the MWR cannot be signed until this budget is secured (June this year).

7. Implementation issues

Potential implementation issues have clearly been highlighted throughout this report. These include potential negative hapū response and unknown financial implications. On the positive side, it also has the potential to develop a mutual understanding of how council will involve hapū in its RMA processes and through this hopefully strengthen council's relationship with hapū.

Attachments/Ngā tapirihanga

Attachment 1: Hapu Mana Whakahono a Rohe 😃

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 04 February 2020

Hapū Mana Whakahono ā Rohe

Epillou Jur

Definitions:

"The hapū" – means an individual hapū signatory

1. Karakia

Ko Rangi e tū iho nei

Ko Papa e whakaahuarangi nei

Ka puta ko ngā atua Māori

Ko Tuu

Ko Rongo

Ko Tāne

Ko Haumietiketike

Ko Tangaroa

Ko Tāwhiri

Ka puta te ira tangata ki te whei ao ki te ao mārama

Ka tuhi ki runga, ka rarapa ki raro

Whakairia ake rā e Rongo ki runga kia tina, TINA

Whano, whano haramai te toki

Haumie, hui e

Tāiki e

2. Whakatauaki

Kei te whānau te manawhenua Kei te hapū te kaitiakitanga Kei te iwi te whakaae

3. Mihi

Ka whati te tii Ka wana te tii Ka rito te tii

He mihi mõteatea ki ngā hunga wairua

Kua tānikohia e rātou te kahu tapu, e ngā mate haere, haere, whakaoti atu rā

Āpiti hono tātai hono, te hunga wairua ki te whenua

Āpiti hono tātai hono, ko te whenua ki te hunga ora

Ngā reo korokī me te reo korohī E ngā mana E ngā reo E ngā rau rangatira mā Mauri tū, mauri tau, mauri ora

4. Te tuāpapa o te whakaaetanga | Agreement foundations

4.1 Te Tiriti o Waitangi

Te Taitokerau hapū are extremely passionate about their heritage and give regard to Te Tiriti o Waitangi as the founding document of this country. It recognises a partnership between Māori and the Crown, and for Māori, further cements the intent of He Whakaputanga o Te Rangatiratanga o Nū Tīreni (1835 Declaration of Independence).

He Whakaputanga o Te Rangatiratanga o Nū Tīreni (Declaration of Independence) and Te Tiriti o Waitangi provide the foundation doctrines of authority and partnership that are being sought by hapū in Government, including Local Government.

4.2 Te Pae Tawhiti | Vision

"He waka hourua, eke noa" - "A double hulled canoe embarking on a voyage of unity"

This whakatauki is a metaphor that represents:

• Partnership.

- A challenging journey requiring determination and collaboration.
- The application of Te Ao Māori in our journey e.g. the wairua dimension.
- Understanding, caring for and adapting to our natural environment.
- Self-reliance and a sustainable economy.

4.3 Kaupapa | Context

Te Mana Whakahono ā Rohe is a binding statutory arrangement that provides for a structured relationship under the Resource Management Act 1991 (RMA) between tangata whenua and councils.

The intent of Te Mana Whakahono ā Rohe is to improve working relationships between Tangata Whenua and Councils, and to enhance Māori participation in RMA decision-making processes, acknowledging that statutorily RMA decision making resides with councils.

Te Mana Whakahono ā Rohe does not replace the legal requirements for Te Mana Whakahono ā Rohe between the Northland Regional Council and Iwi authorities.

Te Mana Whakahono ā Rohe cannot limit any statutory requirements set out in Māori settlement legislation or any other legislation that provides a role for Māori in processes under the RMA (e.g., particular rights recognised under the Marine and Coastal Area Act 2011).

4.4 Ngā Roopū | Parties

Te Mana Whakahono ā Rohe is between the Northland Regional Council and the following hapu:

- <signatory x >, date of signing: <add date> refer Schedule 1 for the statement by <add hapū>
- <signatory y>, date of signing: <add date> refer Schedule 2 for the statement by <add hapū>

4.5 Te tauākī whanaungatanga o Te Kaunihera ā rohe o Te Tai Tokerau | Relationship statement – Northland Regional Council

The Northland Regional Council is committed to fostering healthy relationships and connections with hapū, leading to better quality outcomes including:

Supporting hapū mātauranga, expectations and aspirations.

- A greater understanding of one another's expectations and aspirations.
- · Providing more clarity about priority areas of concern for hapū
- Increased opportunities to support hapū led projects and to establish shared projects/joint ventures
- Improved processes based on an understanding of one another's priorities, expectations and available resources.
- More efficient use of Council and hapū resources.

Healthy relationships are based on positive experiences, improving trust and confidence. The Northland Regional Council sees Te Mana Whakahono ā Rohe as a significant step in the development of these hapū-council relationships.

4.6 Ngā tikanga o te whanaungatanga | Relationship principles

These are the principles that have guided the development of Te Mana Whakahono ā Rohe and will continue to guide the relationship between the Northland Regional Council and the signatories:

- working together in good faith and in a spirit of co-operation
- · communicating with each other in an open, transparent, and honest manner
- recognising and acknowledging the benefit of working together by sharing each other's respective vision, aspirations and expertise
- the Treaty of Waitangi Principles¹

¹Refer Waitangi Tribunal principle of the Treaty - https://www.waitangitribunal.govt.nz/treaty-ofwaitangi/principles-of-the-treaty/

5. He Whakaaetanga | Agreement

The Northland Regional Council and the hapū agree:

- to meet all the obligations and commitments made in Te Mana Whakahono ā Rohe.
- · cover their own costs to meet the obligations and commitments (unless otherwise stated).

Any obligation or commitment in a particular circumstance may be varied with the agreement of the Northland Regional Council and the relevant hapū.

6. Te mahere tauākī ā rohe |Regional plan and regional policy statement - processes and participation

Regional plans and regional policy statements are the primary regulatory tools in the Northland Regional Council's tool box for managing the use of natural and physical resources in Northland

Regional policy statements provide an overview of the significant resource management issues of the region and objectives, policies and methods to achieve integrated management of the natural and physical resources of the region. It includes direction on tangata whenua participation in decision making plan development, consents and monitoring.

The Regional Plan includes objectives, policies and rules for the following matters:

- Soil conservation
- Water quality and quantity
- Aquatic ecosystems
- Biodiversity
- Natural hazards
- Discharge of contaminants
- Allocation of natural resources
- Assessing impact on tangata when ua values.

6.1 Te mahere tiakina taiao ā hapū | Hapū Environmental Management Plans (HEMPs)

6.1.1 Ngā mahi o mua | Background

Hapū Environmental Management Plans (HEMPs) may include:

- Whakapapa (genealogy) and rohe (area of interest)
- environmental, cultural, economic and spiritual aspirations and values
- areas of cultural and historical significance
- outline how the hapū expects to be involved in the management, development and protection of resources
- expectations for engagement and participation in RMA processes.

The RMA requires HEMPs to be taken into account when preparing or changing regional policy statements and regional and district plans - provided they have been recognised by an iwi authority and lodged with the council. They can also provide important guidance in the assessment of resource consent applications and other council functions.

6.1.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Provide a contestable fund of at least \$20,000 per year as a fund to assist Tangata Whenua to develop or review their environmental management plans 2.
- Set criteria for applications to the fund.
- If the hapu has lodged a HEMP with the Northland Regional Council:
 - When preparing a plan change³, the Northland Regional Council will provide the hapū with a written assessment of how the HEMP was taken into account in a draft plan change, and will provide at least 20 working days for the hapū to provide written comment back to the Northland Regional Council on the assessment and the draft plan change.
 - Record in the Section 32 report for all plan changes how relevant HEMPs have been taken into account when preparing or changing a policy statement or plan (as required by sections 61 and 66, RMA), and will report on any comments made by the hapū on the draft plan change in relation to the HEMP.
 - The Northland Regional Council will, in all resource consent decision documents for activities within the rohe of the hapū, record the HEMP and will provide a summary of how the HEMP was considered.

The hapū will:

- · If applying to the contestable fund, demonstrate how the application meets the criteria.
- Provide the Northland Regional Council with a copy of any draft HEMP the hapū develops (and intends to lodge with the Northland Regional Council) and allow the Northland Regional Council at least 20 working days to provide comment.
- Provide the Northland Regional Council with an electronic copy of any HEMP they produce and want to be taken into account in resource management decisions.
- Provide evidence of endorsement from the hapū of any HEMP they provide to the Northland Regional Council.
- Agree to the Northland Regional Council recording on its website an electronic copy of any HEMP provided to the Northland Regional Council and a map showing the geographic extent of the HEMP.

6.2 Te mana i te whenua | Identifying sites or areas of significance (SOS)

6.2.1 Ngā mahi o mua | Background

The Regional Plan includes:

- a) a set of rules and policies for the protection of SOS.
- b) criteria a SOS must meet to be considered and/or included in the Regional Plan.
- c) maps of SOS.

The Regional Plan can only include SOS in freshwater or the costal marine area. SOS on land are covered in district plans.

There are currently only a few SOS recorded in the Regional Plan. Hapū may want to add additional SOS to the Regional Plan to get the benefit of protection from the rules and policies.

The only way a SOS can be added to the Regional Plan is by a plan change. A plan change is a process set out in the RMA which requires notification, ability for people to make submissions and hearings.

² The funding is not limited to signatory hapū. It is a contestable fund open to tangata whenua of Taitokerau.

³ "Plan change" includes variations, changes to the regional plan or regional policy statement, and a new regional plan or regional policy statement.

6.2.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Provide the hapū with advice on the preparation of the processes and documentation required to meet the SOS criteria in the Regional Plan.
- Provide GIS assistance to the hapū to map their SOS (noting that staff resources may be limited at times through availability).
- Include any SOS provided by the hapū to the Northland Regional Council, which meets the Regional Plan criteria (as determined by the Northland Regional Council) and has the necessary supporting documentation, in the next relevant plan change to the Regional Plan as determined by the Northland Regional Council.

The hapū will:

- Give at least 40 working days notice of any request by the hapū for GIS assistance to map SOS. This will allow time for the Northland Regional Council to plan the work around other commitments.
- Ensure that any SOS provided to the council for inclusion in the Regional Plan includes:
 - Documentation to demonstrate how the SOS meets the criteria in the Regional Plan (Policy D.1.5)
 - A map of the SOS
 - A worksheet for the SOS consistent with the worksheet used for existing SOS in the Regional Plan.
- Provide the Northland Regional Council a minimum of 20 working days for the opportunity to comment on the draft documentation supporting a SOS before it is formally lodged with the Northland Regional Council.
- When submitting a proposed SOS to be included in the Regional Plan, provide at least one contact who will be available to talk with people who may be impacted by the SOS.
- Put forward an expert on the SOS who will be available to provide advice (at no cost to the Northland Regional Council) on the SOS e.g. at a hearing or preparing evidence for the Environment Court.

6.3 Te tauākī kaupapa here matua | Policy statement and plan-change prioritisation

6.3.1 Ngā mahi o mua | Background

The Northland Regional Council prioritises the preparation or change of a policy statement or plan based on many factors including environmental risks, national requirements, available resourcing and the priorities expressed by the community and tangata whenua.

6.3.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Provide an opportunity to hapū to share their views with the Northland Regional Council on their
 priorities for changes to the Regional Plan or Regional Policy Statement. This opportunity will be
 provided every three years prior to the notification of the draft Long Term Plan for submissions.
 (The Long Term Plan sets out the Northland Regional Councils services, activities and finances. It
 is updated every three years).
- Upon request of the hapū, provide a written statement summarising how changes to the Regional Plan or Regional Policy Statement set out in the Long Term Plan were determined.

The hapū will:

- If providing the Northland Regional Council with their views on priorities for changes to the Regional Plan or Regional Policy Statement, set out:
 - An explanation of why the hapū consider the changes are a priority.
 - Provide suggested wording changes to the Regional Plan or Regional Policy Statement (even if just in general terms) that are consistent with the form and structure of the Regional Plan or Regional Policy Statement.

6.4 Te mātanga o ngā mahere tauākī me te kaupapa here | Consultation when preparing or change of a proposed policy statement or plan

6.4.1 Ngā mahi o mua | Background

There are many benefits to consultation with Tangata Whenua including:

- · identifying resource management issues of relevance
- identifying ways to achieve Tangata Whenua objectives in RMA plans
- providing for their relationship with their culture and traditions with ancestral lands, water, sites, wāhi tapu, and other taonga as set out in s6(e) of the RMA
- ensuring all actual and potential environmental effects are identified
- · providing Tangata Whenua with active involvement in the exercise of kaitiakitanga

The Treaty of Waitangi provides for the exercise of Kawanatanga, while actively protecting Tino Rangatiratanga of Tangata Whenua in respect of their natural, physical and spiritual resources. When acting under the RMA councils and Tangata Whenua must take into account the principles of the Treaty of Waitangi (s8). Similar obligations are imposed on councils under the Local Government Act 2002 (LGA).

Statutory obligations and case law developed under the RMA have helped to translate how the obligations under the Treaty of Waitangi are to be given effect to in practice. Consultation, or the need to consult, arises from the principle of partnership in the Treaty of Waitangi - this requires the partners to act reasonably and to make informed decisions.

6.4.2 Te Whakaaetanga | The agreement

For every regional plan or regional policy statement change or preparation, the Northland Regional Council will:

- Ask hapū for their views on how consultation with Tangata Whenua should be carried out. This
 will occur prior to the first time the Northland Regional Council carries out any public consultation
 (e.g. release of an issues and options paper or draft plan change) and ideally during the project
 planning for the change or preparation.
- Prepare a Tangata Whenua consultation plan which sets out how the Northland Regional Council will consult with tangata whenua (either stand alone or part of a wider consultation or engagement plan).
- Provide a copy of the draft Tangata Whenua consultation plan to hapū and provide 20 working days for the hapū to make any comments.
- Provide a copy of the final tangata whenua consultation plan to hapū.

The hapū will:

• Provide any comments on the draft Tangata Whenua consultation plan to the Northland Regional Council no later than 20 working days after receipt.

6.5 Te tira mahere tauākī, me te kaupapa here | Regional plan and policy statement hearing panel

6.5.1 Ngā mahi o mua | Background

The role of the hearing panel is to make recommendations to council on what changes should be made to the proposed wording of a change to a regional plan or regional policy statement.

In most instances, the hearing panel will include hearings commissioners, who are people with specialist expertise (e.g. water quality, planning and /or Te Ao Māori and Tikanga Māori).

6.5.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Maintain a set of criteria to be used when appointing an independent Māori commissioner (e.g. a commissioner with an understanding of Te Ao Māori/ Māori concepts and values associated with natural and physical resources, knowledge of tikanga Māori and a process for identifying conflict of interests).
- When preparing or reviewing the criteria to be used when appointing a Māori commissioner, invite the hapū to provide their views on the criteria.
- If the Northland Regional Council chooses to appoint a Maori commissioner:
 - The hapū will be invited to nominate one candidate.
 - The Northland Regional Council will assess all the candidates (including those nominated by the hapū) against the criteria.
 - The Northland Regional Council will inform the hapū of the selection of the successful candidate.
- If the Northland Regional Council intends to not appoint a Māori commissioner, then the Northland Regional Council with communicate this to the hapū including the reasons.

The hapū will:

• If nominating a candidate for a Māori values commissioner, include an assessment of the candidate against the criteria.

6.6 Te tira mahere tauāki, me kaupapa here - Regional plan and policy statement hearings

6.6.1 Ngā mahi o mua | Background

The RMA provides a lot of flexibility for the running of hearings for regional plans and regional policy statements. This includes where hearings are held and the process for running the hearing.

The RMA requires that when a hearing is held, tikanga Māori must be recognised where appropriate, and evidence can be written or spoken in Māori⁴.

It is common practice for councils to hold some of the hearings on a marae.

6.6.2 Te Whakaaetanga | The agreement

The Northland Regional Council will, for any regional plan or regional policy statement hearing:

- Ask the hapū whether the hearings (or part of) should be held on a marae, and if so, which marae.
- Consider the advice from hapū when making a decision as to when and if part or all of a hearing will be heard on a marae and which marae.

⁴ Section 39.

The hapū will, if proposing a particular marae for a hearing:

- Outline the reasons why all or part of a hearing should be heard on the marae.
- Take into account the submitters (e.g. the number or submitters likely to attend if part of the hearing is on the marae, the geographic spread of the submitters and the costs to submitters of attending the hearing).
- Set out any particular tikanga that should be observed (e.g. because of the subject matter, people involved, or location).

7. Aronga angitū | Monitoring opportunities

7.1 Te mauri ā taiao me te aronga o ngā Mātauranga Māori | State of the environment and Mātauranga Māori monitoring

7.1.1 Ngā mahi o mua | Background

The Northland Regional Council monitors the state of Northland's environment. Northland Regional Council does not currently have a Mātauranga Māori-based environmental monitoring programme in place.

The use of Mātauranga Māori is a key opportunity for greater recognition of the role of hapū in the management of natural and physical resources. Opportunities for hapū to operationalise Mātauranga Māori in contemporary environmental monitoring allows them to realise a number of aspirations including fulfilling their obligations as kaitiaki and providing for the retention and transfer of traditional knowledge to successive generations. When hapū are leading these discussions they can ensure that Mātauranga Māori is protected from misuse and misappropriation.

7.1.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Upon request of the hapū, meet with the hapū to discuss:
 - The state of the environment monitoring (current and planned) in their rohe
 - Any aspirations the hapū has to undertake state of the environment monitoring on council's behalf
 - The potential to accompany council officers when they undertake state of the environment monitoring
 - Any aspirations the hapū has for council support of mātauranga Māori based environmental monitoring, including:
 - Financial support
 - Input into the design of any council supported regional Mātauranga Māori based environmental monitoring framework
 - Providing information and advice to assist hapū with their mātauranga Māori based environmental monitoring
 - Providing training to hapū
 - Incorporating the results and recommendations of hapū monitoring in council's monitoring reports.
- Ensure the Northland Regional Council's Group Manager responsible for state of the environment monitoring attends the meeting.
- Provide a written response to the matters discussed at the meeting, no later than 30 working days after the meeting.

Note: To be clear - the Northland Regional Council is not committing to deliver on any of the monitoring matters the hapū wishes to discuss.

 Should the Northland Regional Council decide to support a regional Mātauranga Māori-based environmental monitoring framework, it will ensure the hapū have opportunities to have input into its development and implementation.

7.2 Te aronga o ngā whakaaetanga rawa taiao | Resource consent monitoring

7.2.1 Ngā mahi o mua | Background

The Northland Regional Council must monitor compliance with resource consent conditions and their impact on the environment. There is the ability to involve hapū in resource consent monitoring including (for example) undertaking monitoring on council's behalf or accompanying council officers to monitor compliance. However, for this to happen there are issues that would need to be worked through, including capacity, health and safety requirements and legal issues of delegating authority to undertake council's monitoring functions.

7.2.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Upon request of the hapū, meet with the hapū to discuss the potential for people nominated by the hapū to be involved in monitoring compliance with resource consent conditions. This could include undertaking monitoring on council's behalf or accompanying council officers to monitor compliance.
- Ensure the Northland Regional Council's Group Manager responsible for resource consent monitoring attends the meeting.
- Provide a written response to the request no later than 30 working days after the meeting.

The hapū will:

- provide a report to the Northland Regional Council at least 10 working days prior to the meeting with the Northland Regional Council, which outlines:
 - The proposal.
 - The reasons for the proposal.
 - If the proposal includes undertaking resource consent compliance monitoring on council's behalf, it must include an outline of capability and capacity to undertake the monitoring and what the benefits would be for undertaking the monitoring (instead of council staff).

7.3 Arotake o te mahere tauākī, kauapapa here | Review of the regional plan and regional policy statement

7.3.1 Ngā mahi o mua | Background

The Northland Regional Council is required by the RMA to review the Regional Plan and the Regional Policy Statement every five years (section 35). The review assesses whether the provisions are fit for purpose and whether any changes should be made. One of the matters considered when undertaking a review are Hapū Environmental Management Plans (HEMPs).

7.3.2 Te whakaaetanga | The agreement

The Northland Regional Council will:

• Fund an independent5 planner with expertise in Māori perspectives to undertake a review of the Regional Plan and Regional Policy Statement when required by the RMA. The scope of the

⁵ Independent from the Northland Regional Council.

independent planner's review will be to assess the efficiency and effectiveness of the document being reviewed to implement Tangata Whenua aspirations.

- Invite the hapū to nominate one candidate for the independent planner's role.
- Assess all the candidates (there may a range of candidates e.g. nominated by other hapū or iwi
 organisations).
- Appoint the independent planner.
- Inform the hapu of the selection of the successful candidate and the reasons for that decision.
- Invite the hapū to a hui to discuss the document being reviewed. The outcomes from the hui will be recorded as part of the independent planner's review.
- Ask the hapū to provide any written comments they may have on the document being reviewed. The hapū will have up to 30 working days to provide written comments from the date of the invitation for written comments.
- The independent planners review will include an assessment of the hui outcomes, HEMPs, and any other relevant information that may inform tangata whenua perspectives of the document being reviewed (e.g. settlement legislation).
- The draft report from the independent planner will be circulated to hapū who will have 20 working days to provide comments. The independent planner will consider the comments in finalising the report.

8. Te whakataunga me ōna hua | Decision making and other opportunities

8.1 Te tuku mana - Delegation of functions, powers or duties

8.1.1 Ngā mahi o mua | Background

Section 34A of the RMA enables the Northland Regional Council to delegate any of its RMA functions, powers or duties (with some exceptions).

8.1.2 Te Whakaaetanga | The agreement

Northland Regional Council will:

 Upon request, meet with the hapū to discuss the delegation of any of the Northland Regional Council's RMA functions, powers or duties to the hapū (in accordance with section 34A of the RMA). The meeting will include the Northland Regional Council's chief executive officer and chair.

 Provide a written response to the delegation request no later than 30 working days after the meeting.

The hapū will:

- Prior to the meeting with the Northland Regional Council, provide a report which outlines:
 - The proposed function, power or duty to be delegated and any conditions of the delegation
 - The costs and benefits of exercising the proposed delegation compared to the Northland Regional Council exercising the functions, powers or duty
 - The capability and capacity of the hapū to exercise the delegation

8.2 Te tira whakaaetanga rawa taiao me te kaupapa here - Resource consent hearing panels

8.2.1 Ngā mahi o mua | Background

The Northland Regional Council regularly delegates decision making on notified resource consent applications to a hearing panel. In most instances, the hearing panel will include hearings commissioners, who are people with specialist expertise (e.g. water quality, planning and /or tikanga Māori).

8.2.2 Te Whakaaetanga | The agreement

The Northland Regional Council will:

- Maintain a list of preferred independent Māori commissioners⁶.
- Consider a nomination from the hapū to be added to the list of preferred independent Māori commissioners.
- Provide a written decision on whether the nominee will be added to the list of preferred independent Māori commissioners within 40 working days of receiving the nomination. If the decision is to decline the nomination, the written decision will outline the reasons why.
- Decide whether a Māori commissioner is appointed to the hearing panel for notified resource consent application. If a Māori commissioner is to be appointed, it will be from the list, unless there is good reason not to (e.g. due to unavailability or potential conflict of interest).
- If requested by the hapū, provide a written response within 20 working days of receiving the request outlining the reasons for its decision, for a notified resource consent application, to:
 - Include a Māori commissioner on the hearing panel.
 - Select a particular Māori commissioner.

The hapū will:

- If it wishes, nominate a Māori commissioner to be appointed to the list. The person nominated must, as a minimum, have a current Ministry for the Environment hearing commissioner's accreditation.
- As part of the nomination, provide a written report outlining why the person is nominated and what skills and/or expertise they have.

8.3 Te huarahi whakaaetanga rawa taiao - Resource consent application processing

8.3.1 Ngā mahi o mua | Background

The Northland Regional Council has the responsibility to process and make decisions on resource consent applications. Hapū can be involved in various ways including engagement with applicants prior to applications being lodged, receiving copies of resource consent applications within their rohe, or being an 'affected party' and making submissions on notified consents.

8.3.2 Te Whakaaetanga | The agreement

Circulation of resource consent applications

The Northland Regional Council will:

 Encourage resource consent applicants to talk with hapū if the application is within the rohe of the hapū.

⁶Commissioners with an understanding of Te Ao Māori/ Māori concepts and values associated with natural and physical resources, knowledge of tikanga Māori and a process for identifying conflict of interests

- Provide a copy of all resource consent applications within the rohe of the hapū after the application has been formally received.
- Provide hapū 12 working days to respond to the Northland Regional Council from the date the Northland Regional Council sent the copy of the resource consent application.
- If the hapū responds, the Northland Regional Council will talk with the hapū representative (phone or meeting, followed by email) to get a better understanding of the hapū concerns or to let the hapū know what the Northland Regional Council's response is to the concerns raised (with an explanation). This is to occur prior to a formal request for further information from the resource consent applicant, or before the decision on the resource consent application if no formal request for further information is made.

The hapū will include in any response to the Northland Regional Council circulation of a resource consent application:

- A brief description of the cultural values of concern and the effects of the proposal on them.
- A hapū representative and their contact details with whom the Northland Regional Council can discuss the resource consent application with.

Fund for assisting hapū with their participation in significant resource consent applications

The Northland Regional Council will:

- Maintain a fund of \$20,000 per year⁷ to assist hapū with funding their participation in significant resource consent applications (e.g. notified applications)⁸.
- Set the criteria for the fund, including that it can only be used for providing evidence of cultural impacts and it cannot be used to support an appeal against a council resource consent decision.
- Make the decision on whether to fund a hapū application.

The hapū will:

• When applying to the fund, demonstrate how the application meets the criteria.

8.4 Akoranga - Training

8.4.1 Ngā mahi o mua | Background

An important way to increase the capability of hapū to participate in resource management is to provide training. The number of Māori RMA technicians that have had any formal training is limited, and they are often expected to provide expert advice on a variety of complex planning and technical issues across a range of specialist areas.

The aim of the hearing commissioner's accreditation course is to provide participants with the skills and knowledge to guide them through the ethical, legal and practical requirements of decision making under RMA. Participants may not necessarily aspire to be hearing commissioners – the course provides a good overview of the RMA and how decisions are made.

8.4.2 Te Whakaaetanga | The agreement

Resource Management Act Training

The Northland Regional Council will:

 Host a minimum of two and a maximum of four hui or wananga a year to provide training to hapū about the RMA and RMA processes.

⁷ This is in addition to the fund supporting the review and preparation of HEMPs

⁸ The funding is not limited to signatory hapū. It is a contestable fund open to tangata whenua of Taitokerau.

- Provide up to \$500 to support hosting each hui or wananga and make available staff to give presentations.
- Ask the hapū their views on venue, dates and the details of the hui or wananga.

Hearing Commissioner Accreditation

The Northland Regional Council will:

- Maintain a contestable fund to cover the course costs⁹ of three (3) Tangata Whenua per year to attend a Ministry for the Environment's "Making Good Decisions" course (the courses to achieve certification to be a commissioner under the RMA)¹⁰.
- Set criteria for the fund which will include eligibility and accountability criteria (e.g. must attend the full course and demonstrate capability to pass the course).
- Refuse to fund any nominee if they do not adequately meet the criteria as determined by the Northland Regional Council.
- Upon request, discuss how the Northland Regional Council may be able to provide successful candidates assistance or support in their preparation for the course.

The hapū will:

• Include the reasons why the person wants to do the course and demonstrate that they have the capability to pass the course in a nomination to receive funding from the contestable fund.

9. Ngā raru huna | Conflicts of interest

Te Mana Whakahono ā Rohe must include a process for identifying and managing conflicts of interest (S58R, RMA).

A conflict of interest is where a person's position could be used to unfairly gain benefit for another interest.

Any council staff making a decision relating to the implementation of Te Mana Whakahono ā Rohe will abide by council policies for managing conflicts of interest.

Any councillor making a decision relating to the implementation of Te Mana Whakahono ā Rohe will abide by the council's Code of Conduct.

The risk of conflicts of interest arising for the hapū implementing Te Mana Whakahono ā Rohe is considered very low. The Northland Regional Council is the decision maker for actions where there may otherwise be such a risk (such as allocation of funding). However, if the Northland Regional Council is of the view that there is an undue risk of a person representing the hapū or a person receiving any benefit arising from the implementation of Te Mana Whakahono ā Rohe having a conflict of interest, the Northland Regional Council may ask for evidence of endorsement from the hapū of the person. The Northland Regional Council may withhold from implementing the relevant action until the Northland Regional Council is satisfied with the evidence of the endorsement.

A conflict of interest does not arise for a person representing the hapū or receiving any benefit arising from the implementation of Te Mana Whakahono ā Rohe merely because they are a member of the hapū.

⁹ \$2,148 excl gst per person as at January 2019.

¹⁰ The funding is not limited to signatory hapū. It is a contestable fund open to tangata whenua of Taitokerau.

10. Ka tau te raru | Dispute resolution

Should a dispute arise about the implementation of Te Mana Whakahono ā Rohe, the hapū and the Northland Regional Council undertake to work together in good faith to resolve the dispute.

If the dispute cannot be resolved, the following steps will be taken:

- a) Any dispute may be referred to mediation in which an independent mediator will facilitates a negotiation between the hapū and the Northland Regional Council between the Parties. Mediation may be initiated by either party by notice in writing to the other party and must identify the dispute which is proposed for mediation.
- b) Upon receiving notice of the mediation, the other party will set out their position in relation to the dispute or disagreement in writing no later than 20 working days after receiving the notice.
- c) A suitable representative from the hapū and the Northland Regional Council with authority to resolve the dispute must attend the mediation.
- d) The mediation is to occur between 40 and 60 working days after the notice of mediation is received.
- e) The parties will agree on a suitable person to act as a mediator, or alternatively will request the Arbitrators and Mediators Institute of New Zealand Inc to appoint a mediator.
- f) If the dispute is not resolved by mediation, then it shall remain unresolved, and neither party is obliged to carry out any action relating to the dispute.
- g) Each party to pay for their own costs for the mediation, except the Northland Regional Council will pay for the mediator.

11. Arotake | Review

Regular reviews of Te Mana Whakahono ā Rohe will ensure it works effectively and remains fit for purpose. The RMA requires a review every six years from the signing of Te Mana Whakahono ā Rohe as a default (section 58T).

11.1.1 Agreed review process

- a) The first review will start no later than three months following the five year anniversary of the first hapū signing Te Mana Whakahono ā Rohe (hereon referred to as the review start date).
- b) The Northland Regional Council will undertake a review which will include (but is not limited to)
 - · An analysis of the extent the obligations and commitments of have been met.
 - An assessment of whether the obligations and commitments are still effective and remain fit for purpose.
 - A recommendation on what changes (if any) should be made to Te Mana Whakahono ā Rohe. This may include the termination of Te Mana Whakahono ā Rohe either in its entirety or with individual hapū.
- c) The Northland Regional Council will provide a written copy of its review to the hapū. This must be provided to the hapū no later than 60 working days after the review start date.
- d) The hapū will undertake their own review and provide a written copy of it no later than 100 working days after the review start date.
- e) The Northland Regional Council will organise a hui at a geographically central marae to discuss the reviews:

- i. The hui will be held between no later than 140 working days after the review start date. The hui will be facilitated by an independent facilitator¹¹.
- ii. The hui will be with all the hapū.
- iii. The Northland Regional Council will appoint the facilitator and will aim to appoint someone with experience in tikanga, Māori perspectives and the RMA.
- iv. The Northland Regional Council will cover the costs of hosting the hui (but not the costs of the hapū attendance) and the independent facilitator.
- v. The chief executive officer and the chair of the Northland Regional Council will attend the hui.
- vi. The equivalent of the chief executive officer and/or chair of each hapū will attend the hui.
- vii. A key objective of the hui will be to get a clear understanding of the respective views of the parties, including matters of agreement and disagreement.
- viii. At the end of the hui, the outcomes will be recorded and each party will confirm that it is an accurate record.
- f) The record of the outcomes will be reported to the Northland Regional Council at a full council meeting and the governance body for the hapū. Direction from council will also be sought on the next steps, with the objective of reaching agreement between the Northland Regional Council and the hapū - but recognising that this may not be possible.

12. Ngā tīnihanga | Amendments

Te Mana Whakahono ā Rohe may be amended at any time with the agreement (in writing) of the hapū and the Northland Regional Council.

13. Whakamutua | Termination

Te Mana Whakahono ā Rohe shall conclude six years from the date of signing, unless otherwise agreed by the hapū and the Northland Regional Council.

¹¹ The facilitator is a dispute resolution practitioner who helps the parties reach their own resolution in mediation, but does not decide the outcome. The facilitator must be impartial and independent, fairly and objectively listen to the areas of disagreement and help the parties to identify common ground and areas where agreement can be reached.

Schedule 1 – Statement of <Add hapū name>

This section is where each hapū can make their own statements. This could include:

- their view of the relationship with council,
- the reasons for entering the agreement,
- any caveats to entering the agreement, or
- references to existing agreements with council (e.g. an MOU) and an explanation of the existing agreement relates to the manawhakahono a rohe.
- *map of rohe* hapū

Schedule 2 - Statement of <Add hapū name>

This section is where each hapū can make their own statements. This could include:

- their view of the relationship with council,
- the reasons for entering the agreement,
- any caveats to entering the agreement, or
- references to existing agreements with council (e.g. an MOU) and an explanation of the existing or council abort agreement relates to the manawhakahono a rohe.

TITLE: Central Government Proposals - Draft Submissions

ID: A1283104

From: Justin Murfitt, Strategic Policy Specialist

Executive summary/Whakarāpopototanga

The Government has released two discussion documents on encouraging renewable energy and settings under the Emissions Trading Scheme. It has also put a Water Services Regulator Bill to select committee and called for submissions and released a Proposed National Policy Statement on Indigenous Biodiversity.

Staff recommend council lodge submissions on all four proposals. Draft submissions are attached for consideration by elected members.

Recommendation(s)

- 1. That the report 'Central Government Proposals Draft Submissions' by Justin Murfitt, Strategic Policy Specialist and dated 3 February 2020, be received.
- 2. That council approves the draft submissions for lodgement with the relevant government agency.

That council authorises the Chief Executive Officer to make any necessary minor amendments and sign the submissions on behalf of council.

Background | Tuhinga

The Government is seeking feedback on:

- Settings under the Emissions Trading Scheme (ETS)
- Proposals to accelerate renewable energy generation
- A Bill to establish a water services regulator
- A Proposed National Policy Statement on Indigenous Biodiversity (NPS-IB)

A brief summary of these proposals is provided below.

ETS Settings

This discussion document sets out proposed changes to settings under the ETS that are designed to help NZ meet its commitments under the Paris Agreement to keep average global temperature increase to 1.5° C and to progress towards the 2050 net zero carbon target established in the Climate Change Response / Zero Carbon Act. Emissions forecasts indicate NZ is likely to miss an interim target for 2030 by around 100Mt CO₂e. The proposals are designed to address this and include:

- A provisional five-year emissions budget to 2025 of 354Mt CO2e (note: this will be superseded by the first official emissions budget following advice from the Climate Change Commission in 2021).
- Define the number of New Zealand Units (NZU) available for auction annually (estimated at 80m Mt CO2e).
- Increase the price of NZU's from \$25 to \$35 and introduce a price 'floor' of \$20.
- A trigger price of \$50 NZU for release of NZU in the cost containment reserve.

These changes are designed to drive progress on emissions reduction and make the transition to low emission alternatives progressively more viable. While this will mean added cost to businesses and

households, the government estimates this to be moderate in the short-term for households (a carbon price of \$50 is estimated to increase household costs by about \$3.40/week). It is also suggested costs to emission intensive businesses are offset by free allocation and passing costs on to consumers. The changes are also likely to incentivise increases in afforestation.

A draft submission is attached for consideration by council. Key submission points are summarised below:

- Support the proposals on the basis they have been well signalled and are a fundamental component of emissions reduction;
- Support for the interim five-year emissions budget (which sets a straight line path towards 2050 emissions targets);
- Support for the \$35 price cap, as this will ensure emissions pricing does not impose dramatic economic impacts and provide for a just transmission to a low emissions economy;
- Support for a \$50 trigger price for release of NZU in the cost containment reserve, but note the Government should ensure the reserve holds enough NZU to manage costs when the price cap is removed / increased (a potential issue when the agriculture enters the ETS in 2025);
- Concern that positive incentives offsetting / carbon sequestration are for the most part limited to the forestry sector; and
- That the Government considers retaining a price floor of \$25 for NZU (as opposed to the proposed \$20) to ensure the ETS remains a strong incentive to reduce emissions.

Submissions close 28 February 2020. The discussion document is available here: <u>https://www.mfe.govt.nz/consultations/nzets-proposed-settings</u>

Accelerating Renewable Energy

This discussion document sets out a range of regulatory and financial measures to encourage renewable energy generation and energy efficiency, again designed to progress towards emission and renewable energy targets and complement ETS settings. These measures include:

- Developing markets for bioenergy and geothermal for process heat;
- Phasing out fossil fuels in process heat;
- Increasing investment in energy efficiency and renewable energy generation;
- A potential levy on coal consumers;
- Enabling renewables under the RMA (with potential changes to the NPS for renewable energy generation and possibly a new NES) and facilitating community / small-scale energy generation; and
- National grid and network improvements.

The discussion document does not propose preferred solutions but identifies barriers / issues and potential options to resolve these. One notable issue identified is the tension between the NPS for Renewable Energy Generation and other National Policy Statements that have very directive policies (such as the NZ Coastal Policy Statement 2010), which often means applications for renewable energy generation fail (such as landscape or amenity values prevailing over wind turbines).

A draft submission is attached for consideration by council. Key submission points are summarised below:

- Strong support for enabling development of biomass (wood) as an energy source, provided this is limited to wood waste / by-products rather than use high quality timber;
- Support for changes to the National Environmental Standards for Air Quality to better recognise the benefit of wood / biomass for energy generation;

- A preference for using price (under the ETS) as a means to incentivise a shift away from coal for process heat rather than a regulatory 'phasing-out' of existing plant;
- Support for changes to the National Policy Statement on Renewable Energy to better enable renewable energy generation, noting this instrument is weak compared with the requirements of other National Policy Statements (such as the NZ Coastal Policy Statement);
- Recommendations to amend other national instruments where they create barriers to renewable energy generation (especially the NZ Coastal Policy Statement 2010 which is due for review in any case); and
- Support for a 'spatial' planning approach for identification of renewable energy sites.

Submissions close 28 February 2020. The discussion document is available here: <u>https://www.mbie.govt.nz/dmsdocument/10349-discussion-document-accelerating-renewable-energy-and-energy-efficiency</u>

Water Services Regulator Bill

This Bill establishes a new regulatory body (Taumata Arowai) to oversee, administer and enforce the drinking water regulatory system and sets out the objectives, functions and governance regime. The Bill establishes a Taumata Arowai Board (of between 5-7 members by ministerial appointment) and a Māori Advisory Group of 5-7 members (again by ministerial appointment). One of the key roles of the Māori Advisory Group is to support the Board to interpret and give effect to Te Mana o te Wai.

The Bill is largely procedural and does not include substantive direction on the management of water services – this will follow in a separate Bill that will implement system wide reform to drinking water and look at improvements to the performance of wastewater and stormwater networks.

A draft submission is attached for consideration by council. Key submission points are summarised below:

- Support for the intent of the Bill;
- A recommendation that the Bill enable the Board to establish a technical advisory group to assist in the design and oversight of the three waters system; and
- Recommendations on the collective skills and expertise of the Board (to ensure affordability, technical expertise and central government freshwater policy are adequately understood – particularly if a technical advisory group is not provided for).

Submissions close 4 March 2020. A copy of the Bill is available here: http://www.legislation.govt.nz/bill/government/2019/0202/latest/LMS294345.html#d14438303e2

Proposed National Policy Statement for Indigenous Biodiversity (NPS-IB)

The NPS-IB sets out objectives, policies and methods to manage indigenous biodiversity on land. It does not apply to waterbodies or the coastal marine area on the basis that these areas are covered by other national policy statements (NPS) such as the NPS Freshwater and NZ Coastal Policy Statement). Key elements of the NPS-IB include:

- A hierarchy of significance (high and medium) for indigenous biodiversity (significant natural areas SNA);
- A requirement to map these SNA's using a suite criteria;
- Policies applying a hierarchy of protection for areas identified as high and medium value SNA and taonga identified by tangata whenua;
- Policies recognising the role of tangata whenua as kaitiaki of indigenous biodiversity;
- A requirement for regional councils to develop biodiversity strategy;

- Policies on the management of adverse effects on SNA and indigenous biodiversity generally, including 'mobile' fauna;
- A requirement to provide for restoration of biodiversity; and
- A requirement for regional councils to develop monitoring plans.

A draft submission is attached for consideration by council. Key submission points are summarised below:

- Support for the overall objectives of the NPS-IB;
- Concern at the potential impact on use of undeveloped Māori land;
- Concern that the NPS-IB is extremely ambitious and complex and likely to impose significant costs on councils and landowners – a particular concern is that alignment with other National Policy Statements, especially the NZ Coastal Policy Statement 2010, NPS Freshwater, and NPS for Urban Development is very unclear and likely to create significant tension / complexity for landowners and decision makers;
- Recommend adding a requirement to identify SNA's in freshwater and marine environments and make consequential amendments to the NZCPS (the NZCPS was developed in 2010 and is due for review);
- The NPS-IB be made simpler and clearer by removing the distinction between high and medium value SNA's;
- Recommendations that much of the content be removed, and if necessary included in supporting guidance or regional biodiversity strategies; and
- Highlight the potential tension with Section 85 RMA (which allows the Court to intervene in plans where they are considered to render land incapable of reasonable use).

The Proposed NPS-IB is available here: <u>https://www.mfe.govt.nz/consultations/nps-indigenous-biodiversity</u>. Submissions close 14 March 2020.

Considerations

1. Options

No.	Option	Advantages	Disadvantages
1	Council lodges submissions on the proposals	The interests of council and regional constituents are represented. Government understands the implications from a Northland perspective.	Staff time.
2	Council does not lodge submissions	No staff time required.	The interests of council and regional constituents are not represented / made clear to Government.

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 when assessed against council's Significance and Engagement Policy because it is part of council's day to day activities. This does not mean that this matter is not of significance to tāngata whenua and/or individual communities, but that council is able to make decisions relating to this matter without undertaking further consultation or engagement.

3. Policy, risk management and legislative compliance

The decision is consistent with policy and legislative requirements.

Further considerations

Institutional knowledge of Community Views, Māori Impact, Financial Implications, and Implementation Issues have been taken into consideration in preparing the attached submissions.

Attachments/Ngā tapirihanga

Attachment 1: Draft NRC Submission - discussion document Accelerating renewable energy 😃

Attachment 2: Draft NRC submission - Water services regulator bill 😃

Attachment 3: Draft NRC submission - ETS settings <a>J

Attachment 4: Draft NRC submission - NPS Biodiversity 😃

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 04 February 2020



Submission

- To: Ministry of Business, Innovation and Employment
- By: Northland Regional Council
- On: Discussion document: Accelerating renewable energy and energy efficiency

1. Introduction

1.1. Northland Regional Council (NRC) is grateful for the opportunity to comment on the discussion document. NRC's submission is made in the interest of promoting the sustainable management of Northland's natural and physical resources and the social, economic, and cultural wellbeing of its people and communities. NRC's submission is focused for the most part on the proposals that relate to our functions under the Resource Management, Local Government and other Acts relevant to our role.

2. Background

- 2.1. Northland has several renewable energy generation sites of scale Ngawha Geothermal Power Station operated by Top Energy and the Wairua Hydro Electric Power Station operated by Northpower (5MW). The Ngawha site is expanding capacity by 31.5MW (to a total of 57MW) by the end of 2020, with further potential to add additional generation to provide a total of 88MW by 2025 subject to monitoring to prove the sustainability of the resource. The Ngawha expansion will greatly improve Northland's security and reliability of energy supply and mean the region will no longer rely on electricity imported from Waikato through Auckland in fact it will likely mean the facility can export power south.
- 2.2. Northland supports strong forestry and wood processing sectors meaning there is significant potential for the development of wood energy in the region, especially for process heat. The potential for wind, solar and tidal energy generation in the region also present significant opportunities that have not been pursued at scale to date. The further development of renewable energy within the region presents a significant economic opportunity and potential to improve well-being for our communities and businesses that are currently exposed to changes in electricity pricing. Particularly concerning for us in this regard are recent proposals¹ by the Electricity Authority to alter the transmission pricing methodology which has the potential to materially increase electricity prices in Northland for example, the Electricity Authority estimated that the transmission component of customers' bills may

¹ Transmission Pricing Review – 2019 Issues Paper

increase by 15.5% (Northpower) to 31.6% (Top Energy) in 2022, largely as a result of the distance from major generation sites. We expect this will hit our small remote rural communities hardest and these tend to be the most economically disadvantaged. NRC therefore strongly supports the intent signalled in the discussion document to promote renewable energy generation and efficiency. We also support a number of the proposals which we consider will assist with Government's targets for renewable energy and climate change mitigation. We expand on these points in more detail below with a focus on those matters that are relevant to Northland's socio-economic well-being and NRC's roles and functions.

3. Submission

Wood and bioenergy:

- 3.1. We strongly support the development of wood biomass as an energy source to progressively replace fossil fuels in process heat and consider Northland has significant potential for this given the timber resource available and process heat demand (such as kilns for milk, cement and timber processing). However, we would be concerned if this was not limited to timber waste or by-product and were to use high quality timber. While the value of timber as a building product and market forces would likely prevent this, there could be some risk of perverse outcomes if overly strong incentives or prohibitions distorted the market to the extent timber better used for construction was diverted into fuels. We urge the government to ensure some form of control applies to prevent this.
- 3.2. We acknowledge RMA plan rules can at times inadvertently create undue impediments to new or emerging technology such as wood to energy plants, especially if 'rolled' over from earlier generation plans. NRC recently released decisions on its Proposed Regional Plan which includes rules permitting burning (including untreated wood) for energy generation (electricity or heat) subject to conditions the conditions include a limit on the burning of wood for energy of up to 2.5MW. If this threshold is exceeded, the application would be treated as a discretionary activity. We consider the Proposed Regional Plan regime is appropriate based on past and current activity in Northland.
- 3.3. While we see some benefit in a 'user guide' for development and operation of wood energy facilities under the National Environmental Standard for Air Quality (NESAQ), amendment to the NESAQ would provide more certainty. This is because the NESAQ does not appear to explicitly provide for the burning of wood for other than domestic purposes (we note the definition of woodburner in the NES is limited to domestic appliances) and a user guide is a non-regulatory tool and does not provide certainty for the sector or councils. We agree that the NESAQ should retain flexibility for councils to manage air discharges taking into account local geographical / climactic

circumstances, however we consider there is merit in amending the NESAQ so it explicitly provides for burning wood for process energy for clarity and certainty for applicants and councils alike.

- 3.4. The NESAQ is an environmental health standard, so could include 'discharge / design standards' but could also set activity status for burning wood for energy (i.e. permitted, controlled or discretionary activity standards) - provided councils retain the ability to set more stringent standards if needed, it can also retain flexibility needed to address local concerns. We consider there is merit in providing national consistency, certainty and clarity in the NESAQ if government wants to encourage the energy generation opportunity the wood resource presents in New Zealand. This is especially important for an emerging industry that may result in a small number of specialist businesses seeking to operate in multiple regions with wide differences in local RMA rules – inconsistent rules in RMA plans can be a real impediment to businesses that operate in multiple jurisdictions (especially relating to certainty and costs). Examples where this has resulted in National Environmental Standards being developed include forestry, electricity transmission and telecommunications. We note the Bioenergy Association has undertaken a review² of regional air quality rules relating to the operation / consenting of wood fuelled heat plant which provides an insight into the barriers to establishing such plant from an industry perspective.
- 3.5. If the guide was progressed, it would be useful if it set out how other standards (such as PM₁₀ and PM _{2.5}) apply and how these can be met to avoid unnecessary regulatory impediments. It would also be useful if the guidance provided a process chart or checklist of some description to demonstrate how compliance with the NESAQ can be achieved. We would also support the guide including best practice planning rules to assist council plan-making processes pending amendment of the NESAQ.

Geothermal energy

3.6. NRC strongly supports development of the geothermal resource. Geothermal energy is a clean energy source, but access is limited to specific parts of NZ – it should therefore be used to maximum advantage subject to controls to manage environmental effects and long-term sustainability. We suggest the government develop a strategy to maximise generation from the geothermal resource – or alternatively expand on the strategy developed by the NZ Geothermal Association in combination with an implementation plan to ensure the strategy is actually resourced and delivered.

Industry transformation plans:

² Review of regional air quality rules regulating wood fueled heat plant, Bioenergy Association of New Zealand; Occasional Paper 21; 20 April 2018

3.7. We consider an Industry Transformation Plan (ITP) for the Wood Processing and Forestry sector would be beneficial in facilitating bioenergy markets and industry clusters. We see real potential for such a 'cluster' in Northland given the timber resource available in the region. This would be further complimented by the Te Uru Rakau forest strategy, especially if this strategy were to outline government investment, the identification of regional opportunities and secure greater volumes and availability of wood supply for energy / process heat. We therefore support both initiatives – the provincial growth fund could also provide financial support where needed in initial phases.

Deterring new and phasing out existing fossil fuel process heat:

- 3.8. We understand the rationale for a ban or other strong deterrent on new coal fired process heat plants, as this will a) assist in meeting the governments greenhouse gas emissions targets and b) limit the potential for 'stranded assets' in the future and c) encourage use of alternative, renewable fuel sources such as wood. We are aware of some Northland industries that rely on coal for process heat (such as Golden Bay Cement), however we do not expect a significant number of *new* coal-fired facilities to establish in the region. While not opposed to a ban on new low / medium temperature coal fired process heat facilities, we would be concerned if restrictions were to be applied to the expansion or upgrade of existing economically or regionally significant coal fired process heat plants, such as the Golden Bay Cement Plant kilns.
- 3.9. We would be interested in the effect of the removal of the \$25 price cap on NZU and more market-led carbon pricing under a revised Emissions Trading Scheme (ETS) as a deterrent for new or expansion of existing coal fired plant if this impact is significant, an outright ban may not be necessary (noting a carbon price of \$60t/CO₂-e makes some biomass alternatives viable). In terms of phasing out existing coal fired burners (<100 degrees C) by 2030, NRC would support this if accompanied by Corporate Energy Transition Plans. In our view emissions pricing, facilitating renewable alternative fuels and possibly well targeted incentives are likely to be more equitable and effective in making the transition than an outright prohibition. However, in the event these measures do not drive change fast enough, staged phase-out using national instruments / direction could be used to compel the transition.

Enabling development of renewable energy under the RMA:

3.10. For the most part NRC agrees with the problem statement at Section 7.1 of the discussion document, in that the National Policy Statement for Renewable Energy (NPS-REG) has not had a significant positive effect on the time, cost and complexity of the consenting process for renewable energy generation. We agree the NPS-REG uses less directive language than other National Policy Statements (NPS), such as the

NZ Coastal Policy Statement or NPS for Freshwater Management and therefore tends to receive less weight in decision making. Therefore, we do not consider the NPS-REG gives sufficient weight or direction to the importance of renewable energy. Nor has the NPS-REG likely to have improved consistency in planning provisions nationally – we note this is one of the issues with NPS given they typically result in each council interpreting and applying the provisions in the context of their jurisdiction resulting in varied approaches (this despite government efforts to provide implementation guidance). NPS also tend to generate significant costs nationally, as every council must go through the Schedule 1 RMA plan change process to implement the policy direction (as opposed to NES that are far simpler to implement).

- 3.11. NRC would support amendment to the NPS-REG to better recognise the national benefits of renewable energy generation and to include direction to spatially identify potential areas for renewable energy generation and / or areas where renewable energy should not locate. This would in our view provide a great deal more certainty for the industry and communities alike. It could be that instead of each individual council spatially identifying sites for renewable energy generation in their jurisdiction, that this be progressed at a national scale through the revised NPS-REG instead (provided it was in conjunction with the sector and councils and with appropriate opportunity for public / stakeholder input / consultation) or alternatively included in a new NES for renewable energy generation. Another alternative would be to develop a non-statutory resource for this purpose which enabled councils to 'adopt' the maps via RMA plan changes.
- 3.12. We agree there is real tension between the aims of the NPS-REG and other NPS especially the NPS for Freshwater Management 2017 and the NZ Coastal Policy Statement 2010 (NZCPS). This will require resolution and we do not consider changes to the NPS-REG alone would be sufficient, especially where other NPS include the direction to 'avoid adverse effects' which leaves no discretion to councils – our view is that such NPS require amendment because no matter what changes are made to the NPS-REG it is unlikely to overcome the very strong / directive language used in the NZCPS and NPS Freshwater and the effect of associated case law. We note the Draft NPS on Indigenous Biodiversity uses similar directive language. Our view is that the government needs to decide on national priorities and provide certainty as to which should prevail in certain circumstances especially regarding national policy statements – otherwise councils, applicants and interested parties end up in expensive consent and appeal processes and / or opportunities are lost.
- 3.13. Noting the concern above, we would support changes to the NPS-REG along the lines set out below:

- A requirement to identify spatially (in Regional Policy Statements or plans) appropriate areas for renewable energy generation and to *enable* renewable energy generation in those places (in section E of the NPS-REG). Ideally this would be supported by maps generated at a national level to inform council processes or at a minimum, criteria to be applied to define such areas. This could also be complemented by criteria or maps identifying areas not suitable for renewable energy generation.
- Clarifying the relationship between the NPS-REG and other NPS (especially the NPS for Freshwater and NZCPS and the Proposed NPS for Indigenous Biodiversity) and how to balance these when potentially in conflict.
- Provisions enabling maintenance, upgrades and renewal of existing generation facilities and recognising and facilitating connections to transmission and distribution networks.
- We see a good case to expand the scope of the NPS-REG to include other types of renewable energy, e.g. wood energy, liquid biofuels, green hydrogen and wasteto-energy – otherwise these options could be disadvantaged and opportunities lost.
- 3.14. A potential complementary measure could be to progress a NES for renewable energy that addresses much of the above. While NPS are useful, NES provide far more certainty given they are effectively nation-wide 'rules'. They are also significantly less costly to implement in plans given plan changes can be avoided (plans can be amended using Section 55 RMA instead of the Schedule 1 plan change process). Our preference would be for an amended and more directive NPS-REG (and amendments to other NPS as needed) supported by a new NES for renewable energy generation (and facilities). We support the NES including the matters (a-g) identified on Page 62 of the discussion document. This NES could also include the requirement to map areas deemed suitable for REG (or certain forms thereof) and provisions enabling renewable energy generation facilities in these areas (i.e. setting the activity status for a range of generation options as feasible i.e. not be limited to wind, solar and tidal but include biomass and geothermal.
- 3.15. We prefer a new NES to incorporating provisions into the National Planning Standards as this is simpler for councils to implement in that provisions that are inconsistent with the NES can be simply 'stripped out' of plans (usually without the need for a plan change), rather than duplicating the content of planning standards. We also note the National Planning Standards already include direction on how to reference NES in plans.
- 3.16. We do not support a 'pre-approval' process for central government to identify and authorise renewable generation sites outside the RMA system the RMA (despite its

faults) is designed for such purposes and generally provides a good process if policy settings are clear and robust. Another parallel system solely for REG purposes would be inefficient and appears unjustified.

4. Conclusion

4.1. We thank the Ministry for the opportunity to comment on the options in the discussion document. We agree with many of the options identified and reinforce comments above that the government needs to resolve the tensions within current (and Proposed national Policy Statements) and the aspirations for reducing greenhouse gas emissions and shifting to more renewable energy generation. We also strongly support development of a new NES for renewable facilities as this provides the greatest certainty for the sector and is likely more effective and efficient means to address regulatory barriers.

Signed on behalf of Northland Regional Council

Malcolm Nicolson (Chief Executive Officer)

Dated: XX / XX /2020



Submission

To:	Committee Secretariat
	Health Committee
	Parliament Buildings
	Wellington

By: Northland Regional Council

On: Taumata Arowai—the Water Services Regulator Bill

1. Introduction

1.1. Northland Regional Council (NRC) is grateful for the opportunity to comment on the Taumata Arowai—the Water Services Regulator Bill (the Bill). NRC's submission is made in the interest of promoting the sustainable management of Northland's natural and physical resources and the wellbeing of its people and communities. NRC's submission is made in relation to our functions under the Resource Management, Local Government and other Acts relevant to our role.

2. Background

- 2.1. Northland has not experienced the drinking water quality / contamination problems that have occurred in Havelock North and some other areas in NZ, largely because all district council provided drinking water supplies in Northland are treated (and district councils provide most drinking water networks). We do however experience problems with security of supply in some areas during extended periods of dry weather / drought (which is currently the case) largely due to reliance on a single source, which are often rivers. This can cause tensions between providing for the health and well-being of communities and the requirement to meet environmental limits (such as minimum flows in rivers).
- 2.2. We note that since the Government inquiry into the Havelock North contamination event, the number of people receiving untreated water is estimated to have fallen from 600,000 to 90,000¹, suggesting significant progress has already been made to address the issue. However, we understand that some members of the public / communities are opposed to the treatment of drinking water and that some form of Government direction and oversight is needed. We also acknowledge there are issues (including within Northland) around the operation and performance of wastewater and stormwater networks. Northland councils

¹ <u>https://www.health.govt.nz/our-work/environmental-health/drinking-water/government-inquiry-havelock-north-drinking-water-outbreak</u>

have established a 'three waters group' to collectively address some of these concerns. We therefore support the intent of the Bill and the establishment of the Board and its role in providing oversight of the 'water services' system.

- 2.3. Northland has areas of significant economic deprivation, especially in the mid and far north² (Appendix 1: Interactive maps of deprivation in NZ: University of Auckland). The region also has many small dispersed rural communities which leads to many small-scale three waters networks which are comparatively expensive and funded from small rate bases. The affordability of any system reform and consequent obligations imposed on local government (and ratepayers) is therefore of concern. This was highlighted in the December 2019 report by the Productivity Commission into local government funding and financing³ which noted in relation to three waters infrastructure (at Page 90): *Small and dispersed communities with a large amount of water infrastructure per person face a particular challenge in funding and financing the maintenance and renewal of that infrastructure. This pressure is compounded by requirements to meet strengthened safety and environmental regulations.* Similar conclusions were reached in the Three Waters Review by the Department of Internal Affairs.
- 2.4. As noted above, NRC is concerned at the potential costs imposed on councils and ratepayers as a result of changes to the three waters regime. Environmental and health standards applied to three waters network performance should recognise affordability issues and the range of scales and variety of constraints, particularly by smaller communities in less affluent areas. While the Bill is focussed on establishment of the regulatory Board, its governance arrangements and functions with substantive regime changes to follow, NRC wishes to highlight affordability concerns to the Health Select Committee now so the issue can be considered in system design and especially performance standards. Reports commissioned by the DIA in its three waters review provides some good insight into costs of network upgrades (especially in relation to wastewater upgrades to meet objectives of the NPS Freshwater⁴ and drinking water compliance costs⁵). These become even more significant in small, dispersed communities with limited or declining rating bases and high levels of deprivation. We also request that these issues are explicitly recognised in the Bill itself we make suggestions as to how this could be done below.

3. Submission

² http://www.imd.ac.nz/NZIMD_Single_animation_w_logos/atlas.html

³ <u>https://www.productivity.govt.nz/assets/Documents/a40d80048d/Final-report_Local-government-funding-and-financing.pdf</u>

⁴ <u>https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-documents/\$file/Costs-of-wastewater-upgrades-GHD-Boffa-Miskel-Final-report-Oct-2018.docx</u>

⁵ <u>https://www.dia.govt.nz/diawebsite.nsf/Files/Three-Waters-Review-Cabinet-papers-April-2018/\$file/Beca-report-Cost-Estimates-for-Upgrading-Water-Treatment-Plants.pdf</u>

- 3.1. NRC supports the establishment of a Board with regulatory oversight of the drinking water system. We also strongly support the establishment of a Maori advisory group to assist the Board in its functions. The governance arrangements for both appear logical. However, the Select Committee should consider whether the Bill should provide for the formation of a technical advisory group as well to ensure any system changes and especially any performance standards are technically robust and achievable. We suggest this technical advisory group include membership with experience in three waters infrastructure management, water quality management, public health and local government funding and consenting processes. They should also have a good understanding of the constraints on security of supply and environmental bottom lines that apply to freshwater (such as allocation limits and minimum flows).
- 3.2. If a technical advisory group is not pursued, the specifications for Board membership in Clause 12(2) should also be expanded to include knowledge and experience in:
 - three waters infrastructure management
 - water quality management, including constraints on security of supply and environmental bottom lines that apply to freshwater
 - water quantity management issues and related central government policy direction, and
 - local government funding and consenting processes

We would also suggest that board members (as a collective) have insight into the unique and challenging problems providing three waters infrastructure faced in jurisdictions that have small, dispersed and remote communities – we would be concerned if the board members were limited to those with experience with large metropolitan networks only.

- 3.3. The objectives of the Board in Clause 10 appear sound, however we suggest an addition to the objective in Clause e) as follows: provide oversight of, and advice on, the regulation, management, and environmental performance of wastewater and stormwater networks while recognising environmental (especially water quality policy direction and limits) and financial constraints facing the sector.
- 3.4. The functions of the Board in Clause 11 are logical and provide a good scope to address the concerns identified in the Havelock North inquiry. However, we suggest that consideration of affordability be explicit for example, Clause 11(b) could be amended to read: b) *identify* and monitor matters that affect the safety of drinking water, and the environmental performance of wastewater and stormwater networks, including current and emerging contaminants <u>and affordability</u>. A similar consideration should also be added to Clause 11(c): c) develop standards that relate to drinking water composition and develop other regulatory

requirements and measures necessary to fulfil its responsibilities under this or any other enactment, <u>taking into account the range of constraints on network performance and</u> <u>affordability.</u>

3.5. The operating principles of the Board in Clause 18(2) should also include recognition of affordability issues and local government financial and funding constraints. As noted above these are real issues especially in rural provinces. We suggest an additional clause to the effect that: *Ensuring affordability and financial viability are considered in system design and performance* (or words to similar effect).

4. Conclusion

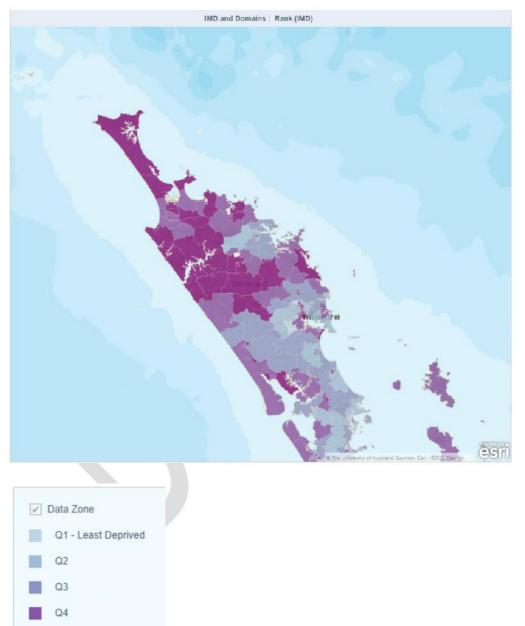
4.1. NRC is grateful for the opportunity to provide input into the Bill. As noted above we support the establishment of a regulatory oversight body, subject to relief sought above. We do not seek to be heard in the event the Committee hold hearings or calls for verbal presentations.

Signed on behalf of Northland Regional Council

Malcolm Nicolson (Chief Executive Officer)

Dated: XX / XX /2020

Appendix 1: Extract – Interactive maps of deprivation in NZ: Index of multiple deprivation (University of Auckland) <u>https://www.fmhs.auckland.ac.nz/en/soph/about/our-</u> departments/epidemiology-and-biostatistics/research/hgd/research-themes/imd/maps.html



Q5 - Most Deprived



Submission

On:	Reforming the New Zealand Emissions Trading Scheme: Proposed settings
By:	Northland Regional Council
	etsconsultation@mfe.govt.nz
	Wellington 6143
	PO Box 10362
To:	Ministry for the Environment

Introduction

1.1. Northland Regional Council (NRC) is grateful for the opportunity to comment on the consultation document. NRC's submission is made in the interest of promoting the sustainable management of Northland's natural and physical resources and the social, economic, and cultural wellbeing of its people and communities.

2. Background

2.1. NRC has an interest in the settings under the Emissions Trading Scheme (ETS) given the potential implications for the economic and social wellbeing in the region and as a driver for land use change, particularly afforestation. We also want to see a just transition to a low emissions economy that does not disproportionality disadvantage communities, particularly those in remote rural areas where transport costs can already be significant and employment opportunities are limited. Northland has significant potential for afforestation, but we are concerned that this may be dominated by large-scale pine plantation, rather than provide a diverse range of forest types matched to the capacity of land and aligned with community aspirations for biodiversity, freshwater outcomes and economic development. We outline these issues in more detail below.

3. Submission

3.1. We support the proposal to set an emissions budget (of 354MtCO₂-e) that attempts to stabilise the projected increase in net emissions and put NZ on a 'straight line' trajectory toward the 2050 targets established in the Zero Carbon Act. We agree that not doing this now will likely mean more abrupt and disruptive measures are

required in the future – we also agree that a more aggressive approach would potentially have major implications across a range sectors (including 'stranding' assets) and would not provide the time needed to switch to low emission technology (such as electrical vehicles and alternatives to fossil fuels). The age profile of forests also suggests a more ambitious budget is not realistic given offsets are likely to decline as sequestration rates in older forests decline, which will only be reversed as sequestration rates in newer forests that were established in the 2000's increases (in other words, forestry offsets are forecast to decline until after the 2020's).

- 3.2. We note that the provisional budget requires reduction of 13MtCO2-e (from a forecast net emissions of 368MtCO₂-e) by 2025. We consider the provisional budget provides a good balance between ambition and achievability in the initial phase of emissions budgeting and the cost impacts appear moderate - the time for more aggressive reductions will be when abatement technology has improved, alternatives are more accessible, and sectors have had time to plan and implement the transition. For these reasons we do not support the option in the discussion document for a more aggressive provisional budget (of 349MT CO₂-e) as requiring 18Mt CO₂-e of emissions reductions by 2025 given this is likely to be too dramatic in terms of impact and too early in the development of abatement technology (especially for the agricultural sector, which under this regime would be required to reduce emissions by 1000Kt CO2-e per year by 2025). We also do not support the less ambitious budget requiring reductions of only 6Mt CO₂-e on the basis that this will likely just push costs 'down the road' whereby costs will likely be greater (i.e. we must purchase offshore units at a higher price per unit than it would cost to reduce domestic emissions and / or make urgent investment in abatement technology to get emissions back on target).
- 3.3. One concern we have is that sufficient volume of NZU remain available to auction once the agricultural sector enters the scheme (signalled for 2025). While we understand agriculture will receive a free allocation of 95% of emissions (initially at least) and the cost containment reserve can be used to alleviate any unexpected price increases, we'd be concerned at the impact on the sector if demand for NZU meant significant price increase by 2025 when the sector becomes liable for emissions. We encourage the government to ensure a sufficient volume is available at auction to ensure prices do not unduly disadvantage this sector especially as mitigation / abatement options are likely to be relatively new and may not be as effective as hoped, meaning farmers need to purchase more NZU than planned.
- 3.4. NRC support retaining a fixed price for NZU until 2022 the \$35 proposed fixed price appears reasonable in that it will provide certainty and limit dramatic increase and

associated shocks in the lead up to the full operation of the auction system – which will then be managed by the cost containment reserve.

- The cost containment reserve price ceiling is also supported as another means to 3.5. manage the price of NZU / carbon prices as the price cap is lifted or removed. A trigger price of \$50 per NZU for release of the cost containment reserve appears reasonable out to 2025, but the effectiveness of the mechanism relies on sufficient volume of credits being retained in the reserve, noting the price ceiling is not actually a cap on the price of NZU. Again, we'd encourage the government to be precautionary here given the scheme is in its early days and it may be wise to plan for the unexpected - especially if speculation on NZU occurs and / or a large volume of NZU are effectively 'stockpiled' (as is currently the case - participants meet their obligations with cash and stockpile NZU for speculative purposes rather than surrendering them). The proposal to set the annual volume of NZUs held within the cost containment reserve at 90 per cent of the difference between forecast net emissions covered by the NZ ETS and the volume of NZUs supplied into the scheme through free allocation and auction is reasonable however, we'd suggest being more precautionary by setting it higher (say 95% or 100%) in the early phases of the transition to a low emissions economy. While this may cost the government more (given the reserve must be 'backed' by international units or reductions), it would provide more certainty the price can be controlled - and this could be reduced once there is more confidence in the system.
- 3.6. We support the concept of a price floor for NZU to ensure incentives for abatement remain and certainty is provided, but the rationale for setting this at \$20 is less clear. It would appear more effective to fix this at \$25 (the same as the current fixed price) to ensure the ETS remains effective, noting participants can choose to sell NZU on the secondary market at lower prices if they choose to.
- 3.7. Table 1 of the discussion document identifies a range of measures across key sectors that can contribute to meeting the reductions required in provisional budget these appear coherent and possible but cannot rely on emissions pricing alone and will need complementary targeted government intervention. Some options for government intervention have been set out in the discussion document on accelerating renewable energy generation, many of which NRC support. We strongly encourage the government to focus more effort on these measures, rather than relying too heavily on forestry offsets to meet targets. The way the current ETS settings tend to reward / incentivise a monoculture of pine forests is risky both in terms of vulnerability to events such as storms, droughts, disease and wildfire, but can also impact on community well-being. Northland has experienced such impacts in the past whereby conversion to forestry resulted in loss of jobs in the agriculture

sector and consequent damage to small rural communities (E.g. Broadwood in the north Hokianga). We also encourage the government to look at the potential to recognise and reward other forms of carbon offset / sequestration that encourage diversity (and thereby resilience). There is a related issue whereby use of land is effectively 'locked' in as the price of deforestation rises with the price of NZU (i.e. the surrender obligation is too onerous to contemplate land use change from forestry), which may constrain NZ's future options.

- 3.8. There is a real opportunity to encourage a shift in land use from agriculture to horticulture / cropping in some areas in NZ and thereby reduce agricultural emissions which account for around 50% of NZ's greenhouse gas emissions. However, ETS settings (current and proposed) generally only incentivise a shift from pasture to forestry - while horticulture / cropping would likely be subject to lower surrender obligations than pastoral farming, there is no positive recognition of the mitigation this change would bring. Another issue is that recent central government policy direction in the Proposed NPS for Freshwater Management and especially the Proposed NES Freshwater would impose significant regulatory barriers in the way of such land use change – for example, the NPS Freshwater requires regional councils to maintain water quality while the NES Freshwater restricts land use change if there is to be an increase in nutrient or other contaminant discharge (Clauses 35 and 36) - in effect this means allowing an increase in nutrient discharge (but decrease in sediment and E.coli) resulting from a change to horticulture or cropping would be effectively precluded, or at least very difficult. While we understand this is beyond the scope of the discussion document, we urge the government to consider settings under all relevant policy direction and the ETS to provide a more coherent and integrated approach to ensure beneficial changes in the primary sector are enabled and recognised.
- 3.9. The proposal to set the volume of international units available for use in the ETS between 2021 and 2025 at zero has some risks, although we understand the rationale and the negative impact that the use of 'cheap' international units has had previously. In the event the government revisits this position, we'd support indirect access whereby the government purchases international units and auctions these as equivalent NZU (as opposed to market participants purchasing and trading international units from approved sources) on the basis this better retains the integrity of the auction system.
- 3.10. We agree with the proposal to undertake an auction 'system test' where a limited supply of NZUs will be auctioned in late 2020.
- 3.11. We support the proposals to release information on ETS settings on an annual basis and to develop a calendar for this release before the start of each calendar year. We

agree this will allow participants to understand the implications of the settings and participate in the NZU market with more certainty. We also support the five year rolling process for unit supply settings and the ability to adjust future settings.

4. Conclusion

4.1. We thank the Ministry for the opportunity to comment on the options in the discussion document. We agree with many of the proposed setting subject to the concerns outlined above.

Signed on behalf of Northland Regional Council

Malcolm Nicolson (Chief Executive Officer)

Dated: XX / XX /2020



Submission

To:	Ministry for the Environment
	Biodiversity Team
	Ministry for the Environment
	PO Box 10 362, Wellington 6143
	indigenousbiodiversity@mfe.govt.nz
By:	Northland Regional Council

On: Proposed National Policy Statement for Indigenous Biodiversity

1. Introduction

1.1. Northland Regional Council (NRC) is grateful for the opportunity to comment on the Proposed National Policy Statement for Indigenous Biodiversity (NPS-IB). NRC's submission is made in the interest of maintaining biodiversity values, promoting the sustainable management of Northland's natural and physical resources and the social, economic, and cultural wellbeing of its people and communities. NRC's submission is generally focused on parts of the NPS-IB that relate to our functions under the RMA (the Act) but also covers other matters that we consider could create issues for our treaty partners, landowners, stakeholders and district councils.

2. Background

- 2.1. Northland supports a wide variety of unique indigenous biodiversity which is highly valued for its intrinsic worth but also the benefit it provides in terms of socio-economic, cultural, amenity and ecosystem services. NRC commits a significant amount of its resources towards the management of biodiversity however our planning provisions are primarily focussed on freshwater and marine ecosystems as our Regional Policy Statement give responsibility for terrestrial biodiversity provisions to our district councils. We also undertake a wide range of biosecurity activities that contributes to the maintenance and enhancement of indigenous biodiversity across all environments. Council committed \$8.42 million to biodiversity and biosecurity activity in the 2019/20 financial year, which represents about 17% of the year's total budget. Our communities also contribute a huge amount of time and effort towards looking after their local environments in numerous ways and locations across the region NRC often acts as a facilitator, advisor and funder for these community efforts because in our view partnerships and collaboration are fundamental in delivering results.
- 2.2. While we understand the NPS-IB is primarily focussed on terrestrial biodiversity (so may have more implications for district than regional councils), NRC has a strong interest in

ensuring it is effective, contributes positively and does not add undue complexity or costs. We also want to ensure that the NPS-IB does not create a disincentive for landowners to retain and protect biodiversity. We provide more detail on these matters below.

3. Submission

General comments:

- 3.1. The ability to maintain biodiversity values is undermined by limiting the scope of the NPS-IB to terrestrial habitat (Section 1.5). Many native species (birds, bats, lizards, frogs, seals) rely on terrestrial as well as freshwater and/or marine habitat.
- 3.2. NRC supports the intent of the NPS-IB and agrees there is a need for national direction under the RMA for the management of biodiversity. The objectives and policies are generally coherent and are supported. However, they do not all reflect the scope of the NPS-IB which with the exceptions of restoration, geothermal habitat and regional biodiversity strategies, is limited to terrestrial biodiversity. For example, the objective, policy and implementation requirement of 'integrated management' (Objective 4, Policy 4 and clause 3.4 clause a) and c)) somewhat 'stifles' the ability of local authorities to manage biodiversity in an integrated way across domains.
- 3.3. Another issue in terms of scope is that the NPS-IB does not appear to give any explicit direction in relation to resource consent processes (other than some additional matters relating to Schedule 4 RMA).
- 3.4. The NPS-IB is extremely ambitious and in our view attempts to do too much some of the content is also extremely problematic to implement in an effects-based RMA framework. We also note the general theme or intent in Section 45A RMA that the indicates national policy statements should direct content of plans and policy statements rather than delve into territory more suited to Local Government Act processes or directing non-regulatory content.
- 3.5. Another area of complexity for councils is managing the tensions or competing direction in other operative and proposed NPS such as the NZ Coastal Policy Statement (NZCPS), NPS for Freshwater Management (NPSFM), NPS for Urban Development and NPS for Versatile Soils, especially where there is conflicting direction or overlap (E.g. wetland requirements in both NPS-FM and NPS-IB). This creates an extremely difficult 'policy landscape' for councils to navigate in plan making and consenting the same can be said for landowners, Māori and industry who must also come to grips with this overlapping policy framework.
- 3.6. Overall, while we support the intent, we have major concerns over the complexity, cost implications (for councils, landowners and consent applicants) and implementation generally. The impact on Māori land (especially undeveloped Māori land that includes some of the higher value and least impacted remaining habitats) will be significant and

likely impose restrictions on its development and use – it could also have implications for customary use of resources by Māori. While the cost benefit analysis explores some of these issues, it is comparatively high level and in our view underestimates implementation, compliance and opportunity costs. It could also create a perverse outcome whereby landowners view SNA's negatively and the NPS-IB achieves the opposite of the outcome sought. We expand on these points in more detail below. We strongly recommend the NPS-IB be simpler, clearer, more targeted and better aligned with other NPS.

Application

3.7. Logically all biodiversity management should be in the NPS-IB to provide an integrated approach across ecosystem and habitat types. We recommend that it apply to the coastal marine area, freshwater and terrestrial ecosystems as these are 'connected' in many ways as the piecemeal approach in the NPS-IB creates arbitrary boundaries that do not reflect ecosystem function – for example much of NZ's fauna rely on connectivity between estuarine, wetland, river, riparian and terrestrial ecosystems. We note the NZCPS is due for review and could be amended to defer all biodiversity direction to the NPS-IB. While the Proposed NPS-FM includes direction on maintaining the ecosystem health of waterbodies, this is primarily limited to water quality and quantity management and controls on wetland and stream disturbance - there is no requirement to identify SNA's in waterbodies under the Proposed or operative NPS-FM other than the requirement to identify outstanding fresh waterbodies (which are not necessarily identified on the basis of biodiversity values). We see this as a gap. The NPS-IB could be amended to address this, by requiring SNA be identified and managed in fresh waterbodies and the CMA. Guidance on the identification and management of biodiversity in the CMA will likely become more important following Court decisions on the Motiti case in the Bay of Plenty and the scope for regional councils to manage fishing activity in certain circumstances.

Objectives

3.8. As noted above, the objectives are generally supported but we reinforce the point made above that the Objective 4, Policy 4 and Section 3.4 are compromised given the limited scope of the NPS-IB in that it excludes the CMA and fresh waterbodies. These provisions (and those related to connectivity) are effectively limited to cross-district boundary issues rather than reflecting a truly integrated approach.

Policies

3.9. The management of 'mobile' fauna is extremely problematic and the regime in the NPS-IB does not make things any easier - Section 3.15 and the definition of highly mobile fauna is extremely vague and could include most species of bird, many reptiles, frogs, bats and invertebrates. Detailed spatial information is scarce for many of these species. Therefore, the implications are significant if applied to private land. We recommend SNA mapping requirements are limited to areas of significant vegetation and that protection of (highly) mobile fauna outside those areas is prioritised in regional biodiversity strategies and

managed through best management practices. For example, the approach outlined in section 3.10 in plantation forestry could equally apply to other long-term large-scale activities where best management practices can recognise beneficial actions (e.g. pest control and providing habitat) while minimising/managing adverse effects.

Implementation requirements

- 3.10. Section 3.4 (integrated approach) note comment above at Para 3.6. Section 3.5 (resilience to climate change) is well meaning but again extremely vague and seems to confound a range of concepts and functions for example restoration and enhancement proposals would not normally be subject to RMA decisions and are more likely considered through a non-regulatory process. This Section is not a good fit in the RMA regime which is not designed to 'compel' action but to manage effects of activities. We suggest this section be deleted a similar (and clearer) requirement could however be included in regional biodiversity strategies.
- 3.11. NRC supports the requirement to identify SNA's in Section 3.8, however we strongly oppose the requirement to rank them as high or medium. The rationale for this ranking requirement is unclear - a two tier system adds unnecessary complexity and does not reflect Section 6(c), which makes no such distinction. The criteria in Appendix 2 used to define high and medium value SNA's are also vague and so open to interpretation that it is unlikely to be applied with any consistency. We strongly recommend this requirement and Appendix 2 be deleted as it adds nothing but complexity and will result in unproductive and costly disputes for no benefit (with consequential amendment to other clauses). The NPS-IB should simply require SNA's be identified in accordance with Appendix 1. Clauses 3.8(7) and (8) should also be deleted – Clause (7) is unnecessary (plans are reviewed every 10 years anyway) and the requirement to update SNA's in plans every 2 years in Clause (8) is extremely costly and we note plan changes under the RMA often take 2 years or more to complete in any case. Also, if biodiversity values are not mapped in a plan but identified as significant, while not caught by rules, they still get the benefit of relevant policies. We'd suggest this be left to the discretion of councils given if the SNA were identified during a consent or designation, conditions can be applied to protect it in the interim - and the polices of the NPS-IB would also apply.
- 3.12. Section 3.9 (managing adverse effects on SNA's) should be amended to delete the reference to medium value SNA's. Clause 3.9(2) applies an extremely onerous test in medium value SNA's (all tests must be met). We oppose this approach as there will inevitably be circumstances where development has no alternative location, a functional need and / or policy support in NPS's (E.g. renewable energy generation, or nationally significant infrastructure) and the 'avoid adverse effects' regime has very high opportunity costs. We consider the effects management hierarchy including offsetting (in accordance with principles for biodiversity offsetting) should be available in those circumstances listed in Clause 3.9(2) and (3) noting Clause 3 could effectively compromise the reasonable use of private land (Refer Section 85 RMA). Put simply we recommend that Section 3.9 should

require adverse effects be avoided on matters in a) (i-iv) except where the circumstances in Clause 3.9(2) and (3) arise, whereby the effects management hierarchy (and offsetting) can be applied (an alternative could be to require 'no net loss' in biodiversity, although this is also fraught). This is a far more pragmatic approach that will in our view better meet the purpose of the RMA set out in Section 5 of the Act. As an aside, we consider offsetting should be applied to more than minor residual effects – to require it to be applied to all residual effects is overly onerous.

- 3.13. We agree with the approach taken in relation to plantation forests but suggest Section 3.10 simply state this rather than attempt to apply vague and unnecessary direction (i.e. clauses 2 and 3 add nothing given the effect of Plantation Forestry NES).
- 3.14. Section 3.12 (existing activities in SNAs) is problematic and would be extremely hard to implement. Existing activities are typically authorised by a resource consent, permitted activity rule or existing use right. 'Interference' in existing activities is also likely to be extremely contentious and given the activity is already established / occurring effects are likely to have already occurred or been managed by conditions of consent or permitted activity rules. The wording in Clause 3.12 is also extremely vague and we do not consider there is sufficient cause to intervene in this manner it also seems to contradict Section 10 RMA that provides for existing use rights in relation to district plan rules. We also note that councils can review resource consents in certain circumstances and if needed can revisit permitted activity rules if activities are considered to have adverse effects. We strongly recommend that Section 3.12 be deleted entirely.
- 3.15. Implementation of Section 3.13 is also problematic in some instances and is poorly drafted for example Clause 1(c) does not make sense how are plan provisions to identify when an area deemed not to be an SNA should be assessed to test whether it is an SNA? Further how would a council implement Clause 3.13(2) where the SNA is not currently mapped / scheduled in a plan and therefore no 'SNA' rules apply to it? We recommend deleting Clauses 3.13(1)(c) and 3.13(2) as in our view these are not implementable.
- 3.16. Section 3.14 (identified taonga) should clarify that the requirements of these clauses can be included in Mana Whakahono a Rohe (iwi participation arrangements), rather than require a separate process.
- 3.17. Section 3.15 is extremely vague and even if clarified will be difficult to implement and would undoubtedly apply to large tracts of private and Māori land in Northland and therefore be extremely contentious. It is more suited to a non-regulatory approach and we therefore recommend this requirement (or similar with clearer language) be deferred to regional biodiversity strategies.
- 3.18. Section 3.16 has similar issues and again is far better pursued in a non-regulatory manner the RMA is not a regime that is designed to compel activity, rather it's focus is managing

adverse effects. Further the RMA cannot commit resourcing or funding, which occurs through Local Government Act processes (E.g. annual and long term plans). The need to include areas for restoration and enhancement in regional policy statements is unclear. We recommend this section be deleted and instead be identified as content in regional biodiversity strategies. The same could be said for the wetland requirements which seem at odds with Section 1.5 of the NPS-IB which limits scope to terrestrial biodiversity.

- 3.19. Section 3.17 of the NPS-IB is unusual and again we note that the RMA is not designed for such purposes. The rationale for requiring all 'urban' and 'rural' environments to have a target of at least 10% indigenous cover is unclear and frankly completely out of step with the purpose of the RMA. An arbitrary requirement for 10% indigenous cover in urban areas also has the potential to frustrate the intent of the NPS on Urban Development and further constrain housing affordability for little obvious benefit, especially where the urban area was previously pasture. This section demonstrates a poor understanding of how the RMA works and the role of instruments such as NPS it should be deleted in its entirety. If any such need is apparent within a region / district it should be at the discretion of the relevant council as to how this is addressed. Also, it may well be that habitat quality is far greater an issue in some areas, rather than quantity.
- 3.20. The requirement to develop regional biodiversity strategies in Section 3.18 has some merit and as noted above we see the potential to include elements of the NPS-IB in such strategies.
- 3.21. Section 3.19 appears to be an attempt to re-write Schedule 4 RMA which we do not see the need for, nor would we support – especially in the manner set out as this would in our view generate unnecessary costs, confusion and duplication. We do not consider this to be consistent with the intent of Section 45A RMA (Content of National Policy Statements). We strongly recommend the entire section be deleted. Clause 3.19(3) is incoherent and should also be deleted.
- 3.22. Section 3.20 (monitoring plans) provides no clear objective for the monitoring i.e. is it to provide for reporting nationally, regionally or on individual sites to drive management actions? These are all very different It should also explicitly allow for use of 'representative sites' rather than requiring every SNA site to be monitored in Northland there will be a significant number of SNA's and monitoring every single one would be extremely onerous and is unlikely to be necessary (councils often use representative sites in monitoring plans to assess the state of the environment).

Appendices

3.23. The title of Appendix 1 (criteria) should be amended to refer to SNA rather than 'identifying significant indigenous vegetation and significant habitats of indigenous fauna' so it is clear SNA's are the subject and language is consistent. Otherwise the criteria appear to be consistent with good practice. Appendix 2 should be deleted as the two-tier approach to ranking SNAs overly complicates matters for no gain. Appendices 3 and 4 are useful and again appear to reflect widely accepted good practice.

4. Conclusion

- 4.1. NRC thanks the Ministry for the opportunity to provide feedback on the Proposed NPS-IB. As noted, we support the intent and agree some national direction is required, however we have concerns at the cost implications for councils, landowners and infrastructure providers. The opportunity costs for Māori are especially alarming given the likely implications for Māori land. We also have concerns at the complexity in the NPS-IB (particularly resolving the competing tensions that we foresee with direction in other NPS) and the difficulty in implementation we anticipate arising with many of the provisions. We consider this stems in part from the fact the NPS-IB attempts to do too much and to do things that are not a good fit with the RMA regime. We urge the Ministry to take our comments on board when revising the NPS-IB and to create a simpler, clearer more targeted suite of provisions. We have a long history in working with the RMA and managing biodiversity in collaboration with Māori and our local communities this is challenging enough without adding further cost and complexity.
- 4.2. We also question the timing of the release of the NPS-IB given we understand NZ is due to sign international conventions on biodiversity and the release of the NZ Biodiversity is imminent. We recommend these higher order documents be used to inform decisions on the NPS-IB.

Signed on behalf of Northland Regional Council

Malcolm Nicolson (Chief Executive Officer)

Dated:

TITLE: LGNZ Remit

ID: A1286000

From: Chris Taylor, Governance Support Manager

Executive summary/Whakarāpopototanga

This document acts as a 'placeholder' for the report 'LGNZ Remit' which was unable to be completed in time for the circulation of the agenda.

The report will be sent out to members under separate cover.

Authorised by Group Manager

Name: Chris Taylor

Title: Governance Support Manager

Date: 12 February 2020

TITLE: Chair's Report to Council

ID: A1280421

From: Penny Smart, Chair

Purpose of Report

This report is to receive information from the Chair on strategic issues, meetings/events attended, and correspondence sent for the months of December 2019 and January 2020.

Recommendation

That the report 'Chair's Report to Council' by Penny Smart, Chair and dated 31 January 2020, be received.

The new decade has started with quite a mix and number of events. Councillors have hit the road running with workshops, working party and subcommittee meetings now in full swing.

Strategic issues

Water storage

There has been good coverage in the media regarding water storage, drought protection and water conservation, along with the most recent PGF funding boost.

One of NRC's core responsibilities is community resilience. Water storage could certainly provide for drought and flood protection as well as economic benefits. What will be key is having environmental protection and enhancement top of mind throughout.

Potential ports move

As with my comments above any extra business, be it at the ports, by way of a dry dock and/or a Navy move it is vitally important that the environment is in no way adversely affected. I see real opportunities here for environmental protection and enhancement as well as the obvious economic ones.

Recent PGF announcements

NRC is very pleased with recent PGF announcements regarding roading and rail. The long awaited four lane highway from Whangārei to the Oakleigh/Port turnoff is particularly pleasing and will not only benefit public safety and freight movement but provide for the continuing joining up of the Whangārei to Auckland carriageway. The rail announcement is also very welcome and will open up many new opportunities for all of Northland.

Meetings/events attended

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

- Meetings attended with the council's CEO, Malcolm Nicolson:
 - Council staff end of year Christmas celebration.
 - NorthlandlForward Together Strategic Planning Workshop.
 - Steve Smith, CEO, Northland Chamber of Commerce overview of strategic plan.
 - Kathleen Drumm and Thomas Biss, Whangārei Art Museum update on the Hundertwasser project.
 - Catch up meeting with Sarah Petersen, Chair, and Murray Reade, CEO, Northland Inc.
 - Catch up meeting with Murray Jagger, Chair, Marsden Maritime Holdings.
 - Meeting with MPI Kauri Dieback.
 - UNISA Mayors and Chairs meeting.
 - Meeting with Minister Twyford and Ministry of Transport officials to discuss next steps for the Upper North Island Supply Chain Strategy.
- Meeting with Māori Affairs Select Committee hosted by Te Roroa Kauri Dieback.
- Treaty of Waitangi training held at Motatau Marae.
- Maungatoroto Ratepayers' meeting.
- Meetings with John Schwartfeger ongoing complaint.
- Regular Mayors/Chair teleconference calls.
- Induction workshop for Regional Sector Chairs and Mayors.
- Meeting with Te Uru Rakau.
- Meetings of Mayors/Chair Northport discussion.
- Poutō Waikaratu Marae Kaipara kick start.

Correspondence

During December 2019 and January 2020 I sent out the following correspondence:

Date	Addressed To	Subject
16.12.19	Adrienne Tari	NRC representation on Northland
	Chairperson	Conservation Board
	Northland Conservation Board	
16.12.19	Brent Eastwood	NRC representative on Sport
	CEO	Northland Board of Trustees
	Sport Northland	
16.12.19	Wayne Guppy	Request to government to place
	Mayor	moratorium on bottled water
	Upper Hutt City Council	consents
19.12.19	Tony Horton	Inter-council GMO Working Party
	Convenor	
	Inter-council GMO Working Party	

19.12.19	John Hutton Manager Treaty Settlements	NRC representatives on Kaipara Moana Working Party
	Auckland Council	
19.12.19	Murray Jagger	NRC shareholder representative
	Chairman	for Marsden Maritime Holdings Ltd
	Marsden Maritime Holdings Ltd	
19.12.19	Sarah Petersen	NRC shareholder representative
	Chair	for Northland Inc.
	Northland Inc.	
19.12.19	Valerie Morse	Zero waste message
	Zero Waste Network	
23.12.19	Hon Damien O'Connor	National (Kauri Dieback) Pest
	Minister of Agriculture and Minister of	Management Plan proposal
	Biosecurity	
10.01.20	Klaus Kurz	Outstanding issues
	Northland Mooring and Ratepayers	
13.01.20	Family of Tommy Walker	Condolence letter
15.01.20	Hon Nanaia Mahuta	Invitation to visit works at Panguru
	Minister of Local Government	
16.01.20	Paul Sucich	Aupouri aquifer – survey datum
		errors
17.01.20	Roger Dewhurst	Radiometric survey and Aupouri
		aquifer
21.01.20	Natalie Lynch	Letter of support for bid to host
	Northern Region Young Farmers	2021 FMG Young Farmer of the
		Year grand final in Whangārei
21.01.20	Sarah Petersen and Murray Reade	Northland Inc. Ltd Statement of
	Chair and CEO	Intent 2020-2023 – Letter of
	Northland Inc.	expectations

Attachments/Ngā tapirihanga

Nil

TITLE: Chief Executive's Report to Council

ID: A1276999

From: Malcolm Nicolson, Chief Executive Officer

Recommendation | Tūtohutanga

That the report 'Chief Executive's Report to Council' by Malcolm Nicolson, Chief Executive Officer and dated 31 January 2020, be received.

7.2.1 HIGHLIGHTS

PDU Announcement

There were a number of Provincial Growth Fund (PGF) funding announcements made around Waitangi Day, totalling almost \$123 million in new investment into Northland. These included funding for further rail improvements (\$70 million) and a lift in the government support for the Northland Water Storage and Use Project (\$12 million). In addition, the first allocation of funding from the PGF-supported Whenua Māori programme was also announced, including \$6.3 million to Northland Māori landowners. These investments will help lift the performance of the Northland economy.

Ministerial Meetings

As reported, I supported the Chair in very successful (separate) meetings with Ministers Twyford and Mahuta. At both meetings, the issue of the development of a Northland Infrastructural Spatial Plan was raised. Minister Twyford was supportive and invited us to contact him post-election. Minister Mahuta was prepared to support the advancement of a Water Infrastructure Spatial Plan within a shorter timeframe. I propose to see how this could be achieved, and report back to Council.

Drought

Northland is currently experiencing a drought within the region after receiving just 21% of its normal rainfall for January following an already-extremely dry 12-month period. There is currently no significant rain in the short-term forecast and the longer-term forecast is for drier-than-normal conditions into March. The current outlook is that the drought will become more severe and as a result there will be widespread water shortages and adverse impacts.

The majority of Northland's communities rely on rivers as the sources for their town water supplies. A number of these rivers are now at flows below the minimums required in their resource consents and are operating under Water Shortage Directions issued by NRC to allow the continued taking of water, subject to water use management conditions.

There are currently a number of communities across the region on Level 3 and Level 4 (essential drinking, cooking and personal hygiene only; no outside use) water restrictions.

There are concerns around water supply failure due to low river level drops and/or infrastructure failure. Preparations are being made by the Northland CDEM group in support of the District Councils to provide emergency water supplies to communities if required. This entails tankering water in from other parts of the region to manned water dispensing points that have been set up with temporary tanks for manually filling water containers.

The Minister for Agriculture was briefed on 24 January and may classify the region as being in drought.

The Rural Support Trust (RST) has activated the Rural Adverse Events Team. To date the RST advise they are managing and the RST 0800 line is not noticeably busier, with calls received mainly from those with lifestyle blocks concerned about feed and water.

Sea Cleaners January Statistics

- 16 volunteers
- 160 hours completed on Northland's shorelines
- 42,700 litres of waste collected

Council Property Update

- A Sale and Purchase Agreement to sell a Whangārei Industrial Area property has gone unconditional and settles March 2020.
- ARCO Group Ltd, Head Contractor for the redevelopment at 8 Kensington Avenue, have completed demolition construction remains on track to meet the May 2020 target for handover of the medical precinct tenancies to Kensington Health. The childcare centre is undergoing detailed design.
- The Kaipara Service Centre developed design is complete, with council now to consider the project design, budget and KDC lease.

Upper North Island Strategic Alliance (UNISA)

- Mayors and Chairs met late January and signed the UNISA Triennial Agreement.
- Agenda items included discussion on the Upper North Island Supply Chain Study (ports, rail and roads) recommendation involving Northport, Port of Tauranga, Ports of Auckland and associated transport networks.

Current Legal Proceedings

Department Description S		Status
Consent decision appealReplacement consents for, and new consents for an expansion of, Doug's Ōpua Boat Yard in Walls Bay, Ōpua.		No further progress to report.
Consent decision appeal	Replacement discharge consents for East Coast Bays Wastewater Treatment Plant (Taipā)	Court assisted mediation has been tentatively set for March 2020. Date to be finalised.

7.2.3 CORPORATE EXCELLENCE

Fraud Declaration

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

Cyber Security

Council was the subject to another email phishing attack where some staff were sent a scam email. Council has recently upgraded its email security software, and in this event the software detected and quarantined these emails before they reached staff mailboxes.

The breach was reported to the Computer Emergency Response Team (CERT NZ <u>www.cert.govt.nz</u>) who work in partnership with government agencies to respond to cyber security threats.

7.2.4 REGULATORY SERVICES

Consents in Process

During December 2019 and January 2020, a total of 82 decisions were issued. These decisions comprised:

	December 2019	January 2020
Moorings	7	2
Coastal Permits	8	4
Air Discharge Permits	0	1
Land Discharge Permits	13	1
Water Discharge Permits	1	0
Land Use Consents	22	0
Water Permits	2	4
Bore Consents	10	7
Total	63	19

The processing timeframes for the December 2019 consents ranged from:

- 646 to 4 calendar days, with the median time being 32 days;
- 434 to 4 working days, with the median time being 20 days.

The processing timeframes for the January 2020 consents ranged from:

- 217 to 2 calendar days, with the median time being 48 days;
- 72 to 2 working days, with the median time being 18 days.
- 41 Applications were received in December 2019.
- 32 Applications were received in January 2020.

Of the 131 applications in progress at the end of January 2020:

- 50 were received more than 12 months ago (most awaiting further information from the applicant);
- 13 were received between 6 and 12 months ago (most awaiting further information from the applicant);
- 68 less than 6 months.

Appointment of Hearing Commissioners

Dr R Lieffering was appointed in December 2019 to make a decision on consents associated with a seawall.

No commissioners were appointed in January 2020.

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

The current level of notified application processing activities at the end of January 2020 is (by number):

•	Applications Publicly/Limited Notified During Previous Month	0
•	Progress on Applications Previously Notified	3
•	Hearings and Decisions	0
•	Appeals/Objections	2

COMPLIANCE MONITORING

The results of compliance monitoring for the period 1 December 2019 - 31 January 2020 (and year-to-date figures) are summarised in the following table and discussed below.

Classification	Total	Full compliance	Low risk non- compliance	Moderate non- compliance	Significant non- compliance	Not exercised during period
Air discharges	40	33	4	1	1	1
Coastal permit	77	61	12	2	0	2
Discharge permit	165	118	16	13	6	12
FDE - Discharge permit	3	3	0	0	0	0
FDE - Permitted activity	2	2	0	0	0	0
Land use consent	62	48	5	6	0	3
Water permit	92	65	21	5	0	1
Total	441	330	58	27	7	19
Percentage		74.8%	13.2%	6.1%	1.6%	4.3%
YTD	4,892	3,708	458	336	182	208
Percentage		75.8%	9.4%	6.9%	3.7%	4.3%

Coastal

The majority of consents monitored during the reporting period related to coastal structures, coastal discharges from municipal sewage treatment plants and industrial sites.

Water, Waste, Air and Land Use (WWALU) compliance monitoring

• Aupōuri groundwater monitoring

Monitoring staff continue to undertake the background monitoring that is required under the stringent conditions of the resource consents for groundwater takes from Aupouri Aquifer for avocado developments. The avocado growers holding those consents were advised on 24 January 2020 of the interim trigger levels to control their water takes and that they could commence irrigation.

• Air monitoring

A full prohibited fire season was declared on 9 January by the fire service. People continue to burn however, so we remain vigilant in our response to attending reports of smoke nuisance.

• Land Use

A large number of complaints are being received from the public regarding several NRC consented earthworks sites. Dust stabilisation is an issue at this time of year and operators need to ensure they have good management practices to prevent the discharge of contaminants from their sites. Appropriate enforcement action is being taken on those found to be negligent in their management practices.

• Water Use

Water management has become top priority with the extended period of dry weather currently being experienced in Northland. The water use monitoring officer is liaising regularly with consent holders, the hydrological team and with our external stakeholders to ensure resource consent conditions are being complied with and water use is being managed appropriately in the region. Water restrictions have been imposed on a number of water users in accordance with consent conditions, including pasture irrigators and public water use supplies. The situation continues to be monitored very closely.

Waste Management

Thirteen incidents involving the discharge of hazardous substances and 27 enquiries regarding contaminated land were received and responded to. 300 kg of hazardous waste was disposed of during the reporting period.

A change to the management of waste hazardous substances has been agreed between the Northland Regional Landfill Limited Partnership (NRLLP) and NRC. From 1 July 2020, waste hazardous substances will no longer be accepted on an 'ad hoc' basis at the Re:Sort facility in Whangārei. Instead, an "amnesty day" will be held once a month where hazardous waste will be accepted. Trained staff, along with hazardous waste disposal experts, will be on site during the amnesty collection period to sort and pack waste for disposal. The change is required to better manage the risks to staff and to meet legislative requirements for the handling of this type of waste. A communications plan is being developed to communicate the change to the community.

Environmental incidents

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

ENFORCEMENT

Abatement notices, infringement notices and formal warnings

	Infring Not		Abate Not		Warning Letter		Total*	
Nature of Offence	No. Offences	No. Notices	No. Offences	No. Notices	No. Offences	No. Notices	No. Offences	No. Notices
Burning and smoke nuisance	0	0	1	2	0	0	1	2
Discharge to land	0	0	1	1	0	0	1	1
Earthworks/land use	0	0	2	3	0	0	2	3
Farm dairy effluent	2	4	2	2	0	0	3	6
Hazardous substances, spills and refuse	1	1	2	3	0	0	3	4
Illegal activity in coastal marine area	1	1	2	3	1	1	4	5
Other air discharge	0	0	3	3	0	0	3	3
Other water discharge	1	1	0	0	0	0	1	1
sSediment	0	0	2	2	0	0	2	2
Sewage	0	0	1	1	0	0	1	1
Stormwater discharge	1	1	0	0	0	0	1	1
Water abstraction	0	0	5	5	0	0	5	5
Total	5	8	19	25	1	1	24	34

The following enforcement actions were taken during the period:

*An infringement notice and an abatement notice may be issued for the same offence. This means that in the above table, Column 7 (Total No. Offences) is not necessarily the sum of Column 1 (Infringement Notice No. Offences) + Column 3 (Abatement Notice No. Offences).

Other Enforcement

• Dumping and burning of demolition waste, Kaikohe

The final party involved in the offending, A-Line Construction Limited, was sentenced in the Whangārei District Court on 20 December 2019. The company was fined \$15,300 plus court costs. This brings this matter to a close.

• Enforcement Order – Paihia wastewater treatment plant

Following a pre-hearing conference/settlement conference held on 4 March 2019, the Environment Court issued Enforcement Orders against the Far North District Council (FNDC) on 20 March 2019. The orders set out milestones to complete an upgraded wastewater treatment plant. FNDC has met the first four milestones – achieving the fourth one ahead of schedule.

• Farm dairy effluent – Maungakaramea

All parties were sentenced on 20 December 2019. The farm owner, James Dodunski, was fined \$27,750, JKD Farms Limited was fined \$52,000 and the farm manager, Mr Albert, was ordered to complete 120 hours of community service (on account of his poor financial position).

• Farm dairy effluent – Maromaku

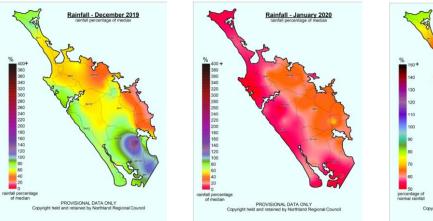
Charges were laid against a farm owner, his company and a farm manager for offences which occurred in September 2018. The farm has a poor history of compliance with regional rules for animal effluent disposal. The company entered guilty pleas and was sentenced on 16 January 2020. The company was fined \$30,000. A defended hearing for the farm owner, Neil Campbell, commenced on 13 January 2020, however, on 15 January 2020 Mr Campbell vacated his 'not guilty' pleas and entered guilty pleas. He was subsequently fined \$27,000. NRC elected to drop all charges against the farm manager. This brings this matter to a close.

NATURAL RESOURCES

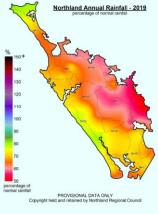
HYDROLOGY

Rivers / rain situation

 Northland continues to suffer from a lack of significant rain. Regionally, rainfall for December 2019 was at 64% and for January 2020 at 21% of the median. This comes after a very dry year with 2019 averaging 57% across the Northland rain gauge network. As a consequence, river and stream flows are low and in steady decline.

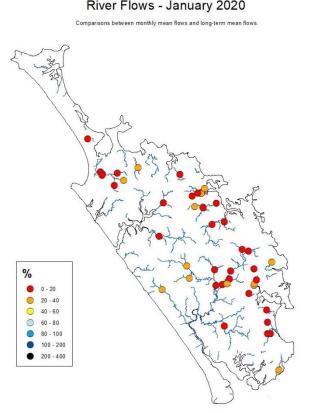


Percentage of median maps for December 2019 and January 2020



2019 Annual rainfall percentages

- River and stream flow measurements have been a priority throughout January to obtain accurate low flow measurements at hydrometric network sites in addition to compliance monitoring and the Whangārei Harbour Low Flow Project. A total of 119 flow measurements were conducted during January 2020.
- The map to the right shows a number of rivers are flowing below 20 percent of normal flows expected in January.



NATURAL RESOURCES DATA

- Coordinating LAWA requests:
 - LAWA Groundwater Quality Module trend and state results have been reviewed for Northland during December 2019. The module is now expected to 'go live' in late March/April 2020.
- Implementation of the biological database (KiECO) started in early December 2019 with the taxonomy import. The full implementation project is expected to take about a year to complete.
- Survey 123 for electronic data collection field officers started to use the electronic form in December 2019 to record field measurements for the Recreational Swimming Water Quality Programme. Electronic forms will then be released in February 2020 for the Groundwater Quality Programme and in March 2020 for the Coastal Quality Programme. Feedback so far received from field officers has been positive. Survey 123 forms are also created for the Hydrology Team to record the network assets.
- Compilation of water quality, flow and rainfall data sets is underway to be used for a water quality modelling project run by NIWA and Land & Water Science consultancy.

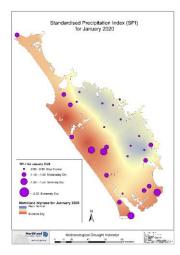
NATURAL RESOURCES SCIENCE Regional groundwater levels

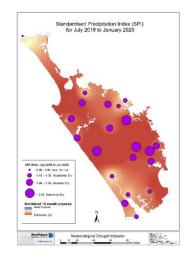
- Aside from the northern sites in the Aupōuri aquifer, groundwater levels are generally low for January, particularly in the eastern coastal aquifers. If the dry period continues through February, groundwater users with shallow bores along the east coast may experience water supply issues.
- The northern Aupōuri aquifer monitoring sites show levels are generally above average for this time of year.

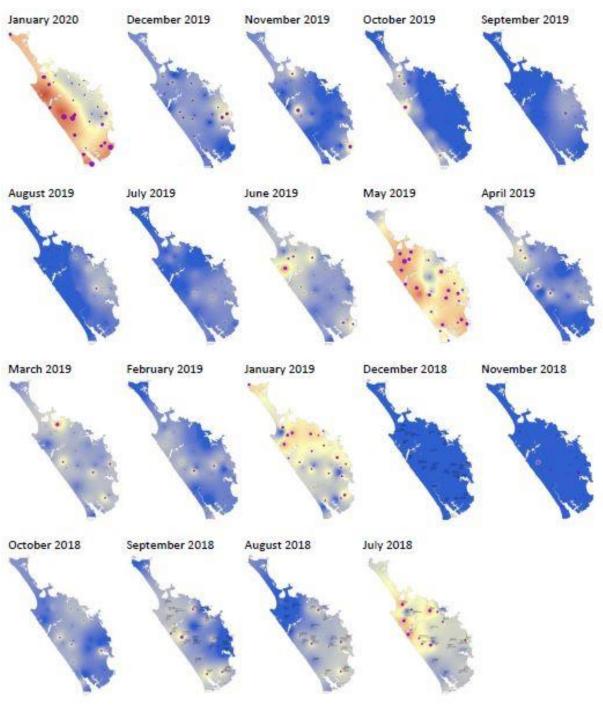
- Bore datum levels are being resurveyed for all bores monitored by council in the Aupōuri aquifer. The monitoring bores in the Houhora area were resurveyed prior to Christmas with the southern bores being resurveyed in January.
- A survey of up to 60 private bores is also underway. The aim of this survey is to obtain accurate locations, groundwater levels and basic water quality indicators. This information will provide valuable information to validate groundwater modelling in the future.
- Staff are investigating the potential for an airborne electromagnetic survey of the Aupōuri aquifer (SkyTEM). Such a survey is likely to provide spatially dense, high resolution 3D maps of the entire aquifer system. This will fill some key information gaps and provide improved understanding of the following:
 - Information on the saline interface(s), where the freshwater meets saltwater;
 - Basement contours; (target depth 60-150m);
 - Potential saline water at depth above the basement;
 - Location and extent of major shell beds;
 - Connectivity of groundwater system with the dune lakes and wetlands.
- The outputs from the survey can be used to improve groundwater modelling of future allocation limits and cumulative effects of proposed new takes and existing abstractions. This improved understanding will provide greater security of supply for existing and future users, and inform sustainable (water-reliant) economic growth in the Te Hiku area.
- A Provincial Growth Fund application is being considered as a potential co-funding source, which could be lodged in collaboration with stakeholders.

Freshwater quantity

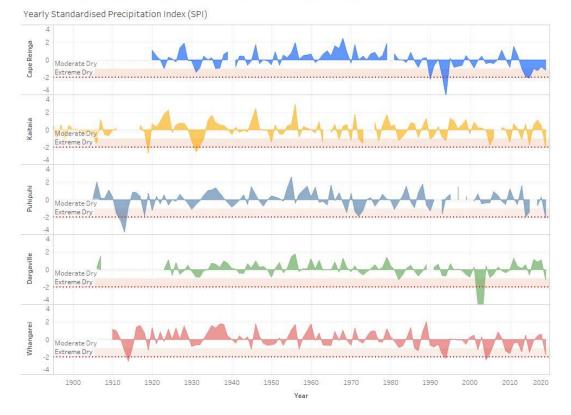
- The Meteorological drought index map indicates moderate to severe dry conditions in the west coast and southern parts of Northland, and around Whangārei and Ngunguru during January 2020.
- For the accumulative 16 months (July 2018 to Jan 2020), the entire region has been moderately to extremely dry, with the exception of Cape Rēinga.







Monthly SPI Maps – July 2018 to January 2020



Meteorological drought indication over time across the region

Freshwater quality

- NRC has awarded contracts to Land & Water Science (LWS) and NIWA for water quality modelling services to implement the National Policy Statement for Freshwater Management (NPS-FM). Currently, the Natural Resources science team is in the process of delivering the required water quality and GIS data to NIWA and LWS. While the LWS water quality model will help predict the steady state of NPS-FM water quality attributes, the NIWA model will predict the influence of different land management scenarios (e.g. stock exclusion, good management practices, riparian planting) on water quality.
- NRC is working with NIWA regarding two international studies on microplastic concentration in a freshwater environment. These studies include a Global Lake Microplastic study (GALACTIC) and also 100 Plastic Rivers Study (undertaken by the University of Birmingham).
- NRC is still working in conjunction with NorthTec in the collection of microplastic samples from twelve recreation sites that include eleven highly used coastal beaches and an outstanding dune lake (Lake Taharoa). This is a collaborative project between NorthTec, NIWA and ESR.

Freshwater ecology

- Macroinvertebrate monitoring is almost complete for this year. Additional monthly monitoring of macroinvertebrates is being carried out in the Waitangi catchment alongside continuous DO (Dissolved Oxygen) monitoring to assess the impacts of the current prolonged low flows in highly allocated catchments.
- With the prolonged low flows, wide spread periphyton blooms are present in many Northland rivers and streams, driven by the lack of flushing flows and high temperatures. Benthic cyanobacteria has been identified at above alert levels at two sites in the upper Waitangi catchment.



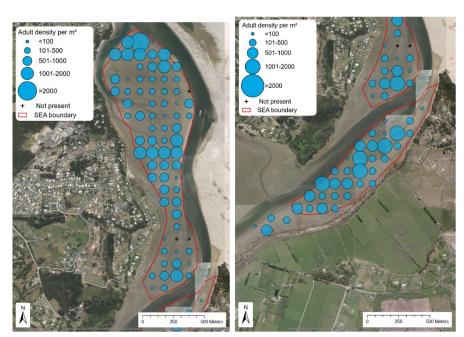
Waimamaku River

• The Whangarei Catchment Group is funding a contractor to remediate a number of flood protection structures in the Raumanga Stream which are acting as barriers to fish passage. Fish surveys have been completed above and below the first barrier and will be repeated at the same time next year to assess the success of remediation works.

Marine ecology

- A survey of three significant ecological areas (SEAs) in the Mangawhai estuary has been completed. The survey involved an assessment of the substrate type, a quadrat survey of the marine invertebrates that live on the surface of the sandflats, and core samples of shellfish that live in the sediment.
- In total, 17 different marine invertebrates were recorded. The diversity of the animals found and the individual species present were indicative of a healthy sand flat. No non-native taxa were recorded. The survey also indicated that the three SEAs support extensive cockle beds. Cockles play an important role in the healthy functioning of coastal ecosystems and are an important food source for other marine invertebrates and shore birds. The technical report is available on council's website:

https://www.nrc.govt.nz/resource-library-summary/research-and-reports/coastal/



Cockle densities in the Mangawhai significant ecological areas

Air quality

- Ambient PM₁₀ monitoring results for November and December 2019 for the Whangārei and Marsden Point airsheds show that compliance was met with the National Environmental Standards for Air Quality. PM_{2.5} monitoring results for Whangārei were within the Ambient Air Quality Guideline value.
- Council's CO₂-e (carbon dioxide equivalent) emission for 2019 until November is 356.12 tonnes, which is 2.17 % (i.e. 7.58 tonnes) higher than for the same period in 2018.

COASTAL / WATER QUALITY FIELD OPERATIONS

- The Recreational Swimming Water Quality Programme continues with weekly sample results reported on the LAWA website. New laboratory procedures have allowed for microbial source tracking on every sample collected. Source tracking highlights whether the source is human, ruminant, or avian. Results are received in roughly ten days, allowing for a timelier response if required; previously results were received months later.
- Monthly cyanobacteria samples were collected at four lakes. This programme runs over the summer period to include four popular swimming lakes to complement our Recreational Swimming Water Quality Programme.
- Monthly sampling programmes were completed (four coastal runs, 13 freshwater quality and periphyton runs and seven continuous monitoring validation visits), as well as the quarterly buoy deployments at Waitangi, Hātea and the outer Bay of Islands.
- The annual freshwater invertebrate programme commenced, with approximately 60 sites sampled to assess the ecological community of Northland's streams. This programme involves the collection of macroinvertebrates from within Northland's rivers and streams to assess the stream ecosystem health using the national Macroinvertebrate Community Index (MCI).

7.2.5 ENVIRONMENTAL SERVICES

LAND MANAGEMENT

Nursery

The Flyger Road nursery shed was broken into and tools, equipment and a side by side Polaris vehicle stolen in the early hours of 31 January. The perpetrators used the Polaris to drive to Whangarei and hid the Polaris in a bush block. The GPS tracker on the Polaris allowed us to recover the vehicle, the stolen equipment and tools were not recovered. Police and insurers were notified, and security improvements will be implemented.

Farm Plan and Environmental Fund Update

Farm Environment Plans 2019 / 2020		Environment Funds 2019 / 2020*		
FEPs CommencedFEPs Completed2019/202019/20		No. of Environment Funds Granted	Amount Granted (\$)	
87	82	147	\$1,010,755	

*This includes MfE fund proportion of Hātea projects.

Waimā Waitai Waiora – Freshwater Improvement Fund

Objective	Status		
Te Kawa Waiora	Recruitment for the research team was started late last year. Charles Royal was successful in securing the Research Lead position.		
Farm Environment Plans	As at 31 December 2019, we had completed 21 FEPs in the Northern Wairoa catchment. This is on track to meet our KPI of 40 this year.		
Landowner grants	The project team are finalising planting plans to tender the planting work for 130,000 plants this winter.		
Communication and engagement	Filming for our new video series begun and will continue through to the end of 2020 to capture events and milestones of the project.		
Water quality monitoring	The first wananga for the mātauranga Māori freshwater monitoring was held in January 2020.		

Sustainable Hill Country and Regional Priorities

Milestones	Status
Research	
A: Coastal erosion buffers	A: A project plan has been developed and work has started on some of the objectives.
B: Mature poplar/willow	B: A draft project plan has been prepared and costings are being determined.
Farm Environment Plans	112 required in 2019-20 year. 77 complete.
Stakeholder engagement	Engagement strategy in development. Review of existing publications and preparation of new material (publications and website) underway. Organisation is underway for the first stakeholder field day event, planned for some time in March-April.
Land treatments	
A: Retirement fencing	A: To date, 13 fencing projects with retirement fencing of highly erodible land have been approved, with a forecast fence length of 13.9 km. The fencing projects total \$59,450. A final round of fencing applications will be assessed in January to allocate the remaining fencing budget of \$24,550.
B: Contractor capacity development	B: List of contractors prepared. Training requirements to be determined for delivery at stakeholder field day event in March-April.

BIODIVERSITY

CoastCare

Spinifex seed to supply future planting days was collected from various sites around Northland beaches over January. CoastCare staff attended Vehicles on Beaches events. The Kaitiaki Ranger programme at several proved successful once again.

FIF Dune Lakes Project

Objective	Status
1. Aquatic weed and pest fish control	Two pest fish operations were completed. 857 perch were removed from Lake 198a and it was confirmed that Rototuna is virtually free of rudd, following last year's survey using electrofishing which removed a single large gravid female rudd.
2. Sediment and nutrient mitigation	Planning continues for this work which will occur over the next two years. A field review of the drains into Lakes Ngatu and Waihopo was attended by NRC, DOC, iwi, FNDC and the Bushlands Trust.
3. Māori Lakes Strategy	A second iwi partner wananga planned for 22-23 January to progress the Maori Lakes Strategy has been postponed. The first of five dune Lake Educations Days was held with more than 60 senior students at Lake Waimimiha as part of a Noho Taio o te Rarawa event.
4. Fencing	The fencing at Midgley's Lake was completed.

Lakes

A Farm Environment Plan template for dune lakes is being developed in collaboration with the Land Management Team. The focus of the plan is on erosion prevention to stop sediment and nutrients reaching lakes.

A maintenance agreement between Far North District Council and Northland Regional Council was drafted on maintenance of sediment pits around Lake Ngatu and Rotokawau, with the aim of reducing sediment entering the lakes from roadside run off.

Biodiversity and Biosecurity staff assisted the DOC with a survey to delimit the aquatic weed hornwort which has been found in a small, remote coastal lake on crown managed land at Poūto. The weed does not appear to have spread to nearby lakes though more survey is needed. Low covers of Egeria oxygen weed were also found in the lake making eradication options difficult. NIWA and NRC are advising the Department on control options.

BIOSECURITY

Biosecurity Department Visit to Moria Marae

Biosecurity team met with the people of Whirinaki over two days on Mōria marae to learn more about their exciting vision of restoring the Korowai of Te Ramaroa their sacred maunga and one of the great pillars of Ngāpuhi.

Staff felt very privileged to be hosted by hau kāinga and hope they will be able to support their current and future plans.



The Biosecurity team at Moria marae.

Mycoplasma bovis Response

The *Mycoplasma bovis* programme has been steadily working towards its goal of eradication and maintains that eradication of the disease is possible as there is only one strain present, indicating a single source of infection. The current situation in Northland is:

• 5 active confirmed properties (New Zealand wide there are 21).

- 12 cleared confirmed properties (New Zealand wide there are 191).
- 55 farms under active notices of direction (New Zealand wide there are 252).

No council staff are currently involved directly with the *Mycoplasma bovis* response. Latest updates and further information can be found at <u>https://www.mpi.govt.nz/protection-and-response/responding/alerts/mycoplasma-bovis/</u>.

Biosecurity Hygiene Facility

Council's Water Street Biosecurity hygiene facility is now operational. The facility includes a large curtained wet room with sump, double sinks, cleaning utensils and a hot/cold retractable hose. It is suitable for cleaning boots, personal protective equipment, sampling and field equipment. A barbeque was held in December to officially open the facility and familiarise staff in its use. The facility will continue to be promoted over the coming year along with Council's biosecurity hygiene expectations.



WILD ANIMAL CONTROL

Fallow Deer Sighting

Council staff have responded to a sighting of fallow deer on a Kaiwaka farming property. Farm staff shot two deer, and the deer response team shot a further five animals using a night hunting rifle mounted with thermal scope. The deer are likely to be the result of illegal liberation and an investigation of the incident is underway. Further surveillance on adjoining properties and the surrounding area is also ongoing.

0800 FIND DEER Hotline

People can report escaped or illegal liberations of deer can report feral deer on the 0800 FIND DEER hotline, however, calls received are minimal. Wide advertisement of the hot line will be reviewed with the communications team early in 2020.

Feral Pig Control

Summer heat and hard ground conditions have resulted in minimal requests for assistance with feral pigs. The Department of Conservation are preparing a pig control action plan for the Puketī forest and adjoining properties. Council staff will be involved in the implementation of this plan.

Feral Goat Control

A request has been received from a Wekaweka valley resident to assist with a goat. A DOC contract has been varied to include the property affected.

KAURI DIEBACK

Management Plans

Kauri dieback management plans continue to be developed for all positive sites as well as those that are identified as medium – high risk sites. All site occupiers receive advice and a basic management plan about how to best protect their kauri and forest from kauri dieback and other diseases.

Aerial Surveillance Programme

Biosecurity staff are visiting properties with sick kauri to identify the presence or absence of kauri dieback disease.

Cleaning Stations and Track Upgrades

• *Te Araroa Trail Cleaning Station Repair:* Staff have repaired the barrel and grate hygiene stations on Kaikanui Road and Webb Road in Teal Bay. These two stations connect a popular

section of the Te Araroa Trail. Local community members are being recruited to take on the responsibility of monitoring and maintaining these stations.

- *Track Realignment:* A further section of the Te Araroa Trail in Whananaki has been realigned to avoid significant stands of kauri.
- Waitangi Mountain Bike Park: Council has assisted the Waitangi Mountain Bike Park with opening a new bike track and have contributed two hygiene stations. This new track connects the main road with the bike park and provides a safer and more scenic ride.

The Waitangi Mountain Bike Park Project Manager demonstrates use of the hygiene stations on the new bike track in Waitangi



- *Mackesy Bush Track Reopening:* The Mackesy Bush track had been closed for realignment and track upgrades to minimise the spread of kauri dieback. Council contributed two barrel and grate hygiene stations to the upgrade. The realigned track was opened and blessed on 12 December 2019.
- New Hygiene Station Design for Low Foot Traffic Areas: A smaller more economical barrel and grate hygiene station has been designed for areas that have low foot traffic. The first of the new design has been installed on the Kauri Mountain track.



New design barrel and grate cleaning station installed at Kauri Mountain track

Community Engagement

Engagement activities in December 2019 included educating Year 9 and 10 students from Kaitāia College about the importance of kauri and prevention of the spread of kauri dieback disease.

Māori Affairs Committee

Staff attended the Māori Affairs Committee hui at Waipoua forest. The purpose of the hui was for the Māori Affairs Committee to gain a better understanding of the impacts of kauri dieback.

Kauri Rescue

Biosecurity staff assisted a Mangawhai landowner with treating his infected kauri with phosphite. Whilst phosphite treatment will not cure the tree, it will boost the tree's natural immune system to slow the spread of kauri dieback disease. Phosphite treatment is administered by Kauri Rescue, an organization funded by Auckland Council. More information can be found at http://kaurirescue.org.nz/.

CHECK, CLEAN, DRY

Community Engagement

Waka ama events over the summer period are a key audience the Check, Clean, Dry message needs to reach. Council's Check Clean Dry Advocate attended events including:

- Wiki Hā Waka Ama 2019: This very large event was held at Lake Ngatu on 9 December and attracted over 1000 people.
- *Ngāwhā Prison Christmas Regatta*: This well attended competition between staff the Police, Fire, Probation and Corrections Services was held at Lake Manuwai on 14 December.
- Kaihoe O Ngāti Rēhia Pre-Nationals: This event was also held at Lake Manuwai on 4 January.

PARTNERSHIPS

Kiwi Coast Trust – Northland Regional Council Partnership Highlights

Highlights for the Kiwi Coast over December – January include:

- *Controlled Substance Licence (CSL) Course:* A successful joint CSL course was run by council staff and Kiwi Coast. Ten community members completed the certification.
- *Trap Catch Data Collation:* The collation of the 2019 trap catch data is underway. This data is a useful measure of the collective Kiwi Coast groups pest control outcomes.
- *Kiwi Listening Blitz:* A second Kiwi Listening Blitz has begun with support from council and NorthTec students. The Blitz will investigate changes in Northland kiwi distribution and be used to map changes in kiwi distribution.
- *New Kiwi Coast Groups:* More groups and projects have joined the Kiwi Coast. The partnership now links **138** entities with a collective pest managed area of **161,457** hectares.
- Engagement Activities: A busy summer line up of events saw Kiwi Coast Coordinators engaging with the public at numerous events including the Whangārei Summer Show, Bay of Islands Show, pest control workshops at Whakapara, Mangawhai, and the Kiwi Link Possum and Rat Control Workshop.

Tutukaka High Value Area Highlights

- *Predator Control:* Predator control effort has increased over the summer months, with a marked increase in the number of stoats caught. Approximately **40** stoats have been caught between November 2019 and January 2020.
- *Tutukaka Landcare (TLC) Predator Results:* Results of predator trapping for the 2019 calendar year are detailed in *Table 1*. The results include data from both the Tutukaka Landcare trap lines, and those of community volunteers.

Species	TLC Traplines	TLC Community	Total	
Possums	727	92	819	
Rats	1467	561	2028	
Ferrets	-	-	-	
Stoats	68	1	69	
Weasels	43	2	45	
Feral Cats	16	0	16	
Wild Rabbits and Hares	36	0	36	
Feral Pigs	-	28	28	
Hedgehog	151	1	152	
Mice	2	4	6	

Table 1: Total Catches by the Tutukaka Landcare Coalition Predator Trapping Operation – 2019

- *Trap Evaluation:* Three traps including a new AT220 re-setting trap (supplied by Kiwi Coast), an A24 trap (supplied by council) and a SA2 trap (control trap) have been set up adjacent to each other with the entire station monitored by trail camera. It is proposed to make pair-wise comparisons of the relative performance of traps, and to assess predator behaviour around the three trap types at the station.
- *Kauri Dieback:* Tutukaka Landcare continues to mitigate the risks of kauri die-back on the Te Araroa Trail as it passes through the High Value Area. The Northern entry barrel and grate hygiene station supplied by council is getting regular use by walkers and appears to be working well.
- Weed Community Agreement: The Department of Conservation community agreement to carry out weed work on public conservation land is progressing. An interim agreement has been proposed and a work plan being put together to support this.
- *Public Engagement:* Tutukaka Landcare are attending local markets over the summer (such at the Tutukaka Twilight Market) to continue education and advocacy for plant pest identification and control methods.
- *Weed Control:* Group members have tackled large woolly nightshade groves and moth plant in the area west of Matapouri amid native and pine forest. A recent pine cut-over area (off Clements Road) has also had more than 3,200 wildling pine seedlings removed.
- Kiwi Transmitters: Signals from all the seven monitored kiwi have been received, and the transmitter change was finally completed for Harry the kiwi in Tutukaka Forest (after several failed attempts). Biosecurity staff are using these kiwi handling activities to train community members to be certified kiwi handlers.

How to weigh your kiwi – community volunteers being trained on safe kiwi handling by council staff



- Effect of Dry Conditions on Kiwi Health: Dry conditions at Whangārei Heads have reduced the kiwi food supply and adult kiwi do not have enough condition for their usual second round of nesting. Chicks hatched in the first round of nesting are also struggling their small bills and lack of experience at foraging has resulted in slower growth. The chicks are also wandering further afield and turning up in some unusual places. In early January, two chicks were found in flower gardens in built up residential areas in the Whangārei Heads and a third chick unfortunately drowned in a plastic lined water supply. Staff are finding kiwi in built up areas due to the northland wide community effort to restore kiwi and more examples of kiwi frequenting our urban back yards is predicted.
- *Pest Control:* December and January are the peak months for stoat trapping and the professional trappers and community trappers have worked extra hard over this period to trap mustelids. Recent trap audits and health and safety audits of contracted trappers has shown that work is carried out with care and professionalism.

Piroa-Brynderwyn High Value Area Highlights

- *Predator Control:* Predator trap lines are being extended to cover and fill in the large bush areas to the South Western corner of the area. The traps already in service are experiencing the seasonal spike in stoat number particularly the new traps in previously un-trapped areas.
- *Kiwi Road Death:* A kiwi was hit and killed by a car on State Highway 1 just south of the Dargaville intersection. It was an unchipped bird likely to be the offspring of one of the original liberations in the Marunui Conservation Area.

Mid-North High Value Area Highlights

- *Community Education:* A Growsafe weed spray course was held in December for eight community group members, and a Controlled Substances Licence course was held in January for ten (primarily community group members).
- *Predator Control:* More traps have been put into the Opito Bay and Rangitāne areas as community driven effort increases. Over 2,500 possums were removed by a cyanide operation at Upokorau / Summit Community Pest Control Area.

Western Northland Pest Control

- *Predator Control:* Kaitiaki Kiwi have increased their trap checking frequency over the summer months to target roaming juvenile stoats as they leave their dens. Te Roroa are progressing planning to implement possum control at their two Community Pest Control Areas at Maunganui Bluff and the Te Toa Whenua project area.
- *Kiwi Nesting Results:* Despite predator traps recently installed at the Waipoua River mouth as part of the Kaitiaki Kiwi Community Pest Control Area, and checks by Waipoua Forest Trust staff and local kaitiaki, all five of the kiwi nests have failed. Disturbance by beach goers and dogs (and possibly pigs) have been identified as possible factors for nest failure.
- Biofunds: Staff have completed issuing predator control traps for seventeen Kaipara Biofund projects located at Dargaville (two of), Te Kopuru (three of), Mamaranui, Donnelly's Crossing, Pukehuia, Wainui, Matakohe, Batley, Brynderwyn, Oneriri, Tangowahine Valley, Trefoil Park – Kaikohe and Wekaweka (two of).

MARINE BIOSECURITY

Hull Surveillance Programme

Between 22 November 2019 and 20 January 2020, the 2019/2020 Hull Surveillance Programme surveyed 597 vessels (refer *Table 2*). There were 53 incidents of *Sabella spallanzanii* (Mediterranean fanworm), 20 incidents of *Styela clava* (clubbed tunicate) and a single incident of *Undaria pinnatifida* (Japanese kelp) found on vessel hulls, the majority of which were in Whangārei Harbour. All

incidents of pests recorded on vessels outside of infected areas were cleaned within 5 working days – either in-water by an approved dive contractor or by owner directed haul-outs. Marine biosecurity staff continue to work closely with vessels in infected areas to ensure they are cleaned within an appropriate time frame and/or before they move to another harbour.

Hull Surveillance Programme Results (22/11/2019 – 20/01/2020)	Total This Period	Total Year to Date	
Number of vessels surveyed this period	597	1143	
% Pathways Plan Compliance*	67%	57%	
Vessels found with Marine Pests			
Sabella spallanzanii (fanworm)	53	61	
Styela clava (clubbed tunicate)	20	169	
Undaria pinnatifida (Japanese kelp)	1	1	
Eudistoma elongatum (Australian droplet tunicate)	0	2	
Pyura doppelgangera (sea squirt)	0	0	

* This is the percentage of vessels surveyed that complied with the acceptable level of 'light fouling' as defined in the Marine Pathway Plan. Note: actual compliance is higher given not all these vessels will move from one designated place to another.

The team have received an overwhelmingly positive response to the hull surveillance program leading up to and covering the Christmas period. Although many vessels were harbouring Mediterranean fanworm in Whangārei Harbour, the fleet was much cleaner than in previous years and council dive contractors were able to remove many of these pests during their inspections for no extra cost. A large number of vessel owners praised the team's efforts for their "hard work protecting our waters" and were interested in learning more about Northland's rules and marine biosecurity in general.

Marine Pest Identification Workshop for Paihia Dive – Ōpua, 25 November 2020

Marine biosecurity staff ran a successful marine pest identification workshop for tourism dive operator Paihia Dive whose divers routinely visit high value areas throughout the Bay of Islands. These divers are an important part of Northland's surveillance network and keeping them informed of marine pests and what to look out for is a key component of council's engagement program.

PEST PLANTS

Wilding Conifer Stakeholders Meeting – Taharoa Domain, 22 January 2020

A meeting of interested parties dealing with wilding conifers was held at the Taharoa Domain (Kai Iwi Lakes) on 22 January. Representation on the group includes local iwi, Kaipara District Council, Department of Conservation, Ministry for Primary Industries, Manaaki Whenua – Landcare Research, and the forest industry.



Eradication Plants – Mexican Feather Grass

Biosecurity staff have confirmed a new site of the eradication pest plant Mexican feather grass in Brynderwyn. A large amount of fine seed was present, so the infestation was not suitable for spraying. It was dug out, double bagged and transported to Whangārei for disposal.

> Infestation of Mexican feather grass removed by staff at Brynderwyn

Progressive Containment – Manchurian Wild Rice

The spring round of spraying is nearly complete with only aquatic sites remaining. Biosecurity staff have assisted council's Rivers team with aerial spraying of 14 hectares on the Kaihū River. The Manchurian Wild Rice programme has also supported local landowners adjacent to the Kaihū River with aerial spraying of a further 22 hectares.

Progressive Containment – Mile a Minute

Annual spot spraying of a mile-a-minute site at Bayley's Beach found only four seedlings located for spraying. Bayley's Beach is the only known Kaipara site for this progressive containment pest plant.

FRESHWATER PESTS

Eradication Pests – Turtle Sightings

Turtle sightings are continuing, with a red-eared slider spotted by members of the public three days in a row in January at AH Reed Memorial Park. Two turtles (one snake-necked and one red-eared slider) have also been brought in to the council by the public.

Rivers	Comments		
Awanui	Capex works awaiting FNDC Consent (contingent on archaeological authority). Expected start revised to mid-February. Landowner engagement progressing for overall scheme upgrade.		
Matangirau	Benching works 85% completed, awaiting resolution with land owner permissions		
Kawakawa – Taumārere	NRC engaging with NZTA regarding contractor procurement process. Works commencement expected mid-March.		
Whangārei	Woods Road Flood wall construction is 100% complete. As-builts completed.		
Panguru	Works progressing well. Contractor established and inducted to site. Vegetation clearance 75% complete. Main stop-bank approximately 60% constructed.		
Kaihū	The first helicopter spraying of Manchurian Rice Grass in Kaihū River was completed. Boat spraying of the Bull Rush will be finished in January. Machine cleaning was completed in December. Tree removal completed.		
Kerikeri-Waipapa	Invitations for quotes for the preparation of design and consenting of the Whiriwhiritoa flood flow conveyance improvement were invited from consultants.		



Panguru vegetation clearance

LTP Projects NATURAL HAZARDS

Work Streams	Status	Comments			
Awanui Flood Model	95%	 Calibration of the hydrological model is complete and peer reviewed. 			
		 Status-quo models and scheme design models were completed. 			
		 Models and flood maps incorporating the scheme design are under review 			
Coastal erosion hazard mapping		The project is now underway, with site visits being undertaken by Tonkin and Taylor during January.			
Coastal flood hazard mapping		DHI have been engaged to develop a hydrodynamic flood model for the Northern Kaipara harbour, which will produce coastal flood maps for the harbour. The model builds on an existing model developed by Auckland Council.			
		Tender for the region-wide coastal flood hazard assessment is currently being advertised. The project will involve coastal flood hazard mapping for entire coastline, at a range of sea level rise scenarios, to be used for regulatory hazard maps and climate change adaptation planning. Tender to be awarded mid-February.			
Region-wide flood mapping	Planning Phase				
Kerikeri flood mapping	95%	Model runs were completed and are being reviewed.			

Climate Change Response

Staff from the joint councils' adaptation group met on 18 November at NRC, with Māori relationships managers and communication teams from all councils also in attendance. The main project for the group is the regional adaptation strategy which will align with council LTP timeframes.

Risk assessments are a major component of the strategy, and these are currently under development by NRC. Stage one risk screening is 75% complete with stakeholder workshops to be held late February. Stage 2 (spatial risk assessment) is in data collation and methodology development phase, aiming to be completed June 2020. NRC will coordinate a GIS-based risk analysis which will then inform the Regional Adaptation Strategy and associated LTP work program, due August 2020. A Māori technical advisory group has been suggested to support the development of the regional adaptation strategy. A Māori engagement process is being developed in conjunction with Māori Relationship managers, MTAG and Te Huinga. A Communications plan for the strategy is in development and will use elements of the LTP preengagement and consultation processes.

Governance of the group has been discussed and a draft structure developed. Currently the joint adaptation group reports to the CE forum. It is proposed that the entire group report to an Inter-Council Standing Committee if established. NRC staff on the group report to the Climate Change Working Party.

Northland Light Detection and Ranging (LiDAR) Capture

Data capture completed. Overall progress remains at 97.2% complete.

Preliminary dataset delivered 1 November 2019. NRC have completed QA/QC process and consultant now finalising minor capture gaps.

NRC are reporting to stakeholders that final dataset delivery will now be early to mid-March 2020. Forestry dataset delivered and formally accepted 17 December 2019

7.2.6 STRATEGY, GOVERNANCE AND ENGAGEMENT

PROPOSED REGIONAL PLAN

There are 23 appeals (to the Environment Court) against the council's decision on the Proposed Regional Plan for Northland (Proposed Plan). To date, there have been 18 days of court-assisted mediation on appeals against the council's decision. The mediation process involves all apellants and those registered as interested parties and is aimed at settling appeals out of court and therefore happens before hearings.

The parties have managed to reach consensus on a large number of appeal points. There remains a number of appeal points that are unresolved but resolution is possible. Discussions on these provisions are therefore ongoing. The presiding Judge has directed that the remaining appeal points (mediated to date) require case management towards hearings, which are likely to start in April 2020.

Additionally, the court has directed that mediation on the appeal relating to GE/GMO be set down for Court-assisted mediation this year. However, the court has yet to determine the actual date.

CORPORATE PLANNING

The process of developing the Annual Plan 2020/21 is well underway, with consultation due to commence on 26 February 2020. This is covered in detail in items included in the February 18 council agenda.

Planning for development of the Long Term Plan 2021 – 2031 is also underway, with activity managers commencing reviews of their activities. This includes reporting on progress on the goals set out in council's strategic direction document, Te Pai Tawhiti, to inform council discussions later in April.

NATIONAL INITIATIVES

The Government has recently released a number of proposals for consultation. Those likely to be of interest to council include:

- Changes to settings under the Emissions Trading Scheme desigen to progress towards emissions reduction targets (including an interim 5 year emissions budget and price cap on NZU)
- A Bill establishing a water services regulator to oversee the management of drinking water (focussed on the governance arrangements, objectives and functions of the regulator)
- A discussion document on accelerating renewable energy generation and energy efficiency (including potential changes to policy direction under the Resource Management Act 1991)
- A discussion document on a new National Policy Statement for Indigenous Biodiversity (focusing on terrestrial biodiversity including a requirement to map biodiversity and develop regional biodiversity strategies).

These proposals are the subject of agenda item(s) to council with draft submissions attached for consideration by council.

ECONOMIC DEVELOPMENT

Investment and Growth Reserve – Projects Report

Project	Update	Future developments/ reporting
Resources Enterprise Limited (REL)	Continue to work with lawyers and REL on repayment of money owed.	Continue to work with lawyers and REL on repayment of money owed. Court hearing date scheduled for 18 February 2020.
Northland Water Storage and Use	Additional \$12 million from PGF to support the project announced. Consultants continued with water resources and scheme design analysis. Planning for next phase has begun.	Conclude supply and storage assessment, including initial costings; undertake second round of drop-in days in command areas; development of commercial case.
Hundertwasser Art Centre (Whangārei)	Kathryn Drumm, CE of Whangarei Art Museum Trust meet with CEO and Chair. HAC project facing a \$4M funding shortfall by March 2021 completion date.	Follow progress of project development through monthly reports. Third (of four) payment due at practical completion.

ONLINE CHANNELS

Most popular content on Facebook:

December – A post thanking the Northland Pig Hunting Club for their support in implementing practices to prevent the spread of Kauri Dieback. The post reached more than 6,000 people and engaged with over 200.

January – A video interview of artist Olivia Garelja about the story behind the new mural at the NRC Whangarei office. The video had over 4,000 views and engaged with over 300 people.

*Reach – number of unique people who saw the post

*Engaged – number of people who 'reacted', commented or shared the post

			-		
Key Performance Indicators	Sep-19	Oct-19	*Nov-19	Dec-19	Jan-20
WEB					
# Visits to the NRC website	27,400	23,500	25,300	28,452	31,900
E-payments made	17	12	8	13	5
# subscription customers (cumulative)	1,156	1,159	1,160	1,171	1,172
SOCIAL MEDIA (cumulative)					
# Twitter followers	1,477	1,486	1,488	1,493	1,503
# NRC Facebook fans	9,001	9,053	9,131	9,163	9,231
# NRC Overall Facebook Reach	160,100	128,300	72,900	94,591	250,500
# NRC Engaged Daily Users	9,956	8,900	8,842	6,995	6,132
# CDEM Facebook fans	17,100	17,100	17,200	17,300	17,400
# CDEM Overall Facebook Reach	49,300	44,200	68,000	96,064	75,500
# CDEM Engaged Daily Users	2,652	3,626	6,752	12,428	5,969
# Instagram followers	925	960	977	991	1,033

*November 2019 report was for 29 days

ENVIROSCHOOLS / EDUCATION

Dune Lakes Education Day

On 8 January, a "Getting to know your dune lake" day was held at Lake Waimimiha (Ahipara). The day included four action stations: pest and native fish, dune lakes plants, tuna (eels), and water quality testing. Rangatahi and whanau of Noho Taiao O Te Rarawa took part in this Freshwater Improvement Fund Dune Lakes Project education initiative.

Early Childhood Enviroschools

On 17 December, an "Early Childhood Enviroschools Discovery workshop" was held. Participating teachers and centre managers found out about the Enviroschools kaupapa, programme and application process. On 29 January, ten centres were selected to become Enviroschools as the first wave of privately-owned early childhood centres to enter the network.

Enviroschools Celebrations

During December, Doubtless Bay Kindergarten, Mission Place Kindergarten (Kaitāia) and Whau Valley School celebrated achieving the Bronze stage on their Enviroschools sustainability journeys. Cr Craw (Whau Valley) and Cr Kitchen (Doubtless Bay and Mission Place) officiated at the celebrations.

MARKETING AND ENGAGEMENT

Whangārei A&P Show (1 December 2019)

Council partnered with Tiakina Whangārei, Kiwi Coast, Kiwi North and Pukenui Trust to provide the community with a 'one-stop shop' for all information on pest animals and weeds. Maritime also attended with summer boat safety messages and a lifejacket competition.

Emergency Services Funding promotional activities

Over the 2019-2020 summer period we have undertaken a range of marketing and promotional activities including; radio adverting, print advertising and on-site promotional boards. The purpose of the campaign is to inform ratepayers' about where their rates are spent and how they receive value for money for their rates. It is important for council to communicate our funding of these vital services.

MĀORI ENGAGEMENT

- Started to roll out core cultural competency training to staff with the goal of all staff having receive basic cultural competency training within one year.
- Successful roll-out of Iwi/Hapū Environmental Management Plan (IHEMP) funding with three applications approved.
- Tū i te Ora scholarships have been rolled out with close off date of February 14. Over 1000 views on our page, 100 + application downloads, three of four current applications received are from Māori.
- Reviewed and updating Te Whāriki Action Plans in progress with teams across council. Teams have positively engaged noting the benefits for their team and work with tāngata whenua.
- Summer engagement plan in progress for Te Oneroa-a-Tohe beach management plan and photo competition campaign/survey on website. Te Rarawa and Ngātikuri funded to assist hapū led initiative.

LOCAL GOVERNMENT OFFICIAL INFORMATION (LGOIMA) REQUESTS

Month	LGOIMA requests received 2018/19	LGOIMA requests received 2019/20
July	15	15

Month	LGOIMA requests received 2018/19	LGOIMA requests received 2019/20
August	20	22
September	7	16
October	5	29
November	10	11
December	9	12
January	11	14
February	15	
March	9	
April	12	
Мау	19	
June	11	
TOTAL LGOIMA REQUESTS RECEIVED	143	119
Total LGOIMA requests not responded to within 20 working days*	1	5

* REQ.597001 -Queries in regards to road user safety with farm stock on local and national highways. Due to an admin error the appropriate subject expert received the request after 20 working days. It was then identified this was a district council/police related matter.

7.2.7 CUSTOMER SERVICE – COMMUNITY RESILIENCE

CUSTOMER SERVICES

Telephone Inbound Call Statistic & Enquiries

	December 2019	1–28 Jan 2020	Target
Call volume via Customer Services	1,890	2,036	
Conversion rate	97.4%	96.5%	>95%
Average wait time	6 sec	6 sec	
Calls answered in under 30 sec	95.6%	94.6%	>90%

Our telephone conversion rates for December and January were below previous months due to reduced staffing. The rates are still above target for acceptable service levels but not what we aspire to for our customers.

Biosecurity is still our leading department for enquiries including, during this period, a significant number of enquiries for advice in dealing with feral and stray cats. There was also an increase in calls for maritime reporting speeding boats, grounded boats and advice on ramps etc. We continue to get a high volume of calls for Whangarei District Council and Far North District Council matters, but very few relating to Kaipara District Council.

Satisfaction Monitoring

Feedback Cards, Compliments and Complaints

Feedback cards have been included with the tallies for compliments and complaints, as appropriate.

Compliments received	Total
Service provided by a specific person/people	2
R Watters - Maritime	
P Graham & R Fuchs - Biosecurity	
Overall service	2
Monitoring	
Transport – bus services	
Total compliments recorded	4

Complaints received	Total
Standard of service provided	13
Transport – bus service (x10)	
Transport – Total Mobility (x1)	
Monitoring	
Customer Services	
Disagree with decision or process	1
Maritime	
Lack of information or communication	2
Land Management (x2)	
Staff or contractor behaviour/attitude	3
Maritime	
Monitoring (x2)	
Total complaints recorded	19

Of the bus service complaints, five concerned buses not running to timetable, two were driving related, two complained about lack of air-conditioning and one was about excessive smoke.

The two land management complaints related to calls not being returned. As a result of these complaints we are trialling a new procedure of managing inward enquiries to this team.

The other standard of service complaints have been acknowledged. Two of the complaints involving staff have been resolved through discussion. The remaining is part of a larger situation and is may not be fully resolved.

One complaint is still under investigation. All other complaints raised during December/January have been resolved.

FDE Monitoring Survey

This survey was conducted as part of the 2019 FDE monitoring programme. Approximately 800 dairy farmers were invited to provide feedback and 29 responses were received. This is regarded as a successful response rate for this type of survey.

FDE Feedback forms 2019	Very Poor	Poor	Neutral	Good	Very Good	N/A
Helpfulness of FDE staff	1	1	2	13	16	2
Interaction with monitoring contractor		3	3	7	21	

FDE Feedback forms 2019	Very Poor	Poor	Neutral	Good	Very Good	N/A
Usefulness of information		1	5	12	18	
Timeliness of monitoring report	1	2	5	13	15	1
Overall, how would you rate your experience with council's FDE team	2		3	9	21	

Common themes included in the comments section were;

- A desire to be notified in advance
- An opportunity to discuss the results with the officer
- An appreciation of the new format report

Due to the nature of the inspection it is not possible to give the farmers advance warning of the visit, however, consideration should be given to offering a post-inspection meeting and this will be considered for next year's programme if budget is available to provide this service.

CIVIL DEFENCE EMERGENCY MANAGEMENT

Due to high priority being given to the drought situation in the Far North region, the Northland CDEM group are unavailable to provide an update at the time this paper was due.

The council have been provided with email updates of the situation as well as a briefing at the 4 February council workshop.

TRANSPORT

Government Policy Statement (GPS)

GPS outlines the Government's strategy to guide land transport investment over a 10-year period. It also influences decisions on how money from the National Land Transport Fund will be invested across activity classes. It guides the NZ Transport Agency and local government on the type of activities that should be included in Regional Land Transport Plans and the National Land Transport Programme.

The draft GPS was scheduled for release toward the end of December 2019. The early release by the Ministry of Transport, was intended to allow the regions to begin working on their Regional Land Transport Plans ahead of the release of the finalised government approved GPS.

At the time of compiling this report, the draft GPS has not been released and there is no certainty as to when this will occur.

As all Regional Land Transport Plans must be submitted to NZ Transport Agency before 30 April 2021 to be eligible for funding. With the delayed release of the draft GPS, there is the real possibility that in order to meet the NZTA deadlines, the compilation, consultation and approval of the RLTP will be condensed and the process rushed.

This issue will be tabled at the 12 February 2020 Regional Transport Committee for their consideration.

Road to Zero – New Zealand's Road Safety Strategy 2020 – 2030 and Road to Zero Action Plan 2020-2022

In December 2019, the Ministry of Transport released the Strategy to guide improvements in road safety in New Zealand over the 10-year period 1 January 2020 to 31 December 2029 with a vision of:

"A New Zealand where no one is killed or seriously injured in road crashes"

The Strategy is supported by a three-year Action Plan from 1 January 2020 to 31 December 2022.

The Action Plan will concentrate on delivering safe infrastructure and speeds, safe vehicles, improved workplace road safety, safe road user choices, and sound system management.

Regional Land Transport Plan (RLTP) and Regional Public Transport Plan (RPTP)

Due to staff being on leave during the December 2019 and January 2020, progress on these two plans was limited.

The planned work to be undertaken will be determined by the date of release of the Government Policy Statement which guides the content of both documents.

This matter will be discussed at the 12 February 2020 Regional Transport Committee meeting.

PASSENGER TRANSPORT ADMINISTRATION

Operational Statistics for BusLink

December 2019 (revenue ex GST)	Actual	Budget	Variance	Year/Date Actual	Year/Date Budgeted
City Link Passengers	26,602	25,848	754	183,477	174,216
CityLink Revenue	\$30,904	\$34,895	-\$3,991	\$234,555	\$235,192
Mid North Link Passengers	161	144	17	1,076	936
Mid North Link Revenue	\$644	\$720	-\$76	\$4,084	\$4,680
Hokianga Link Passengers	56	72	-16	338	468
Hokianga Link Revenue	\$574	\$939	-\$365	\$3,314	\$6,103
Far North Link Passengers	364	501	-137	3,034	3,486
Far North Link Revenue	\$735	\$1,253	-\$518	\$7,139	\$9,487
Bream Bay Link Passenger Started 1 Aug	55	18	37	339	213
Bream Bay Link Revenue Started 1 Aug	\$350	\$64	\$286	\$2,027	\$ 470

BusLink Christmas Promotions

As a thank you to regular passengers and to encourage new passengers, people rode the CityLink buses for free over the three days leading up to Christmas Christmas cookies and promotional gifts were distributed on all BusLink services over the three.

CityLink Whangarei services continue to operate to schedule as a result of congestion issues caused by the number of ongoing road works along the routes. This had led to numerous complaints being received in regard to service reliability.

To date, the NRC has had no confirmation on the commencement date for the upgrading of the Rose Street Bus Terminus.

BEE Card Update

Overall, the implementation of the BEE Card electronic ticketing system is progressing well. There have been some issues with regards the website which the supplier is in the process of fixing. Staff are assisting clients wherever possible.

Total Mobility

Total Mobility (TM) figures are reported one month in arrears, due to the required information being unavailable at the time of the agenda deadline.

	Total Clients	Monthly Actual Expend	Monthly Budgeted Expend	Monthly Variance	Year/Date Actual Expend	Year/Date Budgeted Expend	Annual Variance
Nov 2019	1,568	\$19,897	\$25,000	-\$5,103	\$101,241	\$125,000	-\$23,759
Dec 2019	1,576	\$19,227	\$25,000	-\$5,773	\$120,468	\$150,000	-\$29,532

Freedom Companion Driving

In January 2020, NTA staff commenced processing the application for Freedom Companion Driving to come on board as the new Transport Operator to the Total Mobility Scheme. At present the application is going through the Health and Safety steps.

Road Safety Update

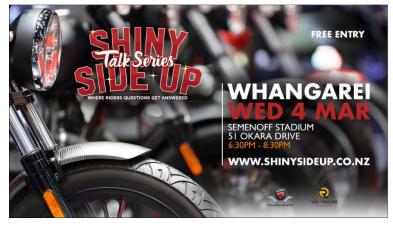
An updated Northland Road Safety Issues 2014-2018 Crash Data Document has been released. This key document provides a regional reference for an evidenced based approach to better understand the priority issues and factors involved in crashes in Northland across both the State Highway and local road networks. It supports and complements the other datasets accessed and referenced Northland's road safety planning partners. It places the region in a stronger position to prioritise and respond to targets and goals that are released by the Government/and or Agencies such as the Road to Zero Strategy and Action Plans.

Ride Forever (R4E) Rider Training Update

There have been 143 motorcycle riders trained through the ACC initiated R4E training courses held in Northland from the 1st July 2019.

For the first time Northland is being added to the 'Shiny Side Up Talk Series' which includes national and international experts discussing motorcycle safety related issues.

The first four fatalities in 2019 were motorcycle crashes with a fifth fatality occurring later in the year.



Road Trauma Update

At the time of compiling this report, the following crash deaths were available.

National 353. Thi	
2017	is is 24 fatalities below the figure for the same period in 2018 and 25 less than in
Northland 29. This 2017	s is 6 fatalities below (18%) the same period in 2018 and 12 less (30%) than in

Christmas/	New Year holiday period road deaths: 4pm 24 December 2019 to 6am 3 January 2020
National	6 deaths – 3 x drivers, 2 x passengers, 1 x pedestrian (9 deaths in 2018/2019 holiday
	period)
Northland	0 deaths (1 death in 2018/2019 holiday period)

2020 Year to date road death statistics

National17 deaths (26% less) compared to 23 in 2019Northland2 deaths (1/3 less) compared to 3 in 2019

Road safety delivery concentrated more toward Driver Reviver/Fatigue Stops held on:

- 20 December 2019 Northbound SH1, Uretiti. Approximately 85 cars and 212 people stopped
- 24 January 2020 Northbound SH1, Uretiti. Approximately 66 cars and 148 people stopped

Road safety promotion work centred around supporting Police with road safety promotional items for motorists recognising safe driving practices and promoting seatbelt wearing.

There was an increased level of regional road safety messaging across both the Northland MediaWorks and NZME radio networks including print and digital platforms. Restraint use, Impairment, Distractions, Speed, Fatigue and planning journeys. This regional messaging was also further supported by NZTA national road safety campaign messaging.

MARITIME

Twenty-seven cruise ships called to the Bay of Islands during the months of December and January. The weather was generally superb with very happy customers.

Eighty-six incidents were received for December and January. Four vessels sank or were grounded:

- One in Te Hue Bay, locals managed to re-float the yacht and it was towed by staff to a council mooring in Ōpua
- A launch dragged anchor and grounded in Smugglers Cove, maritime staff recovered the fuel off the wreck and are working with the insurance company to have the wreck removed
- A launch sank at anchor in Whangaruru Harbour, with arrangements being made to have it removed also
- A boat towing a sea biscuit sank in the Bay of Islands, maritime staff responded with all persons were safe and accounted for.

There was also a near miss where a yacht sailed within 50m across the bow of a cruise liner departing from the Bay of islands. An incident report was submitted to Maritime NZ, with the Harbour Master (HM) and Deputy Harbour Master (DHM) following up.

Sail week in the Bay of Islands was held over 20 - 24 January, the busiest ever, with the millennium cup from 29 January to 1 February.

Summer patrols run by maritime staff were successful with a slightly extended patrol season. Maritime New Zealand (MNZ) maritime officers accompanied several patrols for the 'no excuses' campaign. The rubbish barge has also enjoyed an extended season with demand remaining high for its services.

The maritime cadet, in collaboration with the Harbour Wardens, has been visiting various boat ramps throughout Northland over the summer season as a Summer Safe Ambassador. The object of the ambassador is to provide education and advice regarding boating safety and the navigation safety bylaw.

The DHM has been nominated for part of the Fire and Emergency Local Advisory Committee. The aim of the committee is to ensure that the service provided by FENZ is in alignment with the needs of the community and wider region.

The NRC vessel *Waikare* had an engine failure during pilotage operations. Two ships' pilotages were carried out using the small *Karetu*, luckily in flat calm conditions, while repairs were carried out. The fault was tracked to a turbo failure, with the engine luckily unharmed. The turbo was brand new, so

warranty issues are being followed up. A back-up pilot vessel arrangement from the local commercial fleet is being arranged in case of any future long-term issues.

Rolling maintenance of aids to navigation (ATON) is on-going, with the replacement of several lights and buoys throughout the region over December and January. Staff repaired one light on Christmas Day, as well as resolving a fuel leak (see below).

A project to upgrade thirty pile moorings in Kerikeri inlet is progressing. A complaint was received from a local hapū regarding the long-term nature and history of the moorings. The HM and Māori Cultural Advisor met with the group to listen to their concerns.

Work is ongoing around the region regarding the various oil transfer sites, ensuring that they are compliant with their requirements under the marine protection rules. Two failures were addressed by staff, one on Christmas Day, for the main pump in the Bay of Islands that sprung a leak.

One replacement maritime staff member started in January and is presently under familiarisation training.

Attachments/Ngā tapirihanga

Nil

TITLE:Reporting on Long Term Plan 2018-2028 Performance Measures
for Quarter Two of the 2019/20 Year

ID: A1283102

From: Kyla Carlier, Corporate Planning Manager

Executive summary/Whakarāpopototanga

This report presents the results of council's Long Term Plan key performance indicators for the second quarter of the 2019/20 financial year.

Recommendation

That the report 'Reporting on Long Term Plan 2018-2028 Performance Measures for Quarter Two of the 2019/20 Year' by Kyla Carlier, Corporate Planning Manager and dated 3 February 2020, be received.

Background/Tuhinga

The Long Term Plan 2018-2028 comprises 51 key performance indicators that measure aspects of council's service provision across five activity groupings:

- Governance and engagement
- Regulatory services
- Environmental services
- River management
- Customer services and community resilience

Each performance measure provides a snapshot of the activity's performance.

The frequency of reporting against the measures varies, with the majority being reported on annually at the end of the financial year, and about 20% reported biannually (beginning quarter 2).

This quarter two report comprises:

- Five measures that are reported on every quarter. These results cover the period October December 2019;
- Eleven measures that are reported on biannually, in quarters two and four. These results cover the period June December 2019; and
- One measure that is reported annually, in quarter two. This measure covers the period June December 2019, but ultimately reports the results of the 2019 winter.

It should be noted that for some measures the end of year result may comprise an average of the quarterly results, which may result in an overall achievement or non-achievement that differs from an individual quarter.

Of the 17 performance measures reported on, six have achieved their targets for the quarter, five have not achieved their targets for the quarter, two were not applicable for the quarter, and four are tracking to achieve their end of year target.

1.1 Governance	
100% of official information requests that are responded to within 20 working days.	98% - not achieved.
Elected members attend council meetings 90% of the time.	88.9% - not achieved.
1.2 Maori relationships	
Ten meetings (Five formal meetings and five marae-based meetings) of the Te Taitokerau Māori and Council Working Party are held each calendar year.	N/A - No meetings were held due to local government elections in October. At the November council meeting, the newly elected council decided to re-establish TTMAC. The first formal meeting will be 12 March 2020.
1.3 Communication and engagement	
Number of subscribers to online and social media channels increases by 25% annually.	6% - not achieved (actual number of subscribers = 17,340).
	Not on track to reach end of year target due to a change in social media focus, which is on engagement rather than "likes" and no need for new eNewsletters so far this year.
2.2 Consents	
100% of all resource consent applications are processed within the statutory timeframes.	100% - achieved.
2.3 Monitoring (compliance monitoring)	
90% of monitored resource consents are not graded as significantly non-compliant.	92.8% - achieved.
90% of monitored permitted farm dairy	85% - not achieved.
effluent activities are not graded as significantly non-compliant.	199 permitted activity dairy farms were inspected. 169 of these were not significantly non-compliant.
100% of consents for industrial, municipal sewage and farm discharges, and major water takes requiring monitoring, are monitored as per the council's consent monitoring programme.	77.5% - on track to achieve 100% by the end of the financial year.
80% of environmental incidents with more than minor effects reported to the Environmental Hotline are resolved within 30 working days.	Achieved 81.25%.

2.4 Monitoring (State of the environment monitoring)			
At least 40 coastal sites are monitored monthly for general water quality.	Achieved – all sites being monitored as per monitoring programme.		
100% of air sheds meet the national air quality environmental standards.	100% - achieved.		
3.2 Hydrology			
Flood level monitoring is accurate to enable flood warnings to be developed, 100% of the time.	NA – no flood events.		
3.3 Biosecurity			
Hectares of land under Community Pest Control Areas (CPCAs) increases by 5000 hectares annually.	Achieved – on track to achieve 5000 ha end of year target.		
3.4 Biodiversity			
12,000 plants are provided through the CoastCare programme in 2019/20	Achieved – on track to achieve 12,000 plant end of year target.		
3.5 Land and water			
25,000 hectares (ha) annual increase in land being actively managed under a sustainable farm environment plan.	Achieved – on track to achieve 25,000 ha end of year target.		
7000 subsidised poplar poles are provided for erosion-prone land by the Flyger Road nursery.	5,000 - not achieved. A lower than expected number were provided as available nursery material was used to plant for the future expansion of the nursery, and there were limited funds available to source new poles from external supplier.		
The number of kilometres of waterway margins protected to reduce sediment, nutrient run-off and general contamination of water, funded by the Environment Fund is increased.	Achieved – 203 kilometres completed to date in the reporting year.		

Attachments/Ngā tapirihanga

Nil

Authorised by Group Manager

Name: Jonathan Gibbard

Title: Group Manager - Strategy, Governance and Engagement

Date: 04 February 2020

TITLE: Receipt of Committee Minutes

ID: A1278725

From: Chris Taylor, Governance Support Manager

Recommendation

That the unconfirmed minutes of the:

- Civil Defence Emergency Management Group 25 November 2019;
- Civil Defence Emergency Management Coordinating Executive Group 25 November 2019;
- Regional Transport Committee 16 December 2019;
- Extraordinary Investment and Property Subcommittee 16 December 2019; be received.

Attachments/Ngā tapirihanga

Attachment 1: Unconfirmed CDEM Group minutes - 25 November 2019 Attachment 2: Unconfirmed CEG minutes - 25 November 2019 Attachment 3: Unconfirmed RTC minutes - 16 December 2019 Attachment 4: Unconfirmed extraodinay Investment & Property subcommittee minutes 16 December 2019 De

Authorised by Group Manager

Name: Chris Taylor

Title: Governance Support Manager

Date: 12 February 2020

Civil Defence Emergency Management Group Meeting 25 November 2019

Civil Defence Emergency Management Group Meeting Minutes

Meeting held in the Council Chamber 36 Water Street, Whangārei on Monday 25 November 2019, commencing at 11.00 am

Present:

NRC Councillor, Rick Stolwerk FNDC Councillor, Dave Collard NZ Police Representative, Inspector Martyn Ruth WDC Mayor, Sheryl Mai KDC Mayor, Jason Smith FENZ Representative, Wipari Henwood MCDEM Representative, Ms John Titmus (Observer Status)

In Attendance:

Full Meeting NRC Chair – Penny Smart GM Customer Service & Community Resilience - Tony Phipps NRC, Committee Secretary - Evania Arani WDC Councillor - Nicholas Connop Northland CDEM Group - Graeme MacDonald Northland CDEM Group - Bill Hutchinson Northland CDEM Group - Sarah Boniface Northland CDEM Group - Shona Morgan Northland CDEM Group – Sharon Douglas Northland CDEM Group – Tegan Capp Northland CDEM Group - Claire Nyberg Northland CDEM Group – Jenny Calder Northland CDEM Group – Murray Soljak FNDC, Chief Executive Officer - Shaun Clarke FNDC - Andy Finch FNDC – Glen Rainham WDC – Sandra Boardman

Part Meeting

KDC – John Burt - Left at 11.23am

NRC's Customer Services - Community Resilience Manager, declared the meeting open at 11.00am

ID: A1263030

Civil Defence Emergency Management Group Meeting 25 November 2019

Election of Chairperson (Item 4.1)

ID: A1255573

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Recommendation(s)

 That the report 'Election of Chairperson' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 1 November 2019, be received.

Secretarial Note: NRC's Customer Services – Community Resilience Manager called for nominations for election to the office of Chairperson.

Moved (Smith/Mai)

2. That NRC Councillor, Rick Stolwerk be elected Chairperson of the Northland Civil Defence Emergency Management Group.

Secretarial Note:

- Given no further nominations were forthcoming NRC Councillor, Rick Stolwerk, was declared the elected Chair.
- The Chair proceeded to call for nominations for election to the office of Deputy Chairperson.

Moved (Smith/Stolwerk)

3. That Whangarei District Council Mayor, Sheryl Mai be elected Deputy Chairperson of the Northland Civil Defence Emergency Management Group.

Carried

Secretarial Note: Given no further nominations were forthcoming WDC Mayor, Sheryl Mai, was declared the elected Deputy Chair.

Apologies (Ngā whakapahā) (Item 1.0)

Moved (Mai/Collard)

That the apologies from FENZ Representative, Commander Brad Mosby and NZ Police Representative, Superintendent Tony Hill for non-attendance be received.

Carried

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)

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

Presentation - Fire and Emergency New Zealand Restructure (Item 3.0)

ID: A1261706

Report from Evania Arani, Executive Assistant Customer Services - Community Resilience

Moved (Smith/Stolwerk)

That the presentation, Fire and Emergency New Zealand Restructure, be received.

Carried

ID: A1263030

Civil Defence Emergency Management Group Meeting 25 November 2019

Minutes from Previous Meeting - 04 September 2019 (for info only) (Item 4.2)

ID: A1261793

Report from Evania Arani, Executive Assistant Customer Services - Community Resilience

Moved (Stolwerk/Mai)

That the minutes of the Civil Defence Emergency Management Group Meeting held on 4 September 2019, be received.

Carried

Monthly update from Director, Ministry of Civil Defence & Emergency Management (Item 5.1)

ID: A1261715

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Collard/Smith)

That the report 'Monthly update from Director, Ministry of Civil Defence & Emergency Management' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 19 November 2019, be received.

Carried

Emergency Management System Reforms (EMSR) progress report (Item 5.2)

ID: A1261719

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Collard/Smith)

That the report 'Emergency Management System Reforms (EMSR) progress report' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 19 November 2019, be received.

Carried

Secretarial note: A presentation on the EMSR was provided to the group by MCDEM Representative, Mr John Titmus.

Northland CDEM Group, CEG and Group appointments (Item 6.1)

ID: A1261770

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Ruth/Collard)

That the report 'Northland CDEM Group, CEG and Group appointments ' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 19 November 2019, be received.

Carried

Secretarial notes: Formal appointments for district council representatives had not yet been made.

ID: A1263030

Civil Defence Emergency Management Group Meeting 25 November 2019

CEG Chair's Report (Item 6.2)

ID: A1261773

Report from Tony Phipps, Group Manager - Customer Services - Community Resilience

Moved (Ruth/Collard)

1. That the report 'CEG Chair's Report ' by Tony Phipps, Group Manager - Customer Services - Community Resilience and dated 19 November 2019, be received.

Carried

Northland CDEM Group Work Programme 2019/20 (Item 6.3)

ID: A1261745

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Mai/Ruth)

 That the report 'Northland CDEM Group Work Programme 2019/20' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 19 November 2019, be received.

Carried

Report on the Welfare Coordination Group work programme (Item 6.4)

ID: A1261776

Report from Claire Nyberg, Civil Defence Emergency Management - Welfare

Moved (Collard/Henwood)

1. That the report 'Report on the Welfare Coordination Group work programme' by Claire Nyberg, Civil Defence Emergency Management - Welfare and dated 19 November 2019, be received.

Carried

Northland CDEM Group Shared Services Update (Item 7.1)

ID: A1261781

Report from Victoria Harwood, Civil Defence Emergency Management Officer; Bill Hutchinson, Civil Defence Emergency Management Officer and Sharon Douglas, Civil Defence Emergency Management Officer

Moved (Ruth/Wipari)

 That the report 'Northland CDEM Group Shared Services Update' by Victoria Harwood, Civil Defence Emergency Management Officer; Bill Hutchinson, Civil Defence Emergency Management Officer and Sharon Douglas, Civil Defence Emergency Management Officer and dated 19 November 2019, be received.

Carried

ID: A1263030

Civil Defence Emergency Management Group Meeting 25 November 2019

Northland Tsunami Readiness (Item 7.2)

ID: A1261784

Report from Victoria Harwood, Civil Defence Emergency Management Officer

Moved (Ruth/Wipari)

1. That the report 'Northland Tsunami Readiness' by Victoria Harwood, Civil Defence Emergency Management Officer and dated 19 November 2019, be received.

Carried

Conclusion

The meeting concluded at 12.27pm.

ID: A1263030

CDEM Coordinating Executive Group Meeting Minutes

Meeting held in the Council Chamber 36 Water Street, Whangārei on Monday 25 November 2019, commencing at 9.30am

Present:

WDC Representative, Ms S Boardman KDC Representative, Mr J Burt FNDC Representative, Mr A Finch St John Ambulance Representative, Mr A Gummer Welfare Coordination Group Chair, Mrs C Nyberg Group Manager - Customer Service - Community Resilience Tony Phipps NZ Police Representative Inspector M Ruth Northland Lifelines Group Representative, Mr R Watson MCDEM Representative, Mr John Titmus (Observer Status)

In Attendance:

Full Meeting

Committee Secretary - Evania Arani Northland CDEM Group - Graeme Macdonald Northland CDEM Group - Murray Soljak Northland CDEM Group - Tegan Capp Northland CDEM Group - Shona Morgan Northland CDEM Group - Sharon Douglas Northland CDEM Group - Bill Hutchinson Northland CDEM Group - Jenny Calder Northland CDEM Group - Sarah Boniface Graeme Martin – Fire and Emergency New Zealand

The Chair declared the meeting open at 9.30am.

Apologies (Ngā whakapahā) (Item 1.0)

Moved (Boardman / Nyberg)

That the apologies from NDHB Representative, Ms S Hoyle and FENZ Representative Asst Area Commander G Quensell for non-attendance be received.

Carried

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)

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

ID: A1262738

Appointment of Coordinating Executive Group Chairperson (Item 4.1)

ID: A1260928

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Moved (Nyberg/Ruth)

- That the report 'Appointment of Coordinating Executive Group chairperson' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 15 November 2019, be received.
- 2. That Tony Phipps be elected chairperson of the Northland CDEM Coordinating Executive Group.
- 3. That Sandra Boardman be elected deputy chairperson of the Northland CDEM Coordinating Executive Group.

.Carried

Presentation - Fire and Emergency New Zealand Restructure (Item 3.0)

ID: A1260652

Report from Evania Arani, Executive Assistant Customer Services - Community Resilience

Moved (Boardman/Nyberg)

That the presentation, Fire and Emergency New Zealand Restructure, be received.

Carried

Items for Information and Discussion (Item 4.2)

ID: A1255581

Report from Evania Arani, Executive Assistant Customer Services - Community Resilience

Moved (Nyberg/Burt)

- That the report 'Items for Information and Discussion ' by Evania Arani, Executive Assistant Customer Services - Community Resilience and dated 1 November 2019, be received.
- That the recommendations included in the reports numbered 4.1 7.2 be moved as one.

Carried

Minutes from Previous Meeting - 04 September 2019 (for info only) (Item 4.3)

ID: A1255659

Report from Evania Arani, Executive Assistant Customer Services - Community Resilience

Recommendation

That the minutes of the CDEM Coordinating Executive Group Meeting held on 04 September 2019, be received.

ID: A1262738

Monthly update from Director, Ministry of Civil Defence & Emergency Management (Item 5.1)

ID: A1257557

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Recommendation

That the report 'Monthly update from Director, Ministry of Civil Defence & Emergency Management' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 7 November 2019, be received.

Secretarial Note: Emergency Mobile Alerting System Test -Mr Titmus advised that a report on the Emergency text alert was beings being compiled A request from the group was made that if possible could the report be broken down by district and sent to Graeme MacDonald to circulate to the group.

Emergency Management System Reforms (EMSR) progress report (Item 5.2)

ID: A1257559

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Recommendation

That the report 'Emergency Management System Reforms (EMSR) progress report' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 7 November 2019, be received.

Northland CDEM Group, CEG and Group appointments (Item 6.1)

ID: A1257572

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Recommendation

That the report 'Northland CDEM Group, CEG and Group appointments ' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 7 November 2019, be received.

CEG Chair's Report (Item 6.2)

ID: A1255602

Report from Tony Phipps, Group Manager - Customer Services - Community Resilience

Recommendation

1. That the report 'CEG Chair's Report ' by Tony Phipps, Group Manager - Customer Services - Community Resilience and dated 1 November 2019, be received.

Secretarial note: Graeme MacDonald to coordinate a meeting with the CEG group members before the end of year so that work can begin on a business case for the proposed Multi Agency CDC Coordination Centre.

ID: A1262738

Northland CDEM Group Work Programme 2019/20 (Item 6.3)

ID: A1257561

Report from Graeme MacDonald, Civil Defence Emergency Management Manager

Recommendation

That the report 'Northland CDEM Group Work Programme 2019/20' by Graeme MacDonald, Civil Defence Emergency Management Manager and dated 7 November 2019, be received.

Report on the Welfare Coordination Group work programme (Item 6.4)

ID: A1256451

Report from Claire Nyberg, Civil Defence Emergency Management - Welfare

Recommendation

That the report 'Report on the Welfare Coordination Group work programme' by Claire Nyberg, Civil Defence Emergency Management - Welfare and dated 4 November 2019, be received.

Northland CDEM Group Shared Services Update (Item 7.1)

ID: A1256087

Report from Victoria Harwood, Civil Defence Emergency Management Officer; Bill Hutchinson, Civil Defence Emergency Management Officer and Sharon Douglas, Civil Defence Emergency Management Officer

Recommendation

That the report 'Northland CDEM Group Shared Services Update' by Victoria Harwood, Civil Defence Emergency Management Officer; Bill Hutchinson, Civil Defence Emergency Management Officer and Sharon Douglas, Civil Defence Emergency Management Officer and dated 4 November 2019, be received.

Northland Tsunami Readiness (Item 7.2)

ID: A1256386

Report from Victoria Harwood, Civil Defence Emergency Management Officer

Recommendation

That the report 'Northland Tsunami Readiness' by Victoria Harwood, Civil Defence Emergency Management Officer and dated 4 November 2019, be received.

Conclusion

The meeting concluded at 10.50am

ID: A1262738

Regional Transport Committee Minutes

Meeting held in the Council Chamber 36 Water Street, Whangārei on Monday 16 December 2019, commencing at 9.30am

Present:

Chairman, Councillor John Bain NRC Councillor Rick Stolwerk FNDC Councillor Ann Court KDC Councillor David Wills WDC Councillor Greg Martin NZTA Representative Mr Steve Mutton

In Attendance:

Full Meeting

Tony Phipps - GM - Customer Service - Community Resilience Evania Arani - Committee Secretary NZTA Representative Jacqui Hori-Hoult Councillor Kelly Stratford – FNDC Chris Powell - NTA Brad Mosby - Fire and Emergency New Zealand Steve Dickson - New Zealand Police lan Crayton-Brown - NTA Sharlene Selkirk - NTA Nick Marshall - NTA Glenn Rainham - FNDC Calvin Thomas - NTA Jeff Devine - NTA Jim Shepton - KDC Media Members of the public

Part Meeting

NRC Councillor Jack Craw – arrived at 10.35am

The Chair declared the meeting open at 9.28am

Apologies (Ngā whakapahā) (Item 1.0)

There were no apologies.

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)

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

ID: A1269254

Minutes from previous Meeting - 07 August 2019 (for info only) (Item 3.1)

ID: A1266153

Report from Evania Arani, Executive Assistant Customer Services - Community Resilience

Moved (Martin/Court)

That the minutes of the Regional Transport Committee meeting held on 07 August 2019, be received as information only.

Carried

Northland Regional Land Transport Plan 2018 - 2021 Funding Uptake (Item 4.1)

ID: A1255243

Report from Chris Powell, Transport Manager - Northland Transport Alliance

Moved (Bain/Martin)

That the report 'Northland Regional Land Transport Plan 2018 - 2021 Funding Uptake' by Chris Powell, Transport Manager - Northland Transport Alliance and dated 31 October 2019, be received.

Carried

Regional Road Safety Report (Item 5.1)

ID: A1266012

Report from Chris Powell, Transport Manager - Northland Transport Alliance

Moved (Stolwerk/Martin)

That the report 'Regional Road Safety Report' by Chris Powell, Transport Manager - Northland Transport Alliance and dated 4 December 2019, be received.

Carried

Secretarial Note – As noted in item 5.1 presentations were provided to the group from the following organisations on the below mentioned topics:

- Police (Steve Dickson) Update from Police;
- FENZ (Brad Mosby) FENZ attendances at crashes and the impacts of the demands have on their services as well as an k overview on the NEW Local Advisory Committee; and
- WDC/NTA.(Nick Marshall) Physical and strategic work being undertaken on Regional roads.

New Zealand Transport Agency Update (Item 5.2)

ID: A1267258

Report from Steve Mutton, NZTA - Director Regional Relationships Upper North Island

Moved (Stolwerk/Bain)

That the report 'New Zealand Transport Agency Update ' by Steve Mutton, NZTA - Director Regional Relationships Upper North Island and dated 9 December 2019, be received.

Carried

ID: A1269254

Regional Transport Committee Representatives and Regional Transport Committee Alternate Representatives (Item 6.1)

ID: A1255183

Report from Chris Powell, Transport Manager - Northland Transport Alliance

Moved (Bain/Martin)

- That the report 'Regional Transport Committee Representatives and Regional Transport Committee Alternate Representatives' by Chris Powell, Transport Manager - Northland Transport Alliance and dated 31 October 2019, be received.
- 2. That the formally elected Regional Transport Committee Representatives and Regional Transport Committee Alternate Representatives be duly noted.

Carried

Secretarial Note: FNDC are yet to appoint an alternate to the committee. FNDC will be in contact after their councils formal appointments are made on Thursday, 19 December 2019.

Regional Land Transport Plan 2021-2027 (Item 6.2)

ID: A1258437

Report from Chris Powell, Transport Manager - Northland Transport Alliance

Moved (Court/Stolwerk)

- 1. That the report 'Regional Land Transport Plan 2021-2027' by Chris Powell, Transport Manager Northland Transport Alliance and dated 11 November 2019, be received.
- 2. That the Regional Transport Committee approve the proposed Future Actions for the compilation of the Regional Land Transport Plan 2021-27;
- 3. That progress reports be tabled at each Regional Transport Committee until the conclusion of the process.

Carried

Regional Public Transport Plan 2021 - 2031 (Item 6.3)

ID: A1265529

Report from Chris Powell, Transport Manager - Northland Transport Alliance

Moved (Court/Stolwerk)

- 1. That the report 'Regional Public Transport Plan 2021 2031' by Chris Powell, Transport Manager - Northland Transport Alliance and dated 3 December 2019, be received.
- In an effort to streamline the process and reduce costs it is recommended that the Regional Passenger Transport Plan 2021-2031 and the Regional Land Transport Plan 2021-2027 be compiled and run in parallel.
- 3. That the Northland Transportation Alliance Regional Land Transport Project Team in conjunction with Northland Regional Council staff compile the Draft Regional Public Transport Plan 2021-2031 for approval by the Regional Transport Committee.
- 4. That update reports be tabled at all Regional Transport Committee meetings till the completion of the process.

Carried

ID: A1269254

Conclusion

The meeting concluded at 11.09am.

ID: A1269254

Extraordinary Investment and Property Subcommittee 16 December 2019

Extraordinary Investment and Property Subcommittee Minutes

Meeting held in the Whale Bay Rm 3rd floor 36 Water Street, Whangārei on Monday 16 December 2019, commencing at 1.00pm

Present:

Chairperson, NRC Councillor Rick Stolwerk Councillor Justin Blaikie – Phoned in Councillor John Bain Ex-Officio Penny Smart Independent Financial Advisor Geoff Copstick

In Attendance:

Full Meeting Councillor Jack Craw Chief Executive Group Manager Corporate Excellence Strategic Projects Manager Property Officer Personal Assistance to Group Manager Corporate Excellence

Part Meeting

Ian Jenkins – Jenksmax Consulting Limited

The Chair declared the meeting open at 1.05pm.

Apologies/Whakapahā (Item 1.0)

Moved (Bain / Smart)

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

Carried

Declarations of Conflicts of Interest (Nga whakapuakanga) (Item 2.0)

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

Secretarial Note: Item 4.1 was addressed following Item 4.2.

Whangarei District Council's Civic Centre (Item 3.1)

ID: A1267030 Report from Phil Heatley, Strategic Projects Manager Moved (Bain / Smart)

ID: A1269910

Extraordinary Investment and Property Subcommittee 16 December 2019

That the report 'Whangarei District Council's Civic Centre ' by Phil Heatley, Strategic Projects Manager and dated 6 December 2019, be received.

Carried

Strategic Projects Manager to reply back to Whangarei District Council (WDC) to advise Northland Reginal Council has a property strategy in place that does not include relocating in Whangarei. Interested in what WDC is proposing to NRC and will consider it.

Moved (Bain / Smart)

1.30pm Moved into Business with Public Excluded (Item 4.0)

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:

ltem No.	Item Issue	Reasons/Grounds
4.1	Request to Purchase Whangarei CBD Properties	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities $s7(2)(h)$ and the withholding of which is necessary to enable council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) $s7(2)(i)$.
4.2	Draft Forest Management Plan 2020- 2024	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information $s7(2)(b)(ii)$ and the withholding of which is necessary to prevent the disclosure or use of official information for improper gain or improper advantage $s7(2)(j)$.

3. That the Independent Financial Advisor be permitted to stay during business with the public excluded.

Carried

Moved (Bain / Smart)

The meeting concluded at 3.02.pm.

Carried

ID: A1269910

TITLE: Business with the Public Excluded

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	Reasons/Grounds
9.1	Confirmation of Confidential Minutes - 17 December 2019	The public conduct of the proceedings would be likel to result in disclosure of information, as stated in the open section of the meeting
9.2	Receipt of Confidential Committee Minutes	The public conduct of the proceedings would be like to result in disclosure of information, as stated in the open section of the meeting
9.3	Human Resources Report	The public conduct of the proceedings would be like to result in disclosure of information, the withholdin of which is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(a).
9.4	Mount Tiger Forest Management Plan 2020-2024	The public conduct of the proceedings would be like to result in disclosure of information, the withholdin of which is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(b)(ii) and the withholding of which is necessary to prevent the disclosure or use of official information for improper gain or improper advantage s7(2)(j).
9.5	Kaipara Service Centre - Next Steps	The public conduct of the proceedings would be like to result in disclosure of information, the withholdin of which is necessary to enable council to carry out, without prejudice or disadvantage, commercial activities s7(2)(h) and the withholding of which is necessary to enable council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(i).

public excluded.

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.